

Sharing a document with a committee via the Town website

Glenn P. Parker — Last updated: 13 February 2019

Preface

This is a preliminary version of a guide for using a service provided to official committees by the Town of Lexington. The contents of this document represent the knowledge and opinions of the author. This document has not been reviewed or approved by Town staff, and it should not be taken as legal advice. Please direct comments and corrections to <glenn.parker@lexingtontmma.org>.

Introduction

The *Open Meeting Law Guide*^{*}, published by the Office of Attorney General Maura Healy on October 6, 2017, states:

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.” 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.

While the OML allows most procedural and third-party information to be shared freely, it effectively bans the sharing of a document amongst a quorum of any official Town committee if that document contains the opinions of any committee member pertaining to the committee’s purpose.

When a committee is preparing a report, sharing draft versions of the report with the full committee may qualify as deliberation. In the case where the report is of a non-trivial length and has multiple authors, this may create a critical bottleneck in the functioning of the committee. Since no draft report contents may be shared prior to a meeting, the committee is obliged to read and formulate edits during precious meeting time.

A ruling by the Massachusetts Supreme Judicial Court specifies a mechanism that alleviates some of this bottleneck while allowing the committee’s communication to conform with the OML. The SJC states that documents containing the opinions of committee members may be shared with a quorum as long as those documents are also made available to the public, e.g. via a Town’s official website.

To support the need for some committees to share documents in this manner, the Town is allowing designated committee members to publish documents on the Town’s website. In practice, this means that committee officers (or other designated members) will be able to login to the Town’s CIVICCMS (a specialized Content Management System licensed by the Town) and make updates to a specific area within the Town website.

This document covers some of the practical details for using the system and provides a step-by-step walkthrough for publishing a document.

Website Account

Town staff must create a website account and provide you with a login name and password. If you require access, contact your committee chair.

The account name and password are both case-sensitive. Be careful while logging in the first time, since the account will be locked after ten failed login attempts, after which you will have to contact Town staff to reset the account.

You can change or reset your own password as necessary, but you are responsible for the security of your account. The website also imposes some restrictions to encourage strong passwords. You may find that these password restrictions do not interact very well with your personal password management system.

It should go without saying, but do not share your account information with anyone else. Every user who requires access to the website should have their own account.

^{*} <http://www.mass.gov/files/documents/2017/09/25/2017%20Guide%20only.pdf>

After logging in, you will be taken to your personal account node, which displays a list of group memberships administered by the website. Your committee will be listed as a group, with a link to that committee's node.

Your account's access will be limited to the content for your specific committee, so you will not have to worry about accidentally damaging other parts of the website. The CIVICCMS system also supports complete revision control for each node, so unintended modifications and deletions to the website by a user can be reverted to a prior state.

When logged into the website, other users will be prevented from making any changes to the node until you release the lock by logging out. After an idle period of two hours, you will be automatically logged out.

Document Formats

Only the following formats are allowed: txt pdf doc docx ppt pptx xls xlsx xlt jpg gif png bmp tiff csv kmz

Published documents should always be available in a format that is readily viewable by anyone with a basic computer, smart phone or tablet. Examples of publicly accessible formats are Adobe Portable Document File (PDF), standard image formats such as JPG and PNG, and simple text or text-based formats such as Comma Separated Value (CSV).

Formats that require software not freely available to the public, such as Microsoft Word (doc, docx), Excel (xls, xlsx, xlt) and PowerPoint (ppt, pptx), should be exported to a publicly accessible format prior to sharing. For most formatted text, spreadsheets and slides, PDF is the best choice.

The Keyhole Markup Language Zipped (kmz) is an open file format for geographic data that can be read by Google Earth. While that software is freely available, it might be useful to render a map based on the data for the public.

The layout and style of the document also affect how accessible it is. It may seem boring, but basic black and white layouts with standard fonts at legible sizes are friendly choices that will make your document easier to read.

In some cases, it may be desirable to publish the original document format alongside a publicly accessible format so that committee members can easily work on edits to the original document. The OML is unclear on whether such edits may be shared with other committee members outside of a public meeting, since any extended exchange of documents involving the full committee could be deemed a deliberation.

Note that the mobile app for Adobe Acrobat has a "reading mode" to make it easier to read text-dense PDF documents on small screens. Documents need not be formatted for "easy" viewing on mobile phones.

Practical Considerations

To take advantage of this new capability, committee agendas should always include a URL pointing to the page on the Town website where committee documents will be shared. For the Appropriation Committee, this URL is: <https://www.lexingtonma.gov/appropriation-committee/pages/committee-draft-documents>

The OML requires that meeting agendas be posted at least 48 hours in advance of the meeting, but documents may be shared on the Town website at any time, even after a meeting agenda has been posted (assuming the agenda contains a URL as described above).

The website should be the sole method of sharing documents like this. In other words, if the document is going to be published on the Town website, then it is best to avoid sharing copies (including alternate formats) by email, or by other means such as portable storage devices. This avoids any ambiguity about exactly which documents have been made public.

This capability also enables a committee to share other documents that may be referenced during a public meeting, even if the document's content is not constrained by the OML. While such auxiliary documents are routinely archived in conjunction with meeting minutes, they are not readily available to the public. Making these documents simultaneously available to committee members and the public via the Town website is encouraged, because it enhances the transparency of the committee's work.

The CIVICCMS limits the total document storage under a committee node to 100 MB. It would be preferable to keep all documents available online, but as documents accumulate it may be necessary to manage the storage by pruning older documents. Town staff may also archive portions of the Town website to make more storage available.

Draft versions of reports may be handled like draft meeting minutes. They are not considered part of the meeting record and they need not be permanently archived. The justification is that the final version of a report supersedes all drafts and it is archived by the Town Clerk.

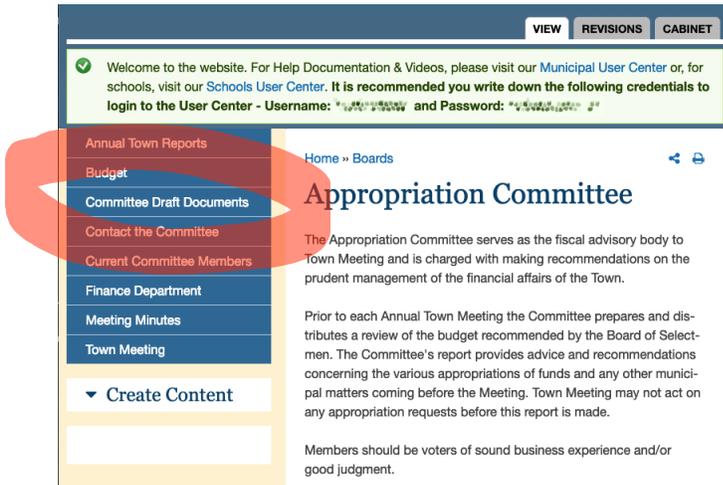
Publishing a Document

- Login to the Town website. Open a browser window at <http://www.lexingtonma.gov/> and click on the **Web Editor Login** link at the bottom of the page, or go directly to <https://www.lexingtonma.gov/user/login>



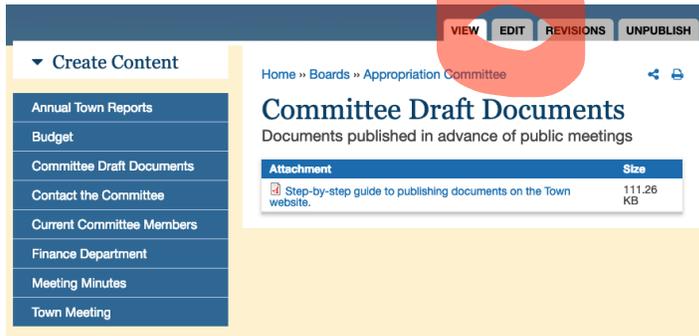
The screenshot shows the Town of Lexington Massachusetts website's user login interface. At the top, there is a navigation bar with links for HOME, DEPARTMENTS, BOARDS & COMMITTEES, VISITORS, CONTACT US, and HELP CENTER. Below this is a dark blue bar with 'LOG IN' and 'REQUEST NEW PASSWORD' buttons. A green notification bar states 'You have been logged out due to inactivity.' The main content area is titled 'User account' and contains two input fields: 'Username' with the placeholder 'Your.Username' and 'Password' with masked characters. A 'Log in' button is positioned below the password field.

- Click on the **Committee Draft Documents** button in the left sidebar. This example is specific to the Appropriation Committee. Other committees may use a slightly different presentation, but all document sharing will be accessed via one or more buttons in the sidebar.

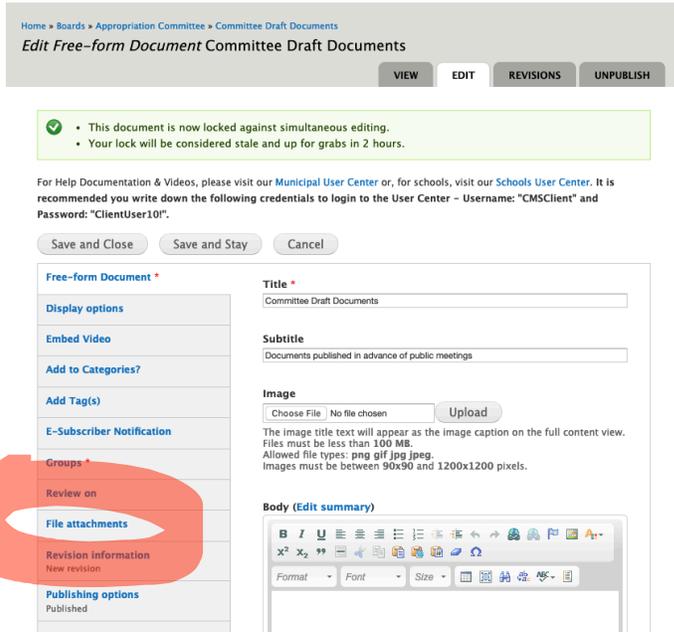


The screenshot displays the 'Appropriation Committee' page. At the top, there are tabs for 'VIEW', 'REVISIONS', and 'CABINET'. A green notification bar provides a welcome message and login instructions. The left sidebar contains a list of navigation items: 'Annual Town Reports', 'Budget', 'Committee Draft Documents', 'Contact the Committee', 'Current Committee Members', 'Finance Department', 'Meeting Minutes', and 'Town Meeting'. The 'Committee Draft Documents' item is highlighted with a red circle and a white arrow. The main content area is titled 'Appropriation Committee' and includes a description of the committee's role and a 'Create Content' button at the bottom.

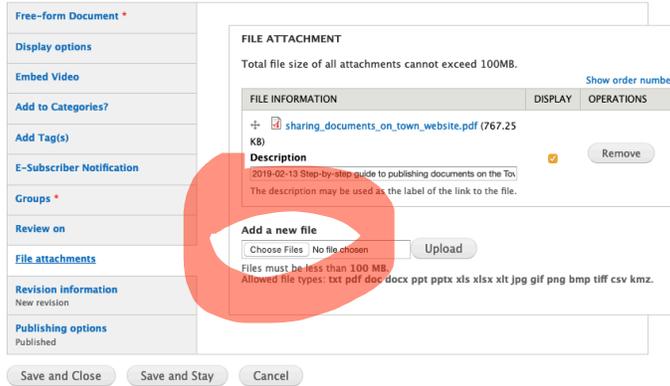
- Click on the **Edit** tab at the upper right.



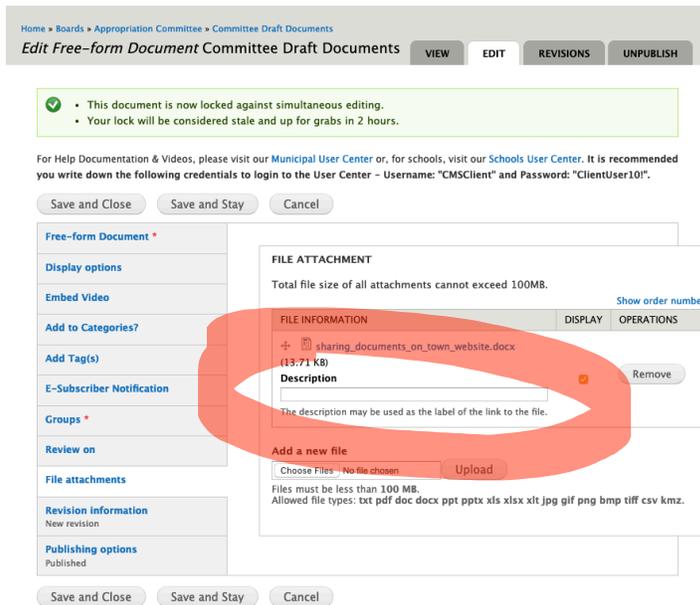
- Click on **File Attachments** in the left sidebar. Note that we are using a limited subset of the features supported by this CMS to share documents. This interface also allows changes to the name of the sidebar button (under **Title**), and to other aspects of the CMS that are not used by the document sharing capability described here.



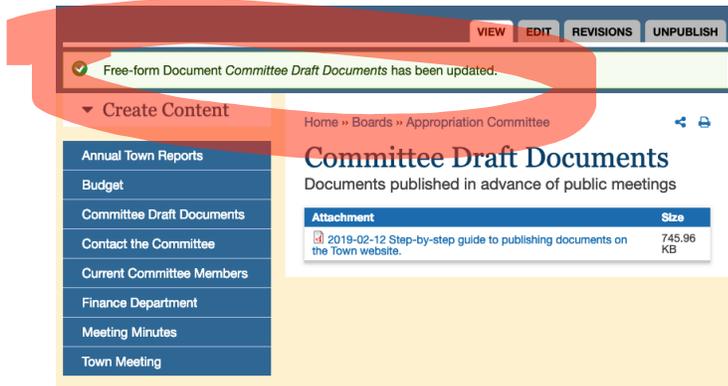
- Click on the **Choose Files** button under **Add a new file**. Select the document to upload from your computer and click on OK.



- Click on the **Upload** button. (see above)
- After the file upload completes, type in a brief summary under **Description**. If no description is specified, the original filename will be used as the link to the document. In order to make it easier to locate documents uploaded for a specific meeting, create a summary that starts with the date of the meeting in a format that will sort chronologically, e.g. “2019-02-13 Report draft #3”.



- Click on the **Save and Close** button or the **Save and Stay** button.



The document will immediately be accessible from the Town website as shown above. Web users may need to refresh their view of the page to see the updated list of documents.