TOWN OF LONGMEADOW
SPECIAL TOWN MEETING
January 17, 2019 – 7:00 p.m.
Longmeadow High School

WARRANT

COMMONWEALTH OF MASSACHUSETTS, HAMPDEN, ss
To Katherine Ingram, Town Clerk, or any of the Constables of the Town of Longmeadow, in said County:

GREETINGS:
In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the Inhabitants of the Town of Longmeadow, qualified to vote in elections and Town affairs, to meet in the GYMNASIUM of the LONGMEADOW HIGH SCHOOL in said Town on THURSDAY, the 17th day of JANUARY, 2019 at 7:00 p.m. o’clock in the evening and if the GYMNASIUM of the LONGMEADOW HIGH SCHOOL, shall not, in the opinion of the Moderator, be adequate to contain such Inhabitants who shall meet, then to meet also in and such other locations in the LONGMEADOW HIGH SCHOOL as the Moderator deems appropriate, at such time and place then and there to act on the following articles to wit:

ARTICLE 1.
To see if the Town will vote to amend the Home Rule Charter to grant registered voters the power to recall elected officials in the Town of Longmeadow according to the petition as printed on the handout or amended at Town Meeting, or take any other action relative thereto.

Petition Attachment Handout
Mr. Patrick J. O’Shea moves: that the Town requires the Town Clerk to immediately submit to the State Legislature, the bill as printed on the handout or amended at Town Meeting, to grant registered voters the power to recall elected officials in the Town of Longmeadow.

An Act Providing for Recall Elections in the Town of Longmeadow

Be it enacted by the Senator and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The Home Rule Charter of the Town of Longmeadow, as appearing in Articles 1 through 9, as amended by the said Town under the provisions of 43B of the General Laws, is hereby further amended by inserting the following Article 10:

ARTICLE 10

RECALL OF ELECTED OFFICIALS

(a) Holders of elected offices in the town of Longmeadow described by Article 3, Section 3-3 of this Longmeadow Home Rule Charter may be recalled from office for any lawful reason by the registered voters of the town as provided in this Act.

(b) Using a citizen’s petition form, a petitioner having the signatures of two hundred or more registered voters may file an initial recall affidavit containing their names and addresses with the Town Clerk. The affidavit shall also contain: (i) the name(s) of the officer(s) whose recall is sought; (ii) the offices(s) sought to be recalled; and (iii) a statement of the grounds for recall.
(c) Within 14 days of receipt of the initial recall affidavit, the Town Clerk shall verify the signatures on the initial recall affidavit. If the affidavit is found to contain a sufficient number of signatures, the Town Clerk shall deliver within 14 days, to the petitioner who submitted the affidavit, a formal numbered printed recall petition sheet with the Town’s official seal, and addressed to the select board with demand for recall.

(d) The Town Clerk shall fill out the top portion of each recall petition sheet stating the name(s) of the elected official(s), the office(s) of the elected official, the grounds for recall in the petition, and the date the petition is delivered to the first 10 registered voters. A copy of the recall petition shall be entered in a record book to be kept in the office of the Town Clerk.

(e) Exact copies of the petitions may be made for the collection of signatures. A copy of the recall petition and the name of the petitioner shall be delivered to the elected official, whose recall is sought, on the date the recall petition is delivered to the petitioner.

(f) The registered voters that filed the affidavit shall have 30 days from the date of delivery of the recall petition sheets to file the signed recall petition sheets with the Town Clerk and board of registrars, which shall contain the signatures, names and street addresses of at least 75 percent of the total number of persons who voted at the most recent annual town election.

(g) The Town Clerk shall within 10 business days certify the number of signatures that are names of registered voters in the town.

(h) The petition shall also require the select board to hold an election of a successor to the office.

(i) If a sufficient number of signatures have been certified, the Town Clerk shall certify the recall petition, and submit the recall petition with the Town Clerk’s certification to the select board without delay. The select board shall immediately give written notice of the receipt of the certificate, either by hand or by certified mail, return receipt requested, to the person holding an elected office sought to be recalled.

(j) If the person holding an elected office does not resign within 7 days after receipt of the notice, the select board shall immediately order an election to be held on a date fixed by them not less than 60 days and not more than 90 days after the date of the select board’s order; provided, however, that if another town election is scheduled to occur within 100 days after the date of the certification, the select board may, at their discretion, hold the recall election on the date of the scheduled town election. If a vacancy occurs in the office after a recall election has been ordered, the election shall proceed as provided in this Act.

(k) An officer sought to be removed by recall election may be a candidate to succeed in that office. The nomination or other candidates, the publication of the warrant for the recall election and the conduct of the same shall be under the General Laws relating to elections, unless otherwise provided in this Act.

(l) The officer sought to be removed shall continue to perform the duties of the office until the recall election, unless they resign their position. If the officer is not recalled, the office shall continue in office for the remainder of the unexpired term subject to recall except as provided in this Act. If the officer is not re-elected in the recall election, the officer shall be considered removed from the office immediately.
(m) The ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer) (office held)
Against the recall (name of officer) (office held)

(n) There shall be an appropriate place for the voters to vote for either such propositions, and above said proposition, there shall appear the direction “Vote for one.” Under the propositions shall appear the word “Candidates” and directions to voters required by the General Laws, and beneath this, the names of the candidates nominated listed alphabetically as herein provided.

(o) On the ballot, the above said propositions shall be provided individually for each officer and office considered in the recall election.

(p) If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes shall be elected to hold office for the remainder of the unexpired term. If a majority of the votes cast on the recall question is in the negative, the votes cast for candidates to fill the potential vacancy shall not be counted.

(q) No recall petition shall be filed against an elected officer of the town within 3 months after an officer takes office. In the case of an elected officer subjected to a recall election and not recalled, a recall petition shall not be filed against that officer until at least 12 months after the election at which the recall was submitted to the voters of the town.

SECTION 2: This Act shall take effect upon its passage.

Summary: To vote to amend by adding Section 10 to the Home Rule Charter to grant registered voters the power to recall elected officials in the Town of Longmeadow according to the petition as printed on the attached handout or amended at Town Meeting.

ARTICLE 2. Citizen Petition
To see if the Town will vote to transfer from the 2019 School Operations Budget the sum of $2,000,000 or a greater or lesser sum as amended at Town Meeting, to an account under the control of the Select Board called the Select Board Reserve for School Expenditures from which transfers can only be made by a majority vote of the Select Board upon a written request of the School Committee detailing reasons for the transfer request supported by a majority of the vote of the School Committee, or take any other action relative thereto.

Summary: To vote to transfer from the 2019 School Operations Budget the sum of $2,000,000 or a greater or lesser sum as amended at Town Meeting, to an account under the control of the Select Board called the Select Board Reserve for School Expenditures from which transfers can only be made by a majority vote of the Select Board upon a written request of the School Committee detailing reasons for the transfer request supported by a majority of the vote of the School Committee.

ARTICLE 3. Citizen Petition
To see if the Town will vote to amend the Home Rule Charter to grant registered voters the power to recall elected officers in the Town of Longmeadow according to the petition as printed on the attached handout or amended at town meeting, or take any other action relative thereto.
Petition Attachment Handout

Mr. Patrick J. O'Shea moves: that the Town requires the Town Clerk to immediately submit to the State Legislature, the bill as printed on the handout or amended at Town Meeting, to grant registered voters the power to recall elected officers in the Town of Longmeadow.

An Act Providing for Recall Elections in the Town of Longmeadow

Be it enacted by the Senator and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The Home Rule Charter of the Town of Longmeadow, as appearing in Articles 1 through 9, as amended by the said Town under the provisions of 43B of the General Laws, is hereby further amended by inserting the following Article 10:

ARTICLE 10
RECALL OF ELECTED OFFICERS

(a) Holders of elected offices in the town of Longmeadow described by Article 3, Sections 3-3, 3-4, 3-5 and 3-6 of this Longmeadow Home Rule Charter may be recalled from office for any lawful reason by the registered voters of the town as provided in this article.

(b) Using a citizen’s petition form, a petitioner having the signatures of two hundred or more registered voters may file an initial recall affidavit containing their names and addresses with the Town Clerk. The affidavit shall also contain: (i) the name(s) of the elected officer(s) whose recall is sought; and (ii) office(s) sought to be recalled; and (iii) a statement of the grounds for recall.

(c) Within 7 days of receipt of the initial recall affidavit, the Town Clerk shall verify the signatures on the initial recall affidavit. If the affidavit is found to contain a sufficient number of signatures, the Town Clerk shall deliver within 14 days of the initial recall affidavit, to the petitioner who submitted the affidavit, a formal numbered printed recall petition sheet with the Town’s official seal, and addressed to the select board with demand for recall.

(d) The Town Clerk shall fill out the top portion of each recall petition sheet stating the name(s) of the elected officer(s), the office(s) of the elected officer, the grounds for recall in the petition, and the date the petition is delivered to the first 10 registered voters. A copy of the recall petition shall be entered in a record book to be kept in the office of the Town Clerk.

(e) Exact copies of the petitions may be made for the collection of signatures. A copy of the recall petition and the name of the petitioner shall be delivered to the elected officer(s) whose recall is sought, on the date the recall petition is delivered to the petitioner.

(f) The registered voters that filed the affidavit shall have 45 days from the date of delivery of the recall petition sheets to file the signed recall petition sheets with the Town Clerk, which shall contain the signatures, names and street addresses of at least fifteen percent (15%) of the registered voters in the town including at least 50 registered voters from each precinct.

(g) The Town Clerk shall within 7 days certify the number of signatures that are names of registered voters in the town.
(h) The petition shall also require the select board to hold an election of a successor to the office.

(i) If a sufficient number of signatures have been certified, the Town Clerk shall certify the recall petition, and submit the recall petition with the Town Clerk’s certification to the select board without delay. The select board shall immediately give written notice of the receipt of the certificate, either by hand or by certified mail, return receipt requested, to the person holding an elected office sought to be recalled.

(j) If the person holding an elected office sought to be recalled does not resign within 7 days after receipt of the notice, the select board shall immediately order an election to be held on a date fixed by them not less than 60 days and not more than 90 days after the date of the select board’s order; provided, however, that if another town election is scheduled to occur within 100 days after the date of the certification, the select board may, at their discretion, hold the recall election on the date of the scheduled town election. If a vacancy occurs in the office after a recall election has been ordered, the election shall proceed as provided in this article.

(k) An elected officer sought to be removed by recall election may be a candidate to succeed in that office. The nomination or other candidates, the publication of the warrant for the recall election and the conduct of the same shall be under the General Laws relating to elections, unless otherwise provided in this article.

(l) The elected officer sought to be removed shall continue to perform the duties of the office until the recall election, unless they resign their position. If the elected officer is not recalled, the elected officer shall continue in office for the remainder of the unexpired term subject to recall except as provided in this charter. If the elected officer is not re-elected in the recall election, the elected officer shall be considered removed from the office immediately.

(m) The ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer), (office held)

Against the recall (name of officer), (office held)

(n) There shall be an appropriate place for the voters to vote for either such propositions, and above said proposition, there shall appear the direction “Vote for one.” Under the propositions shall appear the word “Candidates” and directions to voters required by the General Laws, and beneath this, the names of the candidates nominated listed alphabetically as herein provided.

(o) On the ballot, the above said propositions shall be provided individually for each elected officer and office considered in the recall election.

(p) If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes shall be elected to hold office for the remainder of the unexpired term. If a majority of the votes cast on the recall question is in the negative, the votes cast for candidates to fill the potential vacancy shall not be counted.
(q) No recall petition shall be filed against an elected officer of the town within 3 months after an elected officer takes office. In the case of an elected officer subjected to a recall election and not recalled, a recall petition shall not be filed against that elected officer until at least 12 months after the election at which the recall was submitted to the voters of the town.

SECTION 2: This act shall take effect upon its passage.

*Summary:* To vote to amend by adding Section 10 to the Home Rule Charter to grant registered voters the power to recall elected officers in the Town of Longmeadow according to the petition as printed on the attached handout or amended at town meeting.
Town Meeting Rules of Procedure
Moderator Rebecca M. Townsend

Welcome! Longmeadow Town Meeting is conducted in accordance with the Commonwealth of Massachusetts General Laws, our Charter, Bylaws, Town Meeting Time, tradition, and Moderator discretion and policies. Wherever possible the Moderator will explain to Town Meeting her rulings, keeping in mind the flow of the deliberation and an eye on the clock.

Attendance
1. Longmeadow registered voters are allowed on the floor of Town Meeting. Visitors and the press must be seated in the designated areas.
2. Once voting has begun and is in process, no one is to be allowed into the Town Meeting room(s). Voters should stay until the vote is called.
3. There will be no distribution, dissemination, or solicitation of any materials of any kind within Town Meeting without first obtaining permission from the Moderator.

Speech
1. All questions and discussions must be directed through the Moderator.
2. To speak to an issue at Town Meeting, wait to be recognized by the Moderator and identify yourself by name and address.
3. Be brief. Speakers are encouraged to add new points to the deliberation as opposed to repeating what others have already stated. Speech must be civil, respectful, and ethical.
4. People in line who have not yet had a chance to speak will be given preference over repeat-speakers whenever feasible. A voter may speak twice on a given issue and shall wait until others have had an opportunity to speak before he or she speaks a third time (except for clarification or explanation). Any speaker wishing to speak a fourth time must gain approval of Town Meeting.

Motions
1. All motions for amendments must be in writing. The motion is then available for general deliberation— in favor, opposed, or questions.
2. Remember to listen closely to the motion as orally stated. Articles printed in the warrant provide a “warning” to voters about what will be presented. Motions may vary slightly from the printed article in the warrant, and must be within the scope of the article. The motion activates the warrant article; voters vote on motions, not on warrant articles.
3. After a motion has been made and seconded, the chief proponent of the motion speaks first, followed by a representative from appropriate Town Boards, who state the board’s majority opinions, if applicable.
4. Non-debatable motions (e.g., to move the previous question/come directly to a vote, or to lay or remove from the table) must be made directly after speaker identification. If such a motion comes at the end of a speech, it will be ruled out of order.

Votes
1. Only those registered voters issued a colored card may vote at Town Meeting. Voters shall raise this card so that it may be seen by the Moderator.
2. Town Meeting voters must be seated in order to have their votes counted.
3. If there is a question or doubt about the result that the Moderator announces, that doubt should be raised immediately after the announcement. A voting card count shall be conducted.
   a. Counted votes will be conducted by tellers appointed by the Moderator.
   b. Tellers will work in pairs and only count in the section assigned to them. One will have a hand-clicker. The other will have a clipboard, pen, and tally sheet.
   c. Voters must pay attention to the directions the tellers make. They will instruct voters in a given row to raise their cards at a given time and will individually count each section. They will compare the subtotal immediately. If there’s a discrepancy, they will recount that section right away, otherwise they will move on to the next row.
d. Each pair of tellers will report their section’s total votes to the Moderator via a microphone. The Moderator, Clerk, and Town Counsel will tally the votes, and the Moderator will announce the outcome.

- For a listing of relevant laws, please see “Massachusetts Laws About Town Meetings”
- Citizens may also consult to the Secretary of State’s Office for the “Citizen’s Guide to Town Meetings” http://www.sec.state.ma.us/cis/cistwn/twnidx.htm
- Town Charter: http://www.longmeadow.org/documentcenter/view/1549
- Longmeadow’s Bylaws: http://www.longmeadow.org/282/Town-Bylaws

Relevant Sections of the Bylaws
3-313. Order and Decorum. The Moderator has the duty to preserve order and decorum in a Town Meeting and to this end he has authority to direct a police officer or constable of the Town to do any act that he believes is appropriate.

3-316. Precedence of Motions. When a question is before a Town Meeting, the Moderator shall not receive a motion that does not relate to that question, except a motion to adjourn or some other motion that is privileged in its nature. The Moderator shall not receive a motion relating to the question except: (a) A motion to lay on the table; (b) A motion for the previous question; (c) A motion to postpone to a time set; (d) A motion to commit or re-commit; (e) A motion to postpone indefinitely; or (f) A motion to amend. These motions have precedent in the order in which they are here arranged. The Moderator shall permit debate upon the merits of the main question upon a motion to postpone indefinitely or upon a motion to amend.

3-317. Motion to Cut Off Debate. The Moderator shall not receive a motion to cut off debate on any motion that is before a meeting until at least five (5) voters have spoken for, and five (5) voters have spoken against, the pending motion; but if fewer than five (5) voters have asked to speak for or against the pending motion, the Moderator may receive a motion to cut off debate after the voters who have asked to speak, not to exceed five on either side, have had an opportunity to do so.

3-318. Limits on Speech. Except when the Moderator has recognized a voter for the correction of an error or to state an explanation, a voter is not entitled to speak more than two (2) times on one question until others who have not spoken have had an opportunity to do so, and a voter is not entitled to speak more than three (3) times on one question, without first obtaining leave of the meeting to do so.

3-319. Written Motion. The Moderator has the authority to require that a motion be reduced to writing.

3-321. Use of Names. The Moderator is authorized to refer to a person by name for the purpose of identification or recognition; but otherwise, one person shall not refer to another person by name in a Town Meeting.

3-322. Debate Question. A person who desires to ask of another person a question relating to debate shall put the question to the Moderator.

If citizens have more questions about Town Meeting, please contact rtownsend@longmeadow.org

“Stand up to be seen. Speak up to be heard. Sit down to be appreciated”
--John Wheeler, Moderator, Plymouth, VT for 28 years
(cited by Frank Bryan in Real Democracy)
AND you are hereby directed to serve this Warrant by posting attested copies thereof in five (5) public places in said Town fourteen (14) days, at least, before the time of holding said meeting.

HEREOF fail not and make due return of the Warrant with your doings thereon unto the Town Clerk at or before the time of holding said meeting.

Given UNDER our hands this 28th day of December, 2018, A.D.

SELECT BOARD OF LONGMEADOW

Mark Gold, Chair Person

Marie Angelides, Vice Chair Person

William Law, Clerk

Richard Foster

Thomas Lachiusa

I hereby certify that the above has been duly posted in All 5 (Five) Precincts

________________________   __________________________
Constable (month and day)