

A Short Guide to Town Meeting
by Alan Wilson, Town Moderator

Manchester's Annual Town Meeting will take place this year at 6:30 p.m. on Monday, April 28 at Manchester Memorial School in the gymnasium. Every year, hundreds of Manchester residents make time to attend town meeting, but many do not. Last fall, more than 900 voters attended the special town meeting. If you have never been to town meeting, please consider coming. Citizen participation makes town government work.

This guide provides a brief explanation of what town meeting does and how it functions. Residents with questions are welcome to call 978-526-4229 or send an e-mail addressed to awilson@spyrockhill.net.

What is town meeting?

Town meeting is Manchester's legislature. The meeting sets the town's budget, appropriates funds and enacts the town's governing laws – called By-laws. The Select Board on the other hand, heads the town's executive arm. Manchester has an “open” town meeting, which means that every registered voter is entitled to participate in debate and cast his or her vote. Some larger towns have “representative” town meetings: there, every voter can speak, but only elected town meeting members can vote.

One of town meeting's essential functions is to approve Manchester's budget and its share of costs for the Manchester Essex Regional School District. Although town meeting adopts the budget, it does not have authority to approve an override of Proposition 2 ½, the state law limiting spending to an annual increase of 2.5%, with an

allowance for growth. That can only be done at a town election called by the Select Board.

Town meeting itself is governed by several provisions of state law, a section of Manchester's By-laws, and by traditional practices applied over many years, including those set out in a guidebook for moderators called *Town Meeting Time*. Our By-law provides that the "annual" town meeting must take place on the fourth Monday in April each year, but under state law, the Select Board has the authority to postpone it. The Select Board may call "special" town meetings at any time, with prescribed notice to the voters. The Select Board also sets the warrant, a compilation of all the "articles" or subjects to be addressed at the meeting. Since publication of the warrant gives legal notice to the voters of the subjects to be discussed, no action may be taken at the meeting that is not covered by a warrant article.

While the Select Board writes most of the warrant articles with assistance from the administrator and town counsel, citizens may also submit articles for consideration. For the annual meeting, the Select Board must include citizen-sponsored articles stated in a petition signed by at least 10 voters. For special meetings, however, citizen petitions require 100 signatures for the article to be included. Citizens seeking to sponsor a warrant article often consult with the moderator or town administrator to make sure it's in the proper form.

The Finance Committee also plays a critical role in preparation for town meeting. It meets frequently with town departments during the winter months to assist in developing budgets. It is required by Manchester's By-law to make recommendations to the meeting on all warrant articles of a financial nature, and to publish a report, made

available to all residents, that includes the warrant articles and its recommendations. The Finance Committee report also contains the recommendations of the Select Board and the Planning Board. This makes it the best guide for voters in preparing for town meeting and in following the meeting as it unfolds. The pamphlet is distributed to all Manchester households a few days before Town Meeting. Prior to that, the warrant is posted at Town Hall, at other locations required under the By-law, and on the town website; copies are available at the Select Board's office.

How does town meeting work?

The moderator presides over the meeting, manages the discussion of warrant articles, rules on all procedural issues, and is required by state law to declare the result of votes. The moderator's ruling on matters of procedure is final – under the relevant statute, there is no appeal. Moderating therefore requires scrupulous fairness to the participants and giving all those who wish to speak an opportunity to do so, while simultaneously keeping the proceeding moving as efficiently as reasonably possible.

Town boards and committees, sponsors of warrant articles and other citizens may prepare handouts for the meeting to inform the voters about issues relevant to the warrant. Those wishing to do so should obtain permission before the day of the meeting from the moderator or town clerk. The purpose is not to review the content of documents but to make sure there are enough copies and that they are placed in the lobby and not distributed during the meeting itself, which could be distracting. It is preferable for a handout to identify its authors or, if prepared on behalf of a private organization, the group's principal officers: signed papers have more credibility than anonymous ones.

The meeting takes up the articles in order as they appear in the warrant, unless the meeting decides by majority vote to alter the sequence. Articles are not self-starting, however, but require a motion and a second. The article may be fairly general, but the motion must propose specific action and may differ from the article. It must be close enough, however, that a voter who read the article in the warrant would not be surprised by the action voted under it. For example, if the article proposed to buy one police car for \$25,000, a motion to buy five cars for \$125,000 would be out of order. The question is whether the motion is “within the scope of the warrant,” and one of the moderator’s tasks is to decide whether each motion passes this test.

Under our By-laws, the moderator can require that motions be made in writing, and we follow that practice when circumstances warrant. Written motions should be submitted in documentary and electronic form to the moderator and to the town clerk prior to the meeting if possible.

Any registered voter may speak at town meeting, provided he or she is first recognized by the moderator, and may offer a motion under an article. Non-residents, including non-resident town employees, may also attend the meeting with the moderator’s permission. Once a motion is made and seconded, another voter may move to amend the motion, provided the proffered amendment is also within the scope of the article. Our rules provide that only one “main motion” and no more than two amendments may be before the meeting at the same time. The purpose of this rule is to avoid the confusion that might result from too many proposals pending simultaneously. The meeting may close debate by a two-thirds vote – the process to do so is called the “motion for the previous question.”

The last step in the process is voting. Manchester's town meeting now votes electronically, using handsets similar to a TV remote. Electronic voting means that every vote is a secret ballot, affording privacy that many residents find desirable. An explanation of how to use the handsets may also be found on the moderator's page on the town website.

Most actions require a majority vote, but some, including borrowing, transfers of land, and most zoning amendments require two-thirds; other measures require greater "super-majorities." Part of the moderator's job is to know which quantum of vote applies to each type of action, and to explain these procedures to the voters. The meeting can reconsider action on an article after the initial vote, but under Manchester's By-law, it requires a two-thirds majority to do so, and an action may be reconsidered only once. After acting on all the warrant articles, the meeting votes to "dissolve." Once dissolved, that meeting cannot reconvene.

Please plan to attend town meeting. Town meeting is interesting – and fun. It is also important. This is where we, as neighbors, govern our town on issues that directly affect our lives. It is the essence of democracy and of community.