

An Informal Guide to Town Government and Town Meetings in Massachusetts

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Local town and city governments in Massachusetts have a long history, starting over three hundred years ago, so how they work and the language they use can be a bit confusing. Here's a quick idea of what's going on.

1. Types of Local Government

In Massachusetts, municipalities come in a few different forms, but essentially there are two main ones, cities and towns. Here, I will discuss how town governments work, as I have more experience with them. Also, cities, typically with mayors and city councils, are relatively common throughout the country, whereas town governments in New England are lesser known.

Although most types of government hold elections in November, (including federal, state, county, and cities), towns typically have their local elections between February and May.

Of the traditional three branches of government, most towns have only two, an executive (Select Board) and a legislative (Town Meeting). The judiciary (the court system) is handled at the county, state, or federal level.

2. Fiscal Year

Towns use a fiscal year from July 1st through June 30th of the following year. Each fiscal year is named after the year in which it *ends*. For example, voters at a Spring 2024 town meeting vote on budgets that will go into effect on July 1st, 2024, but the fiscal year is known as "FY 2025," because it ends June 30th, 2025.

All 351 municipalities in Massachusetts have to complete all budgetary votes before mid June (of 2024, in this example) because the Commonwealth of Massachusetts (in all its wisdom) requires that *every one of them* submit its budget for review by the state legislature in Boston, at least a week or two before they can go into effect on July 1st.

3. Town Meetings

The United States Congress has a bicameral (literally, Latin for "two rooms") legislative branch, consisting of the House of Representatives and the Senate. In towns, there is no

Senate, just a “House” (or unicameral legislature - “one room”), known as “Town Meeting.”

Unlike Congress, which runs continuously (with certain recesses), town meetings are typically held once in the Spring and perhaps once again in the Fall. They are convened to conduct business all in one night, or in a series of nights, for a week or so, depending on how many items are up for a vote and the time it takes to discuss and vote on each.

There are two types of town meetings. Towns with a larger population have a “Representative Town Meeting” where voters are divided geographically into a number of precincts, where they elect a number of representatives for their precinct. For example, in Arlington, where I used to live, the town was divided into 21 precincts, with voters in each precinct electing 12 representatives, known as “town meeting members,” to represent them whenever Town Meeting convened. That’s a total of 252 representatives, to represent a population of over 45,000 residents. Although these members are elected, they are all volunteers and are not paid any salary. In Arlington, they each serve three year terms, staggered so that only four of them are elected each year, from each precinct.

Smaller towns have an “Open Town Meeting,” instead. Any registered voter in that town can attend Town Meeting and vote directly on the issues that are to be considered. In Maynard, where I now live, there are just under 11,000 residents. Still, an open Town Meeting might seem to be absurd - if all the voters showed up at once, there wouldn’t be nearly enough seats in the hall!

In fact, only a portion of voters typically attend. It may not seem obvious, but legislation is a lot of work! Those who attend must read many pages of text, including supporting documents and reports, understand the basics of public finances, including budgets with thousands or even millions of dollars, and have a reasonable idea of how the various departments in town function. They also need a lot of patience, as sometimes, people get up to speak who ... are not quite focused, shall we say.

For many people, especially those working more than one job, those who have a disability that limits their travel, or people with children, their decision is often to let others show up and vote on their behalf, with the hope that things will turn out ok.

This may seem to be a rather “undemocratic” way to run things, but remember, this entire system was devised back when life was very different from what it is today.

4. Historical Background

The bulk of residents 300 years ago worked on family farms, or in small local businesses. There was likely a local newspaper, but that was it. Even the telegraph hadn’t been invented yet, much less radio, TV, copiers, the internet, web sites, and so

forth, as we have today. There were no railroads or motor vehicles yet. News was spread by hand, by word of mouth, or by travelers in horse drawn vehicles.

In addition, There were fewer residents in most towns, compared to today. In addition, the complexity of local government has increased dramatically since then.

For one example, an entire community may have gotten together to build the local schoolhouse themselves. All they needed was a foundation, four walls and a roof, doors, windows, and a pot bellied stove for heat, along with some desks and chairs for the teacher(s) and students, and they were all set. Compare that to today where school buildings have to meet an almost endless list of federal, state, and local requirements, are designed by architectural firms, built by professional contractors and sub-contractors, and can sometimes cost over \$100 million to construct!

5. Some Terms Explained

Articles - In Congress, there are “bills” or “acts” on which the representatives and senators vote, but in Town Meeting these are called “Articles” instead.

Moderator - In Congress, there is a “Speaker of the House” and a “Senate President” to manage debate in their respective chambers, but in Town Meeting there is a “Moderator” instead. This person is either elected or appointed by other elected officials. During the meeting, they decide who will present each article, which member or voter to call upon to speak next, and generally keep things in order.

Warrant - In Congress, there is a “docket” to list the bills to be considered, but in towns that’s called a “Warrant.” The Warrant has a list of articles to be voted on when the meeting convenes. As with bills in Congress, articles are listed by number in the Warrant, and usually “**taken up**” (selected for discussion and vote) one at a time, in numerical order. On occasion, a group of articles that are somehow related may be discussed and/or voted on at the same time, or an article may be taken up out of its numerical order if the voters present agree.

Motions - An Article is really only an agenda item. It introduces what is to be considered, and sometimes includes specific language that may be voted into law printed with it, but the language *actually voted on* is known as a “**Motion.**” The Warrant may contain these motions and their language, but at the meeting, some motions are printed in separate reports.

Substitute Motions - Members, voters, officials, or committees can propose “substitute motions,” during the discussion of any article. These are like amendments to the original motion, which may specify alternative language or even delete and replace the original motion’s language in its entirety.

Scope of the Article - Substitute motions must be “within the scope of the article” so that anyone who reads the Warrant ahead of time has a good idea of what’s going to be

discussed at the meeting and can decide whether or not to attend, or wish to research the issue ahead of time. One cannot propose, for example, a substitute motion that adds funding for road repair to an article that concerns only employee benefits.

Types of Votes - In Congress, and at the state level, legislatures can have a **voice vote** (when the relative volume of voices saying “Yes” or “No” is clearly indicative of whether a motion is approved), or a **roll call** vote, where each representative is called by name by the moderator, they speak their vote out loud, and their vote is recorded by the Town Clerk. In many towns this time consuming practice has been dispensed with or has been automated with electronic voting devices. In Maynard, voters entering the meeting are each handed a small pad of **paper ballots** as they arrive and check in, numbered consecutively, with a “Yes” and a “No” checkbox on each page.

With such paper ballots, if a voice vote won’t do (as when an actual vote tally is needed for the record), then the voters in the hall are asked to mark the appropriate ballot, tear that page off the pad, and then wait for volunteers with baskets to come around and collect them all. Staff at a table in the front of the room then count them up and the Moderator announces the result. As not all articles require such a “secret” vote, the ballot numbers often “fall out of sync” with the article numbers, which can introduce a source of confusion in the hall.

Charter - A municipality’s charter is akin to its constitution. All cities and towns have to have one and they must be reviewed and revised every 10 years, based on state law.

There are other terms, such as “**Certified Free Cash**,” “**Overlay Reserve**,” or “**Stabilization Fund**” but most Warrants usually provide an introduction with definitions of these terms. If you are new to Town Meeting, it pays to read these definitions ahead of time, and perhaps consult with someone with experience to explain the fine points to you.

6. References

For more information, the Massachusetts Municipal Association has a more thorough description of each type of local government. See: <https://www.mma.org/local-government-101/>

The Massachusetts Moderator’s Association also has a web site: <https://massmoderators.org/for-the-public/> Their book, “Town Meeting Time,” is a detailed guide to the workings of town meetings. Copies are available for order on that page.

See also: https://en.wikipedia.org/wiki/List_of_municipalities_in_Massachusetts

(Note: This document is available at: <https://www.townwidemall.com/opinion.html>)