

TOWN MEETING HANDBOOK



BECKET, MASSACHUSETTS

2015 EDITION

Prepared by the Town Meeting Bylaw
Review Committee:

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Parliamentary Guide

Adapted from *Town Meeting Time*, Johnson, Trustman and Wadsworth, Massachusetts Moderators Association, 3rd Edition (2001).

Rank	Motions	Second Required	Debatable	Amendable	Vote Required	May Reconsider	May Interrupt
<i>PRIVILEGED MOTIONS</i>							
1	Dissolve (adjourn sine die)	Yes	No	No	Majority	No	No
2	Adjourn to a fixed time	Yes	Yes	Yes	Majority	No	No
3	Point of no quorum	No	No	No	None	No	No
4	Fix the time to (or at) which to adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Questions of privilege	No	No	No	None	No	Yes
<i>SUBSIDIARY MOTIONS</i>							
6	Table or take no action	Yes	No	No	2/3	Yes	No
7	The previous question	Yes	No	No	2/3	No	No
8	Limit or extend debate	Yes	No	No	2/3	Yes	No
9	Postpone to a time certain	Yes	Yes	Yes	Majority	Yes	No
10	Refer to committee	Yes	Yes	Yes	Majority	Yes	No
11	Amend or substitute	Yes	Yes	Yes	Majority	Yes	No
12	Postpone indefinitely	Yes	Yes	No	Majority	Yes	No
<i>INCIDENTAL MOTIONS</i>							
Same rank as motion out of which it arises	Point of order	No	No	No	None	No	Yes
	Division of a question	Yes	Yes	Yes	Majority	No	No
	Separate consideration	Yes	Yes	Yes	Majority	No	No
	Withdraw or modify a motion	No	No	No	Majority	No	No
	Reconsider or rescind	Yes	*	No	2/3	No	No
	Fix the manner of voting	Yes	Yes	Yes	Majority	Yes	No
<i>MAIN MOTIONS</i>							
None	Main motion	Yes	Yes	Yes	Varies	Yes	No
None	Take from the table	Yes	No	No	Majority	No	No
None	Advance an article	Yes	Yes	Yes	Majority	Yes	No
* Debatable and may be considered only at the discretion of the Moderator							

**TOWN OF BECKET
MASSACHUSETTS**

Dear Voter:

Welcome to Town Meeting. The traditional New England Town Meeting is the embodiment of "grass roots" democracy. Becket's Town Meeting has been in place for 250 years. It provides the citizens of Becket with the opportunity to work with town officials and their fellow voters to decide matters that affect the operations of the town and to set the annual budget for the following fiscal year. Our Town Meeting is a model of the best in local democracy.

This handbook has been produced by the Town Meeting Bylaw Review Committee, an ad hoc committee appointed by the Board of Selectmen, and was adapted from a similar document from the Town of Brookline and from information available from the state Department of Revenue and in *Town Meeting Time, A Handbook Of Parliamentary Law*. This document is designed to be used by Becket voters as a guide to the procedures of our Town Meeting. The Town Meeting is conducted by the moderator in the exercise of his or her discretion, subject always to state law, the Town Bylaws, and Town Meeting votes and traditions.

Additional copies of this handbook may be obtained from the offices of the Board of Selectmen or the town clerk, and the entire handbook is also posted on the town's website at www.townofbecket.org.

Very truly yours,

Bruce Garlow, Chair
Jeanne Pryor, Clerk
Ann Krawet

Town Meeting Bylaw Review Committee

June 15, 2015

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INTRODUCTION

The New England Town Meeting is only the most recent manifestation of a tradition of grassroots democratic governance that had its origins in Saxon England. The first such meeting in the New World was held on board the Mayflower. We New Englanders can and should be proud of this heritage.

Pursuant to the State Constitution and the Massachusetts General Laws Becket has an open Town Meeting, which is the legislative branch of a town's government. Under this system any registered voter may attend any Town Meeting and has the authority of a legislator.

Town Meeting is conducted in accordance with the laws of the state, the bylaws of the town, the traditions and votes of Town Meeting, and the discretion and policies of the moderator. The Town Meeting cannot conduct its business without a moderator, a town clerk and a quorum of 20 town voters.

As the legislative body of town government, in addition to approving operating and capital appropriations, Town Meeting considers and votes on any changes in the town's zoning and general bylaws, accepts or rejects state laws that are subject to local option, requests special state legislation for the town and considers any major changes in town administrative structure and procedure. An Annual Town Meeting is held each spring, on the second Saturday in May and the Selectmen may call Special Town Meetings at other times to deal with town business, and are required to call such a meeting on the written petition of 200 voters.

Annual Town Meetings are held at the Becket Washington School. Special Town Meetings may be held at the school or Becket Town Hall, depending on the anticipated attendance. They normally begin at 7:00 p.m. and can last from a few minutes for some Special Town Meetings to several hours for some Annual Town Meetings. Town Meetings with many items of business can be continued to a second session if the voters so choose, but this is extremely rare in Becket.

The Town of Becket encourages all voters to attend and participate at Town Meetings and suggests that anyone with disabilities that may impair full participation contact the office of the town administrator two weeks in advance of the meeting to discuss appropriate accommodations.

PARTICIPANTS IN TOWN MEETING

Moderator

The moderator is the presiding officer of the Town Meeting. The moderator's principal duty is to advance the transaction of the town's business in an orderly manner, and in such a way that the will of the Town Meeting is carried out. The moderator may set guidelines for the length of presentations and debate and determines who may speak. The moderator is elected by the voters of the town for an unsalaried three-year term.

Town Clerk

The town clerk's primary duty at Town Meeting is to make and keep a record of all votes and transactions of the meeting as announced by the moderator. The town clerk's record is the only official record of a Town Meeting vote and it cannot be changed or corrected except by the town clerk who created the record. After Town Meeting the town clerk must issue a variety of certificates and reports to town and state officials and prepare the Town Meeting proceedings (minutes). The town clerk serves as chief election official, recording officer, registrar of vital statistics, public records officer and licensing officer. The town clerk is a part-time paid official elected by the voters for a three-year term.

Voters

Any Becket registered voter can attend and participate fully in Town Meetings. At Town Meetings the assembly of voters constitutes a municipal legislature with many of the same powers exercised by City Councils in cities, especially in regard to approving the town's annual budget and the Town Bylaws and Zoning Bylaws.

Board of Selectmen

The Board of Selectmen serves as the town's executive authority, with overall responsibility for supervising town affairs. Its role is defined by state law, the Town Bylaws and the Town Meeting. The Selectmen are statutorily responsible to call Town Meetings and to prepare and issue the warrant. Among the additional duties of the Selectmen are to call town elections, appoint the town administrator, most department heads and town officers, all non-elected boards and commissions and to approve the appointments of the town administrator. The Selectmen shall execute policies voted by Town Meeting, review and make recommendations on the annual budget and all other warrant articles, supervise the expenditure of funds appropriated by Town Meeting, sign all bonds and notes for borrowings, and serve as the town licensing board. The Selectmen have the power, and in the case of citizens' petitions are required to, insert articles in the warrant, but only Town Meeting has the final authority to accept, reject or modify the action sought by any article. The three Selectmen are elected for three-year terms, with one member elected each year, and receive modest stipends intended to reflect the part-time nature of their office.

Town Administrator

The town administrator acts under the direction of the Board of Selectmen as the chief operating and fiscal officer of the town. The town administrator supervises department heads and is responsible for the development of the town's annual financial plan. See "The Budget" below. The town administrator facilitates the development and production of the warrant and Annual Town Report. He or she is a professional employee with a three year contract.

Town Counsel

The town counsel is the town's attorney and is appointed by the Selectmen. Town counsel generally provides legal representation for the town in matters in which the town is involved or by which it is or may be affected. At Town Meeting, town counsel, when called upon to do so, provides legal advice to the moderator.

Finance Committee

The Finance Committee studies and makes recommendations on all financial matters to be considered by Town Meeting. This includes all Annual and Special Town Meeting articles, with special concern for the proposed operating and capital budgets for the coming year. In carrying out its duties, the committee may examine the books and records of any board, committee or officer of the town to the extent permitted by law. The Finance Committee is the only authority that may approve transfers from the reserve fund for unforeseen or emergency expenditures.

The deliberations of the Finance Committee take place in public meetings, held principally during the period prior to a Town Meeting. The Finance Committee's recommendations are advisory and may be accepted or rejected by Town Meeting in whole or in part. The annual budget is presented to Town Meeting by the Finance Committee, although amendments to the budget may be offered by the Selectmen or the voters. The Finance Committee begins its review of the budget as soon as the town administrator submits detailed written estimates to the committee, which shall be done no later than ninety days prior to the Annual Town Meeting.

A schedule of proposed public meetings and hearings is promulgated at the beginning of each meeting cycle. A notice of each public hearing or meeting of the Finance Committee is posted on the official bulletin board at least 48 hours before the meeting and is also published on the town website. Notices are also sent to an e-mail list of people who have signed up for announcements and meeting agendas sent by the town.

The Finance Committee is made up of five citizens elected by the town voters for three year terms, with one or two members elected each year. It has a page on the town website (under "Boards & Commissions") containing a current list of members and a link to meeting schedules and minutes.

Other Boards and Committees, Department Heads and Officers

There are several appointed and elected town boards and committees that have jurisdiction over or duties in connection with the subject matter of articles that come before Town Meeting. These include the Planning Board, School Committee, Community Preservation Committee and others. Representatives of these boards and committees, as well as town department heads and other officers often speak at Town Meetings on articles relating to their responsibilities.

GENERAL MATTERS ABOUT TOWN MEETINGS, INCLUDING THE WARRANT AND DRAFTING WARRANT ARTICLES

Every Town Meeting is called pursuant to a warrant, which is a notice or warning to all citizens issued by the Selectmen, that the meeting will be held. The warrant must state the time and place of holding the meeting, and the subject matter to be acted upon. Each item of business is called a warrant article.

The Annual Town Meeting by statute and bylaw consists of two parts: the annual business meeting held on the second Saturday in May and the Annual Town Election held on the following Saturday. The annual business meeting is normally referred to, and is referred to in this handbook, as the "Annual Town Meeting." The Board of Selectmen calls the Annual Town Meeting and may call Special Town Meetings when circumstances warrant. A Special Town Meeting is also required to be called by the Selectmen within 90 days of submission of a petition for the holding of such a meeting signed by at least 200 registered voters.

The Town Bylaws require that notice of Town Meetings shall be given by posting copies of the warrant in six public places in the town. The warrant is also posted on the town website and sent to residents via U. S. mail and email. Posting must occur at least seven days before the Annual Town Meeting and at least 14 days before a Special Town Meeting.

Every action of Town Meeting must be taken pursuant to an article in the warrant and must be within the scope of the subject matter described in the article as it appears in the warrant. The moderator makes the final determination as to what matters fall within the scope of an article. The courts have supported liberal interpretations of scope by moderators, since the purpose of the warrant is to apprise the voters of the subject matter to be considered by the meeting and not necessarily to set forth the exact action that the meeting will take.

Articles may be included in the warrant by the Board of Selectmen or by petition of town voters. Voters may have an article placed on the warrant for an Annual Town Meeting by obtaining the signatures of ten registered Becket voters and submitting the proposed article to the Selectmen before the closing of the warrant on April 1. Voters may place an article on a Special Town Meeting warrant by submitting one hundred signatures. Citizen petitioners are strongly encouraged to consult with the moderator or town administrator regarding the wording and legality of their proposed articles. If the proposal involves a change in the Town Zoning Bylaw, petitioners are advised to consult with the Planning Board.

PREPARING AND PROCESSING A WARRANT ARTICLE

The Town Meeting Bylaw Review Committee has prepared the following guidelines for preparing and processing a warrant article by citizens' petition:

1. Develop the Concept

Discuss the idea with the constituencies involved. Look at existing regulations, laws and the Town Bylaws. See if other towns have similar measures which may serve as models.

2. Prepare a Draft Article

A Town Meeting article should always begin with the words "To see if the town will vote to..."

If the Article is a proposal to amend the Town Bylaws, it would read "To see if the town will vote to amend the Town Bylaws by [general description of the amendment proposed or a marked version of the bylaw provision showing the proposed changes," [in each case with specific reference to the article and section numbers to be amended].

An article seeking to appropriate funds should read "To see if the town will vote to appropriate \$ [estimated amount] for [purpose of the appropriation]." The article should also specify the source of the appropriation, whether from the tax levy, by transfer from an existing appropriation, by borrowing, or any combination of these. A petitioner whose article seeks an appropriation should consult with the town administrator prior to submitting the article, particularly to obtain the proper language for the source of the appropriation.

An article may propose that Town Meeting adopt a non-binding resolution, in which event the usual format contains "Whereas" clauses setting forth the background of the proposed resolution and a "Now, therefore, be it hereby Resolved" section setting forth the operative language for the resolution to be adopted.

3. Submit the Draft Article for Review

Though not a requirement, it is strongly recommended that all citizens' petitions be submitted to either the moderator or the town administrator prior to taking the remaining steps below. As noted above, proposed changes in the Zoning Bylaw may be reviewed by the Planning Board. These officials can assist in such areas as the proper wording of the article, conforming proposed amendments of existing zoning or general bylaws to the current wording of such bylaws and, in certain cases, addressing legal issues that might be raised by the proposed article. In all cases all proposed Zoning Bylaws must be the subject of a public hearing by the Planning Board.

4. Prepare an Explanation

An explanation of the purposes and intent of the article will appear in the explanations section that accompanies the warrant and is the petitioner's first chance to inform Town Meeting of the purpose of a petition article. The petitioner should spend the time necessary to write a clear and concise explanation of what the petitioner is trying to accomplish and why.

5. Prepare a Petition and Get Signatures

The town clerk maintains copies of blank petitions and it is strongly recommended that these be used. Each voter petition must be accompanied by the signatures of at least ten registered Becket voters, with their voting addresses. It is good practice to have at least five additional signatures, in case some turn out to be invalid. Each voter should sign and provide his or her address. It is recommended that the signers also print their names.

The citizen who is primarily sponsoring the article should sign first or be identified in some other manner in the petition. The principal petitioner of the article will be notified when the article is to be discussed by the Selectmen and the Finance Committee. The principal petitioner should include his or her telephone number(s) and e-mail address in the petition, so that he or she can be contacted easily.

6. File with the Selectmen's Office

The Article with all necessary signatures must be filed in the Selectmen's office at Town Hall by April 1.

7. Post-Filing Process

The petitioner will be notified when the article is to be discussed by the Finance Committee, and he or she will be able to attend and make a presentation. The petitioner will also be notified when the article is to be considered by the Selectmen.

Eventually, the article will come before Town Meeting, at which point the principal petitioner or a designee customarily delivers a speech in support of the article. See "Moderator's Guidelines for Speakers" below.

THE BUDGET

The budget process begins each year in the fall when the Selectmen begin to establish budget guidelines for the fiscal year that begins the following July 1. On December 15 every town department head is asked to prepare an estimate of expenditures for the next fiscal year and these are submitted to the town administrator in January, 120 days prior to the Annual Town Meeting.

The town administrator reviews these estimates and submits the recommended budget to the Finance Committee for detailed study in February, 90 days prior to the Annual Town Meeting. Thereafter, the town administrator periodically appears at meetings of the Finance Committee and Selectmen to explain and defend the proposals contained in the budget. The Finance Committee prepares initial revenue and expenditure projections and holds hearings and meetings on the proposed budget, at which department heads may explain their budget requests. On or before 45 days prior to the Annual Town Meeting the Finance Committee forwards the entire budget, with its recommendations, to the Board of Selectmen. The chart on the following page sets forth the time schedule for the development and approval of the town budget. Town Meeting voters and others interested in the budget generally or in specific capital or non-capital appropriations are encouraged to become involved in the budget process at as early a stage as possible.

By statute, the budget presented to the Annual Town Meeting for consideration is the recommendation of the Finance Committee.

Town Meeting Budget Calendar

Date	Event	Who
Aug-Oct	File for certification of Free Cash (used in coming FY revenue projections)	Town Accountant, Dept. of Revenue
Nov 1	Begin establishing next FY budget guidelines and forms.	Selectmen
Dec 15	Request Departmental Budgets and Capital Expenditure requests	Selectmen/Town Administrator
January 120 days prior to Annual Town Meeting <i>(Bylaws Art. 2B, Sec. 15)</i>	All boards, officers and committees of the Town shall submit to the Town Administrator in writing a detailed estimate of appropriations required during the next fiscal year.	Department Heads
January	Begin review of budgets submitted by Department Heads	Town Administrator
February 90 days prior to Annual Town Meeting <i>(Bylaws Art. 2B, Sec. 15)</i>	Submit to Finance Committee a detailed estimate of probable expenditures of town government for ensuing fiscal year	Town Administrator
February	Prepare initial revenue/ expenditure projections for coming year	Accountant, Finance Committee
February	Prepare Budget Recommendations for Review by Selectmen and Finance Committee	Town Administrator
March 1	Notification of Cherry Sheet Estimates for the Following Year	State Legislature, Dept. of Revenue
March	Prepare final revenue/expenditure projection for coming FY in preparation for town meeting.	Selectmen, Finance Committee
March 15 On or before the 45th day prior to Annual Town Meeting <i>(Bylaws Art. 2B, Sec. 16)</i>	Transmit a copy of the budget, together with their recommendations relative thereto, to the Board of Selectmen	Finance Committee
April 1 <i>(Bylaws, Art. 1, Sec. 5D)</i>	Last day for Selectmen to receive Petitioned Articles	Registered Voters
April	Prepare ATM warrant recommendations and article explanations	Finance Committee, Selectmen
April 15	Finalize and proof warrant for printing	Town Administrator, Selectmen
7 days before Annual Town Meeting <i>(Bylaws, Art. 1, Sec. 4A)</i>	Post and mail warrant	Selectmen/Town Administrator
2nd Saturday in May <i>(Bylaws, Art. 1, Sec. 1)</i>	Town meeting	

TOWN MEETING PROCEDURES

Preliminary Matters

Annual and Special Town Meetings are usually called to begin at 7:00 p.m. Annual Town Meetings are held in the Becket Washington School and Special Town Meetings may be held at the school or at the Town Hall depending on anticipated attendance. Voters and non-voters sign in upon arrival at one of the checkers' tables situated in the room where the Town Meeting is to be held. Voters are seated in one or more designated sections and non-voters are seated in a separate section. Minor children may sit with their parents in all cases.

Twenty voters constitute a quorum. When a quorum is present, as determined by the town clerk, the moderator so declares and calls the meeting to order. Once the moderator calls a session of the meeting to order, the session will continue until adjourned, although the moderator may call for short recesses from time to time in appropriate circumstances.

The moderator assumes that there continues to be a quorum throughout the meeting, but the presence of a quorum may be questioned by any voter at any time. Thereupon all business comes to a halt while the voters are counted. If a counted quorum is not present and a quorum cannot be attained promptly by calling back voters in the vicinity of the room, Town Meeting may only vote to adjourn to a later date or, if the moderator considers it appropriate, to dissolve the meeting.

General Conduct of Meeting

The moderator controls the conduct of the meeting within the limits of relevant Massachusetts statutes and Town Bylaws. The moderator is guided by common sense, by Becket traditions and to the extent applicable by *Town Meeting Time*. The latter is a book of New England Town Meeting parliamentary procedures applicable to New England Town Meetings, edited by eminent Massachusetts moderators and a controlling procedural authority according to the Town By laws. *Town Meeting Time* is presently in its third edition, and a copy is available at the Becket Athenaeum. Copies may also be purchased from the publisher, the Massachusetts Moderators Association or by contacting the moderator. When called upon to speak, the speaker should use the microphone (to which he or she may be directed by the moderator) and introduce himself or herself. If a speaker is representing a political organization or town board, commission or committee, the speaker should inform Town Meeting that he or she is speaking in that capacity. Speakers should avoid identifying themselves as members of such an organization unless they are acting as a spokespersons for the organization. During the debate, each speaker is required to address the moderator and may ask questions only through the moderator. Although a speaker may request a response to a question from a particular person or body, the moderator designates the person or body to respond. Debate must be confined to material relevant to the subject matter of the article being debated, and the moderator may in his discretion also confine debate to the particular motion under consideration.

With regard to conduct during Town Meetings, by long-standing tradition no political demonstrations or activities may take place within or immediately outside of the meeting auditorium. No political signs, banners, flags or oversized badges are permitted within the auditorium. Town Meeting attendees will be asked by the moderator at the beginning of each session to silence cell phones, and no cell phone use will be permitted in the auditorium once the meeting has convened.

The principal purpose of all of these rules and traditions is to promote impersonal discussion and proper decorum at Town Meetings. The moderator has the statutory power to have removed from the meeting any person who materially interferes with its proper decorum and good order.

A motion from the floor for a "suspension of the rules" is not permissible in our Town Meeting, although the moderator may, in the interest of fairness, permit the suspension of an established rule of the meeting in a particular instance. There is no appeal from the moderator's rulings on questions of order and procedure. Points of order may be made (see below), but the moderator's ruling on a point of order is likewise not appealable.

Ethical Considerations

Voters at Town Meeting are exempt from the provisions of the Massachusetts Conflict of Interest Law, Chapter 268A of the General Laws, which covers all other municipal employees and elected officials. This exemption exists because of the special status of Town Meeting voters vs. elected and appointed officials. However, under well recognized principles of ethics and according to the Town Bylaws, any person should, prior to addressing Town Meeting, disclose any material economic interest that he or she or any member of his or her immediate family or any close business associate has in the particular matter under consideration. Similarly, any person who is employed in any capacity, such as attorney, architect, broker, etc., by another interested in the article under discussion should disclose his or her employment and relationship before speaking. Town Meetings are not subject to the state Open Meeting Law, MGL Chapter 30A.

Although voters at Town Meeting are exempt from the state conflict of interest law, they may be or become subject to the law if they serve on an elected or appointed committee, board or commission. State law requires that all such elected and appointed officials receive training in both the Conflict of Interest and Open Meeting Laws. Questions regarding the applicability of the state Conflict of Interest Law in a particular case should be directed to town counsel or the State Ethics Commission.

Order of Articles

Warrant articles are normally considered in the order in which they appear in the warrant. The moderator may change that order if fairness or clarity suggest that a different order is preferable and while the moderator has the power acting alone to change the order of articles, he will ordinarily put any such change to a vote of Town Meeting.

Motions Generally

A motion must first be made and seconded for an article to be debated. Only voters may make and second motions. The article itself is not a motion, but only notice of the general subject matter that will be discussed. Any motion may be offered which, in the opinion of the moderator, is germane to the article and within its scope. According to *Town Meeting Time*, the basic rule of scope may be stated as follows: Since the purpose of the warrant is to apprise voters of the subject matter to be considered at the meeting, all that is necessary is for the article to include a sufficient description of the subject matter in order to provide the voters with substantial and intelligent notice of the nature of the business to be acted on. The article need not contain all the details of the action Town Meeting may take and matters incidental to and connected with the article are proper for consideration and action.

In Becket usually the initial substantive motion-the main motion- is made by a voter who simply says "so moved", indicating the motion is identical to the wording in the article. In circumstances where a desired motion may differ from the exact language in the article the motion will be read or summarized by the moderator. In most cases, the main motion is the motion proposed under the article by the Board of Selectmen. In

the case of a petitioned article, the main motion will ordinarily be that proposed or approved by the principal petitioner. Once the main motion is before the voters, it can be passed, substituted for or amended, referred to a committee, postponed or defeated. Action on a motion may only be postponed to a later time or session within the Town Meeting at which it is being considered. A Town Meeting does not have the power to bind a future Town Meeting to consider specific subject matter or take a specific action, since no subject matter or action may be considered other than pursuant to an article on the warrant for such future Town Meeting.

A variety of motions, other than the main motion, are available. Some of these, such as motions to amend, are specifically discussed below. A comprehensive list of possible motions, together with their usual priority, is set forth in the table entitled "Parliamentary Guide," adapted from *Town Meeting Time*, elsewhere in this handbook.

The Debate

After a motion has been made and seconded, the debate begins. Persons wishing to speak should raise their hands and wait to be recognized. The moderator usually calls on the town administrator or the principal proponent to speak first. Thereafter, to the extent feasible, the moderator will usually call on those in the order in which they have requested to speak. All Becket residents may speak at Town Meeting when recognized by the Moderator. Non-residents, including non-resident town officials, may also speak.

The moderator regulates Town Meeting debates. He or she is guided generally by the proposition that Town Meeting debates should be informative and should provide an ample opportunity for all sides of an issue to be presented and discussed. The moderator may establish time limits for speakers and limit the number of times someone may speak.

Motion to amend or substitute

Amendments are offered as motions in the same manner as main motions and require a second. They may seek to insert, strike out or substitute words in the main motion. A motion to amend must be acted upon before the main motion is voted on. Only a majority vote is required to pass an amendment, even if the main motion requires a greater-than-majority vote. Approval of an amendment must be followed by a vote on the main motion thus amended.

A motion to amend may itself be amended, but only one amendment of a motion to amend is allowed at a time. In other words, a motion to "amend the amendment of the amendment" is not permitted.

A motion to substitute a completely different version of the motion on the floor is treated as a motion to amend; that is, if the motion to substitute (or amend in its entirety) succeeds, Town Meeting must still vote on the amended language.

All amendments and other motions to be offered under an article must be submitted in writing if requested by the moderator.

Motion to lay on the table or take no action

To lay on the table or "table" is to set aside an article for later consideration. It must be brought back for final consideration prior to meeting adjournment. To take no action on an article is to agree not to act on that article, but can only be made after the main motion is moved and seconded. To table or take no action on an article requires a two-thirds vote and is neither debatable nor amendable.

Motion to Close Debate

A motion to close debate on a pending motion is often called "moving the previous question," or simply "moving the question." If a motion to close debate is made and, in the moderator's judgment, adequate debate has been heard on both sides of the question, he or she will permit this motion to come before the voters, after which no one has the right to speak other than to make a point of order. The motion to close debate, like a motion to lay on the table or take no action, is not itself debatable and a two-thirds vote is necessary for the motion to pass. If the motion to close debate passes, all debate ceases and the meeting votes at once on the pending motion.

The Vote

After all who wish to be heard on the question have spoken, or if the question has been called, the moderator repeats the motion (or refers to its location in the warrant) and calls for the vote. The moderator says, "All those in favor..." and the voter's response is to raise one's voter card. Then comes, "All those opposed..." and the response, similarly, is to raise one's voter card. If the result is clear to the moderator, he declares the motion to have been adopted or defeated. If the vote is not clear to the moderator or if seven voters request, he or she shall ask the tellers to count the votes and return the totals to the moderator, who announces the result.

A request for a secret ballot requires a second and a majority vote. Such a motion will not be allowed by the moderator after voting in another form is underway.

For a vote by secret ballot, the tellers will distribute ballots to voters. Usually such ballots will consist of a slip of paper with the words "yes" and "no" printed on opposite halves of the ballot. The voter shall tear the ballot in half and submit his or her choice according to the directions of the moderator. When all ballots have been collected, the tellers will count and then announce the totals to the moderator. The moderator will declare the final result and it may not be questioned.

Most motions require a simple majority vote to be adopted. Certain exceptions are noted in the Parliamentary Guide elsewhere in this handbook, and certain other exceptions are imposed by statute, including the following:

- To pay unpaid bills of previous years, a four-fifths vote is required at the Annual Town Meeting and a nine-tenths vote at a Special Town Meeting;
- To authorize the town to purchase or take land or easements, a two-thirds vote;
- To transfer town land (except land acquired for park purposes) to another board or for another municipal purpose, a two-thirds vote;
- To amend the town's zoning by-law, a two-thirds vote; and
- To borrow money, a two-thirds vote.

The Town Bylaws provide that, on matters that require a two-thirds vote by statute, the moderator may simply declare the motion to have been adopted by a two-thirds vote without actually counting the vote. However, if the announced result is immediately questioned by at least seven voters, a counted vote will be taken.

Operating Budget or “Line Items”

For each Annual Town Meeting there is a lengthy article reserved for the operating expenses of each town department and office and that is known as the “Line Items.” Unlike other articles that may have different sources of funding, the Line Items are always funded through a “raise and appropriation” which places that expense on the tax rate for the upcoming fiscal year. The Line Items are laid out in columns, with the name of the department or office, the current fiscal year appropriation, the appropriation request for the upcoming fiscal year, the recommendation of the Finance Committee and Selectmen, and the percentage increase or decrease over the current fiscal year for that item.

There are usually more than 90 items and they are grouped together under separate headings, such as general government, highways, cemeteries and education. These groupings are for convenience and organizational purposes only, as each line item signifies a separate appropriation request that must be approved by the voters. Because many of the items are routine and usually approved without discussion, the moderator traditionally does not read each and every item. Rather, he or she will ask the voters to examine the entire list of items and then call out the number of any item the voter wants explained, amended or otherwise discussed by Town Meeting. The moderator will compile a list of all such “held” items and they will be set aside while Town Meeting acts in a single vote on those items not held. Once those items are approved the moderator will revisit each held item, dealing with them one by one as if they were separate articles. Held items are handled individually, with separate discussion, which could simply be a question by a voter, but they may also be amended, postponed or have any other action taken. Once discussion on each held item is complete a vote is taken on that item and this process continues until all the held items are discussed and voted on. Once all the held items are approved the operating budget is complete.

The Line Items are not the sole warrant questions that deal with appropriations, however. The Line Items, as written above, are all funded through the property tax, but there are other articles funded through the property tax, which include one-time expenditures and capital items such as truck and land purchases. In addition other articles may be funded from other sources such as the stabilization fund, free cash, borrowing and revolving funds. The source of funds is stated in every article, with additional information in the explanations section that accompanies the warrant.

Each budget item is subject to amendment as it comes up for consideration, within the guidelines provided in the Town Bylaws. An amendment need not be accompanied by a motion for compensating increases or decreases in other appropriation items, since there is no legal requirement that a budget adopted by Town Meeting be in balance. Votes are taken on any such amendments, after suitable debate, as they are presented.

The budget presented to Town Meeting by the Finance Committee and Selectmen will be a “balanced” budget in which total proposed appropriations equal projected revenues for the fiscal year. However, it is possible that the budget will by reason of amendments be out of balance at the end of the Town Meeting. If that occurs, the moderator would encourage Town Meeting to consider further amendments in order to balance the budget. In the event that the budget as adopted is unbalanced, the Selectmen or Finance Committee could propose amendments at a later session of the Annual Town Meeting, but such sessions are rare and in recent years simply haven’t been necessary. More likely, a new Town Meeting will have to be called to adjust budget appropriations to bring the budget into balance. This has not been necessary in Becket in recent history.

Points of Order

A point of order is a question as to the legality or propriety of the proceedings. If a voter feels that someone has the floor improperly, or that a motion or discussion is not within the purview of an article, he or she may rise, interrupt whoever is speaking, and say, "Mr. Moderator, I rise to a point of order." After being recognized, the voter states the point of order, and the moderator rules upon it. Whatever ruling the moderator makes, with or without advice from town counsel, is final. A point of order must be raised promptly when the problem arises and will not, except under extraordinary circumstances, be permitted as a means of altering an announced vote.

Questions of Privilege

A question of privilege may relate, first, to the rights and privileges of the meeting collectively, its safety or dignity, or the integrity of its proceedings. For example, a question of privilege would be in order if the windows are open and admitting rain or if the sound system is not functioning properly. Second, a question of privilege may relate to the rights, reputation and conduct of voters individually in their capacity as such. For example, if a speaker speaks in derogatory terms of another person, the person attacked or any other person may raise a question of privilege. Such a question is initiated by a voter rising, interrupting the speaker if necessary, and saying, "Mr. Moderator, I rise to a question of privilege." The voter waits for recognition and then states the matter. A question of privilege is not a motion and does not require a second. In virtually no instance will the moderator permit it to be debated.

Reconsideration

A motion to reconsider a vote already taken permits the Town Meeting to undo a previous action. Such a motion to reconsider any prior votes at a Town Meeting shall not be accepted, except when, in the best judgment of the moderator, a significant error or omission occurred in the language or process of the original action on the article, or a significant change of circumstances has occurred, such that there is a substantial likelihood that the outcome could change upon reconsideration or that reconsideration would be in the town's best interest. Such error, omission or change of circumstances shall be brought to the moderator's attention as soon as it is known and the moderator shall determine if and when the matter will be taken up. The moderator shall announce this decision to the Town Meeting. If the moderator determines that the matter may be taken up a two-thirds vote shall be necessary in order to proceed with reconsideration. No motion shall be reconsidered more than once. And voting reconsideration is just the first step in the process, as it simply places the matter before the voters another time. A second vote on the reconsidered article is still necessary and the quantum required will be the same as the quantum necessary for the original vote. For instance, if the original vote on the article was a majority, then a majority vote would be required to approve the second vote on the same article. If the original vote required a two-thirds quantum, then the second vote following the reconsideration vote would likewise require a two-thirds vote, and so on.

Adjournment and Dissolution

When all the articles in the warrant for the Annual Town Meeting have been acted upon or otherwise disposed of, the moderator will accept a motion to adjourn to the following Saturday, which is the Annual Town Election, and that the meeting will dissolve following the closing of the polls. When the business of a Special Town Meeting is completed the moderator will accept a motion to dissolve the meeting. These motions and their seconds and votes are usually drowned out by the rush for the exits.

How to Become Informed About Town Meeting and Town Issues

There are a variety of ways in which voters can educate themselves about the town and its issues, whether or not the issues will be the subject of Town Meeting debates. Any or all of the following are good sources of information:

- The town's official website townofbecket.org contains considerable information about the town and current activities of its boards, commissions and committees.
- The Annual Report of the town contains information about the town and its boards, commissions and committees. It provides a report for that fiscal year of each major department and includes a wealth of other information. The Annual Report is available from the town clerk or Selectmen's office.
- Meetings of town boards, commissions and committees are open to the public and are noticed on the town clerk's bulletin board and through many other facilities, including the town website and emailings to those who sign up for the town list serve.
- The Town Bylaws describe the structure of town government and set forth many basic town regulations, including some of the rules under which Town Meeting is conducted. An up-to-date version is on the town website.
- In recent years the town has sponsored a "Baby" Town Meeting and Candidate Forum at least one week prior to the Annual Town Meeting.

The Moderator is available by phone at (413) 623-2362 or e-mail moderator@townofbecket.org for consultation by residents and voters to assist them on procedural issues or in preparing articles or motions for Town Meeting.

GLOSSARY OF TOWN MEETING AND MUNICIPAL FINANCE TERMS

Abatement - A reduction or elimination of a real or personal property tax, motor vehicle excise, a fee, charge, or special assessment imposed by a governmental unit. Granted only on application of the person seeking the abatement and only by the committing governmental unit, which, in Becket would ordinarily be the Board of Assessors.

Adjourn - A motion to suspend action of Town Meeting to another day. It is often used to mean to end a Town Meeting after all the business of the meeting is complete, but the proper term for that is to “dissolve” the meeting.

Annual Town Meeting - The town’s annual business meeting, held by bylaw on the second Saturday in May.

Appropriation - An authorization granted by Town Meeting to expend money and incur obligations for specific public purposes.

Article - An item for consideration and action on a Town Meeting warrant. Articles need not always specify the exact action to be taken, but in Becket it is the tradition that they usually do.

Attorney General - The state constitutional officer who, among other duties, must review and approve all town and zoning bylaws before they become effective.

Bond - A means to raise money through the issuance of debt, usually a loan for a term of two years or more.

Budget - The town’s overall spending plan for one fiscal year.

Bylaw - A law adopted by the town. In cities, these are called ordinances and at the state level they are called statutes.

Capital exclusion - An action taken by the town through a referendum vote to exceed the levy limit for one year to pay for a large capital item, such as a building or large piece of equipment. Debt exclusions are similar, but involve borrowing, with the levy limit exceeded for the life of the loan.

Capital Plan - The town’s spending plan for capital items, such as vehicles, properties and buildings, for one fiscal year.

Chapter 70 School Aid - Chapter 70 refers to the school funding formula created under the Education Reform Act of 1993 by which state aid is distributed to cities, towns and regional school districts through the Cherry Sheet

Chapter 90 Highway Funds - State funds derived from periodic transportation bond authorizations and apportioned to communities for highway projects based on a formula under the provisions of MGL Ch. 90 §34.

Cherry Sheets - Named for the cherry colored paper on which they were originally printed, the Cherry Sheet is the notification to cities, towns and regional school districts of the next fiscal year's state aid and assessments.

Community Preservation Act (CPA) - Enacted as MGL Ch. 44B in 2000 and accepted by the town, the Community Preservation Act permits the town to establish a restricted fund from which monies can only be appropriated for a) the acquisition, creation and preservation of open space; b) the acquisition and preservation of historic structures and landscapes; and c) the creation, acquisition and preservation of community housing. In Becket the program is funded by a local surcharge of 1½ percent on real property tax bills and matching dollars from the state generated from registry of deeds fees. It is levied only on property values in excess of \$100,000.

Debt Exclusion - An action taken by the town through a referendum vote to raise the funds necessary to pay debt service costs for a particular project from the property tax levy, but outside the limits of Proposition 2½. The amount is added to the levy limit for the life of the debt only and may increase the levy above the levy ceiling. Once the debt is paid off the authorization to exceed the levy limit ends. In Becket these referendums, when necessary, are held at the Annual Town Election the week following the Annual Town Meeting.

Debt Limit - The maximum amount of debt that the town may authorize for qualified purposes under state law.

Department of Revenue - The state agency that, among other duties, regulates all municipal finances, ranging from tax rate setting to borrowing.

Dissolve - A motion to end a Town Meeting when all the business of the meeting is complete.

Encumbrance - Funds reserved for a specific purpose that may carry over from one fiscal year to the next.

Excess Levy Capacity - The difference between the tax levy limit and the amount of real and personal property taxes actually levied in a given year.

Fiscal Year - The budget cycle that begins July 1 and ends June 30.

Free Cash - Remaining, unrestricted funds or surplus revenue from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates and unspent amounts in budget line items. Free Cash is only available when certified by the state Department of Revenue, which usually happens in the fall, and may be used as a funding source at Town Meetings.

General Fund - The town's main account from which most payments are made.

Levy - The total amount of revenue a community raises through the property tax.

Levy Ceiling - A levy ceiling is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that, in any year, the real and personal property taxes imposed may not exceed 2½ percent of the total full and fair cash value of all taxable property. Property taxes levied may exceed this limit only if the community passes a capital exclusion or debt exclusion. (See Property Tax Levy and Levy Limit).

Levy Limit - A levy limit is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that the real and personal property taxes imposed by the town may only grow each year by 2½ percent of the prior year's levy limit, plus new growth and any overrides or exclusions. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion or debt exclusion. (See Property Tax Levy and Levy Ceiling).

Line Item Budget - A budget that separates spending into categories, or greater detail, such as supplies, equipment, maintenance, or salaries.

Local Aid - Revenue allocated by the Commonwealth to cities, towns and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the "Cherry Sheets." Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.

Local Receipts - Local receipts are just that - revenue generated at the local level from a variety of sources other than property taxes. Some of the most common local receipts are excise taxes, regulatory fees (fines, licenses, and permits), user fees (charges for water, sewer and garbage services), departmental revenues and investment income. Local receipts are paid into the community's general fund unless earmarked for a specific departmental use in compliance with state statute.

Motion - A spoken phrase or statement that puts an article before Town Meeting for consideration. Articles are not "self-starting", they require motions and it is the motion that is voted on. In Becket a motion is usually accomplished by simply saying "I move." It must be followed by a "second" stated by another voter. In cases where an article does not clearly spell out the exact action desired, such as providing a specific funding source for an appropriation, the moderator will require a "detailed affirmative motion" stating the exact action to be taken.

Note - A short-term loan, typically with a maturity date of a year or less.

Overlay account - (Overlay Reserve or Allowance for Abatements and Exemptions) An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay account/reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet, the annual report by the Assessors detailing the town's sources of funding.

Overlay Surplus - Any balance in the overlay account of a given year in excess of the amount remaining to be collected or abated can be transferred into this account. Overlay surplus may be appropriated for any lawful purpose.

Override - A vote by the town at an election to permanently increase the levy limit. An override vote may increase the levy limit no higher than the levy ceiling. The override question on the election ballot must state a purpose for the override and the dollar amount.

Property Tax Levy - The property tax levy is the revenue a city or town raises through real and personal property taxes. In 1981, Massachusetts voters approved Proposition 2 1/2, which caps a community's annual property tax levy. This cap is referred to as the levy limit, which increases annually by 2 1/2 percent, plus allowable certified new growth. This limit cannot exceed an overall levy ceiling of 2 1/2 percent of the full and fair cash value of taxable property in the community, except for capital or debt exclusions.

Proposition 2 1/2 - A state law approved by voters in 1981 that limits the amount of property taxes a city or town can levy. It allows voters at ballot elections to exceed these limits through overrides and capital and debt exclusions. See definitions of these above.

Quantum of vote - The required percentage of vote at a town meeting to take action on a specific article. In most cases it's a simple majority. Some votes require "super" majorities. For example, incurring debt and approving a zoning bylaw take a two-thirds vote. For approving at an Annual Town Meeting an expenditure incurred in a previous fiscal year it's a four-fifths vote and for approving at a Special Town Meeting an expenditure incurred in a previous fiscal year it's a nine-tenths vote.

Quorum - The minimum number of voters that must be present to hold a Town Meeting. In Becket it's 20 voters.

Raise and Appropriate - A phrase used to identify a funding source for an expenditure or expenditures which refers to money generated by the tax levy.

Reserve Fund - An amount set aside annually within the budget of the town (not to exceed 5 percent of the tax levy for the preceding year) to provide a funding source for extraordinary or unforeseen expenditures. In a town, the Finance Committee can authorize transfers from this fund for "extraordinary or unforeseen" expenditures. Other uses of the fund require budgetary transfers by Town Meeting.

Revenues - All monies received by the town from any source.

Revolving Fund - Allows the town to raise revenues from a specific service and use those revenues without appropriation to support the service. For departmental revolving funds, MGL Ch. 44 §53E½ stipulates that each fund must be re-authorized each year at Annual Town Meeting and that a limit on the total amount that may be spent from each fund must be established at that time. In Becket there are revolving funds for wiring, plumbing and gas inspections.

Stabilization Fund - Stabilization funds may be created to save monies and minimize borrowing for capital projects, or other lawful spending purposes. A stabilization fund for a particular purpose is created by a two-thirds vote of Town Meeting. Appropriations to and from a fund also require a

two-thirds vote of Town Meeting. Annual appropriations to all stabilization funds may not exceed 10 percent of the previous year's levy unless the Department of Revenue approves a higher limit. In addition, the balance of all funds at any time may not exceed 10 percent of the community's equalized valuation, a formula that takes into account the town's property values, income and other factors. Interest earned by a fund is added to it and becomes a permanent part of the fund.

Special Town Meeting - A Town Meeting that the Selectmen may schedule at any time with 14 days notice.

Tax Rate - The amount of property tax stated in terms of a unit of the municipal tax base; for example, \$14.80 per \$1,000 of assessed valuation of taxable real and personal property would yield \$14.80 on a property valued at \$1,000, \$148.00 on a property valued at \$10,000 and so on.

Tax Recapitulation Sheet or "Recap" - An annual report filed with and subject to approval by the Department of Revenue that provides details about the town's tax levy, local revenue, Town Meeting appropriations and other information.

Town Meeting - The legislative branch of government generally used in Massachusetts *towns*. The corresponding governmental body in *cities* is the City Council.

Town Meeting Time - A parliamentary handbook written specifically for Town Meetings by members of the Massachusetts Moderators Association. By town bylaw this is the manual used in Becket.

Underride - A vote by a community to permanently decrease the tax levy limit. As such, it is the exact opposite of an override.

Warrant - A Town Meeting warrant is a document issued by the Board of Selectmen that establishes the agenda of matters to be considered by a Town Meeting. Warrants must be posted in various locations in town seven days before an Annual Town Meeting and 14 days before a Special Town Meeting.