

**ARTICLE 23:** To see if the Town will vote to adopt as Chapter 9, Article VIII §9-29 through §9-33 of the Town bylaws, the following:

### **Article VIII Municipal Technology Committee**

#### **§9-29 Purpose**

Because a wide range of technologies play an increasing role in the lives of the Town's citizens and the work of its employees, the Town needs a coordinated approach to their adoption and use. As more fully described in the remainder of this Article VIII, this article establishes a committee that will be responsible for creating a rolling five-year Strategic Plan for the Town's technologies across all government entities, and will ensure consistent interpretation and execution of that plan. The committee will work in collaboration with the various government entities that use/propose technologies. It will report on the plan to the Town Meeting and advise Town Meeting on proposed expenditures for technology.

#### **§9-29-A Establishment; Membership; Qualifications**

There shall be a Municipal Technology Committee ("MTC"), which shall consist of five voting members and the non-voting ex-officio members identified below.

Each voting member shall be a resident of the Town and shall not be a Town officer or employee. Each voting member shall have significant relevant professional experience and knowledge of one or more of the Technologies used, or proposed to be used, by the Town.

The voting members shall be appointed as follows: two by the Board of Selectmen, two by the School Committee, and one by the Library Board of Trustees.

#### **§9-29-B Appointments; Terms; Vacancies; Removal**

Voting members shall be appointed for three-year terms. The initial appointments shall be two members for three years, two members for two years, and one member for one year, so as to establish overlapping terms. For subsequent appointments, the appointing authority shall request that the MTC review the qualifications of prospective appointees, but the final determination of who is selected shall rest with the appointing authority.

Any voting member who shall remove from the Town, resign, or die shall cease to be a member. When notified that any voting member has failed to faithfully discharge his duties, or has failed without good cause to attend at least three quarters of the full MTC meetings held in any six month interval: the respective appointing authority shall promptly give notice, hold a hearing and determine whether such member shall be removed from the MTC. In any case of a vacancy in the voting membership, the respective appointing authority shall, within thirty days, appoint a replacement for the balance of the unexpired term.

Regular ex-officio (non-voting) members may be appointed as follows: one each by The Board of Selectmen, the School Committee, the Library Board of Trustees and the Board of Health. ("Boards") Regular ex-officio members serve at the pleasure of their appointing authorities, and may be non-resident Town officers or employees. They shall be the persons most responsible for Technology used by their respective Board.

Additional ad-hoc ex-officio (non-voting) members may be added by the Boards, but only with the consent or by the request of a majority vote of the MTC. Such ad-hoc members serve at the pleasure of the appointing authority and of the MTC on a temporary basis for so long as needed by the business of the MTC. They may be non-resident Town officers or employees.

#### **§9-29-C Organization; Meetings**

The members shall select, from among themselves, a Chairman and a Secretary. The MTC shall promulgate such rules of procedure as may be reasonable and useful for its efficient operation, and may from time to time amend these rules by a majority vote of the members. These rules shall specify that non-voting members have the right to full participation in all deliberations, except as may be restricted by applicable law. No amendment to the rules shall be considered without prior notice to all members.

The MTC shall ordinarily and preferentially meet in the Town, but may conduct meetings, investigations or inspections within the scope of its duties and authority anywhere, subject to standard Town travel budgets and policies.

The MTC may appoint from its own membership subcommittees and delegate to them such of its powers as it deems expedient.

All reports and recommendations of the MTC made to the Town shall be voted by a majority of the voting members of the MTC, but this shall not be construed to prevent recommendations by a minority nor to discourage full participation by the non-voting members.

#### **§9-29-D Staffing**

Subject to available funding, the MTC shall have the authority to engage consultants (paid or volunteer) ("Consultants") when its membership does not include the expertise necessary to evaluate specific projects. The MTC may direct Consultants to act to investigate and/or to report to the MTC on Technology and/or its use, proposed use, or discontinuance in the Town. When the MTC determines that a Consultant reasonably requires the assistance of a Technology Manager to complete a task assigned to him by the MTC, the MTC shall deliver a request for assistance to either the Technology Manager or to the Technology Manager's supervisor. All reasonable requests for assistance shall be approved by the Technology Manager's supervisor. The MTC may accept a reasonable alternative approach suggested by the Technology Manager or the Technology Manager's supervisor. The MTC may not delegate its powers to Consultants.

The MTC shall have no permanent staff, but the Town Administrator shall provide reasonable administrative support.

The Town Administrator and ex-officio members shall provide reasonable access to other employees as may be requested by the MTC. Such access shall be subject to the approval of the affected employees' direct supervisor(s).

#### **§9-29-E Funding**

The MTC shall have a budget for Consultants and other expenses. It shall submit its projected expenses to the Town's regular budget process. Any expenditures from its budget shall require a majority vote of the MTC, and be subject to the Town's policies for such expenditures. Unless otherwise agreed or budgeted, expenses attributable to ex-officio members shall be paid by their respective appointing authorities. Expenses attributable to voting members shall be paid from the MTC budget.

#### **§9-30 Functions and Definitions**

The duty of the MTC shall be to recommend and document an overall technology strategy for the Town and to proactively lead the Town's development and implementation of this strategy.

Further, the MTC shall proactively advise the Boards, other Town Entities, the Town Administrator, and their designated employees ("Technology Managers") responsible for purchasing and utilizing technologies used to provide Town services.

In this Article VIII , "Technologies" include, but are not limited to: Information Technology/Data Processing equipment and Software, Computer Networks, Voice/FAX systems, Intelligent building control systems, SCADA, Mobile computing technologies (e.g. cellular telephones, tablets and laptops), Radio communications, Audio-Visual technologies, Emergency communications and future technologies as they arise.

In this Article VIII , the phrase "Town Entities" includes any Town board, committee, or agency of Town government, or subsidiary organization of any of these, whether statutory, elected or appointed, that uses or proposes to use Technologies; and/or which expends or proposes to expend funds for Technologies and/or related services.

#### **§9-31 Mission and Authority**

The MTC shall, as more fully described in the entirety of this Article VIII , address matters of Technology in the Town, including but not limited to: information delivery; ensuring access to communications technology; increasing the efficiency of transactions involving the Town; and ensuring the effective deployment of infrastructure for the Town's operations and the Town's citizens.

The MTC shall work to ensure that all Town Entities utilize technology in a common, effective and cost effective manner for the benefit of the Town, its operations and its residents.

### **§9-31-A Plans and Reviews**

Technology Managers shall notify the MTC when any plan for adopting, discontinuing, expanding or reducing Technologies is being formulated and shall provide the MTC with the opportunity to participate in the development of such plans and to obtain and budget for any necessary Consultants. All such plans shall be timely submitted to the MTC for final review and comment prior to committing to their implementation. These reviews shall consider and identify: consistency with the Strategic Plan, opportunities for efficiencies and improved service, and impact on other Town Entities and the Town's citizens. The MTC may consider and identify other relevant issues and related matters during these reviews. These reviews shall be documented and considered by the Technology Managers and their respective Boards or Town Entities, which shall provide the MTC with their final plans and any subsequent changes thereto.

Notwithstanding the preceding paragraph, the MTC's rules of procedure may specify an exception process for emergencies significantly affecting service delivery and/or criteria that set a threshold for reviewing such plans, The MTC shall use reasonable judgment in establishing such process and/or criteria so as to balance operational efficiency with execution to the Strategic Plan.

The MTC shall have the authority to inspect and review, in conjunction with the Technology Managers, any of the Town's Technology-based processes, systems and operations to identify progress and issues with implementing the Strategic Plan. The MTC shall provide reasonable notice prior to such inspections and reviews.

The goal of all MTC inspections and reviews shall be to provide significant insight and advice that will improve consistency with and implementation of the Strategic Plan and which may provide for the successful implementation of projects.

### **§9-31-B Strategic Plan**

The MTC shall provide strategic planning and advice to the Technology Managers, the Boards, other Town Entities and the Town Administrator. In conjunction with the Technology Managers, the MTC shall maintain a rolling five-year strategic plan ("Strategic Plan") for the Town's technologies, which shall be accessible to the public. The MTC may report on the Strategic Plan to Town Meeting.

The Strategic Plan shall consider, but is not limited to:

- a) capital requests for technologies, taking into consideration the goals of maximizing efficiency and cost effectiveness, removing unnecessary redundancy, and ensuring, to the extent reasonably possible, the compatibility of each request with other existing or proposed systems;
- b) the specifications to be considered for information and communications systems and other Technologies when constructing or renovating Town facilities;
- c) matters relating to information technology policy, specifically with reference to issues of security, privacy, risk, future technology, legal or regulatory requirements and the provision of government services to the public through information technology; and
- d) how to stimulate and support the development of appropriate technology initiatives and activities that may increase communication and information exchange within Town Entities, between Town Entities and its residents, and among Town residents.

In developing and maintaining the Strategic Plan, the MTC shall, to the maximum extent feasible, integrate its processes with those of any Town Entities that have or develop a strategic planning process, for Technology or otherwise. As may be agreed between such Town Entities and the MTC, the MTC may participate in the Town Entities' planning processes in order to maximize efficiency of all planning processes and to realize consistency with the Strategic Plan.

### **§9-31-C Limitations; Other Agencies**

The MTC does not have the authority to direct or require that a Technology Manager, Board or other Town Entity make (or not make) a specific Technology-related decision.

The MTC shall not interfere with the School Committee's development or choice of instructional methods and curriculum nor with its selection of instructional materials, but the MTC shall have the same duties with respect to infrastructure planning and non-instructional systems as it does for the other Boards and Town Entities. The MTC

may report to the School Committee on Technology issues and trends that may affect education, but such reports shall be informative, and shall not be binding on the School Committee.

The MTC may meet with other governmental agencies to discuss opportunities for interoperation, efficiencies or other synergies. However, the MTC does not have the authority to commit the Town to pursue such opportunities, which authority rests with the Boards, other Town Entities, and/or their designees.

### **§9-32 Reporting**

From time to time, as may be necessary, the MTC shall report to the Boards on major technology issues affecting the Town and its citizens, including its progress toward completing the Strategic Plan.

From time to time, as may be necessary, the MTC shall report to the Town Meeting on its activities, the Town's Technology needs, and progress toward completing the Strategic Plan.

The MTC shall review and consider all matters included within the articles of any warrant for a Town Meeting hereafter issued that involve a material expenditure of funds for technology and/or involve significant changes in technology that affect Town services. The MTC shall, after due consideration of the subject matter in said articles, report thereon, in print or otherwise, such information and recommendations as it shall deem best regarding such matters. The Moderator shall solicit the recommendation of the MTC for each such article prior to general discussion of and vote on the article at Town Meeting. The MTC shall use reasonable judgment in establishing the threshold for issuing these recommendations.

### **§9-33 Conflict of Law; Interpretation**

In the event that a court of competent jurisdiction determines that any clause or provision of this Article VIII is unenforceable, this Article VIII shall be deemed modified to the minimum extent necessary to correct such defect, while maximally maintaining the intent of this Article VIII .

The section headings and numbering of this Article VIII are for convenience and shall not be construed to modify the interpretation of the article.

In this Article VIII , the masculine forms (including "his", "he", and "him") are used inclusively to refer to any person regardless of gender or sexual orientation.

In this Article VIII , terms are defined in quotation marks within parenthesis, and their uses are indicated by capitalization. The definition of each such term applies to its use in the entirety of this Article VIII , whether or not the definition appears before such use.

In this Article VIII : the word "will" is to be interpreted as descriptive of an outcome or process and not as an imperative; the word "shall" is to be interpreted in the imperative sense of "must" or "is required to"; while the word "may" is to be interpreted in the permissive sense of "optionally", or "has discretion whether or not to".

, or act or do anything in relation thereto.

### **Proposed by: BOARD OF SELECTMEN**

**Board of Selectmen Recommendation:** Support

**Advisory Committee Recommendation:** At Town Meeting

**Summary:** *The current Municipal Technology Committee is an ad-hoc committee appointed by the Board of Selectmen that advises on technology issues for the Town-side departments. The new standing committee, as proposed, establishes a committee that will be responsible for creating a rolling five-year Strategic Plan for the Town's technologies across all government entities, and will ensure a coordinated approach for that plan. This bylaw will formalize the informal collaboration that already exists between the Town and School, and ensure that economies of scale are achieved whenever possible.*