

Holding Town Meetings During the Pandemic: Planning, Timing, and Considerations

Lauren F. Goldberg, Esq.

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Holding Town Meeting During the Pandemic: Planning, Timing, and Considerations

- ▶ We are awaiting the enactment of pending legislation for open and representative town meetings during the COVID-19 pandemic and will issue guidance if passed
- ▶ In the meantime, these are some initial considerations for planning for a town meeting during the pandemic, which are broken down into three phases:
 - 1) Before Town Meeting - Postponement, Preparation, and Timing
 - 2) During Town Meeting - Safety and Practical Considerations
 - 3) After Town Meeting - Clean Up and Validate Actions If Necessary



When Must a Town Hold an Annual Town Meeting?

- ▶ **Between February 1 and June 30**
 - ▶ By statute, towns must hold one “annual” town meeting between these months
 - ▶ Essential subject is approval of budget for next fiscal year (starts July 1, 2020)
 - ▶ However, due to Chapter 53 of Acts of 2020, can postpone for this fiscal year beyond June 30 for health and safety reasons and adopt a budget of at least 1/12th on monthly basis until safe to hold town meeting
- ▶ **Pending legislation**
 - ▶ Would allow a town to lower quorum requirements (not less than 10%), hold meetings outside of town, and hold meetings remotely (representative only)



Before Town Meeting - Postponement

- ▶ **Postponing Town Meeting**
 - ▶ If warrant already posted, in order to delay town meeting without convening, meeting may be recessed and continued by moderator for a maximum of 30 days at a time until 30 days after state of emergency ends, or it is deemed safe to hold meeting; send report to Attorney General of initial continuance
 - ▶ If warrant not posted, select board may schedule meeting when it deems it safe to do so notwithstanding charter or bylaw
- ▶ **Postponing Beyond June 30**
 - ▶ If meeting cannot safely be held before June 30, towns and regional school districts may seek approval of 1/12th budget (or more) on monthly basis until state of emergency ends
 - ▶ 1/12th Budget can cover: salaries and expenses, school district assessments, pensions, interest and principal payments, insurance costs, salary increases under collective bargaining agreement if previously authorized, court costs and attorneys fees



Before Town Meeting - General Considerations

▶ Significant Planning and Preparation

- ▶ Once the meeting has been postponed in accordance with law and a date is selected for the new Annual Town Meeting, significant planning and preparation is required to ensure the meeting:
 - ▶ Is safe for all residents, meeting members, and staff to gather during a pandemic; and
 - ▶ Preserves the deliberative process, importance, and validity of a Town Meeting

▶ Notice to Voters

- ▶ The meeting will look and feel differently this year; adequate notice should be given to voters about the expectations and requirements for participating in Town Meeting - communication is key
- ▶ Particularly with respect to motions and voting, there may be a direct benefit to posting summary on line and in other public places



Before Town Meeting - General Considerations

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▶ Departmental Coordination and Safety Plan

- ▶ Consider who needs to be involved in creating an appropriate safety plan - town administrator/manager, police chief, fire chief, health agent, ADA coordinator, public works, and, if held at a school or on school property, appropriate school personnel
- ▶ Analyze available space (legislation allowing town meeting outside town borders has not yet passed)
- ▶ Unlike usual, space can be set up well prior to the date of the meeting and tweaks can be made as necessary and appropriate
- ▶ Prepare a general plan to distribute to media and voters so expectations are managed and notice is provided
- ▶ Arrange for extra staff/volunteers to promote efficiency and reduced crowds (check-in process, hand counts, etc.)
- ▶ Ensure input from police on enforcement

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Before Town Meeting - Location Planning

- ▶ **Select Geographic Location for Town Meeting**
 - ▶ To hold meeting outside geographic limits of town, must have bylaw or special act
 - ▶ Pending legislation would allow all towns to hold meetings outside of town; reminder - elections cannot be held outside of town boundaries
 - ▶ Location and address of meeting must be posted in warrant; be general if there are inside/outside choices, for e.g., at the high school
- ▶ **Indoor or Outdoor Meeting?**
 - ▶ No legal bar to holding an outside town meeting; however, location must be ADA accessible;
 - ▶ How many people typically come to annual town meeting - size may be determinative of location
 - ▶ What is anticipated turnout? Has a survey been done?
 - ▶ Has administration heard from voters re: concerns?



Before Town Meeting - Location Planning

▶ Indoor Town Meeting - Considerations

- ▶ Multiple rooms must be connected by at least audio; could use other methods, such as closed circuit TVs or “zoom” type format; each room will need assistant moderator and counters. Thought should be given as to how such persons will participate, and how that participation will be communicated to main room. Should provide separate area for those without masks; spacing of seating 6-ft apart; avoid bottlenecks at check-in and exit; check-in must be socially distanced - split by lanes based upon last name or street address; consider using outdoors if available; use “greeters” and “seaters”

▶ Outdoor Town Meeting - Considerations

- ▶ Rain/weather; adequate parking, ingress and egress areas; advance preparation for signage, traffic and person flow, supplies; chairs 6-ft apart; tented or protected area for people sensitive to heat or with medical conditions; option to sit in cars for meeting (no honking, idling or music so all can hear and see); sound system will be crucial to all; extra screens and microphones; extra staff for managing parking; EMTs on site; use “greeters” and “seaters”

Note: Consider sharing resources with neighboring towns to reduce extra costs



Before Town Meeting - Location Planning

▶ Remote Representative Town Meeting - Considerations

- ▶ Pending legislation would allow representative town meetings only to be held remotely
- ▶ If passed, moderator requests Select Board to authorize Town Meeting to be conducted through remote participation and suggest platform for same; must be done in advance at public hearing
- ▶ Audio-video conference technology and plan must allow moderator, town meeting members, public, and officials to identify and hear all speakers; meeting to vote whether to continue with platform at beginning of meeting; ability to determine whether quorum is present; request recognition by moderator; determine whether someone wants to make motion or raise point of order; conduct roll call vote; access remote meeting by public; record the meeting; etc.
- ▶ **Lexington** in the middle of remote Annual Town Meeting now...developed software to make remote town meeting “work” like a regular town meeting



Before Town Meeting - Technology Planning

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▶ Screens/Microphones/Sound System

- ▶ If outside: consider whether boom mic will work, call-in line, or other technology to allow speakers to be heard regardless of where seated; must ensure that all can see and hear with extra speakers and screens (e.g., inflatable outdoor screens);
- ▶ If inside: screens and speakers, technology in each room to ensure that all can see and hear
- ▶ Ensure all technology is tested at venue ahead of time so no issues at meeting

▶ Voting

- ▶ If no electronic clickers used, consider using bright voting cards or placard rather than show of hands
- ▶ If distributing voting cards, have staff in PPE/gloves to do so
- ▶ If electronic voting, have staff, dressed in appropriate PPE, distribute sanitized clickers; determine best “no contact” return strategy



Before Town Meeting - Safety Planning

- ▶ **Whether the meeting is held indoor or outdoors, consider following issues:**
 - ▶ All staff to wear PPE, including facemasks, and sanitize often
 - ▶ Voters to wear PPE
 - ▶ Consider ordering plexiglass shields for check-in (or sharing with other towns)
 - ▶ Use “lanes” with tape to show 6-ft distancing for check in (and for walk to seat); split voter lists; use of poll pads to speed up process
 - ▶ Ensure thorough cleaning and sanitization before, during and after event, especially high touch areas like seat backs, check-in tables, microphones, table tops, etc.
 - ▶ Establish and enforce microphone protocols (if using)
 - ▶ Social distanced lines when speaking and procedure for approaching (if using microphones)
 - ▶ Arrange for sanitizer throughout room or building, outside bathrooms



Before Town Meeting - Safety Planning

- ▶ **Town Officials/Staff**
 - ▶ Model distancing and mask behavior; have “emergency plan” to address questions/emergencies; consider having extra staff available to act as “greeters” or “seaters”
 - ▶ Provide for socially distanced tables for boards, clerk and others at front of room
- ▶ **Police/Fire/EMTs**
 - ▶ Work with police chief to ensure protocols are in place and review enforcement mechanisms
 - ▶ Determine appropriate role for police in attendance
 - ▶ Consider having ambulances and EMTs onsite
- ▶ **Adequate Exit/Entrances**
 - ▶ Extra signage and staff to direct;
 - ▶ Consider timed entrance and exits
 - ▶ Consider using different entrances by precinct



Before Town Meeting - Communication

▶ Online Pre-Meeting

- ▶ Consider holding a pre-town meeting remote session, to be hosted by town administrator/manager or other town official, with members of finance committee and select board and other department heads available to answer questions, explain process and substance, ensure voters are informed on articles ahead of time
- ▶ Give presentations that would otherwise be made at town meeting and answer questions arising from presentations
- ▶ Post all information to town website

▶ Advertise Widely

- ▶ Post warrant, background documents, and town meeting safety protocols
- ▶ Issue press release; post on website, cable TV, and social media; send by e-mail to listservs; do reverse-911 call

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Before Town Meeting - Communication

► Distribution of Materials

- Post warrant at least 7 days before town meeting, unless posting required earlier by bylaw or charter
- Make as much of the documentation as possible available on website to download
- If materials must be made available on-site, pre-distribute handout packets on chairs so less contact and fewer bottlenecks at check-in table

► Warrant Articles

- Consider limiting town meeting to essential articles like operating budgets, FEMA/federal deadlines, etc.
- Remember to refer zoning amendments to committee if not essential
- If citizen petitions, seek agreement to allow delay to future town meeting without additional signatures



Before Town Meeting - Reduced Quorum

- ▶ **Pending Legislation** would allow all town meetings to reduce quorum requirements, if necessary
 - ▶ Quorum cannot be less than 10% of number of voters normally required by charter or bylaw
- ▶ **Select Board Vote to Reduce Quorum - Requires Notice and Public Meeting**
 - ▶ Select board can vote at public meeting to reduce quorum, with moderator approval
 - ▶ Notice of public meeting must be posted at least 7 days prior to vote; not a “public hearing”
 - ▶ Town Clerk to notify AG of vote to reduce quorum within 10 days of select board vote

Note: If reduced quorum, Town Meeting may only act on: 1) budget; 2) federal deadlines like FEMA; and 3) other articles deemed necessary by Select Board, but such articles must pass by 2/3 vote.



During Town Meeting - Check In

- ▶ **Lines Separated into Lanes, 6-ft apart, by Voter List**
 - ▶ Ipads, plexiglass screen, PPE, plenty of signage and directions
 - ▶ Encourage voters to arrive very early to manage crowds and bottleneck; perhaps establish “arrival” times by last name, etc. to help limit waiting time
 - ▶ Consider using poll pads to increase speed of check-in
 - ▶ Provide sanitizer, masks, disposable gloves to staff, and, as budget permits, to voters
 - ▶ Hand out voting cards, clickers, etc. with gloves, and consider also passing voter a sanitizing wipe
- ▶ **PSA re: COVID-19**
 - ▶ Signage to list symptoms



During Town Meeting - Bathroom Access

Note: Consult with local disability commission about accessibility of Town Meeting ahead of time

▶ Indoor Town Meetings

- ▶ Plenty of signage and directions re: traffic flow
- ▶ Greeters and Seaters
- ▶ Consider having extra staff or professional cleaners to sanitize/disinfect all high touch areas
- ▶ Only one person in bathroom at a time; wait outside in distanced line
- ▶ Include sanitizer outside of door to bathroom; make sure to place wastepaper basket outside of room for deposit of paper waste

▶ Outdoor Town Meetings

- ▶ Inside or outside building? Rental?
- ▶ Must be accessible for persons with disabilities

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During Town Meeting - Rules of Order

▶ Moderator

- ▶ Work with town manager/town administrator to ensure proper procedures for checking in, seating, participation
- ▶ Ensure coordination for participation and audio in any overflow rooms
- ▶ Be mindful of tone during time of loss

▶ Ceremonies

- ▶ Consider eliminating one or more “lengthy” traditions (or maybe do those at the remote pre-meeting)
- ▶ If in cars outside, have proxy (veteran, first responder) to stand for everyone for pledge of allegiance

▶ Microphone Use

- ▶ Consider options - boom mic, standing mic,
- ▶ Flow plan for standing mics
- ▶ Cleaning and sanitizing plan

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After Town Meeting

- ▶ **Consider options to reduce crowding as meeting adjourns and have moderator direct exiting:**
 - ▶ Staggered exit times by row, precinct, etc.
 - ▶ Use multiple exits points with staff to help direct and reduce bottlenecks or crowding
 - ▶ Discourage socialization in parking lot post-meeting, encourage people to leave immediately
 - ▶ Plenty of direction, flow guidance, and signage
 - ▶ Place multiple bins at exits to dispose of used PPE, clickers, handouts, etc.
- ▶ **Disinfect/sanitize post-meeting**
 - ▶ Plans for sanitizing all chairs/tables/materials/clickers/etc., as well as other high touch areas such as door handles, etc., must be developed



After Town Meeting

- ▶ **Ratify, Validate, and Confirm Actions Taken, If Necessary**
 - ▶ Towns have an extremely limited amount of time to prepare for these meetings and to ensure compliance with all evolving laws, regulations, and guidance
 - ▶ If there are any questions as to the validity of any proposed actions to be taken to prepare for, postpone, or hold town meeting, it may turn out that court action or a special act are needed to validate, ratify, and confirm the actions taken
 - ▶ Court action can be taken prior to town meeting to eliminate potential challenges
 - ▶ Pending legislation also includes several provisions which would validate and ratify certain actions taken to conduct such town meetings and/or Town Elections during this pandemic



Questions?

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Lauren Goldberg, Esq.

KP|LAW, PC
101 Arch Street, 12th Floor
Boston, MA 02110
lgoldberg@k-plaw.com
www.k-plaw.com

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