



TOWN OF DALTON

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Dalton Select Board Handbook

Adopted October, 2025

**Developed by the Select Board Ad Hoc Committee
with input from current Select Board members**

PREFACE

The purpose of this document is to inform residents, members and prospective Select Board members of the duties, functions, and purpose of the Dalton Select Board.

Although the Board's official name is 'Board of Selectmen', the Dalton Selectmen adopted 'Select Board' in 2016, asking the community to refer to it only as the Select Board going forward.

The 1995 Special Town Manager Act vests the Town Manager with the authority to manage town affairs that had previously been managed by the Select Board. The Act gives to the Town Manager the authority to appoint many town officials (including the Chief of Police), to prepare budgets, to prepare warrants, and to generally supervise the day-to-day management of the town.

Among the duties of the Town Manager is to report to the Select Board all of the activities under his supervision as may be required by the Select Board, keep the Select Board fully advised as to the needs of the town, and to recommend to the Select Board the adoption of measures requiring action by it or by the town.

The relationship is frequently described as the Town Manager is the Chief Executive Officer and the Select Board is the Board of Directors. The Select Board's key responsibilities are to guide policy and to oversee the Town Manager's performance. There must at all times be a good flow of information between the Board and the Town Manager. The Board should respect the Town Manager's authorities and should advise as appropriate. The Town Manager should keep the Board informed of significant developments and decisions, and seek guidance in the performance of their duties.

Select Board members are encouraged to become familiar with:

1. [The Open Meeting Law \(OPL\)](#)
2. [Town Manager's Act](#)
3. [The Massachusetts Municipal Association's \(MMA\) "Massachusetts Select Board Handbook.](#) Attendance at the yearly seminar for newly elected Select Board members held in June is strongly encouraged.
4. [The Public Records Law](#)
5. [Conflict of Interest Statutes](#)
6. [Robert's Rules of Order](#)
7. [Master Plan](#)
8. [MVP Plan](#)
9. [Climate Action Plan](#)
10. *Most Recent Annual Report (Available at Town Hall)*

Select Board Powers and Duties

The primary sources of the Select Board authority are:

1. Massachusetts General Laws and Special Acts
2. Dalton Bylaws
3. Town Manager Act

The following provisions are particularly critical, understanding the Board's duties and responsibilities include but are not limited to:

- Guide Town policies.
- Hold hearings on regulatory matters under the Board's jurisdiction, for example, the regulation of parking.
- Working collaboratively with the Town Manager and Finance Committee, help steward overall fiscal goals and policy.
- Authorize the issuance of the warrant for each Town Meeting.
- Appoint the Town Manager, review the performance of the Town Manager, and if necessary, terminate the Town Manager.
- Appoint members to certain boards and committees.
- Exercise (limited) jurisdiction over public and private ways under the Town Bylaws; the Board authorizes the closure of streets for activities such as block parties and special events.
- Serve as the Licensing Board responsible for issuing and renewing licenses for operations such as common victualler, food vendor, and alcohol.
- Conduct hearings and impose penalties for local liquor license violations.
- Additionally, as outlined in the General Laws and through historical transfers of authority, the Board also possesses the duties and responsibilities of the following:
 - Cable Commissioners
 - Enforcement relating to Wetlands Protection
 - Farm and Forestry Commission
 - Highway Commissioners
 - Mobile Home Park and Rental Control Board
 - Park Commissioners
 - Sewer Commissioners

Representation

Select Board members should work to advance the interests of the community as a whole. Each member should consider all issues with a broad view, avoiding personal bias or undue influence. Board members do not run or serve as part of a political party and the Board generally does not discuss state or national politics, except for the degree to which such matters might affect Dalton locally. Once elected, members must adopt a holistic approach which may or may not include action on policies they advocated during their campaign.

Board members may be called upon to serve on, or be a liaison to, other town committees or local, regional and state organizations. These assignments are reviewed periodically, most often during the annual reorganization of the Board which takes place in the first meeting after the annual town election. Similarly, Board members may have training opportunities made available to them, the benefits of which should be reported back to the full Board.

Statutory Duties

As elected officials, Select Board Members have a series of obligations under Massachusetts' "Conflict of Interest" statute, as well as Office of Campaign and Political Finance regulations. Moreover, the Board has obligations as a body to abide by a number of other important laws and regulations including the Open Meeting Law and Public Records Laws.

Select Board members must observe the prohibition on communications among a quorum of a public board on board matters outside of a properly noticed and posted public meeting. The Open Meeting Law defines deliberation as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." A communication among less than a quorum of the members of a public body will not be a deliberation, unless there are multiple communications among the members of the public body that together constitute communication among a quorum of members. The expression of an opinion on matters within the body's jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. A more detailed discussion of the OML can be found in the Attorney General's Guide.

Distribution of a meeting agenda, scheduling or procedural information, or reports or documents that may be discussed at a meeting is often helpful to public body members when preparing for upcoming meetings. These types of communications generally will not constitute deliberation, provided that, when these materials are distributed, no member of the public body expresses an opinion on matters within the body's jurisdiction. Communication, via email, referenced above, may best be served by the following examples: "FYI...please respond to me only. FYI...please do not respond."

A review of these statutory duties should take place at least yearly at the reorganization of the Board at the first meeting after the annual election and as needed. `

Select Board Appointment Authorities

Appointment of the Town Manager The Board appoints the Town Manager in accordance with the Town Manager Act. Given Dalton's form of government, the search for, and selection of, the Town Manager is one of the Board's most significant duties. The Board sets the Town Manager's compensation and other material conditions of employment they deem appropriate by written contract.

Direct Board Appointments The Board is vested with the authority and responsibility to directly appoint a variety of Town officials pursuant town bylaws and state laws. Below is a non-exhaustive list of significant Board direct appointees.

- Affordable Housing Trust members (includes a Select Board representative)
- All volunteer boards
- Berkshire Regional Transit Authority Representative
- Constables
- Fence Viewers
- Registrar of voters
- Traffic Commission
- Zoning Board of Appeals members and alternate members

Community members interested in being appointed should make such requests in writing to the Select Board.

In addition to specific statutorily authorized appointments, the Board may create committees or subcommittees for the purpose of advising the Select Board on specific issues. With input from the community and the Town Manager, the Select Board determines which community members to appoint to such groups, typically including a member of the Select Board to ensure good communication. These bodies are not authorized to create or establish policy but are expected to recommend policies to the Select Board for further action. The Board does not grant authorities to such committees, nor could it grant any authorities that are in conflict with responsibilities otherwise granted by MGL, the Charter or Town Bylaws. Such advisory committees are subject to the Open Meeting Law.

Advisement of Appointments by the Town Manager In accordance with Massachusetts General Laws and Town Bylaws, the Town Manager makes appointments to certain Boards, Committees, and Commissions, including, but not limited to the following:

- Berkshire Regional Planning Commission Alternate
- Board of Assessors
- Board of Health
- Building Inspector
- Conservation Commission
- Council on Aging
- Forest Warden
- Health Inspector
- Historical Commission
- Tree Warden

Reviews of the Town Manager

The Board should formally review the performance of the Town Manager on an annual basis, as specified in the Town Manager's contract. Informal feedback and suggestions may occur as needed.

Select Board Composition

In Dalton, Select Board composition is determined by the Town Manager Act. The Dalton Select Board is comprised of five elected residents who serve three-year terms, elected on the following cycle:

- Two are elected one year;
- Two are elected the following year; and
- One is elected in the third year of a given Board election cycle.

Members serve until their successors are elected. If for any reason there is a vacancy on the Board between elections, MGL Chapter 41 Section 10 clearly designates the procedure to be followed.

Select Board Organization

The officers of the Select Board consist of Chair and Vice-Chair. Officers are elected annually from its members, and each serve a term of one (1) year. Traditionally, elections are held at the first regularly scheduled meeting after annual town elections, but could also occur at other points in the year. All five (5) members should be present to hold the annual Board election.

Duties of the Chair of the Select Board

- Preside at all meetings to ensure that Board business is conducted properly, respectfully and efficiently. The Chair may cut off any inappropriate commentary, for example personal criticism directed at individual Board members.
- Act as the primary liaison with the Town Manager.
- Represent the Board at meetings, conferences, and other gatherings, or delegate the responsibility to another Board member.
- Create and review Board agendas in concert with the Vice Chair and the Town Manager;
- Arrange orientation for new Board members.
- Serves as the spokesperson of the Board at Town Meetings and presents the Board's position on Warrant Articles with recommended action voted in the majority.
- Prepare an annual report of the Select Board to be included in the Town's Annual Report.
- The Chair is the Select Board's public spokesperson. Their public comment on behalf of the Board should be limited to matters that have been discussed by the Board and for which there is clear consensus among Board members. To ensure consistency and clarity, other Board members should not represent the views of the Board to the press or to the community. Individual Board members, including the Chair, may publicly express their own perspective on any topic, but when doing so explain that they are expressing their own view and not necessarily that of the Board.

Duties of the Vice Chair of the Select Board

If the Chair is absent, the Vice-Chair shall assume the responsibilities of the Chair until the Chair returns.

Select Board Meetings

The Select Board conducts its work primarily at public meetings and public hearings. Meetings of the Board are regulated by the Massachusetts Open Meeting law, which sets requirements for notice and conduct of meetings and limitations on discussions outside of a public meeting (see above under Statutory Obligations).

Regular meetings of the Dalton Select Board are traditionally held on the second and fourth Mondays of each month, commencing at 7:00pm. When possible, in the months of July and August there may be only one meeting scheduled. Meetings falling on a legal holiday are cancelled or rescheduled for another date at the discretion of the Board. Meetings and hearings of the Board may be scheduled at other times at the discretion of the Board regarding any matter within their jurisdiction. Unless otherwise specified, the location of the meetings is at the Dalton Senior Center.

Meeting notices must specify the date, time and location of the meeting including videoconference information. The Town Manager, on behalf of the Chair, is responsible for filing public notice of any Board meeting with the Town Clerk and post on the notice Board outside Town Hall at least 48 hours prior to a meeting. Saturdays, Sundays and legal holidays are not included, so a 7pm Monday meeting must be posted no later than 7pm Thursday (assuming that the Friday is not a legal holiday). Meeting notices must list topics that the Chair reasonably anticipates to be discussed at the meeting or hearing. The Select Board may post a revised agenda enumerating emergency or other authorized items added after the closing of the agenda, in advance of the meeting.

Meeting Agendas

The Chair of the Board holds the responsibility for setting meeting agendas, customarily in collaboration with the Vice Chair and the Town Manager. Each of the members of the Board and the Town Manager may request items be placed on the agenda. The Chair holds ultimate authority over what items are to be placed on an agenda. The Chair and/or Vice Chair and Town Manager meet prior to posting to prepare the agenda. To the extent feasible, all materials to be considered by the Board should be made available to all members at the same time.

Persons seeking action or approval from the Board such as license and permit applicants are advised to contact the Town Manager's office well in advance of when they would like to appear, so that the requested item can be considered for inclusion on an upcoming agenda.

Common Agenda Items

- Approval of minutes
- Issuance and reissuance of various licenses, such as alcohol, one-day alcohol, common victualler, and changes in management (Includes power to suspend or revoke, subject to ABCC review.)
- Annual items such as adopting tax rate, tax classification system, financial audit report, and the Town Meeting warrant

- Appointment or reappointment of town boards and committees
- Town Manager Update
- Petitioner's Requests: topics brought forth by community members regarding various Town matters

Special Meetings

Executive Sessions The Open Meeting Law allows the Board to meet in executive session, closed to the public, for a specified list of purposes. Only items allowed under the Open Meeting Law shall be included in the Executive Session. An Executive Session shall not be held unless the Board has first convened in Open Session for which notice has been given. However, nothing herein shall restrict the Board from entering Executive Session at any time for any lawful purpose not previously reasonably anticipated by the Chair. A majority of the members must vote to go into Executive Session and the vote of each member must be by roll call recorded in the minutes. The mover must specify in the Open Meeting the grounds on which Executive Session is sought. Before the Executive Session, the Chair must state whether or not the Board will reconvene in Open Session. All votes taken in Executive Session shall be recorded roll call votes made part of the records of the Executive Session. Minutes of executive sessions shall be separately kept and recorded in accordance with the above procedures. Under the Open Meeting Law, Executive Session records shall remain confidential only "so long as the publication may defeat the lawful purpose of the Executive Session, but no longer." Thereafter they shall be open to the public. As such, the Board should periodically review its executive session minutes to decide whether to maintain confidentiality or to release such records for public review. This decision may benefit from review by town counsel.

Although rare, emergency meetings of the Board may be called by the Chair or any member of the Board, so long as a majority of Board Members agree to convene. An "Emergency Meeting" is defined by law as a sudden, unexpected circumstance demanding immediate action. 48 hours advance notice is not required, however, a notice should be posted at the earliest possible juncture.

Meeting and Hearing Procedures

Select Board meetings conducted in accordance with generally accepted rules of parliamentary procedure, with reference to Robert's Rule of Order. It is the Board's practice to conduct meetings in an orderly manner but also with sufficient informality to encourage discussion.

Although only three members of the Board must be present for a quorum, action on critical or controversial matters, the adoption of key policies or the making of critical appointments should be taken, if possible, when the full Board is in attendance. Actions and decisions shall be by motion, second and vote. When any Board member participates remotely, votes are taken by roll call.

Citizen Participation at Select Board Meetings

There are differences between a public hearing and a public meeting. Citizens are entitled to comment at public hearings held by the Select Board, and are encouraged to do so. Public hearings are a special type of public meeting usually devoted to giving formal approval authority such as a license or permit.

Examples of public hearing topics include new permits to serve alcohol, utility pole changes, or right-of-way grants to the gas utility. One or more public hearings may occur within the agenda of a regular Select Board meeting. Each public hearing is opened and closed by the Chair.

Most Select Board business is conducted at public meetings that are not public hearings, and citizens have the right to observe. Citizens wishing to comment at a regular Board meeting may do so only at the discretion of the Chair, or upon request of any member of the Board. This helps ensure that the Select Board can perform its business efficiently and on time.

The Dalton Select Board has traditionally allowed public comment at public meetings, and its agendas include a segment for “Public Address to the Board”, when community members can address the Board on topics of their choosing. Citizens are welcome to raise new issues for future board agendas, identify community problems, or comment on past, present or future board agendas. Members of the public may present the Board with materials in support of their comments. Each speaker must first be recognized by the Chair before speaking and should identify themselves and give their address. All speakers should adhere to our commonly agreed upon standard of civility, specifically: treating others with respect, refraining from personal attacks, and avoiding disparaging remarks about any person or group, including town employees. The Chair is responsible for maintaining orderly conduct and may curtail or limit disruptive commentary. Moreover, the Chair may impose a time limit on any individual comments, for example during lengthy meetings or when a large number of individuals wish to comment.

Public Recording of Meetings

Select Board Meetings are broadcast live and recorded by *Dalton Community Cable via You Tube*, which, within a few days of each meeting, provides free public access to the meeting recordings. However, audio and video recordings of meetings by members of the public are permitted under State Law so long as they notify the Chair before the meeting commences and that such recording does not interfere with the conduct of the meeting. The Chair must announce any such personal recordings as proscribed by law.

Town Meetings

Annual Town Meeting is the historic form of government for towns throughout the Commonwealth. In this format, all key decisions, including budget approvals, are made by voters. The voters are thus the town’s highest authority. Dalton uses the Open Town Meeting format, meaning that every registered voter is entitled to vote. This centuries-old meeting format remains an important example of democracy in action.

The Select Board serves several functions to prepare for the Annual Town Meeting: preparing the warrant, holding necessary hearings, and conducting public discussions of proposed warrant articles. The Board makes recommendations on articles, by vote, during its regular meetings in the weeks prior to Town Meeting. Select Board members may attend public hearings, read supporting documentation, and conduct their own inquiries to ensure they are fully informed of the issue at hand prior to the vote. Community members are encouraged to attend these Select Board meetings to comment on the proposed warrant articles. Such input during the Board's warrant review period provides the Board and the Town the opportunity to fully examine and debate the issues under discussion.

At its discretion, the Select Board may also recommend articles not under its jurisdiction, such as those from the Planning Board or Citizens' Petitions.

The Chair of the Select Board is the spokesperson for the Board at Town Meeting and presents the Board's recommendations. The Chair of the Finance Committee is the spokesperson for that committee and presents its recommendations.

Town Meeting is convened at a time and place designated by the Select Board, usually at 7pm on the first Monday in May for consideration of all articles in the Warrant (except elections, see below). Typically a single warrant calls for both the annual election and the annual town meeting. The Town Moderator calls Town Meeting to order and presides over Town Meeting. The Moderator regulates the proceedings, resolves all questions of order, and declares the results of all votes.

Special Town Meetings occur outside of the schedule for the Annual Town Meeting and are held to consider topics of a timely nature. A Special Town Meeting may be called at the discretion of the Select Board through issuance of a Special Town Meeting Warrant. Alternatively, 200 registered voters may call for a Special Town Meeting by presenting a petition to the Select Board.

The Town Warrant is the instrument for calling a Town Meeting and must contain a list of all Warrant Articles to be acted upon at Town Meeting with reasonable specificity. The Select Board reviews all articles to be included on the Town Warrant. Hence each warrant article, regardless of its origin, must be submitted in writing and electronically to the Town Manager and Select Board before the deadlines specified by the Board. The Town Manager, an official Town board, commission, committee, or department head may request placement of an article on the Warrant. Posting of the Warrant must be at least seven days before Annual Town Meeting, and fourteen days before Special Town Meeting.

Town Elections are generally held on the second Monday in May, one week after Town Meeting. Annual Town Election is called by the Select Board in the same Warrant that calls Town Meeting. While voters choose which candidates are elected to office, the Warrant serves to call for the election of Town officers as well as place appropriate ballot questions to the voters.

Other Town Boards and Regional Organizations whose members are elected by the voters

Moderator The Town Moderator is elected for a term of one year. The Moderator chairs the annual and special town meetings. For more information on the Moderator's powers and duties see MGL c. 30 section 14, the Charter section 5 and Bylaws 4-4 and 4-11.

Planning Board There are five positions on the planning board, elected for three year terms. The Planning Board is responsible for overseeing the long term land use pattern of Dalton through recommendations to Town Meeting to enact changes to the zoning Bylaws and to manage the town master plan.

Housing Authority The Dalton Housing Authority is governed by a five-member Board of Directors. All members serve a term of five years. The Authority is responsible for providing fair and safe housing to eligible families and individuals in specified buildings in accordance with MGL c. 67 public housing guidelines.

Central Berkshire Regional School District School Committee There are fifteen members, with seven from Dalton. Pursuant to the District Agreement, voters of all seven towns vote for all representatives. Members are elected to four year terms, with elections held in November.

Dalton Fire District The Fire District is a separate legal entity from the Town of Dalton and is managed by a Prudential Committee of three members elected to three year terms. Its elections are held independently from the Town elections. The Water Commissioners manage the day to day operations of the Fire District. The number of members on the Water Commission is scheduled to increase from three to five in 2025.

Finance Committee

There are nine members of the Finance Committee elected to three year terms. The Finance Committee considers the relative need, impact, timing, of town expenditures and the effect each will have on the financial position of the Town. It reviews the annual budget prepared by the Town Manager and recommends a final budget for approval at the Annual Town Meeting.