



TOWN MEETING GUIDE

A PUBLICATION OF THE

League of Women Voters of Marblehead

Participation in Marblehead's Open Town Meeting form of government is both a right and a privilege. This disappearing type of forum, which many political scientists consider the purest form of participatory democracy, affords citizens an opportunity to directly control and influence the management of their community. Citizens attending Town Meeting act as Marblehead's legislative body. From the opening of the warrant to the final vote to adjourn, it is the collective will of the people that makes the decisions and prevails throughout the process.

Marblehead citizens need do nothing more than register to vote and appear at the appointed time to take part in Town Meeting. They need not run for election or seek appointment to become a Town Meeting Representative, as is necessary in many towns.

This pamphlet seeks to explain, in simple outline form, how citizens may best take an active part in Town Meeting. Citizens who wish a very detailed knowledge both of Town Meeting rules and their own Marblehead By-laws, are urged to study the handbook "Town Meeting Time" and the By-Laws of the Town of Marblehead

Annual Town Meeting

is convened on the first Monday of May. Annual Town elections are held on the third Tuesday after the first Monday in June. Town Meeting may not be dissolved until all the articles on the Town Meeting Warrant have been acted upon.

Special Town Meetings

may be convened at any time during the year, and may even be convened within an Annual Town Meeting. Special Town Meetings are usually held to fund emergency monetary request or to approve contracts for municipal employees. Private citizens or groups may call for a Special Town Meeting by collecting the signatures of 200 registered voters and presenting their petition to the Select Board.

Town Meeting Warrant

lists all the business to be considered at Town Meeting. At Annual Town Meeting, budgets of all town departments and committees are included as an article in the Warrant. The Town Warrant must be displayed prominently in Abbot Hall and 10 other town locations prior to Town Meeting. It has also been the practice to post the Town Meeting Warrant on the Town's website at www.marblehead.org.

Warrant Articles

may be sponsored by Select Board, the various town departments, or by private citizens. To sponsor an article, citizens must acquire the signatures of 10 registered voters for an annual Town Meeting and signatures of 100 registered voters for a Special Town Meeting.

The Warrant closes to additional articles approximately 60 days before the date of Annual Town Meeting. Citizens wishing to bring business before the meeting should therefore present their article to Select Board, who will, if it presents an appropriate subject for Town Meeting, insert the article in the Warrant, well in advance of the closing date. This date is announced in local newspapers.

Quorum

for Annual Town Meeting is 300 voters. The Town Moderator may delay the convening of Town Meeting until a quorum has been reached. If during Town Meeting, a citizen questions the presence of a quorum, he may ask the Moderator for a "quorum call". If a quorum is not present and cannot be raised within a reasonable amount of time, the meeting must adjourn.

Town Moderator

Is an annually elected official. Under state law, the Moderator "presides over and regulates the proceedings, decides all question of order, and makes public declaration of all votes." Customs unique to Town Meeting permit the Moderator discretion in applying rules of parliamentary procedure, except in those cases specifically regulated by state law or local by-law. In the case particularly of citizen sponsored articles, the Moderator is available to help to frame appropriate votes and to give guidance on procedure. The Moderator also consults as needed on similar matters with Town Officials.

Town Clerk

records all motions and votes made at Town Meeting, the warrant, motions, votes and the results of town elections are published in the annual Town Report.

Finance Committee

consists of nine citizens appointed to staggered 3-year terms by the Select Board. They received no remuneration. The committee reviews the budgets of all town departments and holds hearing on all warrant articles calling for expenditures of town funds. The Committee holds a public hearing on all moneyed articles prior to Town Meeting and votes to determine whether it will recommend passage of the articles. The Finance Committee's recommendations are included in the "Report of the Finance Committee" distributed to voters on the evening of Town Meeting and Special Town Meeting. This report is also posted on the Town's website.

Conduct of the Meeting

The Moderator calls the meeting to order and first accepts a Motion to take the Articles in numerical order, which is invariably passed.

Some Articles are routine and require no discussion and the Moderator will point these out. If discussion is required, the Moderator will first call upon the sponsor or a sponsor designee to speak about the motion. The floor is then open to comments or questions from any voter present at the meeting. Such questions and comments are expected to be relevant and relatively short.

After questions have been asked and answered and differing points of view expressed, the Moderator will proceed to a vote or votes on the Article , and so on , until all the articles have been acted upon. The Moderator will explain the meaning and significance of any motions and remind citizens of the order in which votes will be taken.

To Address the Meeting

The voter should rise, stand at a microphone, and when called upon by the Moderator, give his or her name and address and say "Mr. Moderator..." , addressing opinions or questions to the moderator.

There are no regulations limiting the amount of time allowed for discussion on individual articles. The Town Moderator uses his or her best judgement regarding the length of discussion on each issue.

Amendments and Motions

may be made by citizens from the floor.

However, this is not recommended for complicated motions or amendments that significantly change a motion. Both Town Counsel and Assistant Town Counsel are present during Town Meeting and the Moderator will require that all motions and amendments be submitted in writing for counsel's opinion regarding clarity, legality, and proper parliamentary form. Questions of the merit of the motion should not arise when counsel's legal opinion is being sought.

Amendments to motions are always voted prior to the vote on the original motion.

Voting

Is usually done by a show of hands. However, state law specifies that a 2/3 vote is required for bond issues, the acquisition or sale of land, amendments to the zoning by-laws, and other matters. A 4/5 vote is required to authorize payment of the previous year's bills. In these cases, the vote must be counted by "tellers" unless the meeting can achieve a unanimous vote.

A counted vote may be requested on any motion by seven or more voters. A written vote may be requested *prior to a hand vote by nine or more registered voters*

If the Moderator or seven or more voters doubt the outcome of a show of hands, a polled vote may be called for.

Miscellaneous Information

Non-residents may be allowed to address Town Meeting upon a majority vote of the meeting. Preapproval may be arranged for non-resident Department Heads (nonvoting).

Attorneys speaking to a motion on behalf of a client must notify Town Meeting Voters of this interest before beginning their discussion.

The Moderator must always step down if any conflict of interest might arise during discussion of a motion, or if he or she wishes to speak to a motion.

During a Town Meeting that continues for several evenings, it is customary to adjourn from one evening to the next. When the business of Town Meeting has been completed, the motion made is customarily to dissolve the meeting. Once dissolved the meeting cannot be brought together again.

Motions in Order of Precedence

(the first three are not debatable)

- 1) To adjourn or dissolve
- 2) To lay on the table (this motion must be acted upon prior to final adjournment or dissolution.)

- 3) To move the previous question (required a 2/3 vote, and ends debate.)
- 4) To reconsider (this may be made by a person who voted on the *prevailing* side of the vote. A vote may be reconsidered on the same evening upon a 2/3 vote of the meeting. If notice is given of intention to reconsider, a 2/3 vote may approve reconsideration on the evening following the original vote. If no notice is given on the evening of the vote, a 9/10 vote is required to approve reconsideration on the following evening.)
- 5) To postpone to a certain time (later that evening or to another evening of the same Town Meeting.)
- 6) To commit or recommit (i.e., for further study by a committee.)
- 7) To amend
- 8) To postpone indefinitely (usually means that no further action will be taken under this article by the current Town Meeting, and in effect defeats the motion.)

Motions 7 and 8 are the most frequently used.

THE LEAGUE OF WOMEN VOTERS

The League of Women Voters is a non-partisan organization formed in 1920 and dedicated to the principles of self-government established in the Constitution of the United States. The purpose of the League is to promote political responsibility through informed and active participation of citizens in government.

Our Thanks

We extend our thanks to Town Moderator Gary Spiess and Town Administrator John McGinn for review and improvements to this updated Guide. The guide was again updated in 2023 with assistance from Town Moderator Jack Attridge.

(2016; updated 2023)

