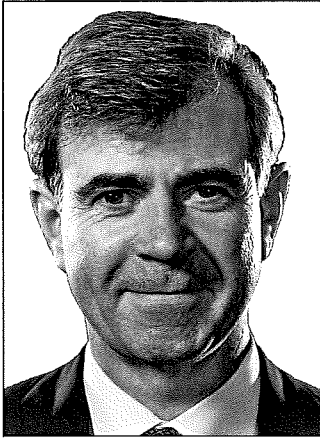


# *Citizen's Guide to Town Meetings*



Published by  
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*An Important Message for all  
Massachusetts Town Residents,*

The purest form of democratic governing is practiced in a Town Meeting. In use for over 300 years and still today, it has proven to be a valuable means for many Massachusetts taxpayers to voice their opinions and directly effect change in their communities. Here in this ancient American assembly, you can make your voice heard as you and your neighbors decide the course of the government closest to you. This booklet outlines the forms and procedures used in Massachusetts Town Meetings. As the Commonwealth's information officer, I urge you to read it and make use of it as you engage in the debates and votes that give shape to your Town Government.

*William Francis Galvin*

William Francis Galvin,  
Secretary of the Commonwealth

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## INTRODUCTION

Each town has a different way of running its Town Meeting, depending on its bylaws or charter. Sometimes the customs and traditions are written down; sometimes they are not. This guide is a general outline of the Town Meeting Basics, some of the procedures may be used in one town and not another. This guide is not intended to be an all inclusive text, but a broad overview designed to encourage you to find out more and attend your own Town Meeting. If you have any questions regarding the specific procedures employed by your town, please contact your Town Clerk or Town Meeting Moderator.

## TOWN MEETING BASICS

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

A Town Meeting is both an event and an entity. As an event, it is a gathering of a town's eligible voters, and is referred to as "the Town Meeting." As an entity, it is the legislative body for towns in Massachusetts, and is referred to simply as "Town Meeting." So you may say, "I went to the Town Meeting. Town Meeting approved the budget."

### **Do cities have Town Meetings?**

No. A city's legislative body is called a city council or a board of aldermen. Citizens do not govern a city directly.

### **What's the difference between cities and towns? Size?**

Municipalities decide whether to have a city or town form of government. Size is one factor in the decision. Towns with less than 12,000 inhabitants cannot adopt a city form of government.

### **Do all towns have Town Meetings?**

Most but not all towns have Town Meetings. A few towns are governed by town councils. In sum, no cities have Town Meetings and most towns do have Town Meetings.

### **What does Town Meeting decide?**

Town Meeting decides three major things:

- It sets the salaries for the elected officials.
- It votes to appropriate money to run the town.
- It votes on the town's local statutes, which are called by-laws.

## OPEN TOWN MEETINGS AND REPRESENTATIVE TOWN MEETINGS

### **What's an open Town Meeting?**

An open Town Meeting means that all of the town's voters may vote on all matters.

### **What's a representative Town Meeting?**

In a representative Town Meeting, also called a limited Town Meeting, all of the town's voters may vote for what are called Town Meeting Members. After the voters elect the Town Meeting Members, the Town Meeting Members conduct and vote on the rest of the Town Meeting's business.

son, who, in turn, runs the town and supervises town workers. Depending on the town, that person has various authority, duties, and title. That person is known as the town manager, town administrator, executive secretary, or administrative secretary.

### **What does the town clerk do?**

At the Town Meeting, the clerk records all votes and takes minutes. Town clerks are elected or appointed. In the event of all of the selectman/selectwomen resigning, the town clerk is authorized to call a town meeting.

### **What is a town counsel?**

The town counsel is a lawyer who either works for the town as an employee, or is a private lawyer who counts the town among his or her clients. The town counsel often prepares the warrant (the Town Meeting's agenda). During the Town Meeting, the town counsel answers legal questions that come up. He or she is appointed by the selectmen.

### **What are ex officio members?**

Ex officio (pronounced "o-fish-ee-o") members of a representative Town Meeting are granted membership because of the office they hold. For example, a town's by-laws might state that selectmen are ex officio members of the Town Meeting. That means that selectmen do not have to run for election as Town Meeting Members; they are already members because they have been elected to the office of selectmen.

### **What's a select committee?**

A select committee is assigned to investigate and report back to the Town Meeting on a certain subject, or to undertake a certain substantive task. The moderator frequently appoints its chairperson and members. Select committees are also called special committees.

### **What's a standing committee?**

A standing committee is a permanent committee. A town might have standing committees for the following areas: public works, planning and zoning, recreation, and personnel. The most important standing committee is the finance committee.

### **What does the finance committee do?**

The finance committee prepares the budget in the months before the annual Town Meeting starts. It also prepares financial articles (which are agenda items). Its recommendations are advisory. In some towns, the committee is known as the warrant committee or the advisory committee.

Depending on a town's by-laws, members of the finance committee are appointed by the selectmen or moderator, or elected by voters or the Town Meeting. In many towns, the finance committee's report is distributed to all residences.

## **ANNUAL AND SPECIAL TOWN MEETINGS**

### **What's the difference between annual and special meetings?**

Each town must hold an annual Town Meeting. Additional Town Meetings are called special meetings. They may be called as many times during the year as necessary.

### **What's the procedure for voters calling a special Town Meeting?**

The requisite number of voters must sign a written request for a special Town Meeting. The format of the written request is flexible. Voters should include their addresses after their signatures.

Voters deliver the written request to the Board of Selectmen. The Board of Selectmen must then call a special meeting within 45 days.

### **May a special Town Meeting be called for more than one reason?**

Yes, a special Town Meeting may be called for more than one reason. For example, a special Town Meeting could be called to consider amending the zoning code and buying a new fire truck.

## **THE WARRANT**

### **What's a warrant?**

The warrant lists a meeting's time, place, and agenda. A warrant is also known as a warning. A Town Meeting's action is not valid unless the subject was listed on the warrant.

### **When is the warrant available?**

A warrant is available at least 7 days before an annual meeting, and at least 14 days before a special meeting.

### **How do I see the warrant?**

It depends on your town and its by-laws. Warrants are posted in public places, published in the local newspaper, delivered to every residence, or a combination of all three. Towns with websites may publish their warrants on-line. If a town's by-laws do not specify the manner in which a warrant can be posted, the town must vote or the Attorney General must approve the manner in which the warrant is posted.

### **Who makes up the warrant?**

The selectmen, who "issue" it.

### **What are articles?**

Articles are items on the warrant. Appropriations for each town function or department may be in separate articles. Or one article on the warrant may propose appropriations for all necessary town expenses.

### **May voters place articles on the warrant?**

Yes, voters may "insert" articles in the warrant. They have to do it before selectmen "close" the warrant.

To insert an article in the warrant for an annual Town Meeting, at least 10 registered voters of the town must sign a written request. The written request of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. Voters do not have to include their addresses after their signatures, but it is a good idea.

**First:** The moderator: reads a budget item; calls for a recommendation from the finance committee on that item; calls for debate on that item; and calls for a vote on that item. Then the moderator does the same with the next budget item.

**Second:** The moderator reads each budget item, but doesn't stop for debate. If a voter wants to debate an item, he or she calls out, "Hold!" or a similar word, depending on the Town Meeting. The moderator will "lay aside" that item, and get back to it later. After reading all budget items, the moderator calls for a vote on all items that were not laid aside. Then the moderator takes up budget items that were laid aside. The moderator calls for debate, possible amendments, and a vote on each item.

**Third:** The moderator summarizes the budget article. The chairman of the finance committee moves that the Town Meeting appropriate the money recommended in the finance committee's report. Then the moderator entertains motions to amend the budget article. When the Town Meeting has voted on all amendments, the Town Meeting votes on the finance chairman's motion as originally presented or amended.

## PARTICIPATING IN TOWN MEETINGS

### How do I vote?

Voters in open Town Meeting vote by various methods.

**Voice vote.** Many Town Meeting votes are by voice. The moderator asks that all in favor (everyone voting "yes") say, "Yea" (which is pronounced "yay"). Then the moderator asks that all opposed (everyone voting "no") say, "Nay." The moderator listens and decides which side prevailed. Voters who are unfamiliar with the difference between "yea" and "nay" may find this reminder useful: "Yea" and "yes" both start with "y." "Nay" and "no" both start with "n."

**Show of hands.** The moderator asks that all in favor raise their hands. Then the moderator asks that all opposed raise their hands. The moderator looks at the number of hands in general and decides which side prevailed. Or hands are counted.

**Roll call.** Voters are called by name and answer "Yea" or "Nay."

**Standing vote or rising vote.** All in favor are asked to stand or rise. They are counted. Next, all voters who are opposed are asked to stand. They are counted. This form of vote is also known as dividing the meeting.

**Secret ballots.** When voters vote by secret ballot is determined by a town's by-laws. In some towns, the moderator can call for a secret ballot. In some towns, if a certain number of voters request it, a vote will be by secret ballot. In other towns, a vote will be by secret ballot if 25 % percent of the voters present and voting ask for it.

### Does a representative Town Meeting use the same methods of voting?

Yes, a representative Town Meeting does use the same methods of voting. However, a representative Town Meeting can take a vote by secret ballot only if 2/3 of the Town Meeting Members present and voting approve it.

## PROCEDURE AND MOTIONS

### **Do I need to know “parliamentary” procedure to attend a Town Meeting?**

No, you do not need to know “parliamentary” procedure to attend a Town Meeting. The moderator will take care of it.

### **Are Town Meetings run according to Roberts’ Rules of Order?**

Some are; some are not. Please consult your town clerk.

### **Does the majority always rule?**

No, the majority does not always rule. Sometimes a super-majority (more than a simple majority) is needed for votes on some specific issues. For example, authorizing selectmen to purchase or take land by eminent domain requires a 2/3 vote.

### **Are a town’s by-laws the final word on how the Town Meeting runs?**

No, by-laws may be suspended in some circumstances. A town’s by-laws themselves explain how to suspend them. It might require a 2/3 vote or a unanimous vote to suspend a provision in the by-laws.

### **Are the moderator’s rulings final?**

In some areas, yes, the moderator’s rulings are final. In other areas, it is unclear whether a moderator’s ruling can be appealed. It depends on the practice of the moderator and Town Meeting. In Town Meetings where a moderator’s rulings are appealed, here is the usual procedure.

A voter or Town Meeting Member makes a point of order. The moderator rules on the point of order. A voter or Town Meeting Member then says, “I appeal from the ruling of the moderator / chair.” Someone else seconds the appeal. The moderator then announces a vote on the question, “Should the decision of the moderator be reversed?”

### **What do the following terms mean?**

<i>The term...</i>	<i>means...</i>
dismiss an article to .....	defeat it
postpone an article indefinitely to .....	defeat it
take no action on an article to .....	defeat it
lay the question on the table .....	to kill or postpone (depending on the town) a measure
table the question .....	to kill or postpone (depending on the town) a measure
move the previous question .....	to cut off debate and vote on the issue at hand

### **What does a motion to take from the table mean?**

Tabling a motion or laying a question on the table generally means to kill it, but it does not mean to kill it finally. To take an issue from the table means to consider an issue that the Town Meeting previously tabled.

### **If I’m not familiar with making motions, how do I make one?**

Rather than make a motion that may require the moderator to untangle and decode it, stand up and ask the moderator from the floor how to make a motion to achieve what you want to do.



**Where do I find the statutes governing Town Meetings?**

Go to your local library. Ask to see the Massachusetts General Laws, chapters 39 and 43A. Parts of other chapters apply to Town Meetings, but chapters 39 and 43A are the major ones. Check with your town clerk if your Town Meeting is governed by special act or town charter.

**Where do I get my town's by-laws?**

Call your town hall and ask the clerk's office. When you ask for the by-laws, also ask if the Massachusetts Legislature has passed any law that applies specifically to your town or if your town has accepted any specific Massachusetts General Laws.

**Where do I get my town's charter?**

Ask the clerk's office or check your town's website.

**Can I see a video of a previous Town Meeting?**

Some towns videotape their Town Meetings. If you want to get a sense of a Town Meeting before you attend, find out if a videotape exists. Contact the town clerk's office, your local library, or your local cable television company.

**Is there anything else I should get?**

Some towns publish policies or guidelines, similar to this primer, in print or on-line. In some towns, it is part of the warrant or of the finance committee's report. In other towns, the local newspaper publishes such a primer as a newspaper article. In still other towns, the local League of Women Voters publishes a primer.

**Should I check my town's website?**

Yes! Your town's website might contain the warrant, minutes of past meetings, notices of special meetings, and a primer, such as this one.

To find if your town has a website, call your town clerk, or log on to [www.state.ma.us/cc](http://www.state.ma.us/cc)

