

Warrant Article Questionnaire Non-Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 35	Date Form Completed: 9/7/21
Article Title: Hybrid Town Meeting	
Sponsor Name: Frank Foss	Email: moderator@natickma.org

Question	Question																								
1	Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action.																								
Response	<i>Please see attachment A</i>																								
2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion?																								
Response	The proposed purpose of this article is to seek action by the Select Board and MA General Court (MA Legislature). The specific action is to enact a home rule for the Town so that the representative Town Meeting may meet in a hybrid (in person and virtual) venue. Such is not currently allowed by MA General Law.																								
3	Has this article or one of a very similar scope and substance been on a previous Warrant Article and what have been the actions taken by the Finance Committee, other Boards or Committees and Town Meeting?																								
Response	<div style="display: flex;"> <div style="flex: 1;">No.</div> <table border="1" style="margin-left: 20px; border-collapse: collapse; width: 80%;"> <thead> <tr> <th style="width: 25%;">Warrant Period Ex: 2021 SATM</th> <th style="width: 25%;">Other Committees Ex: Planning Bd refer</th> <th style="width: 25%;">FinCom Action Ex: Referral</th> <th style="width: 25%;">Town Meeting Ex: Referral</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> </div>	Warrant Period Ex: 2021 SATM	Other Committees Ex: Planning Bd refer	FinCom Action Ex: Referral	Town Meeting Ex: Referral																				
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	Comments:
4	Why is it required for the Town of Natick and for the Town Agency sponsor(s)?
Response	Currently the Town cannot make use of a hybrid venue for its representative town meeting sessions.
5	Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent?
Response	It is estimated that no more funding is required than that which is being requested for FY 2022.
6	Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or actions? Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting?
Response	a) Yes, see above. b) No
7	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations?
Response	See above response.
8	Who are the critical participants in executing the effort envisioned by the article motion?
Response	Town Moderator and Town Clerk.
9	What steps and communication has the sponsor attempted to assure that: <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process • Appropriate Town Boards & Committees were consulted • Required public hearings were held

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Response	Preliminary discussions have occurred with the Select Board, technical staff (including Pegasus staff) and Town Administration.
10	Since submitting the article have you identified issues that weren't initially considered in the development of the proposal?
Response	No.
11	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences?
Response	Town Meeting will meet as it has – either in an in person or virtual venue, as permitted by law.

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Attachment A

Move that the Town will vote to authorize and empower the Select Board to file a petition with the General Court for special legislation as set forth below:

AN ACT AUTHORIZING THE TOWN OF NATICK TO HOLD HYBRID TOWN MEETINGS.

Provided that the General Court may reasonably vary the form and substance of this requested legislation within the scope of the general public objectives of this petition, be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law, charter provision, ordinance or by-law to the contrary, the Town of Natick may hold town meetings at which participants attend both in person and remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

- (a) The determination of whether a town meeting shall be a hybrid meeting shall be made by the Select Board at the time that it approves the warrant for such meeting, and the warrant shall contain such provisions as shall be deemed by the moderator and Town Counsel to be necessary in order properly to notify participants in such meeting of the requirements set forth in this section.
- (b) Except as otherwise set forth in this section, town meeting members and other participants in a hybrid meeting may elect to attend such meeting either in person, at the location designated in the warrant for such meeting, or remotely by means of a video conferencing platform.
- (c) All town meeting members attending a hybrid meeting, whether in person or remotely, shall be counted for purposes of determining the presence of a quorum at the meeting.
- (d) The moderator, the Town Clerk and certain members of the Town’s information technology staff and other persons required to operate the voting and other technical systems necessary for the proper function of a hybrid meeting in accordance with this section shall attend each session of a hybrid meeting in person. All other participants in a hybrid meeting, including town meeting members and other residents and non-residents of the Town, may attend each session of a hybrid meeting either in person or remotely. In order to attend a session of a hybrid meeting remotely, a participant shall be required to provide written or electronic notice of such participation to the moderator and Town Clerk, which notice shall be required to be received no later than 48 hours before such session. Such notices may cover such person’s remote attendance at one or more sessions of a hybrid meeting. Such notice requirement may in general or in specific instances be waived for Town officials and other Town employees by the moderator, by written notice to the Town Clerk and Office of the Select Board.
- (e) The video conferencing platform shall afford all remote participants in a hybrid meeting the ability to identify and hear the moderator and each town meeting member who attends the meeting, as well as any other persons who participate in the meeting. All remote participants in a hybrid meeting shall have substantially the same access as in-person participants to the

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content of handouts, presentations and other material distributed or displayed, prior to or during the meeting, to in-person participants in the meeting.

- (f) All participants in a hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the moderator. All town meeting members shall have a substantially equal opportunity to make a motion or raise a point of order or question of privilege.
- (g) All town meeting members participating in a hybrid meeting, whether attending in person or remotely, shall have the opportunity to vote on all matters put to a vote of town meeting members; such votes shall to the extent feasible be taken substantially contemporaneously; and such votes shall in the case of recorded votes be published as soon as practicable subject to the abilities of the respective voting systems used for in-person and remote votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the moderator and consistent with any General By law of the Town to record accurately and securely the votes of those entitled to vote at the meeting.
- (h) Town meeting members who do not have access to the video or other conferencing system used for remote participants in a hybrid meeting may participate in the meeting via telephonic or voice over internet protocol (VOIP) means. The requirements of sub-sections (e) and (f) of this section shall to the extent that they cannot be complied with through said telephonic or related means not apply to town meeting members.

SECTION 2. All actions taken during a hybrid meeting held pursuant to section 1 are hereby ratified, validated and confirmed to the same extent as if the hybrid meeting had been conducted entirely in person, and such actions shall be deemed to comply in all respect with all other applicable laws, charter provisions and by-laws.

SECTION 3. This act shall take effect upon its passage.
or otherwise act thereon.