

TMMA Warrant Information Report



November 2010

This report has been prepared by the Town Meeting Members Association to provide information to Town Meeting members concerning the articles of the warrant for the Special Town Meeting beginning November 15, 2010. The TMMA is grateful for the cooperation of the officials and employees of the town who have provided information used in preparing this report. The following people participated in research, composition, editing and proofreading:

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For new and updated information, please refer to the
TMMA website at

www.LexingtonTMMA.org

Conflict of Interest Guideline for Town Meeting Members

In 1976, Town Meeting adopted the following non-binding Conflict of Interest Resolution:

Resolved, that Town Meeting Members abstain from voting in any particular matter in which to his knowledge, he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has any economic interest in the particular matter under consideration.

Please note that Town Meeting Members are specifically excluded from the responsibilities posed by the State conflict of interest statute, Chapter 268A.

Revisions:

13 November 2010: Fixed headers

10 November 2010: Initial Release

Special thanks to:

Christopher Bing for the cover artwork

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Warrant Article Reference List

2010 Fall Special Town Meeting

TMMA Info Sheet	Article #	Official Warrant Name	Reference Name	My Final Vote	TM Final Vote
	1	Reports of Town Boards, Officers, Committees	Reports (stays open until end of Town Meeting)		
✓	2	Amend FY2011 Operating and Enterprise Fund Budgets	FY11 Budget Adjustments		
✓	3	Appropriate to Specified Stabilization Funds	Transfers to Traffic Mitigation and TDM Stabilization Funds		
✓	4	Appropriate to Stabilization Fund	Transfer to General Stabilization Fund		
✓	5	Appropriate Supplemental Funds for CPA Projects	CPA Land Acquisition Legal Fees		

Note About Dollar Amounts in this Report

Please note that all dollar amounts listed in this report are NOT final. The final dollar amounts will be provided in motions presented on November 15.

Also note that the information provided in this report was current as of the publication date (see page ii); some circumstances may have changed since then. See the TMMA web site for new and updated information.

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Article 2 Amend FY2011 Operating and Enterprise Fund Budgets

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money previously appropriated under Articles 4 and 5 of the Warrant for the 2010 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budgets and appropriations that may be necessary; to determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: Unknown at press time

Description: This is an article to permit adjustments to current fiscal year (FY2011) appropriations of the general fund and Enterprise Fund budgets.

Overview

This article amends the Operating and Enterprise Fund (water, wastewater, and recreation) budgets approved at the 2010 Annual Town Meeting by making supplemental appropriations to the following accounts. If approved, the following Operating and Enterprise Fund changes will be made:

1. \$400,000 to replenish the Appropriation Committee Reserve Fund;
2. \$10,000 to realign timing of the Fire Department training for Basic Life Support (BLS) certification training; and
3. \$575,200 to the Lexington Public Schools and to the Town of Lexington Facilities Department to finance current PCB mitigation at Estabrook School.

The following budget transfers are budget neutral:

a. Reduce the health insurance appropriation by \$684,000 and allocate that amount among the salary budgets of the town and school department budgets to finance the provisions of coalition bargaining agreements;

b. Transfer \$25,000 from the Lexington Public Schools to the Facilities Department to finance FY2011 costs of the collective bargaining agreement between the schools and the school Custodial Union;

c. In addition, we will be asked to make adjustments to increase the salary line items of the water, sewer and recreation Enterprise Fund Budgets to comply with the provisions of the Health Insurance Coalition Bargaining Agreement. The financing source for each of these adjustments is the estimated fees and charges of each fund; and

d. The MWRA sewer assessment approved under Article 5 of the 2010 Annual Town Meeting was \$6,404,432. The final assessment approved by the MWRA Board of Directors after the conclusion of Town Meeting was \$6,405,531, an increase of \$1,099. The proposed change will bring the appropriation in line with the final assessment.

Questions

Question #1: What are the sources of revenue for items 1, 2, and 3 listed above?

Answer #1: Two sources of revenue have been identified to fund these supplemental appropriations:

1. The re-appropriation of unexpended balances of previously voted capital articles. These are the balances remaining after the fourteen different projects they financed were completed. The sum of these balances is \$218,956; and
2. A current estimated surplus of \$1,476,249 based on the following factors:
 - a) A positive variance of \$382,133 between the FY2011 budget as adopted at the 2010 Annual Town Meeting and the estimate of FY2011 revenues at that time;
 - b) A revised estimate of new growth that has identified an additional \$1,766,561 over the \$1.5 million estimate used last spring;
 - c) A reduction in estimated State aid of \$508,188 from the estimate used last spring;
 - d) A reduction in estimated local receipts of \$505,000 from the estimate used last spring;
 - e) A reduction in the category called "Revenue Offsets" resulting in an increase in available revenue of \$295,743, attributable in large part to the absence of an FY2010 snow and ice deficit which freed up FY2011 revenue that had been set aside to cover such deficit; and
 - f) The funding of the FY2011 Senior Tax Work Off program with balances from prior year appropriations, thus freeing up \$45,000 of revenue.

Question #2: How did the Appropriation Committee Reserve Fund get depleted (see Overview item 1 above)?

Answer #2: The Reserve Fund can be used, upon approval of the Appropriation Committee, to address unforeseen and extraordinary expenses that arise after the end of Town Meeting. At the 2010 Annual Town Meeting, \$550,000 was appropriated to the Reserve Fund (budget line item 2300 / 2310).

At the August 23, 2010 emergency meeting of the Appropriation Committee, a \$150,000 transfer from the Reserve Fund was approved to enable immediate remediation work at the Estabrook School. While the FY2011 budget included building envelope funds to remediate caulk containing PCBs at municipal and school buildings, the scope of the work at Estabrook has far exceeded what was anticipated.

In September it was discovered that the remediation efforts had not reduced airborne PCB levels below target thresholds. At the September 23, 2010 meeting of the Appropriation Committee, the Committee voted that an additional \$250,000 be drawn from the Reserve Fund to enable continued remediation activity.

A total of \$400,000 has now been drawn from the Reserve Fund, leaving \$150,000 available for future unforeseen expenses.

Question #3: What are the consequences if we don't replenish the Appropriation Committee Reserve Fund (see Overview item 1 above)?

Answer #3: The unexpected need to draw on the Reserve Fund to deal with the PCB problem at Estabrook School has significantly depleted the Reserve Fund leaving a very small cushion for dealing with other emergencies at a fairly early point in the fiscal year. It is very difficult to be 100% certain about the future costs for mitigation work at Estabrook; therefore, it would be prudent to restore the Reserve Fund to provide a suitable contingency fund in the event that significant new problems arise at Estabrook before the Annual Town Meeting or for any other need that should arise. If no such problems arise, these new funds would be applied to the snow and ice budget.

Question #4: How much has been spent, to date, on the Estabrook Project and what are the projected expenses (see Overview item 3 above)?

Answer #4: As of November 2, we have spent \$731,470 on the Estabrook project. Current commitments are to spend an additional \$107,545 for work to be completed in the month of November. Additional spending of \$187,955 is projected from December to April, for a total of \$1,026,970. Assuming that the additional spending outlined above is completed as projected, then there would be an additional expenditure of \$30,000 in May - June for ongoing air sampling and consulting costs. The School Department is projecting spending of \$23,412 to be absorbed into its operating budget.

Article 3**Appropriate to Specified Stabilization Funds**

To see if the Town will vote to appropriate a sum of money to the Traffic Mitigation Stabilization Fund and the Transportation Demand Management Stabilization Fund; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$216,300

Description: This article proposes to appropriate monies into Specified Stabilization Funds established for specific purposes at previous Town Meetings. Balances in these Funds may be invested, and the investment income will become a part of the particular fund. The balance in any Fund may be appropriated at a subsequent Town Meeting by a two-thirds vote to meet the purposes for which the Fund was established.

Overview

The town has received \$216,300 from Cubist Pharmaceuticals pursuant to the development agreement regarding Traffic Management and Transportation Management. This article simply moves that money into the Traffic Mitigation Stabilization Fund and the Transportation Demand Management Stabilization Fund.

Questions

Question #1: Has the \$216,300 been held in an escrow account and are there specified uses per the agreement with Cubist Pharmaceuticals?

Answer #1: Upon receipt from Cubist, the \$216,300 was deposited into a special revenue fund to be held there until the next Town Meeting when it could be proposed for appropriation into the Specified Stabilization Funds.

The specific uses of the payment are not specified in the agreement with Cubist, though the agreement does state that this payment shall be deposited into the Traffic Mitigation Stabilization Fund (TMSF) and / or the Transportation Demand Management Stabilization Fund (TDMSF). The Board of Selectmen recommends that \$166,300 be appropriated to the TMSF and \$50,000 be appropriated to the TDMSF.

Article 4**Appropriate to Stabilization Fund**

To see if the Town will vote to appropriate a sum of money to the previously created Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$710,000

Description: Money may be appropriated into the existing Stabilization Fund. The balance of the Fund may be invested and the investment income will become part of the fund. These funds may later be appropriated, by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.

Overview

This article would allow for the appropriation of funds into the Stabilization Fund. The Board of Selectmen recommends that \$710,000 be appropriated into the Stabilization Fund. The source of funding for this article comes from the tax levy and is driven by estimates of new growth in excess of what was estimated last spring at the Annual Town Meeting.

Questions

Question #1: Why were the estimates of new growth developed for the 2010 Annual Town Meeting lower than what actually occurred?

Answer #1: The estimates developed for the 2010 Annual Town Meeting were conservative because of the continued dampening effect of the economic downturn on new construction. This summer and fall, the Assessing Department, as it does annually, reviewed construction activity for July 1, 2009 through June 30, 2010 (the basis of FY2011 new growth) at which time it identified additional new growth based on the actual construction activity.

2. \$ 5,000 for legal cost associated with filing the conservation restriction;
3. \$ 5,000 for closing costs;
4. \$ 2,000 for additional survey work; and
5. \$21,000 for remaining legal costs associated with the property closing.

This purchase proved to be more complex than anticipated. In addition to the Purchase and Sale Agreement, a deed restriction, a driveway easement, an escrow agreement and a mortgage agreement all had to be negotiated and drafted by Town Counsel. These latter two agreements were further complicated by the fact that the Town will receive a \$500,000 land acquisition grant from the State towards this purchase and this changed our original financing plan with the seller. In addition, there is a second parcel involved, as the agreement calls for the owner to donate a 14.5 acre parcel on Hartwell Avenue to the Town and there are associated legal, site assessment and deed restriction costs associated with the second parcel.

Question #4: How much has already been appropriated for the Busa Farm site assessment? Why did the amount not suffice?

Answer #4: The Town Meeting appropriation for the Busa Farm purchase included \$97,000 for the estimated costs associated with the site assessment, legal costs, survey and Master Plan. Approximately \$93,000 has been expended as of November 1. Of that \$93,000 expended thus far, \$62,253 was for legal costs. An additional \$24,000 is being requested to address:

1. \$14,000 for the Master Plan (original estimate of \$25,000 less \$11,000 remaining in the account)
2. \$10,000 for the deed restriction(s)

This purchase had four unanticipated expenses:

- a. Approximately \$6,400 in costs and fees paid at the time of closing.
- b. Approximately \$7,500 in additional site assessment costs, as some pesticide contamination was found during the site assessment. The Town's consultant was involved in monitoring the clean-up of this contamination.
- c. Additional legal costs associated with negotiating a farm lease with the former owner (Dennis Busa). The farm lease is necessary because the Town has not decided how it will be using this property and did not want to leave the property vacant until the decision is made.
- d. Approximately \$1,650 in title examination and title commitment costs due to unforeseen title issues that the seller had to resolve prior to the Town taking ownership of the property.

Question #5: a) What was the balance of the Community Preservation Fund prior to the 2010 Annual Town Meeting and what will the balance be after these appropriations? b) What is the projected amount the Town will receive from the State this year?

Answer #5: a) The Undesignated Fund Balance of the Community Preservation Fund prior to the 2010 Annual Town Meeting was \$5,163,878. A significant portion of that balance was used

to finance CPA projects at the Annual Town Meeting. The current balance is approximately \$1.8 million. This balance will be the source of the supplemental appropriations requested under Article 5. b) The Town has received \$858,729 from the State; this amount is below the FY2010 budget amount (\$941,700) approved at the 2010 Annual Town Meeting.

Question #6: When the Town receives the \$500,000 land acquisition grant for the Cotton Farm purchase, will the Community Preservation Fund contribution toward the \$3.857 million purchase price be reduced by \$500,000?

Answer #6: Yes - the \$500,000 grant will reduce the amount that needs to be borrowed to finance the acquisition.

Town Meeting Members Association Bylaws

Approved March 8, 1978 and amended March 20, 1985; March 20, 1986; March 11, 1998; March 17, 2005; March 5, 2009

Article I - Purpose

The Town Meeting Members of Lexington, Massachusetts, in order better to fulfill the obligations of the representative form of government, have established this Association to acquaint themselves more fully with the facts necessary for intelligent decisions and to assist in any other constructive way in the government of Lexington.

Article II - General Organization

Section 1 - Name

This organization shall be known as the Lexington Town Meeting Members Association or TMMA.

Section 2 – TMMA Membership

Membership shall be limited to elected Town Meeting Members and Town Meeting Members-at-Large.

Section 3 - Executive Committee

A. **Membership.** There shall be an Executive Committee consisting of the TMMA Officers elected in accordance with the provisions of Article II, Sections 4 and 5, and the Precinct Officers elected in accordance with the provisions of Article III, Sections 1 and 2. In addition, any former TMMA Officer who remains a Town Meeting Member may elect to serve as an emeritus member of the Executive Committee for up to two years after leaving office.

B. **Meetings.** The Executive Committee shall hold regular meetings during the year for the purpose of keeping abreast of Town affairs, particularly matters that may become the subject of future Town Meeting action, or for any other purpose relating to Town Meeting. The Executive Committee shall meet upon the call of the Chair, or at the request of five (5) Executive Committee members, with reasonable notice. The presence of nine (9) members, with at least five (5) precincts represented, shall constitute a quorum. Decisions shall be made by a majority of those members present and voting.

C. **Attendance.** Executive Committee meetings shall be open to all TMMA members. Any TMMA member who is not a member of the Executive Committee may enter into Committee deliberations upon recognition by the Chair, but shall not vote.

D. **Activities.** The Executive Committee shall undertake such activities as it deems appropriate to educate and inform Town Meeting Members and the public at large about pending and upcoming Town Meeting issues, including but not limited to the preparation of a warrant information booklet, the conduct of warrant information meetings, the conduct of bus tours or on-site visits, and the maintenance of a TMMA web site and email list. To this end, the Executive Committee may appoint subcommittees, working groups or task forces from among the

TMMA membership from time to time when considered appropriate to the purposes of the TMMA.

E. **Political Activity.** When supporting or opposing candidates or ballot questions, or when engaged in any other political activity, Executive Committee Members shall not use their Executive Committee title, or otherwise hold themselves out as representing the TMMA, unless specifically authorized by vote of the Executive Committee.

Section 4 – TMMA Officers

A. **Officers.** The TMMA shall elect annually from among the members of the TMMA, in accordance with Article II, Section 5(C), the following TMMA Officers: a Chair, a Vice-Chair, a Treasurer, a Clerk, a Communications Officer, and an Email List Moderator. These officers shall perform the duties normally associated with such offices, or as further specified by vote of the Executive Committee.

B. **Term.** The term of each office shall be for one year, commencing on the first day of the Annual Town Meeting. Outgoing officers shall continue in office until this date, whether or not re-elected to Town Meeting. The Chair, Vice-Chair and Treasurer shall not serve in the same office for more than two consecutive terms.

C. **Disqualifications.** The following individuals shall not serve as TMMA Officers: townwide elected officials; members of the Appropriation Committee and the Capital Expenditures Committee; salaried employees of the Town; and Town Meeting Members-at-Large.

D. **Leaves and Vacancies.** A TMMA Officer shall take a leave of absence in order to run for townwide office, and may take a leave of absence for other exigent reasons with the consent of the Executive Committee. In the Chair's absence, the Vice-Chair shall perform the duties of Chair for such time as the absence shall continue. A permanent vacancy in any TMMA office, or an absence in any office other than Chair, shall be filled by vote of the Executive Committee.

Section 5 – TMMA Meetings

A. **Annual Meeting.** The Chair shall call an Annual Meeting of the TMMA to be held on a date after the annual town election, but not less than one week before the commencement of the Annual Town Meeting.

B. **Treasurer's Report.** At the Annual Meeting, the Treasurer shall present a Treasurer's report setting forth the TMMA's assets and liabilities as of December 31 of the previous calendar year, its income and expenditures during the previous calendar year, and a brief statement of major changes through the date of the Annual Meeting.

C. **Election of Officers.** TMMA Officers shall be elected at the Annual Meeting as follows:

1. Prior to the Annual Meeting, the Chair shall appoint a Nominating Committee consisting of three TMMA members who are not TMMA Officers, and at least one of

whom shall be a member of the Executive Committee. The Nominating Committee shall prepare a slate of proposed candidates for TMMA Officers for the ensuing year.

2. The Chair shall present to the Annual Meeting the slate prepared by the Nominating Committee. After entertaining any additional nominations from the floor, the Chair shall put the question of the election of TMMA Officers to a vote.

D. **General Meetings.** Additional general meetings of the TMMA membership may be called by the Chair with reasonable notice when deemed appropriate. A general meeting shall be called upon the request in writing of twenty-five (25) TMMA members.

E. **Quorum and Voting.** The presence of fifty (50) Members shall constitute a quorum at a general meeting. Except to amend these Bylaws under Article IV, decisions of the TMMA membership, including the election of TMMA Officers at the Annual Meeting, shall be made by a majority of those present and voting, as determined in accordance with the voting procedures customarily used at Town Meeting.

Section 6 - Dues

The Executive Committee shall establish annually, prior to the TMMA Annual Meeting, dues in an amount sufficient to defray the reasonable expenses of the TMMA. Such dues shall be payable by voluntary contribution.

Article III - Precinct Organization

Section 1 – Precinct Officers

A. **Officers.** The TMMA Members of each precinct shall elect annually from among the precinct Town Meeting Members, in accordance with Article III, section 2(B), the following Precinct Officers: Precinct Chair, Precinct Vice-Chair and Precinct Clerk.

B. **Duties.** The Precinct Officers shall represent their respective precincts at meetings of the TMMA Executive Committee, and shall participate to the best of their ability in the activities of the Executive Committee. In addition, the Precinct Officers shall have the following duties:

1. **Precinct Chair:** The Precinct Chair shall be the presiding officer at TMMA precinct meetings; oversee the nomination of candidates for TMMA precinct offices and the conduct of TMMA precinct elections; assist in the distribution of information to precinct Town Meeting Members during the Annual Town Meeting or any special town meeting; encourage the attendance of precinct Town Meeting Members at TMMA informational meetings or other TMMA activities; promote discussions and contacts among precinct Town Meeting Members concerning Town Meeting business; and help to maintain civility and decorum during Town Meeting sessions.
2. **Precinct Vice-Chair:** The Precinct Vice-Chair shall assist the Precinct Chair in the performance of the Precinct Chair's duties; stand in for the Precinct Chair at precinct

meetings and Town Meeting sessions during the Precinct Chair's absence; and stand in for the Precinct Clerk at Town Meeting during the Precinct Clerk's absence.

3. **Precinct Clerk:** The Precinct Clerk shall count and report precinct Town Meeting Members' votes when a standing vote is called at Town Meeting; collect TMMA dues from precinct Town Meeting Members; and stand in for or assist the Precinct Chair and Vice-Chair in the performance of their duties as may be necessary.

C. **Term.** The term of each Precinct Officer shall be for one year. The Precinct Chair and Vice-Chair shall not serve in the same office for more than two consecutive terms.

D. **Vacancies.** In the event of a vacancy in the office of Precinct Chair, the Precinct Vice-Chair shall assume the office of Precinct Chair. In the event of a vacancy in the office of Precinct Vice-Chair or Clerk, the remaining Precinct Officers shall appoint a replacement from among the precinct Town Meeting Members for the balance of the term.

Section 2 – Precinct Meetings

A **Annual Meeting.** An Annual Precinct Meeting shall be held prior to the Annual Meeting of the TMMA, at such time and place as directed or approved by the TMMA Chair.

B. **Election of Precinct Officers.** Precinct Officers shall be elected at the Annual Precinct Meeting as follows:

1. Prior to the Annual Precinct Meeting, any precinct Town Meeting Member may notify the Precinct Chair of his or her desire to be a candidate, or to nominate another precinct Town Meeting Member, for a precinct office.
2. The Precinct Chair shall present at the Annual Precinct Meeting the names of all candidates who have volunteered, or who have been nominated by others and consented to run, for precinct office. After entertaining any additional nominations from the floor, the Precinct Chair shall put the question of the election of Precinct Officers to a vote.
3. Precinct Officers shall be chosen by majority vote of those present and voting at the Annual Precinct Meeting. They shall assume office immediately upon completion of the election and announcement of the results.

C. **General Meetings.** Additional precinct meetings may be called by the Precinct Chair with reasonable notice when deemed appropriate, and shall be called upon the request of the Executive Committee or upon the written request of five (5) members from the precinct.

D. **Quorum.** The presence of five (5) precinct Town Meeting Members shall constitute a quorum at a precinct meeting.

Article IV - Amendments

These Bylaws may be amended, on the initiative of the Executive Committee or of any twenty-five (25) TMMA members, by a two-thirds vote of those present and voting at a duly called general meeting of the TMMA membership.

Summary of Parliamentary Procedures

Rules of order for the conduct of Town Meeting business are Article V of the Town Bylaws. Where rules are not dictated by statute, Bylaw or tradition, Roberts' Rules of Parliamentary Practice govern. The Town Moderator serves as Parliamentarian.

Rules of Debate

No person may speak more than once on a question if others who have not previously spoken desire to speak. No person may speak more than ten minutes at any one time without being again recognized by the Moderator.

Without first obtaining permission of the meeting, no member may speak more than twice on any issue except to correct a mistake or to make an explanation. If, however, a motion contains distinct sections dealing with dissimilar subjects which get discussed and amended separately (as is the case in Article 4) this rule of speaking once applies only to each new section and not the entire motion. Also, speaking to an amendment does not count as time toward speaking to the main motion.

Interrupting Debate

A speaker may be interrupted for:

1. a POINT OF ORDER where a member has a question about the procedures or the proceedings. The Moderator then rules on the question raised.
2. a NOTICE OF RECONSIDERATION of an article which has been previously debated and voted upon.
3. a PRIVILEGED MOTION which may be to recess, adjourn or a question of privilege.

Closing Debate

Debate may be closed by MOVING THE PREVIOUS QUESTION. It is NOT DEBATABLE. The Moderator then asks "Shall the main question now be put?" or "Shall the question on the amendment now be put?" If a majority is in favor, debate ends. (See Practices and Procedures)

The Main Motion

A main motion is made under each article by a Town Meeting member. The Moderator states "The motion is the one before you dated . . . and on file with the town clerk." The Moderator summarizes the motion; the

proposing member then states I so move." Usually the wording of the motion differs from the wording of the article printed in the warrant in that more information is given, specific action requested and the amount and source of funding specified. The motion cannot exceed the scope of the warrant article. By custom no second is required. A copy of each main motion is provided to each Town Meeting member and projected on a screen for those in the audience and viewing at home on Cable TV.

Amending the Motion

A main motion may be amended, but the amendment cannot exceed the scope of the article. An amendment may be amended only once before being put to a vote. A substitute motion is an amendment which replaces the entire original motion. A simple majority carries an amendment, and it then becomes part of the main motion. An amendment is a subsidiary motion and is governed by the limits on debate as set forth below.

Subsidiary Motions

A person may speak only once for no longer than three minutes on a subsidiary motion. Debate is limited to ten minutes except for an amendment which may be debated for 30 minutes unless changed by vote of Town Meeting. Subsidiary motions are listed below in order of precedence.

1. TO LAY UPON THE TABLE or TO TAKE FROM THE TABLE—the former means to end debate on the question to such time as a member moves to "take from the table" and resume debate. Both are NOT DEBATABLE.
2. TO MOVE THE PREVIOUS QUESTION is used to close debate and put the main motion and, or, an amendment to a vote. NOT DEBATABLE.
3. TO CLOSE THE DEBATE AT A SPECIFIED TIME sets a limit to the length of debate. (To date this has been rarely used in Lexington.)
4. TO POSTPONE TO A TIME CERTAIN is to postpone action until a specified time or a specific article has been acted upon.
5. TO COMMIT, OR RECOMMIT, OR REFER sends the article to a specified Town board, committee or commission for further consideration, usually with

directions to report to a future session of the meeting or to a future Town Meeting.

- 6. TO AMEND.
- 7. TO POSTPONE INDEFINITELY means to dismiss the article from consideration by the current Town Meeting. It ‘kills’ the article and is often used by the article sponsors when they have decided not to bring the matter up before the meeting.

Votes

A QUORUM (100 members) is assumed and all votes valid, unless a member rises to doubt the quorum before the results of the vote on a motion have been declared, and a count shows that fewer than 100 members are present.

If a MOTION is readily susceptible of DIVISION it may be divided and a vote taken on each part separately if the Moderator deems best or 25 members present so request.

A SIMPLE MAJORITY VOTE is required for most articles. The Moderator will announce when more is required, e.g., the two-thirds required for eminent-domain land takings, zoning Bylaws and bond-issue authorizations.

Usually a voice vote is called first. A standing vote is called if the Moderator is in doubt or if 20 members stand to question the Moderator’s interpretation of the voice vote for a question requiring a majority, or if seven members stand for a question requiring a two-thirds vote. The tellers (currently the precinct clerks) report the count to the Town Clerk and the Moderator who announces the votes as they are reported from each precinct.

A RECORDED VOTE is taken if requested by 50 or more members. The recorded vote may be by roll call or in writing. In the latter case a list of the members is circulated in each precinct. Members record their votes in the appropriate places and affix their signatures beside their names. The recorded votes are posted in the Town Office Building within 24 hours and remain there for two weeks.

Reconsideration of Motions

A member MUST SERVE NOTICE OF RECONSIDERATION OF AN ARTICLE AT THE SAME SESSION OF THE MEETING AND WITHIN 30 MINUTES OF THE VOTE. Any member may serve notice. The member stands at their seat and says “Mme./Mr. Moderator, I serve notice or reconsideration of Article . . .” and the Clerk records the fact and time. The Moderator usually allows the server of the notice to make the actual motion for reconsideration if he/she chooses, but any other member may do so if the server does not. Debate on a motion to reconsider is limited to 30 minutes, and no one may speak for more than FIVE minutes at one time nor more than once without leave of the meeting. When a motion of reconsideration is decided that decision shall not be reconsidered and no question shall be twice reconsidered. Reconsideration is not permitted for motions to ‘adjourn,’ ‘the previous question,’ ‘to lay’ or ‘take from the table,’ and to ‘close debate at a specified time.’

Dissolution of the Meeting

The motion to dissolve the meeting is made by the Selectmen after all the articles in the warrant have been acted upon.

Please consult Town Meeting in Lexington handbook to review Lexington Town Meeting Practices and Procedures