

(f) Any registered voter or taxpayer of the town shall, subject to such rules as may from time to time be established, have a right to speak, but not to vote at town meeting sessions.

(g) The Town Meeting shall be accessible by those Town Meeting Members who wish to attend, either in person or remotely via an electronic communications platform, with a maximum of 15 members attending remotely. This communications platform will allow users to connect via video, audio, phone, and chat, using an internet connection and a supported device. Members of these meetings shall be able to be recognized by the Moderator or Chair, and their vote, where applicable, be recorded via the electronic communications platform, including standing votes taken pursuant to Section 2-11 (e).

*[Note: This reflects the language approved at the May 2025 Town Meeting.]*

### **Section 2-12. Standing Committees**

(a) The town meeting shall by by-law provide for the establishment of standing committees, a majority of the members of which shall be composed of persons elected to the town meeting **at the time of appointment or reappointment. Unless otherwise specified by general law, by-law, or this charter, all standing committee members shall be residents of the town of Burlington for the duration of their terms.**

*[Note: This special act language requires all standing committees to include a majority of town meeting members, regardless of bylaw language. It also includes a residency requirement, with the opportunity to relax the requirement through by-law.]*

(b) All articles that would require the expenditure of town funds shall, before enactment, be referred to the committee on way and means for its recommendation.

(c) Such other committees as the meeting deems expedient shall also be created and said committees shall be assigned all articles that come under their subject matter jurisdiction before final action is taken, for a recommendation. All committees shall conduct open public hearings on matters assigned to them to provide the public with the opportunity to discuss their views concerning such matters. Committees established under these provisions shall consist of an odd number of persons appointed for fixed terms.

### **Section 2-13. Warrants**

Warrants for regular town meeting sessions shall be issued by the select board to the town meeting members, moderator and town clerk, and a copy shall be posted on the town bulletin board at least **14** days before the meeting is to convene.

The select board shall include in the warrant for regular town meeting sessions all subjects which are requested of them in writing by any elected town meeting member, the moderator,

the school committee, 10 or more registered voters, or any other person authorized by state statute or town by-law.

Notice for special town meeting sessions shall be posted on the town bulletin board and delivered to the place of residence of each member and that of the moderator not less than 7 days before the date of the special meeting.

The select board shall include in the warrant for special town meeting sessions all subjects which are requested of them in writing by any elected town meeting member; the moderator; the school committee; any other person authorized by state statute or town by-law; or by 100 registered voters or 10 per cent of the total number of registered voters of the town, whichever number is the lesser.

*[Discussion Point: Generally, the requirement for posting a warrant is placed in the charter while submission deadlines are in bylaws. Interestingly, this section originally did not distinguish between regular and special town meeting warrants and has been updated to do so. It has also been updated to include citizen petitions of 10 or more members, which is required by statute. Furthermore, the current acts require 7-day notice for special town meetings and 14 days for regular town meetings, which is the opposite of what MGL requires.*

*The deadline for submitting articles to the Select Board for inclusion in the warrant is generally included in bylaws rather than the charter. On Sept. 9, 2025, the Committee discussed that it was not interested in changing the bylaw regarding warrant article submission.]*

#### **Section 2-14. Referendum Petitions**

No final vote of any representative town meeting session passing or rejecting a measure under any article in the warrant, except a vote to adjourn, or an authorization to borrow money in anticipation of taxes, an authorization to pay debts and obligations of the town, an appropriation of funds necessary to implement a written agreement executed under section 7 of chapter 150E of the Mass. General Laws, or the budget of the town as a whole, or a vote declared by preamble to be an emergency measure necessary for the immediate preservation of peace, health, safety or convenience of the town, and which is passed by a two-thirds vote of the membership, shall be operative until 14 days after the adoption of such vote.

If, within said 14 days after the vote, a petition signed by not less than 5 per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters at the most recent election, is filed in the office of the select board requesting that the question or questions involved in any such vote be submitted to the registered voters of the town at large, then the operation of such vote shall be further

suspended pending its determination as hereinafter provided. The board of registrars shall certify the signatures within 7 days of the filing date. The select board shall forthwith after the board of registrars certifies that the petition has the requisite number of signatures, call a special election which shall be held within 100 days but no sooner than the earliest date on which the question may appear on the ballot pursuant to Mass. General Laws, ch. 54, § 42C; provided, however, that if a regular or special town election is to be held within the 100 day period, the select board may provide that the question or questions involved be presented to the voters at the same election.

All votes shall be taken by official ballots, and the check list shall be used in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereof, but an action of the representative town meeting shall not be reversed unless 20 per cent of the registered voters of the town shall vote to reverse the vote of the representative town meeting.

[Alternative language: “but no action of the Town Meeting shall be reversed unless at least 20 per cent of the voters cast ballots on the ballot question.” or “but no action of the Town Meeting shall be revered unless at least 20 per cent of the voters participate in the election at which the question is presented.”]

The questions so submitted shall be stated on the ballot in substantially the same language and form in which they were stated when presented by the moderator to the representative town meeting as appears from the records of said meeting; provided, however, that if the question as stated by the moderator was lengthy as determined by the select board in its sole discretion the question may instead be stated in summary form by referring to the action taken by the representative town meeting.

This election shall be held on a Saturday, unless it is to be held in conjunction with another election, and the polls shall open not later than 2:00 p.m. and shall be closed not earlier than 8:00 p.m.

If a petition is not filed within 14 days of a final vote of the representative town meeting, it shall then become effective.

[Discussion Point: The Committee requested more information and indicated an interest in changing the threshold for reversing a vote from 20 percent of the registered voters reversing the vote to 20 percent of registered voters participating in the election.]

## **Section 2-15. By-laws Required**

Subject to constitutional and statutory requirements, these acts of the town meeting shall be by by-law which:

- (a) provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (b) establish rules governing the granting, renewing or extension of a franchise or license;
- (c) amend or repeal any by-law previously adopted;
- (d) establish standing committees of the town meeting, but not temporary or "ad hoc" committees; and
- (e) establish all rules, regulations, orders and other votes of the town meeting which are intended to be permanent, and which when adopted regard or affect the community as a whole.

*[Note: this language from the special act requires most town meeting rules to be established by bylaw, rather than informally.]*

The moderator shall have the authority to direct that a proposed action to be taken shall be done in the nature of a by-law rather than in some other form when the moderator's discretion it seems advisable so to do.

### **Section 2-16.**

- (a) Every proposed by-law shall be introduced in writing and in the form required for final adoption. No proposed by-law shall contain more than one subject, which shall be clearly expressed in its title.
- (b) The town meeting may adopt any standard code of technical regulations in whole or in part by reference thereto in an adopting by-law provided, however, that one or more copies of the proposed code shall be available in the office of the town clerk and the adopting by-law shall not be construed as to include changes or revisions made by the drafters of said code subsequent to the town meeting vote to adopt the code.

### **Section 2-17. Required Participation**

The town meeting or a duly authorized subcommittee of the town meeting, by order or resolution, may require the attendance of a town meeting of any elected or appointed officer, board, commission, committee or agency or employee for the purpose of providing the town meeting with information and materials pertinent to matters appearing in the warrant for that town meeting. The head of each department shall hold themselves available for attendance at town meetings or shall designate a deputy to respond for the department head in the event that such department head is absent due to illness or other reasonable causes.

No less than 7 days' notice to appear shall be given to any person under the authority of this section.