

# Definitions

This document is drawn from resources of the Massachusetts Moderators Association, Massachusetts General Law, and other towns in Massachusetts.

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For a listing of relevant laws, please see

- Town Charter: <https://www.longmeadow.org/DocumentCenter/View/1549/Town-Charter?bidId=>
- Longmeadow's Bylaws: <https://www.longmeadow.org/282/Town-Bylaws>
- "Massachusetts Laws About Town Meetings"  
<https://www.mass.gov/info-details/massachusetts-law-about-town-meetings>

Citizens may also consult the following resource:

- Secretary of State's Office "Citizen's Guide to Town Meetings"  
<https://www.sec.state.ma.us/cis/cistwn/twnidx.htm>

**Town Meeting** acts as the legislative branch of town government and considers a wide variety of decisions including:

- the type of programs and services that town government offers,
- the amount that the Town will spend annually on services including police, fire, education, and a myriad of other activities,
- by-laws and other rules and regulations including state enabling legislation,
- Other items that impact the quality of life in town.

**Annual Town Meeting:** This meeting occurs on the second Tuesday in May of every year. Longmeadow voters who petition to place an article on the warrant may do so with 10 registered voters' signatures. Typically voters will vet proposals with other town boards.

**Special Town Meeting:** Longmeadow typically holds a second town meeting called a special town meeting in the fall each year. The town can hold other special town meetings as necessary. Voters can petition for one with 200 registered voters' signatures. It takes 100 signatures of registered voters to place an item on the warrant.

**The Warrant:** The Select Board schedules Town Meeting and sets the agenda by publishing the “Warrant.” Under state law, “Every town meeting shall be called by a warrant issued by the board of selectmen, which shall state the time and place at which the meeting is to convene and, by separate articles, the subject matter to be acted upon.” [MGL, Chapter 39, Section 10] The publication of the Warrant is the first event leading up to Town Meeting. It is a combination of proposals by the Town's committees and professional staff and those brought by petitions. Each Article on the Warrant represents a separate agenda item and describes the subject on which the voters at Town Meeting will be asked to take action.

## Key Participants

**Quorum** – The minimum number of voters, set by town by-law, required in attendance for Town Meeting. The quorum in Longmeadow is 50 voters.

**The Moderator** – The moderator presides (runs) the meeting. Under state law, “The moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes.” [MGL, Chapter 39, Section 15]

**Town Clerk** – Serves as clerk of the town meeting, and creates the official record of the proceedings. The record of the clerk is final and may not be changed or edited by the town meeting or anyone else but the clerk.

**Select Board** – Is the executive branch of town government. As the town’s executives the selectmen take an active role in presenting motions for various articles and make recommendations to the meeting.

**Finance Committee** – The Finance Committee (in some towns, Advisory Committee) is responsible for analyzing the fiscal impact of proposed warrant articles and making reports and recommendations to Town Meeting. [MGL, Chapter 39, Sec. 16]

**Other Boards and Committees** – When appropriate other committees, such as the Planning Board or Board of Health, will be called upon to give recommendations on articles pertaining to their areas of responsibility.

## The Process

**The Warrant** - The warrant acts as the agenda for Town Meeting. It consists of a series of articles, each of which provides a general description of the action proposed. The moderator will typically follow the order of articles as contained in the warrant, although the order may be changed by the moderator or the meeting.

**Articles:** Articles contain the topic upon which Town Meeting will discuss and vote upon. We vote on motions not on the articles. Any motion made under an article at Town Meeting must fit within the scope of that article as presented in the Warrant as determined by the Moderator. The phrases “or take any other action relative thereto” and “or any other sum” in a Warrant Articles signify that the motion under the Article presented at Town Meeting may vary somewhat in proposed action and dollar amount, so long as the motion remains within the scope of the Article. The motion will omit those phrases and often will be more specific.

For example, estimated amounts may be replaced by more precise figures in appropriation Articles, or the details of a zoning Article may be refined as a result of discussion during the public hearing process.

Some Articles provide for various funding methods. The phrase “raise and appropriate” means funding through the property tax levy. The phrase “transfer from available funds” means funding through monies already on hand in the Town treasury and not already reserved or committed for other purposes.

Finally, the Treasurer may be authorized “with the approval of the Select Board, to borrow” This means the issuance of debt for which the Town commits its full faith and credit to make future repayment of the loan with interest. The motion made under a financial Article will always specify the financing method from among the possible options. The amount of money in the motion may vary up or down from the amount appearing in the Article text.

**The Motion** - All actions taken by a town meeting are taken by votes upon motions. While the article describes the general topic to be addressed, the main motion provides the specific details. The motion must be “within the scope” of the Article, which means that the proposed action in the motion is sufficiently close to what was stated in the Article that the voters have been sufficiently warned about the potential action in advance of the meeting. The moderator will customarily turn to the sponsor of an article to make the motion. The term “motion” also refers to various procedural actions that the Town Meeting might take, such as a Motion to Adjourn the meeting for that day and resume the following evening.

**Deliberation-** Following any presentation by the sponsor of the article and upon hearing the recommendations of town committees and boards, the moderator will “open the floor” for deliberation, the weighing of pros and cons for a course of action, asking questions, and offering answers.

- All comments should be restricted to the subject being debated and conducted in a civil manner.

- “No person shall address a town meeting without leave of the moderator, and all persons shall, at the request of the moderator, be silent.” [MGL, Chapter 39, Sec. 17]
- A motion can be amended so long the amendment, just like the main motion itself, stays within “the scope of the article.” The amendment may consist of adding, deleting or substituting words in the motion to be amended<sup>1</sup> and requires a majority vote for approval. Proposed amendments must be in writing.

**Vote** - Once debate is concluded or a motion is passed to end debate, a vote is taken on the motion before the meeting. Many votes require a majority vote, though higher standards (typically two-thirds) may be required by Massachusetts law or town by-laws.

**Ending the Meeting:** “Adjournment” vs. “Dissolving” - The term “adjourn” refers to a temporary stop to a meeting with the intention to resume later. The term “dissolve” refers to the final closure of the meeting. A motion to dissolve is in order after all of the articles on the warrant have been addressed. “[O]nce the meeting has dissolved the action taken by it may not be reconsidered [taken up again], except pursuant to an article for the purpose in the warrant for a future meeting.”<sup>2</sup>

## Glossary of Town Meeting Terms

**Article:** Each of the individual items listed in a warrant for action by a Town Meeting.

**Bylaw:** A law made by a local authority (town) and which applies only in their area.

**Consent Agenda:** To facilitate efficient discussion, the Select Board or a citizen may propose that several articles be acted upon collectively, that is by a single vote. Typically, the articles included in a Consent Agenda cover topics that are legally required, but are considered routine and unlikely to be controversial. If a Town Meeting member opposes the inclusion of any proposed article on the consent agenda, the article/motion will be removed from the list and the remaining motions will be put before Town Meeting for a single vote. The removed article/motion will then be considered on its own.

**MGL:** Massachusetts General Law.

**Motion:** A “motion” is a proposal that the Town Meeting take some action. “Substantive motions” are proposals that the body take an official action (e.g., adopt a bylaw, appropriate funds, etc.) and any amendments to such proposals already being considered. “Procedural motions” address how the business of the meeting will be conducted (e.g., adjourn the meeting until the next evening, close debate, etc.).

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<sup>1</sup> *Town Meeting Time, A Handbook of Parliamentary Law* Third Edition 2001. p. 93.

<sup>2</sup> *Town Meeting Time, A Handbook of Parliamentary Law* Third Edition 2001. p. 131

**Quorum:** The minimum number of voting members who must be present at a properly called meeting in order to conduct business in the name of the group. The quorum in Longmeadow is 50.

**Warrant:** A list of items to be acted on by Town Meeting.

## Types of Motions

The following list of motions is adapted from *Town Meeting Time*, the procedural handbook that guides most town meetings in Massachusetts, including Longmeadow.

**Privileged Motions:** Privileged motions relate to the conduct of the meeting, regardless of whatever particular question, if any, may be pending, and so have priority over all other motions

1. **Dissolve:** Dissolution ends the meeting.
2. **Adjourn to a fixed time:** Temporarily stops the meeting. The motion should state fully and clearly the time and place when the meeting will resume.
3. **Point of no quorum:** This motion questions if a quorum is in place.
4. **Fix the time to (or at) which to adjourn:** This refers to two distinct motions. The first sets the time and place for resumption of the meeting following the next adjournment but does not immediately adjourn the meeting. This can be combined with the second, which sets that time at which the meeting will adjourn. E.g., "I move that when the meeting concludes the business pending as of 10 p.m., we adjourn to 7 p.m. tomorrow, in this hall."
5. **Question of privilege:** Questions of privilege relate first to the rights and privileges of the meeting collectively, its safety, dignity and the integrity of the proceedings; and second to the rights, reputation and conduct of the voters or town meeting members individually, in their capacity as voters or members. For example, someone who is unable to hear the proceedings may request that the speaker speak more loudly, or that the sound system be adjusted.

**Subsidiary Motions:** Subsidiary Motions deal directly with the business of a specific main motion.

**Privileged Motions** (see above) have higher priority. The Subsidiary Motions have the following priority ranking among themselves.

6. **Lay on the table:** This motion both brings an immediate end to debate and kills (disapproves) the motion to which it pertains. [Note: voters can also take from the table. See #23 below.]
7. **The previous question:** The phrases "I move the previous question" or "I move the question" or "I call the question" or "I move to end debate" all mean that the person has heard all the talk they want to hear and desires to vote on the question. In some towns, moderators exercise their discretion to postpone consideration of this motion if they determine that further debate is appropriate.
8. **Limit or extend debate:** This motion may be made to set or extend time limits with respect to any debatable motion or series of debatable motions.

9. **Postpone to a time certain:** The motion serves to postpone consideration of an article until a specified time.

10. **Commit or refer:** The motion refers an article to a committee or board. The motion should clearly state whether the matter is being referred for further study and report back on what should be done, or also confers authority to take action.

11. **Amend or substitute:** The motion serves to alter, modify, rephrase a motion on the floor. As with main motions, the amendment must stay within the scope (subject matter) of the article. For example, the main motion made under an article proposing to purchase a new police cruiser cannot be amended to purchase a pickup truck for the Department of Public Works.

12. **Postpone indefinitely:** The motion does exactly what its name suggests: postpones indefinitely any further consideration of the motion to which it relates.

**Incidental Motions:** Incidental motions relate to the conduct of the meeting with respect to the pending business

13. **Point of order:** A point of order is not a motion but a question about the proceedings. For example, if a speaker seems to be discussing a different article than the one then under consideration, a Town Meeting member may rise to a point of order asking the moderator to rule on the relevancy of the speaker's remarks.

14. **Appeal [a ruling of the Moderator]:** In Massachusetts, the moderator, by statute [MGL Chapter 39, Section 15], "decides all questions of order".

15. **Division of a question:** If a motion can readily and logically be divided into two or more parts for separate consideration, a motion to "divide the question" and vote on the parts separately is in order. Each part may be approved or disapproved separately.

16. **Separate consideration:** A motion for separate consideration closely resembles a motion to divide the question, but differs in two respects 1) It may be applied to a proposition, such as a building code, which falls naturally into parts but which is so interrelated that the parts will not stand alone; and 2) The action, if any, taken on each part is not final until the action on the whole proposition at the end.

17. **Fix method of voting:** Calls for a vote on the method a vote will be taken (for example, a voice vote, counted vote, or secret ballot).

18. **Nomination to committees:** A motion for individuals to serve on a committee elected by the meeting.

19. **Withdraw or modify a motion:** Once a motion has been made (and seconded, if so required), it cannot be withdrawn without consent of the meeting. This motion requests such consent.

20. **Suspension of rules:** Rules relating to the conduct of the meeting, such as order of business, may be suspended but require two-thirds vote unless there is unanimous consent. Rules protecting absentees may not be suspended at all. Rules protecting minorities may be suspended only by unanimous consent.

21. **Main motion:** All actions taken by town meeting are taken by votes upon motions. The first motion made on an article is the main motion, to adopt or otherwise dispose of the matter in the article.

22. **Reconsider or rescind:**

- A Motion to Reconsider reopens debate on a question that had previously been decided. It results in a temporary postponement of final action and subjects the main motion to a new vote. Towns vary in their rules and procedures as to when and under what circumstances motions for reconsideration may be offered. Longmeadow's Bylaws (3-323) state that:  
 "If a vote has been taken at a Town Meeting, the vote is not reconsidered at that meeting or at any adjournment of that meeting, unless two-thirds (2/3) of the voters present cast an affirmative vote on the motion to reconsider the issue. And, if reconsideration is sought at any adjournment of that meeting, the mover of reconsideration must inform the session at which the principal vote was taken of his intent to seek reconsideration at the adjournment."
- A Motion to Rescind combines a vote to reconsider and a vote to annul or reverse the previous action. In other words, when a Motion to Reconsider is made, the practical question is "Shall the Meeting reopen debate and thereafter take a second vote on the previous action?" For a Motion to Rescind, the practical question is "Shall the meeting reverse the previous action?"

23. **Take from the table:** A motion to resume debate on an article than had previously been laid on the table [see #6 Lay on the table]

24. **Advance an article:** In the absence of a by-law to the contrary, the meeting has the power to change the order of articles.

## Glossary of Common Municipal Finance Terms

**Appropriation:** An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and the time when it can be expended.

**Assessments:** Amounts the State automatically deducts from Local Aid to cover the cost of certain State and county programs. These include e.g., the MBTA, Essex Regional Emergency Communications Centers, Mosquito Control, and others. Assessments are shown on the Cherry Sheet.

**Budget:** See Omnibus or Operating Budget

**Capital Budget:** A plan of proposed capital outlays for a fiscal year and the means of financing them. Capital items are items costing a certain amount, generally defined by a town's financial policy, and having a useful life of five or more years.

**Capital Exclusion:** A vote to exclude from the levy limit the cost of a capital project. This exclusion only affects the levy limit for the year in which the project was undertaken.

**Chapter 70:** Chapter 70 is the statute that describes the school funding formula and education aid distributed by the State.

**Chapter 90:** Funds distributed to cities and towns to fund highway projects. Chapter 90 is based on a formula consisting of road local mileage, local employment level, and population estimates.

**Cherry Sheet:** The official notification to cities, towns, and regional school districts of the next fiscal year's State aid and assessments. The name comes from the cherry colored paper on which they used to be printed.

**Community Preservation Act [CPA]:** The CPA helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. The CPA is funded through a local option surcharge on property tax bills and a state match on those surcharges.

**Convey:** Conveyance is the act of transferring an ownership interest in property from one party to another. The term is used to transfer property from one town entity to another, and not an outside party.

**Debt Exclusion:** A vote to exclude from the levy limit the costs of debt service for capital projects. This exclusion remains in effect for the life of the debt; once the debt (principal and interest) is paid off the excluded amount is removed from the tax rate.

**Debt Service:** Payment of interest and principal related to debt.

**Enterprise Fund:** A standalone fund with its own assets, liabilities, fund balance, revenues and expenses in which a municipal service is operated as a business unit. Costs of the service are primarily recovered from user charges and may be supplemented by general revenues.

**Expenditure:** The spending of money by the town and schools for the programs or projects within the approved budget. FTE: A full-time equivalent employee based on a 40-hour work week. May be one or more employees, but the total weekly hours equal 40.

**Fiscal Year (FY):** A 12-month period, beginning July 1 and ending June 30, to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The number attached to the letters "FY" represents the calendar year in which the fiscal year ends; for example, FY20 is the fiscal year which begins July 1, 2019 and ends June 30, 2020.

**Foundation Budget:** The spending target under the Education Reform Act of 1993 for each school district as the level necessary to provide an adequate education for all students.

**Free Cash:** Certified as of each July 1 by the State, this is the portion of Undesignated Fund Balance available for appropriation. It is not cash per se, but rather is the total of cash and



receivables less current liabilities and earmarked reserves, reduced also by reserves for uncollected taxes. It is made up of Turn Backs (unexpended appropriations), revenues that came in higher than budgeted, and Free Cash carried forward from the prior fiscal year.

**General Fund:** The fund into which the general (non-earmarked) revenues of the town are deposited and from which money is appropriated to pay expenses.

**General Obligation Bonds:** Bonds issued by the Town that are backed by the full faith and credit of its taxing authority.

**Level-Service Budget:** A budget that describes the funding required for maintaining current levels of service or activity, plus cost increases for contractual and mandated obligations. It brings previously-approved programs forward at existing levels of service.

**Levy or Property Tax Levy:** The revenue a community can raise through real and personal property taxes.

**Levy Ceiling:** The maximum amount of property taxes a community can levy. The Levy Ceiling is equal to 2 ½ percent of the total full and fair cash values of all taxable real and personal property in the community.

**Levy Limit:** The maximum the levy can be in a given year. It is equal to the previous year's levy limit times 2½% plus new growth and amounts authorized by overrides. The Levy Limit is determined annually by the Massachusetts Department of Revenue.

**Local Aid:** Revenue allocated by the State to cities, towns, and regional school districts. Local Aid is distributed by the Cherry Sheets.

**Local Receipts:** Locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, hotel/motel/meals excise, permit fees, rentals, and charges.

**New Growth:** The additional value of new development and other growth in the tax base that is not the result of revaluation. New growth is calculated by multiplying the increases in assessed valuation by the tax rate.

**Omnibus or Operating Budget:** A plan for allocating resources to support particular services, purposes, and functions over a specified period of time. The Omnibus Budget is the spending plan for a particular fiscal year.

**Other Post-Employment Benefits (OPEB):** The set of benefits, other than pensions, that government employees earn while actively working, but do not receive until they retire. The most significant is health insurance for retirees, their spouses, and in some cases their beneficiaries.

**Override:** A vote to increase the amount of property tax revenue in excess of the automatic 2 ½ percent allowed under Proposition 2 ½. An override permanently raises the Levy Limit unless later reversed.

**Payment in Lieu of Taxes (PILOT):** An agreement between a municipality and an entity not subject to taxation, such as a charitable or educational organization, in which the payer agrees to make a voluntary payment to the municipality.

**Proposition 2 ½:** A State law, enacted by citizen initiative petition in 1980, that regulates local property tax administration and limits the amount of revenue –the levy –a city or town may raise from local property taxes each year.

**Raise or Raise and Appropriate:** A phrase used to identify a funding source for an expenditure which refers to money generated by the tax levy or other local receipt.

**Reserve Fund:** A fund appropriated each year that may be used by vote of the Finance Committee for "extraordinary or unforeseen expenditures."

**Revolving Fund:** Those funds that may be used for special uses. For example, Recreation fees may be paid into a revolving fund and expenditures made without further appropriation. Revolving funds are established by State law and Town bylaw.

**Stabilization Fund:** A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §SB). Stabilization Funds may be established for different purposes and interest generated by such funds is added to and becomes part of the Stabilization Fund. A two-thirds vote of Town Meeting is required to establish, amend the purpose of, or appropriate money out of a Stabilization Fund.

**Tax Title:** A collection procedure that secures a city's or town's lien on real property and protects the municipality's right to payment of overdue property taxes.

**Turn Back:** Unexpended funds from a prior fiscal year's operating budget which are returned to the Town and which ultimately revert to Free Cash.

**Unclassified:** Expenditure items that are not within a particular department's budget. Examples include regional pension assessments, insurances, unemployment, and others. Underride: A vote to decrease the levy limit under Proposition 2 ½. An underride permanently reduces the Levy Limit unless later reversed.