

**Phillipston Board of Selectmen**  
**Operating Policies and Procedures**

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*(Policies and procedures related to the operation and conduct of the Selectboard itself)*

**100.1 Purpose**

Recognizing the need to codify the traditional and accepted relationships among members of the Board, between the Board and Chief Administrative Officer, and between the Board and other Town boards, committees, officials, employees, and citizens, as well as the need to consolidate Town policies and procedures, the Phillipston Selectboard have undertaken to create operating procedures for the Board of Selectmen. Acceptance of the policies and procedures embodied herein shall supersede all previous policies and procedures accepted by past Boards of Selectmen.

**100.2 Definitions.**

Unless otherwise noted,

The term "Board" refers to the Phillipston Selectboard.

The term "CAO" refers to the Chief Administrative officer.

The term "MGL" refers to the Massachusetts General Laws.

The term "Town" refers to the Town of Phillipston.

**100.3 Nature of Policies and Procedures**

These policies and procedures contain items relating to topics that are not addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation shall not be addressed in this format. These policies are not intended to be all inclusive.

It is understood that these policies and procedures represent the rules that govern the manner in which members of the Board and their staff shall perform their respective functions. Accordingly, violation of these policies and procedures may constitute grounds for sanction or disciplinary action, whichever is appropriate.

**100.4 Establishing Policies and Procedures**

A policy or amendment may be initiated only by a Selectboard member or the CAO by placing an item on the agenda of any regular meeting of the Board. Drafts shall be in writing. Upon receipt of a draft the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary.

The Board shall not vote on a proposed policy during the same meeting that it is first introduced, unless the Board determines by unanimous vote that an emergency exists which requires immediate action. Any policy that has been adopted under this emergency situation shall expire thirty days after its adoption unless it is readopted.

A majority vote of the Board is required for policy adoption. A new or revised policy shall take effect immediately upon its adoption unless otherwise voted by the Board, and shall be enforced until it is rescinded or amended.

The CAO may issue written administrative orders to clarify, explain, provide guidance or implement the Board's adopted policies and procedures, and such orders shall have the same effect as the original policies.

#### **100.4.1 Codification**

Upon adoption of a policy, the support staff shall codify the policy according to its subject matter so that the policy may be easily accessed.

The CAO is responsible to maintain a current, written record of all adopted policies and for disseminating adopted policies to Town officials, boards and employees. This shall be available in the Selectboard Office during normal business hours as a public record to all persons as required by law. Copies of specific policies shall be available on the Town's web-site.

#### **100.4.2 Board Member Manuals**

Each member of the Board of Selectmen shall be provided with a copy of the policy manual which includes all policies then in effect. Each Board member shall be provided with a copy of each new or amended policy to include in the manual and shall be responsible for keeping their manual up to date.

#### **100.4.3 Filing, Posting and Dissemination**

Upon adoption of a policy, the support staff will post copies on the town hall bulletin board for at least seven days, and on the Town's Website, and provide copies to all departments, officers and employees that may be affected thereby.

#### **100.4.4 Annual Policy Review**

Selectboard policies shall be reviewed annually in the month of October.

#### **100.5 Election and Qualification**

The Board shall consist of three duly elected members. Before assuming official duties, each newly elected member shall be sworn to the faithful performance of official responsibilities by the Town Clerk.

#### **100.6 Vacancies**

When a vacancy occurs on the Board, the Board's remaining members shall determine whether there is a need to call a special town election to fill the unexpired term or terms in accordance with the statutes of the Commonwealth, or to leave the seat(s) vacant until the next town election. In the event that the former member had more than six months left in his/her term, the board must hold an election within one month of vacancy.

#### **100.7 Role of the Board**

The Board derives its authority from the statutes of the Commonwealth of Massachusetts and bylaws of the Town.

The Board is the chief executive body of the Town. The Board sets the community's vision and provides the leadership required to assure that the mission is followed. The Board is responsible for appointing personnel, developing and approving policy and reviewing for compliance.

The Board is responsible for supervising the departments of the general government and this responsibility is delegated to the CAO. Department heads shall receive administrative direction for day to day operations from the CAO. Department heads report to the Board but only through the CAO. This policy is not intended to limit or otherwise exclude a department head from expressing concerns or issues directly to the Board, but rather it is intended to provide a framework for an effective and efficient operation utilizing an appropriate chain of command. If any concerns or issues are brought to

the attention of the Board directly, the Board shall report them promptly to the CAO to address the concern or issue. Concerns and question about the operation of the departments and suggestions for improvement should be addressed to the CAO, and the responsibility for addressing these is thus carried out through the CAO.

The Board will refrain from involvement in day-to-day operations. Before any Board member approaches a department head or members of a department or committee on any matter that relates to any aspect of the operation of the department of committee, s/he shall first consult with the CAO. Concerns or questions regarding the operations of departments, or suggestions for improvements should be addressed to the CAO. The Board may be called upon to settle disputes that cannot be resolved by the CAO.

No actions representing the Board shall be taken by a member or members of the Board without the prior consent of the majority of the Board made at an open meeting session.

A Board member wishing an in depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by the Board by consensus or vote. Requests by Board members for written legal opinions must be channeled through the CAO. All legal opinions except those involving the disciplinary action of the CAO shall be sent to the CAO.

#### **100.8            Role of the Chief Administrative Officer**

The Board appoints a Chief Administrative Officer who is responsible to the Board for the day-to-day administration of the general government. The CAO supports the Board on policy formation and implementation.

Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the CAO, and the responsibility for addressing these issues is thus carried out through the CAO.

The CAO must strive to maintain a working relationship with all members of the Board. S/he shall regularly brief the Board on important issues.

In order to provide the Town with continuity of management and the CAO with job security, the Board is committed to maintaining an employment agreement with the CAO, as permitted by statute.

#### **100.9            Organization of the Board**

Officers of the Board consist of a Chairman, Vice Chairman and Clerk. Officers of the Board shall be elected annually at a meeting scheduled within one week of the annual elections. Election of officers is by majority vote. The immediate past chairman shall serve as chairman pro-tem until a new chairman is elected. If there is no immediate past chairman, then the longest serving member shall serve as chairman pro tem.

If a vacancy occurs among any of the officers of the Board, the remaining members shall elect a successor at the next regular meeting. Nominations of officers require both a nomination and a second. The Board may at any time by majority vote remove the Chairman or any Selectboard officer. The Chairman may not serve in that capacity for more than two consecutive years

***The Chairman shall:***

- Preside at all meeting of the Board at which s/he is present.
- S/he shall maintain order in the meeting room, recognize speakers, call for votes and preside over discussion of agenda items
- Sign official documents that require the signature of the Chairman, following a vote of the Board.
- Arrange for orientation of new members.
- Have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

***The Vice Chairman shall*** act in the place of the Chairman during his/her absence at Board meetings. Should the Chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman at the next meeting where all remaining Board members are present.

***The Clerk shall*** sign the Board's minutes and attest to Board documents as may be required.

**100.10 Regular Board Meetings**

Regular Board Meetings are held on a schedule voted by the Board. Except in the case of an emergency, the Board shall not meet on legal holidays.

**100.11 Special Meetings**

A meeting called for any time other than the regular meetings shall be known as a "Special Meeting." The same rules as those established for regular meetings will apply. A special meeting may be called:

- by the Chairman in consultation with the CAO; or
- whenever any two members request it in writing to the Chairman and CAO;

Provided that:

- a majority of the members agree to meet;
- all Board members are notified and; and
- the meeting is posted as required by the Open Meeting Law.

**100.12 Emergency Meetings**

In an emergency a Special Meeting may be called without the usual 48 hour notice as provided under the Open Meeting Law. The same rules and conditions as those established for special meetings apply.

**100.13 Working Meetings**

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, no official action will be taken. A synopsis of transactions of informal meetings will be made a part of the record of meeting minutes.

**100.14 Meeting Procedures**

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedures be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rules of Order is used as a guide in matters requiring clarification.

*Although the public and the press have a right to be present at open meetings of the Board of Selectmen, they do not have the right to participate unless that are recognized by the Chair.*

A quorum shall consist of two members of the Board. As a practical courtesy, action of critical or controversial matters, such as the adoption of policy or appointments, shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second and vote. Split votes, if any, will be identified by name.

The Chief Administrative Officer is expected to be in attendance at all meetings of the Board. The Chief Administrative Officer shall attend in order to keep the Board informed and advised on all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

If it appears that a Board member's participation in any particular matter may place the member in an illegal conflict of interest, the member shall publicly state that fact, and recuse himself or herself from consideration of the matter and temporarily leave the Board meeting. This action shall be recorded in the minutes.

#### **100.15 Rule of Necessity**

In some cases, especially when more than one member is disqualified, a board cannot act because it does not have a quorum or some other number of members required to take a valid affirmative vote. (If the number for a quorum is not set by law, a quorum is generally a majority of the board members.) In these circumstances, the board may be able to use the rule of necessity to permit the participation of the disqualified member(s) in order to allow the board to act. The rule of necessity may only be used as a last resort. The rule should be used only upon prior written advice from town counsel because improper use of the rule could result in a violation of the conflict of interest law. The rule of necessity works as follows:

When used by an elected board member, the rule of necessity may be used only when an elected board is legally required to act on a matter and it lacks enough members to take valid official action solely due to board members being disqualified by conflicts of interest from participating in the matter. Before invoking the rule of necessity, every effort must be made to find another board or other authority in the municipality with the legal power to act in place of the board that could not obtain a quorum due to conflicts of interest. (Municipal counsel should be consulted to identify another municipal board or authority to act.)

While the absence of one or more board members is generally not sufficient cause to invoke the rule of necessity, when a board is legally required to take action by a certain time and is unable to do so because of the lack of a quorum, the rule of necessity may be invoked.

The rule of necessity should be invoked by one or more of the otherwise disqualified members, upon advice from town counsel or the State Ethics Commission.

If it is proper for the rule of necessity to be used, it should be clearly indicated in the minutes of the meeting that as a result of disqualification of members due to conflicts of interests, the board lacked a sufficient number of members necessary to take a valid vote and, as a last resort, that all those disqualified may now participate under the rule of necessity. Each disqualified member who wishes to participate under the rule of necessity first must disclose publicly the facts that created the conflict.

### **100.16 Executive Session**

Executive Session of the Board shall only be held in accordance with the provisions of Massachusetts General Law Chapter 30A, Section 21A. The CAO shall be present at all Executive Session meetings.

If practicable, Executive Sessions, other than those a few minutes in duration, will be scheduled at the beginning or end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in the Executive Session. The mover must specify in the motion to enter Executive Session the exemption under which the session is sought. A majority of the members present must vote to enter Executive Session by roll call vote. The motion must state whether or not the Board will reconvene into open session.

The Chairman shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

Minutes of Executive Sessions will be available to the board in written form within 7 days of the session. Unlike the case with open session, there is no right to tape record or videotape executive sessions. The Selectboard will then vote to approve the content of these minutes at their next meeting. The Board will then vote to release or encumber the minutes depending on whether or not the reason for them being kept secret still exists. If they are released they will be filed in the Selectboard Office. If the minutes are encumbered they will be kept in a secure confidential file in the Selectboard Office entitled "Encumbered Selectboard Executive Minutes." The Clerk of the Selectboard is responsible for this file and to bring all encumbered minutes before the Selectboard for review once in every six months to determine if any of the encumbered minutes should be released. This policy will help insure that closed session minutes are kept secret only as long as needed.

### **100.17 Agenda Procedures**

The responsibility for coordinating and planning the meeting agenda is that of the Chief Administrative Officer in consultation with the Chair. Each of the Board Members and the Chief Administrative Officer may place items on the agenda. The Chief Administrative Officer, in consultation with the Chair, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All Items for the Agenda are expected to be submitted to the Chief Administrative Officer at least five (5) working days before any regularly scheduled meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "new business."

A typical agenda may look like this:

1. Call Meeting to Order
2. Accept minutes and Agenda.
3. Announcements
4. Scheduled appointments
5. New business
6. Old business
7. Department Reports
8. EXECUTIVE SESSION (IF ANY)
9. Adjournment

Visitors requesting to be on the agenda must submit their request in writing together with any background materials at least one week before any regular scheduled meeting. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of an item to allow careful study of the material presented or the motion proposed. Where appropriate, this information will be shared with Town department heads, employees or officials for their response.

The meeting agenda will be filed with the Town Clerk and posted on the Town website according to the Open Meeting Law. Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

### **100.18 Minutes**

The Clerk of the Selectboard shall record open meetings of the Board. The minutes of the Selectboard constitutes the official record of the Board under Federal, State and Local Law.

Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent.

Minutes must include an accurate summary of the discussion of each subject. The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.

The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes.

The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes.

Executive session minutes must record all votes as roll call votes.

Minutes shall be circulated to the Chief Administrative Officer and the members of the Board on or before the seventh day after the meeting and shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

The Board will approve regular meeting minutes within the next three meetings, or 30 days, whichever occurs later. Approved minutes shall be signed by the Clerk and recorded in a Minutes Book and posted to the Selectboard Webpage.

Minutes of Executive Session shall be recorded by the Chief Administrative Officer, approved by the Board, signed by the Clerk and kept by the Chief Administrative Officer in accordance with the above procedures.

Minutes are open for public inspection as provided for by law.

## **100.19 Appointments**

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. No appointments will be made for more than three years unless specifically allowed by state law. Appointments generally are made on or before June 30 of each year. In the case of appointments, a second to the nomination or motion will be required prior to Board action.

As part of the annual appointment process, the CAO will ask incumbents whose terms will expire on June 30 about their availability for reappointment. The CAO will ensure that the Selectmen receive by June 15 a list of appointment vacancies to be filled by the Board.

The Board shall request each appointed Committee Chairperson to submit a report and written record of attendance for each member of his or her Committee for the period of May 1 to April 30 of each year. Any absences excused by the Committee for good cause shall be noted in said record and report, along with any other information that might be helpful to the Board of Selectmen in making decisions concerning the appointment or reappointment of members to said Committee.

Any member of any committee, board or commission absenting himself from three (3) consecutive meetings of the committee, board or commission, or for more than 25% of the total meetings of the committee, board or commission, without rendering any excuse acceptable to the committee, board or commission shall thereby cease to be a member thereof. Vacancies occurring in this or in any other manner shall be reported to the proper appointing authority, and the authority shall appoint a member to fill the unexpired term within a period of thirty days (30) days from notification of the vacancy.

### **100.19.1 Employee Appointments**

Employee appointments shall be made with a recommendation from the Chief Administrative Officer and as per the Town of Phillipston Personnel Policies and Procedures Manual.

### **100.19.2 Committee Appointments**

Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable. Vacancies may be advertised in the local newsletter as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

Prior to June 1, the Chief Administrative Officer shall:

- Develop a list of the appointment vacancies to be filled by the Board by June 30;
- Notify the chair of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies;
- Notify incumbents and determine their interest regarding reappointment.

All candidates seeking appointment for the first time to a position shall submit a short written letter of interest or resume. This letter/resume shall be included in the Board agenda in advance of the meeting. The Board may consider reappointments to positions at their pleasure, and the Board is under no obligation to reappoint. A statement/resume will only be requested from a candidate seeking reappointment by specific request of a member of the Board.

Appointments will normally be made only when all members of the Board are present. Appointments will be by majority vote of the Board.

Ordinarily only registered Phillipsont voters will be considered eligible to serve on a committee, board or commission. By unanimous vote the Selectboard may appoint someone who is not a registered voter because of their unique experience, education, knowledge or expertise.

The CAO shall notify the Town Clerk in writing of appointments approved by the Board. Upon appointment to a committee, board or commission the appointee shall present themselves to the Town Clerk to be sworn into office. This must be completed before an appointee is authorize to attend a committee as a member or cast a vote.

### **100.20 Standing Committees**

Created by statute or local bylaw:

- Community Preservation
- CIPC
- Agricultural
- Cultural Council
- Conservation Commission
- ZBA
- Historical
- MRPC
- MART Council on Aging

### **100.21 Advisory Committees**

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen.

Each committee shall give a written report to the Board of Selectmen upon request. The Selectmen's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon the completion of their work or at the discretion of the Board. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and law.

The charges and membership of standing advisory committees shall be reviewed periodically, at least annually, to assess the necessity and desirability of continuing the committee.

Reappointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the town to all such advisory committees. The Board will normally appoint an individual to only one standing advisory committee at any one time.

#### **100.22 Board Rules and Ethics.**

- A. Support all Board decisions once they are made.
- B. Be well informed concerning the duties of a board member on both local and state levels as detailed in the Massachusetts General Laws and Town Bylaws.
- C. Accept the office of Selectman as a means of unselfish service and not benefit personally or politically from Board activities
- D. In all appointments, judge all candidates only on merit, experience, and qualifications.
- E. Abide by all Federal, State and Local ethics regulations.
- F. Recognize that action at official meetings is binding and that s/he alone cannot bind the Board outside of such meetings.
- G. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- H. Make decisions only after all the facts on a question have been presented and discussed.
- I. Treat with respect all members of the board despite difference of opinion.

#### **100.23 Hearings before the Board**

Hearings before the Board of Selectmen generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters.

1. Notice: The support staff will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.
2. Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.
3. The Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chairman will outline the procedure to be followed. All questions will be addressed to the Chairman.
4. The order of presentation will be:
  - a. Presentation by the party requesting the hearing.
  - b. Recommendations from Town entities.
  - c. Statements by proponents
  - d. Statements by opponents
  - e. Rebuttal statements by proponents and opponents
  - f. Where appropriate, questions may be asked of any person making statement after the statement is finished. Questions will be accepted first from Board members.
5. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. In the discretion of the Board a show of hands may be taken.
6. At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

#### **100.24 Selectmen's Files**

It shall be the policy of the Board of Selectmen that no materials (no files, law books etc.) shall be removed from the Town Hall. Members may make copies for personal use, except for unreleased executive session materials, legal correspondence in litigation matters or other documents which would jeopardize the Town's interests.

#### **100.25 Selectboard Correspondence**

All correspondence is opened and date stamped, unless it is addressed to a specific Selectman and marked "Personal" or "Confidential." The CAO and support staff will review all incoming mail and place any items on the Agenda that require action by the Board.

When a letter addressed to the Board comes into the office that requests action the support staff will date stamp it and forward to the appropriate department for action.

Unless it pertains to public health and safety, all anonymous correspondence received by the Board or CAO will not be circulated and will be immediately disposed.

#### **100.26 Selectboard Relations**

1. A member of the Board of Selectmen, in relation to his or her community should:

- Realize that his or her basic function is to make policy, with administration delegated to the Chief Administrative Officer.
- Realize that he or she is one of a team and should abide by, and carry out, all Board decisions once they are made.
- Be well informed concerning the duties of a Board member on both local and state levels.
- Remember that he or she represents the entire community at all times.
- Accept the role of a member is a means of unselfish service, not to benefit personally or politically from his or her Board activities.
- Abide by the ethics guidelines established by the State and not use the position of Selectmen to obtain inside information on matters that may benefit someone personally.

2. A member of the Board of Selectmen, in his or her relations with the Chief Administrative Officer, should:

- Endeavor to establish sound, clearly defined policies that will direct and support the administration of or the benefit of the staff and residents of the community.
- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Chief Administrative Officer full responsibility for discharging his or her disposition and/or solutions.
- Not give instructions to or request assistance from Town department heads, but rather channel all such activities through the full Board and the Chief Administrative Officer.

3. A member of the Board of Selectmen, in his or her relations with fellow Board members, should:

- Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Board outside of such meetings.
- Not make statements or promises of how he or she will vote on matters that will come before the Board until he or she has had an opportunity to hear the pros and cons of the issue during a Board meeting.

- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
  - Make decisions only after all facts on a question have been presented and discussed.
  - Refrain from communicating the position of the Board of Selectmen to anyone unless the full Board has previously agreed on both the position and the language of the statement conveying the position.
  - Treat with respect the rights of all members of the Board despite differences of opinion.
4. A member of the Board of Selectmen, in his or her relations with Town staff, should:
- Treat all staff as professionals that respects the abilities, experience, and dignity of each individual.
  - Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed only to the Chief Administrative Officer, Town Counsel, or Department heads. The office of the Chief Administrative Officer should be copied on all requests or correspondence.
  - Never publicly criticize an individual employee. Concerns about staff performance should only be made to the Chief Administrative Officer through private conversation.
  - Limit requests for staff support, and insure that all requests go through the Chief Administrative Officer's office.
  - Insure that any materials or information provided to a Selectmen from a staff member be made available to all Selectmen.

**100.27 Severability**

If any part of this Policy is found unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof.

*Approved by the Selectboard, September 24, 2018*