

Town Meeting Procedural Guide

Town of Plainville



Plainville Town Meeting Procedural Guide

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Introduction

This guide has been developed to present useful information to voters who attend the Annual and Special Town Meetings in the town of Plainville. By providing this guide, we hope to encourage increased attendance and participation.

Sections in this handbook:

- **Purpose:** explains what Town Meeting is and what the participants of Town Meeting decide.
- **Participants:** explains who takes part in Town Meeting and what roles they play.
- **Town Meeting Agenda:** outlines the typical agenda of Town Meeting, with details on the rules for each procedural step.
- **Additional Motions:** explains some of the less frequently used procedures of Town Meeting.

Copies of this handbook can be obtained at town hall or on the town website:

<http://www.plainville.ma.us>.

Questions and feedback on Town Meeting proceedings and this handbook can be submitted on the town website or at town hall.

Purpose

Town Meeting is a gathering of the town's eligible voters to act as the town's legislative body. By law, Plainville has one (1) Annual Town Meeting each year. Voters may also be called to a Special Town Meeting, if the need arises.

The Annual Town Meeting is usually scheduled to begin the last Monday in April. The board of selectmen can change that to a later date. However, the Annual Town Meeting must end by June 30 (Ch. 39, Sect. 9, M.G.L.). A Special Town Meeting can be called by the board of selectmen at any time, as the need arises.

Town Meeting sessions are generally held on Monday and Wednesday evenings beginning at 7:30pm. Typically, the session will go until 10:00pm, at which time the moderator will ask for a decision to continue or adjourn to another day and time.

Town Meeting participants decide three (3) main things:

- The salaries for elected officials
- Appropriation of money to run the town ("the town budget")
- Amendments to the town's local statutes ("the town by-laws")

Participants

Town Moderator

The moderator's role is to preside over Town Meeting. The moderator directs the flow of the proceedings by calling for motions, directing discussion, deciding all questions of order, administering votes, and declaring vote results. The moderator will conduct the proceedings by following applicable Massachusetts General Laws, Plainville by-laws, and the rules and practices contained in Town Meeting Time (Ch. I Sect. 2.5 Plainville By-laws). The moderator can cast a vote when there is a tie.

Town Moderator is an elected position whose term of office is three (3) years.

Town Clerk

The town clerk's role is to administer the check-in of voters, take minutes of the meeting, record all votes, and verify all motions and reports submitted during the meeting. The town clerk is responsible for filing meeting minutes and results of the meeting with the state's Attorney General's office. The town clerk will temporarily preside as moderator, if the moderator wishes to cast a vote or participate in discussion.

Town Clerk is an elected position whose term of office is three (3) years.

Inspectors (or Checkers)

Inspectors are registered voters recommended by the town clerk and appointed by the selectmen to check-in and dispense hand stamps to registered voters.

Board of Selectmen

The selectmen are the town's executive officers. The board of selectmen sets the place and time of all Town Meetings by posting a warrant. During Town Meeting, selectmen may respond to specific questions on the warrant from the moderator or any registered voter (after recognition by the moderator).

The Board of Selectman is a three (3) member elected board. Each member's term of office is three (3) years.

Town Administrator

The town administrator supervises town workers under the direction of the board of selectmen. The town administrator is chosen by the board of selectmen. During Town Meeting, the town administrator may respond to specific questions on the warrant from the moderator or any registered voter (after recognition by the moderator).

Finance Committee

The finance committee makes recommendations on spending matters that appear on the town warrant. The recommendations can be obtained seven (7) days prior to the Town Meeting at the town hall (Ch. I, Sect. 3.13 Plainville By-laws).

The Finance Committee is a seven (7) member appointed board. Each member's term of office is three (3) years.

Town Counsel

The town counsel is an attorney contracted by the town to provide counsel regarding legal matters and legal procedures at the request of the moderator.

Town Meeting Members (or Voters)

Town Meeting Members are residents of Plainville who register to vote prior to the deadline set for the Town Meeting. Upon entering Town Meeting, members must check-in and receive a hand stamp. During Town Meeting, members must sit in the area designated by the moderator and can:

- make and second motions (after recognition by the moderator)
- propose amendments (after recognition by the moderator)
- participate in discussion (after recognition by the moderator)
- vote

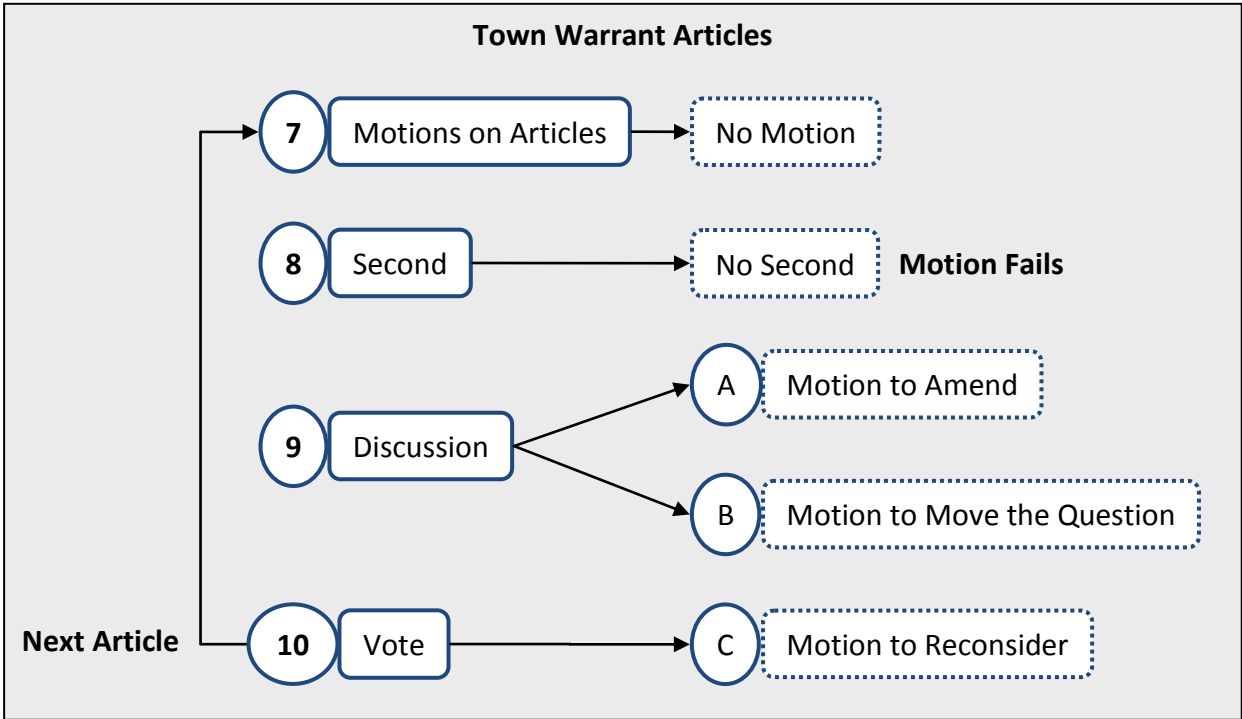
Town meeting members are also referred to as “voters”.

Vote Counters (or Tellers)

Prior to or at the beginning of the meeting, the moderator will select four (4) town meeting members to be vote counters. They will be responsible for counting votes when a standing vote is called for. The names of the vote counters will be announced by the moderator at the beginning of the meeting.

Town Meeting Agenda

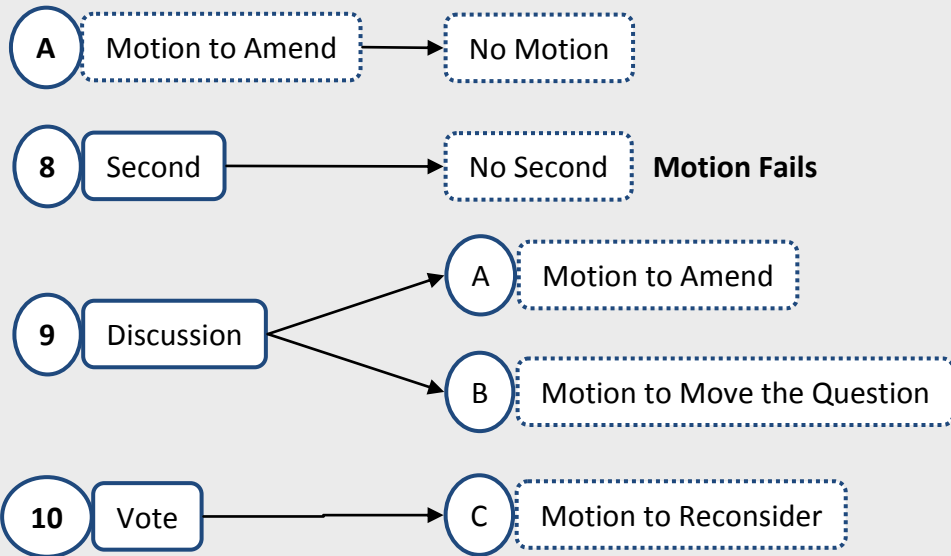
- 1 Voter Quorum
- 2 Call to Order
- 3 Town Warrant
- 4 Introductions
- 5 Meets and Bounds
- 6 Meeting Instructions



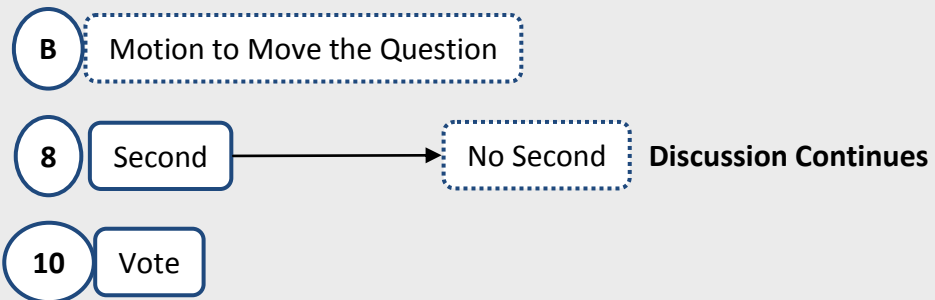
- 11 Motion to Adjourn Meeting
- 12 Motion to Dissolve Meeting

Town Meeting Agenda

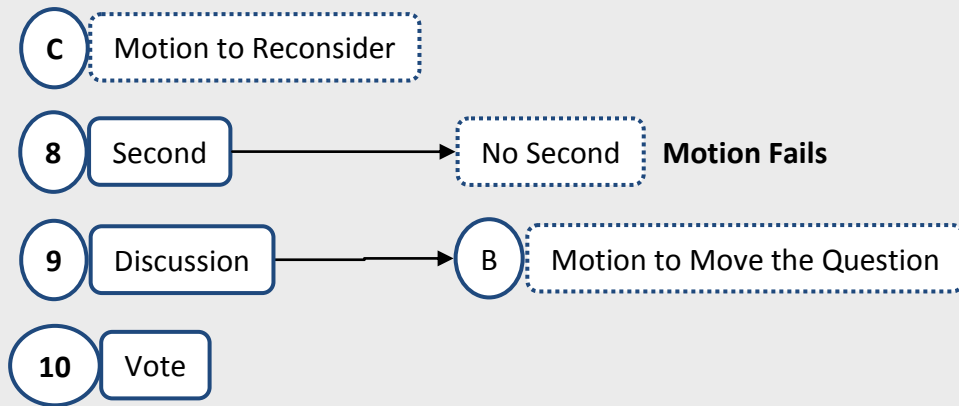
Amendments



Moving the Question



Reconsideration



Town Meeting Agenda

1 Voter Quorum

To start the meeting, the moderator must confirm that a quorum is present. A quorum is the number of registered voters needed to conduct the meeting. In Plainville, sixty (60) is the number needed for a quorum (Ch. I, Sect. 2.1, Plainville By-laws).

2 Call to Order

The moderator will confirm with the town clerk that a quorum is present and call the meeting to order. All participants will be asked to take their seats so the meeting can begin.

3 Town Warrant

The moderator will read the opening of the warrant and confirm with the town clerk that the warrant has been properly posted.

The town warrant is the document from which the official business of the town is conducted. All town meetings must be called pursuant to a warrant signed by the selectmen and the warrant must contain all articles to be acted upon at the meeting (Ch. 39, Sect. 10 M.G.L.).

The warrant is printed and posted, i.e. available to the public, at least fourteen (14) days before the meeting. At that time a copy can be obtained at the town hall (Ch. I, Sect. 2.2, Plainville By-laws). Copies will also be made available at the town meeting.

4 Introductions

The moderator will introduce the participants of the meeting.

5 Meets and Bounds

The moderator will outline the “meets and bounds” of the meeting (Ch. I, Sect. 2.10, Plainville By-laws). This is the physical location where town meeting members must be in order to vote. Areas designated for visitors, observers, and guest speakers will also be identified.

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Meeting Instructions

The moderator will identify any special instructions for the meeting. This may include (but is not limited to):

- the last day to register in order to be eligible to vote during the town meeting
- guidelines on when/how we might adjourn if business is not completed in one session
- reminders of meeting procedures, e.g., speaking, points of order, moving the question, etc
- motion to dispense with the 2/3 standing count if a voice vote appears to be unanimous
- motion to grant certain guests the authority to speak during discussion

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Motions on Articles

Town Warrant Articles

The town warrant contains a list of articles; these are the requests that are to be considered at the meeting. All articles must include the following:

- what the petitioner wants the town to do, i.e. what the request is for
- what department or committee the expense is for
- who is responsible for the expenditures or proposed action
- who the sponsor is

The board of selectmen usually inserts the articles into the warrant. A voter may insert a warrant article by submitting a petition of ten (10) registered voters for the Annual Town Meeting and a petition of one hundred (100) registered voters for a Special Town Meeting.

All articles for inclusion in the Annual Town Meeting must be submitted to the board of selectmen by the second Tuesday in December in each year for petitioned articles (Ch. I, Sect. 2.3 Plainville By-laws), by November 15 for petitioned articles calling for an appropriation of money (Ch. I, Sect. 2.4 Plainville By-laws), with the exception of zoning articles which are set by M.G.L.

1. The moderator will call for a motion on each article.

Articles will be considered in the order in which they appear in the town warrant. The Plainville By-laws were amended in a Special Town Meeting in 2009 to repeal the by-law that called for a lottery system that randomized the order of the articles (Ch. I, Sect. 2.13, Plainville By-laws). Articles can also be considered earlier or deferred to later – see **Additional Motions**.

2. A motion for the article will be made.

While articles use general language, the motion for the article must be specific.

Example Article:

“To see if the Town will vote to raise and appropriate, transfer from available funds available in the treasury, or borrow under the provisions of Chapter 44 of the General Laws, a sum of money to purchase or lease purchase a pumper truck for the Fire Department, or take any action thereon.”

Example Motion that would be in order:

“Mr. Moderator, I move that the Town vote to raise and appropriate one hundred seventy-five thousand dollars for the purpose of purchasing and equipping a new pumper truck for the Fire Department, such funds to be expended under the direction of the Public Safety Officer.”

The motion must be within the bounds of the original article. For instance, if a motion was made for this article to purchase a sanding truck for the D.P.W, it would not be in order.

3. The motion for the article must be submitted in written form.

The motion as written must exactly match the motion that is spoken on the floor.

This is necessary to maintain an accurate recording of the proceedings. Written motions for articles should be submitted to the moderator prior to the meeting.

The moderator will follow along as the motion is made to ensure they are the same.

4. The moderator will declare the motion is in order.

If the motion is not in order, the moderator will indicate the problem.

Additional Information

As part of the motion, reading of portions of the article may be waived. In those cases, the moderator will encourage questions from the floor so the entire motion is understood.

In some cases, a written report may be required for an article (Ch. I, Sect. 2.12 Plainville By-laws). When this occurs, do not include the reading of the report as part of the motion for the article. The moderator will call for the report once the motion is in order and there is a second.

8 Second

1. The moderator will call for a second on the motion.

2. Any town meeting member can second a motion.

When seconding a motion, the name and address of the voter who seconded needs to be identified and recorded for the meeting minutes. This is necessary to maintain an accurate recording of the proceedings.

If there is no second, the motion fails.

1. **The moderator will call for any discussion on the motion.**
2. **Any town meeting member (voter) or person authorized to speak can indicate to the moderator they wish to speak during discussion.**

All speakers must:

- **be recognized by the moderator before speaking**
- **speak into one of the microphones provided**
If you need assistance, notify one of the inspectors when checking in. Should you need other kinds of assistance, please notify the town hall prior to the meeting so proper accommodations can be made.
- **state your first name, last name and street address**
This is necessary to maintain an accurate recording of the proceedings. If you are recognized to speak and you've already given your name and address during that town meeting session, you do not need to repeat your name and address.
- **address all comments and questions to the moderator**
Examples: "Mr. Moderator, I'd like to ask..." or, "Madam Moderator, I support this motion because..."
- **speak only to the motion under discussion**
If your comments or question are not within the bounds of the motion being discussed, the moderator will indicate that your comments are not in order and ask that you keep your comments on topic.
- **limit your comments to 3-5 minutes**
If you have a need to address the floor for more than 5 minutes on a particular motion, you should contact the moderator prior to the meeting. Speakers may ask the moderator for additional time, but it may not always be granted.

The moderator will attempt to keep the discussion as evenhanded as possible. The moderator will recognize speakers with various viewpoints on the motion at hand and recognize speakers who can answer questions that have been posed. As a result, speakers may not be recognized in the order in which they expressed their desire to speak, i.e. "who raised their hand first".

When it is time to vote on a motion, the moderator will:

- indicate what percentage of yes votes are needed to pass the motion (different types of motions require different vote thresholds)
- make a decision on how the vote will be taken: voice vote, standing vote, or paper ballot

Town meeting members can request an alternate method of voting by making a motion to “Fix the Method of Voting” – see **Additional Motions**.

Voice Vote

1. The moderator will ask for “all those in favor” of the motion. Town meeting members who wish to vote in favor of the motion will vote by saying “Aye”.
2. The moderator will then ask for “all those opposed” to the motion. Town meeting members who wish to vote against the motion will vote by saying “Nay” or “No”.
3. The moderator will then declare the decision of the vote.
4. The moderator will then ask for any objections to the ruling on the vote.
5. Town meeting members who disagree with the moderator’s assessment of the vote outcome can indicate by voicing their objection. If seven (7) or more town meeting members object to the ruling on the vote, the moderator will call for a standing vote to verify the result.

Standing Vote

1. The moderator will ask for all those in favor of the motion to stand or otherwise indicate their vote if they are unable to stand. Vote counters will then be asked to count the voters and report the result to the moderator.
2. The moderator will ask for all those opposed to the motion to stand or otherwise indicate their vote if they are unable to stand. Vote counters will then be asked to count the voters and report the result to the moderator.
3. The moderator will then declare the decision of the vote.

Paper Ballot

A paper ballot is a method of voting that is usually requested when there is a very controversial motion and complete anonymity is desired on the way voters cast their vote. Town meeting members will be given instructions on how to vote by paper ballot, if the need arises.

Voting Thresholds (or Quantum of Votes)

Majority

At least half + one (50% + 1) of the total vote count must be in favor to pass.

Example: 70 voters; 36 votes in favor; 34 votes against – the motion passes.

Most votes taken during town meeting require a majority; those that do not are explicitly called out in this document.

Plurality

A plurality vote occurs when more than two (2) options are before the voters; the winner is the option that receives the most votes.

Example: 70 voters; 20 votes for A; 22 votes for B; 28 votes for C – choice C wins.

Plurality votes are required for situations such as nominations to committees.

Two-thirds (2/3)

At least 2/3 of the total vote count must be in favor to pass.

Example: 66 voters; 44 vote in favor; 22 vote against – the motion passes.

A 2/3 vote is required for by-law changes (Ch. I, Sect. 19.1, Plainville By-laws); appropriations from the stabilization fund; or requests to borrow money. In addition, votes to move the question, reconsider, lay on or take from the table, limit or extend debate, or suspend the rules also require a 2/3 vote.

Four-fifths (4/5)

At least 4/5 of the total vote count must be in favor to pass.

Example: 100 voters, 80 vote in favor, 20 vote against – the motion passes.

A 4/5 vote is required for motions that request payment of an expenditure for the previous year during an Annual Town Meeting.

Nine-tenths (9/10)

At least 9/10 of the total vote count must be in favor to pass.

Example: 100 voters, 90 vote in favor, 10 vote against – the motion passes.

A 9/10 vote is required for motions that request payment of an expenditure for the previous year during a Special Town Meeting.

Additional Information

If a Zoning By-law article fails, it cannot be considered on the warrant for two (2) years (Ch. 40A, Sect. 5 M.G.L.).

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Motion to Adjourn Meeting

If the business of the town meeting cannot be completed during one session or if there is a need to recess, a motion to adjourn until another day/time will be made.

Examples: “Mr. Moderator, I move that we adjourn to (time) on (date)...” or “Madam Moderator, I move that we recess and return at (time)...”.

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Motion to Dissolve Meeting

When all of the warrant articles have been acted upon, a motion to dissolve the town meeting will be made. A motion to dissolve the meeting is not in order as long as any article in the town warrant has not been acted upon (Ch. I, Sect. 2.8, Plainville By-laws).

Example: “Mr. Moderator, I move the meeting be dissolved...”

When the motion has passed, the moderator will declare the meeting dissolved.

A**Motion to Amend**

During discussion, town meeting members can make a motion to amend on any main motion (motions pertaining to warrant articles). In addition, other types of motions can be amended, e.g. an amendment can be amended.

1. **Be recognized by the moderator to speak.**

2. **Make a motion to amend.**

Motions for amendments follow the same rules as motions for warrant articles:

- It must be specific:

Amendment that would be in order for the prior example:

“Mr. Moderator, I move that the amount of funds to raise and appropriate for the motion before the floor be amended to read two hundred and ten thousand dollars.”

- It must be relevant to the motion currently under consideration.
- It must be submitted in written form and be identical to the motion made on the floor

3. **The moderator will declare the motion to amend is in order.**

If the amendment is not in order, the moderator will indicate the problem.

4. **The moderator will call for a second on the motion to amend.**

If there is no second, the amendment fails.

See **(8) Second**.

5. **Proceedings will move to discussion and a vote.**

See **(9) Discussion** and **(10) Vote**.

Additional Information

Given that amendments can also be amended, it can get confusing if there are too many amendments on the floor at one time. Amendments will be limited to at most two (2) amendments at any given time, with only one (1) at a time allowed on the main motion.

If an amendment is before the floor and a proposed amendment to it fails, the amendment before the floor can be amended again.

B**Motion to Move the Question**

If town meeting members feel that discussion is becoming repetitious, they can ask for discussion to stop so a vote can be taken. To do this, any town meeting member can make a motion to “Move the Question”, “Move the Previous Question”, or “Call the Question”.

1. **Be recognized by the moderator to speak.**

You must be recognized in order to move the question; if a town meeting member has not been recognized to speak, the motion will be ruled not in order and disregarded.

2. **Make a motion to move the question.**

“Mr. Moderator, I move the previous question.”

When you make a motion to move the question, it is the only thing you must do. It would not be in order to make comments about the issue at hand and then move the question.

3. **The moderator will declare that the question has been moved.**

4. **The moderator will call for a second on the motion to move the question.**

If there is no second, discussion continues.

See **(8) Second**.

5. **Proceedings will move to an immediate vote on whether or not discussion will stop.**

If it is evident to the moderator that a number of town meeting members have not had a chance to speak, the moderator may make the floor aware of this information before a vote is taken.

A 2/3 vote is required on a vote to move the question.

See **(10) Vote**.

C Motion to Reconsider

After a vote is taken on a motion, a town meeting member can ask the floor to reconsider the motion to vote on it again.

- 1. Be recognized by the moderator to speak.**
You must be recognized in order to make a motion to reconsider.
- 2. Make a motion to reconsider.**
“Mr. Moderator, I move we reconsider article...”
- 3. The moderator will declare that a motion to reconsider is before the floor.**
- 4. The moderator will call for a second on the motion to reconsider.**
If there is no second, the motion fails.
See **(8) Second**.
- 5. Discussion will be allowed if the motion being reconsidered allows discussion.**
See **(9) Discussion**.
- 6. Proceedings will then move to a vote.**
A 2/3 vote is required for all motions to reconsider (Ch. I, Sect 2.7, Plainville By-laws).

If you vote **YES** on a motion to reconsider, you are saying that you wish to re-open discussion and take a re-vote. The original vote is discarded and a new vote is taken.

If you vote **NO** on a motion to reconsider, you are saying that the vote already taken should stand and no further vote will be allowed on this issue.

See **(10) Vote**.

Additional Information

After a vote to reconsider has been taken, it cannot be reconsidered again. (Ch. I, Sect. 2.6, Plainville By-laws).

A motion to reconsider for an article can be made before the end of the session, i.e. before adjourning or dissolving the meeting. If town meeting is adjourned to a subsequent session, voters must submit written notice of intent to reconsider an article to the town clerk within forty-eight (48) hours after the adjournment of the session (Ch. I, Sect. 2.6, Plainville By-laws).

Additional Motions

It is within the moderator's duties to direct the proceedings of the meeting. However, the town meeting members have the ability to influence the proceedings if they wish. The following appendix contains descriptions of less frequently used procedures of Town Meeting that provide town meeting members with the ability to change the procedural direction of the meeting.

For each of these motions, there are provisions for:

- if the motion is in order
- if a second is needed for the motion
- if discussion is allowed for the motion
- if amendments are allowed on the motion
- the threshold of vote required to pass the motion
- if the motion can be reconsidered

When one of these motions is used, the moderator will give guidance on these provisions.

Additional Motions

Motions related to Meeting Procedures

Motion	Description
Question of Privilege	<p>Allows town meeting members to raise issues with the comfort, convenience, and safety of the hall and the participants.</p> <p><u>Examples:</u> if the temperature of the hall is inadequate or if there is noise interference.</p> <p><u>Form:</u> “Mr. Moderator, I raise a question of privilege...”</p>
Point of Order	<p>Allows town meeting members to ask a question on the validity of the current proceedings.</p> <p><u>Examples:</u> if the vote threshold called for is not correct or if a speaker has not kept within the bounds of the topic at hand</p> <p><u>Form:</u> “Mr. Moderator, I raise a point of order...”</p>
Appeal	<p>Allows town meeting members to appeal a ruling by the moderator on a point of order.</p> <p>Appeals can only be made after a previous point of order and cannot be used to override a by-law or statute. When an appeal is made, the moderator will call for a vote on the matter.</p> <p><u>Form:</u> “Mr. Moderator, I appeal the ruling of the chair...”</p>
Point of No Quorum	<p>Allows town meeting members to force a count of the voters present.</p> <p>If a quorum is present, proceedings will continue. If a quorum is not present, current proceedings cease; the available options for the meeting are to adjourn, recess, or dissolve the meeting (if possible).</p> <p><u>Form:</u> “Mr. Moderator, I raise a point of no quorum.”</p>
Fix Time to Adjourn	<p>Allows town meeting members to set the date and time for the next meeting session.</p> <p><u>Form:</u> “Mr. Moderator, I move we adjourn to (date) and (time)...”</p>
Suspension of Rules	<p>Allows town meeting members to request suspending a procedural rule, pertaining to the conduct of the meeting.</p> <p>There are some restrictions; some rules cannot be suspended, which the moderator will identify if the situation arises.</p> <p><u>Examples:</u> to suspend the rules limiting speakers to 3-5 minutes.</p> <p><u>Form:</u> “Mr. Moderator, I move we suspend the rules to permit...”</p>

Additional Motions

Motions related to Articles

Motion	Description
Advance an Article	Allows town meeting members to place an article before the floor ahead of schedule. <u>Form</u> : “Mr. Moderator, I move we advance (article)...”
Postpone Article to a Time Certain	Allows town meeting members to defer an article to be acted upon after another article. <u>Examples</u> : an article that calls for action under a new by-law cannot be acted upon until the article that establishes the new by-law is acted upon; a committee member who will be submitting a report on an article will not arrive until a certain time. <u>Form</u> : “Mr. Moderator, I move we postpone this matter until after (article)...” <u>Form</u> : “Madam Moderator, I move we postpone this matter until (time)...”
Postpone Article Indefinitely	Allows town meeting members to dispose of an article without voting in favor or against the article. <u>Form</u> : “Mr. Moderator, I move we postpone this matter indefinitely...”

Additional Motions

Actions that can be taken while a motion is before the floor

Motion	Description
Limit or Extend Discussion	Allows town meeting members to propose discussion on a motion be limited or extended for a specific amount of time. <u>Form:</u> “Mr. Moderator, I move discussion on this motion be limited/extended to...”
Withdraw a Motion	Allows a town meeting member who made a motion to withdraw it. Once a motion has been moved and seconded, it can only be withdrawn by a vote. This does not apply to main motions (motions pertaining to articles). <u>Form:</u> “Mr. Moderator, I move to withdraw my motion...”
Lay Motion on the Table	Allows a motion before the floor to be tabled and acted upon at some future point but before the meeting is dissolved. <u>Form:</u> “Mr. Moderator, I move this matter be tabled...”
Take a Motion from the Table	Allows a motion that has been tabled to be set before the floor to be acted upon. <u>Form:</u> “Mr. Moderator, I move we take (motion) off the table...”
Refer a Motion	Allows a motion to be referred to a committee for further study and report its finding at the next town meeting or a specific town official or board. <u>Form:</u> “Mr. Moderator, I move the matter be referred to...”
Nominations to Committees	Allows town meeting members to nominate individuals to a committee the town meeting has created. <u>Form:</u> “Mr. Moderator, I nominate (name) to (committee)...”
Division of a Question	Allows town meeting members to divide a motion to be discussed and voted on separately. <u>Form:</u> “Mr. Moderator, I move the matter be divided as follows...”
Separate Consideration	Allows town meeting members to separately consider portions of an article for discussion and amendment purposes. An example: an article addressing all of the departments in the town budget <u>Form:</u> “Mr. Moderator, I move this matter be separately considered as follows...”
Fix the Method of Voting	Allows town meeting members to decide the method of voting for a particular motion. See (10) Vote . An example: an article is very controversial and voters wish to have their vote remain anonymous <u>Form:</u> “Mr. Moderator, I move we fix the method of voting to...”