



Town Meeting Member's Handbook

**Prepared and Updated by
Members of the Standing Committee on Rules
with Input from the Town Moderator**

April, 2015

“Town Meetings demand a commitment of time, energy, effort, large quantities of imagination, a sense of humor, some intelligence combined with a good dose of common sense and fair play, a pinch of patience and most of all, a deep appreciation of the worth of self-government and what it takes to make it work.”

**Town Meeting Members
are Responsible for:
Learning about the Issues
Attending Town Meetings
Voting on Motions**

Above quotes from: Town Meeting Members Handbook, Second Edition,
(no year given, probably 1970s)

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Foreword

This is a revised handbook with changes, corrections and updates in **bold**.

This Handbook is a summary document for Town Meeting Members, new or incumbent. In addition, the Handbook provides basic, useful information to all Town residents for an understanding of the structure and functions of our Town Government. The Handbook should not be used in lieu of the official Town Bylaws and other documents.

The Handbook is based on information from Chapter 143 of the Acts of 1949 establishing representative town meeting, Chapter 29 of the Acts of 1996 establishing a Selectmen-Town Manager form of government, MGL Chapter 40 dealing with cities and towns, Town Bylaws, and Town Meeting practices developed over the years.

Your comments on the Handbook provide a valuable resource for better understanding of what needs to be added or revised. Community response from participating citizens is also vital to maintaining the quality of the Handbook. We ask for your comments regarding discrepancies and editing errors, as well as for new information that will add to the usefulness of the Handbook which is a constant work-in-progress.

Introduction

Framingham was incorporated in 1700. The first Town Meeting was held and Town officers elected on August 5, 1700. A representative form of Town Meeting was established in Framingham by vote of the Town and Commonwealth of Massachusetts in 1949¹ and put into operation in 1951.

In 1996 the Selectman-Town Manager Form of Government was adopted by the registered voters of Framingham and approved by the legislature.² This act was amended last in 1998 to establish a Chief Financial Officer.³

Town Meeting is conducted in accordance with the Statutes of the Commonwealth of Massachusetts. Laws that are applicable to all municipalities are binding on the Town and the Town must recognize the responsibilities that such laws impose. For example, the Municipal Finance Act (which spells out financial procedures for local government); fiscal autonomy of School Committees; the Zoning Act (which authorizes local control of land use); and the Public Employees Collective Bargaining Act cannot be altered by local action.

In addition, the Town operates under bylaws passed by Town Meeting and approved by the Attorney General and is guided by "Town Meeting Time, A Handbook of Parliamentary Law."⁴

¹ Chapter 143 of the Acts of 1949 (Chapter 143), An Act Establishing in the Town of Framingham, Representative Town Government by Limited Town Meetings

² Chapter 27 of the Acts of 1996, (Chapter 27) An Act Establishing a Selectman-Town Manager Form of Government.

³ Chapter 27, §12 as amended by Chapter 333 of the Acts of 1998

⁴ Town Bylaws, Article II, §9.2

The Warrant

1. A warrant is a notice to all citizens of the Town of the Articles (**agenda**) that will be acted upon by the Town Meeting.⁵ Every Town Meeting shall be called in pursuance of a warrant.
2. The warrant must state the time and place of the Town Meeting.
3. The Board of Selectmen gives notification of every Town Meeting **in one issue of a newspaper of general circulation in the Town that** the warrant is available at the Town Hall, at the Town Libraries, and on the Town website. The warrant will be published at least seven days before the date of the Annual Town Meeting and at least fourteen days before the date of a Special Town Meeting. The Chief of Police/Constable shall post copies of the Warrant in ten or more public places in the Town eight days before the date of any Town Meeting.⁶
4. **At least twenty-one days before the first adjourned session of the Annual Town Meeting for the election of town officers and determination of ballot question, and at least fourteen days before the date of a Special Town Meeting, the warrant, together with motions and background material for all warrant articles shall be made available to all Town Meeting Members by mail or some other means of acceptable delivery.**
5. Every action taken at the Town Meeting must be pursuant to an article in the warrant and must be within the scope of the article. Warrant articles are interpreted in a liberal manner and not with strictness or rigidity. However, there are reasonable limits to the scope which may be given an article.
6. Since the purpose of the warrant is to apprise the voters of the subject matter to be considered at the Meeting, the article must include a description of the subject matter that provides the voters with substantial and intelligent notice of the nature of the business to be acted upon. The article need not contain details or an accurate forecast of the precise action which the meeting will take.
7. At Town Meeting the Moderator will rule, if requested, on whether a motion comes within the scope of an article. Generally, the budget article is considered to have a broad scope and to allow discussion of every phase of a department's operations.
8. A citizen may have an article placed in the Annual Town Meeting warrant by obtaining the signatures of ten (10) registered voters and submitting said article to the Board of Selectmen. A citizen may have an article placed in the Special Town Meeting warrant by obtaining the signatures of one hundred (100) registered voters and submitting said article to the Board of Selectmen. The signatures must be verified by the Board of Registrars. It has been the policy of the Board of Selectmen to accept an article from a town committee without requiring signatures. The sponsor must appear before the Chief Financial Officer prior to consideration of the article if any appropriation is involved. See publication for further information.
9. No warrant can be dissolved until after all articles contained therein have been acted upon.

Legislative Branch: Town Meeting⁷

1. The General Laws of the Commonwealth provide that Annual Town Meetings may be held in February, March, April or May. The Town bylaws provide that the Annual Town Meeting shall be held on the first Tuesday in April and that no later than December 1st of the preceding year, the Board of Selectmen may upon the recommendation of the Town Clerk change the date of the election by one week, either to the preceding or succeeding Tuesday. Special Town Meetings may be held at such times as the Selectman may order⁸. Meetings may be adjourned from time to time, and to any place within the Town⁹.

⁵ MGL, Chapter 39, §10

⁶ Town Bylaws, Article III, §1.5

⁷ Town Bylaws, Article III

⁸ MGL, Chapter 39, §9

⁹ Town Bylaws, Article III

2. The Town bylaws provide that all business of the Annual Town Meeting, other than the election of officers and referendum issues, shall be deferred to an adjournment to be held on the fourth Tuesday of April thereafter. Adjourned sessions, when required, will be held on the next Wednesday and Thursday and on Tuesday, Wednesday and Thursday nights thereafter until the warrant is dissolved. At the first Tuesday session of Annual Town Meeting, or at any subsequent adjourned session, Town Meeting may, by a two-thirds vote adjourn to a future date certain, which date must be a Tuesday, Wednesday or Thursday.¹⁰
3. A Fall (Special) Town Meeting shall be held on the third Tuesday of October. Adjourned sessions, when required, will be held on the next Wednesday and Thursday and on Tuesday, Wednesday and Thursday nights thereafter until the warrant is dissolved. At the first Tuesday session of a Fall Town Meeting, or at any subsequent adjourned session, Town Meeting may, by a two-thirds vote adjourn to a future date certain, which date must be a Tuesday, Wednesday or Thursday.¹¹
4. The Board of Selectman may call a Special Town Meeting on its own authority. Upon submission of a petition bearing two hundred valid signatures of registered voters, the Selectman must call a Special Town Meeting. The signatures must be verified by the Board of Registrars.
5. The Town Clerk is required to post notice of the time and place of an adjourned Town Meeting in Town Hall and on the town web site by 12:00 noon on the day following the beginning of the adjourned session. The Town Clerk must give immediate notice of pending reconsideration by notifying the local daily newspaper.¹²
6. The Town bylaws specify that a quorum of 80 members must be present before the Meeting can transact any business. Any Town Meeting Member within the sound of the gavel may be counted by the Moderator in ascertaining that a quorum is present. Thereafter, the Moderator is entitled to assume that a quorum is present unless and until the presence of a quorum is doubted.¹³
7. Generally the hour of adjournment is no later than 11:00 P.M. except that any article or motion under discussion may be carried through to a vote. Discussion on a new article should not begin after 10:30 P.M.
8. Town Meeting actions must be pursuant to an article in the warrant and must be within the scope of the article. 'Matters incidental to and connected with the article are proper for consideration and action'.¹⁴
9. There are three indispensable elements of a Town Meeting:
 - a. Town Meeting Members
 - b. Town Moderator
 - c. Town Clerk

Town Meeting Members

1. New candidates for Town Meeting must file nomination papers, signed by not less than twenty-five voters in the precinct in which the candidate resides. The papers must be filed with the Town Clerk no later than five o'clock on the twenty-eighth day preceding the Annual Town election¹⁵. Town Meeting Members who desire to run for re-election do not need to obtain signatures if they notify the Town Clerk of their intent by the deadline. The Town Clerk mails forms for this purpose.
2. The Town bylaws provide that "the Annual Town Meeting for the election of officers and Town Meeting Members shall be held the first Tuesday of April" unless changed by order of the Board of Selectmen¹⁶ and that the polls shall open at 7:00 A.M. and shall remain open until 8.00 P M.¹⁷

¹⁰ Town Bylaws, Article III, §1.3

¹¹ Town Bylaws, Article III, §1.4

¹² Town Bylaws, Article III, §1.5

¹³ Chapter 143, §6

¹⁴ MGL, Chapter 39, §10

¹⁵ Chapter 143, §4

¹⁶ Town Bylaws, Article III, §1.1

¹⁷ Town Bylaws, Article III, §1.2

3. The membership of the representative Town Meeting consists of twelve registered voters elected in each of eighteen precincts which results in a total membership of two hundred and sixteen.¹⁸
4. At each Annual Town election, the registered voters in every precinct elect four Town Meeting Members from their precinct for a term of three years. After every election, the Town Clerk shall notify by mail the Town Meeting Members who were elected. In the event of a vacancy, the person who received the highest number of votes as a defeated candidate for Town Meeting in the preceding election in the precinct where the vacancy occurs is then declared elected to fill the vacancy and is so notified by the Town Clerk. If this candidate cannot accept, the next person on the list is declared elected, or if no such candidate exists, the remaining representatives from the precinct elect any registered voter of the precinct to fill the vacancy¹⁹.
5. When a town meeting member moves from one precinct to another precinct, or moves from the town, and a resident of the town notifies the town clerk of the move, the town clerk shall verify that the town meeting member no longer resides²⁰ in the precinct and, after verification, shall declare the position vacant.
6. Each Town Meeting Member should provide their telephone number and email address to the Town Clerk who will post this information on the town website with the list of Town Meeting Members. This will provide a way for residents to contact the Town Meeting Member.
7. If a Town Meeting Member is not able to attend any Town Meetings he/she should resign from Town Meeting by sending a written note to the Town Clerk. This allows another person to be elected by the precinct members to represent the precinct. If a Town Meeting Member has not attended any session of Town Meeting during a calendar year, the Town Clerk will declare that position vacant. (See item 3 in the section on Attendance.)

The Moderator

1. The Moderator is elected for a term of one year.
2. The powers and duties of the Moderator²¹ are to:
 - a. preside over the Town Meeting and regulate the proceedings-including manner of seating whether at tables or in sections.
 - b. decide all questions of order (See Table 1 in the section on Motions)
 - c. make public declaration of all votes (See section on Voting.)
 - d. appoint committees as authorized by the Town bylaws or by vote of the Town Meeting Members. The committees appointed by the Town Moderator are listed in the Appendices at the end of this Handbook.
 - e. manage the order of speakers at Town Meeting.²² Only those recognized by the Moderator may speak. The Moderator may order the removal of a person who persists in behaving in a disorderly manner (See section on Town Meeting Procedures.)
3. If the Moderator is absent, or wishes to speak as a citizen, or has a personal interest in the outcome of an article, the Town Meeting Members will elect a temporary Moderator as a substitute for the elected Moderator.
4. The Moderator may consult with the Town Counsel on difficult legal questions. If the Moderator asks for an opinion in an open meeting, then the Moderator should be prepared to follow it.

¹⁸ Chapter 143, §2, as amended Under Chapters 207 and 488 of the Acts of 1976

¹⁹ MGL, Chapter 143, §3

²⁰ MGL, Chapter 143, §5 as amended by the Acts of 2004

²¹ MGL, Chapter 39, §15

²² MGL, Chapter 39, §17

The Town Clerk²³

1. The Town Clerk is elected for a term of three years.
2. The duties of the Town Clerk pertaining to Town Meeting are to:
 - a. swear in newly elected Town Meeting Members.
 - b. maintain the attendance record for Town Meeting Members.
 - c. record all votes taken on main motions, amendments, and resolutions whether passed or failed by the Town Meeting, as declared by the Moderator.
 - d. bind and keep one or more copies of the Annual Report which includes the Town Meeting Journal.
 - e. furnish the various Town officers, boards and committees a copy of such actions of Town Meeting that affects them, immediately after the Town Meeting.
 - f. receive minutes from committees, boards, and commissions, note the receipt of these minutes, cause them to be posted on the Town website, and deliver them to the Framingham Public Library for storage and public view. If after 45 days from the date of a posted meeting of a committee, board or commission, the Town Clerk has not received a copy of the minutes of a posted meeting, then the Town Clerk shall notify the chairperson of the committee, board or commission that the minutes have not been received.

Executive Branch: Selectmen²⁴

1. The executive powers of the Town are vested in the five-member Board of Selectmen.
2. The Board is empowered to enforce laws and orders of the Town. The Board will maintain a record of their acts.
3. The Board sets broad policy for the Town and issues statements and guidelines to be followed and implemented by all Town departments.
4. Except as otherwise provided by General Laws, the Board of Selectmen is the licensing authority of the Town.
5. The Board of Selectmen shall appoint the Town Manager and the Town Counsel. The Selectmen shall establish all boards, committees, and commissions and appoint their members except as otherwise provided by bylaw or vote of Town Meeting.

The Town Manager²⁵

1. The Town Manager is the Chief Administrative Officer of the Town and acts as the agent of the Board of Selectmen.
2. The Town Manager is responsible to the Board of Selectmen for the proper operation of the affairs of the town.
3. The Town Manager, under the policy direction of the Board of Selectmen, appoints and directs all other officers of the Town.
4. The Town Manager is responsible for the administration of all departments and functions of the Town. The responsibilities of the Town Manager are defined by Chapter 27 of the Acts of 1996,²⁶ the bylaws of the Town, votes of the Town Meeting, and the votes of the Board of Selectmen.

²³ Town Bylaws, Article II, §3

²⁴ Chapter 27, §3 and §4

²⁵ Chapter 27, §5 through §9

²⁶ Chapter 27

5. The Town Manager may reorganize, consolidate, or abolish any Town department, office, agency or function with the concurrence of the Town Meeting.
6. In accordance with the Personnel Bylaw, the Town Manager, with the concurrence of the Board of Selectmen, shall appoint the Assistant Town Manager, Police Chief, Fire Chief, Chief Financial Officer, and the Human Resources Director. The Town Manager shall appoint the Director of Public Works, the Director of Parks and Recreation, Director of Health, Treasurer-Collector, Town Accountant and officers and employees for which the Town Manager is responsible. All appointments shall be based upon merit and fitness.
7. The responsibilities and duties of the Town Manager are to:
 - a. administer and adopt personnel policies, compensation plan and related matters for all Town employees. The compensation plan is defined by the Classification Plan which is Schedule A of the Personnel Bylaw.²⁷
 - b. administer all collective bargaining agreements, except for the School and Library Department.
 - c. establish the compensation of all Town employees and officers appointed by the Town Manager within the limits established by appropriation and any applicable compensation plan and or collective bargaining agreements.
 - d. negotiate all contracts with Town employees over wages and other terms and conditions of employment, except for the School Department. The Board of Selectmen must approve such contracts.
 - e. bring the compensation pay plan to Town Meeting for approval.
 - f. oversee the functions and statutory duties of the Chief Procurement Officer as performed by the Assistant Town Manager
8. The Financial responsibilities of the Town Manager are delegated to the Chief Financial Officer. These duties and responsibilities are listed in the discussion about the Chief Financial Officer.
9. The Town Manager, in support of the Board of Selectmen, prepares the Town Warrant. The Town Manager shall, as soon as practicable after articles for a Town Meeting have been filed, refer each article to an appropriate standing committee and Moderator-appointed committee by transmitting a copy to the chair thereof. In addition, the Town Manager should request that the sponsor of each article provide a draft of the main motion that will be made under the article and send a copy to the appropriate standing committee Chair and to the Chair of relevant Moderator-appointed committees.
10. The Town Manager prints the Annual Report which includes reports from town departments and town boards, committees and commissions and the Town Meeting Journal.

The Chief Financial Officer²⁸

1. The Chief Financial Officer (CFO) is appointed by the Town Manager with the concurrence of the Board of Selectmen for a term of three years. The CFO heads the Department of Finance. This department is responsible for the functions and statutory duties of the offices of the Town Accountant, the Town Treasurer, the Town Collector, and the Town Assessors. Their departments are divisions under the Department of Finance.
2. Responsibilities and duties of the CFO are to:
 - a. coordinate and manage the town-wide annual operating and capital budget process for all town departments, officers, boards, committees and commissions.
 - b. compile for all town departments, officers, boards, committees and commissions, their operating and

²⁷ Town Bylaws, Article IV
²⁸ Town Bylaws, Article II, §19

- capital budgets.
 - c. present budget recommendations to the Finance Committee.
 - d. present the capital budget recommendations to the Capital Budget Committee.
 - e. receive, evaluate and provide recommendations to the Finance Committee of all requests for transfers from the Town's Reserve Fund.
 - f. present motions on the budget articles to town meeting.
 - g. Report at each Annual Town Meeting on:
 - i. Finance Committee transfers,
 - ii. Land acquisition costs,
 - iii. Mitigation funds received and unexpended,
 - iv. Authorized but not completed Capital Budget projects.
 - h. Report at the Fall Town Meeting on the long-term financial forecast.
3. All requests for insertion of articles in warrants for Town Meetings, which involve the expenditure or appropriation of money, shall be referred to the Chief Financial Officer. This includes requests by the Town boards, committees, commissions or by Town officers or by citizens' petitions. The Chief Financial Officer, after due consideration, shall recommend that Town Meeting approve or disapprove, in whole or in part, the expenditure or appropriation involved. Further, the CFO shall notify the board, officer or committee which submitted the request for the article, as well as the Board of Selectmen of such recommendations or suggestions.
4. When an expenditure or appropriation is sought by the Board of Selectmen for a department or matter under the control of said Board, any proposal for such expenditure or appropriation shall be submitted to the Chief Financial Officer for inclusion in the budget as herein provided. No appropriation may be made under the report of any of the Town boards, committees, or commissions unless the report has been previously submitted to the Chief Financial Officer.

Town Counsel²⁹

1. The Town Counsel is appointed by the Board of Selectmen for a term of three years.
2. The Town Counsel may review a warrant article sponsored by a board, committee, commission, or by a department of the Town, provided that it has been approved by the board, committee, or commission or by the Town Manager.
3. Sponsors of warrant articles may submit, in writing, to the Town Counsel for review, motions proposed to be offered under warrant articles.³⁰
4. Access to Town Counsel by boards, committees, and commissions may be determined by policies and procedures issued by the Board of Selectmen. Often this requires that the board, committee, or commission vote to request the opinion of Town Counsel. Access to Town Counsel by town meeting members should be made through the Town Manager.
5. During Town Meeting, Town Counsel may provide legal opinions when requested from the Moderator or from Town Meeting Members when requested through the Moderator.

Supporting Cast

A Town board committee, or commission, with the exception of a Town Meeting Standing Committee, is herein referred to as “public body” and must follow the Open Meeting Law (Ref. 43). Though a Town Meeting Standing Committee is not a “public body” under the Open Meeting Law the committee is required to file minutes in a timely fashion with the Town Clerk that comply with the Open Meeting Law (Ref A).

²⁹ Town Bylaws, Article II, §5

³⁰ Board of Selectmen, Policy on Access to Town Counsel, January 25, 2002

Town Bylaws state that a public body, with some exceptions, cannot meet before 7:00 except for purposes of executive session or due to an emergency, but during Town Meeting they can meet at 6:30, and a sub-committee can meet at any time (Ref. B).

Standing Committees and Moderator-Appointed committees review warrant articles. Minutes of meetings provide Town Meeting Members with information that may be relevant to articles in a Town Meeting Warrant and include how the committees voted on motions under the articles. Minutes of meetings are posted on the Town website.

Ref. 43: MGL, Chapter 30A, §18-21

Ref. A: Town Bylaws, Article I, Section 5.10

Ref. B: Town Bylaws, Article I, Section 2.3

Standing Committees

1. There are seven standing committees of Town Meeting.³¹ Each standing committee shall consist of one town meeting member from each precinct elected by the precinct members. Each committee shall be responsible for informing itself of the activities of certain boards, committees, commissions and departments of the Town as indicated in its description below. Each will study, hold hearings and report to the Town Meeting on those activities and upon the merits of warrant articles relating to those activities.

Standing Committee on Community Services - responsible for the Parks, Recreational and Cultural Affairs Division, the Edgell Grove Cemetery, the Community Development Block Grant Committee, Council on Aging, Human Relations, Veteran Services and Fair Housing.

Standing Committee on Education - responsible for the Library, the Framingham School Department and the Keefe Vocational School.

Standing Committee on Planning and Zoning - responsible for the Community and Economic Development Division, the Zoning Board of Appeals, the Planning Board, the Conservation Commission, the Historical Commission, the Metro West Growth Management Commission, the Economic Development and Industrial Corporation and the Historical District Commission.

Standing Committee on Public Safety - responsible for the Police Division (with the exception of Council on Aging, Human Relations and Veteran Services), the Fire Division and the Inspection Services Division excluding the Town owned Buildings Department.

Standing Committee on Public Works - responsible for the Public Works Division and for the Town owned Buildings Department.

Standing Committee on Rules - responsible for observing the operation of Town Meeting and making suggestions on how to improve the operation.

Standing Committee on Ways and Means - responsible for the Finance Committee, the Finance Division, the Human Resources Division, the Information Services Division, the Selectmen, the Town Clerk, Town Elections, the Legal Department, the Retirement Board, Capital Budget Committee, and the Government Study Committee.

2. The term of Committee Members shall begin at the final adjournment of the Annual Town Meeting at which they are elected and expire at the final adjournment of the following Annual Town Meeting.

³¹ Town Bylaws, Article III, §2

3. Within thirty (30) days following the election of Standing Committee Members, an organization meeting of each newly elected Standing Committee shall be called by the Town Clerk at which time the Committee Members shall elect a Chair, Vice Chair, and Clerk. This meeting is usually held during the Annual Town Meeting.
4. Vacancies on Standing Committees shall be filled by a Town Meeting Member from the appropriate precinct, appointed by the precinct Chair before the next Town Meeting following the vacancy. [Ref: Town Bylaws, Article III, Section 2.2] The precinct Chair shall notify the Town Clerk of appointments.
5. A Standing Committee shall meet at the call of the Chair or of any three (3) members thereof, and at such other times as are specified in the bylaws. The quorum for such meetings shall be five in number.
6. The Standing Committees shall meet following receipt of the Articles from the Town Manager, but prior to the start of a Town Meeting. They shall consider all articles within the scope of the Committee's authority and shall prepare recommendations for the Town Meeting as to the action to be taken thereon.

Moderator-Appointed Committees

The following six Moderator-Appointed committees support Town Meeting.

The Finance Committee³²

1. Finance Committee consists of nine members, each of whom is appointed by the Town Moderator for a term of three years.³³ No member of the Finance Committee shall hold any elective or other appointive town office. The members of the Finance Committee shall serve without salary. The term of the members shall commence the first day of July following their appointment. The Finance Committee shall choose its own officers.
2. The Finance Committee, working with the Chief Financial Officer, the Town Manager, the Board of Selectmen and other administration officials and town boards, committees, and commissions shall:
 - a. monitor the budget process,
 - b. review all departmental budgets,
 - c. consider requests for additional appropriations outside of the regular budget process,
 - d. authorize disbursements from the Reserve Fund for emergency expenses,
 - e. develop prudent fiscal policy, and
 - f. work with the Town's auditors to facilitate the annual audit and review the results.
3. The role of the Finance Committee is largely advisory. It is the responsibility of the Finance Committee to advise Town Meeting regarding financial issues that come before it and to recommend action on warrant articles based on these issues. When appropriate, the Finance Committee can propose amendments or can make additional motions at Town Meeting. The Finance Committee is primarily concerned with the financial impact of various warrant articles. There is less focus by the Finance Committee on the political and non-fiscal aspects of these matters.
4. The Finance Committee shall make a report annually of the matters so considered by it with recommendations or suggestions relative thereto. Said report shall be published and distributed to Town Meeting Members at least 7 days before the Annual Town Meeting.³⁴
5. The Finance Committee must approve all proposed transfers from the Reserve Fund. It is also understood that the Reserve Fund should not be used to reverse a vote of town meeting or as a "backdoor" means of increasing the budget. Finance committees should adopt their own Reserve Fund guidelines to supplement the state statute, and should help other officials gain better understanding of appropriate uses of a reserve fund. The Finance Committee will include in their annual report the transfers that they approved from the Reserve Fund.³⁵
6. It is also important that the Finance Committee have a balanced approach in evaluating Reserve Fund

³² Town Bylaws, Article II, §10

³³ MGL, Chapter 39, §16

³⁴ Town Bylaws, Article II, §10.3

³⁵ Town Bylaws, Article II, §19.5.1(c)

transfers. For example, if budget reductions were made in a community despite legitimate warning that there might be trouble meeting all fiscal obligations, the Finance Committee may expect to see an increase in Reserve Fund requests. It is the committee's responsibility to keep the Town's best interests in mind when deciding which Reserve Fund requests, if any, to approve.

The Personnel Board

The Personnel Board consists of five members appointed by the Moderator. The Personnel Bylaw is Article IV of the Town Bylaws and is also available in the Town Clerk's office.³⁶

It is the duty of the Personnel Board to administer, govern, and interpret the Personnel Bylaw.

- a. The Personnel Board may monitor the administration of all aspects of the Personnel Bylaw and may make recommendations to the Town Meeting and to the Town Manager in respect thereto as said Board deems necessary, proper and prudent, to maintain the integrity of the operation and policies of this by-law.
- b. The Personnel Board shall comment to Town Meeting upon changes to the Classification Plan proposed by the Town Manager.
- c. The Personnel Board shall report to Town Meeting on all proposed changes to the Pay Plan.

The Capital Budget Committee³⁷

1. The Capital Budget Committee consists of seven members; one member of the Finance Committee and six Town Meeting Members appointed by the Moderator.
2. The Capital Budget Committee shall consider all matters relating to proposed expenditures of money by the Town for capital projects, and it may make recommendations to the Town Meeting or to any town board, committee, or commission or Town officer related to such matters.
3. The Capital Budget Committee shall make a report annually of the matters so considered by it with recommendations or suggestions relative thereto and that said report shall be published and distributed as part of the annual report of the Finance Committee, at least 3 days before the Annual Town Meeting.³⁸

Government Study Committee

The Committee shall review all proposed bylaw changes with the exceptions of Zoning Bylaw changes, and make recommendations to Town Meeting. The Committee may also initiate a study of Town government and propose changes that the Committee deems appropriate to improve the functioning of Town Government.

Real Property Committee

The Real Property Committee shall consider all matters relating to the acquisition, transfer, or disposition of real property, or any interest therein, by the Town. The Committee shall make recommendations to the Town Meeting or any Town board, officer, commission or committee relative to such matters.

Technology Advisory Committee

Technology Advisory Committee provides technical advice to the Town Meeting Standing Committees, the Finance Committee, and the Capital Budget Committee relating to the acquisition by the Town of technology. The committee shall also review budget articles in the warrant which relate to technology, and report their recommendations to Town Meeting. The committee may also serve as a resource for the Town to review and recommend the use of technology in the operations of Town functions.

Town Boards and Officials

1. It is the duty of the chair of each board, committee or commission of the Town, elected or appointed, the head of each department, and the Town Counsel to attend Town Meeting throughout that part of each session

³⁶ Town Bylaws, Article IV

³⁷ Town Bylaws, Article II, §11

³⁸ Town Bylaws, Article II, §11.6

at which matters relevant to them are to be considered.

2. At Town Meeting, Town Meeting Members may pose questions to and should insist on getting answers from Town officials. If essential information is not made available, it is good parliamentary procedure to table the matter until the information is provided.

3. To save time at Town Meeting, Town Meeting Members should obtain as much information as possible beforehand, particularly by attending pre-meeting hearings, by viewing sites of proposed land takings and zoning changes, by reading the information mailed by the Town **and available on the Town website and by viewing videos of meetings such as those of the Board of Selectmen.**

4. All regular meetings of all Town boards, committees and commissions, elected or appointed, except the Framingham Retirement Board, Council on Aging, Cemetery Trustees and Finance Committee are required by Town bylaw to begin no earlier than 7:00 P.M. except in emergency situations. Note that the announcement and agenda for the meeting must be submitted at least 2 days prior to the meeting, excluding Saturdays, Sundays and holidays. For such emergency meetings the first order of business must be the recording of the emergency nature of the meetings.³⁹

5. All boards, committees and commissions are governed by the "Open Meeting Law".⁴⁰ This also applies to sub-committees. All board meetings must be open to the public and to the press unless the board votes to go into executive session. Such session may be held only to discuss matters identified by Mass. General Laws. Executive sessions may also be held when required by the provisions of any state or federal law. **Scheduled meetings with agendas are posted on the Town website. Minutes are posted in a separate folder.**

6. Chapter 143 of the Acts of 1949, the Act that established the Representative Town Meeting, states that a Town Meeting Members cannot be persons elected or appointed to some other town office. A town official has a duty defined by rules prescribed by law and not by contract or based on employment responsibilities. That person is an officer of the town. (Ref. C)

7. Most of the Senior Management Employees listed in the Annual Town Report would be considered to be "persons appointed to a town office" and therefore ineligible to be elected as Town Meeting Members, e.g., Superintendent of Schools, Town Manager, Police Chief, Fire Chief, Chief Financial Officer, Town Counsel, Town Accountant, Town Treasurer/Tax Collector, Chief Assessor, Chief Procurement Officer, Chief Engineer and anyone who has the title of Director or Assistant to one of the above. Some of the positions listed under Senior Management Employee are not town officials and are considered town employees. Town employees can be Town Meeting Members. (Ref. C)

Ref. C: Town Counsel Opinion, 5/16/2011

Town Meeting Procedures

1. The Moderator is guided by "Town Meeting Time, A Handbook of Parliamentary Law" so far as it is applicable to the Town Meeting and does not conflict with the provisions of the bylaws of the Town.

2. Town Meeting may pass bylaws for the regulation of the proceedings at town meetings.⁴¹ Standing Committees and other committees of the Town may propose such bylaw changes for the areas for which they are responsible. (See Appendix 6 – Procedures for Amending Town Bylaws.)

3. No person may address the Town Meeting unless recognized by the Moderator, nor speak more than once on the same subject to the exclusion of any other who may desire to speak. Once the question has been moved, no one may address the Town Meeting except on a Point of Order, Point of Information, or Point of Personal Privilege.⁴²

³⁹ Town Bylaws, Article 1, §2.3

⁴⁰ Town Bylaws, Article 1, §2.3

⁴¹ MGL, Chapter 40, §32

⁴² Town Bylaws, Article III, §1.11

4. Town Meeting Members wishing to speak stand, one person at a time, at one of the microphones placed around the hall. After the Moderator recognizes a speaker, the speaker, states his/her name, precinct number and any relevant disclosure (i.e., their financial interest in the article).

5. Except with the consent of a majority of the Town Meeting Members present and voting, no person addressing the Town Meeting for the first time on any article shall speak for more than five minutes, and subsequent speeches by the same person shall not exceed three minutes each, nor exceed three in number. A speaker's concise response to a question from the Moderator shall not be considered a speech.⁴³

6. The public is welcome at all Town Meetings. A registered voter may speak at least once on matters before the Town Meeting provided that the question has not been moved. In practice, Town Meeting has extended this right to any resident of the Town. A non-resident must get the consent of Town Meeting before speaking.

7. Town Meeting Members who expect their constituents to be present are well advised to try to acquaint them with the rudiments of Town Meeting procedure, particularly those matters dealing with the manner in which citizens are recognized to speak and the rules of decorum.

8. Town Meeting Members may make motions or resolution that relate to the subject matter of a warrant article. A motion describes action that Town Meeting has the authority to approve. For example, Town Meeting can pass new or updated bylaws, appropriate capital or operating funds for expenditure by the town administration, authorize the Selectmen to sell town land or purchase land for town uses, or other actions specified by general laws. A resolution is non-binding, expresses the will of Town Meeting, and may pertain to action by another person or department which exceeds the authority of Town Meeting to require (*Ref. D*). Note that Town Meeting cannot direct or exercise control over one whose duties have been defined by state law or regulations (*Ref. E*). It is often the case that a resolution includes the words "it is the will of Town Meeting that ..." and, as such, is an expression of desires of Town Meeting but these words are not required.

Ref. D: Town Counsel Opinion, 12/30/2014

Town Meeting Etiquette

1. Persons wishing to speak at Town Meeting must be recognized by the Moderator. A Town Meeting Member seeks recognition by standing, in an orderly manner, **at one of the microphones placed around the hall**. The Moderator is addressed by title, "Mr. or Madam Moderator".

2. A Non-Town Meeting Member may seek recognition by standing in a line at the standard behind the Town Meeting Member sections. If people know, prior to commencement of a session, that they wish to speak on an article, they should inform the Moderator, though this is no guarantee that they will be recognized to speak. When recognized, that person should speak into the microphone and state their name, their precinct, and disclose their financial interest, if any, in the article. Reference to office or committee membership should be made **only** when relevant to the comment being offered.

3. The passageway in front of the guest section and behind the sections reserved for Town Meeting Members **should be clear at all times for people standing at the wishing to speak**.

⁴³ Town Bylaws, Article III, §1.9.1

4. Demonstrations of support or disapproval (clapping or booing) by citizens at Town Meeting generally are counterproductive. Town Meeting Members generally extend ample opportunity to citizens who wish to speak before cutting off debate.
5. If, after warning from the Moderator, a person persists in disorderly behavior, the Moderator may order that person to withdraw from the meeting, and if that person does not withdraw, may order a constable or other person to remove that person and confine that person in some convenient place until the meeting is adjourned.⁴⁴
6. In debate, Town Meeting Members should refrain from personal references and attacks upon individual persons. It is standard procedure, as well as more courteous, **that** an earlier speaker is referred to as, 'a previous speaker' rather than by name.
- 7. Questions to previous speakers are placed through the Moderator, who may decline to place them if the Moderator believes them to be personally directed, impudent or offensive to decorum. Dialogue between two or more speakers is not permitted during debates, nor is dialog between the speaker and any individual answering a question posed by that speaker other than for clarification. A speaker, when recognized, should make all of his/her points and ask all questions prior to any individual rising to answer those questions. All questions are to be asked through the Moderator, and if the speaker wishes to make a point after a question has been answered, he/she should make that information known to the Moderator before the conclusion of any remarks or questions.**
8. Whenever possible, Town Meeting members should notify the department heads before a town meeting session about questions that will be asked. **Many questions can be answered outside of Town Meeting.**
9. Town Meeting Members have an obligation to attend throughout all sessions of Town Meeting. Unavoidable absences will occur but it is not appropriate for members to attend only for the purpose of having attendance recorded and to leave immediately thereafter. The Moderator must verify that a quorum is present if requested by a member.
10. Town Meeting Members should pay attention to the proceedings and not disturb or distract other Town Meeting Members nearby, for example, by use of electronic devices such as cell phones or computers for business not relevant to Town Meeting.

Town Meeting Member Ethics

1. Any person who has a financial interest in the article under discussion shall make a disclosure of that interest before speaking.
2. Any person who is a spouse, parent, grandparent, child, brother or sister of a person who has a financial interest in an article shall disclose such relationship before speaking.
3. The employment of any person as an attorney, engineer, architect, land surveyor, broker, or in any other capacity by a person interested in the article under discussion, shall be disclosed before that person speaks.

Protocol

1. The Chief Financial Officer generally makes motions for appropriations; the Finance Committee makes recommendations for or against appropriations. The Capital Budget Committee presents Bond issues. The Planning Board sponsors motions regarding zoning issues. Town Meeting members make the motions. If the sponsor of an article is not a Town Meeting member the sponsor must request a Town Meeting member to make the motion.

⁴⁴ MGL, Chapter 39, §23B

2. Motions should be submitted in an affirmative form. The Moderator will not permit discussion unless a motion is before the Town Meeting. A motion rather than a resolution is generally used when the meeting desires to command that a particular action be done or not done. The Moderator may decline to accept frivolous motions or resolutions.
3. Main motions and amendments must be presented to the Moderator **on 8.5 x 11: inch paper** in printed form or legible writing and signed by the maker, **with precinct number clearly noted**. The Moderator will read out loud such main motions and amendments as soon as is practicable.
4. Certain motions are not debatable. These include motions to lay on the table, remove from the table, and to close debate (Move the Question). **The moderator will not accept any such motion at the conclusion of a speech**. A member who seeks to offer these motions must do so as soon as recognized. A speaker may give a brief statement of reasons for tabling a motion or removing a motion from the table.

Reports and Literature⁴⁵

1. A motion for an appropriation cannot be made as part of a report of any committee unless the report has been previously submitted to the Chief Financial Officer.
2. A committee that is appointed by resolution of Town Meeting, and is not a permanent committee, must report annually to Town Meeting; if no report is made within a year after appointment, the committee shall be discharged unless, in the meantime, the Town Meeting grants an extension of time for the report.
3. Any board, committee, commission or Town officer, or resident of the Town may distribute literature pertinent to an article in the warrant within the Town Meeting room, provided that the:
 - a. literature shall be placed on the table by 7:00 pm which is 30 minutes before the posted starting time of Town Meeting, and
 - b. literature shall be provided in sufficient quantity for all Town Meeting Members plus a reasonable number of extra copies for the audience (usually 250 copies), and
 - c. the literature includes on the first page the name of the person or organization who provides it, and
 - d. the number of the article to which it refers and the date the literature was prepared clearly indicated at the top right-hand corner of the first page, and
 - e. the literature shall highlight any applicable professional or financial interest on the part of the provider.
4. There shall be another location provided within the Town Meeting Room for distribution of literature which does not conform to the provisions set forth above.
5. A person or committee who wishes to make material available to Town Meeting Members should place the material on a table in the hall designated for this purpose. If a new version of the material is provided it should indicate that it is a revision. Material made available for one night of Town Meeting will be segregated from new material made available for a subsequent night of Town Meeting. Material should be provided at least one day prior to the day on which the article will be discussed. A Town Meeting Member may move to table an article if the material is provided on the same day as it is discussed.
5. Any board, committee, commission, or Town officer, or any sponsor of a warrant article **is expected to** submit background material relating to an article to the Board of Selectmen at the time and in the manner specified by the Board of Selectmen for inclusion in the Warrant Background Material which shall be delivered to each Town Meeting Member not less than 14 days before the commencement of a **Special Town Meeting and not less than 21 days before an Annual Town Meeting**.

⁴⁵ Town Bylaws, Article III, §1.8

Attendance

1. A record available for public inspection shall be kept by the Town Clerk. This record will show the attendance of Town Meeting Members at each Town Meeting session, or adjourned Town Meeting session. The Town Clerk shall post on the Town web site, no later than eight calendar days before nomination papers for Town Meeting representatives are due, the attendance records of all Town meeting members for the previous year.[Ref: Town Bylaws, Article III, Section 33] Furthermore this attendance record will be published in a format arranged by precincts. Such record shall include the Town Meeting Members name, precinct, number of sessions eligible to attend, and number of sessions attended.
2. A record of attendance of Town Meeting Members shall be made a part of the Town Meeting Journal which is part of the Annual Town Report.
3. A Town Meeting Member who does not attend at least **twenty-five** percent of the town meeting sessions for which the person is qualified during the period from the first day of the year, or beginning from the time the person is qualified, and ending on the last day of the year shall be deemed to have abandoned that office as of the last day of such period.^{46, Ref E}

Ref. E: Town Bylaws, Article III, Section 1.15.2

Budgets

All departments must prepare their budgets and submit them to the Board or to the Town Manager to whom they report. All budgets must be submitted and defended before the Chief Financial Officer. The Chief Financial Officer will present the budget to the Finance Committee and will submit the recommended amounts to the Town Meeting. The Town Meeting may approve the Committee's recommendation or amend it. There are some limitations on the Meeting's actions as noted below.

Bottom-line Budgets

In addition to the bottom line budgets for the School Department, division managers have bottom-line budgeting authority. This gives division managers the flexibility to move funds between departments within their division and between various line items in their budget.

Framingham Schools

The seven-member elected Framingham School Committee has complete control over how the appropriation for the schools will be spent. The School Committee's budget, provided to the Town Meeting, shows their planned expenditures. The Town Meeting may only approve or amend the bottom line total.

Regional Vocational School

The Vocational school, also known as Keefe Tech, is controlled by a Regional School Committee made up of members from the following five towns: Ashland; Framingham; Holliston; Hopkinton; and Natick. This sixteen member committee, eight from Framingham, two from each of the remaining four towns, determines the budget and policies of this school. The eight members from Framingham are elected. The other communities appoint two members to the committee. Each town's assessed cost is based on the actual student enrollment in the current year. Four of the five member communities have to pass the budget at their Town Meeting in order for the budget to be accepted.

Enterprise Funds

Operating under Enterprise Funds are the Water Department and the Sewer Department. Annual rates for the services of these departments are determined by the Board of Selectmen. In this way the users of these facilities support these services. All costs for operating these departments, including indirect costs, must be approved by Town Meeting vote. Indirect costs include services of other Town departments that support the departments operating under the Enterprise Fund, such as, Accounting, Treasure/Collector, Town Owned Buildings.

⁴⁶ Chapter 143, §5a, as amended by Chapter 338 of the Acts of 2002

Motions

The Main Motion on a warrant article is made either by a Town Meeting Member or, for financial matters only, the Chief Financial Officer or a member of the Finance Committee.⁴⁷ **Town Meeting Members must be recognized by the Moderator to speak. They may speak for or against a motion or an amendment to the main motion, ask a question, make a comment, make an amendment, or make a procedural motion. A Town Meeting Member who wants to speak on a motion or make an amendment stands by one of the microphones in the hall. The Moderator will recognize one of the Town Meeting Members (or a non-Town Meeting Member) to speak. Only one person may stand by a microphone at a time. Town Meeting Members may rise at their seat to make a procedural motion.**

Only Town Meeting Members can vote on articles. Table 1 lists the motions that can be made at Town Meeting.

Table 1 - Motions

Main Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Main Motion	Yes	Yes	See Tbl 2	Yes	No
Reconsider a Previous Vote	Yes	No	2/3	No	No
Remove from Table	No	No	Majority	No	No
Advance an Article	No	No	Majority	Yes	No
Subsidiary Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Amendments to Main Motion	Yes	Yes	Majority	Yes	No
Lay on the Table	No	No	2/3	Yes	No
Lay on the Table to a Date Certain	Yes (for date only)	Yes (for date only)	Majority (for date only)	Yes	No
Move the Question	No	No	2/3	No	No
Indefinitely Postpone	Yes	No	Majority	Yes	No
Refer Back	Yes	No	Majority	Yes	No
Incidental Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Point of Order	No	No	None	No	Yes
Appeal Decision of Moderator	Yes	No	Majority	Yes	No
Divide the Question	Yes	Yes	Majority	Yes	No
Separate Consideration	Yes	Yes	Majority	No	No
Withdraw or Modify a Motion	No	No	Majority	No	No
Suspension of Rules	No	No	2/3	No	No
Resolutions	Yes	Yes	Majority	Yes	No
Privileged Motions	Is Debatable	Is Amendable	Required Votes	May be Reconsidered	Interruption Permitted
Dissolve the Warrant	No	No	Majority	No	No
Adjourn to a Fixed Time	Yes	Yes	2/3	No	No
Doubt the Quorum	No	No	None	No	No
Point of Personal Privilege	No	No	None	No	Yes
Point of Information	No	No	None	No	No

⁴⁷ Article II, §10.7

Main Motion

A motion is the **proposed action** that something be done. It is the foundation upon which all other motions rest. The subject of the Main Motion and of amendments to it must be within the scope of the article under which the motion is made for the reasons stated in the section (“Warrant”, page 1). The Main Motion can be amended and is debatable.

The main motion may reference a motion that is included with the background material for the warrant or may reference a motion distributed as a handout on the table. This way the motion does not have to be read in its entirety. A main motion may also include changes from what has been distributed by saying “I move the motion as shown in the handout material with the following changes”. This is preferable to having a Town Meeting Member make an amendment to the motion since the change is supported by the sponsor and does not require that the change be voted upon as an amendment. **The Moderator may make motions on behalf of a specified Town Meeting Member to save time.**

When changing text that has been made available to Town Meeting Members in writing, the sponsor should display the revised text at the time the motion or amendment is made. If the motion includes changes to the words for a bylaw, the display should show both the original wording and also the revised wording. The changes should be shown in **bold** rather than in **color**, *italic* or underlined. Underlined words should show the words removed from the original text.

Amendments require a majority vote and are voted on before the Main Motion. The Main Motion usually requires a majority vote but by law some motions require a 2/3 or 4/5 or other vote. (See Table 2 - Number of Votes to Pass a Motion)

Amendments to a Main Motion

Amendments may consist of adding, deleting, or substituting words in a motion. It may take the form of a motion to substitute a different motion, but a motion to substitute is still a motion to amend and is dealt with as such. When a Town Meeting Member offers an amendment, the amendment must be appropriate for the text used in the main motion or in another amendment which has been made. An amendment may have been prepared based on text that is in the background material, the same text may not be in the actual motion made on the floor of Town Meeting.

Amendments may be debated and require a majority vote. Two or more amendments to the main motion may be permitted. The Moderator may limit the number of amendments to keep matters from getting too complicated. However, some moderators find a way to accommodate them. The Moderator will occasionally point out that a proposed amendment, while different in language, may be duplicative of one already offered.

Procedural Motions

Lay on the Table (Table): To place the matter aside temporarily for various reasons; e.g., to give a committee more time to provide information that has been requested. The maker may give a brief statement of the reason why the matter should be tabled. The Moderator is expected to see that the statement is both brief and to the point.

Example: “I move to table Article #44.”

A motion to “Lay on the Table”; cannot be debated and requires a 2/3 vote. This motion may be subject to certain conditions, such as to Table to a date certain.⁴⁸ The date is debatable and may be amended by a majority vote. Don't overload the Table. The subject matter must be disposed of sometime before the warrant is dissolved.

⁴⁸ Town Bylaws, Article 3, §1.17, 2004

Move the Question: To close debate and force a vote on the motion is not **debatable** and requires a 2/3 vote. Before Town Meeting votes to terminate debate the Moderator may ask for a show of hands from those still wishing to speak. **Town Meeting Members can also see how many people are still standing at microphones.** This is solely for the information of Town Meeting Members who may vote against terminating debate if they wish to hear additional speakers.

Example: "I move the question."

Refer Back: Equivalent to voting against a motion **but also indicates that Town meeting will consider the article with changes furnished by the entity to which it is referred.**

Example: "I move the subject matter of Article #20 be Referred Back to sponsor."

A motion to Refer Back can be to the sponsor or to a committee. This is used when further information or study is desired.

Example: "I move that the subject matter of Article #51 be referred to the Park Department for further study."

Indefinitely Postpone: Also equivalent to rejecting a motion but has stronger intent.

Example: "I move Article #10 be Indefinitely Postponed."

Both Refer Back and Indefinite Postponement reject the article. However, if an article dealing with zoning is Indefinitely Postponed, it may not be brought back to the Town Meeting for two years unless it is approved by the Planning Board.

Example: If you are opposed to the main motion, then you vote YES to the motion to Indefinitely Postpone.

Motions to **Refer Back or Indefinitely Postpone are** voted before **any** amendments to the motion are considered. **A Motion to Refer Back or Indefinitely Postpone disposes the article.**

Incidental Motions

Point of Order

A Town Meeting member shall have the right to raise a 'point of order' having to do with Town Meeting protocol. For example, a town meeting member may request that the moderator inquire whether the speaker has an interest in the article. As another example, when the moderator is ready to proceed with the next article, a town meeting member may point out that we have voted on the amendment(s) but not the main motion. Other situations where a 'point of order' may be raised include: separate the motion, vote by paragraph (e.g. street acceptances), and divide the question, appeal the decision of the moderator.

Resolutions

Resolutions express the sentiments of the members toward a particular matter. Resolutions are not binding, **and** are expressions of intent or desire of the meeting rather than **to** commands action. Resolutions must be of a non-controversial nature such as an expression of sentiment or they must be within the scope of an article in the warrant. The moderator will exercise discretion in deciding whether a resolution meets **this** standard.

If a substantive issue arises that has relevance to an article, **it may** be presented as **an amendment to the main motion, or as a resolution**, when the article is being discussed.

Privileged Motions

Doubt a Quorum:

A Town Meeting Member shall have the right to question the presence of a quorum. The Moderator shall call the roll of members in attendance or cause a count to be made. A request for a quorum has priority over any other business but will not be recognized between the time a motion is put to a vote and the time the result is announced. All business transacted prior to determination that a quorum is lacking is presumed to have been

done in the presence of a quorum.

Point of Personal Privilege:

A Town Meeting Member shall have the right to raise a “point of personal privilege” and be allowed to make a personal statement as to the comforts and convenience of the members,⁴⁹ for example, calling the moderator’s attention to noise which prevents the speaker from being heard, or by saying something like “Please repeat the motion; we could not hear you.”

Point of Information:

A Town Meeting Member shall have the right to raise a “point of information” and be allowed to state that the motion is confusing and needs to be clarified.

Motion for Reconsideration⁵⁰

1. A motion to reconsider a vote on any question shall be in order if any one of the following four conditions is met:

- a. If the motion is made during the session the original vote was made. Debate and a vote on the motion however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion are tabled to the first order of business of a definite designated session.
- b. If the motion is made with seventy-five percent consent of all Town Meeting Members present at any session after the session at which the original vote was taken. Debate and a vote on the motion, however, shall be tabled to the first order of business of the next session, unless by majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
- c. If the motion is made after the session the original vote was taken, provided written notice of such intention was given to the Town Clerk on the day after the original vote. The Town Clerk shall give immediate notice of pending reconsideration by notifying the local daily newspaper. Debate and a vote on the motion made under this condition shall be taken on the motion when made, at the first session following such publication; unless by a majority vote debate and a vote on the motion is tabled to the first order of business of a definite designated session.
- d. If in the case of a final session a motion is made for reconsideration of any matter previously voted during the same session or during a session on the immediately preceding day. However, a debate and a vote on this motion may be taken only after all other articles have been acted upon unless, in the Moderator's discretion, debate and a vote on the motion at any other point in the session would expedite the conduct of Town Meeting.

2. Debate for or against reconsideration will be limited by the Moderator to discussion as to why reconsideration should or should not prevail.

3. The duration of each speech shall not exceed three minutes; however, any registered voter not a Town Meeting Member may speak at least once for a maximum of three minutes but not more than once unless permitted by the Town Meeting Members. Any one speaking a second time shall not exceed one minute.

4. A motion to reconsider must be passed by a two-thirds vote.

5. Only one motion for reconsideration on any separately voted question shall be accepted by the Moderator whether such motion does or does not prevail.

⁴⁹ Town Meeting Time, p.119

⁵⁰ Town Bylaws, Article III, §1.6

Voting⁵¹

1. The number of votes to pass a motion, as amended, is indicated in the chart below:

Table 2 - Number of Votes to Pass a Motion

Motion Type	Vote
Appropriation	Majority
Bylaw	Majority
Zoning	Two-thirds
Bond Issue	Two-thirds
Eminent Domain	Two-thirds (unless the purpose is one which allows a majority vote, including no appropriation of funds.)
Unpaid bills of previous years Annual Town Meeting	Four-fifths
Unpaid bills of previous years Special Town Meeting	Nine-tenths
All other motions	Majority

2. All Town Meeting votes are of the members present and voting. Abstentions are not counted to determine passage of a motion.
3. No vote of Town Meeting, except a vote to adjourn or authorize the borrowing of money in anticipation of the receipt of taxes for the current year, becomes operative until the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the warrant for the Meeting. If within the five days, a petition signed by not less than five percent of the registered voters is filed with the Selectmen asking that the question or questions involved in such vote be submitted to the voters, the Selectmen must call a referendum and submit the question to the voters in substantially the same language and form as presented to Town Meeting.⁵²

Order of Voting

Subsidiary motions, pertaining to a main motion, are put to a vote before the main motion and any amendments thereto. The Moderator will state the order in which motions will be voted prior to commencement of voting. Generally the order will be as follows:

1. To indefinitely postpone.
2. To refer to a committee.
3. To refer back to the sponsor.
4. To amend the main motion. If more than one amendment involving dollar amounts is pending the amendment carrying the higher amount will be placed first.
5. Vote on the main motion as amended.

Note: the first three motions are effectively equivalent.

Manner of Voting

The Moderator shall call for the vote when there is no more discussion on an article or when a Town Meeting Member has moved the question (called for a vote). Voting is generally by a show of hands or, at the discretion of the Moderator, may be taken using an electronic tally system. If the Moderator is in doubt about the result from a show of hands, he/she shall call for the vote either electronically or by requesting tellers to verify the vote.

⁵¹ Town Bylaws, Article III, §1.7

⁵² Chapter 43A: Section 10.

Voting on the Budget

Town Meeting votes a bottom line budget for each division. Within each division, the department budgets are read line by line and any Town Meeting Member who wishes to ask a question or have some discussion on a particular item may call out "pass" when that item is read. After all the items are read for the division under consideration, the moderator will ask for a vote on the lines for which there is no pass. The moderator will then ask for those who want to speak on the passed items. When all passed items have been disposed of (discussed and voted), the reading of the budget proceeds to the next division budget. When all division budgets have been voted upon, the moderator will take a vote on the total budget motion. The background material provides detailed information on each budget item including the authorized headcount and a total of personnel expenses and operating expenses.

Counted Votes

If a Town Meeting Member doubts the announced vote from a show of hands, the Member must do so before the next item of business is commenced. The Moderator will then ask if seven members doubt the vote. If a sufficient number arise, the count is taken again either electronically or with the tellers verifying the vote.

Ballot or Roll Call Vote

Electronic voting has for all practical purposes obviated the need for ballot and roll call votes.

1. A ballot or roll call vote will be taken when:
 - a. a motion is supported by not less than 20 members made prior to a vote on any question (Ballot).
 - b. immediately after a vote is taken, a request is made and supported by 40 members (Roll Call).
2. A Ballot vote shall be taken in such form as will indicate how individual Town Meeting Members have voted on a question. Ballot votes will be taken by paper ballot. To cast a ballot the Town Meeting Member must be present. All ballots must be signed to be valid.
3. A Roll Call vote shall be taken by the Town Clerk, who shall call the names of each Town Meeting Member who has signed in. To vote, the Town Meeting Member must be present
4. After the vote is tallied, the Moderator will announce the vote giving the number of ayes, and nays. Within a reasonable time after the session in which the vote was taken, the Town Clerk shall post a list disclosing how each member voted. Said list, together with the original paper ballot, shall be open to public inspection. These documents will be preserved for at least 3 years.

Precinct Officers

A meeting of the Town Meeting Members from each precinct shall be held during the Annual Town Meeting for the purpose of electing a Chair, Vice-Chair, and Clerk. In addition members from each precinct can elect one member to each Standing Committee. Within seven (7) days after this meeting, the Chair shall notify the Town Clerk of the names of all persons so elected. The term of Committee Members shall begin at the final adjournment of the Annual Town Meeting at which they are elected and expire at the final adjournment of the following Annual Town Meeting.⁵³

The following list of duties and obligations for the Precinct Chair, Vice-Chair, Clerk and Annual Top Vote-Getter, has been prepared by the Rules Committee.⁵⁴

Top Vote Getter

If the Precinct Chair and Vice Chair are not re-elected as Town Meeting members at the annual election,

⁵³ Town Bylaws, Article III, §2.2

⁵⁴ This § is consistent with and implements the vote of Town Meeting taken on Article #51 of the 1971 Annual Warrant.

the Town Meeting Member with the highest votes acts as chair for the election of a new Precinct Chair when the organizational meeting is scheduled by the Town Moderator.

Precinct Chair

1. The incumbent Precinct Chair will run a meeting of all the precinct representatives for the purpose of electing a new Precinct Chair when the organizational meeting is scheduled by the Town Moderator.
2. The Precinct Chair will preside over the election of the vice-chair, clerk, and standing committee members. The Precinct Chair shall notify the Town Clerk of the individuals so elected.
3. The Precinct Chair shall advise and inform precinct members of meeting times and places prior to the election of candidates to the various precinct-elected positions for the purpose of filling vacancies.
4. The Precinct Chair shall appoint a Town Meeting Member from the precinct to fill any vacancies on Standing Committees before the next Town Meeting following the vacancy.

Precinct Vice-Chair

1. The Precinct Vice-Chair shall preside over the precinct meeting in the absence of the Precinct Chair. The incumbent Vice-Chair shall preside over the annual re-election procedures in the absence of the incumbent Precinct Chair.
2. The Precinct Vice-Chair shall assume the responsibilities of Precinct Chair upon the vacancy of that office.

Precinct Clerk

The Precinct Clerk shall record the attendance at the precinct meetings.

Precinct Meetings

1. Precinct meetings may be held when:
 - a. there is a particular Town article or issue pertinent to the precinct. (e.g., zoning changes, street acceptances.)
 - b. an election needs to be held to fill a town meeting member vacancy from the precinct.
2. Announcement and agenda for precinct meetings may be submitted to the Town Clerk at least 2 days prior to the meeting, excluding Saturday, Sundays, and holidays.
3. The Annual top vote-getter will preside over precinct meetings in the absence of both the Precinct Chair and the Precinct Vice-Chair.

Glossary

100% Valuation Classification

Taxable property is required by law (passed in 1979) to be determined at its full and fair cash value prior to the use of classification. After determining full valuation, the local Assessors with approval of the Board of Selectmen will assign a fair and reasonable percent of full value for residential properties. The town updates property evaluations yearly to determine realistic residential and commercial assessment percentages.

Bond

Municipal bonds are issued by a municipality for large capital expenditures such as schools or other buildings. With certain exceptions, including school bonds approved by the State Finance Office, a municipality's total borrowing may not exceed 5% of its total assessed valuation. The period within which the bonds must be retired varies according to the type of improvement involved.

Bond Anticipation Note (BAN)

Short-term interest-bearing notes issued by a government in anticipation of bonds to be issued at a later date. The notes are retired from proceeds from the bond issue to which they are related.

Capital Improvement Plan (CIP)

Sometimes referred to as a capital improvement program, is a financial planning and management tool which identifies public facility and equipment requirements, places these requirements in order of priority, and schedules them for funding and implementation.

Capital Project

Major non-recurring expenditure involving one or more of the following:

- a. acquisition of land for a public purpose,
- b. construction of or addition to a facility such as a public building, water or sewer lines, play field,
- c. rehabilitation or repair of a building, facility, or equipment; provided the cost is \$25,000 or more and the improvement will have a useful life of 5 years or more,
- d. purchase of equipment costing \$25,000 or more, with a useful life of 5 years or more including any planning, engineering or design study related to an individual capital project.

Chapter 367

A state law providing School Funds and State Aid for Public Schools collected principally through the sales tax and reimbursed to the towns and cities in proportion to the amount of money spent for education.⁵⁵

Chapter 70 Funds

Funds received by the Town from the State to assure fair and adequate minimum per student funding for public schools⁵⁶.

Chapter 766

A state law requiring municipal school systems to identify and evaluate the needs of children for special education and to provide facilities and transportation for children enrolled in Special Needs programs.⁵⁷

Chapter 90 Funds

The Commonwealth allocates funds to municipalities, through the Transportation Bond Issue, for highway construction, preservation and improvement projects that create or extend the life of capital facilities.⁵⁸ Routine maintenance operations such as pothole filling and snow and ice removal are not covered. The formula for determining the Chapter 90 level of funding is based on a municipality's miles of public ways, population and level of employment. Municipalities only receive Chapter 90 funds on pre-approved projects on a reimbursement basis. The reimbursement rate for such projects that are approved by the state and eligible for these funds has been at the rate of 90% in recent years.

Cherry Sheet

This is a cherry red form which shows all of the State and County charges and reimbursements to the Town as certified by the State Director of Accounts. These figures must be used when calculating the tax rate.

Debt Exclusion

⁵⁵ Acts of 1978, Chapter 367, §70C

⁵⁶ MGL, Chapter 70, §1

⁵⁷ Acts of 1972, Chapter 766, amended by Acts of 1978, Chapter 367, §70K

⁵⁸ MGL, Chapter 90, §34

Results in a temporary increase in a municipality's levy limit (and possibly the levy ceiling) when a municipality's voters elect to exclude the payment of particular debt service from the constraints of Proposition 2 1/2. The debt service is then added to the levy limit for the life of the debt only. To place a debt exclusion question on the ballot requires a 2/3 vote of the entire Board of Selectmen. A simple majority vote by the voters is required for passage.

Debt Limit

This is the maximum amount of borrowing allowed by state law for certain purposes (i.e., sewer construction, land acquisition, street construction, and construction of public buildings). This limit is 5% of the average of three years assessed valuation of the taxable property in the Town. State law provides for borrowing outside the limit for special purposes (i.e. for temporary loans, construction of certain large water mains, emergency loans, and construction of reservoirs, filter beds and standpipes).

Debt Service

The amount paid annually to cover the cost of both principal and interest on a debt issuance until its retirement.

Emergency Winter Related Expenditures

When appropriations of snow and ice removal are exhausted, finance committees - in concert with their selectmen or town managers - must vote to incur "liability and make expenditure in excess of appropriations."⁵⁹ Expenses in excess of the appropriation must be raised in the tax levy for the next fiscal year. However, in order for this option to be available, towns must have appropriated at least the same amount for snow and ice removal as in the prior fiscal year.

Enterprise Fund

A municipal fund established for the operation of a municipal utility, health care, recreational, or transportation facility whereby the operations are fully funded by the fees associated with that enterprise vs. the tax levy. The "surplus" or retained earnings generated by the operation of the enterprise remain with the fund to offset future capital improvements, extraordinary maintenance expenses, or to reduce future fees and charges of the fund.

Fixed Assets

Assets of a long-term character which are intended to continue to be held or used, such as land, building, improvements, other than buildings, machinery, and equipment.

Free Cash

This is the amount of money left after all prior year's uncollected taxes have been deducted from surplus revenue. The State Bureau of Accounts annually certifies this amount. Free Cash is also referred to as Available Funds. (See section on Unreserved Fund Balance.)

Full Faith and Credit

A pledge of the general taxing power for the payment of debt obligations. Bonds carrying such pledges are referred to as general obligation bonds or full faith and credit bonds.

General Obligation Bonds

Bonds for the payment of which the full faith and credit of the issuing government are pledged.

Infrastructure

The underlying foundation or basic framework of an organization or system- e.g., roads, bridges, buildings, land, natural resources.

⁵⁹ MGL, Chapter 44, §31C

Lease-Purchase Agreements

Contractual agreements which are termed "leases", but which in substance amount to purchase contracts in which an outside party provides financing.

Levy Limit

Property tax levy limits, used in twenty-seven states, constrain the total amount of revenue that can be raised from the property tax. In Massachusetts, the levy limit is governed by Proposition 2 1/2.

Note Payable

In general, an unconditional written promise signed by the maker to pay a certain sum in money on demand or at a fixed or determinable time either to the bearer or to the person designated therein.

Overlay Account. This is the amount of money raised by the Assessors over and above the appropriations to create a fund used for statutory and property abatements.

Overlay Reserve. This is an accumulation of unused overlay funds not required for abatements. These funds may be used for unforeseen expenses appropriated by Town Meeting or voted into the Reserve Fund at the Annual Town Meeting.

Override

Results in a permanent increase of a municipality's levy limit (but not the levy ceiling) when the majority of voters in a municipal election approve such an override. The override amount becomes part of the levy base when setting the next year's levy limit. To place an Override question on the ballot requires a majority vote of the Board of Selectmen. A simple majority by voters is required for passage.

Pay-As-You-Go

A term used to describe the financial policy of a government which finances all of its capital outlays from current revenues rather than by borrowing. A government which pays for some improvements from current revenues and others by borrowing is said to be on a partial or modified pay-as-you-go basis.

Pay-As-You-Use

A term used to describe the financial policy of a government which finances its capital outlays from borrowing proceeds and pays for capital assets over their useful life.

Public Law 874 Funds

The reimbursements to the Town, by the Federal Government, to help offset the cost of educating dependents of military families in Framingham.

Proposition 2 1/2

Massachusetts, effective July 1, 1981, limits municipal property taxes to 2.5 percent of full and fair cash value (the levy ceiling); limits the amount of revenue a municipality can raise through property taxes (the levy limit), which increases by 2.5 percent each year, plus a factor for new growth. A municipality may exceed its levy limit in two ways: by voting an override or by voting for debt exclusion.

Reserve Funds

Town Meeting can appropriate money to be placed into a Reserve Fund to provide for extraordinary or unforeseen expenditures⁶⁰. It can be made up of an appropriation not exceeding 5% of the prior year's tax levy or transfers. Transfers from the Reserve Fund are controlled exclusively by the Finance Committee and are generally used for unforeseen expenses. The Department of Revenue has expressed its opinion that Reserve Funds are appropriate to:

- a. provide for urgent of unforeseen expenditures that could not have been anticipated before town meeting; and/or
- b. allow immediate expenditures of funds in the event of an emergency (threat to public safety or health) when the delay of having to call a special town meeting could be potentially harmful.

Revolving Funds

Towns are permitted to raise revenue from selected services or programs and use those funds to support said services or programs. This type of appropriation is referred to as a "revolving fund." Once monies are raised and designated for a revolving fund, the selectman and the finance committee must determine and approve the exact amount that may be spent during the fiscal year⁶¹. Town meeting each fiscal year must reauthorize revolving funds; if not, remaining balances may be transferred to another departmental revolving fund or to the general fund.

Stabilization Fund

A stabilization fund is a special reserve funds account⁶². An annual appropriation to such fund must be raised in the preceding fiscal year; and the aggregate amount in the fund shall not exceed ten percent of the equalized valuation. The treasurer shall be custodian of the fund and may invest the proceeds legally; any interest earned shall remain with the fund. An appropriation to the Stabilization Fund requires a two-thirds vote of Town Meeting. The appropriation may be used for any lawful purpose, but the monies appropriated to a stabilization fund cannot be earmarked.

Tax Rate

The total amount, to be raised in the fiscal year, by local taxation in relation to the total assessed valuation of taxable property in the Town.

Unreserved Fund Balance

A community's unrestricted available funds that may be used as a funding source for appropriations. Unreserved Fund Balance is generated when the actual operating results compare favorably with the budget. It can only be used after the certification process by the Department of Revenue is complete. For example, the July 1, 1997 certified amount may be used to fund supplemental appropriations voted during fiscal year 1998, or applied as a revenue source to support the fiscal 1999 budget voted in the spring of 1998. (See section on Free Cash).

References

"Town Meeting Time - A Handbook of Parliamentary Law", Third Edition, published 2001, Johnson, Trustman, Wadsworth, Little Brown E Co. 1962 Revised 1984.

Chapter 143 of the Acts of 1949.

Chapter 27 of the Acts of 1996

MGL, Chapter 39, Municipal Government

Town of Framingham Bylaws

⁶⁰ MGL, Chapter 40, §6

⁶¹ MGL, Chapter 44, §53E½

⁶² MGL, Chapter 40, §5B

Appendix 1 – Procedure for Electronic Voting

The Moderator is authorized to use an Electronic Tally and Display System to count votes whenever the Moderator determines that it would be appropriate.

The Rules Committee recommends that the system be used when a counted vote is taken.

To vote, Town Meeting Members use the keypad assigned to them and press 1 for YES, 2 for NO, and 3 for ABSTAIN. At the beginning of each Town Meeting session, the Moderator may conduct a test of the Electronic Tally and Display System

Town Meeting Members should not use another Town Meeting Member's keypad and vote for that person. Before Town Meeting Members go home they must place their keypad in one of the boxes located at each exit door of the meeting room.

Appendix 2 (deleted)

Appendix 3 (deleted)

Appendix 4 – Guidelines for Presenting Warrant Articles

- 1. Prepare the main motion under the article.** Include the source of funds with a motion that calls for expenditures.
- 2. Give the main motion, neatly written or typed on an 8 ½ by 11” sheet of paper, to the Moderator before making the presentation on the warrant article**
(a Town Meeting Member must make the motion if the sponsor is not a Town Meeting Member).
- 3. Place prepared handouts on the table no later than the day before the day the article is scheduled to be discussed.** A Town Meeting Member may move to table an article if the material is **not** provided **until** the day it is discussed. All handouts must include the name of the sponsor, the article number, and the date **clearly visible on the front page (preferably in the upper-right hand corner of the first page)**. Revisions to previous information provided as background material with the warrant article should be highlighted. (See Handbook, Reports and Literature)
- 4. Prepare a presentation of up to 10 minutes. Provide information in the presentation** that is not generally and readily available in background material sent to Town Meeting Members or in a more recently distributed handout. **Any handout or material relevant to an article should be placed on the table before the day in which the article is discussed.**
- 5. Indicate to Town Meeting Members how the main motion made under the article is different from the draft motion provided in the warrant or made available to committees.**
- 6. Limit the presentation to no more than 10 minutes; no matter how many people are involved (Town Meeting can vote to extend the time limit).** Since a sponsor is not guaranteed to have an opportunity to respond to the discussion on the floor before the question is called, it behooves the sponsor to include justifications and explanations in the initial speech.
- 7. Visuals supporting the presentation must be easily seen by the Town Meeting Members** The old adage of “More is better!” should not be considered an opportunity to add too much information on one page. “Too Much Information” will definitely detract from the message.
- 8. Include the following information on the first slide or overhead transparency presentation:**
 - a. article number,
 - b. sponsor, and
 - c. summary of the motion.

9. Ensure that the visual presentation can be read from the back of the room by considering:
 - a. **font & SIZE:** (This will probably not be the same as used in handouts or the Warrant itself, as the presentation must be viewed from a distance; in a different light.)
 - b. choice of colors for text and background: (Yellow is hard to see – unless presented on a blue background, while blue is easier to see – if presented on a yellow background.)
 - c. use of bullets to focus the presentation: (The fewer bullets - the better, to focus the viewers' attention.)
 - d. transitioning: (The use of progressively more bullets on a series of slides dealing with the same topic is an excellent way to ensure increased attention as the presentation progresses.)
 - e. readability of any table of numbers or comparisons: (Duplicating what is in a handout would generally be too small to see; especially from the rear of Nevins Hall.)
10. Prepare visuals in PowerPoint. (The Town will provide a computer with computer projector.)
11. Preload your PowerPoint File on the town computer (contact the **the Technology Services Department** for help).
 - a. Presentations must be loaded on the Town Meeting laptop prior to Town Meeting, **Arrange with the Technology Services Department to load any presentation no later than 7:00 PM on any night.** (There is not sufficient time during Town Meeting to set up special equipment.)
 - b. Presentations may be emailed to: ahelpdesk@framinghamma.gov or physically provided on a CD or Flash Drive.
12. Schedule a practice / test run with Technology Services prior to the presentation.
 - a. Technology Services does not provide staff support at the Town Meeting but, is willing to provide training and assistance to the presenter by appointment.
 - b. An appointment can be scheduled by calling the Helpdesk, 508-532-5929.
 - c. Technology Services cannot guarantee assistance unless they are contacted by noon on the work day *preceding* the date of the practice / test run or presentation.
13. Finally, verify that the equipment is set up and ready to go **before** the time of the presentation.

Appendix 5 – Recommended Power Point Slide Format

The following minimum standards are recommended for Town Meeting presentations.

These recommendations are based on numerous examples of what projects best in Nevins Hall utilizing the Town Meeting laptop and overhead projector. Currently PowerPoint 2003 is supported.

Main Title Sheet

Main title – minimum recommended font size **54 pt**

Subtitle – minimum recommended font size **40 pt**

Use the Main title sheet as both the beginning and ending slide. Prior to entertaining questions, put up the main title sheet at the end. This focuses discussion on the questions and answers and not the slide.

General Content

Minimum font size: **28 pt** (32 - 44 pt is recommended). Maximum 3-4 levels of bullets per page (2 is recommended).

Maximum number of lines per page:

- a. 6-8 lines without bullets (5-6 is recommended).
- b. 8-10 lines with bullets (6-8 is recommended).

Note: 10-12 lines *may* be acceptable in meeting rooms but are not easily read in Nevins Hall.

Font

Suggested fonts: Tahoma, Arial or Verdana.

Note: Examples of each of the suggested fonts are provided below:

- a. This is: Tahoma and **Tahoma bold**.
- b. This is: Arial and **Arial bold**.
- c. This is: Verdana and **Verdana bold**.

Choose fonts with smooth sided letters. Avoid using font characters with "feet" such as: Bell MT or Times New Roman. (The text of this Appendix is Times New Roman.)

Keep font consistent throughout the presentation.

(These lines are in Tahoma and the font is shadowed. Shadowing sharpens the leading edge of each character making it easier on the eye. Shadowing is helpful in Nevins Hall, and strongly recommended when there is a significant amount of text.)

Colors and Style

Cream background with black text is recommended for Nevins Hall.

Blue background with yellow text is also an acceptable alternative if color is desired.

(Other combinations of colors may also present well provided a maximum amount of contrast is maintained between the text and background. Examples include: medium - dark blue or green on cream and vice versa (dark on light or light on dark).

Presentations are clearer and easier to read if the design template is kept simple. (Avoid busy, elaborate designs with many colors.)

Keep template and color scheme consistent throughout presentation.

Avoid slides that are too busy or complicated. This can be more distracting than helpful.

Avoid using red for emphasis because red does not present well and is not easily distinguished by many individuals. Instead, underlining, *italicizing*, using bold or larger **font** is recommended.

Photographs

One, single photo per slide presents best.

Maximum number of photos per slide should not exceed 2.

Limit associated text to 1-3 lines if needed to identify or explain the photo.

Transitioning

Using a "transition feature" can be helpful in presenting individual points / topics within a presentation. This is generally done by adding each additional bullet on a progressive slide - after showing the first slide with its

first bullet. Also, this type of “transition” can be extremely useful in helping the audience to follow along with the speaker. Try to keep transitions simple.

Practice/Test Run

The benefits of a practice / test run prior to a presentation should not be overlooked. This will include insuring the accuracy of your message and that it can be SEEN as well as heard.

Please schedule an appointment for such a practice / test run by calling the Helpdesk, 508-532-5929.

Appendix 6 – Procedures for Preparing a Town Warrant

The following describes the procedures that are followed in preparing and distributing the Town Warrant and the Background material. Note that a Warrant article only informs the public of the general subject of an article and does not have to be specific. The Background material should include the specific motions that will be made under the Warrant article. Though desired, these motions do not have to be the same as the motions made on the floor of Town Meeting. Also, after the standing committees review articles and the motions, the motions may change or the article referred back to the sponsor (equivalent to being withdrawn). The sponsor of an article should provide a draft of the main motion that will be made under the article. for the appropriate standing committee(s) and relevant Moderator-Appointed committees.

Note that it is desirable that sponsors discuss a proposed Warrant article and the Background material with the relevant Town Meeting Standing Committee before the article is submitted to the Selectmen or before the Background material is submitted to the Town Manager.

Warrant creator/sponsor tasks

1. All articles and the Background material should be prepared in both hardcopy and compatible file, preferably MS Word or PDF. The preferred computer format is WORD format. Submit the warrant article to the Selectmen's office with the Background material
2. The head of a Town Department submits warrant articles to the Town Manager. The CFO submits the budget article and the Human Resources Director submits the article on changes to job classifications and on pay scales. Town Committees and town Boards submit articles to the office of the Selectmen. The Planning Board usually submits zoning articles, although anyone may do so. The Government Study Committee usually submits bylaw changes.
3. A resident of the Town who wants to include an article in a Warrant submits the article with the required number of signatures to the office of the Selectmen for acceptance. The sponsor of an article may obtain a form from the Town Manager (or the office of the Selectmen) for this purpose. After the article is received, the signatures are transmitted to the Town Clerk for certification. Sponsors should provide a telephone number and/or an email address where they may be contacted.
4. The sponsor may ask the Town Manager and the Town Counsel to review all warrant articles **to verify** legality. The Town Counsel or Town Manager may contact the sponsor of an article if they have any questions or suggested changes to the wording of the warrant article.
5. After an article has been submitted, it may be withdrawn before the Selectmen close the warrant.

Town tasks after Article has been submitted

6. Before the Town Manager submits articles for the warrant to the Selectmen, the Town Manager, or his designee, will assign a number to each article in the warrant. Articles are usually grouped by function or by the sponsor.
7. When all warrant articles have been received, the Town Manager will present the proposed warrant to the Board of Selectmen for their acceptance. If an article sponsored by a resident is not presented with sufficient

signatures, the Selectmen may reject that article for inclusion in the warrant.

8. After the Warrant is accepted, the Town Manager notifies the sponsor of each article of the article number that has been assigned. This number should be placed in the upper-right hand corner on the page of the Background material that is submitted to the Town Manager.

9. The warrant is **posted** on the Town web site and the Town Manager uses a local newspaper to notify the public that the **it** is available on the Town website (Town Bylaws: Article III, Section 1.4). The Town Manager arranges for printing and distribution of **the warrant to Town Meeting Members**.

10. The Town Manager will **indicate** the Standing Committees **responsible for reviewing each** article and/or the Government Study Committee if the article is to modify Town Bylaws. (Town Bylaws, Article III, Section 2.5)

Creator/Sponsor responsibility after submitting article

11. Sponsors of articles should provide the Town Manager with supporting information as Background material for an article. The Background material should contain the specific wording of bylaw or zoning changes. It should also contain the motions that will be made at Town Meeting. Sponsors should provide a telephone number and/or an email address where they may be contacted.

12. If a warrant article proposes to make a change to the Town bylaws, the sponsor of the article should request the Selectmen have the Town Counsel review the proposed bylaw changes for legality and appropriate wording.

13. The Town Clerk is responsible for reviewing the format of bylaw changes to insure that they conform to the format of other bylaws. The sponsor of a bylaw change should insure that the Town Clerk receives bylaw changes in a timely manner to allow time for the Town Clerk to discuss the bylaw with the sponsor.

Distribution of the Warrant and Background Material

14. The Town Manager prints the **Warrant and background material** together with the **motions** and sends a copy **within a specified period of time before a Town Meeting** to each Town Meeting Member, the Town Moderator, the Selectmen, the Town Counsel, the Town Manager, the Division and Department Heads, the Planning Board, the School Committee, and the Finance Committee. A copy of the warrant is also posted on the Town website. In accordance with the Bylaws Article III, Section 1.8.1 Town Meeting Members may consent to have Town Meeting Warrants and Background Materials delivered electronically. Electronic delivery of materials will continue for all Town Meetings until this consent is revoked in writing. See the form provided by the Town Manger to request this.

15. Additional hard copies of **the warrant book** are made available for Town residents from the Town Manager's office.

Appendix 7 – Procedures for Amending Town Bylaws

The Government Study Committee, Town Boards or Committees, as well as Framingham residents may propose amendments to the Town Bylaws. A bylaw amendment must be placed on the warrant for an Annual or Special Town Meeting. In order for the bylaw to take effect, the bylaw change must be voted by the Town Meeting and approved by the Attorney General.

The sponsor of an amendment to the Town Bylaws should draft the change or addition to the Bylaws. If the amendment is to make an addition to the Bylaws, the sponsor should suggest the appropriate section of the Bylaws where the amendment would be placed.

The bylaw should be formatted in a manner that is consistent with the current bylaws. That is, the paragraphs of the new bylaw should be numbered using the following sequence of section numbers:

Section 1. **Underlined title in bold**

1.1 **Title in bold**

- 1.1.1 Subsection (usually without title) (a) Subsection item
 - (i) Sub-subsection item

A list of items in any subsection shall be identified as follows:

- a. Point 1;
 - b. Point 2;
 - c. Point 3.
1. The sponsor of the warrant article should give a copy of the bylaw amendment to the Town Clerk to review the format and a copy to the Government Study Committee to review the substance of the amendment. Ideally, this should be done before the article is submitted to the Selectmen for inclusion in a Town Warrant.
 2. In some circumstances, it may be appropriate to submit an article for a warrant that summarizes the proposed amendment to the Town Bylaws. The sponsor would then provide the actual text of the bylaw amendment in the motion under the warrant article. It is helpful for Town Meeting members if the Background material **includes** the **original** text of the bylaw.
 3. The Town Clerk will review the format of the bylaw amendment and consider where it should be placed in the Town Bylaws. The Town Clerk may send the proposed bylaw change to the Town Counsel for comment as to the legality of the amendment.
 4. The Government Study Committee will schedule a meeting to discuss the proposed amendment.
 5. The sponsor should meet with the Town body that is affected by the bylaw change, the Town Manager and the Government Study Committee to resolve any issues of concern.
 6. The sponsor should provide the Town Manager with Background material for the warrant article. This should include the text of the motion that will be made. For a change to an existing bylaw the Background material should indicate the words being deleted and the words being added. In addition, the Background material should include the text of the bylaw section with the changes made.

Appendix 8 – Town Boards, Commissions and Committees

Appointed by the Moderator

Note: All committee members must be Framingham residents

1. Finance Committee - 9 non-Town Meeting Members, 3 appointed each year with a term of 3 years.
2. Personnel Board - 5 non-Town Meeting Members with staggered 3-year **terms**
3. Capital Budget Committee - 6 Town Meeting Members appointed by the Moderator, 2 appointed each year with a term of 3 years, and one member appointed by the Finance Committee for a term of 1 year.
4. Government Study Committee - 12 members, appointed with staggered 3-year terms
5. Real Property Committee - 10 Town Meeting Members appointed by the Moderator with staggered 3-year **terms** and one member appointed from each of 7 specified Boards, Committees, and Commissions with a 1 year term.
6. Technology Advisory Committee – 6 members, 2 appointed each year with a term of 3 years.

Appointed by the Selectmen

1. Board of Health - 3 members.
2. Park and Recreation Commission - 5 members.
3. Zoning Board of Appeals - 3 members plus at least 4 associate members.
4. Agricultural Advisory Commission - 5 members and up to 4 alternative members
5. Cable Advisory Committee - 5 members
6. Cemetery Commission - 3 members
7. Conservation Commission - 7 members.
8. Cushing Chapel Board of Trustees - 12 members.
9. Community Development - 11 members.
10. Cultural Council – **5-11** members.
11. Loring Arena Committee – 7 members (Appointed by the Town Manager)
12. Metro Area Planning Council - 1 member by the Selectmen, other members from other towns.
13. MetroWest **Regional Collaborative** - 1 by the Selectmen, 1 by the Planning Board, other members from other towns.
14. Framingham Housing Partnership -15 members, 10 appointed by the Selectmen and 1 member each from the Planning Board, Council on Aging, Housing Authority, Chamber of Commerce and the MetroWest Affordable Housing Coalition.
15. Economic Development and Industrial Corporation - 7 members.
16. Historic District Commission - 5 members, 7 alternate members.
17. Historical Commission - 7 members.
18. Disability Commission - 9 members.
19. Human Relations Commission - 12 members.
20. Fair Housing Committee - 14 members, 4 ex-officio, 1 from each of the following: Housing Authority, Planning Department, Planning Board, Human Relations Commission.
21. Bicycle and Pedestrian Advisory Committee - 6 members.
22. ZBA Sign Appeals Board – 3 members selected by the Board of Selectmen from the Associate ZBA members.

Appointed by the Town Manager

1. Local Emergency Planning Committee (LEPC) - as many members as is necessary.
2. Loring Arena Committee - 7 members

Miscellaneous Appointments

1. Planned Unit Development Design Review Committee - 7 members appointed by the Planning Board.
2. Housing Authority Member for Framingham - 1 member appointed by the Department of Housing and Community Development.
3. Associate Planning Board Member - 1 member appointed jointly by the BOS and Planning Board.
4. Council on Aging - 11 members; 5 members appointed by the Selectmen, up to 6 members by the Chair where 2 may be non-residents of the town.
5. Retirement Board - 5 members, 2 members appointed by Selectmen, two members elected, one member appointed by the Board, plus the Town Accountant.

End Notes

- ¹ Chapter 143 of the Acts of 1949 (Chapter 143), An Act Establishing in the Town of Framingham, Representative Town Government by Limited Town Meetings
- ² Chapter 27 of the Acts of 1996, (Chapter 27) An Act Establishing a Selectman-Town Manager Form of Government.
- ³ Chapter 27, §12 as amended by Chapter 333 of the Acts of 1998
- ⁴ Town Bylaws, Article II, §9.2
- ⁵ MGL, Chapter 39, §10
- ⁶ Town Bylaws, Article III, §1.5
- ⁷ Town Bylaws, Article III
- ⁸ MGL, Chapter 39, §9
- ⁹ Town Bylaws, Article III
- ¹⁰ Town Bylaws, Article III, §1.3
- ¹¹ Town Bylaws, Article III, §1.4
- ¹² Town Bylaws, Article III, §1.5
- ¹³ Chapter 143, §6
- ¹⁴ MGL, Chapter 39, §10
- ¹⁵ Chapter 143, §4
- ¹⁶ Town Bylaws, Article III, §1.1
- ¹⁷ Town Bylaws, Article III, §1.2
- ¹⁸ Chapter 143, §2, as amended Under Chapters 207 and 488 of the Acts of 1976
- ¹⁹ MGL, Chapter 143, §3
- ²⁰ MGL, Chapter 143, §5 as amended by the Acts of 2004
- ²¹ MGL, Chapter 39, §15
- ²² MGL, Chapter 39, §17
- ²³ Town Bylaws, Article II, §3
- ²⁴ Chapter 27, §3 and §4
- ²⁵ Chapter 27, §5 through §9
- ²⁶ Chapter 27
- ²⁷ Town Bylaws, Article IV
- ²⁸ Town Bylaws, Article II, §19
- ²⁹ Town Bylaws, Article II, §5
- ³⁰ Board of Selectmen, Policy on Access to Town Counsel, January 25, 2002
- ³¹ MGL, Chapter **30A, §22**
- ³² Town Bylaw, Article I, §5.10 and §5.11
- ³³ MGL, Chapter 268A
- ³⁴ Town Bylaws, Article II, §10
- ³⁵ MGL, Chapter 39, §16
- ³⁶ Town Bylaws, Article II, §10.3
- ³⁷ Town Bylaws, Article II, §19.5.1(c)
- ³⁸ Town Bylaws, Article III, §2
- ³⁹ Town Bylaws, Article IV
- ⁴⁰ Town Bylaws, Article II, §11
- ⁴¹ Town Bylaws, Article II, §11.6
- ⁴² Town Bylaws, Article 1, §2.3
- ⁴³ **MGL, Chapter 30A, §18-21**
- ⁴⁴ **(Not Used)**
- ⁴⁵ MGL, Chapter 40, §32
- ⁴⁶ Town Bylaws, Article III, §1.11

- ⁴⁷ Town Bylaws, Article III, §1.9.1
- ⁴⁸ **MGL, Chapter 39, §17**
- ⁴⁹ Town Bylaws, Article III, §1.8
- ⁵⁰ Chapter 143, §5a, as amended by Chapter 338 of the Acts of 2002
- ⁵¹ Article II, §10.7
- ⁵² Town Bylaws, Article 3, §1.17, 2004
- ⁵³ Town Meeting Time, p.119
- ⁵⁴ Town Bylaws, Article III, §1.6
- ⁵⁵ Town Bylaws, Article III, §1.7
- ⁵⁶ Chapter 43A: Section 10.
- ⁵⁷ Town Bylaws, Article III, §2.2
- ⁵⁸ This § is consistent with and implements the vote of Town Meeting taken on Article #51 of the 1971 Annual Warrant.
- ⁵⁹ Acts of 1978, Chapter 367, §70C
- ⁶⁰ MGL, Chapter 70, §1
- ⁶¹ Acts of 1972, Chapter 766, amended by Acts of 1978, Chapter 367, §70K
- ⁶² MGL, Chapter 90, §34
- ⁶³ MGL, Chapter 44, §31C
- ⁶⁴ MGL, Chapter 40, §6
- ⁶⁵ MGL, Chapter 44, §53E½
- ⁶⁶ MGL, Chapter 40, §5B

Ref. A: Town Bylaws, Article I, Section 5.10
Ref. B: Town Bylaws, Article I, Section 2.3
Ref. C: Town Counsel Opinion, 5/16/2011
Ref. D: Town Counsel Opinion, 12/30/2014
Ref. E: Town Bylaws, Article III, Section 1.15.2