A Citizen's Guide to Sherborn Town Meeting

Be an informed participant at Town Meeting. Here's information on….

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Town Meeting

Town Meeting is the legislative body of Sherborn. Sherborn's Town Meeting is open, not representative; all registered voters in Sherborn are automatically members of the Meeting. Because Town Meeting is a deliberative legislature, individuals must attend the Meeting in person to hear and possibly join in debate and to vote. By attending Town Meeting, we have the opportunity to participate in decisions that determine what the annual operating budget will be, what special projects will be undertaken, what bylaws will be adopted, and other agenda items that affect the quality of life in our community.

Annual Town Meeting is usually held on the fourth Tuesday in April, 7:00pm, at Lindquist Commons, Dover/Sherborn Regional School in Dover and may continue to a second night. Special Town Meetings may be called at any time.

The Warrant

The Warrant is the agenda set by the Board of Selectmen for Town Meeting. The Warrant lists all the Articles, or items of business, that will be taken up during the Meeting. Prior to the Meeting the Advisory Committee considers all the Warrant Articles and makes recommendations on each one. Advisory's Report is then mailed to all Sherborn households. It contains the legal notice of the Meeting, the text of all the Warrant Articles, the Committee's comments on each Article, and its recommendations to the voters. The Advisory Report also contains an overview of Sherborn's overall financial picture and a report from the Capital Budget Committee on short- and long-term capital spending plans.

The Town Moderator

The Moderator is elected at the Town Election in May for a one-year term. The Moderator presides over Town Meeting: calls the Meeting to order, announces each Article, recognizes those who wish to speak, regulates the discussion of each Article, decides all questions of order, and makes public declaration of all votes taken.

Rules of Debate

• No one may speak without recognition by the Moderator.
• Speakers must begin with their name and address.
• Speakers are limited to two minutes.
• No speaker may speak more than once on a motion without specific permission of the Moderator.
• Speakers must stay within the scope of the motion on the floor.
• Civility is required. Personal comments, especially those questioning or attributing motive, are out of order.
• All questions must be directed to the Moderator, who will then ask the appropriate person to respond.

Consideration of an Article

- Moderator announces article.
- Advisory Committee makes and seconds a motion regarding that article.
- Any board or public official required to make a report, does so.
- One proponent and one opponent have the opportunity, with prior approval of the Moderator, to make five minute presentations.
- Debate begins. Those who wish to speak should stand in line at a microphone and wait to be recognized. A portable mic is available upon request.
- Debate ends when Moderator announces that all who wish to speak have spoken or a reasonable time has elapsed, or when a voter calls the question (see below).
- Vote is taken and the result is announced by Moderator.

Making a Main Motion

Most main motions are made by the Advisory Committee. If circumstances call for someone else to make a main motion:

- Review of the motion by Town Counsel before Town Meeting begins is strongly advised.
- One copy of the motion must be given to the Moderator and one to the Town Clerk.
- Be recognized by Moderator. State name and address.
- State the motion, "I move that…."
- If the motion is seconded, the Moderator will give you an opportunity to state the reason for your motion in accordance with debate rules.
- Debate, vote and announcement of result proceeds as outlined above.

Amending a Main Motion

A main motion that is already being debated may be modified by amendment:

- One copy of the motion to amend must be given to the Moderator and one to Town Clerk.
- Amendments must be within the scope of the language of the main motion.
- Amendments may not reverse the intent of the main motion.
- Be recognized by Moderator. State name and address.
- State the motion to amend, "I move to amend the motion as follows…."
- If amendment is seconded, the Moderator will give you an opportunity to state the reason for your amendment in accordance with debate rules.
- No more than two amendments may be under consideration at the same time.
- Amendments are voted first, then main motion, which may/may not have been amended, is voted.

Negative Main Motion

Sometimes, the Advisory Committee will make a negative main motion to "take no action" on a specific Article.

- An "Aye" vote means that you agree with Advisory and favor taking no action on that Article.
- A "Nay" vote means that you disagree with Advisory and believe some positive action should be taken on that Article.
- If the motion to "take no action" passes (majority of "Ayes"), then that is the end of the Article.
- If the motion to "take no action" fails (majority of "Nays"), then a proponent of the Article may make a positive motion, following the procedures outlined in "Making a Main Motion."

Requesting a Point of Order

Requesting a point of order refers to the appropriateness of the **procedure** being followed, such as engaging in debate before a motion has been made.
- Any voter may state, "Mr/Ms Moderator, I speak to a point of order."
- May interrupt speaker.
- When recognized by Moderator, state question regarding procedure.
- Moderator will rule on point of order and debate may resume.

Requesting a Point of Privilege

Requesting a point of privilege refers to the **rights and privileges** of the Meeting and its members, such as the inability to see or hear a presentation.
- Any voter may state, "Mr/Ms Moderator, I speak to a point of privilege."
- May interrupt speaker.
- When recognized by Moderator, state question regarding right or privilege.
- Moderator will rule on point of privilege and debate will resume.

Moving the Previous Question

Moving the previous question is a motion to end debate and proceed to the vote.
- Be recognized by Moderator. State name and address.
- State, "I move the previous question."
- If the motion to move the previous question is seconded, the Moderator will immediately call for a vote.
- Not debatable nor may the speaker state a position on the main motion and then move the previous question.
- Requires a 2/3 majority vote to pass.

Moving to Reconsider

Moving to reconsider reopens debate and the vote on a main motion previously voted by Town Meeting.
- Be recognized by Moderator. State name and address.
- State, "I move to reconsider the motion for Article #...."
- If the motion to reconsider is seconded, the Moderator will call for debate.
- Person making motion must have voted on the prevailing side in the first consideration of the main motion.
- Motion to reconsider must be made during same session of first consideration.
- Debatable and requires a 2/3 majority vote to pass.

Moving to Take an Article Out of Order

Sherborn Town Meeting considers Warrant Articles in numerical order. A motion to take out of order either advances or delays consideration of a specific Article.
- Be recognized by Moderator. State name and address.
- State, "I move to advance/delay Article #... to position..."
- Moderator may rule motion out of order if it is perceived to be purely strategic or if it will mislead voters who arrive at a specific time expecting consideration of Articles in numerical order.
- If the motion to take an Article out of order is seconded, the Moderator will call for debate. Amendable and requires a 2/3 majority vote to pass.

Voting

- The Moderator calls for a vote after debate on each motion and declares which majority (e.g. simple, 2/3, 4/5) is needed for passage.
- Most votes are taken by voice vote, "Aye" or "Nay." Moderator declares whether motion passes or fails. Sherborn Bylaw enables Moderator to declare whether the vote was a 2/3 majority.
- If the Moderator believes that the voice vote is too close to call, the Moderator will ask for a show of raised colored cards (which each voter receives at check-in) and will declare whether the motion passes or fails.
- If seven or more voters question the Moderator's call, a counted vote will be taken. Tellers count the raised colored cards.
- 50 or more voters or the Moderator may request a secret ballot. Each voter receives ballots at check-in. The Moderator announces which ballot to use. Tellers collect and count the ballots.
- All voters must remain in their seats during vote counts.
- Moderator declares the result of all votes.

Point of No Quorum

Point of no quorum questions whether a quorum, defined by Sherborn Bylaw as 100 voters, is present.

- Be recognized by Moderator. State name and address.
- State, "I question the quorum."
- Moderator will direct tellers to count voters present.
- If quorum is present, Town Meeting continues.
- If quorum is not present, Town Meeting must adjourn to a specific day and time.
- Lack of quorum does not invalidate any prior actions taken.

Adjournment or Dissolution

Each Town Meeting is a stand-alone event which must consider and vote on all Articles in the Warrant. If the business of the Warrant has not been completed in one session, the Meeting will vote to *adjourn* to a specified time and place for a second session. Once all the business of the Warrant has been completed, the Meeting will vote to *dissolve*.

All of the rules and procedures described herein are based on Massachusetts General Laws, Sherborn Bylaws, local custom, and best practices of the Massachusetts Moderators' Association. The Moderator welcomes further questions; please ask.

Prepared by Coralinda Cobbe Lincoln, *Sherborn Town Moderator 2007-2017*
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