

# Town of Nahant



## Town Meeting/Procedures and Proceedings

### **Town Meeting Proceedings**

#### **What is Town Meeting and how do you participate?**

The Town of Nahant has an Open Town Meeting form of government, meaning all registered voters may attend. Town Meeting is the legislative body of the Town. It convenes, at least annually at the time and place designated by the Selectmen. Town Meeting considers and adopts an annual operating budget. It also considers and acts upon other matters which require Town Meeting action such as zoning changes, street acceptances, by-law additions and amendments. The business of each Town Meeting is contained in a document known as "the warrant" which includes all matters on which the Town must act. The warrant is mailed to all registered voters in advance of the Town Meeting. Articles are inserted in the warrant by the Board of Selectmen and by Citizen Petition. The order is determined by the Selectmen.

Town Meeting is unique to New England. The following information is provided to help you become an informed participant in this basic democratic process that is our legislative form of government.

### **Town Meeting Procedures**

#### ***How to place an article on the Town Meeting Warrant***

To place a private article onto the Annual Town Meeting Warrant, a resident may obtain a warrant article form at the Town Clerk's Office. This form is used as petition for ten (10) registered voters who sign to have an article appear on the Warrant. The Warrant for the Annual Town Meeting is opened and closed by the Board of Selectmen. This normally takes place in December. However, articles for the Warrant may be accepted earlier than the open date if necessary. The articles are filed and stamped in by the Board of Selectmen, transferred to the Town Clerk's Office for certification and returned to the Board of Selectmen for processing.

After the articles have been placed on the Warrant for a Town Meeting, the articles go through a series of committee and department reviews and hearings. Different boards and committees are responsible for a report at Town Meeting of their findings depending on whose jurisdiction the article falls under.

For instance, all money articles are reviewed by the Advisory and Finance Committee, at public hearings that take place after the closing of the Warrant. A report on their findings are given at Town Meeting when the article is addressed. Residents are welcome to attend these hearings to explain their article to the committee. More discussion will be generated on the floor of Town Meeting before any action is taken by the Town Meeting members.

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#### ***How to place an article on a Special Town Meeting Warrant***

From time to time, Special Town Meetings may be called to take care of any unforeseen emergencies that occur between Annual Town Meetings. These meetings, because of the nature of the articles, are usually called over a shorter period of time and the warrant is not open as long.

To place an article on a Special Town Meeting Warrant, residents need one hundred signatures of registered voters and follow the same procedures as the above.

#### ***How to enter Town Meeting Hall***

Town Meetings are generally held at the Nahant Town Hall, 334 Nahant Road. Registered voters may attend the meeting.

***How to be recognized to speak*** - A voter may be recognized by standing and saying, "Madam (or Mr.) Moderator." Before making any remarks the speaker must give his or her name and address.

#### ***How to make a motion and amend an article***

The Moderator may request that amendments be presented in writing. After discussion on the amendment the Moderator calls for a vote on the amendment only. If passed the original motion, as amended, is voted upon. Amendments to amendments are usually ruled out of order. Motions or amendments which differ materially from that printed in the warrant may not be permitted by the Moderator.

***Budget questions*** - Questions on the budget are encouraged. A Town Meeting Member may address the Moderator on any line item in the Finance Committee report. Amendments may be offered and will be voted on individually.

***Majority Vote*** - Unless otherwise provided all motions require a majority vote to carry.

***Declaring the Vote*** - The Moderator may decide the sense of the meeting by a voice vote. If in doubt, or, if the decision is questioned, a standing vote may be called for. A Town Meeting Member may request a standing vote.

***Privileged Motions*** - A speaker may be interrupted only for a point of order, a question of the legality of a motion, or a question to clarify information.

***Previous Question*** - Previous question is a formal motion which, if passed, cuts off debate. The motion is not debatable. It is allowed by the Moderator when in his judgment the matter has been adequately discussed. .

***Reconsideration*** - Reconsideration is sometimes used to raise new information or to correct an oversight or an illegality

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**Display** - Presenters who wish to show slides or present other visual material should make arrangements before the meeting and have the approval of the Moderator.

**Adjourn / Dissolve** - A meeting may adjourn to a later time and a different place, but when a meeting is dissolved it is finished. A meeting may not be dissolved until every article in the warrant has been acted upon.

#### **By-Law Constraints On Town Meeting**

**Town Meeting Schedule** - The Annual Town Meeting for the election of officers shall be held the last Saturday of April.. Special Town Meetings may be held at such times and places as the Selectmen may designate. Any meeting may be adjourned from time to time to any place in the Town.

**Warrants** - Copies of the Warrant shall be posted in or on the Town Hall and three other public places as determined by the Town Clerk.

**Annul Town Report** - The Town Administrator shall make available to all registered voters an annual report.

**Disclosure of Interest** - Any person having a monetary or equitable interest in any matter under discussion at any Town Meeting or employed by another having such as interest shall disclose the fact before speaking thereon.

#### **Statutory Constraints On Town Meeting**

(Refer to Chapter 39 of the Massachusetts General Laws for Precise Wording)

The Annual Town Meeting is held on the last Saturday of April and commences at 12:30 P.M.

The Selectmen shall insert in the warrant all articles requested in writing by ten or more registered voters. The warrant shall be published and posted at least fourteen days before the meeting stating the time and the place of the meeting and the subjects to be acted on.

The Town's by-law establishes 75 registered voters constitutes a quorum.

A Moderator must be elected to preside over the meeting, regulate proceedings, decide all questions of order, and make public declaration of all votes. If a vote is questioned by fifteen or more voters, statute requires a standing vote. If the statutes require a standing vote the count shall be taken and the result shall be recorded by the Clerk. If the vote is unanimous the count need not be taken and the Clerk shall so record it.

No person shall address a Town Meeting without leave of the Moderator and all persons shall, at the request of the Moderator, be silent.

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#### **Who's Who At Town Meeting**

***Town Meeting Members*** – Registered voters of the Town of Nahant.

***The Moderator*** - presides over and conducts the meeting. S/He is an elected official.

***Town Clerk*** - Is the chief election official, custodian of the Town's records, and recording secretary of the meeting.

***Board of Selectmen*** - (3) Elected policy making body, appoints Town Administrator and compiles the warrant.

***Town Administrator*** - Appointed by the Board of Selectmen, the Administrator is the Chief Executive Officer who prepares and submits the budget to the Selectmen and Finance Committee on or before a certain date. A voter may direct questions to the Administrator relating to the budget or to warrant articles.

***Advisory and Finance Committee*** - Appointed by the Moderator, it reviews the budget, makes recommendations on all financial matters, prepares and distributes a printed report of its recommendations and other relevant information, to assist Town Meeting in making final decisions.

***Capital Program Committee*** - Appointed by the Moderator, it reviews makes recommendations to Town Meeting concerning capital expenditures requests from town boards and departments that may be required within the ensuing 5 year period.

***School Committee*** - (5) Elected and responsible for the operation of the educational system, prepares the school budget, appoints the Superintendent, and defines educational philosophy and policy.

***Superintendent of Schools*** - Chief executive officer for implementing school committee policy and directives.

***Town Counsel*** - Chief legal officer and legal advisor to the Town Meeting.

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### **Common Budget Terms**

**Budget** - A financial plan for a given period of time embodying both estimates of proposed expenditures and the proposed means of financing them.

**Fiscal Year** - Cities and towns in Massachusetts operate on a fiscal year which begins July 1 and ends June 30. The number of the fiscal year is the calendar year when it ends.

**Levy Limit** - Under Proposition 2 1/2 the maximum amount that a community can raise in property taxes is 2 1/2% more than the maximum it was allowed to raise for the prior fiscal year plus growth revenue.

**Growth Revenue** - The amount of property tax revenue a community can add to its tax levy by taxing new construction. It is computed using the prior year's tax rate.

**Excess Levy Capacity** - The difference between a community's maximum tax levy limit and the amount it actually levies in property taxes.

**Free Cash** - The amount of surplus revenue over and above uncollected taxes as of July 1 of each year as certified by the State. It is available for appropriation by Town Meeting.

**Overlay** - The overlay is the amount raised by the Assessors independently of Town Meeting as permitted by law for the purpose of creating a fund to cover property tax abatements and avoid fractions in the tax rate.

**Reserve Fund** - The fund established by the voters at Annual Town Meeting for extraordinary or unforeseen expenditures. Transfers from the Reserve Fund require the approval of the Finance Committee.

**Cherry Sheet** - Named for the cherry colored paper on which the Massachusetts Department of Revenue traditionally printed it on, the cherry sheet details the estimated state aid to be received by the Town along with the County and State assessments to be paid.

**Compensation Fund** - A reserve for salary adjustments that may occur during the fiscal year. Transfers from the Compensation Fund require the approval of the Board of Selectmen.

**Override** - A referendum procedure in which a community by popular vote can either increase its levy limit (general override) or collect property taxes in excess of its levy limit to finance specific capital expenditures (debt exclusion or capital outlay exclusion overrides).