

April 6, 2005

Dear New Town Meeting Member,

First of all, thank you very much for deciding to run for Arlington Town Meeting, and congratulations on being elected!

I'm writing as a relatively new Town Meeting Member myself, having been elected in 2004 from precinct 9 and again in 2005 from precinct 14 (I moved). I loved my first year of Town Meeting last year, and I learned a great deal. But I found a lot of things confusing and difficult to understand. So this year, I solicited suggestions on the topic "What Does a New Town Meeting Member Need to Know?" from a number of people on the Arlington Town E-mail List. This letter is a compilation of those suggestions. It's the letter I wish I'd received before my first session of Town Meeting. I hope it helps you.

I could not have written this letter on my own. For the material that appears here, I am indebted to Town Meeting Members Stuart Cleinman (Pct 1), Gordon Jamieson (Pct 12), Alan Jones (Pct 14), Diane Mahon (Pct 14), and Brian Rehrig (Pct 8), and especially Rich Carreiro (Pct 19) for most of the material under "Making a Motion," "Voting," and "Finer Points of Parliamentary Procedure." Of course, any errors are my responsibility.

Finally, if for some reason you are not a new Town Meeting Member this year and you are receiving this letter in error, you have my apologies.

Advance Preparation

Get a copy of *Town Meeting Time* and read as much of it as you can. *Town Meeting Time* is considered by Town Meeting moderators (more on them in a bit) to be their bible for Town Meeting. The book, subtitled "A Handbook of Parliamentary Law," was written specifically to guide Town Meeting procedures. The book was written by a committee of the Massachusetts Moderators Association and was first published in 1962. The association published the third edition in 2001. To order a copy, send a check for \$25 (including postage), payable to the Massachusetts Moderators Association, to Stow Town Moderator Edward Newman, 27 Whitney Road, Stow, MA 01775. For more information, call him at (978) 897-7076.

The book can also be found in many public libraries or you might be able to borrow a copy from another Town Meeting Member.

Also read Title I Article I of the Town By-Laws, available on the web at http://www.town.arlington.ma.us/Public_Documents/ArlingtonMA_TownBylaws. This document lays out some additional procedural rules and details.

You can also obtain hardcopy of town by-laws from the Clerk's office, as well as hardcopy of the zoning by-laws and the overlay maps from the Planning Department's office.

Time spent outside of Town Meeting sessions on organizing all the paper materials you receive, reading them, and making notes, is time well spent. Last year I used a three-ring binder, but that didn't work as well as I'd hoped, because it is difficult to hole-punch the paper as fast as it comes in.

The Cast of Characters

On the stage are the Moderator, the Town Clerk, and a stenographer. Arrayed across the front center of the room, and facing you, are the Board of Selectmen, its Administrator, and the Town Counsel, the Chair and Vice Chair of the Finance Committee and its Administrator, and the Chair of the Capital Planning Committee. In the left front corner are various senior staff, typically the Police and Fire Chiefs, Library Director, DPW Director, Personnel Director, Comptroller, Director of Human Services, and Building Inspector. On the right side near the front are the Director of Planning and the Redevelopment Board. Tucked into the very right front corner is the press pool (i.e., an *Arlington Advocate* reporter).

Sitting, Standing, and Eating

When you arrive, be sure to check in at the desk located at the back of the hall. If you do not check in, your attendance will not be correctly recorded by the town clerk's office, and when your attendance record is printed in the *Advocate*, you may end up looking like a derelict member who never attends (despite your perfect attendance)!

Sit with people from your precinct or people you know. By doing this, you will feel more comfortable in the meeting. Many members have "their own seats," or at least a preferred area on the floor. There is almost always a break around 9:30 pm at the halfway point of the evening. The break is a good time to discuss with other members what they think of the current topic, since you really can't do this while in formal session. Good and well-versed seatmates are most valuable, so try not to isolate yourself off in a corner somewhere.

It can also be worthwhile to make the effort to sit in different parts of the hall different nights. Each area seems to have its own flavor, and it's instructive to overhear the variety of sideline conversations. It helps you get perspective outside your usual circle of friends.

If you have any hearing issues, try to get a seat near the PA speakers on the side walls.

If you know you have something to say about an article, it's convenient to sit near an aisle that night. If you know you're going to speak and want to get on the Speakers List and you sit in the back, either sit close to the front or walk up towards the front with your hand raised until you're recognized.

Bring sustenance: water and snacks, plus paper towels for when you spill your water, etc. But eat and drink as discreetly as possible, preferably during the break.

The Warrant (a.k.a. The Agenda) and Recommended Votes

In general, we do not proceed through the warrant in the order in which it was published, so it can be somewhat challenging to predict when a particular article will be discussed. The moderator decides the order, and generally announces at each session what the shape of things to come will be for the next session or two. Technically, of course, the meeting decides what order to do it in, but the moderator will strongly recommend a broad shape of things, and it usually goes unchallenged. That said, you always have the power, when you come up to speak, to move to table, postpone, or untable articles. If your motion passes, it's done no matter what the people up front think of it!

The four most important documents you'll be working with are the Warrant and the Reports of three Town bodies: the Finance Committee ("FinCom"), the Arlington Redevelopment Board (ARB), and the Board of Selectmen (BoS). Each of these bodies will deliver a printed report addressing those articles which fall within its purview: FinCom for all articles involving appropriation, the ARB for articles dealing with the Zoning Bylaw, and the Selectmen for essentially everything else. On a given article, one of these reports will offer a recommended vote, which becomes the motion put before the Meeting.

Note that we are not voting on the warrant articles. The warrant articles are merely agenda items. What we take action on are the recommended votes that the boards and committees make pursuant to those agenda items. What adds to the confusion is that when an article is inserted into the warrant, the text of the article is often what the board/committee/petitioner plans to put forth as a motion when the article comes up. But you are always acting on the motion and not on the article, so don't get up and complain that what some board handed out isn't the same as the text of the article.

Speaking

Town Meeting Members are normally recognized to speak in the order in which the Town Clerk and Moderator put their names onto a list. When you want to be recognized to speak, don't be shy: raise your hand high and keep it high. Don't put your hand down until you're sure you got a nod from the Moderator or Town Clerk. But also be aware that the Moderator has broad statutory authority to run the meeting as he sees fit, and can recognize people in whatever order he chooses. Now, he generally does follow the list, but he does not have to and sometimes he does not.

When your name comes up on the list of people to speak, the moderator will call on you. If your name is not known to the moderator's table, you may be recognized in the following fashion: "the gentleman/lady sitting in the third row in the red shirt." Once you are recognized by the moderator, say "Thank you, Mr. Moderator," and state your name and precinct for the record before beginning to speak to the business at hand.

Remember to speak into the microphone. The mikes, especially the ones on the lecterns up front, aren't particularly omni-directional. If they aren't right in line with your mouth, people are not going to hear you. If you're going up to the podium, when you get there, you should consider taking the mike out of its holder and holding it in your hand, especially if you are reading off a piece of paper and will be glancing down a lot. The podium in the middle seems to have the least amount of microphone "issues" and projects the best.

Don't sit down until you are done. You can keep the hand-held microphone (if you are at your seat) or stay at the podium to hear the response(s) to your comment or question. That will allow you to ask a follow-up without having to get on the list to be recognized again. If you sit down to hear the response, the moderator may still ask you if you are satisfied, but may just move on.

While speaking, you are supposed to abide by the fiction that you are speaking to the Moderator, not the meeting, and you are supposed to ask questions through him and not directly of the person you want to have answer the question. This seems to get enforced off and on by the Moderator.

Besides speaking, feel free to also ask questions, and do not give up the microphone until you are satisfied that your question has been completely answered. But there is a limit to the amount of time you can take (10 minutes in general) unless you request additional time from the body.

Making a Motion

To make a motion, you need to get on the list. Then when you get recognized, get up and talk and eventually make your motion. Unless you're moving the previous question, you may talk all you want before you make your motion. If it is anything more than a very simple amendment, strongly consider putting it down in writing, at least for the Moderator, Clerk, and Town Counsel. After giving them copies, you can still read it from the lectern.

If you plan to propose a substantive main or substitute motion, you will enhance its chances of passage if you reduce it to writing, add an explanation, and put copies of that sheet on everyone's chair no later than at the meeting at which you plan to bring it up. If your motion is more than a simple amendment, seriously consider running it by Town Counsel, preferably before the meeting. He is known to be quick to respond over email (and there's also phone and fax) to make sure your motion would actually do what you want it to do. It can be frustrating (and embarrassing) to get up there, present a motion, and then live and in full view find out about all the legal niceties and technicalities you blew.

Voting

If you wish to move the question to a vote, usually because you think we've heard enough about the current topic, you can only do that when you rise to speak. No asking of a question and then seeking to move the question; The Moderator will call you out of order faster than you can blink!

To move the question, simply rise when called, proceed to the lectern (or get the traveling microphone), and state, "Thank you Mr. Moderator," state your name and precinct, and then say, "Mr. Moderator, I move the question." If there are multiple questions pending, you might wish to also add, "and all matters before it." The moderator will then tell the meeting how many folks are still on the list and then ask the meeting to vote on whether to terminate debate.

We will first have a voice vote. The moderator will by ear declare the outcome of the vote. If he is in doubt or if at least five people demand it, we have a counted vote. In a counted vote all the "ayes" stand and are counted by tellers, then all the "nays" stand and are counted by tellers. That's the end of it unless at least thirty people demand a roll-call vote.

There are some matters, such as amending the zoning by-law or authorizing borrowing, which require a 2/3rds supermajority. In that case, a voice vote is meaningless unless it is unanimous (since lacking unanimity there is no way to know if 2/3rds was reached). The moderator will call for a voice vote. If it is unanimous, the vote is done. If the moderator believes there were more ayes than nays, he will call for a counted vote. If he believes there were more nays, he won't bother with the counted vote.

Try to stay alert as to what is being voted on. When the stack gets deep, there are multiple motions to amend, etc., it can easily get confusing. Try to take some notes for yourself to keep track of where you are, and pay attention to what the moderator is calling votes on. If you are too confused, talk to a seatmate and failing that rise to a point of order and ask.

Printed Materials

To distribute printed information to other Members, there are a few standard methods:

- Mail it to them. This has the disadvantage of taking time and money, but it gets to all Members, not just those who show up on a given night.
- If it's very time-sensitive (such as if it pertains to the article the Meeting is in the middle of discussing, or is expected to take up that evening), enlist a couple of friends and put a copy on each seat before the meeting begins.
- If it's not quite so critical, place a supply on the table at the back of the hall.

Either way, the material must identify its source, so be sure to include your name and precinct on the document. Information without attribution is met with general scorn and derision.

Remember to check the table at the back of the hall yourself each night when you arrive for the meeting when you enter for new information left by others. Critical reports by Town committees are sometimes distributed in this fashion.

Always give a copy to the Moderator as a courtesy, and to the BoS, Counsel and other officials who sit at the front of the room.

Some Finer Points of Parliamentary Procedure

Points of Privilege and Points of Order

To quote from *Town Meeting Time* (pp. 123-124 of the 2001 edition): "Questions [points] of privilege relate first to the rights and privileges of the meeting collectively, its safety, dignity and the integrity of its proceedings; and second to the rights, reputation and conduct of the...Town Meeting Members, individually in their capacity as...members."

Town Meeting Time goes on further to say that in Town Meeting, questions of privilege related to the meeting collectively generally are things like temperature, being unable to hear, etc. There is also the sub-category "question of personal privilege," where someone attacked by a speaker engaging in personalities may protest, though as the book points out, the Moderator should make it moot by telling the speaker to quit it.

A "point of order" is really a question about procedure. It would be used in cases such as being confused on what is being voted on, wanting to know the quantum of vote, and so on. It is also used as an assertion or hint to the Moderator that he has made a procedural error. "Point of information" seems to be something that has developed, as it isn't mentioned in *Town Meeting Time* or the by-laws. It seems to be used when someone wants to pop up and give some tidbit of information to the meeting.

For points of privilege and points of order, you are supposed to stand up (you're allowed to interrupt the speaker) and say "Mr. Moderator, I rise to a point of X" and then be quiet until the Moderator says you can speak.

Substitute Motions

The motion to substitute is essentially a special case of the motion to amend. It is used to wipe out the motion under discussion and replace it with your motion in one shot, instead of amending the original motion in a zillion places. It is often (but by no means only) used when the recommended vote is for no action to be taken but someone wants something to happen. The person will move that the motion for “no action” be substituted for by a motion that the town vote to do X.

The motion to substitute is its own motion, so we must first vote on the motion to substitute. If that passes, the original main motion of no action is replaced with a new main motion to vote to do X. Then we have to vote on the main motion. This seeming “double vote” is often confusing to people, especially when the subject matter requires a 2/3rds vote.

As an example, the ARB may recommend no action on some zoning article, but some TMM wants a zoning change under that article. So he makes a motion to substitute a vote to do X. The motion only needs a simple majority to pass. If it passes, we now vote on the main motion, which is now a motion to vote to do X. But since this is a zoning article, that requires a 2/3rds vote. The vote to substitute is often confused with the vote on the main motion.

Conclusion

If you have already seen Town Meeting on Cable TV, or attended sessions previously, then perhaps you have already figured out most of the above advice. If not, then much of it will make more sense after you have attended your first few sessions. Most everyone at Town Meeting is enthusiastic about what we are doing and will help you if you ask for it. Don't be afraid to ask! And once again, welcome, and see you on Monday, April 25th for the first session!

Sincerely,

David S. B. Coletta
TMM, Precinct 14

P.S. If you have specific questions or suggestions about the material in this letter, do not hesitate to contact me, and I will do my best to answer your question or direct you to someone who can. The best way to reach me is by email at david@colettas.org, or you may call me at (781) 643-0027.