

Participating in Westport Town Meeting

Westport's Town Meeting operates under rules laid out in State Law, our By-Laws, the book Town Meeting Time and by traditions we have developed over the years. The process can seem complex or intimidating at first glance. It isn't. Once you get familiar with them, you will see the rules are a logical way of helping us get a lot of business accomplished in an orderly way. Please read what's below, come to Town Meeting and participate. If you have any questions, please contact Moderator Steven Fors by email sfors@westportchiro.com or by telephone 508 496-8978.

For still more good info about Town Meetings in general, not specific to Westport, check out Citizen's [Guide to Town Meeting](#)- prepared by the MA Secretary of the Commonwealth's office.

The Short Version of How to Participate in Town Meeting

Town Meeting is simple. There are some complex rules, but it's the Moderator's job to know them all, not yours. Your job is just to be polite and follow the Moderator's instructions. You will get help with anything else that you need. If you want to do something and don't know how, just step to a microphone, get the Moderator's attention by saying "Mr. Moderator" and wait to be recognized. You can then ask your question or say what you are trying to do and the Moderator will do all he can to help you without embarrassing you.

If you want to know more, read on.

Understanding and Participating in Westport Town Meeting

Westport's Town Meeting operates under rules laid out in State Law, our town By-Laws and the book Town Meeting Time. What follows is a summary of those rules intended to give most people enough information to do most of what they may want to do in Town Meeting. If you have questions that are not answered here, the by-laws are available from the Town Clerk's office.

The Basics

Why Town Meeting?

Westport doesn't have an elected Congress or a Legislature like the federal and state governments do. Town Meeting is our Legislature. Town voters function like Senators or Congressmen. Town Meeting has five fundamental powers:

- Determining how the Town appropriates its money.
- Establishing and amending town laws (called by-laws).
- Accepting state statutes- some state laws and programs allow towns to "opt in" if they choose
- Approving acceptance or disposal of some town property
- Setting the salaries of elected town officials

The Cast of Characters

The Moderator- Massachusetts law says: "The Moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes,.... No

person shall address a town meeting without leave of the Moderator, and all persons shall, at the request of the Moderator, be silent. If a person, after warning from the Moderator, persists in disorderly behavior, the Moderator may order him to withdraw from the meeting, and, if he does not withdraw, may order a constable or any other person to remove him and confine him in some convenient place until the meeting is adjourned.”

The Finance Committee- is a group of nine town residents charged with studying in depth all matters before Town Meeting and giving their advice about where and how much money to spend. Their spending advice cannot be greater than the town’s anticipated income. In other words, they must present a balanced budget. Their recommendations are advice only. Town meeting ultimately decides how the town’s money is spent. The Finance Committee is an extremely dedicated, hard-working body that examines the arduous details of town finances, so voters can make well-informed decisions without poring through those details themselves. They are represented on the stage by their chairman and vice chairman. Remaining members are seated in the front row of the audience.

Also on the stage are:

- **The Town Clerk-** who keeps the official record of all Town Meeting votes as declared by the Moderator
- **Town Counsel-** the town’s attorney present for legal advice
- **The Board of Selectmen**
- **The Town Administrator**
- **The Timekeeper**

The most important character at Town Meeting and the final decision maker is the **YOU**, the voter.

The Warrant and its Articles

The warrant is a list of numbered articles that defines the business town meeting will address. It is meant to serve as a warning to all citizens of what actions the town may take at the meeting. The meeting cannot legally take any action that is not described in the warrant.

An article is essentially a question put to town meeting. The wording usually begins with “To see if the Town will.....”, followed by the substance of the article, e.g. spend X amount of money for Y purpose. Town meeting decides if the town will or will not do what the article describes. Town meeting addresses the articles in the warrant in their numbered order (unless the order is changed by a two-thirds vote of the meeting).

Dealing With a Warrant Article

Step 1: The Motion

After some introductory remarks, Town Meeting begins proceeding through its business by the Moderator announcing Article 1. If practical, the Moderator reads the article aloud. If it is too lengthy, he will read a brief summary followed by “as described in the article”. Refer to the printed warrant for the exact language. He will then ask for a motion. **The article and the motion are two related, but different, things.** A warrant article defines in general terms a matter that the meeting will address. Here is an example of how a typical appropriation article might read:

"To see if the town will vote to raise and appropriate and/or transfer from available funds the sum of \$1,000 for a new sign at Town Hall and/or take any other action relative hereto."

A motion is needed to define specifically what the town will do about this matter. Under the article above a motion could be made to:

- appropriate \$1,000 from taxation (or any other funding source) for a new sign at Town Hall
- appropriate an amount less than \$1,000 (from any funding source) for a new sign at Town Hall

These two motions fall within the "scope" of the article. Under the article above a motion could NOT be made to:

- appropriate \$1,000 from any funding source for a new sign at the fire station- the article says Town Hall, not fire station
- appropriate \$5,000 from any other funding source for a new sign at Town Hall- the article says \$1,000. Less is OK. A little more is OK. Five times as much is not.

These two motions fall outside the "scope" of the article. Who will make the motion and how it will be worded is usually arranged in advance by the Moderator and the sponsor of the article. That insures that the meeting will begin with a proper, legally worded Main Motion. The meeting is then free to amend the motion as it chooses.

Sometimes the sponsor of the article has decided they do not want the meeting to act on their article. In that case, the sponsor would make a motion to "pass over" Article 1. This means to NOT do what is proposed in the article. If seconded, this becomes the Main Motion. The meeting then votes on whether to take no action on that article and move on to the next one.

Step 2: Finance Committee Recommendation

Once a Main Motion has been made and seconded, the Moderator asks the Finance Committee for their recommendation. The Finance Committee may simply state they do or do not recommend the article. They may also provide some comment explaining their recommendation. They may also make no recommendation if the question has little or no financial implication. If the motion was to pass over, no Finance Committee recommendation is necessary.

Step 3: Discussion

Discussion of the Main Motion usually begins with the sponsor (the town board, official or group of citizens that asked to have the article on the warrant). He or she will explain why they think the action proposed is good for the town and why Town Meeting should support it. Discussion then continues with anyone who wishes to speak on the issue. During discussion, there may be other motions to amend, postpone, etc. the Main Motion. These are handled with their own separate discussion and vote after which the meeting returns to the Main Motion. Discussion continues until no one else wishes to speak or until the question is "called" (see "How to end debate" below). If you wish to speak in discussion, but don't know the procedure, see "How to speak during discussion of a motion" below.

Step 4: The Vote

When debate is finished, the Moderator calls for a vote and declares which side prevailed. More information about voting procedure can be found below in the section on participating. This four step process repeats until every article on the warrant has been addressed.

Two Exceptions:

There are two exceptions to the procedure above that we handle slightly differently

1- Multiple Line Item Articles

Several articles that come before Town Meeting that propose several line items of appropriation. A good example is the town budget article which has dozens of line items for police, fire, schools, etc. all included in one warrant article. We handle these kinds of articles like this:

- A motion is made and seconded to adopt all line items
- We hear the Finance Committee recommendation
- The Moderator reads each line item
- If voters have no discussion of that item and are in favor of it, they remain silent
- If someone wants to discuss that line item, they cry "hold"
- When all line items have been read the meeting votes to adopt all line items that do not have a "hold"
- All line items with a "hold" are then discussed and voted on individually

2- The Consent Calendar

There are several articles on the warrant that are legally necessary, but are generally non-controversial and are usually passed unanimously. To speed us on our way, we use what is called a "Consent Calendar" to dispose of several of these articles at once rather than having to deal with each individually. The procedure is this: The Moderator calls for a motion ***"that Town Meeting advance Articles number (the numbers of the Consent Calendar articles) and that these articles be adopted as recommended by the Finance Committee"***. This motion places all the listed articles before the meeting as one. While the Consent Calendar is usually passed unanimously, every voter has the right to question and debate ANY of the items there. If you do not "consent" to the Consent Calendar, rise and say so during debate.

Participating in Town Meeting

This is meant to explain how you would go about doing anything you would want to do at Town Meeting progressing from the more common and to the more obscure.

How to speak during discussion of a motion/article:

Proceed to one of the microphones. Wait to be recognized by the Moderator. If he fails to recognize you call his attention by saying "Mr. Moderator". When you are recognized, the floor is yours.

There are some very important rules for speaking at Town Meeting that **MUST** be followed.

- Wait to be recognized (given the floor) by the Moderator
- Begin by stating your name
- Speak only to the motion before the meeting at the moment
- No personal speech. This means you must address all remarks to the meeting as a whole or to the Moderator. You may question a town board or official or another Town Meeting attendee, but you must preface your question with "Through the Moderator (or the chair), I have a question for _____". You may not speak about another person.
- Rude or disrespectful speech will not be tolerated

- While all may speak on a motion as many times as they like, no one may speak twice until everyone who wishes to has spoken once
- Speakers are limited to 5 minutes
- Ten minute presentations are allowed by prior arrangement with the Moderator. Such presentations must be supported by written or projected visual aids.

How to vote on the motion/article before the meeting:

When all debate on the question is finished, or if the question is "called" (see below), the Moderator will call for a vote by saying "All those in favor will say 'aye'". If you want to vote for the question say "aye" at normal conversational volume. The Moderator will then say "Those opposed will say 'nay'", or sometimes, for brevity, just "Opposed?". The Moderator judges which side had the greater number of votes and declares whether the motion is "carried" (the ayes won) or is "defeated" (the nays won). If the Moderator is uncertain which side won, he will call for a hand vote "All those in favor will raise their hand". If the winning side is clear from visual inspection, the Moderator will so declare it. If not, the votes are then counted by sworn "tellers" who will move through the room counting raised hands. Be sure to keep your hand up until you are CERTAIN the teller has counted you. The same procedure follows for those opposed. The Moderator then announces the vote totals and whether the motion is carried or defeated.

How to ask for information you need to help you understand the motion/article before the meeting:

Approach a microphone. Wait to be recognized. State your name. "Mr. Moderator, through the chair, I have a question" if you know who you want to answer it you can continue "...for the Finance Committee, Town Counsel, etc.". You can also simply ask the question and the Moderator will assist in getting the best person to answer it. Remember ALL QUESTIONS MUST BE ASKED THROUGH THE MODERATOR. You may not question another person directly.

How to end debate on a motion/article and proceed to vote:

If you think debate has gone on long enough and is becoming repetitious, here is how you can act to stop it and bring the question before the meeting to a vote. Approach a microphone. Wait to be recognized and say "I move the previous question". Westport tradition often shortens this to "Call the question". If this motion is seconded, the meeting then votes without discussion whether to stop all debate on the previous motion/article. If 2/3 or more of the meeting vote "aye", the question is considered "called" and the meeting proceeds immediately to vote on the "called" motion/article. If less than 2/3 vote "aye" to calling the question, debate resumes. Please note, you may not speak on the question and then finish your remarks with a motion to call the question. Motion to call the question must be the ONLY thing you say on that trip to the microphone.

How to amend (change or modify) the motion/article before the meeting:

Amendment of motions is common and often very helpful. But they raise two concerns. First, is the amended language offered in proper legal form? Second, can the meeting understand the amendment well enough to consider it properly? If the amendment is very simple, changing only a word or two or a number, it can be presented verbally. If the amendment is more complex, it must be reviewed by Town Counsel and presented to the Moderator in writing. To do this, approach the stage and signal Town Counsel. He or she will meet with you at the side of the stage and help you prepare a legal written amendment that does what you want it to do. You may then approach a microphone and, when recognized, say "I move we amend the motion on the floor by (adding/deleting/changing X to Y, etc. whatever your amendment is). If your motion

to amend is seconded, the meeting will then discuss and vote on your amendment. When that vote is complete, the meeting will return to the original question in its amended form, if your amendment was voted favorably, or in its original form if the amendment was voted down.

How to question the legality or parliamentary correctness of the proceedings:

The Moderator WILL make mistakes. Sometimes they are trivial, sometimes they matter. If you see something being done incorrectly, you will do a service to both the Moderator and the meeting as a whole to point it out. Rise from your seat and say with gusto "I rise to a point of order". This is one of two situations in which you may interrupt a speaker. If the Moderator has made a mistake and the meeting is proceeding improperly, your point of order supersedes all debate. The Moderator will recognize you with "Please state your point of order". You then state what you suspect is wrong with the proceedings. The Moderator then reflects and rules upon your point of order, either agreeing with you and modifying the proceedings accordingly or disagreeing and continuing as before. The Moderator's ruling is final and not open to debate.

How to question the Moderator's declaration of the vote: If you think the Moderator declared the wrong side to have won in a voice vote: Stand and speak loudly enough to be heard "I question (or doubt) the vote". If you are joined by six other voters who also doubt the vote, a counted hand vote will be taken.

How to adjourn to the following night:

Step to the microphone. Be recognized. State your name. Say "I move that we adjourn to (the next available night for town meeting) at 7:30 PM". Town meeting begins on Tuesday and continues through Thursday, then (if fortune frowns on us) to the following Tuesday and so on until all business is completed. Please note "adjourn" does not mean "end" the meeting for the year. When all business is complete, the meeting is "dissolved". Adjournment is a recess until the next night.

How to do something you don't know how to do:

Step to the microphone. Be recognized and say what it is you would like to do. If it is legal and proper, the Moderator will advise you of the correct procedure. Be prepared for the possibility that what you want is illegal or improper. If so the Moderator will so advise you. Either way you will be treated politely and will not be intentionally embarrassed.

There are several other more obscure actions, too numerous to list here, available to Town Meeting members. The highest authority is Town Meeting Time, a small book published by the Massachusetts Moderator's Association. Copies can be ordered from:

Massachusetts Moderator's Association

P.O. Box 1795

Boston, MA 02105-1795

Some Other Important Info

What an Appropriation Is and Is Not

Town meeting appropriates the town's money. That means we set aside amounts of money that may be spent ONLY for the purpose defined by Town Meeting. If, for example, the meeting appropriates \$10,000 to buy an outboard motor for the Shellfish Warden, that money is earmarked for that purpose and can be spent for nothing else. Town Meeting does not have the power to demand that money be spent for that purpose. If the Shellfish Warden finds a way to get his needs met without the new motor, or for any other reason he chooses not to buy it, he is

within his rights and Town Meeting has no say in the matter. In that case, the next Town Meeting will usually rescind the original appropriation and the money will become available for another purpose.

How Much Can We Spend?

State law requires that Town Meeting pass a balanced budget. What that means is that when all revenue and expenses are counted, we cannot spend more on the operating budget and all money warrant articles than we take in. Because of uncertainties in both income and expenses, the Finance Committee proceeds on carefully considered assumptions in preparing the budget and their recommendations on money warrant articles. Can Town Meeting vote to spend more than the Finance Committee recommends? Yes. But here's what happens if we do:

- If, when all expenses and income are added up, we have enough MORE money than the Finance Committee estimated to cover the extra expenses we voted, all is well and everything is paid for.
- If, when all expenses and income are added up, the Finance Committee estimates prove correct or too high and there is LESS money available than we have voted to spend, we will have to return to a Special Town Meeting (probably next fall) in which we will have to make enough spending cuts to return the budget to balance.

Reconsideration

One of the parliamentary procedures described available to Town Meeting is Reconsideration. A motion to reconsider proposes to re-visit a previously voted item. If passed, it effectively annuls the previous vote and re-opens the matter to further debate and a new vote. Reconsideration has limited usefulness for a well-behaved assembly. It makes sense only to correct an error that, if uncorrected, would thwart the will expressed by the original vote. Motion to reconsider for the purpose of "re-stacking" the hall at another time to change the outcome of a vote the meeting properly debated and decided, while legal, is a "dirty trick" that runs counter to the principles and welfare of Town Meeting.

Westport has a vague, poorly constructed by-law regarding reconsideration that reads:

0209. No motion to reconsider or rescind a vote on an article, line item or any other matter shall be in order unless the intention to move for a reconsideration or rescinding is given within twenty minutes of defeat or passage of the Article and before adjournment of the session.

There is no proper parliamentary form defined in Town Meeting Time or anywhere else for "giving notice of intent to reconsider". So our procedure is this:

Announcement of intent to reconsider will be accepted as a "point of order". (see section above on "**How to question the legality or parliamentary correctness of the proceedings**"). This means a voter may arise at ANY time during the meeting, interrupt a speaker and say "Mr. Moderator, I rise to a point of order." The Moderator will respond "what is your point of order?" To which the voter may respond "I announce intention to reconsider Article X." This will meet the first requirement for reconsideration. They must then convince the Moderator that reconsideration will offer some significant value to the meeting beyond re-stacking the hall or re-hashing work already done. Failure to do so will result in the motion being disallowed.

Handouts

Printed information can be left on the table by the door for voters to read if the following rules are followed:

- Must be approved in advance by the Moderator
- Must be left on the table for optional pick up. May not be distributed by hand.
- Must identify the author(s)
- Must be informational- that is, providing facts, not making emotional appeals
- Must conform to [rules of Town Meeting speech](#)
- No other literature may be distributed within the high school building.

The Moderator is available before Town Meeting to help you with any questions.

Your questions, comments feedback and suggestions for how to make your Town Meeting better are always welcome. The Moderator can be reached by phone at 508 496-8978 or by email at sfors@wetportchiro.com.