



# MEETING POSTING

## TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays, and Holidays)

**RECEIVED**

2024 APR 24 PM 02:37  
NANTUCKET TOWN CLERK  
Posting Number:T 372

|                                            |                                                                                      |
|--------------------------------------------|--------------------------------------------------------------------------------------|
| Committee/Board/s                          | TOWN COUNCIL STUDY COMMITTEE                                                         |
| Day, Date, and Time                        | WEDNESDAY, May 1, 2024, at 3:00PM until 5:15PM                                       |
| Location / Address                         | MEETING TRAILER AT 131 PLEASANT STREET (Room B) AND<br>REMOTE PARTICIPATION VIA ZOOM |
| Signature of Chair or<br>Authorized Person | Joe Grause                                                                           |

**WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!**

## AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

<https://us06web.zoom.us/j/82555041666?pwd=3aKqvfTalkY55kKa7fM84TvdgcUKX1.1>

Meeting ID: 825 5504 1666

Passcode: 738290

- I. Call to Order
- II. Acceptance of Agenda
- III. The Town Council Study Committee Meeting is being recorded.
- IV. Approval of Minutes of April 17, 2024
- V. Collins Center: Hypothetical Issues - Open Town Meeting versus Town Council
- VI. Public Outreach Discussion
- VII. Meeting dates through August
- VIII. Public Comment/Questions
- IX. Adjournment

## Proposed Meeting Dates Through August

- May 15
- May 29
- June 12
- June 26
- July 17
- August 14

| Open town meeting                                                                                                                                                                                                                                                          | Rep. Town Meeting | Council -Manager | Council Mayor |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------|---------------|
| <p>Electorate not represented</p> <ul style="list-style-type: none"> <li>• ¼ of elections turnout</li> <li>• 10% of all voters</li> <li>• No access for non-resident tax payers and immigrants</li> <li>• Some feel unheard (being heard vs voting)</li> </ul> <p>++++</p> |                   |                  |               |
| <p>Infrequent Meetings</p> <ul style="list-style-type: none"> <li>• Inability to get grants</li> </ul> <p>+</p>                                                                                                                                                            |                   |                  |               |
| <p>Voter preparation</p> <ul style="list-style-type: none"> <li>• apathy</li> <li>• disengaged</li> <li>• loss of continuity b/c of new voters</li> </ul> <p>+++</p>                                                                                                       |                   |                  |               |
| <p>Difficult to explain issues</p>                                                                                                                                                                                                                                         |                   |                  |               |

|                                                                                                                                                                       |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| <div>Skepticism of administrations</div> <div><ul style="list-style-type: none"><li>• selectboard opaque</li><li>• lack of transparency</li></ul></div> <div>++</div> |  |  |  |
| <div>Logistical issues related to putting on town meeting</div>                                                                                                       |  |  |  |
| <div>Select board and planning board sometimes unsure of process</div>                                                                                                |  |  |  |

# Forms of Government in Massachusetts

Town of Nantucket

April 17, 2024

Patricia Lloyd, Associate,

Mel Kleckner, Associate

Anthony Wilson, Project Manager

*Edward J. Collins, Jr. Center for Public Management  
McCormack Graduate School of Policy & Global Studies  
UMass Boston*

# Four Basic Forms of Government in Massachusetts

## Town

### Open Town Meeting

Towns: 260

### Representative Town Meeting

Towns: 32

## City

### Mayoral-Council

Cities: 44

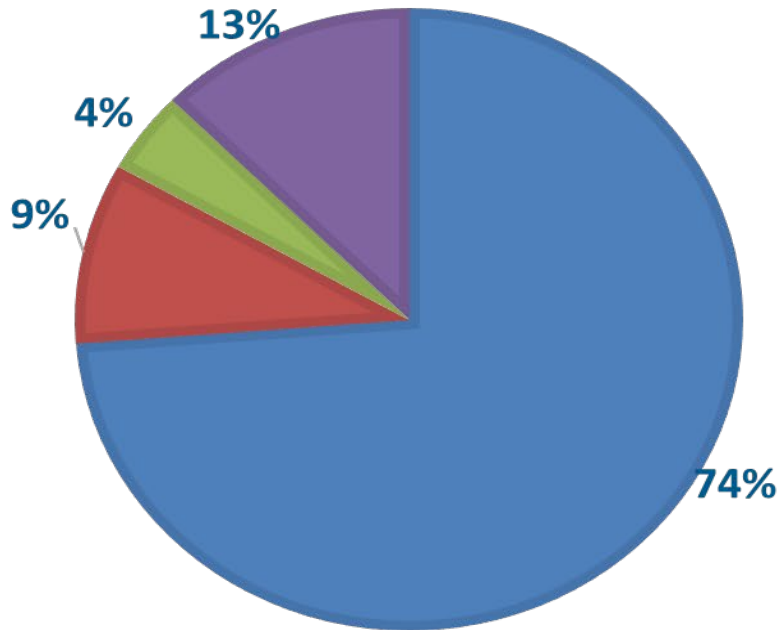
### Council-Manager

Cities: 15

# Breakdown by Forms of Government

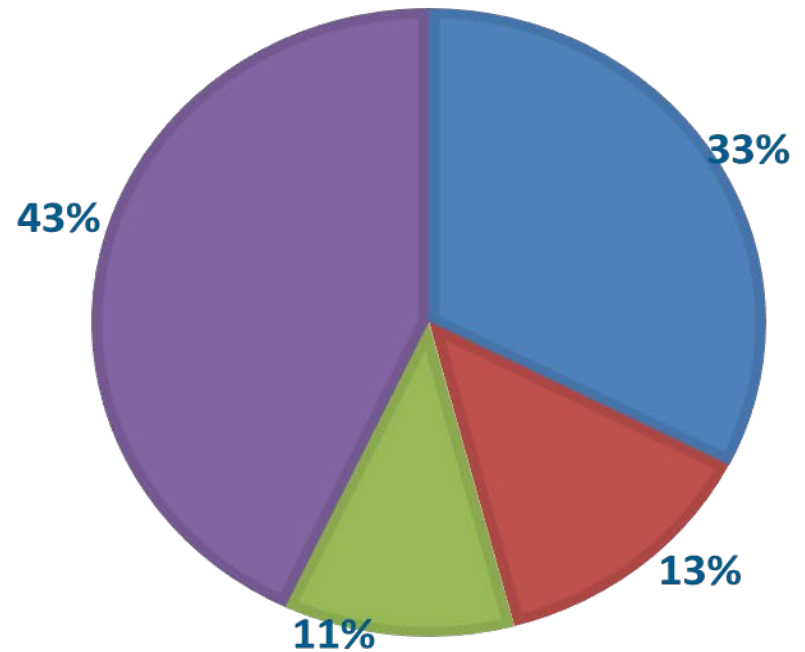
**FORMS OF GOVERNMENT OF ALL  
351 MUNICIPALITIES**

■ Town - OTM      ■ Town - RTM  
■ City - Council/Manager      ■ City - Mayor/Council



**MASS POPULATION LIVING IN EACH  
FORM OF GOVERNMENT**

■ Town - OTM      ■ Town - RTM  
■ City - Council/Manager      ■ City - Mayor/Council



# Representative Town Meeting Details

- Representative Town Meeting is the legislative body of the Town
  - Required by law to meet at least once annually, but it usually meets more frequently
  - Usually between 100 to 250 elected members (smallest is Saugus with 55 and the largest is Fairhaven with >400)
  - RTM is run by an elected moderator
  - The warrant (i.e., agenda) is provided to it
- The Select Board (historically Board of Selectmen) is the head of the executive branch of the town
  - Usually consists of 3 or 5 members, elected every 2-3 years
  - The Select Board appoints a Town Administrator or Town Manager
- Town Administrator or Town Manager manages the day-to-day operations of the town under the direction of the Select Board.
- Finance or Advisory Committee advises RTM on the budget and other matters



# Open Town Meeting Details

- Town Meeting is the legislative body of the town
  - Required to meet annually to adopt legislation and often meets more frequently on other matters
  - All registered voters eligible to participate in town meeting
  - Town meeting is managed by an elected moderator
- The Select Board (historically Board of Selectmen) is the chief executive officer of the town.
  - Usually consists of 3 to 5 residents elected every 2-3 years
  - Select Board appoints a Town Administrator or Town Manager
- Town Manager or Town Administrator manages the day-to-day operations of the town under the direction of the Select Board.
- Finance or Advisory Committee advises town meeting on the budget and other matters.
- Towns of less than 6,000 must have an open town meeting.

# City: Mayoral Form Details

- Mayor is the Chief Executive Officer of the City
  - Usually elected every 2 or 4 years
  - Responsible for day-to-day operations of the city
  - Appoints most, if not all, city employees and volunteer boards
  - Mayor submits budget to council
  - Mayor is often on (and sometimes chair of) school committee
- City Council is the legislative body of the City
  - Usually consists of 9 to 15 members (the smallest is 7 and the largest is 24)
  - Elected every 2 or 4 years
  - Usually meeting weekly or bi-monthly
  - Usually very limited appointment power
  - Usually a mix between councilors elected at large and those elected by ward
  - Council approves or rejects budget

# Town: Council-Manager Form Details

- Town Manager is the Chief Executive Officer of the Town
  - Appointed by the Town Council
  - Manages day-to-day operations of the town
  - Implements policies created by the town council
  - Appoints and manages subordinate officers and employees
  - Submits budget to the town council
- Town Council is the legislative body of the town
  - Usually consists of 9 to 15 members elected every 2 years
  - Usually meeting weekly or twice a month
  - Usually appoints town manager, town auditor, and town clerk
  - Council approves or rejects budget
  - Council president is sometimes on school committee

# Potential Areas of Confusion in Mass Forms of Government

- Cities called towns (i.e., "the City known as the Town of")
- Some cities use the term mayor for the president of the city council
  - In this case, the mayor is not the chief executive
- One town renamed its board of selectmen a town council
- Population does not determine form
  - There are cities as small as 12,500 and towns as large 63,000 (Brookline)
- Town meeting is a legislative body, not an election
- A dozen cities still have "plan" forms of government
  - Plans were template charters provided in state law in the first half of the 20th century; no longer available

# Comparisons to Other Forms - Method of Selection

| Component                | OTM                                                          | RTM<br>(Ludlow)                   | Council-<br>Manager                          | Council-<br>Mayor                            |
|--------------------------|--------------------------------------------------------------|-----------------------------------|----------------------------------------------|----------------------------------------------|
| Legislative<br>branch    | All registered<br>voters who<br>appear                       | Elected body                      | Elected body                                 | Elected body                                 |
| Chief<br>executive       | Elected body                                                 | Elected body                      | Appointed<br>individual                      | Elected<br>individual                        |
| School<br>committee      | Elected body                                                 | Elected body                      | Elected body                                 | Elected body                                 |
| Boards and<br>committees | Mixed elected<br>and<br>appointed<br>(more often<br>elected) | Mixed<br>elected and<br>appointed | Mostly<br>appointed by<br>chief<br>executive | Mostly<br>appointed<br>by chief<br>executive |

# Comparisons to Other Forms - Budget Process

| Role                              | OTM                                  | RTM<br>(BROOKLINE)                   | Council-<br>Manager                                  | Council-Mayor |
|-----------------------------------|--------------------------------------|--------------------------------------|------------------------------------------------------|---------------|
| <b>Budget creation</b>            | Varies (TA, TM, FinCom, Selectboard) | Usually TA or TM                     | Manager (usually after receiving council priorities) | Mayor         |
| <b>Budget review</b>              | FinCom, Selectboard                  | FinCom, Selectboard                  | n/a                                                  | n/a           |
| <b>Budget presentation</b>        | Varies (TA, TM, FinCom, Selectboard) | Varies (TA, TM, FinCom, Selectboard) | Manager                                              | Mayor         |
| <b>Budget debate and approval</b> | Town Meeting                         | Town Meeting                         | Council                                              | Council       |

# Trends in Form of Government in Massachusetts

- In the last few decades, one town changes to a city form roughly every few years
- As far we are aware, no municipality in Massachusetts has ever transitioned from town to city and then chosen to return to a town form
- As far we are aware, no municipality has adopted a representative town meeting form since Chelmsford in 1989
  - In 1979, there were 48 RTMs, now there are 32
- Within the town form, trend towards reduction of elected positions and granting town administrator/manager more authority
- The Mass Constitution restricts the forms of government available to the ~190 towns with populations <12,000

# Some Commonly Noted Strengths and Weaknesses of Forms

- OTM:
  - Strengths: direct democracy; all voices can be heard...
  - Weaknesses: ...if you're available during the meeting; non-continuous and infrequently meeting legislative body creates inefficiencies
- RTM:
  - Strengths: large legislative body provides broad representation, and select board allows for multiple-member body as head of executive
  - Weaknesses: RTM seats are often uncontested (or even unfilled), and voters may not know their representatives; does not meet as regularly as a council
- Mayor/Council:
  - Strengths: unifying executive authority and political power can lead to more rapid and significant change
  - Weaknesses: elected mayor may not professional management skills
- Council/Manager:
  - Strengths: professional management plus efficient legislative branch
  - Weaknesses: unelected executive with significant authority and limited checks on authority



# Structural differences between cities/towns

- Town bylaws require AG approval while city ordinances do not
- Most city boards are appointed rather than elected
- City budget process subject to specific procedural requirements, deadlines, and a streamlined process. Cities do not have finance committees to recommend budgets or approve reserves.
- City elections are held in the fall while town elections are in the spring

Charters can override some of these differences.

# Questions to Discuss

**THANK YOU!**

**We're happy to take  
your questions.**

# TOWN-CITY CHARTER COMPARISONS

|                         | Population | Density | Budget | Charter Est. | Legislative                                                                                                                                                           | Executive                                                                                                                 | Other Elected Officials/Boards                 | Authority of Town Council                                                                                                                                                                                                                   | Authority of Town Manager                                                                                                                                                                                                |
|-------------------------|------------|---------|--------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>COUNCIL- MANAGER</b> |            |         |        |              |                                                                                                                                                                       |                                                                                                                           |                                                |                                                                                                                                                                                                                                             |                                                                                                                                                                                                                          |
| Town of Barnstable      | 16,430     | 1,263   | \$59.2 | 2016         | 7-member Town Council elected at large for three year, staggered terms.                                                                                               | Town Manager appointed by Town Council for a term to be negotiated. Must be town resident within 6 months of appointment. | School Committee                               | Acts as legislative body. Appoints Town Manager. President of the Council elected by Town Council prepares agendas and presides over meetings of the Town Council. Appoints committees of the Council.                                      | Acts as CEO. Appoints all officials, employees, and boards of the Town, some that are subject to Town Council veto. Prepares and submits Budget and CIP to the Town Council for approval.                                |
| Town of Bridgewater     | 28,633     | 1,048   | \$59.7 | 2011         | 9-member Town Council elected for three year staggered terms; seven elected by district and two elected at-large. No member can serve more than 12 consecutive years. | Town Manager appointed by Town Council for a term to be negotiated. Must be a citizen of the United States.               | School Committee, Town Clerk, Library Trustees | Act as Legislative Body. Appoints Town Manager. President and Vice President of the Council elected by Town Council. President prepares agendas, presides over meetings of the Town Council and convenes various required public processes. | Acts as CEO. Appoints all officials, employees and boards of the Town, subject to ratification of the Town Council. Prepares and submits Budget, CIP and Long-range financial forecast to the Town Council for approval. |

|                      | Population | Density | Budget  | Charter Est. | Legislative                                                                                | Executive                                   | Other Elected Officials/Boards | Authority of Town Council                                                                                                                                                                                                                         | Authority of Mayor                                                                                                                                                                                                                                                         |
|----------------------|------------|---------|---------|--------------|--------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAYOR-COUNCIL</b> |            |         |         |              |                                                                                            |                                             |                                |                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                            |
| Town of Agawam       | 28,692     | 1,231   | \$94.4  | 1988         | 11-member Town Council elected at large for two year terms.                                | Mayor elected at large for a two year term. | School Committee               | Acts as Legislative body. Appoints the Town Accountant, Clerk of the Council (not town clerk), and the Zoning Board of Appeals. President of the Council elected by Town Council prepares agendas and presides over meetings of the Town Council. | Acts as CEO. Serves as member and Chair of the School Committee. Appoints all city officers, department heads and members of multiple-member bodies. Prepares and submits Budget and CIP to the Town Council for approval. Maintains veto power over Town Council actions. |
| City of Gloucester   | 29,952     | 1,143   | \$120.0 | 1922         | 9-member Town Council elected partially at large and partially by ward for two year terms. | Mayor elected at large for a two year term. | School Committee               | Acts as Legislative body. Appoints the City Clerk and City Auditor. President of the Council elected by Town Council prepares agendas and presides over meetings of the Town Council.                                                             | Acts as CEO. Appoints all city officers, department heads and members of multiple-member bodies subject to rejection by City Council within 30 days. Prepares and submits Budget to the Town Council for approval. Maintains veto power over Town Council actions.         |

|                                               | Population | Density | Budget | Charter Est. | Legislative                                                                             | Executive                                                                                                                                            | Other Elected Officials/Boards                                                                                                               | Authority of Select Board                                                                                                                                                                       | Authority of Town Manager                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------|------------|---------|--------|--------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TOWN MEETING-SELECT BOARD-TOWN MANAGER</b> |            |         |        |              |                                                                                         |                                                                                                                                                      |                                                                                                                                              |                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                      |
| Town of Auburn                                | 16,889     | 1,091   | \$58.8 | 2009         | Representative Town Meeting consisting of 135 members elected by precinct 3-year terms. | Five member Select Board elected at large for three year terms who appoint a Town Manager, who must be a resident with twelve months of appointment. | School Committee, Town Moderator, Town Clerk, Library Trustees.                                                                              | Is the chief policy board. Appoints the Town Manager, Finance Committee and Zoning Board of Appeals. Also appoints the Town Accountant and Town Counsel subject to Town Manager recommendation. | Acts as CAO. Appoints most employees of the Town subject to Select Board approval. Also appoints the Board of Assessors, Board of Health, Board of Cemetery Commissioners, Planning Board, and some boards of the Town. Prepares and submits Budget and CIP to the Select Board and Finance Committee for approval and presentation to Town Meeting. |
| Town of Falmouth                              | 33,128     | 752     |        | 1990         | Representative Town Meeting consisting of 243 members elected by precinct 3-year terms. | Five member Select Board elected at large for three year terms who appoint a Town Manager, who must be a resident with eight months of appointment.  | School Committee, Town Moderator, Town Clerk, Library Trustees, Planning Board                                                               | Is the chief policy board. Appoints the Town Manager, the Town Accountant and the Board of Registrars.                                                                                          | Acts as the CAO. Appoints an Assistant Town Manager, a Town Planner, a Town Counsel, a Finance Director, a Director of Personnel and other department and division heads subject to approval of the Select Board within ten days. Prepares and submits the Budget to the Select Board.                                                               |
| Town of Nantucket                             | 14,491     | 322     |        | 1996         | Open Town Meeting.                                                                      | Five member Select Board elected at large for three year terms who appoint a Town Manager, who must be a resident with eight months of appointment.  | School Committee, Town Moderator, Town Clerk, Library Trustees????, Planning Board, CPC, HDC, Land Bank, Haroher/Shellfish, Water Commission | Is the chief policy board. Appoints the Town Manager, the Town Counsel and the Board of Registrars.                                                                                             | Acts as the CAO. Appoints the heads of all Town Administration departments subject to a vote of disapproval by the select board within 15-days. Prepares and submits the Budget to the Select Board.                                                                                                                                                 |