

TOWN OF BECKET

**Minutes**

Town Meeting ByLaw Review Committee

2/11/2013

(APPROVED 3/4/13)

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

The meeting began at 1:00 p.m. It was moved and seconded to approve the minutes of 1/14/13 and the motion passed unanimously.

The committee continued the review and discussion of "Bylaws from Other Towns Master List" and indicated with a Y (yes) or N (no) as to whether or not the item, with possible changes in wording, should be included in the Committee's proposed bylaw changes. The list below notes the result of the review and relevant comments in bold.

DUTIES OF MODERATOR/CONDUCT OF MEETING

N 1- Moderator has option of reading entire article or summarizing it

Y 2-The then-current edition of Town Meeting Time, A Handbook of Parliamentary Law, shall prevail in such matters not covered by law, or in these General By-laws for conducting the business of any town meeting.

N 3-The proceedings of Town Meetings shall be conducted in accordance with the handbook of parliamentary law, "Town Meeting Time" published by the Massachusetts Moderators Association, the traditions in Brookline and these by-laws.

N 4-The duties of the Moderator not especially provided for by law, or by these bylaws, shall be determined by the rules and practices contained in "Town Meeting Time."

CONSIDERATION OF BUDGET

N 1-At the call of the Budget, the Moderator shall call out the heading of each Budget Classification and if any voter wishes to speak on any Budget Classification he/she should call out "debate" ("hold")

ASSISTANT/DEPUTY MODERATOR

Y 1-The Moderator shall appoint by May 1 a Deputy Moderator for a one year term.

N 2-Each year at the Annual Town Meeting, the Town Meeting Members shall elect one of their number to serve as Assistant Moderator for a term of one year, or until his or her successor is elected and qualified. Whenever the Moderator is unavailable, the Assistant Moderator shall preside at Town Meeting. In addition, the Assistant Moderator shall assist the Moderator in the performance of his or her other duties, as the Moderator may direct.

## AMENDMENTS INVOLVING MONEY

N 1-In conducting Town Meeting, on the proposed amendments involving sums of money the larger of the largest amount shall be put to the question first, and an affirmative vote thereon shall be a negative vote on any smaller amount.

## PASSING OVER AN ARTICLE

**HOLD** 1-A motion to "pass over" an article contained in the warrant shall not be entertained until a motion incorporating the substance of said article is before the meeting and at least one voter has spoken in favor thereof, unless, after a reasonable opportunity to do so, no voter makes such motion or speaks in favor thereof. A motion to "pass over" shall be debatable as to its merits, but not to the merits of the article itself.

## ENDING DEBATE

N 1-No parliamentary motion shall have the effect of cutting off debate on any question unless all sides have had a reasonable opportunity of hearing both sides of that question

## ADJOURNMENT/DISSOLUTION

Y 1-No Annual or Special Town Meeting shall be dissolved until all of the Articles contained in the warrant for such meeting shall be considered.

Y 2-Town meeting may be adjourned **to a date certain** from time to time without the presence of a quorum

## TOWN REPORTS

Y 1-Requires that town meeting minutes be included in town report

Ann read some other Town Bylaw examples and has information about Guides from other towns. Handouts at town meeting were discussed. The committee agreed that the new bylaw should include a section with wording such as, "All informational materials relating to articles on the town meeting warrant shall be placed on a table outside of the hall and away from the check-in table. This should include other information that may not relate to the town meeting warrant, including the Annual Town Report. The voter card and warrant should be picked up at the check-in table."

It was suggested that the TM ByLaw Review Committee charge may need to be revised as we probably won't be done work by this coming ATM.

The committee reviewed "Proposed Bylaws Not Found in Other Towns, Feb. 11, 2013."

1. *Who's budget is it? It starts with the department heads, gets handled by the administrator and recommended by the Finance Committee, but the warrant itself is the responsibility of the Selectmen. If there is a single person or entity responsible for the budget, who is it?*

There was discussion as to whether or not it was the Finance Committee's or the Selectmen's. The warrant is the responsibility of the Selectmen.

2. *How to handle motions on appropriations, i.e., will a motion increasing the amount stated in an article be in order? It has been tradition, according to former Selectman Jackie Young, to*

*allow a motion up to the amount requested by the department head, notwithstanding the Selectmen or Finance Committee recommendations. Neither the Mass. General Laws nor Town Meeting Time address this. Some towns place a cap on how much an appropriation can be raised over the amount shown in the article, such as ten percent above the amount. In other towns there's no limit on how much an amount can be increased and in some towns there's no posted amount in the warrant at all.*

Following discussion, the Committee agreed that the current system is untenable. A vote was taken to no longer peg it by tradition to a department head request. The vote passed with Rob abstaining. It was voted unanimously to allow a motion that would increase the amount recommended by the Finance Committee by an amount not greater than 5%.

3. *Town Counsel must review all articles and ballot questions.*

This should be done as normal operating procedure. The Committee agreed that it would be more appropriate to have this as a Board of Selectmen policy. Jeanne said that she is proposing a recommendation to the Board concerning this and petitioned articles.

4. *How do we handle the following, through bylaw, rule or practice?*

- *location*
- *no sitting on bleachers*
- *dividing the check-in list, more checkers*
- *police officer details*
- *separation of voters and non-voters, minor children*
- *use of microphones*

Recommendations to address these items should be developed for the Select Board to consider; check state election laws.

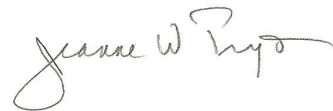
At the next meeting, the following items will be discussed:

- Parliamentary Guide
- Bylaw, Pembroke: Section 5
- Petitioned articles

Rob noted that he had not yet heard back anything definite from the scouts. Ann gave information to Democratic Town Committee members about using the town vehicle to drive seniors to polls.

The next meeting was scheduled for March 4, 2013, at 1:00 p.m. The meeting was adjourned at 3:15 p.m.

Respectfully submitted,



Jeanne W. Pryor

List of documents discussed and/or distributed at meeting:

1. Other Town Bylaws Master List, January 14, 2013
2. Proposed Bylaws Not Found in Other Towns, Feb. 11, 2013
3. Parliamentary Guide sheet
4. PEMBROKE: SECTION 5 Bylaw