

TOWN OF TOWNSEND

A VOTER'S GUIDE TO TOWN MEETING

2018



TOWN MODERATOR

John Barrett

TOWN CLERK

Kathleen Spofford

TOWNSEND BOARD OF SELECTMEN

Sue Lisio, Chair --- Cindy King, Vice Chair --- Wayne Miller, Clerk

FINANCE COMMITTEE

Lynn Pinkerton, Chair -- Andrea Wood -- Jerrilyn Bozicas -- Sam Grant -- Gene Dilda -- Joe Sciacca -- Scott Doremus

TOWN ADMINISTRATOR

James M. Kreidler, Jr.

INTRODUCTION:

The purpose of this document is to explain to the voters of Townsend what goes on at a Town Meeting and why. By so doing, we hope to encourage all of you to attend and participate, because after all it is “your” Town and it is “your” Meeting¹.

A BRIEF HISTORY OF OPEN TOWN MEETING:

All throughout New England, in some thousand small towns, people participate in the oldest and what some call the truest form of local government: the Open Town Meeting. With only slight variations, it is the kind of government that the Massachusetts Bay Colony set up in contrast to Europe, where feudal government came from the top down, but it does have its genesis in the folk moot of the Anglo Saxons... It is government of and for the people, but mostly it is a government by the people. It is now, as it was some hundreds of years ago, true democracy at work. At these meetings, the town’s business is conducted by you.

THE PRACTICES OF OPEN TOWN MEETING:

The agenda for Town Meeting is set out in a document called a warrant, and each item of business in the warrant is numbered and is referred to as an article. There are both financial and non-financial articles that are voted on at Town Meeting.

Financial Articles: The voters can allocate funds to all town departments to fund their operating expenses for the following fiscal year by voting on financial articles in the warrant. Requests for the purchase of capital equipment for various departments, such as trucks and police cruisers, are usually separate articles called either “special” or “capital” articles. These types of articles must be voted on individually on their own merits.

At the close of Town Meeting, all departments are bound by your votes.

It is a popular misconception that the Selectmen or School Committee “control” the spending of your tax dollars. This is not true. They only get to spend what you give them at Town Meeting. This is why it is so vitally important that you become informed and attend the meeting to vote.

Non-Financial Articles: As referenced above, non-financial decisions are also reached at Town Meeting. These decisions also affect your day to day living. All zoning by-laws proposals and revisions, street acceptances, license fees, and penalties must be by your vote at Open Town Meeting.

In summary, there is very little that goes on in town government that is not affected by the actions of the Open Town Meeting. It should rank in importance second only to your vote at the annual Town Election where you choose the people who handle the responsibilities to carry out the wishes of the town as expressed to them by the Open Town Meeting vote.

CAST OF CHARACTERS:

As you face the front of the hall at Town Meeting, you will see a people on the stage, and in front of the stage facing you. These are the people chosen to help you decide how to spend your tax money. All are intimately familiar with the issues before you and have reviewed every article.

TOWN ACCOUNTANT:

The Town Accountant will be at a table on the main floor to your right. He or she will be keeping a running account of money spent as the meeting progresses to insure that all is legal and that we have a balanced budget.

¹ This document is based on the Voters Guide for the Town of Winchendon which was created in a collaborative effort by the Moderator, the Board of Selectmen and the Town Manager. A great debt is owed to Mr. Warren E. Turner, Moderator of the Town of West Bridgewater, Massachusetts who’s valuable guidebook was used as a format. The Moderator, Board of Selectmen and the Town Administrator would like to acknowledge and thank the foregoing for making this guide possible for Townsend.

TOWN COUNSEL:

The Town Counsel sits to the far left on the stage. He or she is a lawyer employed by the Town to represent the town in all legal matters that may arise and, when asked by the Selectmen or Moderator, to advise town boards as to the law on various issues. His/her function at Town Meeting is to answer specific questions about the legality of a motion or amendment brought before the meeting. He/she will respond only when queried by the Moderator or Selectmen, and will not participate in the discussion of the merits of an issue, but only on its legality.

TOWN ADMINISTRATOR:

To your right of Town Counsel you will see the Town Administrator. Our home rule charter provides for this position. This person is employed by the Board of Selectmen to conduct the day to day operations of the town. Because we have Selectmen who are not in the Town Hall on a full-time basis, and because they all have other responsibilities outside of the Town Hall, it is helpful to have a full time professional municipal manager in the Town Hall who is aware of all of the relevant state and federal laws that govern towns and who can assure that the policies of the Board are implemented on a day to day basis. At Town Meeting, the Town Administrator is a resource for the Board to help answer complicated questions of finance and how state rules impact on town operations. He/she will frequently contribute to discussions. He or she may or may not be a resident.

BOARD OF SELECTMEN:

The Board of Selectmen sits at the center of the stage. This three person elected board constitutes the highest level of executive responsibility in the Town and is charged with setting town wide policy. All of the articles on the Town Meeting warrant have been previously reviewed by the Selectmen, and except those brought by initiative petition, have been to be included on the warrant by the Board. They may or may not approve of an article but have voted to bring the issue to the floor of Town Meeting for you to decide. The Selectmen will make many of the motions and participate in much of the discussion during the evening.

TOWN CLERK:

To your right of the Board of Selectmen is the Town Clerk. It is his/her responsibility to record the proceedings of the Town Meeting. This record becomes the only true and legal copy of events. The meeting will open with the Town Clerk reading a copy of the Warrant, which states that the meeting has been properly posted by the Constables and everything is in order. From that point on his/her function is that of record keeper.

MODERATOR:

The Moderator is the person behind the lectern to your right on the stage. It is the responsibility of the Moderator to "run" the meeting. He or she presents each article to the voters in turn and accepts a motion (see "Making a Motion" later in this document) and second to bring it to the floor for discussion. The Moderator controls the discussion, and all who speak must first be recognized by the Moderator. Town Meeting Time, a compendium of the rules of parliamentary procedure generally observed by the New England town meetings over the last three centuries are the rules by which the meeting is conducted.

It is critical that the Moderator be neutral and unbiased on all issues before the meeting. It is his or her responsibility to see that all who wish to express an opinion or have a question on an article have the opportunity to speak, at the same time balancing this with limiting repetitive rhetoric and frivolous comment. It is also critical that he or she limit the discussion to that which deals directly with the article at hand and not the subject in general. The Moderator then calls for a vote on the article and relays the results of the vote to the Town Clerk. (See "Taking a Vote" later in this document)

FINANCE COMMITTEE:

To your left, in front of the stage, sits the Finance Committee. This is an appointed Board of seven who are chosen for their interest in town government and who possess a certain level of financial expertise. The Moderator appoints the Finance Committee. It is the responsibility of the Finance Committee to review all financial warrant articles and all budget requests that appear on the warrant. The Finance Committee will frequently meet with departments to review their proposed budget. The Finance Committee holds public meetings on all matters to be put before the town meeting. The Finance Committee develops a recommendation prior to Town Meeting that either approves or disapproves the requests contained within the various financial articles. This recommendation, along with the recommendation of the Board of Selectmen, is your guide at a Town Meeting, but you are not bound by their recommendation. If you disagree with a recommended financial item you may move to amend dollar value requested (see how to amend a motion later in

this document). You must keep in mind, however, that the budget and associated financial articles that are being considered at Town Meeting are all part of a larger balanced town budget, and when the Town Meeting's work is done that the Town must have a balanced budget. Therefore, any changes in the amounts of the financial articles will have either a positive or a negative impact on the bottom line of the overall town budget.

The Finance Committee also has control of the Reserve Fund which is an amount of money appropriated at Town Meeting to be used for emergency expenditures (see Reserve Fund in the glossary later in this document).

PARLIAMENTARY PROCEDURE (OR, HOW THE MEETING IS RUN):

The book of rules for Townsend's Open Town Meeting is a book of parliamentary procedures called "Town Meeting Time" and it is available in book stores and at the Public Library. These rules and procedures, though somewhat intimidating and confusing to the uninitiated, are not very difficult to learn. They are very important, however, in that they provide the backbone and the framework for the conduct Town Meeting.

The following will be a general overview of the types of rules and statements of action or "motions" that you will most likely hear at Open Town Meeting. This is intended to be an illustrative, but not a definitive, sampling of typical Town Meeting actions.

If you have any questions about this information before the town meeting please feel free to contact the Moderator, the Town Clerk, the Board of Selectmen or the Town Administrator. If you have any questions about the proceedings during the town meeting you can rise and call out for a "Point of Information". Once the Moderator recognizes you, you are free to ask your question about the proceedings.

THE BEGINNING:

The meeting cannot legally begin until there is a quorum of voters present. A quorum is a pre-determined number of voters that is set by the town bylaw. In the town of Townsend the quorum is seventy-five (75) voters.

After the meeting has been called to order by the Moderator and the Town Clerk has read the posting of the warrant, usually the scouts will lead the Town in the Pledge of Allegiance, then the Moderator will make introductions of the Selectmen and Finance Committee, and review some of the rules of the meeting. Occasionally, some brief pertinent information will be announced, however, then the articles of the warrant are considered in order.

DISCUSSION:

Each article is typically read by the Moderator. If an article is very long, the Moderator may ask that the Town, by majority vote to waive the reading of the article by the Moderator. The Moderator will ask for a motion on the article before the meeting and someone will then make the motion followed by a second. It is important to listen carefully to the motion to see if it varies from the printed article. As each article is presented, any registered voter (and certain guests with permission of the Moderator) may rise to speak to the subject. The accepted practice of the Townsend Town Meeting is for a speaker to rise and raise their hand. All speakers must state their name and address, and must use a microphone (as the meeting is being transmitted by cable TV to people at home), wait to be recognized by the Moderator. Once recognized, the speaker should wait for the microphone, then state their name and address. Further, the Moderator reserves the right to recognize speakers who have not yet spoken on the motion on the floor over those who already have.

Care should be taken that all questions and comments deal directly with the article under consideration. All questions will be addressed through the Moderator, and one will speak only when recognized by the Moderator. All voters are encouraged to ask relevant questions to their satisfaction, and need not fear being ridiculed or heckled by the audience. Remember the old saying, "The only stupid question is one that isn't asked."

AMENDING A MOTION:

If the article under consideration is not worded to the satisfaction of a voter, the voter may seek to be recognized to offer an amendment.

EXAMPLE: "Mr. Moderator. (wait for acknowledgment) I would like to offer an amendment to the motion on zoning bylaw for widget makers that is currently on the floor for discussion. I would like to amend the article by striking out the distance of 500" and replace it with a distance of 1,000'. I offer this amendment because I believe that neighboring properties should be shielded from widget making noise."

If the amendment is seconded, discussion and a vote will be held on the amendment as offered. If the amendment passes, discussion will return to the original motion, as amended, and finally to a vote. If it fails, other amendments may be considered, or discussion and a vote on the original motion will follow. Please note that if a motion or an amendment is outside the scope of the article, it could be ruled out of order.

All motions must be put in writing, original or amendments.

MOVING THE QUESTION:

Once in a while, when discussion seems to be repetitive or going nowhere, a Town Meeting member may "Move the Question". If the call to "Move the Question" is made by a voter that is recognized by the Moderator and then seconded, it cannot be ignored because it is a legal call to terminate debate. A call to "Move the Question" cannot, however, interrupt a speaker.

This type of motion to terminate debate requires a two-thirds recognized or counted vote and can be made at any time. Unlike most motions, this motion is not debatable and must be acted upon immediately. Most fair and just Moderators may not recognize a motion to "move the question" when there are voters waiting -- to speak, or if it appears that moving the questions too early would stifle informed debate. Treating each other in a civil manner is paramount in Town Meeting procedure. The Moderator will rule out of order a motion to move the question unless the motion to move the question is made by itself, and not made after the speaker has had his or her say in the discussion, and so try to get the last word, by moving the question.

It should be understood that a vote to "Move the Question" is just a vote to terminate debate. If the motion to "Move the Question" is successful then a separate vote on the motion on the floor will be taken.

MOTION TO TAKE NO ACTION: From time to time, the Moderator's reading of an article will be greeted by a "Motion to Take No Action" usually from the Selectmen. This is often an indication that the maker of the original request for the article no longer deems it necessary to make the request. It may be that the conditions have changed or the presenter is not ready to make his/her case for the request. The Moderator usually allows a brief explanation of the circumstances before calling for the vote. The "Motion to Take No Action" is a debatable motion.

POINT OF INFORMATION:

Anytime a voter has a question about the proceedings of Town Meeting he or she can rise a call out "Point of Information". This will be recognized by the Moderator and the voter will be allowed to ask his or her question.

POINT OF PRIVILEGE:

Any time a voter can't hear the speaker or wished to raise some concern about conditions in the hall, they may interrupt the speaker to make a point of privilege. The voter must rise and call out Mr. Moderator, then state his or her point of concern, where upon the Moderator will take such action as deemed necessary.

POINT OF ORDER:

Once in a while the Moderator may do something that a voter considers to be incorrect or at the very least that the voter thinks deserves explaining. In this case, the voter may rise and call out "Point of Order". This requires immediate attention by the Moderator and the voter will be immediately offered an opportunity to explain what it is that is bothering him. The Moderator must then respond by defending or explaining his/her action or decision. The voter is not allowed to further debate the point. The only appeal in Townsend's practice is to the courts or an issue of law, although the Moderator may, but is not obligated to put the issue to the meeting.

MOTION TO RECONSIDER:

A "Motion to Reconsider" an article that has been previously accepted requires a majority vote,, if raised on the original night that the original article was voted on. If a motion is made and seconded to reconsider an article passed at an earlier session of the meeting held on a previous day, the motion must be approved by 9/10th of the voters. A "Motion

to Reconsider” can be made at any time after an article passes. While some towns require that the person making the motion to reconsider(who honestly has second thoughts about the matter) must have voted with the prevailing side in the original vote, because of the difficulty in determining this, Townsend ‘s practice usually allows anyone to make this motion. If a motion to reconsider is being used to frustrate the proceedings of the meeting the Moderator may rule it out of order.

TAKING A VOTE ON AN ARTICLE:

In an Open Town Meeting there are three ways to take a vote on an article before the body.

VOICE VOTE:

After discussion has been terminated, or if there appear no further questions, the Moderator may repeat the article to be voted upon, or simply call for a vote, he or she will ask "That all who are in favor say AYE" and then "those who are opposed say NO". It then becomes a judgment call on the part of the Moderator as to which side prevailed. If, in the opinion of the Moderator, it was "too close to call" he may ask the meeting to vote again or ask his counters (persons pre-selected to do actual head counts on votes) for a counted standing vote.

If seven (7) voters disagree with the decision of the Moderator on a voice vote, they rise and may ask for a standing vote. The Moderator will then call the counters forward and a standing counted vote will be taken.

STANDING COUNTED VOTE:

At every Town Meeting, there are people selected by the Moderator to act as “counters”. In the event that the voice vote on an article is "too close to call" or the request for a counted vote by 7 voters, then the counters are called forward and assigned areas of the hall to record the standing vote. These counters work in pairs and must agree on the vote for their assigned section. Certain votes always require a counted vote including bonded debt and paying bills from a prior fiscal year, unless unanimous. All votes requiring a two-thirds vote will be counted by the counters, unless the Moderator determines the vote clearly passed by more than two-thirds.

BALLOT VOTE:

On very rare occasions, a ballot or secret vote is requested. This may be determined by the Selectmen, the Moderator, or may be called for from the floor by a voter who would state either during or after discussion, “Mr. Moderator, I move that when a vote is taken on this matter that it be taken by secret ballot.” That request would then be voted by the assembly and would pass if it is supported by a majority of the voters present. A ballot vote requires all voters to come forward as directed by the counters and in turn cast a YES or NO paper ballot vote for the issue at hand. The counters then tally the results and report it to the Moderator. This is a time consuming process; however, to avoid the intimidation of a public vote on a controversial issue, many voters seem to prefer it. If you think a paper or secret ballot vote may be needed, you should inform the Moderator and the Town Clerk before the meeting.

Early in the meeting comes an article called the "OMNIBUS BUDGET" article.

For convenience, all recommended appropriations for operating budgets for various town departments and boards are gathered together in one article called the Omnibus budget which details the salary and expense totals for each department and the totals of functional segments of departments. The normal procedure is for voters to read through the recommended amounts in this article, one budget at a time in each functional segment, the Moderator will ask if anyone has any questions. If there are no questions or amendments after a reasonable time for review, a Moderator will ask for a vote on that segment of the budget. If approved by the majority, then the meeting will proceed to the next section. If there are changes, some additional time is necessary for the accountant to calculate the effect of the change.

After the Omnibus Budget article, the rest of the warrant will be considered in order. Rarely it may be acceptable, however, to make a motion that an article be taken “out of sequence”. In order to do so a voter must move to “Suspend the Rules” to take an article out of order, which requires a second, is non-debatable, and requires a vote of two-thirds of the assembly. On occasion, there may be a guest or visitor present (sometimes a consultant) or other extenuating circumstances that would make this desirable. The maker of the motion will be allowed to make his/her case for moving the article and a vote will be taken on the motion to take the article “out of sequence”. A two-thirds vote will prevail.

If the hour of the evening is getting late, the Moderator may entertain a motion to Fix a Date and Time to Adjourn". If the motion carries, the meeting will reconvene when directed.

MOTION TO DISOLVE

When all of the articles have been addressed and the work of the meeting seems done, you will usually hear a motion to dissolve. If seconded, this motion is not debatable and if a majority approves (usually unanimously) the meeting is dissolved ("over").

OTHER POINTS OF CONSIDERATION:

Citizen groups may submit an article for consideration at Town Meeting by drafting an article and collecting 10 valid signatures of registered voters (or for a special town meeting, 100 or 10% of the voters), on a petition form available from the Town Clerk. This must be done before the Selectmen close the warrant for any given Town Meeting.

The operative word for Town Meeting is **OPEN**.

It is the desire of all Town Officials that as many voters attend Town Meeting as possible.

Every effort will be made to allow your opinions to be heard and your questions to be answered. In an effort to keep the proceedings orderly and dignified, rude and intimidating questions will not be permitted, and personal attacks are causes for a voter to be ejected.

Every year we spend in excess of twenty-three million (\$23,000,000.00) dollars at Town Meetings, of which an average of \$5,000.00 comes from each household. All Town Meetings are posted at four locations in town and on the Town's website, and usually announced in the local newspapers in advance of the meeting. The Annual Town Report is usually available at Memorial Hall (Town Hall) in the weeks prior to the annual town meeting. The warrant is published on the town website and available at Memorial Hall at least one week prior to the meeting.

We hope that each of you would want to have an input and vote on how your money is spent, and how your town operates.

May we humbly suggest that you plan your schedule to permit your attendance at Town Meeting. After all, it's your money we are spending, and if you choose not to attend, then more power (figuratively and literally) to those who do.

GLOSSARY OF TOWN MEETING AND MUNICIPAL FINANCE TERMS

The following is a glossary of terms that are used in connection with Town Meeting. Any time someone uses a term at Town Meeting that you do not understand you may rise to a "Point of Information" and ask for an explanation or definition.

ABATEMENT: A complete or partial cancellation of a levy imposed by a government unit; applicable to tax levies and special assessments.

APPROPRIATION: An authorization by Town Meeting to make payments and to incur obligations for a specific purpose.

ASSESSED VALUATION: The value set on real or personal property by the Board of Assessors as a basis for setting tax rate.

AUDIT: Work done by accountants in examining financial reports, reviewing compliance with applicable laws and regulations.

BALANCE SHEET: A statement that discloses the assets, liabilities reserves and equities of a government unit on a specified date.

CAPITAL BUDGET: A multi-year plan of spending for large capital items requested by the Town Departments. These items are voted on as a package in the same manner as the Omnibus Budget article.

CAPITAL EXCLUSION: A vote to exclude from the levy limit the cost of a capital project. This exclusion only affects the levy limit for the year in which the project was undertaken.

CHERRY SHEET: A form from the Massachusetts Department of Revenue showing all the State and County charges and reimbursements to the Town as certified for the following year.

DEBT EXCLUSION: A vote to exclude from the levy limit the cost of debt service for capital projects. The exclusion remains in effect for the life of the project,

DEBT SERVICE: Payment of interest and principle to holders of the Town's debt instruments.

ENTERPRISE FUND: An entity with a self-balancing set of accounts that is utilized to account for a governmental service when it is the intent to recover the total costs of the service.

FISCAL YEAR: A 12-month period, commencing July 1, to which the Annual Budget applies. The monies appropriated at the May Town Meeting are for the next "fiscal year" starting July 1st.

FREE CASH: Free cash is neither free nor cash. This is a dollar value, usually certified by the State in late summer, that represents unspent and unencumbered income and receivables from the previous year. Once certified, this money may be appropriated at a Town Meeting as a one-time revenue source.

GENERAL FUND: The major town fund created with town receipts and tax revenues from which the majority of town expenses are met.

GROWTH REVENUE: The amount of property tax revenue that the town can add to its allowable tax levy as a result of new construction in the town. These are tax dollars added to the tax base.

OPERATING BUDGET: A plan of proposed spending and the means of paying for it for the next fiscal year. The towns request of an amount of funds to operate all departments for the next fiscal year.

OVERLAY ACCOUNT: An amount, raised by the assessors, in taxes to be used for potential abatement of property taxes. The Overlay Surplus is that money left not spent from the previous year's account.

OVERRIDE: A vote to increase the amount of property tax revenue that may be raised over the levy limit.

PROPERTY TAX LEVY: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation.

For example	House value	\$150,000.00
	Tax rate	\$10.00 (which means \$10 dollars per thousand)
	Levy	\$10.00 multiplied by \$150,000 and divided by 1,000
	Result	\$1,500

RESERVE FUND: A fund appropriated each year to be used by the Finance Committee to meet "extraordinary or unforeseen expenditures" that do not warrant the calling of a Special Town Meeting.

REVOLVING FUND: Monies, usually derived from fees or tuition, that may be used without formal appropriation for special use. The School and the Police Departments, among others, maintain "revolving funds".

STABILIZATION FUND: A "rainy day" fund set aside to meet future emergency expenses in the town. Funds can be appropriated to this fund at a town meeting by a majority vote and can only be spent from by a 2/3 vote.

TAX LEVY: The amount of dollars assessed in property taxes imposed by the town each fiscal year

WARRANT: A list of items to be voted on at Town Meeting.