



Massachusetts Municipal Association

## MMA BEST PRACTICES SERIES

*Recommendations for Effective Local Government Administration and Management from MMA Policy Committees*

2023 • Volume 6 • Number 1

### MMA Policy Committee on Municipal and Regional Administration

#### Best Practice Recommendation: Strategies for Choosing a Successful Meeting Format

**BEST PRACTICE:** Develop, adopt and disseminate standards and guidelines for remote participation prior to any remote or hybrid public meeting. Consider technology, staffing, space and expectations when determining which meeting format — in-person, remote or hybrid — would best fit different municipal meeting needs.

Pandemic-related changes to public meetings laws have allowed for the advancement of both remote and hybrid meetings in many municipalities. It is clear, however, that a one-size-fits-all approach to municipal meetings is a disservice to meeting members and the general public. Determining what interest and capability a public body may have can effectively guide which approach to take in order to best meet the needs of both the public and the municipal body. An understanding of all mechanisms will enable the body to be flexible when needed. No matter which meeting format is chosen, it is important that municipal bodies clearly communicate the format, guidelines and expectations for participation prior to meeting.

The following are some considerations:

1. **What technology is available?** Video and audio are important components of both hybrid and remote meetings. While remote meetings may rely on individual technology components, hybrid meetings will require both video and audio access throughout the space. Both remote and hybrid meetings will require a platform (e.g., Zoom, Microsoft Teams, etc.) that is free for the public to access. Remote and hybrid meetings will also require some technology knowledge by members, including screen-sharing ability. Translation and closed-captioning should also be considered. When possible, consider recording and posting the meeting.

2. **What staff is available?** Remote and in-person meetings may require a single moderator/facilitator. Hybrid meetings may require at least one additional staff member to facilitate and integrate remote participants with those in-person. The chair should be prepared and knowledgeable on technology and meeting facilitation needs. Also consider whether on-site technical staff is available to support technology needs and troubleshoot problems that may occur in hybrid meeting formats.

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3. What physical space is available? Some cities and towns have invested in remote or hybrid meeting technology for one or more municipal spaces. Municipalities will need to consider both the body member and public attendance in determining the space needed for hybrid and in-person meetings. While infinite remote meetings can occur at the same time, hybrid and in-person meetings will need to consider schedule requirements for the physical space.

4. What are the expectations of the members? Many municipalities have seen an increase in board participation via remote meetings because they accommodate work and child care needs, as well as other accessibility needs. Though this may be beneficial, in-person meetings may be expected for planning boards or other entities that require site visits or documents that may be difficult to access in a hybrid or remote format. It's important to ensure that members understand the rules and expectations, including what happens if one or more members lose their internet connection to the proceedings.

5. What are the expectations of the public? Remote and hybrid meetings have increased public participation and furthered government transparency in many public bodies. However, many municipalities hold more than 30 different board meetings monthly, and not all municipal meetings have generated (or are likely to generate) much public interest. Consider whether the public needs in-person access to a remote meeting, essentially requiring a hybrid format. Also consider whether the meeting should be broadcast on local access television. It's important to ensure that the public understands the rules and expectations.

#### Resources:

- Civic Plus: [10 Best Practices to Enhance Your Public Meetings](#)
- Metropolitan Area Planning Council: [Shared Practices for Engagement in Virtual Meetings](#)
- Massachusetts Department of Transportation: [Guidelines for Successful Virtual Public Meetings](#)
- KP Law: [Open Meeting Law: Overview and Practical Considerations for Public Entities](#)
- Massachusetts Select Board Association webinar: [Technology and Staffing Needs for Remote and Hybrid Public Meetings](#)
- National League of Cities: [Making Public Meetings Accessible to All](#)



Massachusetts Municipal Association

## **MMA BEST PRACTICES SERIES**

*Recommendations for Effective Local Government Administration and Management from MMA Policy Committees*

2023 • Volume 6 • Number 2

### **MMA Policy Committee on Public Works, Transportation and Public Utilities**

#### **Best Practice Recommendation: Prioritize Relationships, Communication, and Key Policies to Ensure Effective Infrastructure Project Coordination**

**BEST PRACTICE:** At the core of good governance is ensuring that public resources are effectively invested and the needs of the public are met. Infrastructure projects often require significant public funding and human power. Such projects can also disrupt the lives of residents and businesses.

Repaving a road may require several weeks of rerouting traffic, causing slowdowns, inconvenience and safety risks for residents and workers. Infrastructure projects spearheaded by utility companies can have the same disruptive effects on a community. In addition to disrupting transportation, utility projects may also result in decommissioned materials like extra poles or pipes left in the public way that create safety risks while impacting the appearance of the neighborhood. Municipalities have limited authority over utility companies and any possible disruptions their work may have.

A goal of municipal officials is to ensure that all infrastructure projects are completed in a timely manner that maximizes impact while minimizing disruptions. Effectively coordinating projects with utilities and other relevant stakeholders can help to achieve this goal. Such collaboration can be encouraged by prioritizing relationships and communication, while enacting key policies at the municipal level.

#### **Proactive Coordination**

In addition to financial constraints, community dynamics, and environmental concerns, the health of stakeholder relationships can influence project success and affect efficient project coordination. Long before the start of any project, two key actions are recommended:

1. Establish regular open communication between municipalities, utilities and other key stakeholders.
2. Create multi-year plans, zoning, grants of location, and/or street-opening policies that will outline required actions by utility companies to help mitigate common conflicts.

#### **Regular Open Communication**

A practice of scheduled communication among relevant stakeholders should be established. This will likely take the form of a regular meeting of key representatives. At the municipal

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level, a liaison should be appointed to help establish regular communication between parties. Municipal department appointees, utility company representatives, and state-level representatives from relevant departments (e.g., MassDOT regional representatives) will form the core group of stakeholders, with additional representatives included as needed for each municipality or based on specific projects.

Regular meetings allow for all stakeholders to share their plans, resources, needs, and concerns about upcoming or in-process projects. Such meetings are excellent venues for sharing information about infrastructure plans to help ensure that projects are efficient. For example, a utility company may share its multi-year plan for infrastructure updates, and a municipality may use this information to better plan when to reclaim a street (or vice versa). It's important to remember that in most instances all stakeholders are interested in minimizing disruption to the public.

Establishing a pattern and culture of open communication helps to create a respectful dynamic between stakeholders and supports healthy professional relationships. Such a climate promotes collaboration and can lay the foundation to ensure that any project hurdles are handled quickly and efficiently when encountered.

In addition, regular communication with the public is key to successful infrastructure projects. Communities have used a variety of methods to keep residents and businesses informed, including project web pages, email alerts and notifications, and social media posts. If a community's ability to do these things is limited, the project design consultant or a communications consultant could be a useful resource.

Ensuring the public is informed about projects or utility issues creates trust in the community while holding companies and governments accountable. Public meetings may be used to bring together a legislative delegation, alongside company executives, to address issues affecting the public. For example, public meetings addressing gas leaks in the community allow for public engagement and can be a useful tool for tracking progress on repairs.

### **Municipal Policies for Accountability**

Multi-year roadway infrastructure plans and municipal policies that outline the community's requirements and priorities for utility infrastructure can be powerful tools to ensure healthy relationships. A multi-year plan provides transparency about upcoming project priorities and may help in coordinating with utility company infrastructure projects. Creating zoning, grants of location, and/or street opening policies that outline required actions by utility companies can help mitigate common conflicts and provide leverage for municipalities to ensure that utility companies follow through with necessary actions.

A community may choose not to grant new permits or grants of location to utility companies if companies have outstanding infrastructure maintenance in the right of way. For example, a municipality may implement a policy to not approve a grant of location or to postpone a permit approval if a company has been slow to remove one or more double poles. Such a practice encourages communication between the municipality and utility companies while also holding companies accountable.

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In addition to leveraging grants of location and permits, municipalities may require that companies complete questionnaires about utility infrastructure prior to granting permissions. Asking for information about the conditions of utility infrastructure or the status of requested action can help to ensure that all parties are informed and encourage companies to complete outstanding work. For example, communities may ask if there are any known leaks, if there are any double poles, and what the plan is to address such issues. An annual review of outstanding issues is also recommended.

There is no one-size-fits-all approach to coordination with utility companies. Individual relationships and project specifics may also impact collaboration. Emergencies may arise and require expedition of permits. And standing practices — for example, to open a road no more than once every five years — may not be adhered to. In addition, small communities may feel they have less leverage as a singular unit and will benefit from working together with neighboring communities to adopt uniform policies and regular coordinating meetings for the region. Absent legislative action to provide additional authority to municipalities, communities can work together with local-level practice and policies to help ensure that infrastructure projects are well coordinated and utility companies follow through on infrastructure obligations.

### Project Coordination Checklist

Here is a recommended infrastructure project coordination checklist:

Establish a pattern and culture of regular, open communication:

- Hold monthly meetings for stakeholders.
- Maintain a contact list and establish relationships.
- Invite departments/boards to meetings as needed. Be proactive.
- Create a culture of transparency and support. Openly share resources, plans, maps, relationships, policies, expectations, etc.

Enact and use relevant municipal plans, policies, and practice:

- Create and maintain a multi-year roadway infrastructure plan that can be shared with relevant stakeholders.
- If not already in place, create municipal zoning, grants of location, and/or street opening policies that outline required actions by utility companies.
- Outline in writing key municipal processes to ensure transparency and accountability, including an outline of the permitting processes. Before beginning a project, have participants sign an understanding of the expectations.
- Create checklists to help ensure necessary approvals are in place, including easements and rights of way.
- Outline timelines for necessary processes.

Sample policies:

- [Town of Lexington Department of Public Works/Engineering Requirements for Paving Contractors](#)
- [Lexington Select Board Policy: Grants of Location in the Public Way](#)

Note: This Best Practices recommendation builds on and updates a recommendation from 2017: [Coordination of Infrastructure Work With Utility Companies](#).



Massachusetts Municipal Association

## MMA BEST PRACTICES SERIES

*Recommendations for Effective Local Government Administration and Management from MMA Policy Committees*

2023 • Volume 6 • Number 3

### MMA Policy Committee on Energy and the Environment

#### Best Practice Recommendation: Financing Separate Storm Sewer Systems (MS4) Stormwater Permit Work

**BEST PRACTICE:** To meet increasing demands on stormwater systems, municipalities can sustainably finance stormwater management by creating a Stormwater Utility Enterprise Fund to address MS4 and general water infrastructure costs.

Cities and towns continue to face the direct impact of increased flooding, storm surges, new precipitation patterns, and groundwater level changes, among other environmental threats. Further, laws and regulations at the state and federal levels require municipalities with storm drain systems to manage and control stormwater discharges. As municipalities grapple with the many challenges brought on by climate change, they are advised to consider seeking new funding sources for stormwater through the creation of a stormwater utility.

Municipalities should consider the following when pursuing a stormwater utility enterprise fund:

- **Use the Department of Public Works.** Create a Stormwater Utility Division within the Department of Public Works and involve a GIS Department or specialist to develop a map where residents can view their impervious surface areas. Impervious surfaces are generally manmade and consist of structures, driveways, walkways, patios, parking lots, etc.
- **Explore and explain funding mechanisms.**
  - Can funds be used for other purposes? Fees gathered by the utility can only be spent on work for the MS4 permit, not for other municipal uses.
  - What is the most equitable way to distribute costs in the community? Fees may be based on impervious area per parcel.
  - Can property owners have portions of the fee waived for practicing effective water stewardship? Create a list of credits (abatements) for residents and businesses that use practices such as rain barrels, gravel driveways, rain gardens, or stormwater subsurface structures that aid stormwater flows.
  - Who will contribute? With a stormwater utility, all tax exempt entities will pay their share

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and contribute to management of municipal water systems, not just private property owners who currently foot the bill.

- Allow a phase-in period. Consider adding a stormwater utility line to the trash/sewer/water bill without a fee to get residents' attention for more education. Set a start date in the next fiscal year for the stormwater enterprise utility fee to go into effect, with enough time to allow tax exempt entities and large commercial areas to budget for the change and for the municipal finance team time to implement necessary adjustments.
- Emphasize the environmental benefits to addressing stormwater sustainably, before climate change gets worse. Safe stormwater practices can help mitigate flooding, clean up pollutants, and maintain a safe and healthy environment.
- Prioritize outreach and education to residents.
  - Create a Stormwater Utility website. Discuss and propose the framework for an enterprise fund utility and gather feedback.
  - Hire a consultant or create an ad-hoc committee of elected officials and professionals to distribute information, answer questions, or create fact sheets.
  - Hold public forums, and use community access radio and TV stations if possible. Consider holding forums at different times of day and different days of the week to reach more residents.
  - Highlight that keeping groundwater and drinking water clean is a priority of both municipal officials and members of the community.

#### Resources:

- Town of Franklin's [Stormwater website](#)
- Massachusetts Department of Environmental Protection's [Massachusetts Stormwater Handbook and Stormwater Standards](#)
- [Municipal Vulnerability Preparedness \(MVP\) program](#)
- Massachusetts Emergency Management Agency: [Local Hazard Mitigation Plan](#)