

Report of the Boxborough Town Meeting Study Committee 2006

Executive Summary

In recent history, the Town of Boxborough has had a Town Meeting Study Committee every twelve years. Neither of the last two Committees (1982 and 1994) resulted in the adoption of a bylaw. Nor did the 2006 Committee propose that a new bylaw be considered.

In the fall of 2005, the Boxborough Town Moderator convened an ad hoc Town Meeting Study Committee. One of the main goals of this Committee was the same as its predecessors: to quote the 1994 TMSC Report, "Reduce the length of town meeting and if possible the tedium and repetitiveness of debate, and to consider any and all changes that might promote greater attendance and participation by all citizens."

Two activities took place before the TMSC started work:

- Voters were surveyed at Town Meeting
- Material was collected from other towns

The survey of voters was generally very positive and supportive of both the concept of open town meeting and the relatively informal style of Boxborough:

- The most consistent complaint was the quality and quantity of debate.
- The most consistent suggestion was the need to speed up debate and limit duplication.

The Committee recommended:

- Not to adopt explicit bylaws limiting debate at this time
- The Moderator should encourage brevity and the lack of repetition by establishing town meeting guidelines, through management of debate, and possibly changes in the physical lay-out. In particular, the "alternating microphones" format used in other towns had great appeal to the Committee.
- Maximize the use of the Consent Agenda.
- Ensure that at least some time be spent on each section of Article 5, the Town Operating Budget by presenting different formats and/or questioning and /or discussing the budget.

The Committee did not reach a consensus on either the need for a change to the current practice regarding reconsideration or a recommendation for specific changes to it.

Rationale & Background

The Town of Boxborough has a recent practice of forming a Town Meeting Study Committee every 12 years to look at the Town Meeting process. The last two were held in 1982 and 1994, so 2005/2006 was a logical time to have another.

In the fall of 2005, an ad hoc Town Meeting Study Committee was convened by the Boxborough Town Moderator.

A Letter to the Editor of the Beacon was published and various town boards were solicited to join the Committee. Eleven people responded, all of whom were past or present members of town boards.

The Committee met on November 5, December 7 and January 11.

Members of the Committee included:

Dave Birt, Board of Selectmen
John Fallon, Moderator
Jim Gorman, Finance Committee
Kristen Hilberg, Board of Selectman
Natalie Lashmit, Town Administrator
Elizabeth Markiewicz, School Committee
Owen Neville, Planning Board
Becky Neville, at large
Mac Reid, Superintendent Principal

Virginia Richardson, Town Clerk
Selina Shaw, Assistant Town Administrator
Mark White, at large

To quote the 1994 Report, one of the main goals of the 2006 Committee was to “reduce the length of town meeting and if possible the tedium and repetitiveness of debate, and to consider any and all changes that might promote greater attendance and participation by all citizens.”

The Committee reviewed the current process of the Boxborough Town Meeting, examined processes in other towns, and considered what changes might be in order.

This Committee had no pre-conceptions about what might or might not happen. The Study Committee could have decided that nothing needed changing; there could have been a decision that minor changes were needed that were within the prerogative of the Moderator or there could have been recommendations for a town meeting bylaw. If the latter, Town Meeting would make the final decision.

Neither the 1982 or 1994 studies resulted in the adoption of a town meeting bylaw, nor did the 2006 study propose that one be considered.

Survey of Voters at the May 2005 Annual Town Meeting

A survey was made available to voters at the May 2005 ATM. Four questions were asked:

- 1) What works well at town meeting?
- 2) What needs improvement?
- 3) How to achieve this improvement?
- 4) Should the ATM be changed to Saturday?

The thirty-eight voters who responded averaged slightly over 11 years as residents of the Town. Over 70% were frequent attendees at Town Meeting, but six were first time attendees.

From the survey, three things were clear:

- a) Those responding like the concept of an open town meeting
- b) Those responding appreciate the informal style of the current Boxborough Town Meeting
- c) Those responding felt that there should be ways to make Town Meeting move along faster and more efficiently

Virtually every respondent was critical of the quality and quantity of debate. Sample quotes:

- “Needs to be a time limit on speakers”
- “Must limit pontification and diatribes”
- “Outrageous to allow people to dominate and waste time”
- “Need bylaw allowing people to speak for 3 - 5 minutes only”
- “Do not say the same things over and over again”

The key, to quote one respondent, is the “need to move the meeting along as quickly as possible without restricting debate or denying people the right to speak.”

Sentiment ran two to one against a Saturday Town Meeting.

Five respondents mentioned the need to eliminate unlimited reconsideration.

Five felt that a motion to “move the question” on Article 5 (the budget) should never be allowed before debate has been completed.

Practices of other towns

The Town Administrator, Assistant Town Administrator and Moderator collected material from other towns including town meeting bylaws, town meeting guidelines, guides to voters, etc. Material was collected from the 21 towns of Acton, Arlington, Ashby, Belmont, Brookline, Concord, Hamilton, Harvard, Lexington, Lincoln, Littleton, Maynard, Montague, Princeton, Stoughton, Stow, Walpole, Westborough, Westford, Westport, and Winthrop.

Not surprisingly, the first conclusion is that each town does things in different ways.

The second, not surprising conclusion is that Boxborough is at one end of the spectrum in that it has many fewer rules and many fewer restrictions.

Unlike many other towns, Boxborough does not have a bylaw governing the town meeting process; there are no limitations on debate (except “moving the question”); nor are there any limitations on re-consideration.

The Boxborough Town Meeting has been described as being on the informal “old-fashioned” end of the town meeting spectrum with few rules but a great many traditions. Based on the survey of other towns, this is certainly true.

From anecdotal evidence, the Boxborough town meeting is “long-winded,” taking significantly longer than other towns conducting the same amount of business.

Specific topics

The Committee discussed 5 specific topics:

- 1) General parameters
- 2) Limits on debate
- 3) Ways to speed town meeting
- 4) Debate on the budget article
- 5) Limit on reconsideration

General Parameters

Boxborough currently has no bylaw setting a quorum requirement. The Committee did not feel that one was needed.

By long-standing tradition, Boxborough, along with about 80% of the towns in Massachusetts, uses Town Meeting Time: a Handbook of Parliamentary Law, published by the Massachusetts Moderators Association as its rulebook. The Committee felt this should be continued.

Based on the response from the voter survey, feedback from other towns, and consideration of the activities that occur on Saturday, the Committee did not recommend moving to a Saturday meeting in either April or May. This was especially true since many youth activities are done in conjunction with Acton.

Limitations on Debate

A number of towns in Massachusetts have very explicit limits on debate. Some of these are written into town bylaws; some are “moderator’s rules” or town meeting guidelines. Examples include:

- a) Each voter can speak for only 3 minutes on any one article
- b) Each voter can speak for only 5 minutes at a time on any one article and can be recognized only twice

Other towns use various combinations or “moderator’s rules,” town meeting guidelines, tradition, or peer pressure to set implicit limits on long or repetitious speeches.

Still other towns encourage brevity and lack of repetition by physical lay-out, e.g. having people stand in line in front of microphones in order to be recognized.

The Committee felt that the keys to encouraging people to “come back next year” were to move the town meeting along and make it as efficient and interesting as possible. However, the Committee, feeling strongly that nothing should be done to fundamentally restrict debate or deny voters the right to speak, recommended that Boxborough not adopt explicit bylaws restricting debate at this time. The Committee also advocated the Moderator use all means short of a bylaw to encourage brevity and lack of repetition. This would include town meeting guidelines, management of debate by the Moderator, and possibly changes in physical lay-out.

In particular, the “alternating microphones” format used in other towns had great appeal to the Committee.

Ways to Speed Town Meeting

A number of options were discussed that would collectively serve to move the Boxborough Town Meeting without restricting debate.

These would include, among others:

- 1) Placing as much detail as possible in the warrant and referring to it, instead of reading reports (e.g. of the dates of Planning Board hearings) and reciting recommendations already printed in the warrant.
- 2) Limiting reports under Article 2 to only topics that are not covered in the Town Report or in a Warrant article.
- 3) Maximizing the use of the Consent Agenda to include not only routine re-authorization of prior acts but also new articles that are deemed to be non-contentious and have a high probability of being adopted by near unanimous votes.
- 4) As in most towns, having a pre-meeting meeting to discuss process and determine how to limit extraneous matter.
- 5) Having the Moderator urge those making motions to limit the presentation to less than 15 minutes and/or preview presentations.
- 6) Educating voters better about town meeting practice by expanding the Town Meeting Guide.

Debate on the Budget Article

Concern was expressed that debate on Article 5, the Town Operating Budget, was stopped by means of “moving the question” at both the 2003 and 2005 Town Meetings before every line of the Article had been reached.

It is understood that

- 1) This was clearly the will of Town Meeting as the vote to “move the question” passed by over 80% of the voters.
- 2) “Move the question” is a highly privileged motion and the Moderator needs a clear and strong reason to deny a vote on such a motion.
- 3) The question was moved after considerable debate on early sections of the Article.

However, several Committee members were still concerned that people did not have the chance to even ask questions of clarification on every section.

The Committee recommended that different formats be tried to present and/or question and/or discuss Article 5, the Town Operating Budget, to ensure that at least some time be spent on each section.

One concept that is successfully used in some towns, and had appeal to the Committee, was an approach somewhat like the Consent Agenda whereby each section of the budget is briefly considered and then additional time is spent during a second pass on sections where voters have expressed specific interest.

Limits on Reconsideration

This is the only area where the Committee did not reach a consensus.

Boxborough clearly has the most liberal reconsideration requirements of any town in Massachusetts. An article may be reconsidered by any voter on any night of the Town Meeting in which it was voted. By a majority vote, the Town Meeting can vote to amend or defeat an article that has already passed or re-vote and pass an article that was previously defeated. In Boxborough reconsideration is always in order.

A vast majority of towns in Massachusetts have limited reconsideration in a numbers of ways, including

- 1) Raising the majority needed for reconsideration to 2/3 or higher
- 2) Allowing only those in the winning side to move reconsideration
- 3) Requiring that notice be given on the night the original vote was taken
- 4) Restricting the reasons that can be used to ask for reconsideration
- 5) Giving the Moderator the discretion over whether to accept such a motion

The Committee agreed that, in theory, the current Boxborough practice doesn't feel “fair.” An article passed early on the first night of Town Meeting by a 2/3 vote of 400 attendees, can be re-considered on the fourth night 5 minutes before the Meeting ends by a majority of those then present.

However, in practice, the Committee could recall only two successful motions on reconsideration in the last 25 years and the feeling after checking with long-time residents is that there have been less than five in the last 40 years. Some members of the Committee also felt that keeping reconsideration as a viable theoretical option was an important part of the Boxborough tradition.

At the end of the day there was no consensus on either the need for a change or a recommendation for a specific change.

Respectfully submitted
John G. Fallon, Moderator, Town of Boxborough
May 8, 2006