



OPEN TOWN MEETING 101

April 13 2023

Lee Middle High School

OBJECTIVES

- Identify the Legal Basis for Town Meeting
- Identify Town Meeting Roles
- Understand the Warrant, Articles & Main Motions
- Scope of Motions/Amendments
- Understand Basic Subsidiary and Incidental Motions
- Recognize Proper Debate and Meeting Decorum
- Identify voting methods and quantum of vote
- Results of Votes taken at Town Meeting

LEGAL BASIS FOR TOWN MEETING

In order of precedence...

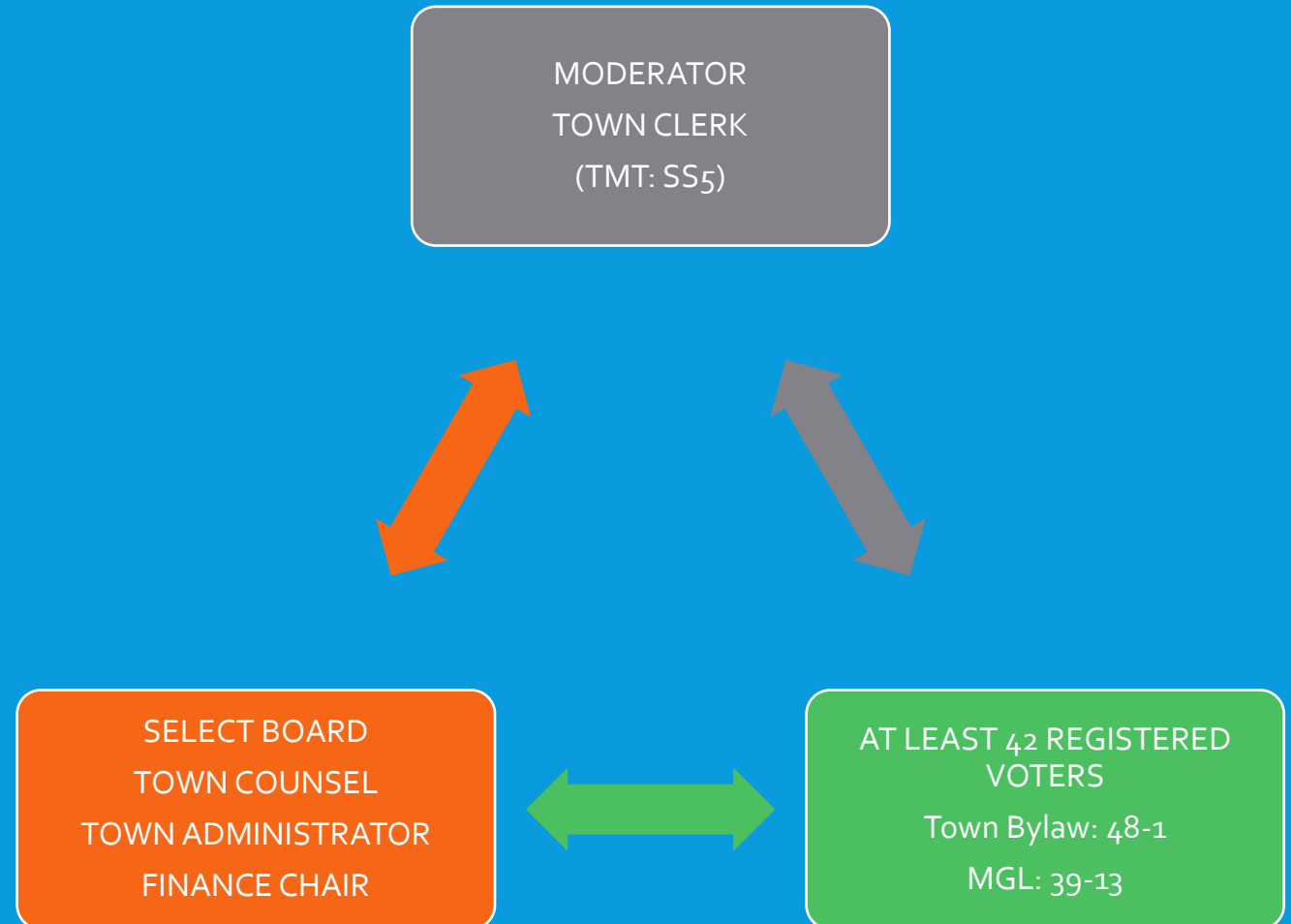
- Massachusetts General Law
- Town of Lee Bylaws
- Town Meeting Time (Rules of Order)
- Town Meeting Tradition



TOWN MEETING ROLES

4 Essential Components

1. Moderator
2. Clerk
3. Properly Executed Warrant
4. Quorum



REGISTERED VOTER CHECK IN (TB 48-1)

- Must be a registered voter of the Town of Lee
- Must be registered at least 10 days prior to the meeting (MGL)
- After checking in you will receive a clicker, voter card and receipt

WARRANT ARTICLES & MAIN MOTIONS

MGL:39-10

- **WARRANT:** posted at least 1 week prior to Annual Town Meeting (2 weeks for Special Town Meeting). Warrant is prepared by the Select Board, received by the Clerk and posted by the Constable. Purpose is to inform the citizens of what will be voted on at town meeting.
- **ARTICLES:** Specific items that will be moved, discussed and voted. NO other items may be discussed at town meeting.
- **MAIN MOTIONS:** Main motions are made at town meeting based on the articles. The motion **MUST** be within the scope of the article. These are typically made by the select board members.



May 12, 2022, FY2023 Annual Town Meeting and Election Warrant

COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE, SS.

To any of the Constables of the Town of Lee, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify all of the inhabitants of the Town of Lee, qualified to vote in Town Affairs, to meet at the **Lee High School Auditorium on Thursday, May 12, 2022 at the hour of 7:00 p.m.** in the evening, for the purposes then and there, to take action upon the following Articles, namely:

ANNUAL TOWN MEETING WARRANT ARTICLES

Article 1. Town Reports

To receive the reports of the Selectmen, Town Accountant and the other officers, boards, commissions and committees of the Town.

Article 2. Salary of Elected Officials

To see if the Town will vote to fix the salaries of all elected officials as required by law for the fiscal year beginning July 1, 2022, or to take any other action relative thereto.

Article 3. Transfer of Proceeds from the Sale of Cemetery Lots to Perpetual Care Account - Finance Committee Recommends Approval

To see if the Town will vote to authorize the transfer of the sum of \$4100.00, or any other amount, from the Sale of Cemetery Lots receipts to the Fairmont Perpetual Care Trust Account, or to take other action relative thereto.

REC'D LEE TOWN CLERK
MAY 3 '22 PM 7:42
Town of Lee

SCOPE

(WOOD V. JEWELL, GROVER V. PEMBROKE)



- Main Motions and Amendments of Main Motions MUST be made with in the scope of the Warrant.
 - For example: if the Article Reads: To purchase a plow truck for \$100,000 or any other amount, an acceptable motion would be... To purchase a plow truck for \$98,000. A motion to purchase a fire truck would not be in order.
 - To amend a budget of \$200,000 to \$195,000 would be with in the scope but to amend \$200,000 to \$1,000,000 would not.
 - To amend a motion to purchase a “police cruiser” to “purchase an SUV police cruiser” would be in order but to amend a “police cruiser” to “dump truck” would not.
 - Bylaws prohibit amending a monetary amount to increase by more than 5%. (Town Code 48-12)

BUDGET

- Budget is moved differently than other motions
- A motion is made to approve all appropriations that NO HOLD has been placed.
- Then... The moderator reads each budget line, a voter may HOLD particular lines for discussion.
- The NON HOLDS are voted on as a group
- The HOLDS are then brought up individually with separate debate and votes on each.

SUBSIDIARY AND INCIDENTAL MOTIONS

NOT A COMPLETE LIST

(TMT)

- AMEND
- POSTPONE INDEFINITELY
- DIVIDE A QUESTION
- PREVIOUS QUESTION (CALL THE QUESTION) $\frac{2}{3}$ VOTE
- LIMIT OR EXTEND DEBATE $\frac{2}{3}$ VOTE
- POINT OF ORDER
- ADJOURN VS. DISSOLVE

AMEND, POSTPONE OR DIVIDE

AMEND

- Add, insert, strike, replace text in a motion
- Requires same vote as main motion, debatable
- Complex amendments may be required to be in writing and a recess may be needed.

POSTPONE INDEFINITELY

- Kills Main Motion
- Majority vote, debatable

DIVIDE

- Separate a motion with several parts
- EXAMPLE: Move to purchase a fire truck and police car --- Move to divide by considering the police car and fire truck separately
- Debatable, Majority Vote

PREVIOUS QUESTION, LIMIT DEBATE

- PREVIOUS QUESTION (Call the Question): Ends all debate and goes directly to a vote. NOT debatable, NOT amendable, **2/3 VOTE**
- EXTEND OR LIMIT DEBATE: Changes the length of debate or the number of debate on each article. By bylaw each member may speak twice on each article for up to 5 minutes per debate. NOT debatable, NOT amendable, **2/3 VOTE**



POINT OF ORDER, ADJOURN, DISSOLVE



Point of Order

- Identifies a breach of rules (moderator rules – no vote)
- EXAMPLES: meeting procedure is not being followed, speaker is going past time limit, a non voter is speaking with out permission of the meeting.



Adjourn

- Ends meeting with the intent to reconvene at another date
- Warrant is not finished
- Majority Vote
- May need to fix time to adjourn first



Dissolve

- End meeting permanently
- All warrant articles have been acted on
- Majority Vote

RECONSIDER (SPECIAL RULES APPLY BY BYLAW)

Reconsider brings a previously voted on motion back to the table for another vote.

- Must be on the prevailing side of a motion to reconsider
- 2/3 Vote (not majority)
- Can only be made once on a motion

DEBATE AND DECORUM

(MGL 39-17, TMT SS62, TB 48-1)



- Debate is limited to 2 debates at 5 minutes each (Town bylaw:48-1)
- Debate MUST related to the Motion. For example: if the motion is on the tax collectors budget you should not debate why your taxes increased. Debate must relate to why or why not the particular sum of money should be appropriated.
- Personal attacks are not tolerated (TMT ss62) – Avoid using names (instead say.. The previous speaker)
- MUST be recognized by moderator to speak (MGL 39-17) – Use Microphone and State you name and address. Non-Voters of Lee can only speak by majority vote of the meeting.
- Per MGL 39-17 the moderator may remove anyone who has been warned and continues to disrupt the meeting.

VOTING METHODS

- Electronic Vote (Town Bylaw: 48-14) – anonymous
- Voice Vote – AYE or NO
- Consent Agenda: Vote on multiple articles at one time

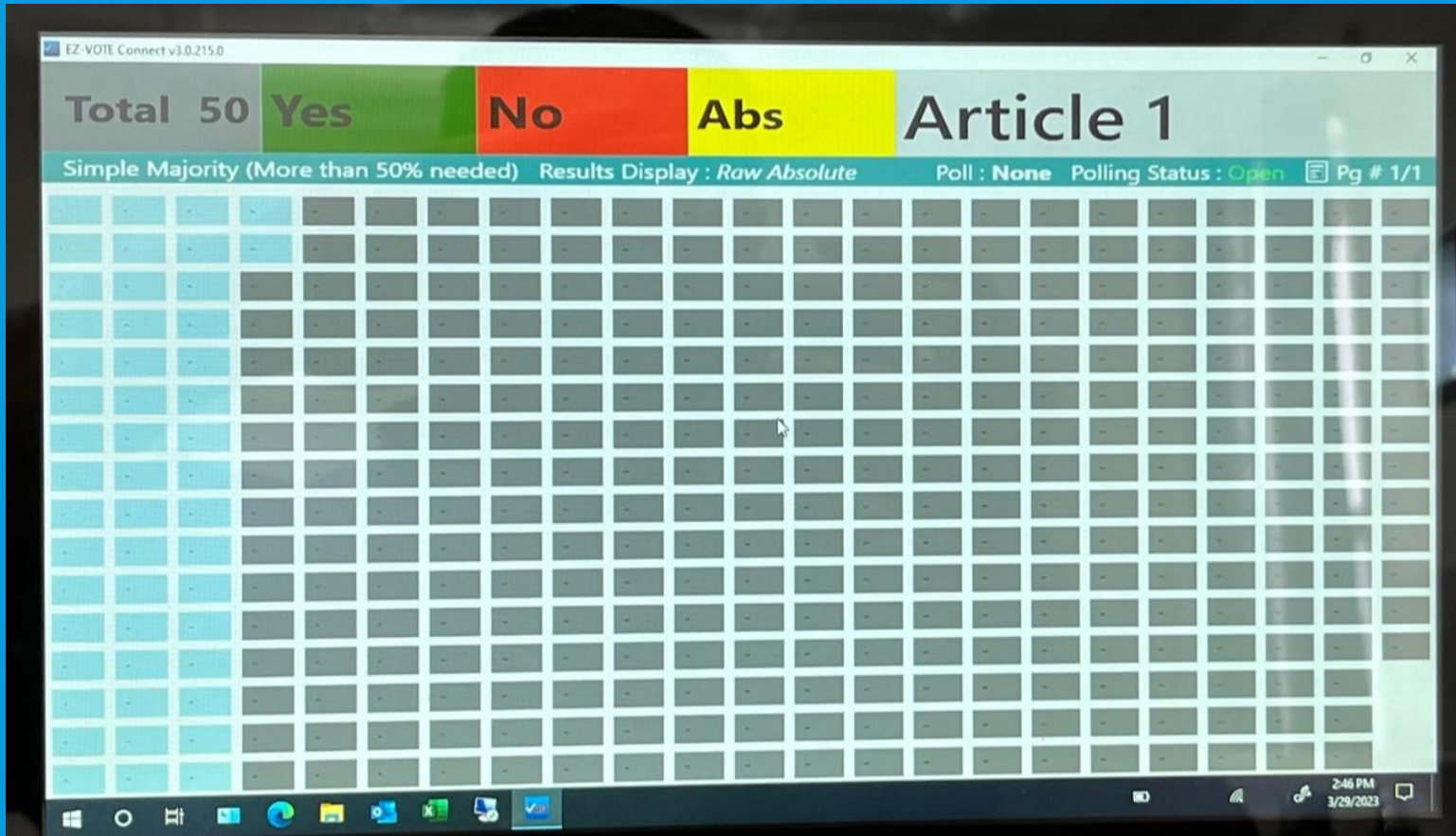
MAJORITY
Most Main Motions

$\frac{2}{3}$ VOTE
Borrowing, Zoning,
Eminent Domain,
Stabilization \$

$\frac{4}{5}$ VOTE
Previous FY
appropriation

$\frac{9}{10}$ VOTE
Previous FY
appropriation at STM

ELECTRONIC VOTING



AFTER TOWN MEETING

- Town Meeting AUTHORIZES purchases. It does not guarantee the money will be spent.
- Town Meeting votes on bylaws. The Attorney General may reject or amend the town meeting's bylaw if it is inconsistent with State Laws.
- Some Town Meeting actions may have to go to referendum
- Some Town Meeting actions may need legislative action



QUESTIONS

