

**2015 FINAL REPORT OF THE
SELECTMEN'S TOWN MEETING ADVISORY COMMITTEE
OF THE TOWN OF WESTON**

Executive Summary

The Board of Selectmen established the Town Meeting Advisory Committee in June 2013. The Committee was charged to make recommendations regarding Article 1 of the General By-Laws of the Town relating to Town Meeting. In addition, the Committee was charged to make recommendations relative to the conduct of the Town Caucus and Town budget hearing. The purpose of any recommendation should be to improve participation in these Town events.

Weston is experiencing a phenomenon similar to other towns using open town meeting in the Commonwealth of Massachusetts, with low and declining attendance rates. In addition, based on the age demographics of the past several years' Town Meeting attendance, as a percentage of registered voters, the 50 year old and under age group is underrepresented at Town Meeting.

The Committee conducted an online survey for residents on their Town Meeting experience and preferences. The survey was open to all registered voters for five weeks and advertised through numerous channels. More than 600 respondents completed the survey, with age demographics fairly reflecting the overall makeup of the voting base.

The Committee's recommendations included the following (with brief summaries included in this Executive Summary and more detail provided in the full Final Report):

- Providing suggested guidelines for citizens' petitions and increasing from 10 to 100 the number of signatures required for a citizens' petition at Annual Town Meeting, similar to the requirement for Special Town Meetings;
- Broadcasting Town Meetings live online and on television;
- Using consent agendas at Town Meetings;
- Combining the May Special Town Meeting and Annual Town Meeting components into the single Annual Town Meeting;
- Adopting *Town Meeting Time* to govern the conduct of Town Meeting instead of *Robert's Rules of Order*;
- Starting Town Meetings at 7:00 PM;
- Limiting formal presentation time limits to five minutes per side with the exception of specified substantial items and providing rules for PowerPoint presentations;
- Considering the use of electronic handheld devices to vote at Town Meeting; and
- Exploring the potential use and ramifications of remote online voting (virtual/hybrid town meeting) or a split debate/ballot approach (Australian ballot), by a new committee.

The Committee believes that while citizens' petitions are a useful tool, they should be used after other traditional avenues have been exhausted. Because their use has become more prevalent, the Committee supports **providing suggested guidelines for citizens' petitions**, which the Committee developed. The Committee also recommends **increasing from 10 to 100 the number of signatures required for a citizens' petition at Annual Town Meeting**, consistent

with the requirement for Special Town Meeting. The Committee believes that this higher requirement will benefit petitions by demonstrating to voters that the petitions have broader support and warrant time at Town Meeting.

The committee supports **broadcasting Town Meetings live online and on television**, allowing voters unable to attend the entire Town Meeting the opportunity to track the progress of warrant articles and attend when an article of particular interest is taken up.

Using consent agendas is also recommended. This allows Town Meeting to vote on multiple warrant articles in a single vote, combining some of the more routine warrant articles. Voters have the ability to remove any article from the consent agenda with the support of nine other voters. The recent use of consent agendas has been very positive, and the committee recommends expanding its use as voters become more comfortable with it.

The Committee supports **combining the May Special Town Meeting and Annual Town Meeting components into the single Annual Town Meeting**, to streamline the Annual Town meeting and eliminate the awkward pause after completion of the May Special Town Meeting component but before the official start time of the Annual Town Meeting.

Additional recommendations were **adopting *Town Meeting Time to govern the conduct of Town Meeting instead of Robert's Rules of Order* and starting Town Meetings at 7:00 PM**. Both of these recommendations required changes to the Town's By-Laws, which were passed by majority votes at recent Town Meetings.

The Moderator asked the committee to consider presentation time limits. The Committee suggests **limiting formal presentation time limits to five minutes per side with the exception of specified substantial issues and providing rules for PowerPoint presentations**. Issues warranting longer time limits may include the budget presentation, large capital expenditures, significant zoning changes, CPC presentations, and other major issues. Even those presentations should be limited, though, to encourage voters to obtain the plentiful information available before Town Meetings and not punish voters who do so by making them hear it all again.

The remainder of the Committee's more significant recommendations relate to alternative voting methods. The Committee supports **considering the use of electronic handheld devices to vote at Town Meeting**. The committee sees the potential benefits of such devices, and the concept was strongly supported by the survey results. The costs and benefits of electronic handheld devices should be examined from time to time, especially as the financial costs likely decrease.

Based on their substantial support in the survey, the Committee also recommends **exploring the potential use and ramifications of remote online voting (virtual/hybrid town meeting) or a split debate/ballot approach (Australian ballot), by a new committee**. In addition, this new committee would explore the steps that would be necessary for state law to be changed to allow either or both of these alternative approaches, along with the level of support for these changes elsewhere, and in turn recommend a process that would put the Town as a whole in a position to discuss and possibly adopt these alternative approaches.

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Full Report

Description and Activities of the Committee

The Board of Selectmen established the Selectmen's Town Meeting Advisory Committee (STMAC) in June 2013, and the Committee commenced its work in October of that year. The Committee consists of representatives from the Board of Selectmen, Finance Committee, Planning Board, Community Preservation Committee, Council on Aging, and Weston Parent-Teachers Organization (PTO), plus four registered voters of the Town of Weston, with the Town Clerk, Moderator, and Town Manager as ex officio (non-voting) members of the Committee. This Committee is different from the Moderator's Town Meeting Advisory Committee (MTMAC) established and concluded in 2012.

The Committee was charged to make recommendations to the Board of Selectmen regarding Article 1 of the General By-Laws of the Town relating to Town Meeting including the day of the week and time of day that the Town Meeting is held, notification requirements, method of voting, and Town Meeting procedures. In addition, the Committee was charged to make recommendations relative to the conduct of the Town Caucus and Town budget hearing. The purpose of any recommendation should be to improve participation in these Town events.

The Committee met regularly since its first meeting in October 2013, and all of its meetings were posted and open to the public. Minutes of the meetings are available on the STMAC page on the Town of Weston website. Video recordings of the meetings were broadcast on the local cable channel and available online through Weston Media Center Inc. The STMAC page on the Town of Weston website also includes various documents relating to the Committee's work. The Committee hosted a League of Women Voters Coffee prior to the online survey to solicit feedback and update the residents on the progress and recommendations of the Committee. While all the Committee's meetings have been open to the public already, the Committee will nonetheless engage in further efforts to inform residents of its recommendations, including one or more public presentations and a guest column or letter in the Town Crier.

In addition to this final report, the Committee has also provided interim updates, feedback, and recommendations to the Board of Selectmen, Moderator, Town Manager, and others, and some of the Committee's recommendations have already been implemented as noted herein.

Background

Open Town Meeting is the most participatory form of local government and acts as the legislative body of Town governance which gives all voters the right to accept, amend, or reject the recommendations of Town officials and the right to bring matters before Town Meeting by citizen petitions. However, attendance has declined steadily over time.

According to research by the Moderator's Town Meeting Advisory Committee (MTMAC), average Town Meeting attendance as a percentage of registered voters over the past 16+ years is 5.1% and has ranged from a low of 0.7% to a high of 16.3%.¹ Low attendance may create a situation in which, as asserted in the Boston Globe, "[Town Meeting] can possibly represent democracy at its worst with a relative few determining the fate of the many."² Were the Town successful in increasing participation, however, the issue may become seating capacity. The High School auditorium has seating capacity for 597 people. The newly built Field School will be able to accommodate up to 1,150 voters in the cafetorium, but the seating is not likely to be very comfortable.

Another issue arises from differences in information and preparation before Town Meetings. Some voters arrive well prepared and well informed but become frustrated with the pace and process, especially sitting through presentations they have heard previously, while other voters have less information going into Town Meeting and sometimes become frustrated perceiving that not enough information is presented there. More generally, Town Meeting dynamics have changed as information is more readily available beforehand, through multiple channels, than when it was disseminated exclusively or primarily on the floor at the meeting itself.

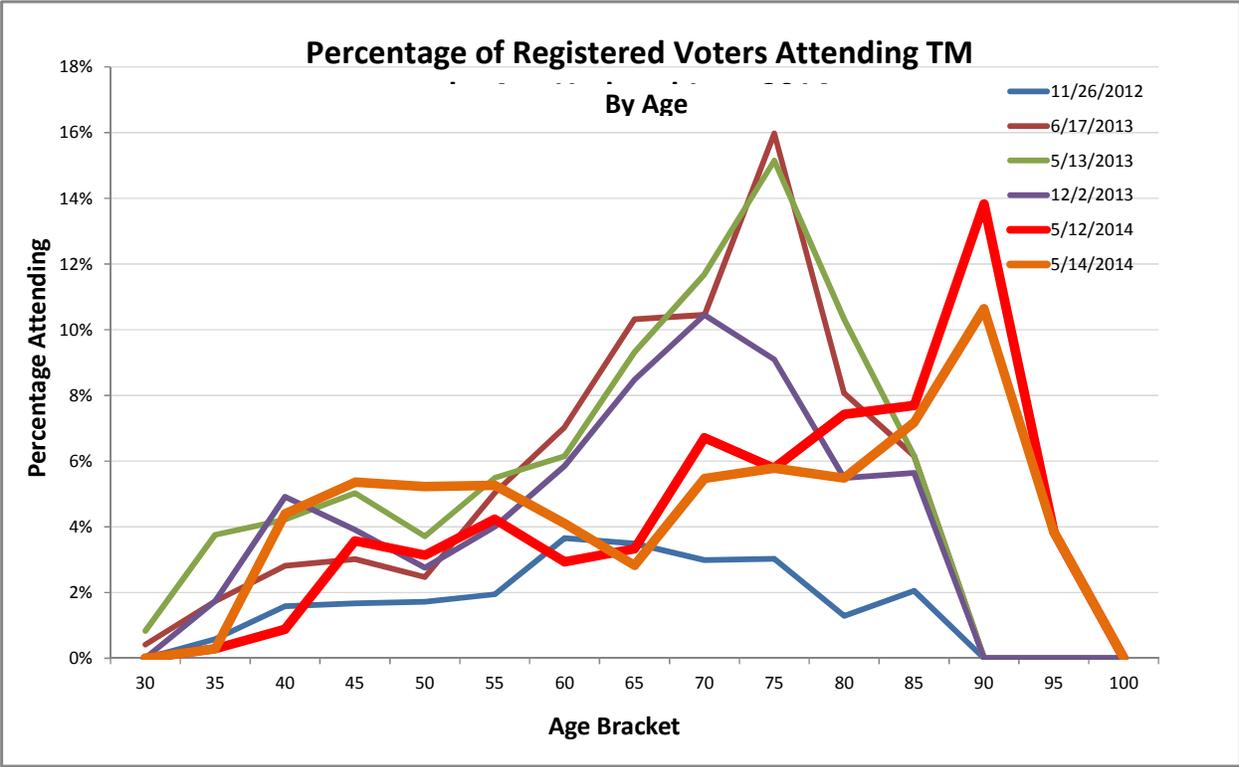
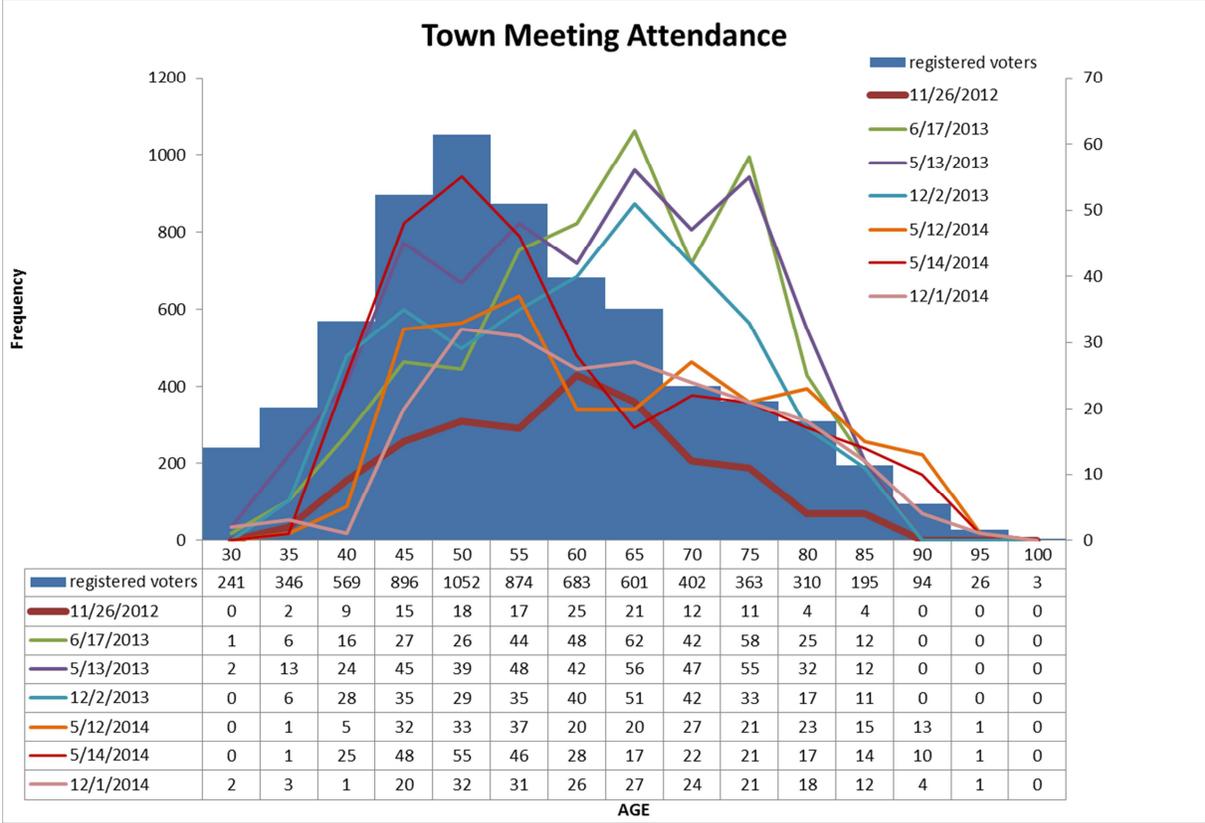
At the heart of the Committee's mission is to determine who attends, why they attend, obstacles to attending, and what can be done to engage voters and make it easier for them to participate. The Committee was mindful that voter approval would ultimately be required for many of its recommendations.

Town Meeting Attendance

Before the Committee could consider ways to improve participation in Town Meeting, it was important to understand who is and who is not attending. The Committee reviewed the age demographics of attendees. Figure 1 shows the number of attendees in each age quintile for seven Town Meetings against the total number of voters in each quintile. Figure 2 shows the percentage of voters in each quintile who attended six Town Meetings. The conclusion the Committee came to was that voters 50 years of age and under were underrepresented at Town Meeting. The Committee consequently focused much effort on considering ways to increase participation and engagement among this group of voters.

¹ Report of the Weston Town Meeting Advisory Committee, December 12, 2012, <http://www.weston.org/DocumentCenter/Home/View/995>.

² Boston Globe editorial, "Too Much Hot Air at Town Meeting", October 17, 2013



Town Survey Results

To gather more data directly from voters, the Committee conducted a town-wide online survey to gather information on their Town Meeting preferences and experience. The survey was open from May 23 through June 28, 2014, consisted of 18 questions, and took approximately 20 minutes to complete. (A copy of the survey and results are located in the appendix). Notice was given to residents through the Town website, myGrapevine, community organizations, and a town-wide mailer with the web address. There were 635 respondents, which represents almost 10% of the 6,655 voters 30 years of age or older. (Voters younger than 30 were not the focus of the Committee's efforts, since their participation in Town Meeting is so low and so many of them are still registered at their parents' addresses in Town but are away for college or other reasons when Town Meetings occur.)

Cross-referencing past Town Meeting attendance with the indicated Town Meeting participation of the 635 respondents, survey respondents could be said to represent on average over half the attendees, while 28% of respondents indicated they attended none of the specified recent Town Meetings; thus, the respondents represented a good sample of those who attend Town Meeting and those who do not. While the age distribution of respondents skewed a little younger than the age distribution of registered voters, the age range and distribution of respondents was still broad and robust enough to provide useful data at all ages.

Respondents were asked to indicate why they did not attend one or more recent Town Meetings. On a scale of 1 to 5 (with 5 being a major factor and 1 being never a factor), the strongest factors for respondents were being generally too busy with work, parenting, activities, and/or other commitments (3.7), a sense that Town Meeting is too long and take too many hours/evenings (3.6), and direct scheduling conflicts, including out-of-town travel (3.4). The least relevant factors included some practical issues the Town has recently tried to address: namely, transportation difficulties (1.1), lack of convenient parking (1.3), cost of childcare (1.7), not being aware of the Town Meeting occurring or the issues being covered (1.9 and 2.1), and difficulty of finding childcare (2.1). Insufficient interest scored low as a factor in non-attendance, whether in Town governance generally (1.6) or in the specific issues being covered at Town Meeting (2.1).

Overall, respondents are satisfied with the availability of information prior to Town Meeting, with three respondents being satisfied or very satisfied for every one respondent who was dissatisfied or strongly dissatisfied.

Overall, only 27% of respondents were satisfied or strongly satisfied with the current Town Meeting structure overall, with 50% being dissatisfied or strongly dissatisfied and 21% being neutral or indifferent. Broken into age groups, those under 50 years old only had 15% satisfied or strongly satisfied, with 63% dissatisfied or strongly dissatisfied. This age group is also the most likely to indicate missing Town Meeting because they have direct conflicts or are generally too busy to participate. As age increases, so does satisfaction with Town Meeting overall. Even so, it is clear from the survey that there is sufficient dissatisfaction with Town Meeting across the Town and age groups that efforts should be made to improve satisfaction, participation, and efficiency, while weighing any potential effects on tradition and community.

Additional survey results will be discussed with specific recommendations.

Town Caucus

The Committee is not making any recommendations on the conduct of the Town Caucus. The Committee reviewed the Town Caucus, which traditionally occurs on the first or second Monday of March, approximately nine weeks before the Town Election. The primary function of the caucus is to nominate citizens for Town elected positions. The Committee reviewed the conduct of the caucus to determine if the process itself was discouraging candidates from running or participating.

The Committee considered allowing nominees to speak after their nomination and answer questions. Since any nominee has the ability to self-nominate and speak on his or her own behalf, the Committee felt that allowing a candidate to speak was not necessary. The Committee also felt that candidates have plenty of time between the caucus and Election Day to get their positions out to the public and that the caucus was not intended to be a campaigning event.

The Committee believes that there should be more transparency and public notice of an incumbent's decision to run for re-election or not. While this could not be legally imposed as a requirement, the Committee would like to encourage a norm and expectation that incumbents should generally declare their intentions at least one or two months in advance of the caucus, so that potential candidates could be solicited and could consider running, knowing whether or not they would be running against an incumbent.

The Committee was also concerned that having the "caucus nominee" designation printed on the ballot might give an unfair advantage against an opponent who appears on the ballot by obtaining signatures and filing papers to run after the caucus. The Committee initially voted to remove the "caucus nominee" discussion, but after discussion with Town Counsel it appears that the ballot designation is required by Massachusetts law. Thus, the Committee's vote was moot, and the Committee did not feel strongly enough about this issue to recommend pursuing a change to that state law.

Another concern was raised regarding notice of Town Caucus. Currently, notice is provided through an insert in the two tax bills prior to each caucus, myGrapevine messages, postings on weekly social media, the PTO newsletter, and an advertisement in the Town Crier, as required by law. Additional means of notice could be helpful, where reasonable and practical, though the Committee notes that Town Caucus attendance is often low, and the primary determinant of attendance appears to be the number of known contested races, rather than the amount of notice.

Citizens' Petition Procedures

The Committee prepared a Guide to Citizens' Petitions (see appendix), to aid voters who are interested in filing a citizens' petition for Town Meeting. The use of citizens' petitions has been increasing somewhat, and the Committee feels it is important to set guidelines for them, to maximize the perceived reasonableness and potential efficacy of any such petition and to reduce the demands on Town staff time and resources.

Citizens' petitions can be a valuable part of the town legislative process, by creating a sense of inclusiveness among all town citizens. The Committee, though, recommends that voters use a citizens' petition as a last resort and encourages them first to work with Town boards and committees to collaborate where possible. The Committee also recommends that the Town provide Town Counsel "office hours," approximately two months before the submission deadline, to assist voters in reviewing the language, legality, and actual effect of a potential petition, drafting the petition, and answering any other questions they may have. This latter recommendation has already been implemented.

Signatures Required for Citizens' Petitions at the Annual Town Meeting

The Committee unanimously recommends raising the numbers of signatures required for citizens' petitions at the Annual Town Meeting to 100 signatures. Currently, only ten signatures are required for the Annual Town Meeting, compared to 100 for Special Town Meeting, under state law. The Committee believes that raising the number of signatures will demonstrate broader support for the citizens' petition, which may increase the likelihood of it passing or at the very least increase its perception as a position held by more than a very small minority, more worthy of the entire Town Meeting considering it and its potentially circumventing usual processes.

Over the past five years, there have been 23 Citizens Petitions at the Annual Town Meeting and three at a Special Town Meeting. Only six of the 23 have passed at the Annual Town Meeting, while all three have been successful at the Special Town Meeting³. While the sample size may be small, there appears a direct correlation between the number of signatures on a citizen petition and the likelihood of passing.

In addition, where a citizens' petition garners 100 or more signatures, there is greater perceived justification for everyone at Town Meeting taking the time necessary to consider and vote on the petition. The higher number of signatures also provides greater perceived justification for potentially circumventing and possibly negating the work of Town boards and Committees otherwise handling the relevant matter through the usual processes. By contrast, it seems very easy to gather just ten signatures for most any citizens' petition.

This proposed change in the number of signatures required for citizens' petitions at Annual Town Meeting was overwhelmingly supported in the town-wide survey, with 60% supporting or strongly supporting the change and only 16% opposing this change, with the remaining 24% being indifferent. This change would require a "home rule petition" to the state, pursuant to a majority vote at Town Meeting.

Live Broadcast

The Committee unanimously recommends the live broadcast of Town Meeting, as Weston Media Center has been doing for recent Town Meetings. This allows voters who cannot commit

³ One of those three was passed over and not voted on, with the assent of the petitioners, but could still be considered as successful preemptively, since it was a factor in the Board of Selectmen deferring the contested policy (regarding a "pay as you throw" (PAYT) policy at the transfer station) prior to the Special Town Meeting, for further consideration.

time for the entire Town Meeting to monitor the progress of Town Meeting and at least potentially participate in the warrant articles they are concerned about the most. For similar reasons, the Committee also appreciates the Town's recent efforts to provide ongoing updates of Town Meeting progress on social media, such as Twitter and Facebook. Some towns in Massachusetts delay the broadcast to prevent voters from doing this, therefore requiring voters to attend the entire meeting. The Committee does not agree with this method and feels that it may actually be counterproductive and reduce participation. The Committee also recommends that the video include information on the screen as to the current warrant article.

The broadcasts are now archived online, and the Committee notes that other communities have been able to "bookmark" the different warrant articles so viewers can jump ahead to the issues that concern them. It would be ideal if this bookmarking capacity were available here as well.

Use of Consent Agenda

The Committee unanimously recommends the use of a consent agenda for Town Meeting, which has been implemented for recent Town Meetings, to streamline the more routine warrant articles at Town Meeting. Under this approach, certain articles are put forward together on a proposed consent agenda, which is then acted upon all at once, with one vote. Articles are initially designated for the consent agenda by the Board of Selectmen and typically include those perceived from prior experience as more routine and uncontroversial, with very little or no debate. At Town Meeting, the Selectmen would give a brief explanation of the various articles that are included. Then, if a voter objected to the inclusion of a particular article on the consent agenda and at least nine other voters agreed, the article would be removed from the consent agenda and then taken up separately.

Examples of recent articles considered appropriate for a consent agenda include those to:

- Appropriate to Stabilization Fund;
- Appropriate to OPEB Trust Fund;
- Continue Departmental Revolving Funds;
- Accept Chapter 90 Road Improvement Funds;
- Approve Property Tax Deferral Income Limits; and
- Accept Chapter 73, Section 4 of the Act of 1986.

The recent trial usage of a consent agenda at Town Meeting has been successful and well received. The Committee recommends continuing to expand its use as voters become more comfortable with the concept and the Board of Selectmen gains a greater sense of which articles would be most appropriate.

Combination of Annual Town Meeting and Special Town Meeting

The Committee unanimously recommends combining the May Special Town Meeting and the Annual Town Meeting, as has been done at the two most recent May Town Meetings, for clarity and efficiency. Until recently, the May Town Meeting has technically included two meetings: the May Special Town Meeting concerning any outstanding business from the current fiscal year

and the Annual Town Meeting concerning the next fiscal year. Due to notice requirements for the start of the Annual Town Meeting (which prevent it from simply starting whenever the May Special Town Meeting is over), there has typically been a wasteful and awkward pause after the conclusion of the Special Town Meeting while the attendees wait for the Annual Town Meeting to begin. There is no statutory requirement to separate the two meetings, and the practice is more traditional than anything else.

Adoption of *Town Meeting Time*

The Committee unanimously recommends the adoption of *Town Meeting Time* for Article 1 of Section 11 of the Town Bylaws to govern the conduct of Town Meeting. This change was successfully passed at the May 2014 Town Meeting.

Previously, *Robert's Rules of Order*, which is based on Parliamentary procedure and was written in 1876, was mandated for use at Town Meeting, except where Town Bylaws provided otherwise. *Town Meeting Time* was written specifically to guide Town Meeting procedures and was written by a Committee of the Massachusetts Moderators Association, which first published it in 1962. The third and most recent edition was published in 2001. The rules and procedures detailed in *Town Meeting Time* are simpler and easier to understand than those in *Robert's Rules of Order*, because they are tailored to Town Meetings, and they provide more flexibility to the Moderator during Town Meeting, without substantively affecting the rights or powers of voters at Town Meeting. Currently a majority of towns in Massachusetts use *Town Meeting Time*, which is available for reference in the Town Library.

Town Meeting Day and Start Time

The Committee unanimously recommends keeping the existing starting day for Town Meeting as a weekday but allowing Town Meeting to start as early as 7:00 p.m. Previously, the Town Bylaws allowed Annual Town Meeting to start no earlier than 7:30 p.m. on the Monday after the Saturday Town Election.

The Committee based its discussion of the starting day and time primarily on the town-wide survey results. Moving the Town Meeting to a Saturday was not a popular solution, with only 40% saying they were at least moderately likely to attend, versus nearly 70% for a weekday. Anecdotally, Concord had been discussing a Sunday start date for Town Meeting since 1996 and recently attempted it, then found that the participation was the lowest for a first night of Town Meeting in 18 years (the longest available data).⁴

As to the start time, the survey results indicated that moving the start time 30 minutes earlier from the previous 7:30 time would not result in a loss of attendance, but it would add 30 extra minutes for business to be completed each night. This change was voted on at the 2014 Special Town Meeting and passed by majority vote, and the 2015 May Town Meeting began at 7:00 without being perceived as a factor in the attendance.

⁴ Town of Concord website

Review of Warrant Book

With one exception below, the Committee does not recommend changing the Warrant Book. The warrant book is a resource that is mailed to every household prior to Town Meeting, and based on the survey results it is an important and widely read document. The Committee discussed its format and content. Some neighboring towns have a much longer warrant book that includes supporting and opposing views and recommendations from relevant town boards and committees. One consideration the Committee considered was whether to include such recommendations from all relevant boards and committees, rather than just the Finance Committee (which is current practice). A majority of the Committee believes that, as the Town's "independent watchdog," the Finance Committee's recommendations should continue to be included. Conversely the Committee felt that including recommendations from other relevant boards and committees would be largely unnecessary or redundant, since it could often be assumed that a sponsoring board or committee would recommend its own warrant articles.

The Committee does recommend that, in addition to the reports of the Board of Selectmen and the Finance Committee which are already included with the warrant book, the Community Preservation Committee (CPC) should also be invited to provide a report for the warrant book, as it was (and did) for the most recent warrant book, covering its process and an overview of its activities and recommendations, to increase transparency and assist voters in understanding those. (The Committee notes that the School Committee also includes a report with its budget book, which is typically separate from the warrant book.)

Presentation Time Limits

The Committee unanimously recommends to the Moderator that presentations by initial presenters and organized opponents be limited to five minutes per side, with the exception of ten minutes (or sometimes more, in the Moderator's discretion) for the operating budget, the CPC annual report, large capital expenses, significant zoning changes, and other major issues, subject to the voter approval of speaker limits that is sought at the beginning of each Town Meeting. This recommendation has been implemented at recent Town Meetings. The Committee also recommends limiting speeches from the floor to three minutes (down from the five-minute limit), emphasizing that voters can go back to the microphone to speak again if this seems insufficient.

The second highest factor for survey respondents for not attending a Town Meeting in the past is that there was a sense that it was too long and takes too many hours/evenings. Presentation times are a time-consuming component of Town Meeting, and in the Committee's opinion, some voters have become too reliant on Town Meeting to become educated on the issues, instead of utilizing information resources and channels that are widely available prior to Town Meeting. These resources and channels include the Town budget hearing, other hearings, meetings, and presentations of Town boards and committees, and events sponsored by the League of Women Voters and other organizations, not to mention the vast array of materials and information posted to the Town website. Meanwhile, allowing so much information during Town Meeting presentations acts as a disincentive (or some would say a punishment) for voters to gather this information and become informed prior to Town Meeting, only to hear much the same

information presented again at Town Meeting, and this in turn leads to frustration and an increased sense that Town Meeting takes too much time unnecessarily.

One particular topic that could be discussed further by the Board of Selectmen and Moderator is the budget presentation at Annual Town Meeting. Most recently, that presentation has comprised separate presentations of up to 15 minutes apiece by the Board of Selectmen, School Committee, and Finance Committee. These presentations are also given at the annual budget hearing held on a date prior to Town Meeting, and Town budgets have passed overwhelmingly in recent years. Yet, the budget presentations and vote take almost an hour of Town Meeting, pushing into later hours or additional evenings the subsequent articles that are often of greater interest, concern, or dispute among voters. One possible approach would be to limit the three separate presentations to five minutes apiece, knowing that the budget hearing and other sources are available to voters, who may also ask questions from the floor. Other potential approaches may be useful as well.

The Committee also recommends coordination by lead proponents (or opponents) with respect to multiple presenters and presentations (from different boards, committees, individuals, etc.), to ensure that relevant issues are covered adequately but that redundancies are eliminated. It would also be helpful for speakers to have a visible timer, not just the Moderator's warning bell, to provide them with an ongoing sense of how much time they have left, whether giving a formal presentation or speaking from the floor.

Use of PowerPoint for Presentations

The Committee unanimously recommends to the Town Manager that a PowerPoint protocol (included in the appendix) should be established and enforced, as was recently done, so that the use and format of PowerPoint presentations will make them more visible and helpful to voters. In addition, clear submission deadlines will make the inclusion of these presentations less of a strain on Town staff time and resources. Generally speaking, the Committee would like to discourage and deemphasize the use of PowerPoint presentations, except when truly necessary to convey key points, numerical data, maps, and so forth, and the Committee also recommends that PowerPoint presentations should generally be limited to recognized, formal presenters.

Limits on Articles Brought to Special Town Meetings vs. Annual Town Meetings

The Committee does not feel that there should be limitations on articles or topics that can be brought to Special Town Meetings versus Annual Town Meetings. The only thing "special" about Special Town Meetings is that they are Town Meetings scheduled at times other than Annual Town Meeting, with no inherent reason to limit them only to certain topics or levels of urgency. Indeed, allowing all types of article and topics at both Annual and Special Town Meetings is beneficial in two respects: namely, balancing the time required for Annual versus Special Town Meetings (rather than forcing more articles and topics, and thus more time, at Annual Town Meeting), and reducing the pressure on Town boards and committees for articles and related work to be completed by Annual Town Meeting, lest they be delayed a full year, rather than just a few months.

Alternative Voting Methods and Approaches

The remaining sections of this report cover various alternative voting methods and approaches.

Voting Using a Handheld Electronic Device

The Committee unanimously recommends that the Selectmen further examine and consider utilizing handheld electronic devices for Town Meeting, depending on the cost (which the Committee expects will decline over time). This technology uses wireless handsets similar to a TV remote to transmit votes via radio frequency to a central computer for tabulation. Each handset is assigned a unique ID number. Town Meeting voters would vote during a timed voting period by pressing a button on their handsets. The central computer tabulates vote counts and calculates the required vote margin. Results can be calculated in as little as one minute. The use of this technology would be considered a secret ballot. The Moderator could have the discretion to utilize the handset voting for situations where a standing count would be traditionally called, or handset voting could be used for all votes.

The technology is already approved for use under state law and is currently being utilized by at least nine other towns as of this time. Generally, electronic handheld voting has been implemented in towns with Representative Town Government (being seven of the nine), which fixes the number of handsets required, simplifies implementation, and reduces costs. Only two towns using electronic handheld voting have open town meetings (Wayland and Westborough).

The potential advantages of electronic handheld voting would include:

- Improved speed of voting process (though see below);
- Improved accuracy and availability of vote counts;
- Anonymity in voting (for its privacy); and
- Existing permissibility under state law.

The potential disadvantages of electronic handheld voting would include:

- Costs;
- Anonymity in voting (for its lack of transparency);
- Potential difficulties of use (handset distribution and collection, education, etc.);
- Potential reliability issues (tabulation accuracy, system failures, security, etc.);
- Little or no improvement (and possibly even deterioration) in speed of voting process, if extra time on electronic voting for routine matters materially offsets time saved from elimination of standing vote counts;
- Maintenance and technological obsolescence, if purchased; and
- Need to over-order handsets based on potential turnout.

At the eleven most recent Town Meetings through December 2014, there appear to have been 253 articles or motions voted on, with 151 of them passing unanimously but at least ten requiring a standing vote, as indicated in the following table:

Date	No of Articles/Motions	Standing Count	Unanimous
STM- December 1, 2014	14	1	3
ATM - May 10, 2014	39	0	22
STM- December 2, 2013	7	0	0
STM-June 17, 2013	3	3	0
STM/ ATM - May 13, 2013	48	0	25
STM-November 26, 2012	8	0	2
ATM-May 7, 2012	33	2	20
STM- November 14, 2011	7	1	1
ATM/STM-May 9, 2011	37	0	31
STM- November 29, 2010	10	0	10
ATM/STM- May 10, 2010	47	3	37
Total 11 Meetings	253	10	151

For a Town Meeting with 300 attendees, every ten minutes spent on a standing vote count equates to 50 man-hours in the aggregate. This is not to suggest that the cost of handheld electronic voting should simply be balanced against the perceived “value” of those man-hours, though, because spending people’s time on standing vote counts further contributes to the increasing sense that Town Meetings take too long and in certain respects can be a waste of time. This has broader negative consequences for Town Meeting and in turn for the Town as a whole. Also, it would be important to understand how handheld electronic voting would impact current non-standing votes, in the aggregate; for example, it could be that if all votes were conducted by handheld electronic voting, many votes would take longer than under the current voting-card system, significantly reducing the net time savings.

Current rental estimates for a handheld electronic voting system for a three-night Annual Town Meeting plus a one-night Special Town Meeting, assuming turnout of 350 voters, would be \$42,000 per year. It is likely the cost will go down over time as the technology is improved and more widely adopted. The Committee’s recommendation to examine this technology further is based on its potential benefits in accuracy and efficiency, which are perceived to be greater than the non-financial disadvantages (such as potential logistical difficulties or reliability issues). However, the Committee feels that balancing those net non-financial advantages against financial costs should be left to the Board of Selectmen and ultimately to the voters at Town Meeting and reviewed from time to time, based on changes in those costs. It may be helpful for the Town to pursue any free trial usage that might be available from vendors, to better assess the relative costs and benefits of electronic handheld voting before a final decision is made by voters at a subsequent Town Meeting.

Representative Town Meeting

Since attendance at Town Meeting has been dwindling, the Committee considered the substitution of Representative Town Meeting for Open Town Meeting, but does not recommend it at this time. Under state law, towns with more than 6,000 residents may adopt Representative Town Meeting at their discretion, and Town Meeting membership may include as few as 45

representatives or as many as 240. Under Representative Town Meeting, all registered voters may attend and participate in debate, but only the elected representatives are allowed to vote.

Currently, 36 communities out of 263 that utilize open Town Meeting in Massachusetts have a Representative Town government. These towns range in population from 5,943 to 68,318 inhabitants, with average and median populations of 28,203 and 26,983, respectively. In general, towns using Representative Town Meeting are significantly larger than Weston. If Weston were to adopt this legislative body it would be the fifth smallest community in Massachusetts to do so.

The potential advantages of Representative Town Meeting would include:

- Allowing indirect participation (via representatives) without having to attend;
- Allowing attendance and debate participation to all registered voters;
- Representatives possibly being more knowledgeable, informed, and engaged as a whole;
- Reducing single-issue participation and effects of special interests;
- Encouraging representatives to engage more directly with constituents on issues;
- Existing permissibility under state law; and
- Reducing or eliminating venue size concerns.

The potential disadvantages of Representative Town Meeting would include:

- Voters losing the ability to vote directly on issues important to them;
- Representatives not always attending Town Meetings on behalf of constituents;
- Representatives not always representing the views or interests of their constituents; and
- Representatives needing to campaign and spend time and resources to get elected.

The town-wide survey asked voters about Representative Town Meeting, which clearly was not favored, with only 17% supporting or strongly supporting it and 66% opposing or strongly opposing it.

The Committee unanimously agreed that the Town should not pursue Representative Town Meeting now or in the near future, due to a lack of support in the community and no strong sense that it would be a good fit for Weston or address Weston's Town Meeting issues at this time. However, this is not to imply that it should be ruled out indefinitely, and it may be worth reconsidering at some point in the future.

Remote Online Voting

As detailed below, the Committee unanimously recommends that the Selectmen (via a new Committee) further explore remote online voting, where voters are able to vote in real-time while attending Town Meeting either in person or remotely, to put Town voters in a position where they can better decide whether to actually pursue remote online voting as an option. With remote online voting, a web-based portal with secured entry is utilized for voters participating remotely, with those voters watching Town Meeting live, either on television or via online streaming video. During each vote, remote participants would vote online, while participants who are at the Town Meeting in person would most likely vote using handheld electronic

devices. Remote participants would be cross-referenced with those in actual attendance to prevent double-voting.

The Committee's assumption in discussing remote online voting and in constructing the town-wide survey was that only those voters actually attending Town Meeting would be permitted to participate in debate or give presentations from the floor. (However, while not part of the Committee's deliberations and survey, we now understand that some Massachusetts towns actually permit remote viewers of Town Meeting to submit questions or comments online or by verified email, even though they cannot vote remotely, and that additional remote participation could increase the appeal of remote online voting.)

The potential advantages of remote online voting would include:

- Reaching a broader number of potential voters and increasing voting participation, from anywhere, even while away from Weston or unable to leave home;
- Retaining more of the existing Town Meeting structure than the split-debate/ballot voting approach discussed below;
- Allowing remote participants to vote on amendments and procedural motions;
- Dovetailing with use of electronic handheld voting; and
- Anonymity in voting (for its privacy).

The potential disadvantages of remote online voting would include:

- Requiring changes in state law to be permissible;
- Decreasing in-person Town Meeting attendance, potentially to the detriment of quorums and floor debate;
- Online security and reliability concerns;
- Costs; and
- Anonymity in voting (for its lack of transparency).

Respondents to the town-wide survey overwhelmingly supported the Town or residents seeking changes to Town bylaws and state law to allow remote online voting, with 78% supporting or strongly supporting it (63% strongly) and only 14% opposing or strongly opposing it (9% strongly). Support for remote online voting was greatest at the younger ages (with 90% of respondents under age 50 supporting or strongly supporting, 79% strongly), but even among voters age 65 and above, 49% supported or strongly supported (32% strongly), with only 34% opposing or strongly opposing (and 17% being neutral or indifferent).

There are instances of this technology being used for chamber votes for state legislatures, and the most similar use is through corporate "hybrid" shareholder meetings which are allowed in several states including Delaware (but not Massachusetts). With the technology, shareholders are able to participate and vote remotely or in person. There are two towns in New England that

currently utilize a “virtual Town Meeting”⁵ which allows for remote participation, and there are instances of several Massachusetts towns where voters expressed interest in this approach.⁶

There is a concern that, if remote online voting were allowed, in-person attendance and therefore participation in floor debate and presentations would decline or even that quorums would fail to be obtained. However, many people will want to participate in floor debate and presentations regardless, and the risk of not having a quorum may itself lead some to attend in person, so the drop-off in in-person attendance may be less than feared. Also, it is at least conceivable that the quorum rules could be changed to include remote participants, and even that some remote participation in questions and comments could be permitted as discussed above.

While it received overwhelming support in the town-wide survey, the Committee believes it would be premature to recommend that the Town actually pursue (or reject) remote online voting at this stage. There are still many unknowns about remote online voting, including logistical questions and whether other towns would also support the necessary changes in state law, which would affect the likelihood of those changes ever being adopted. Accordingly, instead of making a recommendation that the Town should pursue or not pursue remote online voting, the Committee unanimously recommends that the Board of Selectmen establish a new Committee to (i) explore the remote online voting and split debate/voting approaches in more detail, including their potential effects on the Town (including its sense of community) and on Town Meeting (including participation levels) if they were permitted by state law, (ii) explore the steps that would be necessary for state law to be changed to allow either or both of these alternative approaches, along with the level of support for these changes elsewhere, and (iii) in turn recommend a process that would put the Town as a whole in a position to discuss and possibly adopt these alternative approaches to the extent permitted by state law (or to pursue changes in state law if the Town desires).

Split Debate and Ballot Vote

The Committee also unanimously recommends that the Selectmen further explore the split-debate/ballot approach described herein. Under this approach, Town Meeting would begin with one or more evenings of presentation and debate (the “deliberative session”), followed by an in-person ballot vote on all warrant articles (as potentially amended during the deliberative session) at Town Hall on a subsequent Saturday. Voters who are not able to attend the deliberative session in person would still be able to watch it live or subsequently, on television or via online streaming video. Ballot voting would be available to all voters, whether or not they attended or viewed the deliberative session, and absentee voting would be allowed as well. Amendments and procedural voting would most likely be limited to those attending the deliberative session in person. (Conceivably, remote online voting could be used in conjunction with amendments or procedural votes during the deliberative session, without impacting the

⁵ Middlesex, VT and Salem, NH

⁶ See, e.g., Mark DiSalvo, “Bring the town meeting into the Internet age,” Boston Globe (May 15, 2014), <https://www.bostonglobe.com/opinion/2014/05/15/bring-town-meeting-into-internet-age/HVBqxaMKrWxYaJIVAGb2BO/story.html>; Susan, “Would broadcasting Town Meeting on the web increase participation?” MySouthborough.com (May 4, 2011), <http://www.mysouthborough.com/2011/05/04/would-broadcasting-town-meeting-on-the-web-increase-participation/>; and Town of Groton, Town Meeting Review Study Committee, <http://www.townofgroton.org/Town/BoardsCommittees/TownMeetingReviewStudyCommittee.aspx>

subsequent in-person ballot stage, though if remote online voting were permitted and adopted, that might well dispose of the need or inclination to separate the ballot stage in the first place.)

This split-debate/ballot structure closely resembles an existing open Town Meeting structure in Vermont and New Hampshire (sometimes referred to as the “SB2” approach, after the relevant New Hampshire legislation, or as an Australian ballot). Other Massachusetts towns have also considered this approach, with Concord looking into it as early as 1996⁷ (though it was recently defeated at their 2014 Town Meeting as submitted by a citizens’ petition⁸).

New Hampshire currently has more than 60 towns that utilize this form of Town Meeting, while 69% of Vermont towns did as of 2003. Research has found that there is a decline in attendance at the deliberative session of the Town Meeting, but the reported number of votes cast during the ballot session has increased significantly⁹. Weston has the ability to assess the potential increase in participation through historical Town Election participation:

Date	Town Election	Town Meeting
May 2014	779	305
May 2013	1605	492
May 2012	1620	328

In a recent New Hampshire study¹⁰ an average of 2.4% of voters attended the deliberative session although there is an inverse correlation between this percentage and town size.

The potential advantages of the split-debate/ballot approach would include:

- Reaching a broader number of potential voters and increasing voting participation, including those unable to attend the deliberative session;
- Allowing for absentee ballots;
- Allowing voters to better budget their time and attention, based on their own priorities and ability or desire to attend Town Meeting;
- Anonymity in voting (for its privacy); and
- Existing use and experience in other states, which is informative and may increase comfort and legislative amenability to necessary changes in state law.

⁷ Town of Concord, “Final Report of the Town Meeting Study Committee.”

⁸http://www.concordma.gov/pages/ConcordMA_BOS/2014%20Town%20Meeting/2014%20Hearing%20Presentations/Article_18-mbenn.pdf

⁹<http://www.nhpolicy.org/UploadedFiles/Reports/sb2at5.pdf>

¹⁰ “SB2 at 15: Trends in Official Ballot Voting and Deliberative Session Attendance” by Chris Porter, Researcher, NH Municipal Association

The potential disadvantages of the split-debate/ballot approach would include:

- Requiring changes in state law to be permissible;
- Decreasing in-person Town Meeting attendance, potentially to the detriment of quorums and floor debate;
- Retaining less of the existing Town Meeting structure than the remote online voting approach discussed above;
- Anonymity (for its lack of transparency); and
- Logistical complexities relating to ballot creation, approval, and notice.

Albeit to a lesser extent than with remote online voting, respondents to the town-wide survey very strongly supported the Town or residents seeking changes to Town bylaws and state law to allow the split-debate/ballot approach, with 71% supporting or strongly supporting it (51% strongly) and only 16% opposing or strongly opposing it (10% strongly). Here, too, support was greatest among younger voters (with 83% of respondents under age 50 supporting or strongly supporting, 65% strongly), but even among voters age 65 and above, 44% supported or strongly supported (25% strongly), with 39% opposing or strongly opposing (and 17% being neutral or indifferent).

There is a concern that participation in the deliberative session would decline or even that quorums would fail to be obtained at the deliberative session.¹¹ It is also conceivable that a warrant article could be amended substantially by single-issue attendees at the deliberative session. However, as discussed above with regard to remote online voting, many people will want to hear or participate in presentations or floor debate at the deliberative session regardless, so there may be less of a drop-off in in-person attendance and less risk of failing to obtain a quorum or other consequences than might be feared. (Also note the possibility described above of avoiding these problems by permitting remote online participation and voting for the deliberative session, though that may be the least likely approach to be adopted.)

For the same reasons described above with respect to remote online voting, the Committee believes it would be premature to recommend that the Town actually pursue (or reject) the split-debate/ballot approach at this stage. Instead, the Committee unanimously recommends that the Board of Selectmen establish the new Committee described above to explore this approach and remote online voting, for the reasons and with the objectives also described above.

Other Recommendations

The Committee also had the following miscellaneous (and unanimous) recommendations, which are worth mentioning but self-explanatory and/or insubstantial enough not to require more detailed discussion:

- Allowing reasonable applause from the audience, partly as an indication of support that may inform others deciding whether or not to speak, but restricting booing and heckling as being unnecessarily intimidating and uncivil;

¹¹ “All Those in Favor,” by Susan Clark and Frank Bryan, page 5 of “All Those in Favor Update”

- Holding a “State of the Town”-type meeting in the fall, similar to the Town of Lincoln’s (see appendix), to provide greater visibility and input regarding upcoming Town issues well prior to Town Meetings; and
- Encouraging student involvement in shepherding a warrant article from start to finish¹²

Conclusion

The Committee has enjoyed the opportunity to serve the Town and its residents by looking for ways to strengthen Town Meeting, a vibrant institution and one of Weston’s cherished traditions. Also, we emphasize that, notwithstanding the diverse array of Committee members and the strong feelings regarding Town Meeting and potential changes to it, the Committee was nonetheless able to achieve unanimity and cooperation in reaching all of its substantive recommendations. We hope this will inspire a broader spirit among Town voters in considering and implementing any of these recommendations and discussing Town Meeting going forward.

Respectfully submitted,

SELECTMEN’S TOWN MEETING ADVISORY COMMITTEE

Harvey Boshart, Chair (At Large Member)
 Douglas Gillespie (Board of Selectmen)
 Christopher Houston (Finance Committee)
 David Mendelsohn (Planning Board)
 Barry Tubman (Community Preservation Committee)
 John McCahan (Council on Aging)
 Leslye Fligor (Weston PTO)
 John Fiske (At Large Member)
 Alex Shimada-Brand (At Large Member)
 Patricia Shotwell (At Large Member)
 Thomas Crane, Moderator (ex officio, non-voting member)
 Deborah Davenport, Town Clerk (ex officio, non-voting member)
 Donna VanderClock, Town Manager (ex officio, non-voting member)

APPENDIX

Town Meeting Attendance Data
 Town-Wide Survey Questions
 Town-Wide Survey Results
 Guide to Citizens’ Petitions
 Town Meeting Presentation Procedures
 Sample Lincoln “State of the Town” Materials

¹² <http://www.bostonglobe.com/metro/regionals/west/2014/03/26/lincoln-students-presenting-school-project-town-meeting/P1MTJrnT0irLV8XpB7iMVO/story.html>