

ARTICLE 17:

ARTICLE 17: To see if the Town will vote to adopt a new General Bylaw, Section 173-13 Town Meeting Charter Conflict of Interest Procedure, as follows:

Section 173-13. Town Meeting Charter Conflict of Interest Procedure

- A. Notice of Conflict of Interest. Pursuant to Chapter 2, Section 2-10-1 of the Town Charter, the written notice to the Town Clerk of articles or budget line items on which a Town Meeting Member (“Member”) is prohibited from voting by Charter Section 2-10-1 or by Section 2-10-2, due to an interest identified therein, shall be made no later than 21 days prior to the first session of the town meeting the warrant for which contains the relevant article or line item, or, forthwith in advance of said meeting upon the Member’s first discovery of the interest giving rise to the prohibition, if the date of discovery of such a prohibited interest is later than 21 days in advance of the meeting.
- B. Publication of Notice of Conflict of Interest. The Town Clerk shall maintain a list of every Notice of Conflict of Interest received pursuant to Section A above. Said List will be made available at every session of town meeting. Said List to be published in the official minutes of town meeting.
- C. Challenge. In a case where no Notice of Conflict of Interest has been filed in advance of a meeting and where it appears to a Member that Charter Section 2-10-1 and/or 2-10-2 prohibits voting by another Member on a particular article or line item, the following procedure shall apply:
1. No later than 5 days in advance of the meeting, a member may file a challenge in writing with the Town Clerk prior to the session where the article or line item is scheduled to be voted, stating that a particular Member is prohibited by Charter Section 2-10-1 and/or Section 2-10-2 from voting on a particular article or line item. The Town Clerk shall forward forthwith a copy of the challenge to the subject of the challenge.
 2. The Town Clerk shall keep every Challenge received pursuant to Section C1 above. Said List shall be made available at every session of town meeting.
 3. There shall be no debate upon said challenge or the response of the Member to whom it is directed and deliberation and voting on the article or the line item shall thereafter proceed in the normal fashion.

RECOMMENDATION: Not Approved (2-7-1)

The Advisory & Finance Committee recommends Town Meeting NOT approve Article 17. Article 17 proposes adding a new General Bylaw, Town Meeting Charter Conflict of Interest Procedure. The committee believes this bylaw contains too many holes, such as not explaining the opportunity to respond to an accusation, the ability to withdraw an accusation, whether both the accusation and response are kept on file, among others. The general consensus was that this bylaw would change the tone of Town Meeting to a negative and accusatory tone. Instead, with the requirement of a roll call vote for every warrant article, as Article 20 proposes, and the use of electronic voting, every Town Meeting member's vote on every article will be made public. This will permit residents to review the voting records of their representatives and to alter support based on that voting record at re-election time, if they so choose.

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COMMITTEE OF PRECINCT CHAIRS