

## Arlington Town Meeting — Substitute Motion

ARTICLE NO. 9

Dated: April 26, 2023

I, Adam Badik, do hereby submit the following Substitute Motion under Article 9:

**Voted:**

That Title I, Article I, Section 4 B (“Stenographic Record”) is hereby amended, so as to read as follows:

TITLE I

ARTICLE 1

TOWN MEETINGS

SECTION 4. Duties of the Clerk

A. Record of Attendance – A record of the attendance of Town Meeting Members at all representative Town Meetings shall be made under the direction of the Town Clerk, said record to be available to the public.

B. ~~Stenographic-Record of Proceedings~~ of Proceedings – A complete ~~stenographic~~ record of the proceedings of the Town Meeting, including all discussion and debate, shall be made under the direction of the Town Clerk, said record shall be available to the public no later than sixty (60) days. Any partial record of the proceedings of Town Meeting shall be available to the public when said record is received by the Town Clerk prior to the required time period designated under this Section.

**Comments:**

Title 1, Section 4.B, according to Town Counsel when asked at Town Meeting, is the only Town bylaw requirement to capture a record of “all discussion and debate” at Town Meeting. Striking the entire section B, as recommended by the Select Board, effectively eliminates all Town bylaw requirements for capturing such a record. The Warrant Article reads: “BYLAW AMENDMENT / STENOGRAPHIC RECORD OF TOWN MEETING - To see if the Town will vote to strike or amend Title I Article 1, Section 4. B. (“Stenographic Record”) to remove the requirement to generate a stenographic record of the proceedings of Town Meeting.” Eliminating the Town bylaw requirement to capture a record of “all discussion and debate” at Town Meeting was not intended by the original Warrant Article, and arguably beyond its scope.

My proposed amendment to the recommended action addresses these concerns and stays within the scope of the Warrant Article by only eliminating the requirement that the record be stenographic in nature. Instead, the amended language allows the Town Clerk to accept any appropriate record - so long as it is a record of “all discussion and debate.” Giving the Clerk this latitude better serves the needs of the Town and satisfies the Warrant by eliminating only the requirement to generate a stenographic record.

The words “of Proceedings” were inserted at the request of the Town Moderator to avoid broadening the paragraph, and is included only to maintain clarity. Because the Town Moderator requested the phrase, I expect that he would not subsequently rule it out of scope.

I’d also like to address the word “complete” in the phrase “complete stenographic record.” The word “complete” in this phrase modifies the word “stenographic,” and with the elimination of the word “stenographic” is left to modify the word “record.” At first I felt that it should be stricken along with the word “stenographic.” However, a number of Town Meeting members asked me to leave it in. Keeping or removing the word “complete” does not change the requirement that the record capture “the proceedings of the Town Meeting, including *all* discussion and debate.” Accordingly, leaving the word “complete” in place merely reinforces the comprehensive nature of the record, i.e., that it is not just a record of the votes.

I appreciate that the Town Meeting granted time for submission of this amendment and I respectfully request that the amendment be adopted so as to preserve the Town’s bylaw requirement for records of debate at Town Meeting. Thank you.

Respectfully submitted,  
/s/ A. Badik  
Adam Badik, Precinct 5

Date Voted: \_\_\_\_\_

Action Taken: \_\_\_\_\_