

**TOWN OF LONGMEADOW  
SPECIAL (Fall) TOWN MEETING**

Tuesday, November 2, 2021 at 7:00 p.m.

Department of Public Works Garage. 170 Dwight Road, Longmeadow, Massachusetts

**WARRANT**

COMMONWEALTH OF MASSACHUSETTS, HAMPDEN, ss

To Katherine Ingram, Town Clerk, or any of the Constables of the Town of Longmeadow, in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the Inhabitants of the Town of Longmeadow, qualified to vote in elections and Town affairs, to meet in Department of Public Works Garage in said Town on TUESDAY, the 2<sup>nd</sup> day of November 2021 at 7:00 o'clock in the evening and if the Department of Public Works Garage, shall not, in the opinion of the Moderator, be adequate to contain such Inhabitants who shall meet, then to meet also in and such other locations in the Department of Public Works as the Moderator deems appropriate, at such time and place then and there to act on the following articles to wit:

**ARTICLE 1.**

To see if the Town will vote to transfer from available funds in the treasury the sum of \$100,000.00 or a greater or lesser sum, for the purpose of the engineering and design for the Longmeadow Street Transportation Improvement Project, or take any other action relative thereto.

*In order to be considered for State funding for the reconstruction/reconfiguration of Longmeadow Street/Route 5 the Town must prepare preliminary survey and design work to reach 25% design This appropriation is the third \$100,000.00 request of an estimated total \$400,000.00 Engineering project that will allow the Town to satisfy that requirement.*

*Recommended by the Finance Committee*

**ARTICLE 2.**

To see if the Town will vote to Raise and Appropriate the sum of \$100,000.00, or a greater or lesser sum, for the purpose of increasing the FY 2022 Operating Budget - Daycare Salary, or take any other action relative thereto.

*Daycare salaries are estimated to be \$250,000 from October 2021 through June 2022. At May's Town Meeting, \$150,000 was approved for salaries for February 2022 through June 2022. It was unknown at the time of Town Meeting if the daycare program would be able to open for an entire year due to COVID related concerns. The \$100,000 request would cover salary costs from October 2021 through January 2022. All salary expenditures from this line item are reimbursed to the General Fund through Daycare fees.*

*Recommended by the Finance Committee*

**ARTICLE 3.**

To see if the Town will vote to transfer from Water Retained Earnings, the sum of \$315,000.00, or a greater or lesser sum, for the purpose of providing supplemental funding for a FY 2021 bill of prior year from the Springfield Water and Sewer Commission, or take any other action relative thereto.

*The estimated costs from the Springfield Water and Sewer Commission for FY 2021 for Water Supply and Transmission increased by 8.29% due to Capital Outlay and high usage during the dry FY 2021 period. Total budgeted costs were \$1,309,716. Actual costs were \$1,624,695. This increase in usage generated \$600,000 more in FY2021 revenue than budgeted. The excess revenues were closed into the Water Retained Earnings account as part of the FY 2021 closing process.*

*Recommended by the Finance Committee*

**ARTICLE 4.**

To see if the Town will vote to transfer \$80,000.00 from the Sewer Retained Earnings account for the purpose of funding the FY 2022 Sewer Enterprise Fund operating budget as adopted by the Annual Town Meeting May 16, 2021, or take any action relative thereto.

*The Select Board, acting as Water and Sewer Commissioners, voted to utilize \$80,000. in Sewer Retained Earnings to offset a proposed increase of the FY 2022 Sewer rate from \$2.66 per 100 cubic feet. The proposed Sewer rate was \$2.82 per 100 cubic feet or a 6.02% increase. With the offset of the \$80,000 the FY 2022 Sewer rate is \$2.70 per 100 cubic feet or an increase of 1.63%.*

*Not recommended by the Finance Committee*

**ARTICLE 5.**

To see if the Town will vote to transfer from available funds in the treasury the sum of \$17,021.61, or greater or lesser sum, for the purpose of having to pay bills of prior year, or take any other action related thereto.

*Four obligations of the Town from the prior fiscal year were discovered Since June 30, 2021. Emergency repair work was performed at the High School on June 16 to fix a leak from the built-in gutter system, batteries for the floor machine at the High School were ordered, and a prior bill for temp services at the DPW were billed. As often happens, bills from the prior fiscal year unexpectedly arrive after the close of the books of the preceding year. This appropriation would allow the Town to pay its obligations.*

*Recommended by the Finance Committee*

**ARTICLE 6.**

To see if the Town will vote to Raise and appropriate the sum of \$70,000.00, or a greater or lesser sum, for the purpose of increasing the FY 2022 Operating Budget - Fire Department, or take any other action relative thereto.

*The Fire Department EMS call volume has increased 34 % in the last five years and the Department has seen a 21% increase in combined (Fire, rescue, EMS) calls. The addition of two full time firefighter/paramedics was developed for the FY2021 budget and initially approved by the Select Board before the start of the pandemic. Taking a conservative approach to budgeting at the start of the pandemic, the positions were removed. The FY2021 ambulance revenue was \$850,461.23, 13% down from 2020, but last quarter of FY2021 predicts that revenue in FY2022 will exceed FY2020. Call volume has rebounded to pre-pandemic levels and the need for these two positions to fully staff both ambulances is evident again. This appropriation will also affect overtime. This is a permanent addition of two full-time employees to be hired on and about January 1, 2022, which this increase would be offset by increased ambulance revenues.*

*Recommended by the Finance Committee*

**ARTICLE 7.**

To see if the Town will vote to transfer from available funds in the Treasury, the sum of \$300,000.00 or a greater or lesser sum, for the purpose of increasing the FY 2022 Operating Budget for Legal Expenses to cover costs associated with protecting the Town's interests in the construction of a natural gas facility and site remediation at the DPW facility, or take any other action relative thereto.

*The Town has been involved in litigation related to the new DPW site for several years, one case involves the eminent domain taking of the site and the other case involves the asbestos cleanup (21E). The two cases were consolidated in September 2021. The Town has entered the discovery phase which is estimated to cost approximately \$200,000 for the remainder of FY2022. If the Town is successful in the 21E case, the cleanup cost for the site and legal fees could be recovered. The Town continues to review natural gas projects and filings that have an impact on the Town of Longmeadow. Eversource Gas has announced plans for the Western Mass Reliability Project which proposes a new point of delivery station and additional supply line through the Town to service customers in Agawam, West Springfield, Southwick, Springfield, Longmeadow, East*

*Longmeadow, and Chicopee. The Town has experts in the gas field who will review the Eversource filing and assist the Town in responding to the filing in the best interest of the residents, this review and response is estimated to cost approximately \$100,000 for FY2022.*

*Recommendation to be made on the floor of Town Meeting*

#### **ARTICLE 8.**

To see if the Town will vote to transfer from available funds in the treasury, the sum of \$500,000.00, or a greater or lesser sum, to the OPEB Stabilization Fund, to move closer towards fully funding the OPEB liability, or take any other action relative thereto.

*Other Post-Employment Benefits (“OPEB”) are benefits, other than pension or retirement income benefits, that are earned during employment but are payable upon retirement. The Town’s OPEB include post-employment health care and life insurance benefits. . Generally, Accepted Accounting Principles (“GAAP”) view OPEB as a form of deferred compensation and require that the costs related to these benefits be recognized during employment. Annually the Town pays for actual health and life insurance benefits for retirees currently costing \$1,390,903 and funding \$581,000 for active and retired employees. As of June 30, 2021, the calculated unfunded liability is \$25,930,000. This is down from \$29,820,000 from the previous fiscal year. The plan had an accumulated experience gain over the past two years primarily due to the increased rate of return used by the actuaries in estimating the unfunded liability and healthcare costs increasing less than assumed. The increased rate of return is the result of the Town opening an OPEB Trust Fund. The additional \$500,000 would likely have a favorable impact in effect toward the \$25,930,000 of unfunded Town liability.*

*Recommended by the Finance Committee*

#### **ARTICLE 9.**

To see if the Town will vote to raise and appropriate \$169,806.00, or a greater or lesser sum, from the FY 2022 Community Preservation Fund revenues for: CPA Fund Balance Reserve for Open Space \$56,602, CPA Fund Balance Reserve for Community Housing \$56,602.00 and CPA Fund Balance Reserve for Historic Preservation \$56,602, or take any other action relative thereto.

*The Community Preservation (CP) Fund allocations calculated using three sources, the Annual commitment, a state match and any interest earned on available funds. The estimated FY2022 CPA commitment is \$426,906. The State matched these funds at 32.2% or \$137,464. Interest on the accumulated available funds is estimated to be \$1,647. Together these three sources create the CPA budget of \$566,017. Massachusetts General Law Chapter 40B requires in each fiscal year, the Town must spend or reserve at least 10 percent of the annual CP Fund revenues for each of the CPA’s community preservation purposes: open space (including recreation), historic resources and community housing.*

*Recommended by the Finance Committee*

#### **ARTICLE 10.**

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$1,292,209.39, or greater or lesser sum, to the Operating Stabilization Fund, or take any other action relative thereto.

*Per policy of the Select Board, all free cash amounts in excess of \$500,000.00, once the Town’s fiscal year’s budget is balanced and related financial matters covered, shall be transferred into the Town’s Operational Stabilization Fund established by vote of Town Meeting on November 18, 2003 pursuant to Massachusetts General Law Chapter 40, Section 5B. This will help improve future credit rating opinions. Our most recent one from Standard and Poor’s states our rating could be raised if “budgetary flexibility were to materially increase, including growth in reserve levels, along with making meaningful progress in mitigating its debt, OPEB, and pension liabilities.” This article would help increase our reserve levels. The June 8, 2021 Standard and Poor’s Global Rating Opinion can be read on the Finance Department’s web page on the Town website.*

*Recommended by the Finance Committee*

**ARTICLE 11.**

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 40 section 8D to establish an historical commission, for the preservation, protection and development of the historical or archeological assets of the town or take any other action relative thereto.

*In a review of the bylaw creating the Historic District Commission, it was discovered that acceptance of MGL Ch. 40 section 8D was not done to provide for creation of the Longmeadow Historical Commission, a separate Commission with different roles and responsibilities than the Historic District Commission. Acceptance of MGL Ch. 40 section 8D authorizes the creation of the Longmeadow Historical Commission.*

**ARTICLE 12.**

To see if the Town will vote to add section 2-810 Longmeadow Historical Commission to the Town's General Bylaws Chapter 800

Advisory, Policy, and Regulatory Agencies as follows:

**2-810. Longmeadow Historical Commission**

- a. The Longmeadow Historical Commission operates under Massachusetts General Laws Chapter 40, Section 8d. The Commission shall adopt rules and regulations for the conduct of its business not inconsistent with the provisions of the aforementioned laws; or this Bylaw, as the case may be. These rules and regulations will be on file with the Town Clerk.
- b. The mission of the Longmeadow Historical Commission is to identify, preserve, educate, and advise the Town of Longmeadow, both its citizens and its government, about its unique historic heritage using the methods described in Massachusetts General Laws Chapter 40, Section 8d.
- c. As authorized by Massachusetts General Laws Chapter 40, Section 8d, the Town has authorized the Select Board to appoint up to seven members; each to a three year term.

*In a review of the bylaw creating the Historic District Commission, it was discovered that acceptance of MGL Ch. 40 section 8D was not done and the bylaw language for the Historic District Commission refers to the functions and duties of two distinct Town bodies: the Longmeadow Historic District Commission and the Longmeadow Historical Commission. At the Annual Town Meeting on May 16, 2021, a separate bylaw for the Historic District Commission was amended to contain language relating only to the Longmeadow Historic District Commission. This bylaw contains language relating only to the Longmeadow Historical Commission. This necessary update will allow for more clarity in the bylaws relating to the functions of both commissions.*

**ARTICLE 13.**

To see if the Town will vote to:

- (a) consider climate change in all appropriate decisions and planning processes;
- (b) take action to prepare for the impacts of a changing climate;
- (c) reduce greenhouse gas emissions;
- (d) develop and implement a comprehensive climate action plan;

all with the goal of making Longmeadow a truly sustainable community.

*Climate change is a worldwide crisis negatively affecting all of us as individuals and as a community. Immediate and continued actions on our part are needed to ameliorate the impact of these negative effects. By adopting this*

*article, the Town is committing to continue the work it has already begun in becoming a Green Community and to create a plan to help Longmeadow prepare to be a resilient and sustainable community in the face of threats posed by climate change.*

**ARTICLE 14.**

To see if the Town will vote to change the Zoning District in which the land described in this Article is located from the Residence A-1 District to the Business District, or take any other action relative thereto:

Certain real estate situated in Longmeadow, Hampden County, Massachusetts, bounded and described as follows:

**PARCEL 1:**

**SOUTHERLY:** by Williams Street, a total distance of one hundred fifty and 06/100 (150.06) feet;

**WESTERLY:** by land of First Church of Christ, Scientist, Longmeadow, two hundred seventy-two and 10/100 (272.10) feet;

**NORTHERLY:** by other land of Freebow Construction Co., Inc. one hundred fifty (150) feet; and

**EASTERLY:** by Frank Smith Road, two hundred seventy-five and 26/100 (275.26) feet.

Being the same premises as set forth on a Plan of Land in Longmeadow, Massachusetts, belonging to Freebow Const. Co., Inc., Scale = 1"40', dated August 1961, M.L. Bowers, Registered Land Surveyor. See plan recorded in Hampden County Registry of Deeds in Book of Plans 82, Page 72.

**PARCEL 2:**

Beginning at a point in the Northerly line of Williams Street at the Southeast corner of land conveyed to S. Prestley Blake, et al, Trustees, by deed dated April 28, 1961 and recorded in Hampden County Registry of Deeds Book 2804, Page 328; thence running Westerly along said Williams Street two hundred eighty-eight (288) feet to the point; thence running Northerly along other land of said S. Prestley Blake, et al, Trustees, in a line making an interior angle of 90° 48' 45" with the last described course three hundred and 3/100 (300.03) feet to a point at land now or formerly of Daniel E. Burbank, Jr., et als; thence running Easterly along last named land in a line making an interior angle of 89° 11' 15" with the last described course, two hundred eighty-eight (288) feet to a point at land now or formerly of Freebow Construction Co., Inc.; thence running Southerly along said last named land in a line making an interior angle of 90° 48' 45" with the last described line three hundred and 3/100 (300.03) feet to the point of beginning the last described line making an interior angle of 89° 11' 15" with the last described course.

Containing 86,400 square feet of land.

*This zone change addresses a change in use for this parcel. Uses in the current Residence A-1 zone are single family residences, churches, public schools, libraries, playgrounds, and town buildings, and by special permit hospitals, private schools, and nursing homes. Frontage requirements would limit the site to three residences. All of these uses except for single family residences and some non-profit nursing homes are exempt from paying property taxes to the Town. Uses in the Business zone as of right are offices, banks, and retail with parking, all of which pay property taxes. Development of this property requires adequate off-street parking, and any development must be processed through Site and Design Review by the Planning Board pursuant to the Zoning Bylaw. The limit on building heights is 35 feet which applies in all districts. The zone change would allow the expansion of the Business zone which now includes the Longmeadow Shops to this site*

**ARTICLE 15.**

To see if the town will vote to accept the charter amendments to Article 5 TOWN MANAGER Section 5-1: Appointment; Qualifications; Term, or take any other action relative thereto.

**Section 5-1 Appointment; Qualifications; Term**

The select board shall appoint, by an affirmative vote of at least four members, a town manager for a term of office and other employment conditions to be set forth by written contract, and fix his or her compensation within the amount annually appropriated for that purpose. The select board shall appoint the town manager solely on that person's executive and administrative qualifications. The town manager shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience in municipal administration to perform the duties of the office. The town manager shall not have served in an elective office in the town government for at least twelve months prior to appointment as town manager and shall devote full time to the office and shall not hold any other public office, elective or appointive. The town manager shall not engage in any other business or occupation during his or her term, unless such action is approved in advance, in writing, by the select board. The town may from time to time, by by-law, establish such additional qualifications as seem necessary and appropriate. Reappointment of the town manager shall be by the affirmative vote of a majority of the members of the select board.

*The Charter Review Committee (CRC) submitted its final report in October 2018. The above section of the Town's Home Rule Charter was recommended for revision by the CRC. The Select Board reviewed the CRC's recommendations and are bringing the above amendments for Town Meeting's consideration to revise certain sections of the Town's Charter.*

**ARTICLE 16.**

To see if the town will vote to accept the charter amendments to Article 5 Town Manager Section 5-2: Powers and Duties- subsections B, R, S, T, W, or take any other action relative thereto.

**Section 5-2 Powers and Duties**

B. To appoint and remove, ~~subject to the civil service laws where applicable,~~ all department heads, all officers subordinate to the town manager, ~~the assistant assessor,~~ and all subordinates and employees for whom no other method of appointment is provided in the charter, except appointments made by officers of the Commonwealth. Appointments of department heads made by the town manager shall not become effective until presented to the select board for approval and approved. If neither approved nor rejected by the select board by the completion of two successive meetings of the select board, the appointments shall be deemed approved. ~~Appointments of department heads made by the town manager shall not become effective unless approved by the select board within fifteen days.~~ All employees of the town other than those who come under the jurisdiction of the school committee and the superintendent of schools as provided by the constitution and general laws of the Commonwealth or who are appointed by officers of the Commonwealth or who are appointed by the select board, pursuant to Section 3-2(c), are subject to the jurisdiction of the town manager as provided in this section (5-2).

R. To serve as a public information officer for town departments and agencies in order to maximize distribution of reports and documents utilizing both printed and electronic means, including the town's website, to keep the community informed of significant town matters. ~~To coordinate a public~~

~~communication program for town departments and agencies in order to maximize distribution of reports and documents utilizing both printed means and the town web site.~~

S. To apply for, accept and expend grant funds ~~to coordinate grant application and oversee adherence to conditions of grants received by the town.~~

T. To insure the town maintains emergency preparedness plans and ~~trains~~ facilitates trainings so as to be proficient in the use of such plans.

W. To consider environmental, sustainability and energy efficiency when managing town programs and resources.

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#### **ARTICLE 17.**

To see if the town will vote to accept the charter amendments to Article 5 Town Manager Section 5-3: Acting Town Manager – Absence, or take any other action relative thereto.

#### **Section 5-3 Acting Town Manager -Absence**

By notice letter filed with the town clerk and select board, the town manager shall designate a qualified town administrative officer or employee to exercise the powers and perform the duties of the town manager during his or her temporary absence. During such absence, the select board may not revoke such designation without cause until at least ten working days have elapsed. The select board may then appoint another qualified town administrative officer or employee to serve as acting town manager until the town manager returns.

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#### **ARTICLE 18.**

To see if the town will vote to accept the charter amendments to Article 5 Town Manager Section 5-5 Removal Procedures- subsections A and C, or take any other action relative thereto.

#### **Section 5-5 Removal Procedures**

The select board may remove the town manager from office after first applying the following procedures:

a. **Notice** – By affirmative vote of ~~a majority of all of its members~~ **four of its members** the selected board may adopt a preliminary resolution of removal setting forth in reasonable detail the reason or reasons for the proposed removal. The preliminary resolution may suspend the town manager for a period not to exceed forth-five days. A copy of the resolution shall be delivered to the town manager immediately following adoption and a copy shall be filled with the town clerk.

c. **Removal** - If the town manager does not request a public hearing, then upon the expiration of ten days from the date of delivery to him of the preliminary resolution of removal; or if the town manager does request a public hearing, then five days from the completion of the public hearing, or forty-five days from

the date of the adoption of the preliminary resolution, whichever occurs later; the select board may, by the affirmative vote of **four of its members** ~~a majority of all of its members~~, adopt a final resolution of removal that shall be effective upon adoption. Failure to adopt a final resolution of removal within the time limitations provided in this section shall nullify the preliminary resolution of removal. The action of the select board in suspending or removing the town manager

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#### **ARTICLE 19.**

To see if the Town will vote to accept the charter amendments by amending Article 2 section 10 of the Charter, or take any other action relative thereto.

Amend as follows

#### **Section 2-10 Finance Committee**

(b) The finance committee shall be an advisory committee to the town meeting and shall have those powers and duties given to finance committees under the general laws, except as may otherwise be provided for in this charter. The finance committee shall have jurisdiction over the reserve fund, shall conduct long range ~~fiscal~~ **financial** planning and advise on fiscal policy, and shall further perform those duties assigned to it in article seven of this charter, assigned by by-law, and as may be voted by town meeting.

(c) No officer of the town or member of any board, commission or other committee of the town, whether elected or appointed, and no town or school employee, shall be a member of the finance committee.

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*Recommended by the Finance Committee*

AND you are hereby directed to serve this Warrant by posting attested copies thereof in five (5) public places in said Town fourteen (14) days, at least, before the time of holding said meeting.

HEREOF fail not and make due return of the Warrant with your doings thereon unto the Town Clerk at or before the time of holding said meeting.

Given UNDER our hands this 18<sup>TH</sup> day of October 2021 A.D.

**SELECT BOARD OF LONGMEADOW**



Marc A. Strange  
\_\_\_\_\_  
*Marc A. Strange, Chair Person*

\_\_\_\_\_  
*Steven Marantz, Vice Chair Person*

\_\_\_\_\_  
*Joshua Levine, Clerk*



Mark P. Gold  
\_\_\_\_\_



Thomas A. Lachiusa  
\_\_\_\_\_

*I hereby certify that the above notice has been duly posted in all five precincts.*

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date

## Town Meeting Rules of Procedure

*Moderator Rebecca M. Townsend*

Welcome! Longmeadow Town Meeting is conducted in accordance with the Commonwealth of Massachusetts General Laws, our Charter, Bylaws, *Town Meeting Time*, tradition, and Moderator discretion and policies. Wherever possible the Moderator will explain to Town Meeting her rulings, keeping in mind the flow of the deliberation and an eye on the clock. If citizens have questions about Town Meeting, please contact [rtownsend@longmeadow.org](mailto:rtownsend@longmeadow.org).

**Rules of procedure for the 2021 Special Town Meeting require modifications to accommodate public health and safety. These are the rules as of October 19, 2021. Should other procedures be required, the Moderator will provide updates and explain at Town Meeting. *It is important to limit the time exposure spent in a large group gathering indoors as much as possible. Your cooperation will be greatly appreciated.***

### Attendance \*

1. If you are sick, or show signs of illness, you should stay home.
2. All people who enter the Department of Public Works Garage will be required to have a mask covering their nose and mouth. Masks will be provided if you do not bring your own covering. Face shields may be worn in addition to, but not in place of, a mask.
3. You will keep at least 6' distance between you and others who are not from your household.
4. Longmeadow **registered voters** are allowed on the floor of Town Meeting. Visitors and the press must be seated in the designated areas.
5. Once voting has begun and is in process, no one is to be allowed into the Town Meeting space, even though doors will remain open to preserve ventilation. Voters should stay until the vote is called.
6. Non-voter visitors, town or school employees, with the exception of the Town Clerk, Town Counsel, Town Manager, Superintendent of Schools, and police officers on duty, may only be present in the auxiliary room.

### Speech

1. Masks must be worn over the nose and mouth. It is preferable to wear masks while speaking at microphones whenever possible.
  2. All **questions and discussions must be directed through the Moderator.**
  3. To speak to an issue at Town Meeting, **wait to be recognized by the Moderator and identify yourself by name and address.**
  4. **Be brief.** Speakers are encouraged to speak only to **add new points** to the deliberation as opposed to repeating what others have already stated. Most speech should be  $\leq 2$  minutes.
  5. **Speech must be civil, respectful, and ethical.**
  6. Please avoid touching the microphones.
- a. People in line who have not yet had a chance to speak will be given preference over repeat-speakers whenever feasible.
  - b. A voter may speak **twice** on a given issue and shall wait until others have had an opportunity to speak before he or she speaks a third time (except for clarification or explanation). Any speaker wishing to speak a fourth time must gain approval of Town Meeting.
7. There will be **no distribution, dissemination, or solicitation of any materials** of any kind within Town Meeting without first obtaining permission from the Moderator.

### Motions

1. Articles printed in the warrant provide a “warning” to voters about what will be presented. Motions *may* vary slightly from the printed article in the warrant, and must be within the scope of the article. The motion activates the article; voters vote on *motions*, not on warrant articles. Remember to **listen closely to the motion as orally stated**.
2. After a motion has been made and seconded, the **chief proponent of the motion speaks first**, followed by a representative from appropriate Town Boards, who state the board’s majority opinions, if applicable.
3. All motions for **amendments must be in writing and submitted to the Moderator**.
4. **Non-debatable motions** (e.g., to move the previous question/come directly to a vote, or to lay or remove from the table) **must be made directly after speaker identification**. If such a motion comes at the end of a speech, it will be ruled out of order.
5. Some motions require explanation.
  - a. **Motion to consider as a consent agenda** (as a group): Sometimes motions ask the voters to consider more than one article at a time. This is done to save time. If this motion is made and seconded, the Moderator will call out the article numbers in the proposal. Any voter who wants to **consider an article separately will call out “hold,”** and the Moderator will remove that article from the consent agenda. Voting will proceed for the motion to approve (or reject) all the articles in the group.
  - b. **Motion to Call the Question:** This motion seeks to end debate. By Longmeadow’s bylaws (3-317), “The Moderator shall not receive a motion to cut off debate on any motion that is before a meeting until at least five (5) voters have spoken for, and five (5) voters have spoken against, the pending motion; but if fewer than five (5) voters have asked to speak for or against the pending motion, the Moderator may receive a motion to cut off debate after the voters who have asked to speak, not to exceed five on either side, have had an opportunity to do so.” [If a voter believes that enough information has been heard to make a decision, she or he may move to “call the question” and bring the motion to a vote. This means that if there are 10 people in line to speak in favor (or opposed) to a motion, and no one who wishes to speak on the other side, a motion to call the question becomes in order once five have spoken. A motion to call the question is not debatable. Should two-thirds of voters approve a motion to call the question, a vote on the main motion is taken immediately.]
  - c. **Motion of Doubtful Legality:** Votes on motions at Town Meeting are subject to review by the Commonwealth’s Attorney General’s Office. Should Town Counsel, in a preliminary review of the warrant articles, advise that a particular article could not be approved if moved as printed in the warrant, Counsel will make that information available to voters at Town Meeting. Voters may still vote on it. They are cautioned that it may not have the effect of law but nevertheless express the will of the Meeting.
  - d. There are many **other kinds of motions and procedures**. Should any voter want to understand how to take a certain action, or what something means, she or he could call or email the Moderator in advance, or ask on the floor when the issue arises. Conversations before the meeting are held in confidence unless otherwise directed.

## Votes

1. Only those **registered voters issued a colored card may vote** at Town Meeting. Voters shall raise this card so that it may be seen by the Moderator.
2. Town Meeting **voters must be seated** in order to have their votes counted.
3. If there is a **question or doubt about the result that the Moderator announces, that doubt should be raised immediately after** the announcement, prior to taking up new business. A voting card count shall be conducted upon doubt by seven voters.
  - a. **Counted votes** will be conducted by tellers appointed by the Moderator. Tellers will work in pairs and only count in the section assigned to them. One will have a hand-clicker. The other will have a clipboard, pen, and tally sheet.

b. **Voters must pay attention to the directions the tellers make.** They will instruct voters in a given row to raise their cards at a given time and will individually count each section. They will compare the subtotal immediately. If there is a discrepancy, they will recount that section right away, otherwise they will move on to the next row.

c. **We will count and report all “Yes” votes first. Then we will count and report all “No” votes.** Each pair of tellers will report their section’s total votes to the Moderator via a microphone. The Moderator, Clerk, and Town Counsel will tally the votes, and the Moderator will announce the outcome.

- For a listing of relevant laws, please see “Massachusetts Laws About Town Meetings” <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-subj/about/townmeeting.html>
- Citizens may also consult to the Secretary of State’s Office for the “Citizen’s Guide to Town Meetings” <http://www.sec.state.ma.us/cis/cistwn/twnidx.htm>
- Town Charter: <http://www.longmeadow.org/documentcenter/view/1549>
- Longmeadow’s Bylaws: <http://www.longmeadow.org/282/Town-Bylaws>

### **Relevant Sections of the Bylaws**

**3-313. Order and Decorum.** The Moderator has the duty to preserve order and decorum in a Town Meeting and to this end, he has authority to direct a police officer or constable of the Town to do any act that he believes is appropriate.

**3-316. Precedence of Motions.** When a question is before a Town Meeting, the Moderator shall not receive a motion that does not relate to that question, except a motion to adjourn or some other motion that is privileged in its nature. The Moderator shall not receive a motion relating to the question except: (a) A motion to lay on the table; (b) A motion for the previous question; (c) A motion to postpone to a time set; (d) A motion to commit or re-commit; (e) A motion to postpone indefinitely; or (f) A motion to amend. These motions have precedent in the order in which they are here arranged. The Moderator shall permit debate upon the merits of the main question upon a motion to postpone indefinitely or upon a motion to amend.

**3-317. Motion to Cut off Debate.** The Moderator shall not receive a motion to cut off debate on any motion that is before a meeting until at least five (5) voters have spoken for, and five (5) voters have spoken against, the pending motion; but if fewer than five (5) voters have asked to speak for or against the pending motion, the Moderator may receive a motion to cut off debate after the voters who have asked to speak, not to exceed five on either side, have had an opportunity to do so.

**3-318. Limits on Speech.** Except when the Moderator has recognized a voter for the correction of an error or to state an explanation, a voter is not entitled to speak more than two (2) times on one question until others who have not spoken have had an opportunity to do so, and a voter is not entitled to speak more than three (3) times on one question, without first obtaining leave of the meeting to do so.

**3-319. Written Motion.** The Moderator has the authority to require that a motion be reduced to writing.

**3-321. Use of Names.** The Moderator is authorized to refer to a person by name for the purpose of identification or recognition; but otherwise, one person shall not refer to another person by name in a Town Meeting.

**3-322. Debate Question.** A person who desires to ask another person a question relating to debate shall put the question to the Moderator.

“Stand up to be seen. Speak up to be heard. Sit down to be appreciated”

--John Wheeler, Moderator, Plymouth, VT for 28 years (cited by Frank Bryan in *Real Democracy*)