

## ***TOWN MEETING GUIDE***

In Southborough, as in many New England towns, voters participate directly in the major decisions that affect how the Town runs itself and how it spends its money. Town meeting is the legislative branch of Southborough's government, and all registered voters may attend, speak and vote at our open town meeting. Town meeting has two primary responsibilities: establishing an annual budget by voting to appropriate money for all Town departments and articles, and voting on the Town's local statutes, called bylaws. If you are a registered voter in Southborough you can, and should, participate in town meeting. Renters as well as property owners, if registered to vote, may attend and vote at town meeting. You must attend in person, however; no absentee voting is allowed. Following is a general overview of the Town Meeting process. For additional information, please contact the Town Administrator.

### **ANNUAL AND SPECIAL TOWN MEETINGS**

State law requires towns to hold at least one town meeting – called the Annual Town Meeting – each year between February 1 and June 30. Southborough bylaws set our Annual Town Meeting on the second Monday of April at 7:00 p.m. The principal business of Annual Town Meeting is to appropriate money to fund the Town's expenses for the fiscal year that starts the following July 1. Annual Town Meeting may act on other issues as well such as zoning. If additional nights are required to finish the Annual Town Meeting business, it is current practice to adjourn the meeting at 11 p.m. to the next evening (Tuesday) and if a third night is need, it is usually called for Thursday.

If additional matters come up at a later time, a Special Town Meeting can be called, either by the Board of Selectmen or by citizens' petition. Southborough's current practice is not to call a Special Town Meeting unless deemed necessary. For citizens to call a Special Town Meeting, 200 registered voters must sign a petition asking the Board of Selectmen to schedule a Special Town Meeting. The Selectmen must then call a town meeting to be held within 45 days of receipt of the petition.

### **THE WARRANT**

The agenda for a town meeting is called the warrant. For Annual Town Meeting it consists of two parts: information about the Town election (held on the second Monday in May), and the issues, called articles, to be voted on at town meeting. Warrants for Special Town Meetings contain only the articles. A warrant is literally a warning: to ensure that voters are alerted to when and where a town meeting will take place and what issues will be addressed. Town meeting can only act on issues that are included on the warrant, and the actions of town meeting are valid only if voters have been adequately "warned."

### **Articles on the Warrant**

The warrant is developed under the direction of the Board of Selectmen. Before both Annual and Special Town Meetings the Selectmen at one of their meetings, publicly set a period during which the warrant is declared "open." During this time Town departments and officials can ask the Selectmen to include articles on the warrant. Boards and Committees or Heads of Department usually draft the articles, in concert with the Town Administrator and Town Counsel. Citizens can also petition to place articles on a warrant. For an Annual Town

Meeting, the legible signatures of at least 10 registered voters are required to place an article on the Annual Town Meeting warrant. The signatures of at least 100 registered voters are required to place an article on a Special Town Meeting warrant.

#### **Notice**

The Board of Selectmen must give notice of all town meetings at least 7 days before the Annual Town Meeting and 14 days before a Special Town Meeting, by posting the warrant at 12 public locations in Town. Copies of the warrant are available at the Southborough Town House, Southborough Public Library, Southborough Police Station and the Southborough Transfer Station.

#### **Pre Town Meeting,**

The Town Moderator conducts a pre-town meeting with the Selectmen, Advisory Committee, Town Clerk, Town Counsel and proponents of the articles to review the motions, as well as to gain insight about possible amendments that may be presented.

### **PREPARING FOR TOWN MEETING**

There are many opportunities for you to learn about the issues to be decided at an upcoming town meeting.

#### **Hearings and Forums**

Prior to all Annual Town Meetings and some Special Town Meetings, the Advisory Committee, Planning Board and School Committee hold publicized hearings to offer voters an opportunity to prepare for town meeting discussion. The Board of Selectmen and other boards may also hold special meetings to explain articles they are sponsoring. Often cable channel 12 (for Charter subscribers) and channel 37 (for Verizon subscribers) airs the Selectmen's meetings where various articles are discussed. The local newspapers and blogs also usually print their own news stories previewing an upcoming town meeting. The annual town meeting warrant is published on the Town website at [www.southboroughtown.com](http://www.southboroughtown.com). The Advisory Committee's *Report and Recommendations* contains information and data that provide extensive background for the budget discussions at Annual Town Meeting which can be found at their website. Additional material and updated information are often available at town meeting itself. Usually placed on a table just outside the hall, these handouts will often make it easier for you to understand the issues being discussed.

### **TOWN MEETING PARTICIPANTS**

#### **Voters**

To take part in a town meeting, you must be registered to vote in Southborough. Non residents may only attend by order of the moderator or by vote of the meeting and are required to sit in a separate visitors' section established by the Moderator. A person who is not a registered Southborough voter may address town meeting only by vote of the meeting.

#### **Quorum**

Both at an Annual Town meeting and at a Special Town Meeting, a quorum of 100 registered voters is necessary for the transaction of business.

**Moderator**

Elected for a one-year term, the Moderator presides at town meeting, reading each motion aloud, deciding all questions of order, and declaring the outcome of all votes. The Moderator aims to conduct the meeting as fairly and expeditiously as possible, protecting the rights of all to be heard while at the same time ensuring that the meeting moves efficiently through the warrant.

**Town Clerk**

The Town Clerk, keeps the official record of the proceedings at town meeting and notifies those affected by its action. An assistant may accompany the Town Clerk.

**Board of Selectmen**

The Selectmen, elected for staggered three-year terms, set the warrant and have responsibility for carrying out the decisions of town meeting. The Selectmen hire the **Town Administrator**, who sits with them and to who they delegate administration of day-to-day affairs.

**Town Counsel**

Appointed by the Selectmen, Town Counsel is present to advise on legal matters. Such opinion is advisory only and not binding on the Town, any person, or town meeting.

**Advisory Committee**

The Advisory Committee, appointed by the Moderator for staggered three-year terms, makes recommendations to town meeting on all articles. The **Finance Director**, hired by the Selectmen is responsible for the Town's financial management and planning and is available to clarify financial issues.

**Other Town Boards, Committees and Departments**

Many other Town board and committee members, department heads and employees attend town meeting to speak to articles they have sponsored or budget items that affect their areas of responsibility.

**Election Workers**

Election Workers are appointed by the Selectmen and check off registered voters as they enter the hall at each Town Meeting.

**Tellers**

The Tellers, appointed by the Moderator and sworn in by the Town Clerk, count votes as requested by the Moderator or by town meeting.

**ARTICLES AND MOTIONS**

Some of the articles on the warrant are quite general, while others are very detailed. An article describes the subject under discussion. Town meeting, however, acts on motions, which are made under the article and describe the specific action on which town meeting is voting. The sponsor of the article, or the Selectmen or Advisory Committee reads the motion, which then must be seconded. Sometimes the motion is identical to the article. At other times, the motion may be worded substantially differently to reflect new information

that came to light after the warrant was printed, though the intent of the motion must remain within the scope of the article.

After the motion has been read and it has been seconded, a presentation may be made by the group or groups that submitted it. After each motion is ready the Moderator asks the chair of the Advisory Committee and the Selectmen to give their recommendation.

Petition articles will have the first name on the petition printed on the warrant along with the number of signatures on the petition, and usually placed at the end of the warrant. All petition articles should be worded correctly as they will appear on the warrant that way it was written. If it is incorrectly written or if the article is illegal, action on the article may be postponed.

### **Order of Consideration**

Town meeting takes up the articles in the numerical order in which they appear on the warrant. However, in special cases an article may be taken out of order if a majority vote to do so. All articles appearing on the warrant should be acted on before town meeting can adjourn. Usually motions made under articles are passed or rejected with or without amendment after debate, but they may also be withdrawn or postponed indefinitely

### **The Budget**

The budget is prepared by the Selectmen for the following fiscal year. By custom Annual Town Meeting acts on the budget article differently than it does on other articles. Rather than voting on the entire budget as one motion, town meeting takes it up a by budget name. Advisory Committee or the Selectmen reads each name. Anyone having a question about or wishing to amend any budget can call out "hold" after the name has been read. When the Moderator finishes reading the various budgets, town meeting votes on all items not on hold. Then the Moderator takes up budget items that were held, calling for debate, possible amendments, and a vote on each item.

With the exception of the education accounts, town meeting can change a budget. Although both the Regional and local Southborough school budget is included in the Budget article, Town meeting can only approve or disapprove the school's budget, they cannot change it. This is also true with the Assabet Valley Regional Technical High School's budget.

## **THE DEBATE**

Town meeting proceedings are governed by the rules contained in *Town Meeting Time: A Handbook of Parliamentary Law*, most recent edition, except as modified by law, Town bylaws, or vote of town meeting. Don't let a lack of knowledge about town meeting procedures stop you from participating; if you're puzzled, feel free to ask the Moderator for help.

### **Addressing the Meeting**

There are three microphones on town meeting floor for you to address the meeting. The Moderator will point these out at the start of town meeting. To speak to town meeting, walk to the appropriate microphone and wait to be recognized by the Moderator. Then give your name and address. You may continue to speak as long as you speak directly to the motion or question under discussion and conduct yourself acceptably. All comments from town

meeting floor should be directed to the Moderator, not to town meeting or an individual, so you should not directly debate or ask questions of another speaker.

### **Amendments**

If in addition to speaking about the motion you wish to change it in some fashion, you must do so by moving to amend the motion. You must submit a motion to amend to the Moderator and the Town Clerk in writing, on the form provided, which must state exactly how you wish to change the motion. Putting the motion in writing on the proper form ensures that the Moderator knows exactly what it is you want to do before ruling on the motion or putting it to a vote. The Moderator must rule out of order any motion to amend that changes the original motion to the extent that it is no longer within the scope of the article.

### **Dividing a Question**

At times a motion may comprise more than one part, but you want town meeting to vote on the parts separately. To do this, make a motion to “divide the question” and describe how you wish this to be done. You must submit your proposed division to the Moderator and Town Clerk in writing on the form provided; each part must make sense, grammatically and otherwise, on its own.

### **Dismissing Articles and Withdrawing Motions**

It is possible for town meeting to decide not to take action on an article. This decision is usually made because new or additional information has come to light after the preparation of the warrant. If you want no action to be taken under an article, you can make a motion to “indefinitely postpone the article.” If you have made a motion or an amendment, you can move to “withdraw the motion” if you have second thoughts or new information. A motion to withdraw can be made any time during the debate of the motion but cannot be made after the motion has been voted on.

### **Reconsideration**

Town meeting can take up an article again after it has been voted. To reconsider an article that was acted on the same evening or at a previous session of the town meeting, however, it requires 2/3's vote in favor of reconsideration. In every case, the motion to reconsider must be made by a person who voted on the prevailing side in the original vote.

### **Limits on Debate**

There is no prescribed limit to debate except common sense. Often times there is a motion to limit each individual to 5 minutes at the beginning of the meeting. The Moderator can limit debate and can ask speakers to stop if they are straying from the subject or talking at unnecessary length. Town meeting itself can also terminate debate. To do so, go to a microphone, wait to be recognized by the Moderator, and say, “ Mr. Moderator I move the question.” This motion is not debatable, and if seconded and voted by a two-thirds majority, debate ends and the motion under discussion is immediately put to a vote.

### **Point of Order**

If you think that a parliamentary rule is not being followed, you can raise a “point of order.” This indicates to the Moderator that you feel something is wrong – for instance, an amendment is not relevant to the issue or a motion is out of order. The Moderator can either make an independent decision with no debate or put the question to the town meeting as a motion, which may be debated.

## **VOTING**

Most motions are decided by a simple majority vote, although state statutes or Town bylaws may require a larger majority to decide certain matters. The Moderator will announce when more than a simple majority or more is needed to pass the motion. Amendments to zoning bylaws, taking land by eminent domain, approving bond issues and a few parliamentary procedures require a two-thirds vote.

### **Voting Methods**

Voting is usually done by hand vote, with the Moderator asking that all in favor raise their hand then asking that all opposed to raise their hand. If the Moderator cannot determine the outcome, voters may be asked to raise their hands for a teller count. If a count has not been made and you disagree with the Moderator's ruling, you can challenge it. If at least six other voters agree with you, the tellers must take an official count. You can also ask for a secret written ballot on any motion or amendment.

## **ADJOURNMENT**

If the hour is late and there are still articles to be acted on, the Moderator and the Board of Selectmen can confer and ask for a motion to adjourn the town meeting to another time to complete the warrant. A voter can also make a motion to adjourn. The time and place for resuming town meeting must be specified in the motion. When all business on the warrant has been acted on, the Moderator will call for a vote to dissolve the meeting.

Approved by Board of Selectmen 7/13/10