

# Burlington Government Review Committee (BGRC)

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# Burlington Town Meeting

# Overview

## Goals and Objectives

- Assist Committee in understanding Burlington's Town Meeting
- Acquaint Committee with the structural elements contained in a charter
- Discuss whether modifications are necessary to provide “all residents with a local government that is transparent, effective, efficient, and responsive both for present day and future generations”

# Sample Charter Table of Contents

**Preamble**

**Article 1: Incorporation, Powers, Etc.**

**Article 2: Legislative Branch**

**Article 3: Executive Branch**

**Article 4: Other Elected Officials**

**Article 5: Financial Policies and Procedures**

**Article 6: Administrative Organization**

**Article 7: Elections**

**Article 8: Resident Relief Mechanisms**

**Article 9: General Provisions**

**Article 10: Transition Provisions**

# Structural Sources

- Town Meeting Special Acts -- Chapter 686 of the Acts of 1970 and amendments up to January 2021 -- captured by Town Clerk's office into one document that can be found at the Burlington Town Meeting webpage. [Chapter 686 \(PDF\)](#)
- Burlington General Bylaws  
<https://www.burlington.org/ArchiveCenter/ViewFile/Item/341>
- Town Meeting Rules and procedures as described in Burlington's Town Meeting Handbook  
<https://www.burlington.org/DocumentCenter/View/885/Members-Handbook-PDF>

# Charter or By-law?

## What information is included in a charter?

Does the provision establish a fundamental governance structure?

→ If so, include in the charter.

Does the provision regulate procedural details that may require more frequent adjustments?

→ If so, include in the bylaws.

# How are charters and by-laws updated?

Generally, amending charters and bylaws requires virtually the same processes as Burlington follows now for updating its Special Acts and by-laws:

## Updating Special Acts and Charters

- Approval by Town Meeting, the state legislature and, often, a town-wide vote
- Can be amended through elected Charter Committee MGL 43B\*

## Updating By-laws

- Approval by Town Meeting
- Review by Attorney General's office

\*An infrequently used MGL Ch 43B sec. 10 process may also be available for updating charters in certain cases.

# Dates and Frequency



# Dates and Frequency

- Mass General Law requires at least one Annual Town Meeting, held between February and May each year. Can be delayed but must be completed by June 30.
- Additional unscheduled “Special Town Meetings” may be called as frequently as necessary under state law. Generally, the Select Board calls Special Town Meetings, but voters may also petition to hold a Special Town Meeting.
- In Burlington, Special Town Meetings are called if petitioned by 200 voters, or upon request of the Select Board, Town Moderator, or 10 or more Town Meeting members. However, Special Town Meetings are rare in Burlington due to the scheduling of three regular Town Meetings each year.

# Dates and Frequency

- Under Chapter 686, Burlington Town Meeting is “a continuous body” that may adjourn for periods not exceeding 150 days.
- The General Bylaws provide that those meetings shall occur on the second Monday in May (Annual Town Meeting), fourth Monday in September, and fourth Monday in January.
- In practice, the Annual Town Meeting in May is reserved primarily for the budget and financial articles, the September Town Meeting focuses on zoning and general bylaws, and the January meeting is intended to address mid-year financial issues. However, there is often overlap.

# Dates and Frequency

Why a "continuous" town meeting with 150-day adjournments?

Likely so all three are treated as “annual town meeting” rather than “special town meetings.”

Procedural differences between annual and special town meetings, e.g., 10 residents can put an item on the agenda for an annual town meeting, but 100 signatures are required for agenda items on special town meetings (and 200 to call a special town meeting.)

# Dates and Frequency

Town	Scheduled Town Meetings	Members
Burlington	3: May, Sept., and Jan.	126
Dedham	2: Spring and Fall	273
Milford	2: Annual and Scheduled Special	230
Milton	1: Annual	279
Reading	2: Annual and Subsequent	192
Walpole	2: Spring and Fall	150
Winchester	2: Spring and Fall	192

## Hybrid Meetings – Special Act

In January, Town Meeting approved pursuing a change by Special Act to allow a limited number of members (15) to participate electronically.

Bylaws will need to be revised to account for the approved Special Act.

# Dates and Frequency

## Discussion Points:

Some challenges and benefits of the 3-meeting schedule:

- Frequency allows quick response
- Regular schedule allows staff, officials, and members to plan schedules
- Each meeting can focus on a category of warrant articles
- Less time to prepare between meetings
- Heavier commitment for elected Town Meeting Members

# Warrant Articles

## Warrant Articles – What's included?

- Warrants are issued by the Select Board and contain time and place of meeting and warrant articles, which are the agenda items of Town Meeting
- Warrant language need not be exact but must provide notice of what will be addressed. Actions taken must be in the scope of the warrant article.
- Select Board prepares and issues the warrant. Select Board, TM Members, the Moderator, School Committee and residents (with 10 voter signatures) may propose items for the warrant.



# Warrant Articles -- Timelines

- Zoning and General Bylaw Articles are due 90 days before Town Meeting to be included in warrant.
- All other Bylaws are due 45 days before Town Meeting.
- In Burlington, warrants are mailed or emailed 14 days before Town Meeting. Printer deadline about two weeks before mailing. (MGL requires 7-day notice for regular Town Meeting.)

# Warrant Articles -- Timelines

## Zoning Submissions

Burlington By-law, Article II, 1.2 Warrants:

*"Pursuant to MGL Chapter 40A, Section 5, The Board of Selectmen shall **within fourteen days of receipt** of such zoning ordinance or by-law submit it to the Planning Board for review. No zoning ordinance or by-law or amendment thereto shall be adopted until after the Planning Board has held a public hearing, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held **within sixty-five days** after the proposed zoning ordinance or by-law is submitted to the Planning Board. No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by the Planning Board."*

Consistent with MGL 40A, sec. 5.

# Timeline

90 days before TM: Zoning and General Bylaw Articles
45 days before TM: All other articles
About 30 days before TM: Graphic design and printing
14 days before TM: Posting and Distribution
<b>TOWN MEETING</b>

# Warrant Articles Discussion

- How are 90-day and 45-day deadlines working out for Burlington?
- How does schedule of 3 Annual Meetings affect warrant article timelines?
- Consider seeking input from staff and relevant volunteers regarding any timeline changes.

# Town Meeting Procedures

# Town Meeting Procedures

Town Meeting procedures and rules are contained in local by-law and in the Town Meeting Handbook. The handbook contains 7 basic rules:

- 1) Rules of Debate: adoption of Robert's Rules with exceptions for motions to reconsider.
- 2) Procedures for Roll Call Voting: regarding taking of attendance
- 3) Automatic Roll Call: Motions requiring 2/3 vote require a roll call unless unanimous
- 4) Prohibition of Side Activities, including distributing petitions or literature

# Town Meeting Procedures

- 5) Code of Ethics: Disclosure of relevant employment relationship, financial interest, family relationship before speaking and consideration of voluntary abstention.
- 6) Time and Schedule of Meetings: Monday and Wednesdays at 7:30, with quorum required. Consecutive Mondays and Wednesdays excluding legal holidays
- 7) Duties of Rules Committee, including choosing officers, serving as a steering authority for proposed warrant articles, assisting moderator in appointments, referring articles to appropriate committee, notifying that it has completed its review, and submitting proposed articles for publication when review completed.

# Discussion of Town Meeting Procedures

- In general, procedural rules are not contained in a charter. However, the Committee's report can contain recommendations for updating and changing the rules.
- Committee may want to gather additional input as to whether to recommend changes to Town Meeting rules.



# Town Meeting Members

# Town Meeting Members

- Under Special Act, there are 126 members, 18 each from 7 precincts who serve for 3-year terms.
- Any registered voter is eligible, including Town employees.
- New candidates for town meeting must complete nomination papers with 10 voter signatures at least 28 days before the election after first giving Board of Registrars 7 days to verify signatures.
- Incumbents can indicate intent to run by providing notice to the town clerk 21 days prior to filing nomination papers.
- Recent bylaw requires 50% attendance during term to take advantage of incumbency procedure.

# Attendance Trends

Date	1/30/23	5/8/23	5/10/23	9/27/23	1/22/24	5/13/24	5/15/24	5/20/24	5/22/24	9/23/24	9/25/24	9/30/24	1/27/25	1/29/25
Members present	73	90	81	94	96	109	108	104	89	112	94	79	109	96
Percentage	58%	71%	64%	75%	76%	87%	86%	83%	71%	89%	75%	63%	87%	76%

# Town Meeting Members

- Member who moves during term to another precinct in town serves until next regular election.
- Vacancies are filled by precincts until the next regular election, with at least 14 days notice to Members and public.
- Members not eligible to hold other *elected* positions at the same time.
- Members can serve in the following appointed positions plus one additional position:
  - Committees appointed by moderator, temporary advisory committees, officer of elections, and member of a party's town committee.

# Town Meeting Members Discussion

- Is size of Town meeting appropriate for town?
  - 6 elected per precinct each year – about 4-8 candidates run in each precinct in last 3 years
- Feedback on attendance motivators?
- Feedback on separate process for incumbents?
- Feedback on qualifications and committee memberships?

# Town Meeting Moderator

## Election and Duties

- Elected annually by voters for term of one year
- State law permits one- or three-year terms
- The Town Moderator presides at all Town Meetings sessions and votes in the event of a tie
- Moderator appoints Deputy to serve in Moderator's absence
- Moderator appoints Ways and Means committees and other standing and special committees (Article V, sec. 2 of General By-laws)

# Moderator Terms:

Burlington	1
Dedham	3
Milford	3
Milton	3
Reading	1
Walpole	1
Winchester	1



# Moderator- Appointed Committees

Ways and Means Committee: 15 voters, majority must be TM Members, no Town officers or employees (3 years)

- Duties include making recommendations to Town Meeting on all financial matters. May also make recommendations on non-financial matters.

Capital Budget Committee: 7 voters (3 years)

Considers and advises all capital terms and projects, including construction, repair, and improvements of buildings, highways, sidewalks, etc., and purchase of land, equipment, or buildings.

# Moderator- Appointed Committees

## Bylaw Review: 7 voters (3 years)

- Considers and advises on all proposed bylaws appearing on the warrant and additional articles as requested or required

## Town Facilities: 7 members, one from each precinct (2 years)

- Advises on care and capacity of town facilities; maintenance, construction, and disposition of buildings and infrastructure; and other long-term planning issues

# Moderator- Appointed Committees

Rules Committee: 13 members, at least one from each precinct (1 year).

- Reviews and makes recommendations on conduct of Town meeting
- Serves as steering authority for warrant articles
- Assists Moderator in selecting appointments to committees
- Advises on other matters as requested or required

# Moderator- Appointed Committees

Land Use: 9 members, at least one from each precinct for (3 years)

- May be appointed as liaisons to Planning Board and ZBA
- Reviews and makes recommendations on land use articles
- Reviews and discusses maps, surveys, consultant reports, impacts, etc.
- If the article requires the Planning Board to make a recommendation, the By-law requires Planning Board to notify Land Use Committee of public hearing for land use zoning issues

# Moderator- Appointed Committees

## Human Services Advisory Committee: 7 members (3-years)

- \_Considers human services programs and makes recommendations to town meeting
- Gathers information on human services, promotes coordinated action, maintains assessment of needs and concerns, gathers information on federal and state funding, develops lists of funding priorities
- Reports on matters referred to the committee by Town Meeting or others

# Moderator Discussion

## Discussion Points:

- Town Moderator term – 1 year v. 3 year
- Town Moderator appointments -- discussion of any process improvements
- Town Meeting standing committees – most will be contained in bylaws rather than Charter so they can be updated more frequently
- Ways and Means Committee – will be discussed in more detail in finance section

# Clerk

# Clerk

- The Town Clerk acts as the Clerk of Town Meeting
- Clerk gives notice of town meetings, keeps a journal of proceedings and performs other duties following up on Town Meeting votes
- Clerk positions will be discussed in more detail during the Elected Officials section of the work plan



# Referendum

# Referendum

Town Meeting article votes are not final for **14 days** to allow for a petition of **5%** of voters to require issue be placed on ballot.

## **Exceptions:**

- Vote to adjourn
- Authorization to borrow money in anticipation of taxes
- Authorization to pay debts and obligations
- Appropriation of funds necessary to implement labor contract
- Budget of town as a whole
- Emergency measure
- Votes passed by 2/3

# Referendum

For comparison purposes, the narrower Mass. General Laws provision provides for a **7-day** deadline for securing signatures from **3%** of the voters in order to require the issue to be placed on the ballot.

State law limits referenda to the following cases:

- authorizing the expenditure of twenty thousand dollars or more as a special appropriation
- establishing a new board or office or abolishing an old board or office or merging two or more boards or offices
- fixing the term of office of town officers, where such term is optional
- increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law

# Referendum

## Discussion:

- How often are these referenda provisions currently used, if at all?
- Are the thresholds and limitations set appropriately?
- About 18,000 voters in Burlington as of April 2025
- 5% of voters = about 900 signatures to petition for an election on the issue

# Next Steps

## Next Steps

- Engagement with Key Officials
- Draft preliminary Charter Language for discussion and review

**Thank you!**