

# CONCORD TOWN MEETING TRADITIONS AND PROCEDURES

*Revised May 1, 2025*

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## FOREWORD

Town Meeting is the legislative branch of Concord government, passing bylaws and policies, authorizing town and school expenditures, and exercising other legislative powers held by the Town. Town Meeting's role in the town is like that of the U.S. Congress in our country, and the State Legislature in our state. However, unlike Congress and the State Legislature, where elected representatives speak and act on behalf of voters, Town Meeting allows all registered voters to speak and vote directly on matters that affect their lives and livelihoods.

These Traditions and Procedures are intended to help voters to understand how Town Meeting works, to know what to expect at the Meeting, to assist and encourage those who wish to participate to do so, and to answer questions which often arise.

The Moderator welcomes suggestions for clarifications or additional topics for future revisions. Send to: [moderator@concordma.gov](mailto:moderator@concordma.gov).

## INTRODUCTION

The Massachusetts State Constitution makes cities and towns the two units of local government. The Town is the basic unit,<sup>1</sup> and Town Meeting is the method provided by the

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<sup>1</sup> Sometimes, where combined local units can result in a better use of public resources, the Legislature provides for other kinds of units. One example is the Concord-Carlisle Regional School District, which is a separate and independent governmental entity. It combines the resources of two towns to provide Grade 9-12 education in a joint facility. The same is true for Minuteman Career and Technical School District, of which Concord is one of ten members.

Constitution and The Great and General Court of Massachusetts (the state Legislature) for the governance of towns.

In the **Open Town Meeting** form of government, every registered voter may attend, speak, offer amendments, and vote. Under state law, attendance must be in person; no absentee voting is permitted. This differs from **Representative Town Meeting**, in which only elected representatives have the right to speak, offer amendments, and vote. State law also requires the Town to hold at an Annual Town Meeting each year in the spring with the principal purpose to appropriate money to fund Town expenses for the fiscal year which starts the following July 1st. Money can be provided by appropriation directly against the municipal tax rate levied on real and personal property, transferred from existing funds held by the Town, or borrowed within limits set by the State.

The **Warrant** is the notice to voters of what matters will be considered and acted on at Town Meeting. The Warrant for the Annual Town Meeting calls for action on town expenditures and other subjects. If additional matters arise after publication of the Warrant, they may become the subject of a Special Town Meeting.<sup>2</sup> Some **Articles** in the Warrant are general, while others are detailed and specific. Citizens may add articles to the Warrant during the period in which the Select Board publicly declares the Warrant to be "open." These are known as "Citizen Petition Articles." The Warrant is posted on the Town Meeting page of the town website ([www.concordma.gov](http://www.concordma.gov)), at the Townhouse, and mailed to every household at least 14 days before the Meeting.

In the Warrant, the Select Board calls the Meeting to convene at a specified time and place. If the Meeting does not complete its business in its first session, it will adjourn to a later session. The Select Board suggests additional dates and times, reserves facilities, and makes arrangements for public address systems and the like. The Meeting decides to what date and time it will adjourn, and generally decides to reconvene on the dates the Select Board suggests.

The Meeting is conducted by the **Moderator**, who is elected each year in the town election. The Moderator regulates the proceedings, decides questions of order, and declares all votes (See Mass. Gen. Laws c. 39, § 15).

If it appears that attendance may exceed the capacity of one hall, the Moderator arranges for the Meeting to be conducted simultaneously in additional halls linked by public address systems, so that every voter present can participate.<sup>3</sup> Annual Town Meeting elects a Deputy Moderator to serve until the next Annual Town Meeting, and the Moderator may appoint Assistant Moderators to preside in additional halls and otherwise assist. The Town Clerk manages voter check-in and keeps the official minutes of every Meeting.

## **I. PROCEDURAL RULES**

Concord generally follows ***Town Meeting Time (4<sup>th</sup> Edition)***, a handbook of parliamentary law and procedure prepared by the Massachusetts Moderators Association, in conducting Town Meeting. This comprehensive volume offers procedures for Town Meeting that are simpler and more straightforward than those in the more-widely-known Robert's Rules of Order. The less Town Meeting engages in parliamentary maneuvers, the easier it is for citizens to understand what the Meeting is doing and to participate meaningfully. *Town Meeting Time* is available at

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<sup>2</sup> Holding a Town Meeting entails considerable expense to the Town. The Select Board thus makes every effort to get the Town's business accomplished in the Annual Town Meeting, even though it may require several sessions of hard work by dedicated voters who attend, participate, and vote.

<sup>3</sup> If the facility provided is not sufficient to seat every voter who attends and wishes to participate, the Moderator is required by law to adjourn the Meeting. Another session must be held within 14 days in facilities sufficient for all who attend. This happened in 1771 and again in 1994. The story of the 1771 occasion is described in Wheeler, Concord: Climate for Freedom (Concord Antiquarian Society, 1967) p. 99.

the Concord Free Public Library. The Moderator is always willing to assist a voter in understanding how the rules work or deciding how a matter should be presented.

The Moderator's goal is to manage Town Meeting proceedings in a fair yet expeditious manner, allowing all points of view to be heard, while still keeping the Meeting moving. In the end, the Meeting itself decides how much debate it wishes to hear, and when it is time to bring a matter to a vote. (See Section VI, Ending Debate.)

## **II. AGENDA**

The **Warrant** is the agenda for the meeting. The Warrant and Town Meeting materials are included in the **Town Meeting Briefing Book** mailed to all households and posted on the "Town Meeting" page on the town website, [www.concordma.gov](http://www.concordma.gov). The Briefing Book also includes the Finance Committee Report together with recommendations the Finance Committee and the Select Board have made as of the time the Briefing Book went to press. Every voter at Town Meeting should have a copy of the Briefing Book with them at the Meeting since the Moderator will make regular reference to it during the Meeting. Voters may bring their paper copy of the Briefing Book from home, or a downloaded copy on a portable electronic device.

Articles are normally considered in the order in which they appear in the Warrant. However, the Moderator may decide to pre-schedule **High-Interest Articles** for a specific time better to enable interested voters to be present and vote. Notice of the date and time when the Meeting will consider High-Interest Articles is posted on the Town Meeting page of the town website [www.concordma.gov](http://www.concordma.gov), and published in the Briefing Book. The Moderator may also decide to place certain articles on a Consent Calendar.

The **Consent Calendar** is a list of articles proposed as a group for vote by the Meeting without deliberation because they are (1) assessed by the Moderator (after consultation with the Select Board) to be routine, non-controversial, or otherwise demonstrated to have broad public support, and (2) are recommended for affirmative action by the Select Board and the Finance Committee (if it has made a recommendation). Any ten voters remove an article from the Consent Calendar for full discussion by the Meeting at its appropriate time in the order in the Warrant.

Sometimes common sense or expediency dictates that articles should be considered in an order different from that in the Warrant, and the Meeting then may change the order. To postpone consideration of an article, a **"motion to postpone"** until a specified time or until after a specified subsequent article should be made. To advance consideration of an article, a main motion must be made when no other business is pending. Motions to change the order of consideration normally require majority vote for passage. However, if the Moderator judges the motion to be "mere jockeying for position," she may, under the power to regulate the proceedings, require a two-thirds vote. (See *Town Meeting Time*, pages 108 and 177, note 24.)

## **III. ARTICLES AND MOTIONS**

An **article** (as printed in the Warrant) is an agenda item giving voters notice of the subject to be discussed at Town Meeting. A **motion** is made under an article to describe the specific action proposed to be taken by vote of the Meeting. In some cases, the action is fully and accurately described in the article, and the motion may simply be "to take affirmative action under article X as printed in the Warrant." Concord tradition is to require motions made under an article to be seconded before discussion begins or a vote is taken.

Frequently, **the wording of a motion may differ from the wording of an article**. Articles are written and submitted by the close of the Warrant, generally about three months before the Annual Town Meeting (or a month or more before a Special Town Meeting). This allows for Concord's pre-town-meeting hearings on the subjects in the Warrant. Discussion at the hearings often results in an article sponsor choosing to make a motion that refines the wording of the

article or reduces the scope of the specific action being proposed. The Moderator will not allow a motion to expand the scope of an article, because that would undermine the requirement that voters have advance notice (by the Warrant) of actions they may be asked to approve at Town Meeting. Article sponsors, the Moderator, and Town Counsel make great efforts to finalize motions before Town Meeting in order to ensure that each motion is within the scope of the article and complies with state and federal law. However, finalizing the wording of a motion in advance of the Meeting is not always possible. Final dollar amounts for an appropriation may depend on actions taken under earlier articles. And there is always the possibility of amendment to a motion prior to final action.

**If a motion is more than 100 words long, and differs from the proposed motion printed in the Briefing Book, Concord tradition is to require a printed copy of the text as a handout.**

In this event, the article sponsor is responsible for supplying handouts in the quantity required by the Moderator. Failure to supply a handout of a motion of more than 100 words which differs from the motion printed in the Briefing Book may result in the Moderator suggesting that the Meeting defer consideration of the motion until the handout is available in sufficient quantity for every voter to have a copy, and the Meeting then deciding how it wishes to proceed. In the absence of a handout, the motion will be displayed on the screen in the hall; the Moderator will read it prior to the vote and endeavor to make clear what it is that the voters are being asked to vote on.

#### **IV. SPEAKING ON A MOTION**

To speak on a motion, walk to a microphone and wait to be recognized by the Moderator. When recognized, state your name and address, then wait for the Moderator to ask you to proceed.

**Please address all remarks and questions to the Moderator.** When multiple people wish to be heard, lining up at microphones speeds the process. If microphones are labeled **YES** and **NO**, please be sure that you come to the microphone that is consistent with your position on the article.

In recognizing people to speak, the Moderator will give preference to those who have not already spoken on the article under discussion or spoken much during the Meeting. **Please be concise in your remarks, avoid repeating points that other speakers already have made, and avoid wandering from the subject under discussion.** Speakers wandering off topic will be reminded by the Moderator to confine themselves to discussion of the motion before the Meeting.

By long-standing tradition, Concord has placed time limits on main motion presentations and other speeches in an effort to balance full discussion and efficient use of time. This year (as in recent years), **five minutes will be provided for most initial presentations and two minutes for other speakers.** When several persons share an initial presentation, or when the subject matter of an article is complex, the Moderator may adjust time limits appropriately. When the Moderator calls a speaker's attention to elapsed time, they should conclude their remarks immediately. If a voter feels they will need more than the usual time to present an article (five minutes), or to speak to a pending motion (two minutes), additional time may be requested from the Moderator in advance of the Meeting and the Moderator will consider the request.

The Meeting expects and welcomes vigorous and pointed debate, directed to the precise subject matter under consideration. **However, attacks on the personality or motive of another person disrupt the Meeting, undermine the Meeting's orderly consideration of its business, and are strongly discouraged.** Parliamentary maneuvering to prevent an opposing view from being heard is always discouraged.

#### **V. AMENDING A MOTION**

Voters wishing to modify a motion being discussed may offer a **motion to amend.** An amendment may consist of adding, deleting, or substituting words in the motion. It may also take the form of a "motion to substitute" a different motion, so long as the substitute motion is

within the scope of the original article.

A voter wishing to make a motion to amend a main motion must provide **3 written copies** of the proposed amendment to the Moderator **before** rising to offer the amendment. Three copies are required so that the Moderator, Town Counsel, and the Clerk may review the proposed amendment simultaneously. Absent unusual circumstances, the Moderator will refuse to put an amendment to the Meeting if it is not immediately available in writing. **For any amendment longer than 100 words, Concord practice is to provide printed copies of the text as handouts in numbers adequate for all voters to have a copy.** If the Moderator judges any motion to amend to change the original motion so much that the motion is no longer within the scope of the article, she will rule the proposed amendment to be out of order.

A motion to amend requires only a majority vote, even though the motion to be amended may require two-thirds or more for final passage. (See *Town Meeting Time*, page 168.)

The first amendment to a main motion is called the **primary amendment**, and it may itself be amended. An amendment to the primary amendment is called a **secondary amendment**, and further amendments may not be offered. To avoid confusion, only one primary and one secondary amendment may be pending at one time. A first secondary amendment must be disposed of before any further secondary amendment can be entertained.

## **VI. ENDING DEBATE**

Some Warrant articles require considerable deliberation before being voted upon. Nevertheless, discussion may reach a point when little (if any) new light is being shed on the subject. When that appears to be the case, the Concord Moderator customarily reminds the Meeting of the length of time already devoted to the deliberation, and encourages those still wishing to be heard to limit their remarks to points not already made. Frequently, such a reminder is effective in bringing the issue to a prompt vote. If not, **debate can be terminated by a "motion for the previous question."** This motion may be made only by a person recognized by the Moderator, may not interrupt a speaker who already has the floor, and may not be made after questioning or commenting on the pending motion. A motion to terminate debate must be seconded, **and requires a 2/3 vote for passage.** It may not be debated, amended, or reconsidered.

A voter who moves "the previous question" must do only that and no more. The following formula is brief and to the point: "Madam/Mister Moderator, **I move the previous question.**" When the Moderator judges that fairness requires that proponents or opponents should have some additional time to make their case before debate ends, the Moderator may ask that the mover of the "previous question" not press the motion until a little more debate has been heard. The Moderator will make such a request only in the interest of fairness and a full presentation of the subject at hand.

Occasionally, after lengthy deliberation, it appears that the matter requires more study and amendment than can be accomplished at the Meeting. In this case, a **"motion to commit"** or refer to a Town board or committee *may* be in order. Such a motion should specify the board or committee, or require that a special committee be appointed for the purpose. If the latter, the motion should specify who shall appoint the committee and may (but need not) specify the personnel of the committee. It is useful to instruct a special committee to report by a fixed date, or to the next special or annual Town Meeting. An unqualified vote to refer the matter to the Select Board has been held not only to confer authority to determine what should be done, but also to do it. A motion to refer the matter to a committee requires a majority vote. (See *Town Meeting Time*, page 172.)

A **"motion to lay on the table"** has occasionally been attempted as a way to terminate debate without bringing a matter to a vote. Originally, this motion was intended to allow an assembly to take up more urgent business, while keeping the interrupted business close at hand so that it

could be easily resumed when the more urgent business had been disposed of. The currently accepted intent of this motion is to cut off debate without taking action on the particular matter. (See *Town Meeting Time*, page 182.) In Concord, the Moderator generally refuses to accept a motion to lay on the table on the grounds that it is a parliamentary tactic inconsistent with our traditions of fair debate and disposition of matters on their merits by vote of the Meeting.

These limitations on our deliberations are in accordance with *Town Meeting Time* and with the Moderator's authority under state law to manage town meeting procedures (See Mass. Gen. Laws c. 39, § 15). Our procedures assure both a fair opportunity to be heard and an ability to bring a matter to a vote when the Meeting itself by a two-thirds majority decides that debate should end.

## **VII. PERCENTAGE OF VOTE REQUIRED FOR PASSAGE**

**A majority vote is required for passage of a motion unless otherwise specified.**

However, State law requires that **some motions must receive a two-thirds vote** for passage. These include votes which authorize borrowing, property transfers, and most zoning bylaw changes. A few motions require even higher percentages of affirmative vote for passage.

If a motion requires a two-thirds vote for passage, the vote need not be counted unless the Moderator is uncertain of the two-thirds majority, or unless the Moderator's declaration of the vote is doubted by seven voters. If electronic voting is used, no count is necessary since the voting system reliably tabulates the specific vote tally. If state law requires that a motion pass by a vote greater than two-thirds, the vote must be counted unless it is unanimous. On these motions, the Moderator may ask for a "test vote" to see if the meeting can achieve unanimity and thus avoid the time required for a counted standing vote. Again, if electronic voting is used, no count is necessary.

After every vote, the Moderator declares the result. If seven voters doubt any vote the Moderator declares by making a visual assessment, they have the right to require a division of the Meeting with a standing vote. Any such request for a count must be made immediately after the Moderator declares the vote, and before the Meeting takes up the next article. If electronic voting is used, such a motion would be out of order since the reliable tabulation of the vote tally by the system eliminates doubt.

## **VIII. STANDING VOTES**

Whenever a standing vote is required, the Moderator will request that the doors be closed, and that no one enter or leave the meeting venue until the count is complete. If persons are permitted to leave before both "yes" and "no" votes have been counted, the tallying is very difficult for the Tellers and doubt may be created about the integrity of the vote. Visitors are asked to remain at their seats throughout the count. **Eligible voters who wish to be counted should rise when directed by the Tellers, and hold their ballot slips so that they are clearly visible** to the Tellers. This procedure seeks to assure the integrity of the vote count.

Once the vote has been taken by polling or by dividing (standing vote), either on the Moderator's own motion or after a declaration of vote has been questioned by seven voters, the counted vote as declared by the Moderator may not be questioned. (See *Town Meeting Time*, page 244.)

## **IX. VOTING SLIPS AND PAPER BALLOT VOTES**

At check-in on each day of town meeting, voters will receive a colored paper voting slip valid for that day's session. **You should write your name on it and keep track of it.** You will be asked to vote by raising your voting slip for easy visual assessment by the Moderator or the tellers during a standing counted vote. If a vote by paper ballot is taken, voters will be asked to

mark a portion of a voting slip with their vote and submit it to the Tellers and Ballot Counters during collection. If the Meeting is using electronic voting, the paper voting slips will serve as the back-up voting method in the event of any problem with the electronic voting system.

Although ballot voting is common in some towns, it is not the custom in Concord. As *Town Meeting Time* states (page 246): "Normally, in the event of doubt, it should be possible to take an accurate vote - expeditiously and efficiently - by a standing vote (or electronic vote if a voice vote has been used in the first instance and electronic voting is available), without resorting to a roll call or balloting. These take time and should be avoided so far as possible." The procedure to request one of these methods of voting is called **a motion to "fix the method of voting."** This motion is debatable, and requires a majority vote. In the event the Meeting decides to vote by paper ballot, the procedure will be explained by the Moderator.

## **X. ADJOURNMENT TIME**

Annual Town Meeting generally requires more than a single session to complete its business. A member of the Select Board typically moves that no new business be taken up after a certain time. However, this motion generally is not made if the total business remaining in the Warrant can be expected to be concluded by a reasonable hour, thereby avoiding the need to reconvene.

## **XI. RECONSIDERATION**

By tradition and practice, motions for reconsideration are rare in Concord (once in 2012, and once in the 24 town meetings prior to 2012). If reconsideration is rare, *Town Meeting Time* (page 156) provides that a motion to reconsider may be ruled out of order absent compelling circumstances, such as significant new information or changed circumstances coming to light. The presence of speakers standing at microphones when the Meeting has voted to end debate does not constitute "new information." Nor does a change in the composition of the Meeting, by itself, constitute "changed circumstances."

The timing of a motion to reconsider must comply with the Concord **Town Meeting Bylaw on Reconsideration of a Vote at the Same Town Meeting**. It allows motions for reconsideration only at three times:

(a) **at the same session** as the vote to be reconsidered or rescinded: before final action on an article in the Warrant (or group of related articles considered together), or within 20 minutes of final action on an article in the Warrant (or group of related articles considered together); or

(b) **at a subsequent session**: if, before adjournment of the session at which the original vote was taken, notice is given to the Moderator that reconsideration or rescission will be moved at the subsequent session; or

(c) **at any time before final dissolution of a Meeting**: if either the **Select Board** or the **Finance Committee** makes the motion.

A motion to reconsider requires a second, may not interrupt a speaker, is debatable to the same extent as the motion being reconsidered, and requires a majority vote regardless of the size of vote required for passage of the original motion considered. A voter making a motion to reconsider will be given two minutes to explain what new information, changed circumstances, or other basis exists for proposing the motion.

If the Meeting votes to reconsider, the previously-approved motion is re-opened for further discussion and must be voted again, either as presented or as amended during the reconsideration discussion.

## **XII. BROADCAST COVERAGE**

Meetings are generally broadcast live on Concord-Carlisle Community **Cable TV on channel 9**, live-streamed on the Minuteman Media Network website ([www.minuteman.media/government](http://www.minuteman.media/government)), and broadcast on the Concord-Carlisle High School radio station **WIQH, FM 88.3**. The Moderator may grant permission to other broadcast stations to televise all or part of a Meeting under procedures designed to assure that they will not disrupt the Meeting. These procedures limit the intrusiveness of cameras to avoid intimidating speakers and to ensure the orderly conduct of the meeting.

## **XIII. MISCELLANEOUS**

**Lobby Table Material.** Tables in the lobby are reserved for materials that voters need for the Meeting. All materials placed on the lobby tables must:

- Pertain to Town Meeting
- Be submitted in advance to the Moderator and approved
- Include the date of preparation
- If prepared by a Town board or committee, include the name of the board or committee
- If prepared by an individual, include the name and address of the preparer
- Copied on white paper (this avoids potential confusion with paper voting slips)
- Copied in a quantity sufficient for all voters to have a copy
- Placed in the lobby one hour before the scheduled start of the Meeting session

**Materials and Activities Unrelated to the Meeting.** Distribution of materials unrelated to the Meeting and the conduct of activities such as solicitation of petition signatures are permitted outside the venue, so long as they do not interfere with the orderly ingress, egress, and check-in of voters attending Town Meeting.

**Mobile Phones.** All mobile phones are required to be silenced at the start of the Meeting and all mobile phone conversations are required to take place outside of the Meeting venue, in order to avoid interference with the orderly conduct of Town Meeting.

**Signs.** To prevent interference with the orderly conduct of the meeting, no signs of any kind, regardless of size, material, or message, are permitted inside the Meeting venue.