



Massachusetts Moderators Association

MANUAL
for
MODERATORS

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Foreword

Congratulations on your election as your Town's Moderator. The voters have bestowed on you one of the Town's highest honors.

With that honor go important responsibilities. The voters, in effect, have said that you are a person who has what it takes to conduct a good town meeting and make wise committee appointments. Above all, they have said that you are a person of great integrity who will always put the good of the town and all its citizens as your number one priority.

Being town moderator is not a popularity contest. You must be prepared to deal evenhandedly with both supporters and opponents of questions and issues before the town. You should voluntarily make clear any possibility of a conflict of interest, financial or otherwise. The public perception of your high standard of integrity is of almost the same importance as your integrity itself.

This manual is intended to augment, not replace, other methods of preparing yourself for your new position. If upon first reading it seems to ask too much of the moderator facing his or her first meeting, do think of it as a wish list; set your priorities and do what you reasonably can. You are encouraged to seek advice and counsel from your predecessor(s), moderators of nearby towns, members of the Massachusetts Moderators Association, your Town Clerk, Town Counsel, and other relevant persons.

The Massachusetts Moderators Association exists to foster the exchange of information and experience amongst all moderators in the Commonwealth. The Annual Meeting of the Association held in the late fall provides an opportunity to meet moderators from a wide variety of towns both large and small with both Open and Representative Town Meetings. There are panels of experienced moderators discussing several topics of current and general interest with ample opportunity for questions and contributions from the floor. The diversity of approaches is so great that even seasoned moderators learn something new at every meeting.

The Association's committee structure provides an opportunity to become active in the association thereby becoming acquainted with other moderators and the way in which their town meetings are conducted. The Committees of the association are:

- ❖ Communications Committee: Responsible for publishing the newsletter
- ❖ Legislative Committee: Tracks legislative and judicial decisions affecting town meetings.
- ❖ Membership Committee: Promotes the association and works to increase membership
- ❖ Moderator Advisory Committee (formerly Counseling/Technical Assistance Committee): Experienced moderators who are willing to be called or emailed for suggestions on how to handle difficult situations or to provide suggestions on where to go for help
- ❖ Archives Committee: Maintains the association's library and records currently housed in the Hazen Library in Shirley
- ❖ Education Committee: Responsible for creating vehicles to educate voters about the town meeting process

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I. INTRODUCTION

A moderator who faces his/her first town meeting has a formidable task. In the context of a smoothly run, well-constructed town meeting, the Moderator must learn a body of procedural rules and apply them in a competent, impartial manner as well as understand the substantive issues facing town meeting.

This manual has been prepared by moderators of both Open and Representative Town Meetings; whose first town meeting is recent enough to shed some insight on the issues presented the newly elected moderator. Its purpose is to assist the moderator in understanding the job itself, including the responsibility for appointments, to suggest some ideas for preparing for a town meeting, to point out potential pitfalls in the conduct of the meeting, and to suggest a vehicle for a "post-mortem" review of the meeting. The job of moderating should be satisfying, and the manual is intended to help the Moderator acquire a degree of comfort with the conduct of the meeting.

II. PREPARATION TO ACT AS MODERATOR

A period of self-education is essential for a new moderator. For some who have previously held other responsible positions in town government it requires no more than having closely observed town meeting for a few years, either as a voter in an open town meeting or as a town meeting member; in any case, the following detailed suggestions may be helpful.

A. Moderator's Duties

Massachusetts General Laws Chapter 39, Sections 15 and 17, and not infrequently, a town's bylaws, spell out the moderator's powers, duties, and responsibilities. It is essential to acquire a firm understanding of the extent of the moderator's authority to conduct the town meeting as described in the association's 3rd edition of *Town Meeting Time*, and to review the statutory and bylaw powers, duties, and responsibilities with the town counsel.

B. Parliamentary Procedure

1. Handbooks of Procedure

A Moderator must understand the rules of parliamentary procedure that govern his or her town meeting. In some towns, *Robert's Rules of Order* apply.

In many towns, *Town Meeting Time, A Handbook of Parliamentary Law* written by moderators Richard Johnson, Benjamin Trustman, and Charles Wadsworth in 1962 (now in its third edition, ©2001 by the Massachusetts Moderators Association) is the moderator's guide to the conduct of the town meeting. This handbook has the great advantage of relative simplicity that permits the moderator to develop a good understanding of parliamentary procedure with reasonable effort. Unlike Robert's, it applies specifically to town meeting, rather than offering a general guide to parliamentary procedure. A thorough reading is an invaluable aid, and even highly experienced moderators read it over before the start of a town meeting. It should be kept at the Moderator's fingertips at town meeting since it can provide useful guidance if an unusual procedure is presented.

Copies may be obtained from the Massachusetts Moderators Association. Visit massmoderators.org for details.

2. Open Meeting Law Does Not Apply to Town Meeting

A Moderator should understand that a town meeting is a legislative body and **not** a governmental body according to the definitions contained in the Open Meeting Law, Section 23A of Chapter 39 of the Massachusetts General Laws. Accordingly, it is specifically exempt from the requirements of the Open Meeting Law.

3. Motions of Doubtful Legality

The standard references on parliamentary procedure are not clear in their guidance as to how to deal with situations in which the town is considering actions of doubtful legality.

Robert's Rules states unequivocally in Section 47, "No motion is in order which conflicts with the laws of the nation, state, or with the assembly's constitution or bylaws, and if such a motion is adopted, even by a unanimous vote, it is null and void."

There is discussion of the matter in *Town Meeting Time* on page 109 (Section 47, Point of Order.) Refusal by the Moderator to accept such motions by ruling them out of order, even on advice from Town Counsel and even if such ruling is consistent with traditions in the individual town, is problematic at best, and has been known to lead to legal challenges. The Moderator may believe a motion to be illegal, but he or she does not have the authority to rule on what is a matter of law rather than of procedure.

Accordingly, a wiser course is to advise the meeting of the possible consequences of affirmative action on such motions and allow the chips to fall where they may. It is entirely appropriate for the Moderator to request that town counsel give an opinion to the meeting on the likely consequences of affirmative action by the meeting.

4. Scope of the Article

For an extensive discussion of this topic and numerous references to court cases, refer to Section 28 of *Town Meeting Time*. Much of the following is paraphrased from this section.

The purpose of a warrant **article** is to apprise or "warn" the voters as to the subject matter to be discussed, but the wording of the article need not provide details of the precise action that the meeting will be asked to take. The **motion** made under an article must spell out the details. To be in order, the ensuing discussion must be germane to the subject matter described in the article. Matters incidental to and connected with the subject of the article are proper for inclusion in the motion that is to be considered and acted upon. Under his or her authority to regulate the proceedings established by Section 15 of Chapter 39 of the Massachusetts General Laws, it is the duty of the Moderator to determine if the motion is within the scope of the article.

Articles should be interpreted in a liberal manner and not with strictness or rigidity, but main motions and amendments must stay within the four corners of the Article. Tradition plays an important role in the determination of what is permissible, especially with respect to amounts to be appropriated. In some towns, no motion to appropriate even one cent more than a sum mentioned in an article is considered to be within the scope, while in other towns considerable latitude is considered acceptable, particularly if the wording of the article includes the phrase "or any other sum."

In general, motions calling for actions which are more specific than a range of general actions contemplated by the wording of an article are acceptable, whereas expansion in a motion of a specific action called for by the article to a more general situation is not acceptable. Thus, if the Warrant article calls for an appropriation to provide handicapped access to a school, a motion to appropriate funds for installation of an

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elevator would be in order, but a motion to appropriate funds for repairs to the school roof would not be within the scope of the article.

It is often a judgement call as to whether or not a motion is within the scope of the article. Various citizens, town officials, and Town Counsel may hold an opinion as to whether or not a motion is within the scope of the article, but the ultimate power to decide and regulate the proceedings resides solely with the Moderator.

5. Constraints Imposed by Proposition 2 1/2

The 1981 passage of Proposition 2 1/2 limiting the power of towns to appropriate and tax, has created the potential for passage of appropriations which exceed the limits allowed by the Commonwealth. If that is the situation upon final dissolution of town meeting, the town will inevitably be faced with the necessity of calling an additional special town meeting to resolve the matter to the satisfaction of the Commonwealth. Because of the complexity of dealing with such situations, moderators are well advised to give some thought as to how to deal with the issue should it arise. The most desirable course is to encourage such close cooperation between finance committee, school committee, and selectmen that all agree on the amounts to be recommended in all categories with total appropriations meeting the constraints of Proposition 2 1/2, thereby minimizing the likelihood of problems for the town and the moderator. If an override is deemed desirable to provide funds beyond those that can be raised within the applicable appropriation limits, motions should be worded so that the part of any appropriation which exceeds the normal limit is contingent upon passage of the ballot vote in the special election required by statute to authorize such appropriation.

In many towns, moderators have relied entirely on the good sense of those in attendance to avoid ending the meeting with appropriations in excess of the statutory limit. In a few towns, formal procedures have been adopted to control the manner in which motions are made to ensure that total appropriations are in accordance with the requirements of Proposition 2 1/2. Being a legislative body, a town meeting has the authority to impose rules upon itself with respect to the conduct of the meeting. If such rules are adopted as a "Rule of the Meeting" by vote of those assembled rather than as a town bylaw they will apply only to the current meeting including adjourned sessions. Imposition of such rules by the moderator without a vote of the meeting has been challenged successfully in court and should be avoided. In other towns, rather than adopting formal rules with respect to allowable motions, the moderator has developed and explained an orderly procedure for reconsideration whereby the total appropriations can be brought within statutory limits before final dissolution of the meeting. Design of such procedures may require some care in towns having bylaws regarding reconsideration.

6. Additional Guidance

A moderator may wish to attend a town meeting in a neighboring community in order to watch an experienced moderator in action. The panels and workshops at the annual meeting of the Massachusetts Moderators Association each fall provide especially helpful suggestions.

Members of the association's Moderator Advisory Committee are an excellent source of advice on dealing with parliamentary issues, especially if the questions can be posed well in advance of the meeting at which they are expected to arise.

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C. Traditions in the Moderator's Town

The Moderator should become familiar with the town bylaws, written procedures and guidelines relating to town meeting. Although it is essential to have a basic understanding of the parliamentary rules and the town's own written procedures on the limits to debate, for example, the moderator must understand how his or her town has traditionally viewed these matters and others, such as:

- Requirements for a quorum
- Content of opening ceremonies at town meeting, which may include recognition of citizens for outstanding service, an invocation or moment of meditation, moment of silence for deceased individuals and a flag ceremony, with or without a pledge of allegiance
- Policy on radio and television coverage of the meeting
- Policies on the presentation and speaking to articles by citizens at representative town meetings and for persons who are not registered voters with respect to attendance and permission to speak in open and representative town meetings
- Policy regarding written handouts or display of lengthy motions on audio visual equipment or computers
- Interpretation of the "scope" of warrant articles
- Time limits for presentations and rebuttals
- Methods for bringing prolonged deliberations to a vote
- Methods for taking voice, standing, show of hands and ballot and electronic votes
- Treatment of amendments and motions to reconsider policy on certain procedural matters, such as "to move the previous question," "to lay on the table," and "to postpone indefinitely", and their use to move along or to interrupt the discourse at town meeting
- Policy regarding handouts, their contents and their location
- Policy concerning appeal of a moderator's ruling when a matter of law is not involved

D. Moderator's Duties on Appointments

The Moderator must determine which appointments are the moderator's responsibility, the duration of the terms, the dates of appointments, when new or reappointments may be required, and whether there is any written policy or tradition in the town bearing on length of service.

The Moderator should become familiar with the nature of the work of each committee to which he/she makes appointments and should solicit input from the committees regarding special skills that would be helpful in performance of their duties. In making appointments, the moderator should be alert to the possibility of conflicts of interest and be diligent in avoiding even the appearance of such on the part of appointees.

A moderator may find it helpful to maintain lists of potential candidates based on expressed interest, demonstrated performance in volunteer work, technical skills and other appropriate factors such as a balance between men and women, youth and age, geographic and racial representation. Appointment of some persons familiar with the town meeting process through service in town government or selected town meeting members may help committees understand what information town meeting needs and

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wants and when and how such information should be presented. In deciding whether or not to appoint an individual whom a moderator does not know personally, a moderator may wish to talk with persons who do know the individual and might also consider interviewing that individual. The Moderator may wish to write a letter of thanks to the retiring committee member upon completion of the term.

III. PREPARATION FOR TOWN MEETING

The better prepared the moderator is for a meeting, the easier it will be for the Moderator to contend with the myriad of issues which undoubtedly will arise.

A. Preparation of the Warrant

Although the statutes place the responsibility for the warrant in the hands of the selectmen, in some towns the selectmen welcome the input of the moderator on such matters as the order of articles and detailed review of the language of the articles by the Moderator as well as by the Town Counsel prior to publication of the warrant.

B. Understand the Issues

Familiarity with the issues, without taking sides, and knowing the identity of the chief proponents and opponents helps the moderator to understand the likely course of discussion of the motions. To obtain this information, the moderator should attend hearings where warrant articles are discussed. The planning board is required by statute to hold a public hearing on all zoning articles and to make a report to town meeting with recommendations. The finance committee, the selectmen, the local League of Women Voters and town meeting groups frequently host hearings or information meetings prior to a town meeting. A moderator also might consider attending regular meetings of the selectmen or of other town boards where certain warrant articles may be discussed. Another invaluable source of information is the local newspaper, including letters to the editor.

C. Communications with Sponsors of Articles Prior to the Meeting

The Moderator or the Selectmen either alone or together, depending in part on what the Town Bylaws provide, establishes a due date for submission of motions in order to allow time for review by the Moderator, Town Counsel and affected town boards and committees. The Moderator may wish to contact sponsors of the articles in order to inform them of requirements, if any, concerning time allowed for presentations; responsibility for and content of handouts; and types of audio-visual materials which can or must be used.

Some towns encourage rehearsal by article sponsors either directly before a town meeting session begins or at a mutually convenient time during the week. Familiarity with the use of the microphones and projectors contributes to a more smoothly run town meeting.

D. Preparation and Distribution of Policies, Practices and Procedures

If none exist, the Moderator should develop and distribute policies or guidelines for such matters as constraints imposed by Proposition 2 1/2; admission of children accompanied by parents; media coverage of town meeting; content and location of handouts; recognition of outstanding citizens/young people; smoking in the building; and refreshments on the Town Meeting floor.

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It is very helpful if the Moderator prepares and distributes to all town meeting participants a synopsis of the basic parliamentary rules used as well as customary practices and procedures, noting particularly the distinction between articles and motions; protocol for speakers; motion and amendment procedures; time limits on debate; non-debatable motions; the only reasons for which a speaker may be interrupted; reconsideration; declaration by a speaker who has a conflict of interest on an article; termination of debate; distribution of handouts; and limits on applause and demonstrations. The procedure for counting votes should be carefully delineated and made familiar to all participants. In some towns this synopsis is a part of the warrant or finance committee's report.

Some moderators have found it useful to publish an article in the local newspaper prior to town meeting explaining the protocol regarding citizen participation.

E. Meeting Prior to Town Meeting for Sponsors and "Other Players"

In some towns, the Moderator holds a special session several days before town meeting as a "dry run." Its purpose is to prepare board, committee and citizen sponsors of all articles for Town Meeting, and to identify where problems may arise. It provides an opportunity, for example, to review procedural matters and to find out who will make the motions and who will make the presentations, what scheduling difficulties are anticipated, and whether there are any special requirements for audio-visual equipment. The meeting may also be used as a vehicle to determine whether amendments are anticipated and to ask for suggestions on the moderator's proposed method for handling certain articles. It is helpful to include the finance committee chair and town counsel as well as the chairs of boards and committees which are affected by citizen petition articles.

F. Supporting Cast

In some towns, the Moderator is assisted by a head teller or warden who is responsible for organizing tellers to count standing and ballot votes. In open town meetings there may be an assistant moderator to serve in the event that overflow facilities have to be used (Sections 10 and 14 of Chapter 39 of the Massachusetts General Laws). In both instances, the moderator should be sure there is a commitment prior to the meeting from specific individuals to be present at town meeting and to serve.

Tradition as to how the actual appointments are made differs among towns. In some towns, the appointment of the head teller is made by the Town Clerk, while the appointment of the assistant moderator may be made by letter from the Moderator to the appointee with a copy to the Town Clerk, while in other towns it is made by the Moderator at the meeting itself.

The situation is somewhat different if for some reason the elected moderator is unable to serve. There are two likely reasons for such inability:

- 1) absence due to accident, illness, or other adversity beyond control of the Moderator
- 2) real or perceived conflict of interest on the part of the moderator with regard to an issue which might cause the meeting to question the Moderator's impartiality in conduct of the proceedings.

Section 14 of Chapter 39 of the Massachusetts General Laws provides for the election of a temporary moderator in the event that the elected moderator is absent. Although the statute does not explicitly address the issue of inability to serve due to conflict of interest, the Moderator may absent or recuse him/herself temporarily in that

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event, thereby allowing the meeting to elect a temporary moderator to serve during the period of absence or of recusal by the regularly elected moderator. In some towns, the Town Bylaws deal explicitly with this matter; in others, the Moderator, by tradition, appoints a substitute. If the Moderator foresees the need for election of a temporary moderator, prior consultation with Town Counsel is desirable.

G. Orientation for New Representative Town Meeting Members

In some Representative Town Meeting towns, the Moderator, finance committee chair, and Town Counsel hold an orientation meeting for new town meeting members to answer questions, clarify financial terms and concepts, legal issues and parliamentary procedures.

H. Moderator's Notebook - A Very Useful Tool

To assist the Moderator in running town meeting, a notebook prepared by the moderator in advance of the meeting is an invaluable tool. Suggested contents include: introductory remarks to provide guidance regarding the procedures likely to be used during the meeting; a copy of each article, the main motion, and amendments known in advance, with special notations on the quantum of vote, the identity of the mover of the motion, the time allotted and persons involved in the initial presentation and with space to record procedural actions and the results of votes; a copy of the Town bylaws, or written guidelines or rules, as they relate to the conduct of town meeting; a copy of the ranking and debatability of motions; and a list of standard phrases to be used in the conduct of the meeting.

A moderator may also find it useful to prepare a written agenda for each town meeting session for the Moderator's personal use, including a summary of previous actions on warrant articles. It is generally helpful for the moderator to inform the meeting at the beginning of each session as to which Articles have been acted on previously and which articles the meeting will take up next.

IV. PHYSICAL PREPARATIONS AND FACILITIES

A. Scheduling Responsibilities

The date for the opening session of Town Meeting is either set forth in the Town's Bylaws or established by the Selectmen. Dates for adjourned sessions may be established by bylaw, by the Selectmen or by vote of the town meeting. All dates should be widely publicized. There should be consultation between the Selectmen and the Moderator to assure that enough sessions are scheduled so that the meeting can complete action on the entire warrant and that the Moderator will be available on each scheduled date. The Selectmen should alert all other town boards and committees to avoid scheduling any meetings or hearings on the meeting dates.

The Moderator may suggest means of publicizing the meeting dates such as news releases, signs, banners and the like, but implementation is the responsibility of the Selectmen.

B. Facilities

Facilities for orderly conduct of the meeting are provided by the Selectmen, generally in accordance with requirements established by the Moderator after consultation with the Selectmen, Town Manager, town coordinator, administrative assistant, or executive secretary, as appropriate. In the case of Open Town Meeting, facilities must be adequate to accommodate the maximum probable turnout; this may

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require the provision of overflow facilities linked by appropriate sound systems if the main hall cannot accommodate everyone safely and in accordance with applicable building and fire safety codes. (Section 10 of Chapter 39 of the Massachusetts General Laws)

Within the meeting hall, there should be appropriate seating and tables for the Selectmen, finance committee, planning board, Town Clerk, Town Counsel, other boards and committees as required, and the press. A lectern should be provided for the Moderator, equipped with a microphone and reading light, and perhaps a clock/timer, and a gavel. A separate lectern should be provided for use by persons presenting articles.

A public address system will generally be required with a microphone for the Moderator, a second microphone at the lectern used by those presenting articles and usually several microphones readily accessible to persons wishing to address the meeting. Some moderators choose to designate a pro microphone where voters in support of a motion may speak and a con microphone for opponents to the motion. This allows the Moderator to balance the debate.

Devices for use with visual aids, i.e., projectors, may be needed. Occasionally additional facilities may be required.

Signs should clearly designate areas reserved for visitors and for residents who are not voters (or not town meeting members in the case of representative town meetings.) Signs can be used to establish separate sections for vote counting by the tellers.

At the entrance to the meeting hall there should be check-in tables for voters and authorized visitors, tables for handouts, facilities to display maps, charts, and photographs relevant to town meeting issues, signs designating refreshment and smoking areas and specifying the doors to the main hall that should be kept closed. Where the layout of the meeting hall permits, it is preferable to locate these facilities in the lobby immediately outside the hall itself.

Provision should be made to conduct ballot votes if required. In some towns, ballot votes are frequent. In others, they are unusual, but the voters can always require a ballot vote so it is important to be prepared. The discussion of methods in *Town Meeting Time* (Chapter 11, Section 67: Voting) providing an excellent background on this subject. Keep in mind that State law requires a two-thirds vote for a secret ballot at Representative Town Meetings, and some of those towns have bylaws prohibiting secret ballots altogether.

If multiple halls are necessary, all audio-visual needs in the main hall should also be available in the secondary halls.

C. Media Coverage

If there is to be cable or network television coverage of the meeting, placement of cameras and provision of auxiliary lighting should be worked out with the provider of the coverage ahead of the meeting with a view to minimizing any intrusion. Coordination of the sound pickup between the public address system and TV broadcast is desirable. Reporters from the press should be seated in an area designated by the Moderator.

D. Supporting Personnel

The Selectmen are responsible for actually providing the supporting personnel in accordance with the needs identified by the Moderator. People who know how the systems work should be present to handle heating, lighting, audio and similar problems. A police officer and/or Constable should be present at all times.

E. Checking-out Facilities before the Meeting

It is generally a good idea to make sure that the required arrangements have actually been lined up ahead of the meeting. Once in place, the actual facilities should be checked out by the Moderator prior to the start of each session, especially to be sure that the public address system is working properly, and that visual aid devices project images of adequate size.

The Moderator should also check to be sure that no unauthorized displays or materials have been set up in the lobby or entrance to the meeting hall.

V. CONDUCT OF THE MEETING

A. Preliminary Procedures

The Moderator should plan to arrive at the meeting at least a half an hour before of each session to answer last minute questions, review proposed amendments, check the audio-visual system and help anyone learning to use the microphones and projectors.

B. Opening Ceremonies

The meeting should start promptly. Those involved in any opening ceremonies will have been briefed by the Moderator regarding order of ceremonies and timing. It is up to the Moderator to see that events move smoothly and that those in attendance are quiet, attentive and respectful.

C. Introductory Remarks at the Beginning of Town Meeting

The Moderator's introductory remarks can set the tone for the entire meeting. They should cover such housekeeping items as seating arrangements, the location and use of microphones, dates of subsequent meetings and the proposed order of the articles.

The remarks should also cover the authority for the parliamentary procedures to be used and the most significant practices and procedures that will be followed such as how to obtain recognition and ask questions; who may make motions and amendments; limits on debate; termination of debate; adjournment customs, and limits on applause and demonstrations. It is often helpful if the Moderator makes a few brief comments regarding the importance of full and open discussion, fair play, goodwill, and a respect for differing viewpoints.

Subsequent sessions, if any, may call for a review of the previous remarks, underscoring those areas in which there have been lapses in the previous session(s). It is often useful to keep a written record of what has been said.

D. The Meeting

The Moderator should:

- Be prepared. If town meeting customarily lasts for only one session, there may be several attempts at testing by self-styled parliamentary experts, and in those towns which have several sessions the testing may occur on and off over the course of the meeting.
- Be fair and impartial, firm but cordial.
- Rule on all issues of procedure. In some towns, but not all, tradition allows for an appeal to the meeting of a moderator's ruling. *Town Meeting Time* states, however, that "the better rule in Massachusetts is that the statute puts the burden on the Moderator and it cannot be avoided by letting the meeting decide." (*Town Meeting Time*, §48) An appeal process is included in the Bylaws of some towns, as well. In no

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case, however, should an appeal be allowed that attempts to override a State statute or Town Bylaw (e.g., a quantum of vote).

- Apply rules evenhandedly.
- Keep procedures simple.
- Explain the effect of a YES or NO vote in complicated situations.
- Alternate viewpoints to the extent people's positions are known (see pro and con microphones, page 11.)
- Encourage the meeting to stop deliberating and vote when no new information is being presented on the subject under discussion.
- In towns where the previous question is permitted, point out to the meeting, when, in the Moderator's judgment, it appears the question has been moved prematurely, how many more persons were seeking to be recognized.
- Try to control, within the limits of the community's tolerance, persons who stray from the subject at hand or become unduly repetitious.
- Use a bit of humor to relax a tense situation
- Do not allow cross-examination. Questions and comments must come through the Moderator.

The Moderator should not:

- Hesitate or equivocate.
- Allow slurs on the motives or character of meeting participants, town officials or employees.
- Allow participants to cross-examine. All questions and remarks must be addressed to and through the Moderator. In addition, if a person asks a question of a town official or other attendee and the person feels that the question was not answered, the response by the Moderator should be "That person is not under cross-examination. If the person elects not to answer, you will have to make up your own mind, as will others, as to how important the missing information is to you." There is a school of thought that the Moderator should pursue the answer by querying the body for someone else who may be able to provide relevant information.

E. Voting

There are several methods used for voting. Some are ruled by Town Bylaw and others by tradition.

Voice Vote. This is the simplest system. All those in favor are asked to say "Aye" followed by an identical request for no votes. In all but cases of near unanimity, this method should be avoided. It is too easy for one side or the other to attempt to outshout the other side.

Show of Hands. All those in favor are asked to raise their hands, followed by an identical request for no votes.

Card System. This works much like the show of hands method. Attendees are given a card upon checking into town meeting. They are usually color-coded by session. Those in favor show their cards, followed by those opposed.

Counted Vote. This is usually accomplished by the Moderator asking those in favor to stand (followed, of course, by asking those opposed to stand). The Moderator chooses tellers to count those standing and then to report the totals to the clerk. The Moderator then declares the vote. In some towns, the tellers must be sworn in.

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Secret Ballot. In towns that permit secret ballots, the Moderator and Town Clerk need to be prepared with ballots.

Electronic Voting. Many towns use an electronic system for counting and recording votes. For more information, contact the Massachusetts Moderators Association.

VI. AFTER TOWN MEETING

A. Critique of the Town Meeting Process

Some towns hold a meeting several weeks after the conclusion of the annual town meeting to critique the town meeting process. It may be convened by the Moderator, selectmen, group of Town Meeting Members or a nongovernmental body such as the League of Women Voters and covers such topics as: the physical arrangements; information provided by finance committee, moderator, and article proponents; scheduling of Town Meeting; length and frequency of sessions; order and presentation of articles; debate process; procedural rules and citizen participation. The Moderator then may revise procedures as appropriate based on the critique and personal observation while the Selectmen may decide to request approval of changes to Bylaws regulating certain Town Meeting matters.

B. Acknowledgements

Many moderators send thank you letters to moderator appointees who have completed their service, to the head teller, and to the assistant moderator, if applicable.

VII. ADDENDUM

The Massachusetts Moderators Association is pleased to make this manual available to you – and, we hope you will find your tenure as Moderator personally satisfying and rewarding.

The First edition was prepared on behalf of the Massachusetts Moderators Association in October 1988 by the following moderators: Katherine L. Babson, Jr., Wellesley; Margery M. Battin, Lexington; Gordon P. McCouch, Concord; Richard L. Allen, Framingham, President, Massachusetts Moderators Association.

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Please refer to the association's website for further information: *MassModerators.org*.