

# **TOWN OF BOXBOROUGH**

## **TOWN MEETING: A GUIDE FOR RESIDENTS**

*On behalf of all the elected and appointed officials of the Town of Boxborough:*

**WELCOME TO TOWN MEETING.**

*This is your chance to make your voice heard and make your vote count.*

**Remember: YOU Are the Town Government.**

### **What is Town Meeting?**

Town Meeting is the foundation of Town Government, the purest form of direct democracy and fiscal responsibility. While the elected officials and appointed department heads supervise the day-to-day running of the town and schools, their authority extends only to managing employees and administering the expenditures that have already been voted by Town Meeting.

Boxborough has an Open Town Meeting form of government where each resident has the right to be heard in a respectful and civil fashion and each registered voter has the right to have their vote count. Open Town Meeting government is the best insurer of liberty by giving the primary power to the citizens. Attendance at Boxborough's Town Meetings runs around 150 to 200 voters out of approximately 4,000, while 200 legislators in the State House and Senate represent 7 million Massachusetts residents.

During a typical Town Meeting, voters approve the town's annual and supplemental budgets for schools and general government, vote on additional capital expenditures for equipment or buildings, authorize changes to zoning, land, or other town bylaws, approve compensation for employees and elected officials, acquire roads or parcels of land, and more.

Most of the money the town spends is generated from the local property tax. (Some comes from state aid or special funds.) Each spending decision made by Town Meeting has a direct effect on each voter's tax bill and on the quality of service the town provides for schools, highways, police and fire protection, conservation, recreation, library, etc. Town Meeting is the official convening of a legally constituted legislative body with power to make laws, levy taxes, and authorize expenditures.

### **When is Town Meeting?**

Boxborough's Annual Town Meeting is usually held in May. The Annual Town Meeting includes the Town's annual operating budget for the fiscal year that begins on July 1<sup>st</sup>. Boxborough conducts a second "Special" Town Meeting typically in November or February to take up other business that may include current fiscal year budget expenditures and other items of interest not covered during the Annual Meeting.

### **What is the Warrant?**

The warrant is the agenda for Town Meeting. Town Meeting does not come to an end until all the agenda items on the warrant articles have been decided: approved, defeated or no action deliberately taken. Only those articles of business that have been included in the warrant may be legally acted upon at Town Meeting. Warrants can vary in length, and the amount of debate on a given article can vary widely. No one can predict how many nights it will take to complete the business of any given Town Meeting, so this is a form of government that requires dedication by the citizens to see it to completion.

### **What about the Election?**

Although it is held at a separate place and time, at Town Hall on the Tuesday in May after the Annual Town Meeting opens, the election is the part of Annual Town Meeting at which Town officials are elected. Some Town Meeting expenditures and sometimes other items require both an affirmative vote at Town Meeting as well as the passage of a ballot question. Tax and debt exclusion overrides are decided by election ballot. A debt exclusion exempts from the Prop. 2 1/2 limits the amounts borrowed for the duration of the loan; a capital outlay exclusion exempts the amount for a specific item, while an operating override raises the tax cap permanently.

### **Who Participates in Town Meeting?**

**Voters:** Every registered voter in town is a legislator, with full power to participate in budgeting, allocation of funds and law-making. At Town Meeting the job of the voter is to listen, to ask questions, to offer arguments for or against a question, and to vote to decide each article on the warrant. Anyone who is not a registered voter of the Town of Boxborough is welcome to attend Town Meeting, but may not vote, and can address Town Meeting only with permission. Non-registered voters sit in their own section of the hall.

**Moderator:** The elected official who presides over Town Meeting and is responsible for its conduct consistent with bylaws and the parliamentary procedures defined in Town Meeting Time. [Town Meeting Time is a handbook of parliamentary law that is published by the Massachusetts Moderators Association and used by the vast preponderance of Massachusetts town meetings.] The Moderator has broad authority to accept parliamentary motions, regulate debate, and rule speakers in or out of order.

**Town Clerk:** The Town Clerk is the elected official responsible for maintaining town records, conducting elections, and recording the votes and actions taken at Town Meeting.

**Town Counsel:** A representative from KP | LAW, the firm providing legal services to the town, attends town meeting to offer advice as to the legality of proposed actions the town may be considering.

**Finance Committee:** This branch of town government is a standing committee appointed by the Moderator. They have authority to consider all municipal questions and make reports or recommendations to Town Meeting. The Finance Committee reviews every line item in each department's budget and submits the total budget. They recommend for or against each article on the warrant, based on their calculation of its impact on the tax rate, the town's financial position, and the spending priorities of the town. Their report is included with the Annual Town Meeting warrant. Each member of the Committee can speak and vote independently as a citizen.

**Boxborough Select Board:** Members of the Select Board have an important role before Town Meeting occurs. They prepare the warrant, obtain legal opinions where needed, make recommendations on specific articles, collect recommendations from other boards and committees, and cause the warrant to be mailed. At Town Meeting itself, their role is the same as other boards and committees. They will often make the main motion under an article, offer information, particularly through their appointed standing or ad hoc committees, or answer questions. Each member of the board can speak and vote independently as a citizen.

**Boards and Committees:** These elected and appointed boards have jurisdiction over various areas including schools, planning, zoning, conservation, recreation, library, and elder affairs. Their representatives will often offer the main motion on an article, give special presentations, or supply information on articles being considered. Each member of a board or committee can speak and vote independently as a citizen.

**Petitioners:** Any ten voters have the right to petition the Select Board to put an article on the Annual Town Meeting warrant. This number increases to one hundred for a scheduled Special Town Meeting and to two hundred to petition the Board to call a Special Town Meeting. These petitioners will often offer the main motion on their article, give a presentation if desired, or supply information on the article. An article submitted by petition has the same status as other articles on the warrant. To insure the best possible outcome, petitioners should contact the Town Administrator, Town Moderator, and other impacted Town officials as far in advance of Town Meeting as possible to discuss article language and process.

### **What Happens at Town Meeting?**

Articles are usually considered in the order in which they appear on the warrant. An article may be taken out of order by majority vote. Each article is taken up in a similar way.

**Motion:** First the Moderator asks for a motion concerning the article, and a motion is made, generally by the person who put the article on the warrant, recommending action to be taken on the article. The motion is then seconded. Voters should listen closely to the motion as stated since the vote and debate is on the motion which may be slightly different than the article as printed in the warrant. The mover then takes the floor and makes a presentation offering background on the article and reasons that it should be passed. The Moderator then asks for the recommendations on the article which are provided by the Finance Committee and other reporting committees.

**Debate:** Following the recommendations, debate is open. Voters must be recognized by the Moderator and clearly state their name and address before speaking. In most cases speakers are recognized using "alternating microphones" which may be labeled "yes" and "no". Any registered voter may speak to an article, ask questions, voice comments or criticism, or offer information. With one exception, all speakers must be at microphones and cannot be interrupted by others. Remarks must be limited to the content of the article and be civil and respectful to others at the meeting. The mover remains available to answer questions but can also participate on the same basis as any other voter. Non-voters can speak with the permission of the Moderator and/or meeting members. Technically all comments are directed to the Town Meeting through the Moderator but this is observed more in the breach than reality in Boxborough. The only exception to interrupting a speaker or being recognized by the Moderator from the floor is for a voter to stand and raise a "point of order".

Open and full debate is the hallmark of the New England Town Meeting. Most Massachusetts town meetings have formal or informal restrictions on how long and how often voters can speak on any article. Buxborough's limitations are 10 minutes for a presenter and 3 minutes for a speaker. Brevity is a virtue and voters are encouraged to add new points to the debate rather than repeat what others have said. New speakers and new points of view are always encouraged. [Sometimes being over-long or repetitious can actually hurt a speaker's case.] When no more debate is offered, or debate is ended by "Moving the Previous Question", a vote is taken.

**Voting:** Most articles are decided by a simple majority. Some votes carry higher requirements, for example zoning bylaw changes need a two-thirds majority. Decisions can be made by a voice vote, a show of hands, or having voters stand while they are counted by tellers. Very infrequently, votes are taken by paper ballot. The Moderator declares the outcome of a voice and/or show of hands vote. If seven (7) people question the outcome, then a count by tellers will be made.

**Amendments:** Amendments can be offered to any article being debated. To offer an amendment, a voter needs to give the text to the Town Clerk in writing on a special form before the amendment is made. The Moderator will then recognize the mover of the amendment, and the amendment will be debated and voted up or down before returning to debate on the article as a whole. "Amendments to amendments" are generally not allowed except for the personnel plan, the operating budget article, or to clarify the amendment. Further information regarding amendments may be found on the *Town of Buxborough Amendment Work Sheet*.

**Consent Agenda:** Articles on the Consent Agenda are exceptions to the general process of Town Meeting. In every Town Meeting warrant the Select Board, in consultation with Town Counsel, the Moderator and the Finance Committee, identify those articles they feel should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say "Hold" in a loud voice when the number is called. The article will then be removed automatically from the Consent Agenda and restored to its original place in the warrant, to be debated and voted upon in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

**Operating Budget:** The operating budget for the Town is somewhat different from other articles. This article is moved and presented by the Finance Committee and the Finance Committee may speak to individual line items. During debate, the elected or appointed officials or staff responsible for the various line items may also speak to their department's budget. One note concerning the school budgets: while detail information may be presented in the warrant, by state law only the bottom line of the regional school assessment is voted by Town Meeting.

**Quorum:** There is no quorum required for any session of Town Meeting. So long as the Town Clerk is present, the Moderator can call a session to order at her/his discretion no matter how few voters are present, and the actions taken will be perfectly legal.

**Reconsideration:** Unless the Town Meeting votes to set rules otherwise, an article may be reconsidered on any night of the Town Meeting in which it was originally voted. The Town can vote to amend or defeat an article that has already passed, or re-vote and pass an article that was previously defeated. Each Town Meeting has the right to set its own rules on reconsideration for that meeting.

### **Selected Common Parliamentary Motions:**

***I move that this meeting be dissolved:*** This motion, if passed, ends the Town Meeting. It is in order only when all articles on the warrant have been disposed of in some way. It cannot be debated or amended and takes a simple majority.

***I move to lay on the table:*** This motion, if passed, ends debate on the motion on the floor without any action. It cannot be debated or amended and takes a two-thirds majority to pass. If it passes, and Town Meeting ends without the motion being taken back off the table, the article is effectively defeated.

***I move to take Article \_\_\_\_ off the table:*** This motion, if passed, brings an article back before Town Meeting for debate on the motion and action. It cannot be debated or amended and takes only a simple majority to pass.

***I move the previous question:*** This motion, if passed, ends debate and forces an immediate vote on the article/amendment being debated. It cannot be debated or amended and takes a two-thirds majority to pass. If it fails, debate continues on the original item on the floor. Since this is a highly privileged motion, and a two-thirds vote is a high threshold, the Moderator will usually accept this motion unless it is extremely clear that both sides of an argument have not been heard.

***I move that debate on the pending motion be limited to \_\_\_minutes or \_\_\_minutes per speaker:*** This motion, if passed, sets the clock ticking on a debate. It cannot be debated or amended and takes a two-thirds majority to pass. It can be undone by a motion to “**extend debate**” which is not debatable or amendable and also takes a two-thirds vote. [Note: this is a motion that has seldom, if ever, been used in Boxborough during the last 25 years.]

***I move that the pending motion be amended by....:*** This motion, if passed, changes the content of the motion being debated. Once the motion to amend is made and seconded, debate ceases on the main motion until the motion to amend is voted up or down. The motion to amend can be debated, and takes a majority vote to pass no matter what vote is needed to pass the original motion.

***I move reconsideration of Article\_\_\_:*** This motion, if passed, nullifies a previous vote of Town Meeting and brings a previously passed or defeated article back to the floor for debate a second time. This article can be debated, and cannot be amended. Unless the Town Meeting votes to set rules otherwise, in Boxborough it is always in order and takes a simple majority to pass. If the reconsideration article passes, it is as if the earlier debate and vote never took place.

***Point of order:*** This is the one time that a speaker at a microphone can be interrupted from the floor. This is not really a motion at all but a question or comment, and thus cannot be debated or voted. The Moderator will immediately stop discussion, listen to the point of order and rule on it. Points of order could relate to the right of the speaker to the floor, the germaneness of the speaker’s comments to the article under consideration, proper procedure, conduct of a speaker, or an error on the part of the Moderator.

#### **Selected Quotes:**

**“It has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time.”** Sir Winston Churchill, Speech in House of Commons 1947.

**“We were all friends and neighbors before this meeting; after this meeting we will still be neighbors; hopefully we will still be friends.”** Reginald C. (Reg) Brown, Boxborough Town Moderator 1977 to 2005.

**“Civility at Town Meeting is not optional.”** Various and sundry Town Moderators in Massachusetts.

*Prepared by former Boxborough Moderator John Fallon with updates by current Boxborough Moderator Dennis Reip*