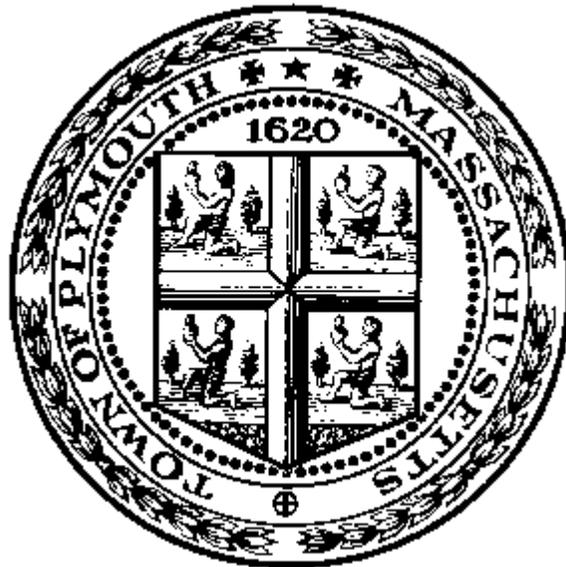


TOWN MEETING HANDBOOK



TOWN MEETING HANDBOOK

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Introduction

Welcome to the Town of Plymouth's Town Meeting Handbook. You may be reading this as either a potential Town Meeting Member or a newly elected Town Meeting Representative. Congratulations if you are the latter, and good luck if you are the former! Being an active participant in local government is a great way to give back and a great way to help shape the community in which you live.

Getting Elected

To become a Town Meeting Representative you must go to the Town Clerk's office to take out nomination papers, and then collect ten signatures from registered voters within your precinct and submit them to the Town Clerk for verification. Current members need only complete a one signature form at the Clerk's office to be re-elected. Another option is to be a write-in candidate which means you can write in a name, either yours or someone else's, on the ballot when voting. This is a viable option when there is an open seat in a precinct that no one is running to fill.

Town Meeting Members are elected for three-year terms. If a spot has been vacated by a Town Meeting Member then a resident from that precinct may run to fill the remainder of the unexpired term.

Once You are Elected

Attendance is crucial for Town Meeting to be successful. Town Meeting meets two times a year with the possibility that a Special Town Meeting may also be called during the year. Most often Special Town Meeting runs in conjunction with a regular Town Meeting. Prior to every Town Meeting each precinct holds a caucus to review the Articles that are on the upcoming Warrant. Any Town Meeting Member who is unable to attend Town Meeting must notify the Town Clerk in writing. Representatives should also notify their Precinct Chair if they are unable to attend Town Meeting or their precinct caucus.

In addition to caucuses, the Town Moderator holds a Town Meeting Preview which briefly states all of the upcoming articles for the next Town Meeting and is open for anyone to attend.

Structure of Plymouth Town Government

Scope of Duties:

The legislature (town meeting) is a 135 member body of representatives divided into 15 precincts, serving as representatives for the town's approximately 60,000 residents.

The legislators (commonly referred to as town meeting members) attend precinct caucuses, annual spring and fall town meetings, and special town meetings. The legislature considers and acts upon all by-law changes, all proposed capital and operating budgets, bond issues, and all other financial proposals, as well as changes to the charter.

Town Meeting is advised by the Advisory and Finance Committee and the Board of Selectmen.

Town Meeting Members:

Plymouth Residents elected to Town Meeting serve as the legislative branch of Plymouth's government. There are 135 Town Meeting members representing fifteen (15) "precincts". Each precinct is represented by nine (9) town meeting members who serve three (3) year terms. Three (3) of a precinct's nine (9) Town Meeting Members are up for election annually.

Board of Selectmen:

The executive branch of Plymouth's government is a five (5) member Board of elected officials called a Board of Selectmen- all of whom must be Plymouth registered voters. Each Selectman serves a three year term, and rotating seats are elected annually. The Board of Selectmen oversees the Warrant presented at Town Meeting. The Board determines what articles will be included in the warrant to be considered by the Town Meeting legislative body. The Board of Selectmen set policy. The Town Manager is responsible for the day-to-day operation of the town.

Advisory & Finance Committee:

The Advisory and Finance Committee is comprised of fifteen (15) members from across the Town's fifteen (15) precincts. Members are appointed by the Town's Moderator. Interested parties who would like to be considered for an appointment need only submit a "letter of interest" to the Town Moderator.

It is the responsibility of the Advisory and Finance Committee to consider all matters proposed to be acted on at all Town Meetings, except that in no case shall the Committee make any recommendation pertaining to the candidacy of any person for any office, nor shall it make any recommendation or suggestion in regard to any question involving a license for the sale of intoxicating liquors or in regard to any article involving the adoption of constitutional amendments.

Town Clerk:

The Town Clerk and his/her staff maintain and produce all of the records for the Town of Plymouth. Records such as marriage and death certificates, town meeting warrants and minutes, meeting agendas and minutes, as well as other pertinent documents are maintained by the Town Clerk's office and made available to the public. The Clerk conducts elections and works closely with the Board of Voting Registrars to maintain lists of town residents and to conduct elections. The Town Clerk's office coordinates election ballots by accepting election paperwork, and validating election petition signatures. The Town Clerk also swears in newly elected or re-elected officials and volunteer committee members so that they may participate in the votes of their boards or committees. A newly elected or appointed board/committee member must first be sworn in by the Town Clerk before participating in a recordable vote.

A Plymouth resident holding the position of Town Clerk is appointed by the Town Manager.

Town Manager:

The Town Manager reports directly to the Board of Selectmen. The position is filled through a hiring process overseen by the Selectmen. The Town Manager is the chief administrative officer and chief procurement officer of the Town of Plymouth. The Town Manager is responsible to the Board of Selectmen for the effective management of all town affairs placed in their charge by the Charter, the Selectmen, by-law, or vote of the representative town meeting. The Town Manager is responsible for the implementation of town policies established by the Board of Selectmen.

Further explanation of the Town Manager's roles and responsibilities can be found in Chapter 3, Section 5 of the Town of Plymouth Charter: http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_TownClerk/Bylaws/Charter%2005.pdf.

Town Moderator:

A Moderator shall be elected at the regular town elections for a term of three (3) years. The Moderator presides over all representative town meeting sessions and shall perform such other duties as may from time to time be assigned to the office through bylaw or vote of the representative town meeting. The Moderator shall have no vote unless the representative town meeting members present and voting are equally divided.

During a Town meeting, the Moderator may limit the scope of a debate but not the length of debate for any given article.

Promptly following the annual town election, the Moderator shall appoint an Assistant Moderator for a term commencing at the first annual or special representative town meeting following such annual election, and ending on the date of the annual town election in the following year. Such appointment shall be subject to the approval of the next annual or special representative town meeting. The Assistant Moderator shall substitute for the Moderator in the event that the Moderator is absent from a representative town meeting session or at the discretion and request of the Moderator, and shall carry out the duties of the Moderator excluding any exercise of appointing authority at such representative town meeting session. In the event that the Moderator cannot carry out the duties of his office by reason of death or disability, then the Assistant Moderator shall carry out all of the duties of the office of Moderator. The Assistant Moderator position shall be uncompensated.

Town Counsel:

The Town of Plymouth contracts with an outside law firm to provide guidance on any and all of its legal matters. Representatives of the law firm are in attendance at all town meetings. Warrant articles presented to the town meeting body are reviewed before hand to ensure that they are structurally composed in a manner that is legal thus preventing a challenge on legal grounds at a later date.

Planning Board:

The Planning Board is a five-member elected body responsible for the long-range planning of the physical, environmental, community, and economic development of the town. The Board meets regularly to hear proposed development projects-both residential and commercial and provides recommendations on the projects before them to ensure each development opportunity meets the Town's master plan requirements.

School Committee

The School Committee is comprised of seven members elected for three-year terms at the Town Elections held each May. Their primary responsibility is to oversee the annual school budget, develop school system policies, hire and review the performance of the Superintendent of Schools, and advocate for the school system with citizens and Town Government.

Various Boards & Committees:

The success of our Town government relies heavily on the oversight efforts of volunteers who are appointed to focus groups such as the Open Space Committee, Historic District Commission, and Natural Resources & Beach Committee. Typically, committee members are appointed by the Board of Selectmen and serve a specific duration or "term". Committee vacancies are advertised and those wishing to serve are asked to submit a letter of interest and their respective qualifications. In some cases, the Town's boards and committees are empowered to make decisions concerning the matters before them. In other cases, some committees are advisory in nature and deliver report recommendations to other Town entities.

Visit the Town's website for a complete list of the current Boards and Committees.

http://www.plymouth-ma.gov/Public_Documents/index

Community Preservation Committee:

This committee comprised of nine appointed members, was created as a result of the Town's acceptance of the Community Preservation Act. The committee studies the needs, possibilities and resources of the town regarding community preservation and makes recommendations to Town Meeting for the acquisition, creation and preservation of open space, historic resources, land for recreational use and community housing.

Town Departments:

Town services such as road maintenance, the issuance of tax bills and permits, and health inspections, just to name a few are handled by various Town departments comprised of paid employees.

For a complete list of the Town's Departments, please visit the Town's website.

http://www.plymouth-ma.gov/Public_Documents/index

Town Meeting Members

How to Become a Town Meeting Member:

To become a Town Meeting Representative you must go to the Town Clerk's office to pick up nomination papers and then collect ten signatures from registered voters within your precinct and submit them to the Town Clerk for verification. Current members need only complete a one signature form at the Town Clerk's office to be reelected. Another option is to be a write-in candidate which means you can write in a name, either yours or someone else's, on the ballot when voting. This is a viable option when there is an open seat in a precinct that no one is running to fill.

Town Meeting Members are elected for three-year terms. If a spot has been vacated by a Town Meeting Member then a resident may run to fill the remainder of that term.

The representative town meeting members from each precinct shall, within twenty (20) days following each town election, meet and elect from among their own precinct's representative town meeting members, a chairperson, vice-chairperson, and clerk, to serve for a term of one (1) year, and shall file a notice of such organization with the Town Clerk. If the Town Clerk fails to receive a notice of organization within twenty-one (21) days following a town election, the Town Clerk shall immediately call a meeting of the representative town meeting members from such precincts that have failed to organize, for the purposes of organizing.

If You Move:

A representative town meeting member who ceases to reside in the representative town meeting member's precinct during the term of office shall notify the Town Clerk.

If You Resign:

A representative town meeting member who decides to resign must notify the Town Clerk in writing.

Replacing a Town Meeting Member:

The person who received the highest number of votes among the unsuccessful representative town meeting member candidates at the most recent election in the precinct shall fill the vacancy until the next regular election. If such person declines, or is unable to fill the vacancy, the person who received the next highest number of votes among the unsuccessful representative town meeting member candidates at the most recent election shall fill the vacancy. If the vacancy cannot be filled in this manner, the precinct caucus delegation shall vote to fill the vacancy. If necessary, the Town Clerk shall call members of the precinct caucus delegation together by written notice and shall conduct the election.

Precinct Officers:

Each precinct shall elect a chairperson, vice-chair, and clerk. Each precinct chairperson shall arrange for the posting of notices of caucus meetings in Town Hall. Each such caucus meeting shall be conducted in accordance with G.L. c.39, § 23A et seq., the Open Meeting Law.

Swearing In

Before a Town Meeting Member is able to vote at a caucus or at a Town Meeting, he/she must first be sworn in by the Town Clerk.

Committee of Precinct Chairs:

The precinct chairpersons shall meet together within forty-five (45) days following each town election, and shall organize as a Committee of Precinct Chairs, electing a Chairperson and a Clerk.

The Committee of Precinct Chairs may from time to time appoint subcommittees of itself or committees of Town Meeting members to review town by-laws, town meeting rules and for such other purposes as they shall deem appropriate and shall make recommendations to the Representative Town Meeting and/or the Moderator at least annually. The committee also may perform other duties designated to facilitate the business of town meeting. In addition to any other powers conferred upon it by the representative town meeting, the Committee of Precinct Chairs shall periodically review the rules of procedure that govern the conduct of the representative town meeting and report its finding to the representative town meeting at least annually.

Precinct Map

http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_IT/GIS%20Folder/PropVotePrec/Link%20to%20Interactive%20Map

Voting Locations for Precincts-

- Precinct 1: Hedge Elementary School, 258 Standish Ave.
- Precinct 2: Cold Spring Elementary School, 25 Alden St.
- Precinct 3: Town Hall, 11 Lincoln St.
- Precinct 4: Plymouth North High School, 41 Obery St.
- Precinct 5: Plymouth Community Intermediate School, 117 Long Pond Road
- Precinct 6: Manomet Elementary School, 70 Manomet Point Road
- Precinct 7: Indian Brook School, 1181 State Road
- Precinct 8: Cedarville Fire Station, 2209 State Road
- Precinct 9: South Elementary School, 178 Bourne Road
- Precinct 10: Federal Furnace School, 860 Federal Furnace Road
- Precinct 11: Plymouth Municipal Airport, 246 South Meadow Road
- Precinct 12: Plymouth South High School, 490 Long Pond Road
- Precinct 13: West Elementary School, 170 Plympton Road (Route 80)
- Precinct 14: Indian Brook School, 1181 State Road
- Precinct 15: Stonebridge Club, 55 Stonebridge Rd.

Where and When Town Meeting Happens

Annual Town Meeting:

The representative town meeting shall meet at least twice in each calendar year. The spring annual town meeting shall be convened on the first Saturday in April. The second such meeting shall be held during on the third Saturday in October.

Special Town Meeting:

This may be called by the Board of Selectmen or 200 registered voters for a specific reason.

Attendance:

Town Meeting members shall attend all representative town meeting sessions. The Town Clerk shall take attendance prior to the commencement of the session and the Moderator shall take roll on at least one occasion after the commencement of the session.

Warrant:

In New England, a warrant is a document issued by the Board of Selectmen to call a town meeting. Warrants essentially list an agenda of items to be voted on by town meeting members. For example, items vary from the annual operating budget to adjustment of by-laws or petitioned articles. A citizen wishing to place an article on an Annual Town Meeting warrant must present a petition with at least ten (10) registered voters containing the wording as it is to appear on the warrant. One hundred (100) signatures are needed for a Special Town Meeting warrant.

Types of Articles:

The Selectmen issue the warrant and make up the articles (items) on it. Voters may “insert” articles on the warrant with a petition (see above).

Quorum:

A quorum shall be two-thirds (2/3) of the total number of elected members to conduct business.

Precinct Caucus:

Town Meeting members of each precinct shall, within twenty (20) days following each town election, meet and elect a chairperson (to schedule caucuses, post notices of caucuses to Town Hall, represent the precinct at CoPC meetings, and conduct caucuses), vice-chairperson (to assume the duties of the chairperson in his/her absence), and clerk (to take accurate minutes of the caucuses), to serve for one (1) year. Notice of such organization shall be filed with the Town Clerk. If notice is not received, the Town Clerk shall immediately call a meeting of the members for the purposes of organizing.

Each precinct shall hold a caucus meeting to review the subject matter of the upcoming town meeting. Caucus meetings may be held in conjunction with other precinct delegations.

Each chairperson shall arrange for the posting of notices of caucus meetings in Town Hall and on the Town’s website. Each meeting shall be conducted in accordance with the Open Meeting Law.

Town Meeting Preview:

The Town Moderator conducts a preview for the public prior to Town Meeting to review the warrant. It is broadcast live on PACTV.

Motions Meeting

The Town Moderator will hold a Motions Meeting prior to Town Meeting to review any written motions being made prior to Town Meeting. Motions may also be made from the floor of Town Meeting.

Town Charter

The document providing the framework of local government for the Town of Plymouth, which is created, amended or repealed under the procedures of the Home Rule Procedures Act of Massachusetts General Laws, chapter 43B. and the Constitution of the Commonwealth, Const. Amend. Art.89.

http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_TownClerk/Bylaws/Bylaws,%20Town%20General.pdf

Preamble:

We, the people of the Town of Plymouth, Massachusetts, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government and to take the fullest advantages inherent in the home rule amendment of the constitution of the Commonwealth, do hereby adopt the following home rule charter for this town.

Town Bylaws

Municipal by-laws are public regulatory laws which apply in a certain area. A municipal by-law is no different than any other law of the land, and can be enforced with penalties, challenged in court and must comply with other laws of the land, such as the country's constitution. Common bylaws include vehicle parking and stopping regulations, animal control, building and construction, licensing, noise, zoning and business regulation, and management of public recreation areas.

The Plymouth Bylaws are located on the web at http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_TownClerk/Bylaws/Bylaws,%20Town%20General.pdf

The bylaws that specifically apply to Town meeting are as follows:

Chapter 173**TOWN MEETING**

§ 173-1. Ballot voting.

§ 173-2. Committee vacancy.

§ 173-3. Meeting and election dates.

§ 173-4. Committees.

§ 173-5. Recess.

§ 173-6. Attendance record.

§ 173-7. Articles by petition.

§ 173-8. Copy of laws for Town Meeting members.

§ 173-9. Divisible motion.

§ 173-10. Notice of adjourned meeting.

§ 173-11. Number of Town Meeting members; terms of office.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 1 of the 1974 Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

Advisory and Finance Committee -- See Ch. 9.

Eminent domain takings -- See Ch. 59.

§ 173-1. Ballot voting.

A. The Town Meeting shall always operate in open session. Secret ballots shall be used on any questions only by a two-thirds vote of those present and voting. (Contained in the Town Charter.7)

B. The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority is required. **[Added 10-27-1997 STM by Art. 2]**

§ 173-2. Committee vacancy. [Amended 6-27-1984 STM by Art. 4]

Any vacancy in any committee created under a vote of the town shall be filled by the appointing authority in the same manner as the original appointment.

7 Editor's Note: See Sec. 2-3-3 of the Charter.

§ 173-3. Meeting and election dates. [Amended 11/2/99 by Article 18]

The Town Meeting shall meet annually on the first Saturday in April and at such other times as may be determined by vote of the Town Meeting. The regular election for all town offices shall be by official ballot held on the second Saturday in May of each year. (Contained in the Town Charter.8) The Fall Annual Town Meeting shall convene on the third Saturday in October.

§ 173-4. Committees. [Amended 6-27-1984 STM by Art. 4]

A. Formation.

(1) The motion for the formation of any committee by Town Meeting shall indicate whether said committee shall be a permanent or temporary committee and shall provide for the filing of reports by said committee to subsequent Annual Town Meetings.

(2) For any permanent committee formed by Town Meeting, the motion shall also provide for three-year overlapping terms.

(3) The motion for the formation of any temporary committee must only provide for the term of membership, not to exceed three years.

B. Organization. When a committee is created by a vote of either an Annual or Special Town Meeting, the temporary chairperson thereof shall be designated by the appointing authority, and it shall be his or her duty to call members for organization within 30 days of his or her receipt of notification of his or her appointment. If he or she fails to call such organizational meeting within the prescribed time, it shall be the duty of the appointing authority to call such meeting.

C. Reports.

(1) Reports by any permanent or temporary committee formed by Town Meeting shall be submitted to the Annual Town Meeting in written form unless specific instructions to the contrary are made by the Town Meeting.

(2) Copies of written reports shall be submitted to the Town Clerk no later than 30 days prior to the earliest date on which the first business session of the Annual Town Meeting is to be held, but in no event later than April 1. It shall be the responsibility of the Town Clerk to compile such reports and distribute copies of such to Town Meeting members prior to the Annual Town Meeting. **8Editor's Note: See Secs. 2-3-1 and 5-1-1 of the Charter.**

(3) If no report is made by any committee in accordance with the vote of Town Meeting, the committee shall be deemed discharged. Such committee discharged under the terms of this subsection shall only be reformed by a vote of either an Annual or Special Town Meeting.

D. Review of committee status.

(1) Existing committees created by a vote of Town Meeting. Each existing committee created by a vote of Town Meeting shall be reviewed at the next Annual Town Meeting following the acceptance of this section, at which time Town Meeting shall:

- (a) Vote to continue or discharge the committee.
- (b) Designate each committee as either permanent or temporary.
- (c) Establish the review date for said committee, said review date to be no later than three years following such designation.
- (d) Establish provisions for three-year overlapping terms.

(2) Committees created after the acceptance of this section by Town Meeting. Each committee created by a vote of Town Meeting subsequent to the acceptance of this section shall be reviewed at the third Annual Town Meeting following the Annual Town Meeting at which it was created, unless otherwise stipulated by Town Meeting.

(3) Petitioned review. The acceptance of this section does not preclude or prohibit any individual or individuals from petitioning either an Annual or Special Town Meeting for the review of the status of any committee created by Town Meeting.

(4) Exempt committees from review status. Any committee, commission, board or other bodies formed by Town Meeting by the acceptance of any legislative acts of the Commonwealth of Massachusetts shall be exempt from the review process of this section.

§ 173-5. Recess.

A recess shall be called within every two-hour period of a session.

§ 173-6. Attendance record.

After the final adjournment of every Town Meeting, the Registrars shall post a complete attendance record on the public notice bulletin board at the Town Office Building.

§ 173-7. Articles by petition.

Any article appearing on the warrant by petition shall have appended thereto the name of the first person signing said petition and the words "et al."

§ 173-8. Copy of laws for Town Meeting members. [Amended 6-27-1984 STM by Art. 4]

A copy of the Town Charter, Town of Plymouth Bylaws and any specific rules and regulations that pertain to Town Meeting and adopted by the Town of Plymouth shall be mailed by the Town Clerk to every newly elected Town Meeting member with the notice of his or her election.

§ 173-9. Divisible motion.

Any motion which might be divisible upon vote of the Town Meeting shall be divided, and the question shall be put separately upon each portion thereof.

§ 173-10. Notice of adjourned meeting.

Notice of the time and place at which any adjourned session of a Town Meeting is to be held shall be posted on the public notice bulletin board at the Town Office Building by 9:30 a.m. of the day of the adjourned meeting.

§ 173-11. Number of Town Meeting members; terms of office. [Added 4-5-1980 STM by Art. 5; amended 4-6-1987 ATM by Art. 14; amended by Section 2-2-1 of 1999 Charter]

The number of Town Meeting members shall be fixed at 135, nine from each of the 15 precincts, and members shall be elected for three-year overlapping terms.

Robert's Rules of Order /Town Meeting Time

The procedures which govern Town Meetings come from: Massachusetts General Laws Chapter 39, Plymouth's By-Laws and Charter, and parliamentary procedure. While some communities rely on Roberts Rules of Order, Plymouth has adopted *Town Meeting Time* as the guide for parliamentary procedure. The Moderator also employs his discretion when needed. Most importantly, however, the

Town Meeting is within the control of the town meeting representatives. The Massachusetts Moderators Association publishes *Town Meeting Time: A Handbook of Parliamentary Law*. <http://www.massModerators.org/tmt.html>.

Speaking at Town Meeting

If you wish to speak, stand up and wait for the Moderator to acknowledge you. When the Moderator acknowledges you, state your name, and your precinct. Potential speakers are encouraged to contact the Moderator prior to Town Meeting.

- Speak about the topic being discussed. Don't speak about a previous topic (unless there is a motion to rescind or reconsider).
- Make your comments to the Moderator, not to the Town Meeting or individual Town Meeting Members. For example, do not say, "I have something to say to the Town Meeting," or "Mr. Smith, you said something as a Town Meeting Member that I want to respond to." Instead, say something like, "Mr. Moderator, these are my thoughts on this article."
- You may disagree with a previous speaker's argument, but please remain respectful and courteous. For example, do not say, "The previous speaker is dead wrong." Instead, say something like, "I disagree with the argument we just heard."
- Try to avoid referring to previous speakers by name. For example, try not to say, "I agree with Mr. Jones' argument." Instead, say something like, "I agree with the argument that we can afford this budget item."
- Since you make your comments to the Moderator, you may not directly debate or ask questions of a previous speaker. For example, do not say, "Mr. Johnson, you say that we should make another exception to the zoning law. I'm asking you: When do we draw the line and stop making exceptions?" Instead, say something like, "Mr. Moderator, we have heard the argument that we should make just one more exception to the zoning law. But I say it's time to stop making exceptions."

See the Appendix section for amended rules on who may speak, and time limits imposed, at Town Meeting.

Point of Order

A point of order is not a motion but a question posed through the Moderator. It may interrupt the speaker for the following reasons:

- Is the speaker entitled to the floor
- Is what the speaker saying irrelevant
- Is any pending action contrary to the proper procedure

Budgets

In the case of the Town of Plymouth, the Municipal Budget refers to all the operations including Town, School, and Enterprise Funds (Airport, Solid Waste, Sewer, etc). In Plymouth, the Town & School's operations are funded by general funds. Enterprise Fund operations are funded by revenue generated from fees and charges assessed for services provided by the enterprise fund departments.

Individual Line Items

A Line Item Budget is a highly detailed budget. Plymouth uses this type of budget, which separates spending into categories, such as supplies, equipment, maintenance, or salaries as opposed to a program budget.

Reduction and Addition

Town Meeting Members may vote to change the line items in the proposed budget.

Capital Outlay and Expenditure

This is the exchange of one asset (cash) for another (capital asset), with no ultimate effect on net assets. Also known as "pay as you go", it is the appropriation and use of available cash to fund a capital improvement, as opposed to incurring debt to cover the cost.

Capital Budget:

An appropriation or spending plan that uses borrowing or direct outlay for capital or fixed asset improvements. Among other information, a capital budget should identify the method of financing each recommended expenditure, i.e., tax levy or rates, and identify those items that were not recommended.

Government Budget Preparation and Review Process

Upon the preparation of estimated revenues and non-budgetary expenses for the upcoming fiscal year, specific General Government operating budgets are prepared by department heads, boards and commissions during the period mid-October to mid-November. The Town Manager issues budget preparation guidelines to all departments consistent with revenue projections and policies of the Board of Selectmen.

Upon receipt of all proposed budgets, the Town Manager and Assistant Town Manager, with the assistance of the Director of Finance review said budgets in detail. Budget review sessions are scheduled with department heads. It is then the responsibility of the Town Manager to prepare the Budget Message for distribution to the Board of Selectmen, Advisory & Finance Committee and other interested parties. The budget message sets forth a summary of all revenue and non-budgetary projections, describes, the allocation formula, sets forth the budget maximums and provides the total recommended budget for General Government.

The Board of Selectmen then reviews the General Government budget. Town Meeting members and the general public are encouraged to be present at these sessions and to participate in the review process. The final budget as recommended by the Board of Selectmen is then submitted to the Advisory & Finance Committee for its review and action. Final action on all budgets is of course the responsibility of Town Meeting.

Capital Improvements Program:

A blueprint for planning a community's capital expenditures that comprises an annual capital budget and a five-year capital program. It coordinates community planning, fiscal capacity and physical development. While all of the community's needs should be identified in the program, there is a set of criteria that prioritizes the expenditures.

Capital Budget Preparation and Review Process

The five year capital improvement plan and one year capital improvement budget are of critical importance to the community's quality of life and financial health. Plymouth has had a comprehensive capital improvement plan since 1988. The plan sets forth the capital needs of the General Government, and Plymouth Schools; including projected sources of funding.

The Bylaws of the Town of Plymouth define a capital project as "major non-recurring tangible assets and projects which (1) are purchased or undertaken at intervals of not less than five years; (2) have a useful life of at least five years; and (3) cost over fifty thousand dollars (\$50,000)."

The Town Manager is responsible under the town charter to submit to the Board of Selectmen a five year capital plan on an annual basis. To assist the Town Manager in that endeavor, the town bylaws provide for the appointment of a seven member Capital Outlay Expenditures Committee composed of four members at large, the Town Accountant, a member of the Advisory & Finance Committee and a member of the school committee.

The annual capital planning process begins each fall with the distribution of capital project forms to department heads by the Committee. The department head is required to review the existing plan for any additions, deletions or modifications, together with adding a new fifth year to the plan.

All project forms are submitted to the Director of Finance and review sessions with the Capital Outlay Expenditures Committee and department heads are held. Once the list is finalized, a priority-setting session is scheduled. All review sessions and the priority-setting sessions are open to Town Meeting members and the general public.

Voting

How Voting is Set

Voice vote. Many Town Meeting votes are by voice. The Moderator asks that all in favor (everyone voting “yes”) say, “Yes” or “Aye” (which is pronounced “eye”). Then the Moderator asks that all opposed (everyone voting “no”) say, “No” or “Nay.” The Moderator listens and decides which side prevailed.

Roll call. Voters are called by name and answer “Yes” or “No.” The town clerk keeps a tally of the roll call vote. The town Charter requires one roll call vote during each session.

Standing vote or rising vote. All in favor are asked to stand or rise. They are counted. Next, all voters who are opposed are asked to stand. They are counted. This form of vote is also known as dividing the meeting.

Secret ballots. When voters vote by secret ballot is determined by a town’s by-laws. In Plymouth a vote will be by secret ballot if two-thirds of the voters present and voting.

Town Meeting Terms

Procedural

Amend

A motion to amend may be to add, delete or substitute words in the Motion to be amended. “I move that the motion be amended.....”

Article

An article is an item on the Warrant, a description of what is proposed to be voted upon at Town Meeting. Articles may be placed on the warrant by action of the Board of selectmen or by citizen petition.

By-law

A public regulatory law which is applied in a specific area, for example: parking, building and construction, zoning, and noise control. A by-law is made by a non sovereign body, such as Town Meeting, whose authority to pass by-laws is conferred by the Massachusetts Legislature and can only be made on a limited range of matters.

Caucus

A caucus is a public meeting held in each precinct to review the subject matter of the upcoming Town Meeting or other matters. Caucus meetings may be held in conjunction with other precincts.

Change order of Articles

The order of consideration of articles on the Warrant may be changed by a two-thirds vote. “I move that the order of consideration of the articles be changed as follows....”

Home Rule (Town) Charter

The document providing the framework of local government for the Town of Plymouth, which is created, amended or repealed under the procedures of the Home Rule Procedures Act of Massachusetts General Laws, chapter 43B. and the Constitution of the Commonwealth, Const. Amend. Art.89.

Method of Voting

A motion to fix the method of voting requires a majority vote, except secret ballots, which require a two-thirds vote. “*I move that we vote on the pending motion by (standing, roll-call or secret vote).*”

Motion

A motion is the specific action to be taken under an article on which Town Meeting is voting. A main motion may not exceed the scope of an article. A motion may be brought forth by the Advisory and Finance Committee, Board of Selectmen or town meeting member.

Motion to Postpone

This may take the form of a Motion to Postpone to a specific date and time. “*I move that consideration of this matter be postponed until...*”

Move the Question

When one has heard sufficient debate on a pending motion and there is a desire to vote immediately, this motion will end debate with a two-thirds vote (the motion itself is not debatable). *“I move the previous question.”*

Question the Vote

If a vote is immediately questioned by seven or more town meeting representatives, the Moderator must verify the vote by polling the town meeting members. *“I question the vote.”*

Quorum

The quorum necessary for the conduct of representative town meeting business shall be two-thirds (2/3) of the total number of elected representative town meeting members. A smaller number than the required quorum may adjourn any meeting forthwith to a stated date, time, and place.

Recess

A recess shall be called within every two-hour period of a session.

Reconsideration

Reconsideration is a vote to give more deliberation to the action to be reconsidered. It can only be moved by a town meeting representative who voted on the side that prevailed on the first vote, although enforcement of such a rule will be limited to roll-call votes, and a majority vote is required in the first instance. *“I move to reconsider the vote.”*

Suspension of the Rules

Rules relating to the conduct of the meeting may be suspended by a two-thirds vote (Example; allowing a non-resident to speak). *“I move that we suspend the rules to permit.....”*

Table

The Motion to Table is available to delay action on an article to enable the Town Meeting to take up more urgent business, and a two-thirds vote is required. *“I move that the motion be laid on the table.”*

Warrant

A document issued by the Board of Selectmen to call a town meeting. The warrant lists an agenda of items to be voted on by Town Meeting Members. Items generally include the annual operating budget, adjustments to by-laws and anything else that may legally come before Town Meeting.

Financial

Appropriate

To set aside money for a particular purpose or use.

Bonds

Municipal bonds are issued by a city or town for large capital expenditures such as schools or other buildings. The period within which the bonds must be retired varies according to the type of capital project being financed.

Capital Outlay

Capital projects and improvements involving major nonrecurring tangible assets and projects. The capital improvement budget shall be presented in a single article separately listing the projects to be undertaken.

Chapter 90

The cost of construction and maintenance on public roads that are approved by the Commonwealth is eligible for "Chapter 90" reimbursement.

Cherry sheet

A report by the Commonwealth of Massachusetts (on cherry colored paper) containing an estimate of the monies to be received by the town from the Commonwealth. It also includes a listing of charges the town must pay to the State and County.

Enterprise Fund

An enterprise fund, authorized by MGL Ch. 44 §53F½, is a separate fund for a utility, health care, recreational or transportation facility and its operation in which all revenues derived from the enterprise are deposited. In the event of a budgetary shortfall the fund is augmented by the general tax levy.

Free Cash

Certified by the Commonwealth, this is the amount of surplus revenue over and above uncollected taxes of prior years. Free cash is often used to fund articles at Special Town Meetings that occur after the tax rate has been set and for which no other sources of funding are available. Also called "Available Funds".

Levy Limit

The amount of money the town can raise by taxation. The limit allowed under Proposition 2 ½, plus new growth. This figure must be certified by the Department of Revenue.

Overlay

The amount of money held in reserve for the payment of tax abatements and payments

Raise

To impose a tax.

Raise and Appropriate

The authority to both tax and spend.

Revolving Fund

A revolving fund allows the Town to raise revenues from a specific service and use those revenues without appropriation to support the service. For departmental Revolving Funds each fund must be reauthorized by the Town Meeting each year

Surplus Revenue

The result of unexpended balances in appropriations and articles, and revenue collected in excess of revenue budgeted. Surplus revenue from one year helps to generate 'free cash' in the following year. Also called 'unreserved fund balance'.

Tax Levy

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

Unpaid Bills

Requests for payment from a vendor that arrive after the close of the fiscal year, in which goods or services were received. The appropriation was in the budget for the prior year, but was not carried forward and the appropriation balance was closed out.

Ethics

Training

Chapter 28 of the Acts of 2009, the recently enacted ethics reform law, imposes new mandatory education and training requirements on public employers and public employees. The law authorizes the Commission to establish procedures to implement and ensure compliance with these requirements, and these Implementation Procedures are issued pursuant to that authority.

The new requirements can be summarized as follows: Every state, county, and municipal employee must be given a summary of the conflict of interest law prepared by the Ethics Commission and must complete an online training program prepared by the Commission. Every municipality must designate a liaison to the Commission. All records of compliance with these requirements must be retained for 6 years. These new requirements apply to all public employees, as defined by the conflict of interest law and described below, except that these procedures establish exemptions from the online training requirement for certain categories of employees.

Online training and the full compliance law can be found by visiting this site:
<http://www.mass.gov/ethics/education-and-training-resources/implementation-procedures/revise-implementation-procedures.html>

The town may from time to time offer seminars on the conflict of interest laws to town meeting members and elected and appointed officials.

Recusing Yourself

If a town meeting member has a conflict of interest concerning an article presented at Town Meeting, such representative town meeting member shall notify the Town Clerk, in writing, prior to the representative town meeting session or during such session at such time as such member becomes so aware, as to any articles giving rise to such financial interest.

Town Conflict of Interest Bylaw

The following text is taken from the Town Charter under the Conflict of Interest section, current as of this printing:

***2-10-1** Notwithstanding any general or special law to the contrary, any representative town meeting member who also holds a position of employment by the town shall be prohibited from voting on any town meeting article in which such employee, or such employee's department, has a financial interest. Such representative town meeting member shall notify the Town Clerk, in writing, prior to the representative town meeting session or during such session at such time as such member becomes so aware, as to any articles giving rise to such financial interest. This section shall apply to the annual budget article, or any later amendment thereto, as follows: The representative town meeting member is prohibited from voting on the budget line item for his or her department or agency, but shall not be prohibited from voting on any other line item, or from voting on the overall budget appropriation.*

***2-10-2** Notwithstanding any general or special law to the contrary, no representative town meeting member shall vote on any town meeting article in which an immediate family member, or any business or organization in which the representative town meeting member serves as an officer, director, partner, or employee, or has a financial interest. For purposes of this section, "immediate family member" shall be defined as the representative town meeting member, his or her spouse and each of their parents, children, brothers, and sisters. Any such representative town meeting member shall notify the Town Clerk, in writing prior to the representative town meeting session, as to any articles giving rise to such financial interest.*

***2-10-3** For the purposes of Section 10 of Chapter 2 of this Charter, the "financial interest" of a representative town meeting member shall be determined pursuant to the interpretation of the term "financial interest" by the State Ethics Commission and applicable reported appellate court decisions, which are hereby incorporated by reference. The "financial interest" of a department shall be defined as any particular warrant article and related motions or votes which specifically refer to said department.*

Open Meeting Law

Meetings by elected and appointed officials in Plymouth are conducted using the state's open meeting law. Effective July 1, 2010, responsibility for the state-wide enforcement of the Open Meeting Laws, relative to local, county, regional, and state public bodies has been centralized in the office of the Attorney General. The Open Meeting Law supports the principle that the democratic process depends on the public having knowledge about the considerations underlying governmental action. The Open Meeting Law requires that most meetings of governmental bodies to be held in public. There are some exceptions, which are designed to ensure that, public officials are not "unduly hampered" by having every discussion among public officials open to the public. As a result, the Open Meeting Law provides for particular circumstances under which a meeting may be held in executive, or closed, session. You may also contact the Division of Open Government, within the Office of Attorney General Martha Coakley, at (617) 963-2540 or openmeeting@state.ma.us.

More information on the state's Open Meeting Law can be found at this site:
<http://www.mass.gov/ago/government-resources/open-meeting-law/>

Appendix

Town Website

The Town Hall maintains a website at the following address: http://www.plymouth-ma.gov/Public_Documents/index

The website contains a meeting calendar, links to the Town Clerk, Town Manager, and all other town departments, as well as boards and committees.

Under the Town Clerk's section (http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_TownClerk/index) you will find election information, Town Meeting information, as well as list of elected and appointed officials, including Town Meeting Members. There is also a copy of the town's bylaws and the Town Charter, as well as Town Reports.

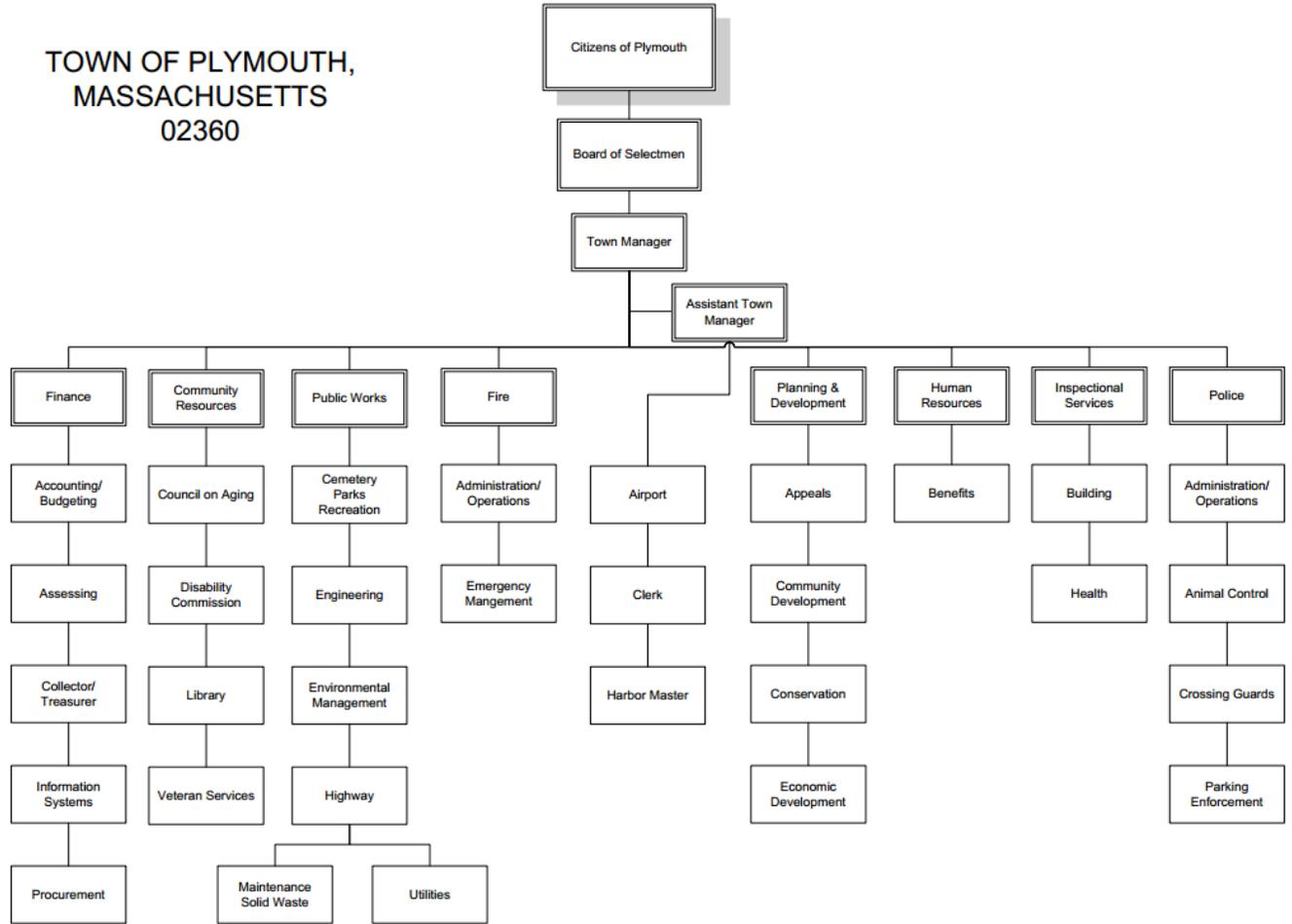
The Board of Selectmen (http://www.plymouth-ma.gov/Public_Documents/PlymouthMA_BOS/index) list their meeting minutes and agendas on their section, as do the Advisory and Finance Committee.

Many departments offer downloadable forms and applications.

A wealth of information can be found on the site, and it is well worth taking the time to navigate the site and explore what is available.

Structure of Plymouth Town Government

Town Meeting is the Legislative Body, and is advised by the Board of Selectmen and the Advisory and Finance Committee. The following organizational chart outlines the structure of Plymouth administrative government.



Contact Information

Town Clerk: (508) 747-1620 ext. 169 LPizer@townhall.plymouth.ma.us

Town Manager: (508) 747-1620 marrighi@townhall.plymouth.ma.us

Board of Selectmen: (508)747-1620 ext. 106 TownManager-Selectmen@townhall.plymouth.ma.us

Finance: (508) 747-1620 ext. 177 lbarrett@townhall.plymouth.ma.us

Additional contact information for other departments can be found on the town's website, including town meeting members, precinct chairs, and various other departments.

Town Hall, 11 Lincoln Street, Plymouth, MA 02360.

The U.S. Census and Re-Districting

Every 10 years, the U.S. Census Bureau conducts a census of the population. When the results are furnished to the Town of Plymouth, it may become necessary to shift the boundaries of the precincts, add precincts, or eliminate precincts, based on population increases, decreases, or shifts within the town in order to meet with state requirements.

In the event of a change to precinct lines, every seat in Town Meeting will be considered open, and every Town Meeting Member will need to seek nomination to be placed on the ballot, and be duly elected at the spring election.

Some Town Meeting Members may find that they are part of a different or new precinct as a result of the redistricting.

Because every Town Meeting seat is open in the event of redistricting, no member is considered an incumbent in office. Therefore, it is essential that every member be sworn in by the Town Clerk before conducting any caucus, meeting, or reorganization following the Town election.

Amended Rules and Time Limits for Speaking at Town Meeting

Before a motion to close debate on an article is voted upon, the Moderator shall ask that any Town Meeting representatives still wishing to be heard thereon to rise for the purposes of identification. Further, before such motion is voted upon, the Moderator shall ask that any Plymouth resident or taxpayer still wishing to be heard thereon to rise for purposes of identification.

The person, group, committee, or Town Board making the main presentation in support of an Article shall have 15 minutes for its presentation. All other speakers, including other Town Boards, shall each have 5 minutes to speak on the Motion or to propose or speak on an amendment to the Motion.

After the presentation by the proponent of an Article, and after hearing from any Town Board or Town Department Head or his or her designated representative wishing to be heard thereon, the Moderator shall recognize Town Meeting Representatives wishing to be heard thereon prior to recognizing other speakers.

All written materials within the Town Meeting hall proposed to be offered by any person in support of or in opposition to an Article shall first be presented to the Moderator no later than noon of the day of an evening Town Meeting session, or by 4:00 pm on the day before a morning or afternoon Town Meeting session, as the case may be, to be cleared by the Moderator as appropriate in substance and form, and then provided in sufficient quantity for all Town Meeting Representatives at least one-half hour prior to the commencement of the Town Meeting Session. No such materials shall be given to non Town Meeting Reps until a reasonable effort has been made to assure that all Town Meeting Reps in attendance have received same.

Before a Motion to Close Debate on an Article is voted upon, the Moderator shall ask that any Town Meeting Representatives still wishing to be heard thereon to rise for purposes of identification.

It is recognized that circumstances may exist in any particular instance that would make the application of a Rule in such instance unwise or impractical, and in that instance the Moderator shall use his reasonable judgment to determine to what extent the Rule shall be followed.

Following the presentations of the Advisory and Finance Committee, Board of Selectmen, and School Committee, each Town Meeting Member shall be allowed to ask questions of the presenters without limit.

Debate is limited to Town Meeting Members, and questions from Town Meeting Members to Town Officials shall not come under the five minute rule. Town officials shall include but not be limited to Department Heads, Elected Officials, or Boards, Commissions, or Committees, the Chairman of the Finance Committee, or the person or persons they designate.