

TOWN MEETING HANDBOOK



BROOKLINE, MASSACHUSETTS

2015 EDITION

Parliamentary Guide

Adapted from *Town Meeting Time*, Johnson, Trustman and Wadsworth, Massachusetts Moderators Association, 3rd Edition (2001).

Rank	Motions	Second Required	Debatable	Amendable	Vote Required	May Reconsider	May Interrupt
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PRIVILEGED MOTIONS

1	Dissolve (adjourn sine die)	Yes	No	No	Majority	No	No
2	Adjourn to a fixed time	Yes	Yes	Yes	Majority	No	No
3	Point of no quorum	No	No	No	None	No	No
4	Fix the time to (or at) which to adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Questions of privilege	No	No	No	None	No	Yes

SUBSIDIARY MOTIONS

6	Lay on the table	Yes	No	No	2/3	Yes	No
7	The previous question	Yes	No	No	2/3	No	No
8	Limit or extend debate	Yes	No	No	2/3	Yes	No
9	Postpone to a time certain	Yes	Yes	Yes	Majority	Yes	No
10	Commit or refer	Yes	Yes	Yes	Majority	Yes	No
11	Amend or substitute	Yes	Yes	Yes	Majority	Yes	No
12	Postpone indefinitely	Yes	Yes	No	Majority	Yes	No

INCIDENTAL MOTIONS

Same rank as motion out of which it arises	Point of order	No	No	No	None	No	Yes
	Division of a question	Yes	Yes	Yes	Majority	No	No
	Separate consideration	Yes	Yes	Yes	Majority	No	No
	Withdraw or modify a motion	No	No	No	Majority	No	No
	Reconsider or rescind	Yes	*	No	Majority	No	No

MAIN MOTIONS

None	Main motion	Yes	Yes	Yes	Varies	Yes	No
None	Take from the table	Yes	No	No	Majority	No	No
None	Advance an article	Yes	Yes	Yes	Majority	Yes	No

* Debatable at the discretion of the Moderator

**TOWN OF BROOKLINE
MASSACHUSETTS**

Dear Town Meeting Member:

Welcome to Town Meeting. The traditional New England Town Meeting is the embodiment of "grass roots" democracy. Brookline's Town Meeting has been in place for over three hundred years. It provides the citizens of Brookline with clear access to their municipal government and allows the highest level of citizen participation. Our Town Meeting is a model of the best in local democracy.

This handbook has been produced by the current and past Town Moderators in conjunction with the Brookline Town Meeting Members Association (TMMA). It is designed to be used by Town Meeting Members as a guide to the procedures of our Town Meeting. The conduct of Town Meeting is managed by the Moderator in the exercise of his or her discretion, subject always to state law, the Town by-laws, and Town Meeting votes and traditions.

The purpose of the Brookline TMMA is to serve all Town Meeting Members as a non-partisan, non-advocacy association. Its goals are:

- To foster open, efficient and effective participatory and democratic governance in the Town of Brookline and to increase the understanding of Town Meeting Members and their constituents of issues facing Brookline which may come before Town Meeting;
- To gather, develop and disseminate relevant information about Town issues to Town Meeting Members and their constituents for the purpose of providing an informed discussion of issues at Town Meeting; and
- To consider ways to improve the structure and process of Town Meeting, its efficiency, collegiality and effectiveness, and to encourage broad participation of Town Meeting Members.

Additional copies of this handbook may be obtained from the offices of the Board of Selectmen or the Town Clerk, and the entire handbook is also posted on the Town's website at www.brooklinema.gov/townmeeting/handbook.

Very truly yours,

Brookline Town Meeting Members Association and the Town Moderator

May 2015

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TOWN OF BROOKLINE, MASSACHUSETTS

Settled: 1638	Population: 58,732 (2010 Federal Census) 38,618 registered voters (2014)
Incorporated: 1705	Land Area: 6.61 square miles
Official Website: http://www.brooklinema.gov	Government: Representative Town Meeting; five-member Board of Selectmen and Town Administrator

Located four miles from downtown Boston, in Norfolk County, Brookline is the second largest town in New England. It is primarily a suburban community. Wholesale and retail commercial activity, service and high technology industries, and arts, educational and medical institutions provide occupations for most of Brookline's working residents.

Bordered by the cities of Boston and Newton, Brookline is located in close proximity to many cultural, educational and recreational activities within the Boston metropolitan area.

WHY TOWN MEETING?

"There are aspirations behind the town-meeting conception of democracy which must be recognized as indelible parts of the democratic creed. The town-meeting conception of democracy is an idealized way of expressing the democratic hope that those who are governed will be able to reach those who govern them, that they will be able to make their voices heard where it counts and will be recognized as persons and not as faceless cogs in an efficient machine. It speaks for a belief that a society is safer and freer when the bulk of its citizens understand the programs and goals that their government has chosen and when they have achieved this understanding because these programs and goals have been honestly debated in public."

- *American Democracy: The Power of the Democratic Idea*, Rockefeller Panel Report (1960)

INTRODUCTION

The New England Town Meeting is only the most recent manifestation of a tradition of grassroots democratic governance that had its origins in Saxon England. The first such meeting in the New World was held on board the Mayflower. We New Englanders can and should be proud of this heritage.

Brookline was incorporated in 1705 and its first Town Meeting was held that year, with all male citizens eligible to participate. In 1915, Brookline became the first town in Massachusetts to adopt a representative Town Meeting, which allows all citizens to be heard when recognized by the Moderator but only elected Town Meeting Members to vote. Town Meeting is conducted in accordance with the statutes of The Commonwealth of Massachusetts, the by-laws of the Town, the traditions and votes of Town Meeting, and the discretion and policies of the Moderator.

As the legislative body of Town government, in addition to approving operating and capital appropriations, Town Meeting considers and votes on any changes in the Town's zoning and general by-laws, accepts or rejects state laws that are subject to local option, requests special state legislation for the Town and passes on any major changes in Town administrative structure and procedure. An Annual Town Meeting is held each spring, in late May, and a Special Town Meeting is regularly held each November, usually in the week before Thanksgiving week. The Selectmen may call Special Town Meetings at other times to deal with Town business, and are required to call such a meeting on the written petition of 200 voters.

Town Meetings are held in the Brookline High School Auditorium. They normally begin at 7:00 p.m. and usually last two or three evenings. Each session of Town Meeting is televised live by Brookline Interactive Group (local access television) on Comcast Channel 23 and RCN Channel 15, and rebroadcasted periodically during the weeks after the conclusion of the Meeting.

PARTICIPANTS IN TOWN MEETING

Moderator

The Moderator is the presiding officer of the Town Meeting. The Moderator's principal duty is to advance the transaction of the Town's business in an orderly manner and in such a way that the will of the Town Meeting is carried out. To assure that all sides of an issue are presented, the Moderator sets guidelines for length of presentation and determines the preliminary order of speakers. The Moderator appoints the entire Advisory Committee, the entire Committee on Town Organization and Structure, three members of the Audit Committee and five of the seven members of the Committee on Campaigns, as well as any temporary Moderator's committees mandated by Town Meeting. The Moderator is elected by the voters of the Town for an unsalaried three-year term.

Town Clerk

The Town Clerk records the minutes of each Town Meeting and maintains the official record of all votes taken. The Town Clerk administers the oath of office to Town Meeting Members, the

Moderator and other elected and appointed officials. The office of Town Clerk has specific responsibilities in connection with Town-wide elections and the Town census and in a number of other areas. The Town Clerk is a full-time paid official elected by the voters for a three-year term.

Town Meeting Members

Brookline has approximately 248 Town Meeting Members. Fifteen registered voters are elected from each of 16 precincts to serve as Town Meeting Members. One third are elected each year for a three-year term, except that all 15 positions in a precinct must be elected to staggered terms at the Town election subsequent to any redistricting of that precinct. In addition to the 240 members so elected, the Moderator, the Town Clerk, the five members of the Board of Selectmen and any state legislator residing in Brookline serve as Town Meeting Members-at-Large. Only Town Meeting Members have the right to vote on matters that come before Town Meeting.

Board of Selectmen

The Board of Selectmen serves as the Town's executive authority, with overall responsibility for supervising Town affairs. Its role is defined by state law and the Town Meeting. Among the duties of the Selectmen are to appoint the Town Administrator and other department heads, appoint boards and commissions, execute policies voted by Town Meeting, review and make recommendations on the annual budget and all other Warrant Articles, supervise the expenditure of funds appropriated by Town Meeting, sign all bonds and notes for borrowings, serve as Police and Fire Commissioners and serve as the Town licensing board. The Selectmen have the power, and in the case of citizens' petitions are required, to insert Articles in the Warrant; but only Town Meeting has the final authority to accept, reject or modify the action sought by any Article. The five Selectmen are elected for three-year terms, with one or two members elected each year, and receive modest stipends intended to reflect the part-time nature of their office.

Town Administrator

The Town Administrator acts under the direction of the Board of Selectmen as the Chief Operating Officer of the Town. The Town Administrator supervises department heads and is responsible for the development of the Town's annual financial plan. See "The Budget" below. The office of the Town Administrator, particularly the Deputy Town Administrator, facilitates Town Meeting by overseeing the development and production of the Warrant and Combined Reports, and by processing and distributing motions, amendments and other documents to be considered at Town Meetings.

Town Counsel

The Town has its own internal law firm under the direction of Town Counsel, who is appointed by the Selectmen. Town Counsel generally provides legal representation for the Town in

matters in which the Town is involved or by which it is or may be affected. With respect to Town Meeting, Town Counsel provides assistance to citizen petitioners in framing Warrant Articles and, when called upon to do so, provides legal advice to the Moderator and to Town Meeting Members during Town Meetings. Town Counsel also provides by-law mandated training in the state Conflict of Interest and Open Meeting laws to committee and board appointees and elected officials.

Advisory Committee

Town finance committees were established by state statute in 1910. In Brookline, the finance committee is called the Advisory Committee. It is made up of 20 to 30 citizens appointed by the Moderator. Under the Town by-laws, it should include at least one Town Meeting Member from each precinct. No more than eight members may be at large (non-Town Meeting Members), and no more than four members may reside in the same precinct. Members of the Advisory Committee are appointed to one- to three-year terms, as determined by the Moderator.

The Advisory Committee studies and makes recommendations on all matters to be considered by Town Meeting. This includes all Annual and Special Town Meeting Articles, with special concern for the annual appropriations Article, which contains the proposed operating and capital budgets for the coming year. In carrying out its duties, the Committee may examine the books and records of any board, committee or officer of the Town to the extent permitted by law. The Advisory Committee is the only authority that may approve transfers from the Reserve Fund for unforeseen or emergency expenditures between Town Meetings.

The deliberations of the Advisory Committee and its subcommittees take place in public meetings, held principally during the two- to four-month period prior to a Town Meeting. These meetings provide an opportunity for Town Meeting Members and citizens to offer oral and written comments. The Advisory Committee's recommendations are purely advisory and may be accepted or rejected by Town Meeting in whole or in part.

The Warrant for Annual and Special Town Meetings is closed 75 days before the opening session of the meeting to which it applies. Once the Warrant is closed, the Advisory Committee begins its review of Articles. The chair of the Advisory Committee assigns the Articles to subcommittees, which then hold public hearings. After a subcommittee takes a position on an Article, the Article is scheduled for discussion by the full Advisory Committee, which usually meets on Tuesday and Thursday evenings in the large conference room on the first floor of Town Hall. Meetings of the full Advisory Committee are open to the public, but are not public hearings as such, although in the chair's discretion a non-member may be asked or permitted to comment on a matter under discussion. All meetings of the full Advisory Committee and its subcommittees are required to be conducted in accordance with the state Open Meeting Law.

The subcommittees report their recommendations to the full Advisory Committee, which takes a vote on each Article. These votes become the basis for written recommendations, which are provided to Town Meeting with the recommendations of the Board of Selectmen in the Combined Reports (described more fully in the next section). The Advisory Committee often meets immediately prior to the commencement of a session of Town Meeting, to consider amendments and other matters that have arisen since its most recent meeting or published report.

The annual budget is presented to Town Meeting by the Advisory Committee, although amendments to the budget may be offered by the Selectmen or other Town Meeting Members. The Advisory Committee begins its review of the budget as soon as the Town Administrator's Financial Plan is released in mid-February. The various elements of the proposed budget are assigned to subcommittees and are reviewed in much the same manner as Warrant Articles.

A schedule of proposed public meetings and hearings is promulgated at the beginning of each meeting cycle and is published in the Town website (under the "Calendar" link). A notice of each public hearing or meeting of the Advisory Committee and its subcommittees is posted outside the Town Clerk's office at least 48 hours before the meeting, and is also published in the Town website and, to the extent practicable, in the local media. Notices are also sent to an e-mail list of Town Meeting Members maintained by the Town. In addition, the secretary of the Advisory Committee is responsible for specifically notifying the principal proponent of an Article, and other interested parties of whom the Committee is aware, when such Article is to be considered or reconsidered by the Committee or any subcommittee.

The Advisory Committee maintains a page on the Town website (under "Boards/Commissions") containing a current list of members, the composition of subcommittees, contact information and a link to the meeting schedule. Those who wish to be notified about the schedule for deliberation of a specific Warrant Article or departmental budget should inform the Advisory Committee's secretary using the contact information on that website.

Other Town and School Boards and Committees

There are a large number of appointed and elected Town and School boards and committees that have jurisdiction over or responsibilities in connection with the subject matter of Articles that come before Town Meeting. These include, but are by no means limited to, the School Committee and Board of Library Trustees, the members of each of which are elected for staggered three-year terms at annual Town elections, and the Planning Board, Park and Recreation Commission, Preservation Commission, Conservation Commission, Economic Development Advisory Board and Transportation Board, the members of all of which are appointed by the Selectmen. Representatives of the latter boards and commissions will usually speak at Town Meetings on Articles within their cognizance. For a full list of Town and School boards and committees, see pages 32 and 33 of this Handbook.

GENERAL MATTERS ABOUT TOWN MEETINGS, INCLUDING THE WARRANT AND DRAFTING WARRANT ARTICLES

Every Town Meeting is called pursuant to a Warrant, which is issued by the Selectmen and constitutes a notice or warning to all citizens of the Town that the meeting will be held. The Warrant must state the time and place of holding the meeting, and the subject matter to be acted upon. Each item of business is called a Warrant Article and is usually referred to in this handbook as an "Article."

The Annual Town Meeting by statute consists of two parts: the annual Town election, usually held on the first Tuesday in May, and a business meeting of Town Meeting Members held in late

May or occasionally early June. The annual business meeting is normally referred to, and is referred to in this handbook, as the "Annual Town Meeting." The Board of Selectmen calls the Annual Town Meeting and may call Special Town Meetings when circumstances warrant. A Special Town Meeting is often called to be held "within" the Annual Town Meeting or another Special Town Meeting, in which event the Moderator conducts each meeting separately. A Special Town Meeting is also required to be called by the Selectmen within 90 days of submission of a petition for the holding of such a meeting signed by at least 200 registered voters.

The Town by-laws provide that notice of Town Meetings shall be given by posting copies of the Warrant in ten public places in the Town and by publication of the Warrant in a newspaper of general circulation in the Town. Posting and publication must occur at least seven days before the Annual Town Meeting and at least 14 days before a Special Town Meeting. In practice, except in extraordinary circumstances, the Warrant is approved by the Selectmen around two months prior to the date of the Town Meeting to which it applies, and the legal postings take place shortly thereafter. A copy of the Warrant is at that time also mailed to all Town Meeting Members.

With the exception of complimentary resolutions on rare occasions (see "Resolutions and Reports" below), every action of Town Meeting must be taken pursuant to an Article in the Warrant and must be within the scope of the subject matter described in the Article as it appears in the Warrant. The Moderator makes the final determination as to what matters fall within the scope of an Article. The courts have supported liberal interpretations of scope by Moderators, since the purpose of the Warrant is to apprise the voters of the subject matter to be considered by the meeting and not to set forth the exact action sought to be taken.

Articles may be included in the Warrant by the Board of Selectmen or by petition of Town citizens. Citizens may have an Article placed on the Warrant for an Annual or Special Town Meeting by obtaining the signatures of ten registered Brookline voters and submitting the proposed Article to the Selectmen before the closing of the Warrant for the meeting. Citizen petitioners are strongly encouraged to consult with Town Counsel or the Moderator regarding the wording and legality of their proposed Articles. If the proposal involves a change in the Town zoning by-law, petitioners should also consult with the Director of Planning.

The Town Clerk is required to send all Town Meeting Members, at least seven days prior to the Annual Town Meeting and at least 15 days prior to a Special Town Meeting, the text of each Article in the Warrant, the explanations of their Articles submitted by citizen petitioners, the reports of the Board of Selectmen and the Advisory Committee on each Article, and every report submitted in time for such publication by a board or committee with jurisdiction over the subject matter of the Article. These reports appear in a document called the "Combined Reports." In practice in recent years the Combined Reports for both Annual and Special Town Meetings have been mailed at least 14 days prior to the meeting. Traditionally, the Selectmen's Office has made an additional mailing to Town Meetings at the end of the week prior to the week in which the related Town Meeting is scheduled to commence. This mailing, usually referred to as the "supplemental mailing," contains reports of the Selectmen and Advisory Committee that were not completed in time for the mailing of the Combined Reports and all amendments and other motions proposed to be made under the Articles in the Warrant that were submitted after the deadline for mailing of the Combined Reports. It has been the practice of the Moderator in recent years to notify Town Meeting Members by email of the pendency of the Combined

Reports and supplemental mailings, and the deadlines for submission of material to be included in these mailings.

PREPARING AND PROCESSING A WARRANT ARTICLE

The following guidelines should be followed to the extent practicable in preparing and processing a Warrant Article by citizens' petition.

1. Develop the Concept

The petitioner should first discuss his or her idea with the constituencies involved, review existing regulations, laws and the Town by-laws, and see if other towns have similar measures that may serve as models.

If the subject matter of the proposed Article is covered by State law, the petitioner should consult with Town Counsel to make sure that the Article would be permissible. There are six areas in which, under the State Constitution, a Town Meeting may either not act or may only petition for action by the State legislature: (1) regulation of elections; (2) levy, assessment and collection of taxes; (3) borrowing of money or pledging of credit; (4) disposition of park land; (5) governance of civil relationships; and (6) punishment of felonies. If the Article relates to any of these subjects, the advice of Town Counsel would be especially pertinent.

2. Prepare a Draft Article

A Town Meeting article should always begin with the words "To see if the Town will..." and end with the words "...or act on anything relative thereto," although the absence of such phrases is not fatal.

If the Article is a proposal to amend the Town by-laws, it would read "To see if the Town will amend the Town by-laws by [general description of the amendment proposed or a marked version of the by-law provision showing the proposed changes, in each case with specific reference to the article and section numbers to be amended], or act on anything relative thereto."

An Article seeking to appropriate funds should read "To see if the Town will appropriate \$[estimated amount], or any other sum, for [purpose of the appropriation], or act on anything relative thereto." The Article should also specify the source of the appropriation, whether from the tax levy, by transfer from an existing appropriation, by borrowing, or any combination of these. A petitioner whose Article seeks an appropriation should consult with both the Deputy Town Administrator and Town Counsel prior to submitting the Article, in particular to obtain the proper language for the source of the appropriation.

An Article which seeks to impose a penalty for failure to comply with an existing or proposed by-law should refer to the appropriate penalty section of the Town by-laws to make sure that the penalty is properly provided for. Here again, consultation with Town Counsel is strongly advised.

An Article may propose that Town Meeting adopt a non-binding resolution, in which event the usual format contains "Whereas" clauses setting forth the background of the proposed resolution and a "Now, therefore, be it hereby Resolved" section setting forth the operative language for the resolution to be adopted.

3. Submit the Draft Article for Review

Though not a requirement, it is strongly recommended that all citizens' petitions be submitted to either Town Counsel or the Moderator for review prior to taking the remaining steps below. As noted above, proposed changes in the zoning by-law should be reviewed by the Director of Planning. These officials can assist in such areas as the proper wording of the Article, conforming proposed amendments of existing zoning or general by-laws to the current wording of such by-laws and, in certain cases, addressing legal issues that might be raised by the proposed Article.

4. Prepare an Explanation

An explanation of the purposes and intent of the Article is required. This explanation will appear in the Combined Reports and is the petitioner's first chance to inform Town Meeting Members of the purpose of a petition Article. The petitioner should spend the time necessary to write a clear and concise explanation of what the petitioner is trying to accomplish and why.

5. Prepare a Petition and Get Signatures

Each citizen's petition, the form for which may be obtained from the Town Clerk, must contain the signatures of at least ten registered Brookline voters, with their voting addresses. It is good practice to obtain at least five additional signatures, in case some turn out to be invalid. Each voter should sign and provide his or her address. It is recommended that the voters also print their names and provide their precinct numbers.

The citizen who is primarily sponsoring the Article should sign first or be identified in some other manner in the petition as such. The principal petitioner of the Article will be notified when the Article is to be discussed by the Selectmen and the Advisory Committee. The principal petitioner should include his or her telephone number(s) and e-mail address in the petition, so that he or she can be contacted easily.

6. File with the Selectmen's Office

The petition, with the form of Article and all necessary signatures, and the petitioner's explanation of the Article, must be filed in the Selectmen's office, on the sixth floor of Town Hall. The filing deadline is always at Noon on the date which has been announced for the closing of the Warrant. By law, that date is 75 days before the scheduled date of the opening session of the Town Meeting. If in doubt, the petitioner should check with the Selectmen's office for the submission deadline.

7. Post-Filing Process

The principal petitioner will eventually be notified of various events. A subcommittee of the Advisory Committee will hold a public hearing to consider the Article, and the principal petitioner

will be invited to attend and answer questions. The petitioner will also be notified when the Article is to be discussed before the full Advisory Committee, and he or she will again be able to attend and make a presentation. The petitioner will also be notified when the Article is to be considered by the Selectmen, and may also be invited to appear before various Town organizations which hold meetings to discuss Warrant Articles prior to Town Meeting.

If the Article is of interest to many citizens and has organizational support, the petitioner or his or her supporters may organize a campaign of calling Town Meeting Members to urge them to support the Article. The petitioner may also wish to prepare a mailing to Town Meeting Members.

Eventually, the Article will come before Town Meeting, at which point the principal petitioner or a designee (ordinarily, but not necessarily, a Town Meeting Member) customarily delivers a speech in support of the Article. See "Moderator's Guidelines for Speakers" below.

THE BUDGET

The budget process begins each year in early fall when every Town department head prepares an estimate of expenditures for the next fiscal year. If the department is presided over by a board or commission, such as the Library Trustees or Park and Recreation Commission, the budget will be reviewed by that body before it is submitted to the Town Administrator. The Board of Selectmen holds a public hearing on both the operating and capital budgets in late November or early December, at which the Town's long-range financial plan (forecast) is presented by the Deputy Town Administrator and Finance Director. The Town Administrator then develops the Financial Plan, which includes the Town Administrator's proposed operating and unclassified budgets and capital expenditures for the next fiscal year, a description of costs, goals and objectives for every department, and comments about other fiscal matters. The Financial Plan also includes estimates of state, county, MBTA and other assessments, collective bargaining objectives and proposals for various reserves.

The Town Administrator submits the recommended Financial Plan to the Board of Selectmen and Advisory Committee in mid-February for detailed study. Thereafter, the Town Administrator or Deputy Town Administrator periodically appears at meetings of these bodies to explain and defend the proposals contained in the Plan and to comment on any third party proposals for changes in the budget. Subcommittees of the Advisory Committee hold public hearings on each department's budget request, on all proposed capital appropriations, and on all so-called non-departmental appropriations. The subcommittees then make recommendations to the full Advisory Committee, which takes a final vote on the entire fiscal year budget and presents it to Town Meeting. The chart on page 10 sets forth the customary time schedule for the development and approval of the Town budget. This schedule is always subject to modification, especially if there is a proposal for an override. (See "Referenda and Overrides", page 24). Town Meeting Members and others interested in the budget generally or in specific capital or non-capital appropriations are encouraged to become involved in the budget process at as early a stage as possible.

By statute, the budget presented to the Annual Town Meeting for consideration is the recommendation of the Advisory Committee and is contained in the Advisory Committee's report under the budget Article in the Combined Reports. Also included in the Combined Reports are

the Selectmen's separate comments and recommendations. See "Annual Appropriations Vote" below for a detailed explanation of the procedures for consideration and approval of the budget at the Annual Town Meeting.

Copies of the Town Administrator's Financial Plan and initial budget recommendations are made available through the Selectmen's Office to all Town Meeting Members at the time of their submission to the Selectmen and Advisory Committee. The Financial Plan is also available on the Town website.

Town of Brookline

Annual Budget Cycle

<u>Capital Budget</u>	<u>Dates</u>	<u>Operating Budget</u>
Fiscal year begins	July 1	Fiscal year begins
Request forms distributed	July	
Cognizant boards and commissions hold public hearings	August	
Request forms due	September	Budget forms distributed
Capital Improvement Plan (CIP) Committee reviews requests	Sept. / Oct.	Cognizant boards and commissions review budget requests Department heads prepare budget requests
CIP Committee reviews preliminary recommendations	October	Budget requests due
Selectmen hold public hearing on the CIP Long-Range Financial Forecast is presented	Nov. / Dec.	Selectmen hold public hearing on the budget Long-Range Financial Forecast is presented Town Administrator and staff meet with department heads to ascertain the need for cutbacks and/or expansion based on projected revenue
CIP Committee submits final recommendations to Town Administrator Town Administrator submits recommendations to Selectmen	December	Town Administrator develops budget guidelines
Planning Board and Advisory Committee's Capital Subcommittee review the proposed CIP	Dec. / Jan.	Selectmen adopt budget guidelines
Town Administrator submits Financial Plan to Selectmen and Advisory Committee, and distributes it to all Town Meeting Members	February 15 (or next Town business day)	Town Administrator submits Financial Plan to Selectmen and Advisory Committee, and distributes it to all Town Meeting Members
Selectmen review and vote on capital items in the budget Advisory Committee reviews and makes recommendations to Town Meeting	February - May	Selectmen review and vote budget Advisory Committee reviews and makes recommendations to Town Meeting.
Town Meeting votes on capital items in the budget	May / June	Town Meeting votes budget.
Fiscal Year ends	June 30	Fiscal Year ends

TOWN MEETING PROCEDURES

Preliminary Matters

Annual and Special Town Meetings are called to begin at 7:00 p.m. Adjourned sessions begin at such times as announced by the Moderator or voted by the Town Meeting (usually 7:00 p.m. the next evening, except that recently the Annual Town Meeting has been held on successive Tuesdays and Thursdays). Town Meetings have for many years been held in the Brookline High School auditorium.

Town Meeting Members sign in upon arrival at one of four checkers' tables situated in the aisles of the auditorium. From west (to the left of the Moderator) to east, the order for check-in is Precincts 1 through 4, 5 through 8, 9 through 12 and 13 through 16. The Selectmen and other at-large members check in with Precincts 13 through 16. Upon check-in, each Town Meeting Member will be issued a hand-held device similar to a TV remote control, for purposes of voting electronically. Each of these devices is programmed for an individual Town Meeting Member, and the checkers are trained to issue them accordingly. Town Meeting Members are seated forward of the checkers' posts. Subject to special seating arrangements or exceptions announced by the Moderator at the beginning of each Town Meeting, that seating area is reserved exclusively for Town Meeting Members.

A majority of Town Meeting Members constitutes a quorum. When a quorum is present, as determined by the Town Clerk, the Moderator so declares and calls the meeting to order. Once the Moderator calls a session of the meeting to order, the session will continue until adjourned, although the Moderator may call for short recesses from time to time in appropriate circumstances.

The Moderator assumes that there continues to be a quorum throughout the meeting, but the presence of a quorum may be questioned by any Town Meeting Member at any time. Thereupon all business comes to a halt while the house is counted. If a counted quorum is not present and a quorum cannot be attained promptly by calling back Members in the vicinity of the auditorium, Town Meeting may only vote to adjourn to a later date or, if the Moderator considers it appropriate, to dissolve the meeting.

Approximately 15 minutes prior to the commencement of the first session of each Town Meeting, the Moderator leads a voluntary Pledge of Allegiance pursuant to a Town by-law. By tradition, after the call to order of the first session of each Town Meeting and before conducting any business, the National Anthem is sung.

Prior to the conduct of business at each Annual Town Meeting, all newly elected and re-elected Town Meeting Members are sworn in by the Town Clerk. Prior or subsequent to the start of each Town Meeting, the Moderator may appoint tellers to count any standing votes and, if appointed, he swears them to the faithful and impartial performance of their duties.

A screen containing the Town seal is lowered behind the Moderator at the beginning of each session of a Town Meeting. The screen is used prior to and during Town Meeting to display special instructions, for audio-visual or other projected presentations, and during electronic votes.

General Conduct of Meeting

The Moderator has absolute control of the conduct of the meeting within the limits of relevant Massachusetts statutes and Town by-laws. The Moderator is guided by common sense, by Brookline traditions and to the extent applicable by *Town Meeting Time*. The latter is a book of parliamentary procedures applicable to New England town meetings, edited by eminent Massachusetts moderators, and a controlling procedural authority according to the Town by-laws. *Town Meeting Time* is presently in its third edition, and copies are available at the main Town library and at the Coolidge and Putterham branches. Copies may also be purchased from the publisher, the Massachusetts Moderators Association, by contacting the Moderator.

When called upon by the Moderator to speak, the speaker should proceed to an appropriate microphone (to which he or she may be directed by the Moderator) and, as his or her first words, provide Town Meeting and the television audience with his or her name and precinct number. If a speaker is representing a political organization or Town board, commission or committee, the speaker should inform Town Meeting that he or she is speaking in that capacity. Speakers should avoid identifying themselves as members of such an organization unless they are acting as spokespersons for the organization. During the debate, each speaker is required to address the Moderator and may ask questions only through the Moderator. Although a speaker may request a response to a question from a particular person or body, the Moderator designates the person or body to respond. Debate must be confined to material relevant to the subject matter of the Article being debated, and the Moderator may in his discretion also confine debate to the particular motion under consideration.

With regard to conduct during Town Meetings, by long-standing tradition no political demonstrations or activities may take place within or immediately outside of the meeting auditorium. No political signs, banners, flags or oversized badges are permitted within the auditorium. Smoking is not permitted anywhere within the High School building or in the immediate area. Town Meeting attendees will be asked by the Moderator at the beginning of each session to silence cell phones, and no cell phone use will be permitted in the auditorium once the meeting has convened. Town Meeting Members are expected to pay full attention to the Meeting proceedings, and the reading of newspapers and other extraneous activity is frowned upon.

The principal purpose of all of these rules and traditions is to promote impersonal discussion and proper decorum at Town Meetings. The Moderator has the statutory power, which is exercised extremely judiciously and only on very rare occasions and after a suitable warning, to have removed from the meeting any person who materially interferes with its proper decorum and good order.

While the Moderator may in the interest of fairness permit the suspension of an established rule of the meeting in a particular instance, a motion from the floor for a "suspension of the rules" is not permissible in our Town Meeting. Nor, in our Town Meeting, is there any appeal from the Moderator's rulings on questions of order and procedure. Points of order may be made (see below), but the Moderator's ruling on a point of order is likewise unappealable.

Ethical Considerations

Elected Town Meeting Members are exempt from the provisions of the Massachusetts conflict of interest law, Chapter 268A of the General Laws, which covers all other municipal employees and elected officials. This exemption exists because of the special status of Town Meeting Members as elected voters rather than elected officials. However, under well recognized principles of ethics, any person should, prior to addressing Town Meeting, disclose any material economic interest that he or she or any member of his or her immediate family or any close business associate has in the particular matter under consideration. Similarly, any person who is employed in any capacity, such as attorney, architect, broker, etc., by another interested in the Article under discussion should disclose that relationship before speaking. Any Town Meeting Member who is referred to in the preceding two sentences should consider voluntarily abstaining from voting on the Article in question. The Moderator will on request announce any such abstention before or after the vote on the main motion under the Article.

Although Town Meeting Members are exempt from the state conflict of interest law, they may be or become subject to the law if they serve on an elected or appointed committee, board or commission. The Town by-laws require periodic training, provided by the Office of Town Counsel, in this statute and in the requirements of the state Open Meeting Law, for persons subject to these laws. Questions regarding the applicability of the state Conflict of Interest law in a particular case may be directed to Town Counsel or the State Ethics Commission.

Order of Articles

Warrant Articles are normally considered in the order in which they appear in the Warrant. The Moderator may change that order if fairness or clarity suggest that a different order is preferable. If there is substantial interest in a particular Article by citizens other than Town Meeting Members, the Moderator may as a convenience to such citizens designate a specific time and evening when that Article will be considered. While the Moderator has the power acting alone to change the order of Articles, he will ordinarily put any such change to a vote of Town Meeting. When the subject matter of two articles is substantially the same, the Moderator may rule that these articles be debated together, a ruling that is ordinarily not put to a vote of Town Meeting. In such instances, the Moderator will need to make it clear exactly what motions are being debated and the order in which votes will be taken on such motions. Any Town Meeting Member may make a motion at any time to change the order of one or more articles, which motion will always be put to a vote.

Motions Generally

A motion must first be made and seconded for an Article to be debated. Only Town Meeting Members may make and second motions. The Article itself is not a motion, but only notice of the general subject matter that will be discussed. Any motion may be offered which, in the opinion of the Moderator, is germane to the Article and within its scope. The initial substantive motion made under an Article is known as the main motion. The Moderator will read or summarize the main motion, or may simply refer to its location in the Combined Reports or a supplement. The Moderator will also usually state the name of the moving and seconding parties. In most cases, the main motion is the motion proposed under the Article by either the

Board of Selectmen or the Advisory Committee and printed in the Combined Reports or a supplement. In case of a petition article, the main motion will ordinarily be that proposed or approved by the principal petitioner, which may but need not be set forth in a report of the Selectmen or Advisory Committee. Once the main motion is before the meeting, it can be passed, substituted for or amended, referred to a committee, postponed or defeated. Action on a motion may only be postponed to a later time or session within the Town Meeting at which it is being considered. A Town Meeting does not have the power to bind a future Town Meeting to consider specific subject matter or take a specific action, since no subject matter or action may be considered or effected other than pursuant to an Article on the warrant for such future Town Meeting. Postponing a matter to a subsequent Town Meeting is often accomplished by a vote to refer the matter to the Board of Selectmen with a request that it be included as an Article in a future warrant. While the Selectmen are not legally required to comply with such a request, they will ordinarily do so.

Sometimes the recommendation of the Board of Selectmen or the Advisory Committee is that no action be taken on an Article. If both the Selectmen and the Advisory Committee recommend No Action, the proponents of the Article, especially in the case of a citizens' petition, have the right to make a motion for affirmative action under the Article notwithstanding the opposition of the Selectmen and the Advisory Committee. The Moderator will ordinarily accept such a motion as the main motion under the Article. A vote of No Action on a proposal is the equivalent of a vote against the proposal, and vice versa.

A variety of motions, other than the main motion, are available. Some of these, such as motions to amend, are specifically discussed below. A comprehensive list of possible motions, together with their usual priority, is set forth in the table entitled "Parliamentary Guide," from *Town Meeting Time*, on the inside front cover of this handbook.

The Debate

After a motion has been made and seconded, the debate begins. The Moderator usually calls first on the Advisory Committee and the Board of Selectmen. If neither is championing the motion, the Moderator may call first on the principal proponent. In case of a citizen petition Article, the first speaker will usually be the principal petitioner, whether or not the Advisory Committee or Selectmen are in favor of the petitioner's position. Thereafter, to the extent feasible, the Moderator will usually alternate between proponents and opponents of the motion. All Brookline residents are entitled to speak at Town Meeting when recognized by the Moderator. The Moderator ordinarily will not call on persons who are not Town Meeting Members until every Town Meeting Member wishing to do so has had the opportunity to speak. Exceptions are made in the Moderator's discretion for persons who are directly and substantially affected by the motion and, on rare occasions, for recognized outside experts or officials of non-Brookline entities such as Norfolk County or the MBTA that may be interested in the subject matter of an article before the Meeting. Because debate may be curtailed (see "To Close Debate" below), this process may result in limiting participation in the debate to Town Meeting Members.

Non-residents (other than Town officials and those referred to in the preceding paragraph) may address Town Meeting so long as prior arrangements have been made with the Moderator for the non-resident to have such an opportunity. The Moderator will introduce the non-resident

and may summarize his or her qualifications and reasons for wishing to speak. He will then call for any objections and, if seven or more Town Meeting Members stand in opposition to the proposed speaker, the Moderator will not permit him or her to address the body.

By long-standing tradition, Town Department Heads and other Town employees do not advocate positions before Town Meeting. However, a Town Department Head will be available when matters within his or her jurisdiction are debated, for the purpose of providing information and answering questions posed by Town Meeting Members. The Moderator may in his discretion make exceptions to this general proposition; for example, the Human Resources Director is usually called upon to explain the details of collective bargaining agreements that are presented to Town Meeting for ratification.

A Town Meeting Member who wishes to make a motion or speak on an Article should follow the guidelines of the Moderator set forth below. The Moderator also typically sends a letter to Town Meeting Members with the Combined Reports, describing any special procedures that will apply during the forthcoming Town Meeting. Arrangements for presenting PowerPoint displays or other audio-visual presentations must be cleared with the Moderator well in advance of Town Meeting. To promote an orderly audio-visual presentation, the presenter should consult and coordinate with the person manning the A/V booth at the rear of the auditorium prior to the session at which the presentation will be made.

The Moderator regulates Town Meeting debates and determines the order of the speakers. He prepares a speakers' list for each Article prior to Town Meeting, based on the rules and traditions described above, but guided generally by the proposition that Town Meeting debates should be informative and should provide an ample opportunity for all sides of an issue to be presented and discussed. The Moderator establishes time limits for speakers, usually no more than five minutes unless prior arrangements have been made to exceed that limit, and may provide equal blocks of time for presentations by proponents and opponents of complex or controversial proposals, in the interest of providing information to Town Meeting in as complete and useful a manner as possible. During the debate, particularly when opposing positions are being advocated, the Moderator may interrupt the speaker schedule for a question-and-answer period during which Town Meeting Members may ask questions, whether or not they have signed up to speak in advance. The Moderator will ordinarily attempt to limit these sessions to questions, as opposed to orations. Finally, in recognition that the need to speak cannot always be anticipated and may grow out of specific actions or discussion at the meeting, the Moderator will often recognize Town Meeting Members who wish to speak even though they have not advised the Moderator in advance of their intention to do so.

Speakers' lists prepared by the Moderator are not cast in stone. He will disclose to any speaker the names of others who have signed up to speak on the same side of the issue, and will permit two or more speakers to establish the order of their presentations so long as consent has been obtained from anyone whose priority on the list has thereby been lowered.

Amendments and Substitute Motions

Amendments are offered as motions in the same manner as main motions, require a second, and must in the judgment of the Moderator be within the scope of the Article . They may seek to insert, strike out or substitute words in the main motion. A motion to amend must be acted upon

before the main motion is voted on. Only a majority vote is required to pass an amendment, even if the main motion requires a greater-than-majority vote. Approval of an amendment must be followed by a vote on the pending motion thus amended.

A motion to amend may itself be amended, but only one amendment of a motion to amend is allowed at a time. In other words, a motion to "amend the amendment of the amendment" is not permitted.

A motion to substitute a completely different version of the motion on the floor is treated as a motion to amend; that is, if the motion to substitute (amend in its entirety) succeeds, Town Meeting must still vote on the amended language even though it is voting twice on exactly the same motion.

All amendments and other motions to be offered under an Article must be submitted in sufficient time to be printed and distributed to Town Meeting Members at least 24 hours prior to the commencement of the session at which the Article is to be considered. Such amendments and other motions should be submitted in writing, or by e-mail, to either the Town Clerk or the Deputy Town Administrator. Motions to be presented at the first session of any Town Meeting must be included in the supplemental mailing referred to on page 6. A motion to be presented at a subsequent session should be submitted no later than mid-day on the day of the Town Meeting session prior to the session at which it will be presented. If the Selectmen and Advisory Committee have a previously scheduled meeting prior to the session at which the motion will be considered, each will typically consider and take a position on the proposal.

The Moderator may allow exceptions to the advance filing requirement in case of motions that are non-substantive or easy to understand, but such exceptions are relatively rare and strictly within his discretion.

Motion to Refer

A motion to refer a matter to a committee or board takes priority over the main motion and amendments. The Moderator will usually require that the entire subject matter of the Article in question, including the motion to refer, be dealt with in a single debate. At the conclusion of the debate, the motion to refer is voted on first. If such a motion is defeated, debate resumes on the other motion(s) on the floor unless debate has previously been terminated. If the motion to refer is approved, that concludes matters under the Article in question. As discussed above, since a Town Meeting cannot bind future Town Meetings, postponement of a matter for future consideration is ordinarily accomplished by referring the matter to the Board of Selectmen or other Town board or commission with the (non-binding) request that it be brought back to a designated (or non-designated) future Town Meeting.

Motion to Close Debate

A motion to close debate on a pending motion is often called "moving the previous question," or simply "moving the question." Such a motion may by tradition be made from the floor without the moving party having been formally recognized by the Moderator. If a motion for the question is made and if, in the Moderator's judgment, adequate debate has been heard on both sides of the

question, he will permit this motion to come before the meeting. The motion to close debate is not itself debatable, and a two-thirds vote is necessary for the motion to pass. Prior to the vote, the Moderator usually reads the names of Town Meeting Members who have signed up in advance to speak but have not yet been heard, and calls out the names of those who may be standing at microphones waiting to be recognized. If the motion to close debate passes, all debate ceases and the meeting votes at once on the pending motion.

The Vote - Generally

After all who wish to be heard on the question have spoken, or if the question has been called, the Moderator repeats the motion (or refers to its location in the Combined Reports or a supplement) and calls for the vote. The Moderator says, "All those in favor..." and the response is "Aye." Then comes, "All those opposed..." and the response is "Nay" or "No." If the result is clear to the Moderator, he declares the motion to have been adopted or defeated. If in doubt the Moderator may ask for a show of hands. The Moderator may by tradition announce a specific tally of votes when there is no teller or electronic count, particularly when the vote is close to unanimous, so that the record will provide a reasonably accurate description of the strength of the winning vote.

A counted vote may be called for by the Moderator on his own motion, and must be held if seven Town Meeting Members rise and doubt a vote declared by the Moderator without a count. In either case, the count may be taken electronically (see below) or as a teller vote. If the latter, the tellers count the votes cast by standing Town Meeting Members on each side of the issue and return the totals to the Moderator, who announces the result.

A vote that records the position of each voting Town Meeting Member, taken by roll call, written ballot or electronically, may be requested prior to voting on any motion and, if at least 35 Town Meeting Members favor one of these voting means, a recorded vote will be conducted. A request for a recorded vote will not be allowed by the Moderator after voting in another form is underway. In the event that there are successful calls for more than one method of recorded voting, the Moderator will ask Town Meeting to elect one of these and the method of voting receiving the greater support of the meeting will be employed. For a roll call vote, the Moderator reads the list of Town Meeting Members, and each Member present answers "yes" or "no" or "abstain."

For a vote by written ballot, the tellers will distribute ballots to Town Meeting Members who have not already obtained them, and each voting Member will complete the ballot by recording his or her name, precinct, the article and motion being voted on and whether he or she is voting for or against the question, or abstaining. Town Meeting Members voting in favor of the question will then be asked to stand and will pass their ballots row by row to a teller, who will match the number of ballots collected against the number of those standing in a row. When all ballots have been collected, the tellers will announce the totals to the Moderator. The same procedure will be followed for those voting against the question, and the tellers will thereafter collect abstention ballots.

Since electronic voting was instituted in 2012, all recorded votes have been taken by this means and there have been no roll call or ballot votes. This situation is likely to persist in the future, at

least so long as electronic voting continues to be reliable. For a separate discussion of electronic voting, see the following subsection.

After all votes have been submitted by any method of recorded voting, including electronic voting, the Moderator will declare the final result and it may not be doubted. Recorded votes will be published on the Town website as soon as practicable after they are taken, and will be preserved by the Town Clerk for at least three years and are available for inspection as public records. The results of recorded votes are also published in the Town's Annual Report and may on rare occasion appear in the local press.

Most motions require a simple majority vote to be adopted. Certain exceptions are noted in the Parliamentary Guide in the inside front cover of this handbook, and certain other exceptions are imposed by statute, including the following:

- To pay unpaid bills of previous years, a four-fifths vote is required at the Annual Town Meeting and a nine-tenths vote at a Special Town Meeting;
- To authorize the Town to purchase or take land or easements, a two-thirds vote;
- To transfer Town land (except land acquired for park purposes) to another board or for another municipal purpose, a two-thirds vote;
- To amend the Town's zoning by-law, a two-thirds vote; and
- To borrow money, a two-thirds vote.

The Town by-laws provide that, on matters that require a two-thirds vote, the Moderator may simply declare the motion to have been adopted by a two-thirds vote without actually counting the vote; provided that, if the announced result is immediately questioned by at least seven Town Meeting Members, a counted vote will be taken.

There is a strong public policy that elected representatives should be held accountable to their constituents for their actions in office. Accordingly, secret ballot voting, which is relatively common in open town meetings, is not encouraged in representative town meetings. Massachusetts law, however, permits secret ballots to be held in representative meetings if two-thirds of those present approve such a vote. A secret ballot has not been held in our Town Meeting in recent history, but there may be factors in connection with an issue that would suggest to some that a secret ballot might be in order. A motion for a secret ballot must be requested prior to voting on the motion in question, and will not be allowed after voting in another form has commenced. If two-thirds of the Town Meeting Members present vote in favor, a ballot will be distributed, completed, collected by the Tellers and counted by the Moderator and Town Clerk. Secret ballots will simply record "yes" or "no" votes and abstentions and will not record the name of the voting Town Meeting Member, and appropriate actions will be taken by the tellers so that voting Members need not identify themselves publicly at the meeting.

The Vote - Electronic Voting

As noted under “Preliminary Matters” on page 12, each Town Meeting Member is issued a pre-numbered hand-held device upon checking in at each session of a Town Meeting. These devices will have been pre-tested to assure operability, but an inoperative device may be exchanged at any time for an operating replacement. As part of the preliminaries for each session of Town Meeting, the Moderator will conduct a practice vote to familiarize (or re-familiarize) Town Meeting Members with the procedures that will be followed in voting electronically. These procedures are as follows.

A vote may be taken electronically under any of the following circumstances:

1. In the discretion of the Moderator, if he is in doubt as to the results of a hand vote;
2. If seven Town Meeting Members rise to doubt the declaration by the Moderator of the results of a vote taken without a count; or
3. Upon the request of not less than 35 Town Meeting Members calling for an electronic vote.

Once an electronic vote has been declared or properly requested and the on-site IT manager is ready to proceed, the Moderator will declare voting to be open and a 40-second countdown will be displayed on the screen. The Moderator will first call for those in favor of the motion to stand and press the number 1 on their hand-held devices. After allowing several seconds for the recording of “aye” votes, the Moderator will ask those standing to be seated and will ask those voting against the motion or abstaining to stand and press 2 (for a “no” vote) or 3 (for an abstention). Town Meeting Members may change their votes at any time until the expiration of the voting period, but not thereafter, and only their last votes will be recorded. Note: Only the keys numbered 1, 2 and 3 are utilized for electronic voting; pressing any other key on the device will be ineffective. During the voting period, the screen will display the results of the vote and a series of panels, one for every four Precincts and one for At-Large Town Meeting Members, in which the recorded votes of all Town Meeting Members who have voted will be displayed. The complete presentation of Town Meeting Member votes will be scrolled through twice during, and perhaps for a brief period after, the voting period, so that Town Meeting Members will have an opportunity to verify the accurate recording of their votes. At or prior to the conclusion of that presentation, the Moderator will declare the results of the vote, which may not be challenged or changed; provided that, if a Town Meeting Member’s vote was improperly recorded, he or she may immediately rise to make a correction and the Moderator will correct the tally. Town Meeting Members may subsequently correct their votes by contacting the Town Clerk, in which event the Moderator may in his sole discretion correct the official tally.

As soon as practicable after a vote is taken electronically pursuant to the request of 35+ Town Meeting Members (per paragraph 3 above), the results of that vote will be posted on the Town website and will remain so posted for a period of at least three years. Electronic votes taken under the circumstances described in paragraphs 1 and 2 above are solely for the purpose of obtaining an accurate tally and will not be posted.

Visually-impaired Town Meeting Members who would like assistance with electronic votes should contact the Town Clerk or the Moderator prior to Town Meeting, and such assistance will be arranged.

Each Town Meeting Member who leaves any session of Town Meeting, whether during or at the end of the session, or upon dissolution of the Meeting, should deposit his or her hand-held device in the appropriate bin at the rear of the auditorium. Town Meeting Members who fail to return their devices will be contacted the next day by the Town Clerk's office.

Annual Appropriations Vote

The main annual budget motion is offered by the Advisory Committee, which will present a "balanced" budget in which total proposed appropriations equal projected revenues for the fiscal year. Because of the complexity of the budget motion, special procedures as set forth in this subsection apply to the process of its consideration by Town Meeting. There are sometimes differences between the budget proposed by the Advisory Committee and that proposed by the Board of Selectmen. However, negotiations between the two bodies that may continue up to the start of Town Meeting ordinarily eliminate most if not all of these differences. In any case, Town Meeting Members may receive one or more revisions to the budget as originally printed in the Combined Reports.

The meeting first considers the "Conditions of Appropriations," as set forth in the Advisory Committee's main motion, and any amendments to the Conditions of Appropriations proposed by the Board of Selectmen or by any Town Meeting Member. Appropriation items are ordinarily dealt with in numerical order as presented in the Advisory Committee's motion. Capital expenditures are considered individually, usually before other budgetary appropriations, and constitute "special appropriations" for purposes of the state referendum law (see "Referenda and Overrides," below).

Each budget item is subject to amendment as it comes up for consideration. An amendment need not be accompanied by a motion for compensating increases or decreases in other appropriation items, since there is no legal requirement that a budget adopted by Town Meeting be in balance. Votes are taken on any such amendments, after suitable debate, as they are presented. Unless there is a proposal to amend a particular appropriation, no specific vote is taken on that item. The sole exception to this is that there will be a separate vote on each capital appropriation that is to be financed in whole or in part by the issuance of Town bonds, since each such appropriation requires a separate two-thirds vote of approval.

As a departmental budget comes to the floor, the department head (or Superintendent of Schools in the case of the school budget) will be available for questions about his or her budget. Also, by tradition, the Moderator will permit Town Meeting Members to question department heads or their designees at that time about their departmental appropriations or about any other matter relating to the operation or management of their departments. This is the only opportunity available to a Town Meeting Member to question a department head on the floor of Town Meeting on matters outside the scope of a Warrant Article.

Amendments of appropriation items should be submitted in advance, as described under "Amendments and Substitute Motions" above, in order to permit the Advisory Committee and Board of Selectmen to consider prior to Town Meeting the financial impact of the proposed

amendments. The Moderator may in his discretion permit exceptions to the notice requirement, particularly in case of amendments proposed to balance appropriations and revenues or if to do so would in his view serve the interests of fairness and equity.

It is possible that the budget will because of amendments be out of balance at the end of the budget debate. If that occurs, the Moderator would encourage Town Meeting to consider further amendments in order to balance the budget. At the conclusion of the budget debate, whether or not the budget is in balance, the resulting budget appropriations are adopted by a single final vote. In the event that the budget as adopted is unbalanced, the Selectmen or Advisory Committee may propose amendments at a later session of the Annual Town Meeting by way of reconsideration. Failing that, a new Town Meeting will have to be called to adjust budget appropriations to bring the budget into balance, or this will have to be accomplished at the regular Fall Town Meeting. This has not been necessary in Brookline in recent history.

The above describes the procedures currently followed for the annual appropriations vote. The Moderator may in his discretion change these procedures in general or in a particular instance.

Points of Order

A point of order is a question as to the legality or propriety of the proceedings. If a Town Meeting Member feels that someone has the floor improperly, or that a motion or discussion is not within the purview of an Article, he or she may rise, interrupt whoever is speaking, and say, "Mr. Moderator, I rise to a point of order." After being recognized, the Town Meeting Member states the point of order, and the Moderator rules upon it. Whatever ruling the Moderator makes, with or without advice from Town Counsel, is final. A point of order must be raised promptly when the problem arises and will not, except under extraordinary circumstances, be permitted as a means of altering an announced vote.

Questions of Privilege

A question of privilege relates to the rights and privileges of the meeting collectively, its safety or dignity, or the integrity of its proceedings. For example, a question of privilege would be in order if the windows are open and admitting rain or if the sound system is not functioning properly. A question of privilege may also relate to the rights, reputation and conduct of Town Meeting Members individually in their capacity as such. For example, if a speaker speaks in derogatory terms of another person, the person attacked or any other person may raise a question of privilege. Such a question is initiated by a Member's rising, interrupting the speaker if necessary, and saying, "Mr. Moderator, I rise to a question of privilege." The Member waits for recognition and then states the matter. A question of privilege is not a motion and does not require a second. In virtually no instance will the Moderator permit it to be debated.

Reconsideration

A motion to reconsider a vote already taken permits the Town Meeting to undo a previous action. Such a motion may be made only by a person who was on the prevailing side of the earlier vote. Proof of how one voted is only available when there has been a roll call or a ballot or recorded electronic vote on the action in question. Otherwise, the Moderator ordinarily

accepts on faith one's qualification to move reconsideration. If the motion to reconsider passes, the earlier vote is without any force or effect. It is then necessary for a proponent of the earlier vote to move the action again, and the main motion may be amended in the usual manner, except that compliance with the rules about submitting any such amendment ahead of time will not be required.

Any Town Meeting Member desiring reconsideration of a vote taken under an Article at a Town Meeting session that has adjourned must file a request with the Town Clerk on or before noon on the day following such session. The request must be accompanied by a statement of not more than 200 words stating the reasons for requesting reconsideration, which shall be limited to the following:

- New information not available to the Town Meeting at the time the Article was considered; or
- Substantial evidence that Town Meeting Members were confused as to the basis or nature of the action that they took.

If persuaded that such reasons cast reasonable doubt on the validity of the action previously taken, the Moderator will permit the motion for reconsideration to be put to the Town Meeting at the next adjourned session of the meeting. The Moderator will read the statement of the petitioner and may, but need not, permit the reconsideration motion itself to be debated. A majority vote is required for the reconsideration motion to pass.

On occasion, the Moderator may permit a motion to reconsider a vote within the same session of Town Meeting at which the vote was passed. This may occur if, for example, in attempting to balance the Town budget by amending an item on which there has already been a formal vote. In other instances, the Moderator may allow a reconsideration motion if he is persuaded that confusion or a similar factor contaminated the prior vote.

A request for reconsideration filed after a Town Meeting has been dissolved will not be effective.

Resolutions and Reports

Town Meeting may wish to thank a person or group for a service to the Town, memorialize someone who has passed away, or offer other courtesies. These are called complimentary resolutions and may be put before Town Meeting, in the sole discretion of the Moderator, without a Warrant Article. In order to be permitted to come before Town Meeting at all, the proponent must make special arrangements in advance with the Moderator, at which time the Moderator will rule on whether or not the resolution will be permitted.

The Meeting may also vote to give directions to a Town board or committee, or otherwise indicate the concern of Town Meeting, in a matter covered by an Article in the Warrant but not susceptible to direct action by the Town Meeting. Town Meeting has a tradition of at least 60 years' standing of taking a position on foreign affairs and similar matters over which it has no jurisdiction or control and, so long as such matters are covered by a Warrant Article, the Moderator will permit them to be considered by Town Meeting. Expressions of Town Meeting's intentions or concerns in these instances are not legally binding.

Another category of matters that often come before Town Meeting over which Town Meeting has no legal authority are those within the statutory power of the Board of Selectmen, the School Committee, the Library Trustees, the Retirement Board or the Transportation Board. Town Meeting may nevertheless express by resolution its opinion about such matters, but may only request, not require, that the Board of Selectmen or such other body, take a specific action.

Special committee reports unrelated to a specific Article on the Warrant are submitted to Town Meeting under an Article relating to the presentation of reports generally. The Moderator will not permit debate on such a report, nor will he permit a motion to accept, adopt, approve or ratify a report. Examples of reports falling within this category are interim and final reports of Moderator's Committees, an annual report of the Housing Advisory Board and reports of special committees created by the Selectmen.

Adjournment and Dissolution

When the Article under debate at 10:30 p.m. is thereafter disposed of but other Articles remain to be considered, the Moderator will entertain a motion to adjourn to the next reserved evening, subject to Town Meeting's right to adjourn to any other date. When all of the Articles in the Warrant have been acted upon or otherwise disposed of, the Moderator will accept a motion to dissolve the Meeting. The motion to dissolve the meeting, and its second and vote, are usually drowned out by the rush for the exits.

Effective Date of Town Meeting Actions

All actions taken by Town Meeting are final when that the Meeting has ended and is officially dissolved, except that (a) votes that are subject to a referendum become final seven days (excluding Sundays and holidays) after the dissolution of the meeting, and (b) amendments of the Town's general or zoning by-laws must be submitted to the State Attorney General for approval and are effective upon the earlier of (i) the posting by the Town Clerk after such approval, or (ii) the date of such posting after the lapse of 90 days without action by the Attorney General.

REFERENDA AND OVERRIDES

A referendum is the means by which citizens of the Town who are dissatisfied with certain decisions of Town Meeting may cause the question to be referred to all registered voters of the Town for a vote. The following actions by Town Meeting, and only such actions, are subject to referendum:

1. Authorization of a "special appropriation" (that is, an appropriation outside of the annual Town or School budgets) of \$20,000 or more;
2. Establishment of a new Town board or office, abolition of an old board or office or merger of two or more boards or offices;
3. Establishment of the term of office of a Town officer;

4. Increase or reduction of the number of members of a Town board; and
5. Adoption of a new Town by-law (regular or zoning) or the amendment or rescission of an existing by-law.

During the seven-day period after dissolution of a Town Meeting, a petition for referendum relating to any action by Town Meeting subject to a referendum signed by not less than 3% of the registered voters of the Town may be filed with the Selectmen (petition forms are available from the Town Clerk). If such a petition is filed, the effectiveness of the subject Town Meeting vote is temporarily suspended, and the Selectmen must issue a call for the referendum "forthwith" after the expiration of five days from the petition filing date. The polls are open from 2:00 to 8:00 P.M. on the date set for the Town-wide referendum vote. The question or questions so referred to all registered voters must be worded on the ballot in substantially the same language and form as adopted by Town Meeting. No action of Town Meeting may be reversed by a referendum unless at least 20% of all registered voters in the Town so vote.

A Town-wide vote on action of Town Meeting will also be held under four other circumstances. In each case, a majority vote is required for the proposal to pass and there is no requirement that a minimum percentage of registered voters actually cast votes.

- **Operating budget override** - The voters may be given an opportunity to override the limits of Proposition 2 1/2 (see "Glossary of Terms" below) to some higher amount. If Town Meeting votes funds for an operating budget or budgets contingent on an override vote and a majority of the Selectmen vote to hold such a vote, then an override election is held. The Board of Selectmen may also order an override (or debt or capital outlay exclusion) vote prior to Town Meeting's consideration of the appropriation(s) at issue, in which event the relevant budget or appropriation item(s) presented to Town Meeting thereafter, and the action of Town Meeting itself, must reflect the results of the override vote. The question to be placed on the ballot must state the purpose and dollar amount of the override. The Town's tax levy base will be permanently increased by the override amount if approved.
- **Operating budget underride** - The voters may also be given an opportunity to "underride" the limits of Proposition 2 1/2 to a lower amount. If a majority of the Selectmen vote to hold such a vote, then an underride election is held. The ballot question must state the purpose and dollar amount of the underride and, if adopted by the voters, the Town's tax levy base will be permanently decreased by the underride amount. There have been no operating budget underrides in Brookline since Proposition 2 1/2 was adopted in 1980.
- **Debt exclusion** - A Town-wide debt exclusion vote may also occur to approve a bond authorization with a debt schedule to be funded outside of Proposition 2 1/2 limits. If Town Meeting authorizes such a borrowing contingent on the debt exclusion vote and two-thirds of the Selectmen vote to put this matter to the voters, then a debt exclusion election is held. A debt exclusion may also be subject to a Town-wide vote prior to the consideration of the applicable debt items by Town Meeting, in the same manner described above for operating budget overrides. The ballot question must state the purposes for which and the amount in which the proposed bonds are to be issued. The amount of any approved debt exclusion is added to the Town's levy limit for the term of the debt only, and only to the extent of the annual amount of debt payments.

- **Capital outlay expenditure exclusion** - If Town Meeting appropriates funds for capital projects contingent on an exclusion vote and two-thirds of the Selectmen vote to put this matter to the voters, then an election is held. The ballot question must state the purpose for which the capital outlay funds are to be spent and the dollar amount of the expenditure. The amount of the capital outlay expenditure exclusion will be added to the Town's tax levy limit only for the year in which the project is undertaken.

RUNNING FOR TOWN MEETING

How to Run for Election

Any registered Brookline voter may run for election to Town Meeting from the precinct in which his or her legal voting residence is located. A new candidate must obtain nomination papers from the Town Clerk's office in Town Hall, and these papers must be signed by at least ten registered voters who live in the candidate's precinct. Nomination papers must have valid signatures; that is, the signatures must correspond exactly to the names on the voting list and correct addresses must be listed. To compensate for possible errors, it is recommended that a candidate obtain at least 15 signatures. The nomination papers must be submitted to the Town Clerk's office at least 49 days before the election for the candidate to appear on the printed ballot. A candidate may circumvent these procedures or attempt to counter a missed deadline by running as a "sticker" or "write-in" candidate, but this would be less likely to be successful in a contested election.

An incumbent Town Meeting Member may become a candidate for re-election by giving written notice to the Town Clerk at least 56 days before Election Day. As a courtesy, the Town Clerk mails a form to incumbent Town Meeting Members for them to complete and return, indicating their intent to run (or not to run) for re-election, and incumbents do not have to file new nomination papers if they file such an intention to run within the 56-day deadline.

How to Run a Campaign

This varies widely from precinct to precinct within the Town. In some precincts, it may be advisable to go door-to-door. Many candidates in the past have created flyers or campaign postcards, but this is a function of how well-known the candidate believes that he or she is and how hard he or she is willing to work for the privilege of becoming a Town Meeting Member. Campaign literature should be signed with the name and address of a citizen, usually the candidate, and campaign literature may be distributed by hand in public places or door-to-door.

There are a number of ways to publicize one's candidacy for Town Meeting. A week or so in advance of Election Day, the *Brookline Tab* prints information about each candidate, as compiled by the League of Women Voters. A candidate should be sure to complete and return the form that the League distributes well in advance of Election Day. The League usually sponsors a Candidates' Night one or two weeks before the election, at which Town Meeting candidates may present their views to attending citizens from their precincts. Other organizations, such as neighborhood associations, sometimes hold similar meetings. And there are Town-wide political organizations, such as the Brookline Civic Association and Brookline

PAX, that usually publish endorsements of Town Meeting candidates. Each of these organizations has its particular way of generating information about a candidate and determining whether to provide its stamp of approval.

Finally, candidates often hold campaign signs or hand out literature outside of the polls on Election Day. Campaigning within 150 ft. of the entrance to a polling place is illegal, although this stricture is sometimes honored more in the breach than in the observance.

Town Meeting Members or candidates in some precincts organize a slate of candidates for the office and focus their campaigns on the election of all those named on the slate. Some may consider this tactic undemocratic, but it has been effectively used on many occasions.

How to Become Informed About Town Meeting and Town Issues

There are a variety of ways in which a prospective Town Meeting Members - or, for that matter, existing Town Meeting Members - can educate themselves about the Town and its issues, whether or not the issues will be the subject of Town Meeting debates. Any or all of the following are good sources of information:

- The Town's official website (www.brooklinema.gov) contains considerable information about the Town and current activities of its boards, commissions and committees.
- The Brookline Town Meeting Members Association holds a series of well-publicized meetings throughout the year to which all citizens are invited. The TMMA also usually holds public information meetings prior to the first deliberative session of Town Meeting, at which sponsors of important Articles make presentations. And, of course, becoming active in the TMMA is an excellent way to become informed about and involved in Town issues once one is elected a Town Meeting Member. Once a Town Meeting Member, one has access to the TMMA internet facility (brooklinetmma@yahogroups.com), over which Town Meeting Members communicate their views about Town issues.
- The TMMA has from time to time sponsored bus tours, generally on a Sunday before the first session of Town Meeting, to visit sites that would be affected by capital items in the Warrant for the meeting.
- The Annual Report of the Town contains information about the Town and its boards, commissions and committees. It provides a report for that fiscal year of each major department, contains pictures of those involved in Town government, and includes a wealth of other information. The Annual Report is available from the Town Clerk or Selectmen's office. It has won several awards for excellence bestowed by the Massachusetts Municipal Association.
- The Town's annual Financial Plan, which has also won past awards for excellence.
- Meetings of Town boards, commissions and committees are open to the public and are noticed on the Town Clerk's bulletin board and through many other facilities, including the Town website, the local press and emailings to Town Meeting

Members. The meetings of the full Advisory Committee and its subcommittees are an especially good way to become briefed on issues to come before Town Meeting. In addition, meetings of the Board of Selectmen and School Committee are televised by Brookline Interactive Group (local access television).

- The Town's general by-laws describe the structure of Town government and set forth many basic Town regulations, including a few of the rules under which Town Meeting is conducted. An up-to-date version is on the Town website.

Resignation or Termination

A Town Meeting Member may resign by filing a written notice of resignation with the Town Clerk. The resignation is effective as of the filing date. A Town Meeting Member who moves outside of Brookline ceases to hold office on the date of such move. A Town Meeting Member who moves from one precinct to another within the Town continues to hold office as a Town Meeting Member from his or her original precinct, but only until the next Town election.

MODERATOR'S GUIDELINES FOR SPEAKERS

Speaking at Town Meeting

Any Town Meeting Member wishing to speak on any Article should contact the Moderator by e-mail (sgadsby@foleyhoag.com) or leave a message for the Moderator by phone (617-738-6609), with the following information (to the extent applicable):

- a. Name and telephone number of the caller;
- b. Article number or subject matter;
- c. Whether in support or opposition;
- d. Whether representing any specific group or organization; and
- e. A description of any proposed visual presentations.

If (and only if) this information cannot be so communicated to the Moderator, a request to speak may be made through the Town Clerk. Subject to applicable time limitations, preferences to Town Meeting Members and the exercise of the Moderator's discretion in these matters, speakers will be recognized in substantially the order in which their requests are received. See also "The Debate" above, especially with regard to criteria used by the Moderator in creating speakers' lists, reserved time blocks and other rights to alter the order of speakers on these lists.

The need or desire to speak cannot always be anticipated, and may grow out of specific action or discussion at the meeting. Town Meeting Members who have not arranged in advance to speak may proceed at any time during the debate to one of the microphones in the auditorium and will be recognized by the Moderator from time to time.

When a speaker is recognized by the Moderator, he or she should address Town Meeting from the podium at the front of the auditorium or from one of the three microphones at the foot of the aisles in the auditorium, as directed by the Moderator. The microphone should be adjusted so

that there is approximately one to two inches of space between the microphone and the speaker.

Time Limits

Under ordinary circumstances, speakers will be limited to five minutes, but the Moderator may reduce this limit to three minutes or less if a large number of speakers wish to be heard on an issue. The Moderator may provide the principal proponent or proponents of complicated or unusually important Articles with additional time to present these Articles and, after advance consultation with the interested parties, the Moderator may structure the debate on a major Town project or issue in time blocks of specified length. Recent examples of the latter include the debates about taxi medallions, the Children's Hospital Brookline Village project and issues relating to diversity.

Preparation

Town Meeting Members who plan to speak on Articles should organize their thoughts and arguments so that they may be presented to the Town Meeting coherently and (except in the special cases described in the preceding paragraph) in not more than five minutes. Each speaker should be prepared with alternate presentations in the event that the Moderator limits the amount of time per speaker.

Power-Point or other visual presentations must be cleared in advance with the Moderator and should be carefully prepared for clarity and consistency with the verbal presentation. Persons giving such presentations should also consult in advance with the operator of the audio-visual systems in the booth in the rear of the auditorium.

Moderator Availability

The Moderator is available by phone or e-mail (see above) for consultation by Town Meeting Members or citizens of the Town to assist them on procedural issues or in preparing Articles or motions for Town Meeting. In addition, prior to the Annual Town Meeting the Moderator conducts an annual instruction session on Town Meeting Procedures that is especially geared for new Town Meeting Members.

Library Facilities

A Moderator's Shelf is maintained at the reference desk of the main Brookline Public Library and at the Coolidge Corner and Putterham branches. These facilities contain copies of the current Financial Plan, the Combined Reports, and pictures, plans, reports and other supporting documents for projects under consideration. Videos of Town Meetings held during the past several years are available at the main library.

GLOSSARY OF TERMS

Bonds

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 capital project being financed.

Chapter 90

The cost of construction on roads that are approved by the State is eligible for "Chapter 90" reimbursement from the State, which has been at the rate of 90% in recent years.

Cherry Sheet

A report by the Commonwealth of Massachusetts (on cherry-colored paper) containing a statement of monies the Town must pay to the county, MBTA, and Commonwealth, and an estimate of monies to be received from the Commonwealth. These figures must be used when calculating the tax rate.

CIP

The Town's Capital Improvement Program, which is revised each year and which shows the proposed expenditures for capital projects for the ensuing several years.

Combined Reports

The official title of the document sent to all Town Meeting Members which contains the reports of the Selectmen, the Advisory Committee and other Town bodies on the Articles in the Warrant. It is not to be confused with the Warrant itself, which is simply a listing of the Articles. Supplemental reports are often sent to Town Meeting Members before the start of Town Meeting or distributed by the checkers at a meeting.

Conditions of Appropriation

Conditions set forth in the budget vote which define how particular appropriations are to be spent, whether and how transfers of funds from one category to another can be made, and other conditions which Town Meeting may impose on appropriations. Many of the Conditions of Appropriation in the budget have developed over the years and are carried over verbatim from year to year.

Contingency Fund

A sum of money appropriated by Town Meeting for the Board of Selectmen to use for any unforeseen expenses during the fiscal year. Amounts expended from this fund for individual projects do not usually exceed \$1,500.

Free Cash

See "Surplus Revenue" below.

Overlay

An amount of money held in reserve for the payment of tax abatements and adjustments.

Proposition 2 1/2

A tax limitation measure adopted by state-wide referendum in 1980 which limits the ability of the Town to increase its budget from year to year. The principal operative provision limits total property taxes levied to 2 1/2% of the full cash value of the property in a community and limits any increase in the tax levy not attributable to new growth to 2 1/2% of the prior year's tax levy. To override these tax limitations requires a Town-wide referendum.

Reserve Fund

An amount of money voted by the Town Meeting (not to exceed 5% of the prior year's tax levy) for appropriation by the Advisory Committee for any unforeseen or emergency expenses during the course of the year.

Surplus Revenue

Funds that derive from (i) the difference between estimates and actual receipts of departmental collections and revenue (for example, licenses and permits) and (ii) any unexpended funds of departmental budgets. When uncollected taxes are subtracted from surplus revenue, the total is called Free Cash, which may be a positive or negative number. Positive Free Cash is available for appropriation by Town Meeting, but only after it has been certified by the State Department of Revenue.

Tax Levy

The amount of money to be raised through real and personal property taxes.

Warrant

The notice sent out by the Selectmen calling a Town Meeting and listing the Articles to be considered.

STANDING TOWN AND SCHOOL BOARDS/COMMISSIONS/COMMITTEES

**Advisory Committee
Advisory Council of Public Health
Audit Committee
Board of Assessors
Board Of Examiners
Board of Selectmen
Brookline Commission for the Arts
Brookline Commission For Women
Building Commission (including Committees of Seven and Project Oversight Committees)
Brookline Interactive Group
Campaigns Committee
Climate Action Committee
Commission For The Disabled
Committee for Diversity Inclusion & Community Relations
Committee on Town Organization & Structure
Conservation Commission
Council On Aging
Economic Development Advisory Board
Housing Advisory Board
Human Resources Board
Information Technology Advisory Committee
Library Trustees
Naming Committee
Park and Recreation Commission (including Park Design Review Committees)
Planning Board (including Design Advisory Teams)
Preservation Commission (including Neighborhood Conservation District Commissions)
Registrars Of Voters
Retirement Board
Solid Waste Advisory Committee
Town/School Labor Advisory Committee
Town/School Partnership Committee
Transportation Board
Tree Planting Committee
Trustees Of Walnut Hills Cemetery
Zoning Board of Appeals**

AD-HOC SELECTMEN COMMITTEES

**Age Friendly Cities Committee
Bicycle Sharing Committee
Bicycle Advisory Committee
Brookline Place Advisory Committee
Cable Television Advisory Committee
CDBG Advisory Committee
Complete Streets Task Force
Critical Infrastructure Monitoring System Oversight Committee
Emerald Necklace Bicycle and Pedestrian Crossings Committee
Gateway East Citizen's Advisory Committee
Licensing Review Committee
MLK Celebration Committee
Public Transportation Advisory Committee
Zoning By-law Committee**

MODERATOR'S COMMITTEES

None currently in existence (2015)

SCHOOL COMMITTEES

School Committee

School Committee subcommittees

Capital Improvements

Curriculum

Finance

Negotiations

Policy Review

Devotion School Building Committee

TOWN OF BROOKLINE Organizational Chart

