

TOWN OF BECKET

Minutes

Town Meeting ByLaw Review Committee

12/04/2012

(APPROVED 1/14/2013)

Members Present: Bruce Garlow, Rob Gorden, Ann Krawet, Jeanne Pryor

The meeting began at 3:05 p.m. It was moved and seconded to approve the minutes of 11/13/12 and the motion passed unanimously. The committee reviewed and discussed selected portions of Town Bylaws and Town Meeting Guides and indicated with a Y (yes) or N (no) as to whether or not the item is relevant to Becket and further study is needed. The list below notes the result of the review and relevant comments in bold.

Abington

TM Bylaws

Y [§ 152-3. Use of checklist for admission to meetings.](#)

Y [§ 152-5. Voting on amendments involving money.](#)

Y ? [§ 152-6. Reconsideration of motions.](#)

Y [§ 152-8. Order of articles in Warrant.](#)

All petition articles, when received by the Board of Selectmen, shall be referred to the Town Clerk and Registrars of Voters for checking as to the correctness of signatures.

Y [§ 152-9. Order of consideration of articles.](#)

use Town Meeting Time

N [§ 152-10. Voting on salary increases.](#)

Acton

TM Bylaws

Y ? [A6. Reconsideration of Vote](#)

Acushnet - TM Handbook (copy available)

Adams - nothing new

Andover

TM Bylaws

Y [§ 7. Dissolving Town Meeting.](#)

No Annual or Special Town Meeting shall be dissolved until all of the Articles contained in the warrant for such meeting shall have been acted upon thereat.

Y ? [§ 8. Disclosure of interest in matter under discussion.](#)

N [§ 10. Consideration of street acceptances under single article.](#)

Y [§ 12. Form of petitions.](#)

Explain how petition works in proposed guide. Jeanne to research petition form.

Arlington

TM Bylaws

Y Section 11. Assistant Moderator

Suggest Moderator may appoint an Assistant Moderator; voter in town.

Ashburnham, Ashby, Athol, Ayer, Barre, Belchertown, Belmont (RTM), Boylston, Billerica (RTM) - nothing new

Ashland

TM Bylaws

Y [§ 63-9. Prohibition of meeting on Election or Town Meeting dates.](#)

Select Board should schedule town meeting on night when no other board meets.

Bedford

TM Bylaws

Y Section 2-8 [Petitioners' Advisory Committee](#)

Select Board or Town Administrator make sure petitioned article will affect what the petitioners actually wants; consult with town counsel?

Y ? [Town Meeting Vote by Consent](#)

Y ? [Attendance of Town Officials](#)

Bellingham

TM Bylaws

N Section 4.07.080. [Amending Amendments To Motions](#)

Motions described in Town Meeting Time

Berkley

TM Bylaws

Y Section 5 The Constable or other person duly appointed to serve the warrant for a Town Meeting or Election shall, within twenty-four (24) hours, deliver to the Town Clerk the original warrant with his return endorsed thereon stating fully the manner in which he served the same.

Current bylaw doesn't refer to Constable. Discussed whether complete text of warrant is needed in mailing and decided to use current practice.

N Section 11 The Town Clerk shall provide and have in readiness for use at town meetings a sufficient supply of "Yes" and "No" ballots. Such ballots shall not be distinguished from each other in size, shape, color, paper, ink, in size and style of type, or in any other way which would make it possible to distinguish what was printed on said ballot other than by examination of the word printed thereon.

Blandford

TM Bylaws

Y I.D. Seven days before Town Meeting a post card is to be mailed to all residents as a reminder that the Town Report is on the Website and to request in writing if you would like a Town Report mailed to you.

Bruce noted that at the recent Select Board meeting the mailing of the warrant was discussed. The correctness of the term Select Board (Selectboard) was discussed as it does not appear in the Town Bylaws and there is inconsistency in the use of both Select Board and Board of Selectmen.

Bolton

TM Bylaws

N 1.2.5 The Moderator shall have the power to require persons who are not registered voters to identify themselves and leave the floor of the hall when he shall deem this action necessary.

Bourne

TM Bylaws

Y ? Section 1.1.10 Sponsor of Articles. Each article submitted to the town meeting for vote shall at the conclusion thereof state the identity of its sponsor. In the case of a town board or committee: its name shall be so stated, in the case of a town official: his or her name and title or position shall be so stated, in the case of a private petition on behalf of a firm, organization or other entity: its name shall be stated: and in all other cases: the first signatory to the petition shall be considered the sponsor thereof.

The Committee discussed how to address who should disclose due to financial or ethical reasons.

Boxborough - nothing new

Boxford

TM Bylaws

N [§ 36-7. Unexpended and unencumbered appropriation balances.](#)

Brimfield

TM Bylaws

N 3.7 Article for Assessor's List

Canton

TM Bylaws

Y ? Section 8. [Conduct of Speakers](#)

Carlisle, Carver, Charlton, Chilmark, Cohasset, Concord, Conway, Cummington

- nothing new

Dalton

TM Bylaws

N [§ 309-3. Appearance before Finance Committee.](#)

Deerfield, Dennis, Douglas, Dover, Dracut, Dudley, Duxbury, Essex, Fairhaven, Falmouth (RTM), Foxborough, Freetown, Grafton, Great Barrington, Groton, Groveland
- nothing new

Dunstable

TM Bylaws

Y §4. Upon check in, voters shall be issued a voting card for that meeting which must be held up for all hand votes on articles, whenever a hand count is required. Only those voters holding cards shall be included in the count.

N §6. The Clerk shall give to each person elected or appointed at any Town Meeting to any Town Office, board or committee notice in writing of such election or appointment stating the names of each of the other members of any such board or committee and the general nature of the duties thereof.

Georgetown

TM Bylaws

N § 141-11. [Report by Town Accountant.](#)

Maynard

Town Bylaws

N Section 1A: Town Meeting shall be notified by posting an attested copy of the warrant calling the same, one at the Post Office, and at each of the ten (10) other public places in Town, seven (7) days at least before the day appointed for said meeting.

Y ? Section 7: A vote shall be reconsidered only upon a motion by a voter who was present at the vote on the article in question. Any motion to reconsider a vote shall be made within 30 minutes of the time the result of that vote is announced. A vote of two-thirds of the voters present and voting is necessary in order to reconsider an article previously voted upon. No article can be moved for reconsideration more than once during any given town meeting. The result of a vote on a motion for reconsideration shall be final.

N Section 8: No person shall speak more than twice upon any question without first obtaining leave of the meeting, except to correct an error, or make an explanation, nor until all others who have not spoken upon the question, and desire to do so, shall have an opportunity.

Moderator would accept a point of order to correct an error

Y ? Section 11: No motion to lay a matter on the table, the previous question or to postpone indefinitely shall be in order until a motion has been made under an article and a reasonable amount of discussion has taken place.

N Section 11A: When a question is under debate, motions may be received to lay the matter on the table, the previous question, to postpone indefinitely, to postpone to a certain time, to commit and to amend, which several motions shall have precedence in the order in which they are herein enumerated, and the first two shall be decided without debate.

N Section 12: A vote to receive the report of a committee shall place the report before the meeting but not discharge the committee. A vote to accept a report of a committee with or without amendments or modifications shall discharge the committee.

The Committee discussed the lack of committees created at Town Meetings but noted that the Select Board should be responsible for giving a charge to committees they create with an end date to all committees they appoint.

N Section 13: Articles in the warrant shall be acted upon in their order unless directed by vote of the meeting.

N Section 14: Unless otherwise determined by the Town Meeting as specified below, a secret written ballot vote shall be taken for the adoption of any and all articles or amendments thereto where the article or amendments concerns or is related to any of the following subject matters.....

Discussed how often secret ballots have been used and agreed we should use Town Meeting Time to fix the method of voting (majority vote).

Monterey

Town Bylaws

Y Section 4. Motion to Reconsider

The Moderator shall permit only one motion to reconsider any vote of the Town taken at the same meeting. Any subsequent motion for the reconsideration of the same vote shall not be received.

Y Section 6. Mailing of Warrants

The Town voted to direct the Select Board to mail the Warrants for all Annual and Special Town Meetings to all registered voter households of the Town by the cheapest mailing through the U.S. Post Office, and to set aside monies for this mailing by means of a separate line item in the Town's budget.

Discussed that a budget for Town Meetings is needed for advertising, equipment, etc.

N Section 7. Town Meeting Warrants

2. To see if the Town will vote to authorize any Town Board to appoint any member thereof to another office or position for the term provided by law (if any) otherwise for the term not to exceed one year, and fix the salary and compensation in accordance with Chapter 41, Section 4A, of the General Laws, or take any other action relative thereto."

New Marlboro

Town Bylaws

N 1.4 The Moderator shall decide all votes. If a two-thirds (2/3) vote is required, the Moderator may declare and record the vote as meeting the requirements; providing however, that if a vote so declared is immediately questioned by three (3) or more voters, the Moderator shall verify the vote by polling the voters. In current Town Meeting Bylaw.

Otis

Town Bylaws

N 1.4 Town Meeting 2/3 majority declared by Moderator. In current Town Meeting Bylaw.

Hadley

Town Bylaws

Y § 68-4. Appointment to boards and committees. The Moderator shall not appoint himself or herself to any board or committee in Town

Randolph

Town Bylaws

Y 31-3 Cutting off debate

Y 31-5 Reconsideration

Y 31-9 Must provide context when amending a bylaw or accepting a law

Raynham - nothing new

Reading

Town Bylaws

Y 2.2.2 Attendance by town officials

Y 2.2.5 State of the Town

Our Finance Committee usually provides a financial report for the town at Town Meeting. Perhaps Selectmen should provide state of town in their Annual Report. The Committee should check current Becket By-laws and MGL, and/or Town Report.

Rehoboth, Rochester, Rockland, Rockport, Rowe, Rowley, Royalston - nothing new

Russell

Town Bylaws

N Section 5 h) Every motion shall address the Moderator, standing with uncovered head.

Y Section 5 k) All questions asked of any person shall be asked through the Moderator.

Rutland, Salisbury Sandisfield, Sandwich, Savoy, Scituate, Seekonk - nothing new

Sharon

Town Bylaws

Y Section 7. A motion to reconsider.....

Time limit or Moderator's discretion?

Shelburne, Sherborn, Shirley, Shrewsbury, Shutesbury, Somerset, South Hadley, Southampton - nothing new

Southborough

Town Bylaws

MAYBE 41.45 The Moderator shall hold no other elective or appointive Town office.

Would this apply to a standing or ad hoc committee? Check ethics for Moderator.

Southwick

Town Bylaws

N 20-16 No one shall be allowed to stand up to the interruption of another, except for an incidental motion, or pass unnecessarily between the Moderator and the person speaking.

Spencer, Sterling, Stoneham, Stow, Sturbridge, Sudbury, Sunderland - nothing new

Sutton (RTM)

Town Bylaws

N 3.4 All Boards and committees are to keep a record of attendance for all town meetings and make them available to the Board of Selectmen.

Swampscott - nothing new

Templeton

Town Bylaws

Y Section 16 A motion to "pass over" an article.....

TMT does not give opportunity to pass over (i.e. Zoning bylaw, defeating article would mean waiting 2 years to bring article back)

Tewksbury

Town Bylaws

Y 2.04.012 Spells out procedure for reviewing the budget by Moderator reading headings and having voters call out "debate" (in Becket, "hold")

Permissive or shall?

Y 2.04.015 Consent calendar procedure

Y 2.04.070 Requires that town meeting minutes be included in town report

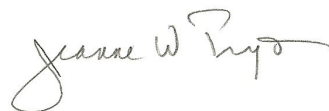
See if our Town Bylaw currently addresses this.

Tisbury - nothing new

Bruce noted that there are more town bylaws (T-Z) to be reviewed; Bruce and Ann will work on this. The material needs to be compiled into a master list of subject matters, eliminating the No's. The Committee continued discussion about sound equipment needs for town meeting. Ann discussed the school's equipment and details of mixer and other equipment needed including a wireless microphone to share on each side of the moderator and two for the audience, microphone stands for floor and tables. The school only has the capability to use 2 microphones and they have 1 speaker. To accommodate meetings both at the school and at Town Hall, the Committee agreed that we will need a mixer with 4 jacks, 4 wireless microphones, 2 tall floor stands, 2 desk stands, and 2 speakers. Bruce reported on the meeting with the Select Board concerning increasing town meeting participation. The Board did not want to mail Town Reports due to the cost but it should be put on town website. They agreed on doing a pre-town meeting with a candidate question period. The Committee feels that ATM warrants should continue to be mailed and we should consider mailing STM warrants. There should be better warrant article explanations. The suggestion for volunteer babysitting was discussed and Rob will contact the Girl and Boy Scouts about this and also ask them to consider being available at town meeting to carry microphones. The question of having drivers for seniors to attend town meetings was discussed; Rob will ask the town if a town vehicle could be used for this purpose. The town budget calendar was addressed and a date for receipt of petitioned articles should be added.

The next meeting was scheduled for January 14, 2013, at 1:00 p.m. The meeting was adjourned at 5:15 p.m.

Respectfully submitted,



Jeanne W. Pryor

List of documents discussed and/or distributed at meeting:

1. Talking Points for Dec. 4, 2012 meeting (Towns A-G)
2. Town of Maynard By-Laws, Chapter 1, Town Meeting
3. Ann's notes on town bylaws from Monterey, New Marlboro, Otis, Newton, Hadley, Bedford
3. Talking Points December 4, 2012 (Randolf-Tisbury)
4. Interim Report on Increasing Town Meeting Participation, Nov. 28, 2012