



Members

Mark 'Whisky' Wolinski, Chair
Rebecca Greene-Andrews
Scott Burke

TOWN OF SWAMPSCOTT

TOWN MEETING PROCEDURE ADVISORY COMMITTEE

22 Monument Avenue
Swampscott, MA 01907

MINUTES:

DATE OF MEETING: Tuesday, February 28th 2023

TIME: 7pm

LOCATION: Town Hall Conference Room (In person)

(TOPICS PASTED FROM MODERATOR'S LIST)

- CHARTER

—clarify absences/removal process language

It's vague as to what "A town meeting member who has missed 3 consecutive sessions of any town meeting may be removed by a 2/3 vote of the town meeting members of that precinct that are present and voting at a meeting convened for that purpose." We've interpreted it to mean any three consecutive sessions, not including the first session after a member's re-election, but there's no language for that. Similarly, we have interpreted it to mean 2/3 of a duly constituted quorum, not the entire membership. I have also been asked to "excuse" absences by members (illness, business commitments, etc), but there's no language that clarifies this.

Committee Discussion: No final conclusion reached. Discussed importance of precise language in the bylaws, balanced with how often this actually happens. The ambiguity discussed is what "three consecutive sessions" means. Is each night a session, or is the Annual Town Meeting considered one session, and Special Town Meeting another session, etc.? Another ambiguity is whether this includes the first session after a member's re-election. Also discussed potential language (very rough), "A town meeting member who has missed 3 consecutive sessions, with each night being deemed a session, of any town meeting as reported by the Town Clerk may be removed by a 2/3 vote of the town meeting members of that precinct present and voting at a properly convened Precinct Caucus. The position may be then be filled by the person with the next most votes at the most recent election." Also discussed wanting to know how the Town handles other vacancies on boards/committees.

—increase capital threshold to \$30,000

The \$20,000 threshold dates back to the original charter in 2001, I believe. Would be worth hearing from Town Staff and the CIC whether this still makes sense.

Committee Discussion: Certainly raise it – what should it become? \$35K. Perhaps a mechanism to automatically raise it tied to some inflation index.

—revise the budget vote deadline from Mar 1 to Feb 1

FC is perennially frustrated by the small window between Mar 1 and the date for printing the Warrant (early May). This would require coordination with Town Staff and the Select Board.

Committee Discussion: We do not feel this is within our scope

—revise the financial forecast deadline from Nov 15 to Nov 1 (in the event Free Cash has not been certified by Nov 1, amendment to be published within 72 hours of the certification by DOR)

Similar to above, though with recognition that the DOR can sometimes be slow (cf. 2022).

Committee Discussion: We do not feel this is within our scope

BY-LAWS

—change the timing for first night of town meeting to 7pm, subsequent nights to be at 7pm unless otherwise voted by TM motion to adjourn

The existing language requires a vote to re-convene any time other than 7:45pm.

Committee Discussion: While tradition has superseded this bylaw, it makes sense to make this change to reflect current practice(s)

—revise maximum speaking length/number of times being recognized

You have all heard my spiel on speaking times, though I try to be as patient as possible. Does the committee has a point-of-view on this?

Committee Discussion: 5 minutes is a better target number, with moderator's discretion to extend. Major committee presentations would not be subject to this.

—clarify motion to re-consider must be made by a member having voted in the opposite

This is the norm, documented in Town Meeting Time, but it does not appear in the By-Laws.

Committee Discussion: No recommendation; unsure of what problems this is trying to solve.

—add disclosure of employment as employee of the town, and in what manner/of what collective bargaining unit

Similar to the requirement for an attorney to disclose, this would make sure TM Members are better informed.

Committee Discussion: We don't think a person must reveal their relation(s) any more than the current bylaws. In a town as small as this, it very likely that any relation would be known to most TM members.

—reports of committees to be submitted in writing and, where feasible, electronically to TM rather than presented on the floor

I have enforced this through my personal prerogative, but it seems as though it's something that could be formalized, perhaps like a consent agenda, with any member able to move to hear the actual report, based on a majority vote.

Committee Discussion: One option discussed was to continue to provide written or video reports electronically, but give Committees 2 minutes “live.”

—motion language to be published 7 days in advance (ATM this would be a week after the Warrant arrives, STM this would have to be in the Warrant)

This is a big one, but something that I think would be very useful. Motion language could still be “TBD” and/or amended on the floor.

—create a minimum write-in vote threshold for TM members

Currently, only a single write-in is necessary. The Town Clerk and I have discussed the possibilities of setting a minimum, somewhere between 2-5 votes. Will need to confirm legality with Town Counsel.

Other thoughts since emailing originally:

*Should we remove the ability for someone to move the previous question after speaking on that question?
Should we formally provide for a consent agenda, including the requirements to take something out of the consent agenda?*