

## **INFORMATION FOR PETITIONERS REGARDING CONCORD'S TOWN MEETING**

This information is intended to provide Concord citizens with information on how to prepare and submit an Article by petition for consideration at Concord's Annual and Special Town Meetings. Additional information and assistance is available through the Town Manager's Office or the Town Moderator.

**1. What is Town Meeting?**

Town Meeting is the legislative body of Concord. The Meeting has the authority to appropriate money to operate the Town, including schools and to pass local bylaws which may deal with a variety of subjects within which the Town has authority to act under State law. The Meeting also acts on such items as the purchase or sale of land or buildings and the authorization to join in cooperative governmental ventures. Town Meeting has also served as a means of expressing the opinion of the Town on public policy questions. Concord has an Open Town Meeting and all registered voters have a right to attend, speak, and vote. The Town Moderator, who is elected for a one-year term, chairs the meeting.

**2. When and Where is Town Meeting Held?**

In accordance with State law, each year the Annual Town Meeting is called by the Select Board to be held during the months of February through May. The dates for the Annual Town Meeting and the necessary Public Hearings are normally set in July of the preceding year and are posted on the Town web site. The Selectmen set the date and location of the Meeting which traditionally is held at the Concord-Carlisle Regional High School.

**3. Calling a Special Town Meeting**

The Selectmen may also call Special Town Meetings during the year if needed.

A group of citizens may require the Selectmen to call a Special Town Meeting during the year by submitting a request in writing to the Select Board signed by two hundred registered voters.

**4. What is the Warrant for Town Meeting?**

The Warrant serves as the agenda for Town Meeting. The Warrant states the time and place of the Meeting and the Articles to be acted upon. Each specific topic proposed for action by Town Meeting must be contained in a separate Warrant Article and all Articles must be submitted with a title. Town Meeting can act only on Articles included in the Warrant for the Meeting.

Notice of Town Meetings shall be given by posting an attested copy of the Warrant calling the same at the Concord Town House and in at least one public location in each precinct in Concord at least seven days before the day appointed for an Annual Town Meeting, and at least fourteen days before the day appointed for any Special Town Meeting. A copy of the Warrant of any Town Meeting shall also be sent by mail or otherwise to every household in Concord and, upon request, to places of religious assembly in Concord at least seven days before an Annual Town Meeting, and at least fourteen days before a Special Town Meeting.

5. **How are Articles Placed on the Warrant for Annual Town Meeting?**

The Select Board is required by State law to insert in the Warrant for the Annual Meeting all petition Articles submitted to Selectmen by petitioners in writing and including the name, address and signatures of ten or more registered voters.

The Selectmen must place the petition Article on the Warrant exactly as submitted by the petitioners. In order to allow an opportunity for citizens to submit petition Articles, the Selectmen announce the Warrant is open for such Articles and establish a closing deadline for Warrant Articles. For an Annual Town Meeting, the Warrant is open for a minimum of 10 days and generally longer.

**How are Articles Placed on the Warrant for Special Town Meeting?**

The Select Board is required by State law to insert in the Warrant for Special Town Meeting all petition articles submitted to the Selectmen by petitioners in writing and include the name, address and signatures of 100 or more registered voters.

The Warrant for a Special Town Meeting must be open for at least 10 days except in case of an emergency or other compelling circumstances. The Selectmen shall state in writing that a situation exists which makes it undesirable to hold the Warrant open for the entire 10 day period. Public notice of the closing date of such warrant shall be given promptly to the citizens of the Town.

6. **Content of Petition Warrant Articles**

All Warrant Articles submitted by petitioners must be carefully written so as to give fair notice to the voters of what action the Meeting may be asked to take and, of course, must conform to State law. When the matter is complex, petitioners may wish to hire a lawyer to assist them. If a petition Article is submitted on the deadline date and is improperly written, the petitioner may be unable to make a motion under the Article at Town Meeting. Thus, it is extremely important that Articles be very carefully written.

A petition Article should be carefully considered to ensure that the action it proposes is legal and proper to be brought before the Town and if so, that the language of the Article is phrased properly to accomplish its intended purpose. It is suggested that a petition Article be discussed with the appropriate Town officials at least two weeks before the closing of the Warrant to resolve any misunderstandings on the part of the petitioners. Once the petition Article is formally submitted, it will be included in the Warrant without change except for minor format alterations or corrections to spelling errors.

The Town Clerk, Town Moderator and other staff are available to discuss and, if necessary, to assist petitioner in the drafting of Warrant Articles. Petitioners may obtain their assistance by contacting them; early contact is urged since, once an Article has been submitted and the Warrant closing deadline has passed, the Article cannot be changed.

7. **Sponsoring of Petition Article by Town Committee/Board**

It is possible that a board or committee will agree to sponsor the inclusion of an Article proposed by a citizen which will preclude the necessity of getting the required signatures. Petitioners should coordinate with the appropriate staff, board or committee well in advance of the Warrant closing to allow for appropriate review. If a board or committee does not agree to sponsor the Article in the Warrant, this

arrangement still leaves sufficient time to accumulate the necessary signatures to submit the Article by petition.

**8. Public Hearings**

The Hearings for the Annual Meeting are normally held in February and March. For Special Town Meetings the dates vary.

The Finance Committee is required to hold a Public Hearing on all Articles with a financial impact. The Finance Committee is required to issue a formal report with recommendations on all such Articles to Town Meeting.

The Planning Board is also required to hold a Public Hearing on all Articles with an impact on the Zoning Bylaw. The Board is required to issue a formal report with recommendations on all such Articles to Town Meeting.

The Selectmen also hold a Public Hearing for all general Articles.

Since all Articles are normally heard at one of the hearings, the lead petitioner for a Warrant Article will receive correspondence from the Town Manager's Office notifying them at what hearing the petition Article will be heard. If petitioners have questions regarding the hearing, they should contact the chairperson of the appropriate committee or the Town Manager's Office.

**9. How are Motions Made?**

The Warrant is only the agenda for the Meeting. Action can be taken under a particular Article only on a motion made to do so. A motion may be made under any Article by any registered voter and can be simple or elaborate as the case requires. However, no motion may ask the Meeting to take action which is not within the scope of the original Article. Under the rules governing Town Meeting, the decision as to whether a motion is within the scope of the Article under which it is made is for the Moderator to make. The Moderator is available to assist in the drafting of motions and to advise persons intending to make a motion whether the motion would be within the scope of the Article.

**10. How Motions are Amended**

If a voter wishes to change a motion in some fashion, the procedure is to amend the motion. All motions to amend must be in writing and must state exactly what changes are to be made in the pending motion. The amendment must be in writing so that the Moderator understands clearly what the voter wants to do before ruling on the motion or putting it to a vote. For additional information on amendments please refer to the document "*Town Meeting Traditions and Procedures*," which may be found on the Town's website, [www.concordma.gov](http://www.concordma.gov)

**11. How is Town Meeting Conducted?**

The Moderator presides over Town Meeting. He will call each Article in the order it appears on the Warrant unless Town Meeting votes otherwise. As each Petition Article is called, the petitioner will be recognized and allowed to make a motion and presentation on their Article. A second is required for their motion and debate then follows. Amendments can be made, and then finally a vote is taken.

The individuals making the motions will need to “stand” and be recognized by the Moderator at Town Meeting to actually make the motion. The Moderator decides who will be recognized, and whether a motion is in order.

The motions must be submitted to the Town Manager's Office in March. This allows Town Counsel and the Moderator time to review them and consult with the petitioner if he/she has any questions. Amendments to motions should be submitted to the Moderator as soon as available.

Motions that are 100 words or longer must be supplied to the voters by the petitioner in a handout at Town Meeting. See the document “Town Meeting Motions” on the Town’s website at [www.concordma.gov](http://www.concordma.gov) for additional information regarding motions.

At the beginning of each Meeting, the Moderator will review the general guidelines for conduct of the Meeting. State law, Town bylaws, and tradition govern the conduct of the Meeting. Many of the parliamentary rules applied in Concord’s Town Meeting are set forth in "Town Meeting Time", a book published by the Massachusetts Moderators Association.

The above is a brief summary of what a Town Meeting is, how subjects are brought before the Meeting, and how the Meeting is conducted. The summary is intended to provide initial information for individuals interested in submitting petition warrant Articles. Additional detailed information can be provided by the Town Moderator, Town Manager, or members of the Select Board. Please feel free to contact them for assistance or information.