

2020 Special 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. If citizens have questions about Town Meeting, please contact rtownsend@longmeadow.org.

Rules of procedure for the 2020 Special Town Meeting require modifications to accommodate public health and safety. These are the rules as of September 28, 2020. Should other procedures be required, the Moderator will provide updates and explain at Town Meeting.

It is important to limit the time exposure spent in a large group gathering indoors as much as possible. Your cooperation will be greatly appreciated.

Attendance

1. If you are sick, or show signs of illness, you should stay home.
2. All people who enter the Longmeadow High School will be required to have a mask covering their nose and mouth. Masks will be provided if you do not bring your own covering. Face shields may be worn in addition to, but not in place of, a mask.
3. You will keep at least 6' distance between you and others who are not from your household.
4. There will be certain pathways where you will be able to walk, with a one-way directional flow. Please look for signs and follow directions from staff.
5. Longmeadow **registered voters** are allowed on the floor of Town Meeting. Visitors and the press must be seated in the designated areas. In most Town Meetings, children are welcome and may sit with parents or guardians. Given the pandemic, we are trying to keep Town Meeting primarily to voters and respectfully ask that unless absolutely necessary, children stay home.
6. Once voting has begun and is in process, no one is to be allowed into the Town Meeting space, even though doors will remain open to preserve ventilation. Voters should stay until the vote is called.
7. Non-voter visitors, town or school employees, with the exception of the Town Clerk, Town Counsel, Town Manager, Superintendent of Schools, and police officers on duty, may only be present in the auxiliary room.

Location

1. Because of the need to keep physically distant, room capacity will be lower than is typical. We will have a **main room (Gymnasium), and satellite rooms (currently set for the Cafeteria and the Auditorium)**. These rooms will have seating separated by at least 6 feet distance, with a limited number of seats in pairs for members of the same household.
 - a. The capacity is Gymnasium: 200, Cafeteria: 77, Auditorium: 63.
 - b. If needed, we will open up other spaces (e.g., Business Technology Center) to accommodate additional voters should they arrive.
 - c. If participants anticipate the possibility of speaking, they are encouraged to arrive early so they may be seated in the Gym.
2. There will be an **Assistant Moderator** in each of the auxiliary rooms. They will keep order in those rooms and call votes, reporting to the Moderator in Gym via electronic means.
3. Restrooms will have limited capacity. Please adhere to the posted guidelines and staff directions regarding capacity.
4. Hand sanitizer will be provided.

Speech

1. Masks must be worn over the nose and mouth at all times, even while speaking.
2. All **questions and discussions must be directed through the Moderator**.
3. To speak to an issue at Town Meeting, **wait to be recognized by the Moderator and identify yourself by name and address**.
4. **Be brief**. Speakers are encouraged to speak only to **add new points** to the deliberation as opposed to repeating what others have already stated. Most speech should be ≤ 2 minutes.
5. **Speech must be civil, respectful, and ethical**.
6. Speakers may **speak from any room**.
 - a. Each room will be connected with a computer and video conferencing software to allow for speakers from one room to be seen and heard by voters in the other rooms.
 - b. Our practice has been to rotate among people speaking in favor, opposed, and with questions. We will start from those in the Gymnasium, then the Cafeteria, then the Auditorium. The Assistant Moderator will send the Moderator a message about whether there is someone seeking recognition from that room.
 - c. If there is no one seeking recognition in either or both of the auxiliary rooms, we will continue the rotation within the Gymnasium.
 - d. Please avoid touching the microphones.
 - e. People in line who have not yet had a chance to speak will be given preference over repeat-speakers whenever feasible.

- f. 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.
7. There will be **no distribution, dissemination, or solicitation of any materials** of any kind within Town Meeting without first obtaining permission from the Moderator.

Motions

1. 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 article; voters vote on *motions*, not on warrant articles. Remember to **listen closely to the motion as orally stated**.
2. 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.
3. All motions for **amendments must be in writing and submitted to the Moderator**. Should there be an amendment from the auxiliary room, the speaker will provide the amendment to the Assistant Moderator, who will provide it to a Counter to transmit it to the main room. All those who handle the sheet should use hand sanitizer before and after. The motion is then available for general deliberation—in favor, opposed, or questions.
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.
5. Some motions require explanation.
 - a. **Motion to consider as a consent agenda** (as a group): Sometimes motions ask the voters to consider more than one article at a time. This is done to save time. If this motion is made and seconded, the Moderator will call out the article numbers in the proposal. Any voter who wants to **consider an article separately will call out “hold,”** and the Moderator will remove that article from the consent agenda. Voting will proceed for the motion to approve (or reject) all the articles in the group.
 - b. **Motion to Call the Question:** This motion seeks to end debate. By Longmeadow’s bylaws (**3-317**), “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.” [If a voter believes that enough information has been heard to make a decision, she or he may move to “call the question” and bring the motion to a vote. This means that if there are 10 people in line to speak in favor (or opposed) to a motion, and no one who wishes to speak on the other side, a motion to call the question becomes in order once five have spoken. A motion to call the question is not debatable. Should two-thirds of voters approve a motion to call the question, a vote on the main motion is taken immediately.]
 - c. **Motion of Doubtful Legality:** Votes on motions at Town Meeting are subject to review by the Commonwealth’s Attorney General’s Office. Should Town Counsel advise in a preliminary review of the warrant articles, that a particular article could not be approved if moved as printed in the warrant, he or she will make that information available to voters at Town Meeting. Voters may still vote on it. They are cautioned that it may not have the effect of law but nevertheless express the will of the Meeting.
 - d. There are many **other kinds of motions and procedures**. Should any voter want to understand how to take a certain action, or what something means, she or he could call or email the Moderator in advance, or ask on the floor when the issue arises.

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. The **Moderator and Assistant Moderators will assess the result in each of the meeting rooms and declare, in that room, what their assessment is**. Each Assistant Moderator in each auxiliary room will document their assessment of the voting result on each motion. The Moderator and Assistants will be in communication via cell phone regarding their assessments. Votes may be unanimous, simple majority, or some other amount. The Moderator will announce the call for the meeting.
 - a. For **unanimous** votes: “The motion is approved with a Unanimous Affirmative vote,” or “The motion fails with a Unanimous Negative vote.”
 - b. For motions requiring a **simple majority** vote, the assessment may be “The motion is approved with a Majority Affirmative vote,” “The motion fails by a Majority Negative vote.”
 - c. For motions requiring a **different quantum** for approval, e.g., two-thirds vote, “The motion is approved with a Two-Thirds Majority Affirmative vote, by declaration” or “The motion fails to achieve a Two-Thirds Majority Negative vote.”
 - d. If there is a **difference between the assessment** in the Gymnasium and that of the Cafeteria, and/or Auditorium, the vote will depend on the numbers of votes in each room.
 - i. If there is a **clear difference between the rooms**, the Moderator will call the vote based on what the majority of the vote is. For example, if the Gymnasium (with 200 people) has a unanimous vote to approve, but the

auxiliary rooms (77 and 63, totaling 140) have a mixed or negative vote, the motion to approve will receive a majority affirmative vote decision.

- ii. If there's a **rough split** between Yes and No votes in the Gymnasium, and a similarly close call in the others, we will need to conduct a card-count.
4. 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 upon doubt by seven voters.
- a. **Counted votes** will be conducted by tellers appointed by the Moderator. 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.
 - b. **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.
 - c. We will count and report all "Yes" votes first. Then we will count and report all "No" votes. 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" <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-subj/about/townmeeting.html>
 - 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.

"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*)