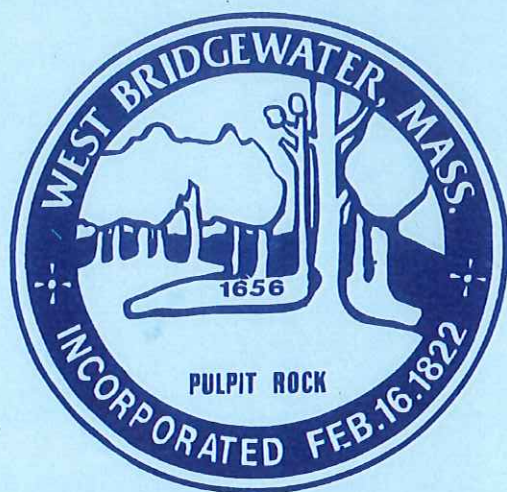


WEST BRIDGEWATER

A VOTERS GUIDE TO

TOWN MEETING



BY WARREN TURNER
TOWN MODERATOR
1998

This document is dedicated to the voters who, meeting after meeting, year after year, come to do their civic duty and help to conduct the business of the Town. Your commitment, though unrecognized, does not go unnoticed.

I Thank You All

A VOTER'S GUIDE TO TOWN MEETING

The purpose of this document is to explain to the voters of West Bridgewater what goes on in a Town Meeting and why. And by so doing, to encourage all of you to attend Town Meetings.

HISTORY:

Up in the hills of Vermont, and the greens of New Hampshire, out back in western Massachusetts, along the coast of Maine and on the sands of Cape Cod – in some thousand small New England Towns – Yankees (and Yankee “wanabees”) hold Town Meetings every spring. With only slight variations, it is the kind of government that the Massachusetts Bay Colony set up in contrast to European imperialism. It is government of and for the people, but mostly by the people. It is true democracy stripped for action.

At these meetings, the voters approve or disapprove monies allocated to all Town departments necessary for operation throughout the following fiscal year. The Selectmen, School Department, Highway, Police, Fire, and other departments are then bound by this allocation. If they expect to exceed this limit, then they must go back to the taxpayers at a special Town Meeting and ask for more. (Or in the case of a small amount, they may go to the Finance Committee) It is a popular misconception that the Selectboard or School Committee control the spending of your tax dollar. This is not true. They only get to spend what you give them at Town Meeting. Why then are you not there voting??

Decisions other than fiscal are also reached at Town Meeting that effect your day to day living. All zoning by-laws and changes must be approved at a Town Meeting as well as street acceptances, license fees, and penalties. Requests for the purchase of capital equipment for various department such as computers, 2-way radios, trucks, street sweepers, etc. are usually separate articles and must be voted individually on their own merits.

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 given them by Town Meeting vote.

CAST OF CHARACTERS:

As you face the front of the hall at Town Meeting, you will see a dozen or more people seated across the front facing you. These are the people chosen (many elected) to help you decide how to spend your tax money. All are intimately familiar with the issues before you and have studied every article. From your left to right they are:

FINANCE COMMITTEE:

This is an appointed committee of nine (3 each year for a term of 3 years) who are chosen for their interest in Town Government and who possess a certain level of financial expertise. The Moderator appoints a special committee of five, who, by nomination and majority vote, choose the members of the Finance Committee. It is the responsibility of the Finance Committee to review all budget requests and to interview all department heads requiring them to justify each line item in their budget. The Finance Committee then develops a financial report prior to Town Meeting that either recommends or rejects the requests for various articles. This "Fincom Report" is your guidebook at a Town Meeting. You are not bound by their recommendation. You may move to amend, up or down (within reason) the dollar value requested. The Finance Committee also has control of the Reserve Fund used for emergency expenditures (see glossary)

MODERATOR:

This is the person behind the lectern in the center. 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 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. Within very broad limits, the Moderator makes the rules by which the meeting is conducted. It is therefore 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.”)

TOWN CLERK:

To the left of the Moderator (your right) 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. The Town Clerk can also be very useful (with a discrete nudge) in keeping the Moderator from forgetting a critical point or losing his/her place.

TOWN COUNSEL:

To the Town Clerk’s left sits the Town Counsel. This is a lawyer employed by the Selectboard to represent the town in all legal matters that may arise and, when approved by the Selectboard, to advise Town boards of their legal standing 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.

SELECTMEN:

The Board of Selectmen (or Selectboard as is more politically correct) sits to the left of Town Counsel. This three person elected board constitutes the highest level of responsibility in the Town and is charged with the "day-to-day" operation of the Town. All the articles on the Town Meeting warrant have been previously reviewed by the Selectboard and, except those brought by initiative petition, have been approved by the Board. They may or may not approve of the article as requested, but have voted to bring the issue to the decision process of Town Meeting. Various Selectpersons will make many of the motions and participate in much of the discussion during the evening.

ADMINISTRATIVE ASSISTANT:

Toward the end, next to the Selectboard, sits the "Administrative Assistant to the Board of Selectpersons." This person is employed by the Board to assist in the day to day running of the Town. Because we have a "part-time" Selectboard, all of whom have other responsibilities, it is helpful to have a full time employee in the Town Hall who is aware of policy and Board decisions, and who can assist in their implementation. At Town Meeting, the Administrative Assistant is a resource for the Board to help answer complicated questions of finance and how State rules impact on Town operation. He/she will contribute only when directed to do so by the Board.

TOWN ACCOUNTANT/ TOWN TREASURER:

One or both of these persons will be either at the end of the table or nearby in the background. They will be keeping a running account of money spent as the meeting progresses to insure that all is legal and that we have not exceeded our 2 ½ % tax cap.

CONDUCT OF THE MEETING:

After the meeting has been called to order by the Moderator and the Town Clerk has read the posting of the Warrant, the articles of the Warrant are considered in order.

Early in the meeting, usually article 3 or 4, comes the "OMNIBUS BUDGET" article. This article is for consideration of the budgets (less special articles) of all town departments. The normal procedure is to go through this article, one budget at a time, asking if anyone has a question on anything that deals with that department. If there is, the voter need only to call out "HOLD!" Note will be made of the "hold" and when all budgets have been considered, the Moderator will re-visit the budgets that were "held" asking what is the nature of the question. The voter is then free to ask questions on the budget item or to offer a new dollar value by way of an amendment. If the amendment is seconded, it is then voted on. More than one amendment can be considered, but the largest dollar value or shortest time will be voted first. If a budget is amended, then the new budget must be voted "as amended". (see section on "Amending a Motion")

After the Omnibus Budget article, the rest of the warrant will be considered in order. It is acceptable, however, to make a motion that an article be taken "out of sequence". On occasion, there may be a consultant present 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. A simple majority vote will prevail.

It is a by-law that no article may be introduced after 11:00 PM. If all business has not been concluded by 11:00 PM the Moderator will entertain a motion to RECESS (not adjourn) to a time and place certain. This will usually be the following evening. If the motion carries, the meeting will reconvene when directed.

DISCUSSION:

As each article is presented, any registered voter (and special guests with permission of the Moderator) may rise to speak to the subject. All speakers must use a microphone and identify themselves the first time they speak. The Moderator has the right to ignore someone who is not at a microphone. 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. There are no stupid questions.

AMENDING A MOTION:

If the article under consideration is not worded to the satisfaction of a voter, the voter may be recognized to offer an amendment. If the amendment is seconded, and submitted to the moderator in writing shortly thereafter, discussion and a vote will be held on the amendment as offered. If the amendment passes, discussion will return to the amended motion and finally to a vote. If it fails, other amendments may be considered, or discussion and a vote on the original motion will follow.

MOVING THE QUESTION:

Once in a while, when discussion seems to be repetitive or going nowhere, you will hear a call to "move the question". If this is made from a seated voter, it will be ignored, but it is usually a clue to the Moderator that it is time to "wrap it up" on this article. If it is made by a voter at a microphone and then seconded, it can not be ignored because it is a legal call to terminate debate. A motion to terminate debate requires a 2/3 recognized or counted vote and can be made at any time. The motion is not debatable and must be acted upon immediately. Most fair and just Moderators

will not recognize a motion to “move the question” when there are voters waiting at the microphone to speak. In the same vein, the maker of the motion can usually be persuaded to allow those already standing to say their piece if assured that the vote on the motion is forthcoming. Treating each other in a civil manner is paramount in Town Meeting procedure.

MOTION TO PASS WITHOUT ACTION:

Once or twice during every Town Meeting the Moderator’s reading of an article will be greeted by a “Motion to Pass Without Action” usually from the Selectboard. 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.

MOTION TO TABLE: (to time certain)

Although this is a legal motion, it is rarely heard due to the fact that it can only be used in town government to postpone action to a time certain (example: after consideration of article 26). It may not be used to “kill” an article as is often done in State Government. On rare occasions articles may be “linked”, in that there is only so much money and passing of one article may depend on defeat of another. In this case, the voters may elect to table the vote on one article in order to determine the outcome of another.

POINT OF ORDER:

Once in a while (although never in W.B.) the Moderator may do something that a voter considers to be illegal or at the very least deserves explaining. In this case, the voter may “Rise To a Point of Order”. This requires immediate service by the Moderator and the voter is 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 debate the point but is faced with the choice of accepting the

Moderator's position or calling for a vote of the whole body to overturn the action. This is one of those times when Town Counsel can be of service.

MOTION TO RECONSIDER:

A "Motion to Reconsider" an article that has been previously accepted requires a 2/3 majority vote. It can be made at any time with the following caveat: Because a Town By-Law specifies that an article can only be moved for reconsideration once, a move to reconsider has been used in the past to "finalize" a vote, to ally fears that someone will reconsider a controversial vote after the makeup of the audience has changed or on a different night when there are more or fewer voters of a particular persuasion. Recently the voters accepted a change to the Town By-Laws that allows the Moderator to rule such an attempt for reconsideration "out of order". The by-law states that "in the absence of new or compelling information that would affect the view of the average voter" a motion to reconsider will be denied. This allows a voter to rest easy once an article has passed with an assurance that someone will not attempt to resurrect an article at some later time. However, the Motion to Reconsider can be a valuable tool in the event that someone discovers at a later time in the meeting, an error in procedure that may make an article invalid.

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, the Moderator may repeat the article to be voted upon and then ask "that all who are in favor indicate by saying AYE" and then "those who are opposed indicate by saying NAY". 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 his counters for a counted standing vote.

A voter who disagrees with the decision of the Moderator may also ask for a counted vote. He/she need only to stand and say, “I question the vote”. The Moderator will then ask if there are 7 other voters who will stand in support of the question. If 7 or more voters stand in support, then the Moderator will call the counters forward and a standing counted vote will be taken.

STANDING COUNTED VOTE:

At every Town Meeting, there are people selected from the group at large by the head counter (appointed 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 a voter prevails, 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 of old bills.

BALLOT VOTE:

On rare occasions, the necessity of a ballot or secret vote is requested. This may be determined by the Selectboard, the Moderator, or may be called for from the floor by a voter who is again supported by seven other voters. This 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, many voters seem to prefer it.

OTHER POINTS OF CONSIDERATION:

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

Town Meetings are NOT guided by Robert's Rules of order. The book of rules for West Bridgewater is "Town Meeting Time, a Handbook of Parliamentary Law" published by the Massachusetts Moderators Association and available at the Public Library.

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. Rude and intimidating questions will not be permitted, and personal attacks are a cause for a voter to be ejected. Every year we spend in excess of 11 million dollars at Town Meetings, of which an average of \$2000 to \$2500 comes from each household. All Town Meetings are posted and announced in the paper 30 to 60 days in advance of the meeting. One would hope that each of you would wish to have an input and vote on how this money is spent. May I 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 (literally and figuratively) to those who do.

GLOSSARY OF TOWN MEETING 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.

APPROPRIATION: An authorization by Town Meeting to make obligations and payments from the treasury 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.

CAPITAL BUDGET A multi-year plan of spending for large capital items requested by the Town Departments. Most of these items are voted on individually as warrant articles.

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

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

FISCAL YEAR: A 12 month period, commencing July 1, to which the Annual Budget applies. The monies appropriated at the June 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 spent at a Town Meeting.

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. 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 “best guess” on what it will cost to operate.

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 unspent from the previous year’s account.

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 Library, Ambulance, and the Council on Aging, among others, maintain “revolving funds”.

STABILIZATION FUND: A “rainy day” fund set aside to meet future capital expenses in the town (example; a fire engine). It must be appropriated at a town meeting by a majority vote and can only be spent from by a 2/3 vote.

ON A PERSONAL NOTE:

I am a big supporter of the Open Town Meeting form of government. For towns with populations of less than 15,000 it has proven to be the most honest and least corrupt form of government yet devised. For all the critics who say that a town meeting with only 200 people is not representative of the town because it is less than 10% of the voters, I propose this: That meeting has better than 80% of THE PEOPLE IN TOWN WHO CARE, and perhaps as many as 90% of those that are well informed on the issues.

Absolute independence characterizes Town Meeting. No one tells a Yankee how to vote, and only another Yankee can persuade. When a man or woman arises and cries, "Mr. Moderator" and is properly recognized, no man living is big enough to make him (or her) sit down. So long as he speaks on the subject, uses proper language, is respectful, and follows parliamentary procedure, he can say what he pleases. And every citizen in the hall knows the same privilege will be extended to him/her in turn. In a day where Big Government wants to provide answers and take control of even the smallest of local issues, it is refreshing to see people grasp hold of their own lives and make their own decisions.

If I had my way, we would have the Finance Committee Report delivered to each of the 2500 + dwellings in town a week or two preceding Town Meeting. The voters then would find time to read it and formulate opinions and questions about the articles. The night of Town Meeting, all of these informed voters would come to the meeting to cast their votes and express their opinions. But it is not to be, and the best I can hope for is that several hundred of you will pick up your reports at the Town Hall, Library, Police or Fire Stations and then arrange your lives so it is possible to do your part for democracy and attend the meetings.

I hope, in some small way, that this document helps to encourage your participation and makes the process less mysterious.

Warren E. Turner

