



Rules and Regulations of the Milford, Massachusetts Cultural Council

[Adopted November 17, 2020]

These rules and regulations have been prepared and adopted by the Milford Cultural Council in compliance with Massachusetts General Laws, and supersede any previous rules and regulations of the Milford Cultural Council.

[illegible]

November 17, 2020

TABLE OF CONTENTS

<u>ARTICLES</u>	<u>PAGE</u>
I. ORGANIZATION	4
II. OFFICERS	6
III. EXECUTIVE BOARD	8
IV. COMMITTEES	9
V. MEETINGS	10
VI. GENERAL PROVISIONS	11

ARTICLE I: ORGANIZATION

Section 1.1: Name.

The name of this organization shall be the MILFORD CULTURAL COUNCIL.

Section 1.2: Mission.

As a local partner of the Massachusetts Cultural Council, the mission of the Milford Cultural Council is to promote excellence, inclusion, education, and diversity in the arts, humanities, and sciences to foster a rich cultural life for all Milford residents, thereby contributing to the vitality of our community and economy.

Section 1.3: Membership.

Pursuant to Massachusetts General Laws, Chapter 10, Section 58, the Milford Cultural Council shall, ideally, consist of thirteen members, but in no event fewer than five and not more than twenty-two members, appointed by the Milford Board of Selectmen. The terms of such members shall be staggered, such that one-third of members shall be appointed in the first year, one-third of members shall be appointed in the second year, and one-third of members shall be appointed in the third year.

Section 1.4: Eligibility.

Any person with a primary residence within the town of Milford shall be eligible for membership. Eligible parties shall express interest by returning a completed talent bank application to the Milford Board of Selectmen. Any member who changes primary residence from Milford (e.g., by moving and/or registering to vote outside of the town of Milford) shall remain a member of the Council for the remainder of his or her appointed term or until his or her successor is appointed and duly qualified, but shall not be eligible to renew his or her membership.

Section 1.5: Term of Membership.

In accordance with Massachusetts General Laws, Chapter 10, Section 58, members are appointed for a three-year term. A person replacing a member who has been removed or resigned before the expiration of that member's term does not complete the remainder of that term, but instead begins a new three-year term that begins on the day of appointment by the Board of Selectmen and expires on the third anniversary of that same month and day. All new members are qualified to serve upon taking the oath of office. By state law, members can serve a maximum of two consecutive terms, or a total of six consecutive years and must remain off the council for a one-year interval before becoming eligible for appointment to serve on the Council again.

Section 1.6: Absenteeism.

If a member misses more than 25 percent of meetings held within a fiscal year, the Organization may recommend that the Board of Selectmen remove said member, provided that the member receive written notice and an opportunity to be heard at a regular meeting of the Milford Cultural Council. A recommendation of removal must be passed by a two-thirds majority of the members

of the Milford Cultural Council present and voting. A member whose removal is sought shall not be eligible to vote on his or her own removal, and, for purposes of determining the two-thirds majority, shall not be counted among those present and voting.

Section 1.7: Conflicts of Interest.

Members shall comply with all state laws, including Massachusetts General Laws Chapter 268A, related to conflicts of interest, as well as the program guidelines for local cultural councils published by the Massachusetts Cultural Council. In addition, the following provisions shall apply to this organization.

Section 1.7a. Restrictions on Active Members.

Active members of the Milford Cultural Council are prohibited from applying for a grant for themselves, on behalf of immediate family members, or on behalf of a third party.

Section 1.7b. Restrictions on Former Members.

Former members are prohibited from applying for a grant for themselves, on behalf of immediate family members, or on behalf of a third party within two (2) years of serving as a member of the Milford Cultural Council.

Section 1.7c. Definition of Immediate Family Member.

For purposes of this document, “immediate family member” shall be defined as the spouse, parents, children, brothers and sisters of a member of the Milford Cultural Council; and the parents, children, brothers and sisters of a Council member’s spouse.

Section 1.7d. Resolution of Conflicts Between Restrictions.

Whenever a conflict exists between this document and the conflict of interest guidelines published by the Massachusetts Cultural Council, the more restrictive shall prevail.

Section 1.8: Social Media Policy.

When posting to any social media or other website on behalf of, or as a member of the Milford Cultural Council, members shall at all times conduct themselves as a representative of the Milford Cultural Council and in accordance with all applicable rules, regulations, policies, and guidelines published by the town, the Massachusetts Cultural Council, or other relevant agencies. When posting on behalf of or as a member of the Milford Cultural Council, members shall refrain from posting content that could reasonably be considered derogatory or objectionable, as well as content that endorses or otherwise cites (either with approval or disapproval) elected or appointed town officials, other members of the Milford Cultural Council, vendors, suppliers, clients, or other stakeholders. Failure to comply with these policies may lead to a revocation of posting privileges, as determined by a majority vote of the Executive Board or a two-thirds majority of the Milford Cultural Council.

Section 1.9: Resignation.

Any member wishing to resign from the Milford Cultural Council shall submit his or her resignation in writing to the Board of Selectmen, who will appoint a replacement according to

procedures stated in Massachusetts General Laws, Chapter 10, Section 58 at the earliest possible opportunity. A copy of the resignation shall also be sent to the Town Clerk and to the Chair of the Milford Cultural Council. A member who has resigned in good standing may reapply for membership after one year. The reappointment shall be treated as a new term with opportunity to renew for a second term.

ARTICLE II: OFFICERS

Section 2.1: Titles and Number.

The officers of the Milford Cultural Council shall be a Chairperson, a Vice Chairperson, a Treasurer and a Secretary. These officers shall perform the duties prescribed herein, and any other duties as may be delegated to them by the Milford Cultural Council, the Board of Selectmen, or the Massachusetts Cultural Council. These duties will be performed in accordance with the program guidelines for local cultural councils as published by the Massachusetts Cultural Council.

Section 2.2: Elections.

Officers shall be elected, by majority vote, at the Annual Meeting, which is the first regular meeting in a new fiscal year.

Section 2.3: Terms of Office.

The officers shall be elected to serve for one year, but if necessary their terms of office shall extend until a successor is elected by the Council and duly qualified. Members may be reelected to an office for as long as he or she is eligible to serve on the Council. In the event that an officer is no longer eligible to serve, or is no longer eligible for membership in the Milford Cultural Council as described herein, that officer shall notify the Executive Board and the Board of Selectmen in writing, and resign from his or her role as an officer of the Milford Cultural Council.

Section 2.4: Vacancies.

In the event that an office is not filled, or becomes vacant at any time, an election shall be held among the Council members as soon as possible to elect a member to assume the vacant position.

Section 2.5: Officer Responsibilities.

Section 2.5a: Chair. It shall be the responsibility of the Chair to:

- Preside over all regular and special meetings of this Organization, as well as all Executive Board meetings;
- Provide an agenda for all regular and special meetings, and ensure that all meetings are properly posted, in accordance with Massachusetts Open Meeting Laws;

- Communicate with the Board of Selectmen, the Town Administrator, and the Massachusetts Cultural Council as required;
- Maintain a database of the Milford Cultural Council members, including contact information, date of appointment, and term expiration date;
- Regularly meet with the Treasurer and the appropriate town officials as needed to maintain the funds of the Milford Cultural Council;
- Decide all points of order, unless overruled by a majority of the Council in session at the time;
- Prepare and submit all reports required by law, and appoint such committees as may be found necessary or desirable; and
- Ensure all meetings comply with the Massachusetts Open Meeting Law, General Law chapter 30A, Sections 18-25.

The Chairman shall vote and be recorded on all matters coming before the Council.

Section 2.5b: Vice Chair. It shall be the responsibility of the Vice Chair to:

- Act as an aide to the Chair, and, in the absence or abstention of the Chair, or in the event of disability or inability to perform the duties of the Chair the Vice Chair shall act as the Chair for so long as the Chair is unable to perform the duties;
- Collect all mail from the Milford Cultural Council's post office box on a regular basis, and distribute to the appropriate parties in a timely fashion;
- Secure a meeting location for all regular and special meetings in a timely fashion; and
- Perform such other powers and duties as the Chair shall lawfully designate.

The Vice Chair shall vote and be recorded on all matters coming before the Council.

Section 2.5c: Treasurer. It shall be the responsibility of the Treasurer to:

- Regularly meet with the Chair and the appropriate town officials as needed to maintain the funds of the Milford Cultural Council;
- Reconcile all accounts and prepare a balance sheet for presentation at each regular meeting;
- Verify that all grant reimbursement requests meet the standards of the Milford Cultural Council as set forth in the program guidelines for local cultural councils as published by the Massachusetts Cultural Council;
- Complete and submit all forms related to grant reimbursement requests to the required town officials in a timely fashion to ensure prompt payment;
- Keep a full and accurate account of any receipts and expenditures; and
- Perform such other powers and duties as the Chair shall lawfully designate.

The Treasurer shall vote and be recorded on all matters coming before the Council.

Section 2.5d: Secretary. It shall be the responsibility of the Secretary to:

- Keep and publish minutes from all regular and special meetings, in accordance with Massachusetts Open Meeting Laws;
- Call the roll at Council meetings;
- Conduct all correspondence of the Council;
- Maintain any necessary files and indices;
- Receive and scrutinize all grant applications for compliance with the Rules and Regulations of the Council;
- Mail all required public hearing notices, notices of decisions, and copies of decisions as required;
- Chair the Milford Cultural Council Communications Committee;
- Review and approve any press releases, social media postings, or similar communications prior to their general release; and
- Perform such other powers and duties as the Chair shall lawfully designate.

The Secretary shall vote and be recorded on all matters coming before the Council.

If the Secretary is absent, disabled, or otherwise unable to perform his or her duties, the Chair shall designate an acting Secretary who shall hold such position for so long as the Secretary is unable to perform the duties.

ARTICLE III: THE EXECUTIVE BOARD

Section 3.1: Establishment and Membership.

There is established within the Milford Cultural Council an Executive Board comprising a Chair, Vice Chair, Treasurer and Secretary.

Section 3.2: Duties.

The Executive Board shall have general supervision of the affairs of the Milford Cultural Council between business meetings, fix the hour and place of Milford Cultural Council meetings, make recommendations to the Milford Cultural Council, and perform such other duties as are specified herein or on the Massachusetts Cultural Council website. The Board shall be subject to the orders of the Milford Cultural Council and none of its actions shall conflict with actions taken by the Milford Cultural Council or with the purposes of the Massachusetts Cultural Council.

Section 3.3: Special Meetings of the Executive Board.

Special meetings of the Executive Board may be called by the Chair or upon the written request of one other member of the Executive Board. Written notice thereof shall be given to each Executive Board member at least 48 hours before the time set. The purpose of the meeting shall be stated in the notice. In accordance with the Massachusetts Open Meeting Law, no meeting

shall be called without posting a meeting notice with the Town Clerk at least forty-eight (48) hours prior (excluding Saturdays, Sundays, and holidays).

Section 3.4: Challenges.

A challenge to a decision of the Executive Board may be initiated by the Milford Cultural Council at large at the next regular meeting. The challenge must be made by at least three members of the Milford Cultural Council. A two-thirds majority of members present and voting shall be required to override the decision of the Executive Board; members of the Executive Board shall be allowed to vote on the challenge.

ARTICLE IV: COMMITTEES

Section 4.1: Standing Committees.

There shall be two Standing Committees: Communications and Grants Review. The latter, consisting of the entire membership, may be sub-divided for efficient evaluation.

Section 4.2: Communications Committee.

It shall be the duty of the Communications Committee to:

- Work with the necessary parties to ensure that the information on the town website and Massachusetts Cultural Council website is up-to-date and accurate;
- Create and maintain accounts on social media websites, provided that the creation of each account is approved by the membership of the Milford Cultural Council;
- Create and maintain a calendar of upcoming cultural events in Milford, especially those supported by grants provided by this organization;
- Solicit feedback to assess the cultural needs of the community and inform the community of the creation of the Milford Cultural Council's funding priorities for the upcoming grant cycle, as laid out in the local cultural council program guidelines published by the Massachusetts Cultural Council; and
- Inform the public of the availability of grant funds, deadlines for grant applications, and the funding priorities and awards process of the Milford Cultural Council.

Members shall be appointed to the Communications Committee by the Chair of the Milford Cultural Council, subject to the approval of the Executive Board.

Section 4.3: Grants Review Committee.

It shall be the duty of the Grants Review Committee to:

- Receive and perform an initial review of grant applications;
- Summarize applications and perform an initial determination of whether the application is complete, meets the community's cultural needs and the Milford Cultural Council's goals and objectives, and is ready to be forwarded to the Milford Cultural Council for consideration;

- Communicate with grant applicants as to whether the application is complete or requires supplementation;
- Perform any necessary preliminary investigation or inquiry into the grant application or the applicant; and
- Assemble and distribute to the full membership copies of all grant applications and associated supporting documents for further review and consideration.

Section 4.4: Special Committees.

Special Committees may be created by a simple majority vote of Council members present and voting during any regular or special meeting, as from time to time deemed necessary to carry on the work of the Council. Members shall be appointed to Special Committees by the Chair of the Milford Cultural Council, subject to the approval of the Executive Board. The Chair or the Vice Chair shall be an Ex-officio member of all special committees.

ARTICLE V: MEETINGS

Section 5.1: Regular Meetings.

The regular meetings of the Milford Cultural Council shall be held monthly from September to June, inclusive, unless otherwise called by the Milford Cultural Council. Meetings during July and August shall be scheduled at the discretion of the Executive Board. All meetings shall conclude at or prior to 11:00 pm. The Council may extend meetings beyond the 11:00pm deadline by majority vote of the members present and voting.

Section 5.2: Grant Review.

Additional meetings for review of grants may be scheduled on an as-needed basis.

Section 5.3: Annual Meeting.

The first regular meeting of each fiscal year shall be known as the Annual Meeting and shall be for the purpose of electing officers, for welcoming new members, and for planning the year's activities. The fiscal year begins on July 1 of each year.

Section 5.4: Special Meetings.

Special meetings may be called by the Chair, by two members of the Executive Board, or upon the written request of three members of the Council. Written notice thereof shall be given to each member at least 48 hours before the time set. The purpose of the meeting shall be stated in the notice. In accordance with the Massachusetts Open Meeting Law, no meeting shall be called without posting a meeting notice with the Town Clerk at least forty-eight (48) hours prior (excluding Saturdays, Sundays, and holidays).

Section 5.5: Procedure.

All meetings shall be conducted in accordance with Robert's Rules of Order Revised, Fourth Edition.

Section 5.6: Quorum.

More than one-half of the total number of members currently appointed to the Milford Cultural Council shall constitute a quorum. During the grants process, once the Chair has determined that a quorum is present, any members with a vested interest in the grant under consideration must publicly declare said vested interest, and abstain from discussion and voting on said grant. Such abstentions shall not affect the determination of a quorum.

Section 5.7: Voting.

The concurring vote of a majority of the members of the Milford Cultural Council present and voting, unless otherwise required by law, shall be necessary in any action taken by the Milford Cultural Council. Cumulative voting shall not be allowed.

Section 5.8: Reconsideration.

A vote by the Milford Cultural Council may be reconsidered by the Council at any time prior to the adjournment of the meeting at which the decision is made, or at the very next regular meeting.

ARTICLE VI: GENERAL PROVISIONS

Section 6.1: Adoption and Amendment.

The rules and regulations set forth herein shall be adopted at any regular meeting of the Milford Cultural Council by a three-quarters vote of those members present and voting, provided that the document has been available for discussion for at least two previous regular meetings. These Rules and Regulations may be amended at any regular meeting of the Milford Cultural Council by a two-thirds vote of the members present and voting, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 6.2: Severability.

The provisions contained herein are severable. If any provision of the rules and regulations herein is held invalid, the other provisions contained herein shall not be affected thereby. If the application of these rules and regulations or any of their provisions to any person or circumstance is held invalid, the application of these rules and regulations and their provisions to other persons and circumstances shall not be affected thereby.

Section 6.3: Other Guidelines.

In the event that any question arises which is not adequately addressed by these Rules and Regulations, the Milford Cultural Council shall be allowed to conduct business according to the most recent version of the program guidelines for local cultural councils published by the Massachusetts Cultural Council. However, to the extent that any conflict exists between these

Rules and Regulations and the guidelines, the provisions contained in this document shall prevail.

Section 6.4: Advice.

Any advice, opinion, or information given by the Milford Cultural Council outside of a duly convened meeting or outside of an official communication, or given or made by any individual Council member, or any other official employee of the Town of Milford, shall not be binding upon the Council.