

# REPORT OF THE 2019 NORWOOD TOWN MEETING RULES COMMITTEE

Rule 11 of Article XXXIV of the Bylaws of the Town of Norwood authorizes the Town Meeting Moderator to appoint a Rules Committee. The rule provides that the Committee “shall make recommendations for changes in the by-law when they believe said changes will assist in the orderly transaction of municipal business at town meeting.”

On July 3, 2019 Town Meeting Moderator David Hern appointed a Town Meeting Rules Committee consisting of the following members;

District 1	Michael Reilly
District 2	Sarah Quinn
District 3	Peter McFarland
District 4	Gerri Slater
District 5	Erin Egan
District 6	John Hall
District 7	Amanda Grow
District 8	Jean Ferrara Taylor
District 9	Erik Bodenhofer

The Committee met on July 18, August 22, September 3 and September 12, 2019.

Michael Reilly was elected chairperson. John Hall was elected secretary.

## **1. Proposed Rule Changes**

The Committee voted to recommend three changes to Article XXXIV of the Norwood Town Bylaws, Rules of Procedure for Norwood Representative Town Meeting.

### **A. Amend Rule 6 to Formalize the Registered Speaker Procedure.**

The Committee voted unanimously to recommend adding the following to the end of Rule 6;

Speakers may register with the Moderator to speak on any matter coming before Town Meeting by contacting the Moderator in writing, by telephone, by e-mail, or in person, at any time between the issuance of the Town Meeting warrant and the beginning of the session at Town Meeting at which the particular matter is expected to be or is actually discussed. After recognizing the moving party and the proponent of a motion before the Town Meeting, the Moderator shall recognize the registered speakers in the order in which they registered. No registered speaker shall be permitted to move the question when speaking as a registered speaker.

#### Comment

The Committee noted that the registered speaker procedure, which has been followed for many years at Town Meeting, was not included in the Town Meeting procedural rules. The purpose of this proposed rule change is to incorporate the existing informal practice into the formal rules. The rule that a registered speaker may not move the question when speaking as a registered speaker is the current practice. It is designed to assure that there is a chance for discussion after the registered speakers finish.

#### B. Adopt A Consent Agenda Rule

The Committee voted unanimously to recommend adding the following to Rule 9;

A Consent Agenda may be proposed at any session of Town Meeting. The Town Meeting Moderator, in consultation with the Board of Selectmen and the Finance Commission, as deemed necessary by the Moderator, and taking into consideration such suggestions and requests as he or she may receive from other Committees and Town Meeting members, shall prepare a list of those matters which the Moderator considers appropriate for the Consent Agenda. Appropriate matters may include, for example, routine authorizations, motions for indefinite postponement, motions to re-allocate funds within a department or budget motions for routine smaller amounts. Matters requiring more than a majority vote shall not be eligible for the Consent Agenda.

The Town Manager and the Moderator shall jointly prepare a Consent Agenda explanation which shall be distributed with the Town Meeting materials for members at least five days before Town Meeting. The explanation shall include a description of the Consent Agenda procedure and a description of each matter proposed for the Consent Agenda, including an explanation of why it is appropriate for the Consent Agenda.

The Consent Agenda shall be the first article considered at Town Meeting. The Moderator shall announce the matters on the Consent Agenda one by one. A matter shall be removed from the Consent Agenda if, when it is announced, any five (5) town meeting members stand and say "Hold" in a loud voice.

The Moderator shall entertain a motion that the matters remaining on the Consent Agenda be taken out of order, that they be acted upon as one item and that they be voted upon without debate. If that motion is made and passed, the Consent Agenda shall be voted on. The Consent Agenda motion requires a majority vote.

Proposed Consent Agenda matters which have been held shall be considered in the order in which they appear in the warrant

## Comment

The Committee voted unanimously to recommend the implementation of a Consent Agenda. There was considerable discussion on the two procedural details discussed below.

### i. Consent Agenda Overview

Consent Agendas are widely used in Massachusetts Town Meetings. For example the neighboring Towns of Milton, Walpole and Canton all use Consent Agendas at Town Meeting. The Consent Agenda allows Town Meeting to quickly deal with routine matters and at the same time allows the opportunity for debate if Town Meeting members think it is appropriate.

The Committee surveyed the procedures followed by other towns and tried to adopt the best practices. The procedure recommended by the Committee starts with the Moderator preparing a Consent Agenda after consultation with the Board of Selectmen, the Finance Commission and other interested Committees or Town Meeting Members. The Moderator and Town Manager then jointly prepare a Consent Agenda explanation which is sent to all Town Meeting Members at least five days before Town Meeting.

The Consent Agenda is the first motion considered at Town Meeting. The Moderator will announce each item on the Agenda one by one. If at least five members stand and say "Hold" the item will be removed from the Consent Agenda. The items remaining on the Consent Agenda will be acted upon as one item without debate. The consent agenda carries with a majority vote. The held items are considered as they appear in the warrant.

### ii. The Preparation Of The Consent Agenda

A majority (6-3) of the Committee recommends that the Moderator consult with the various other town boards and town meeting members in order to produce a Consent Agenda which is acceptable to all of the interested parties without requiring additional formal meetings and votes which may make the procedure unnecessarily time consuming and cumbersome. . The moderator's goal will be to include matters on the consent agenda which are not expected to be in dispute. A matter should not be included on the consent agenda if there is reason to expect the need for debate

iii. The Procedure for Putting A Hold On A Consent Agenda Item

A majority of the Committee (6-3) recommends that five members be required to stand and say “Hold” in order to remove an item from a consent agenda. Many towns require five or more members to hold an item. A member who wishes to hold an item is very likely to be able to get four other members to join in the hold. Allowing a hold by less than five members runs the risk that the consent agenda procedure could be abused for obstructionist reasons rather than because of legitimate concern about an item.

C. Amend Rule 11 To Appoint A Rules Committee Every Five Years Rather Than Every Year.

The Committee voted unanimously to recommend deleting the first sentence of Rule 11 and replacing it with the following;

The Moderator shall appoint a TOWN MEETING RULES COMMITTEE after the close of every fifth Annual Town Meeting beginning with the 2020 Annual Town Meeting and at the close of any other Annual Town Meeting if the Moderator determines that it is appropriate or on the vote of a majority of Town Meeting.

Comment

The current Rule calls for a Rules Committee to be appointed “after the close of the Annual Town Meeting every year”. As a practical matter, a Rules Committee is not appointed in most years because of the difficulty in getting volunteers to serve on the Rules Committee and the lack of pressing issues for the Committee.

The Committee recommends that a Rules Committee be named every five years or if the moderator determines that it is appropriate to appoint one or on the vote of a majority of Town Meeting. This procedure will avoid the necessity of appointing a Committee when there is no real need for one but it will provide the flexibility to appoint a Committee if necessary.

The Committee suggests appointing a Committee in 2020 to review the implementation of the Consent Agenda and then appointing a Committee every fifth year.

**2. Non-rule Recommendations**

The Committee voted unanimously to make three non-rule recommendations concerning Town Meeting proceedings.

#### A. Electronic Voting

The Committee voted unanimously to recommend that the Town explore the viability of utilizing electronic voting for Town Meetings, as a way to improve accuracy, save time and increase accountability to the public.

##### Comment

At least 30 Town Meetings in Massachusetts currently use electronic voting. The Committee expects that electronic voting would increase the accuracy and speed of voting. The need for manual counts of vote would be eliminated, which could be a substantial time saver.

The Committee recommends an electronic voting systems which displays and makes a record of the votes of each member. That type of system would increase the accountability of elected Town Meeting members.

A preliminary survey indicates that the system would have a onetime cost of \$10,000 to \$15,000. Leasing or renting systems is also an option.

The Committee recognizes this is a complex issue but it encourages town management to actively explore the viability of electronic voting.

#### B. Seating At Town Meeting

The Committee voted unanimously to recommend that the Moderator more clearly define the seating area for Town Meeting members and non-members.

##### Comment

It is helpful to clearly delineate the seating area for Town Meeting members and non-town meeting members, particularly in the case of a count. The High School auditorium is a smaller location than the Junior High and the Committee observes that the seating could be more clearly defined and that it would be helpful to remind the audience of the seating areas.

#### C. Alternative Days and Times For Town Meeting

The Committee voted unanimously to recommend that the Town Manager consider, and conduct research on, a change in Town Meeting to alternative days and times (e.g., Saturday, starting in the morning).

##### Comment

The Committee discussed the possibility of changing the day and time for Town Meeting. Some members made the point that the weekday evenings are not convenient to many people and that the late ending time for Town Meeting did not lead to productive debate and disrupted member's schedules.

The Committee discussed the possibility of meeting on Saturday. There was no consensus on that idea. The Committee was informed that there are some Towns which meet on Saturday. It was agreed that it would be helpful to ask the Town Manager to explore whether there was a better time for holding Town Meeting.

Submitted September 16, 2018

By; Michael W. Reilly

Chairperson