

Article 5

To see if the Town will vote to amend certain subsections of Chapter 2 – Section 3 – Town Meetings – Rules of Procedure - of the Code of By-Laws of the Town of Winchester, as recommended by the Special Town Meeting Committee and the Committee on Rules, with the proposed deletions (**Crossed-out and Bolded**) and additions (**Underlined and Bolded**) as shown below, or take any other action in relation thereto.

Section 2-3. Rules of Procedure.

3.1. In General.

The proceedings of Town Meetings shall be governed by the rules of parliamentary procedure contained in ~~Robert's Rules of Order Revised, as the same may be revised from time to time, unless another provision is made by statute or by these bylaws~~ **Town Meeting Time, A Handbook of Parliamentary Law, 4th edition, as may be revised from time to time, unless another provision is made by statute, or these by-laws, or established through Town Meeting's Policies and Procedures Handbook as accepted by Town Meeting.**

3.2. Assistant Moderator

Prior to the commencement of each Town Meeting, the Moderator may appoint a Town Meeting member as an Assistant Moderator to support the Moderator's duties while the Moderator addresses the meeting. The Assistant Moderator has no other authority to serve in the Moderator's absence. If the Moderator is otherwise absent or temporarily vacates the meeting, a temporary substitute will be elected by the Town Meeting members.

3.3. Preparation for Debate.

It shall be the duty of every citizen of the Town seeking recognition to speak at a Town Meeting to have attempted in advance of the Town Meeting to become informed regarding the warrant article under consideration. On any warrant article on which a public hearing has not been held, the Town Manager or the appropriate Town agency shall schedule a time and place at which information with respect to said article shall be furnished in advance of the meeting.

3.4. Participation in Debate.

The Moderator shall first recognize the proponent of the main motion under each article in the warrant unless the maker of any other motion is offering a procedural motion or for the previous question.

The Moderator shall recognize any nonresident or minor, provided the Town Meeting so authorizes.

3.5. Limitation on Individual Speakers.

Unless granted an extension of time by vote of the meeting, the individual speaking as the initial proponent on a main motion shall not speak for more than ten minutes. Subsequently,

any person speaking on any motion shall not speak for more than five minutes unless granted an extension of time by the meeting. No person shall receive more than one extension of time on any pending motion, but this extension shall be for whatever time voted by Town Meeting.

3.6. Move the Vote

Any Town Meeting member may move to close the debate and proceed to an immediate vote on the pending question. Such a motion shall be addressed to the Moderator and is subject to the Moderator's discretion in whether they accept the motion at any particular time. The member making the motion may not interrupt a speaker who already has the floor, nor may the member make a motion to move the vote immediately after questioning or commenting on the pending motion. A motion to close debate must be seconded, may not be debated, amended, or reconsidered, and requires a two-thirds vote for passage.

3.7. Limitation on Debate, Special Circumstances.

Upon a motion to lay on the table, not more than ten minutes shall be allowed for debate, and no person shall speak thereon more than three minutes.

3.8. Division of Questions.

If a motion is susceptible of division, it shall be divided and the question put separately upon each part thereof if ten Town Meeting members so request, or the Moderator, in his discretion, so directs.

3.9. Reconsideration.

A motion for reconsideration is a main motion and may be offered at any time when no other motion is pending.

If a motion for reconsideration is made, it shall be the first order of business at the next adjourned session of the Town Meeting. If no adjourned session is ordered, pending motions for reconsideration shall be placed before the Town Meeting immediately prior to acceptance by the chair of a motion for dissolution of the Town Meeting.

Favorable action on a motion for reconsideration shall require a two-thirds vote. Action on a motion for reconsideration may be postponed by a majority vote.

A subsection of the main motion under an article may be reconsidered without first reopening the main motion under the article.

Not more than one motion for reconsideration on the same subject shall be in order.

3.10. Preparation for Town Meeting.

3.10.1. Public Hearings.

Public hearings on warrant articles are held for the purpose of informing Town Meeting members and interested citizens as provided by the Charter and other sections of the bylaws.

3.10.2. Warrant Article Requirements.

1. The proponent of each warrant article shall prepare or cause to be prepared the main motion as it is to be presented, prepare a supporting report and cause copies of each to be made available to Town Meeting members at the required public hearing. If requested, the Select Board shall provide, or cause to be provided, assistance with the preparation of the formal motion.
2. The Town Manager's office shall cause a copy of each main motion, ~~and~~ supporting reports, **and the Consent Agenda** to be delivered to Town Meeting members at least seven days before the first session of Town Meeting, unless prohibited by applicable law
3. For Warrant Articles sponsored by Town Boards or Committees, absence of a timely main motion and supporting report shall preclude any consideration of the article by the Town Meeting until seven days after such main motion and report is made available to members, unless otherwise voted by a majority of the Town Meeting.
4. **The Town Manager, or their designee, in consultation with the Chair of the Select Board, the Vice Chair of the Select Board, Town Counsel, the Town Clerk, the Moderator, and the Comptroller, may identify routine and non-controversial articles from the Warrant for inclusion in a Consent Agenda. These articles will be voted on as a single unit without debate. Any article may be removed from the Consent Agenda at the discretion of the Moderator or upon the request of five (5) Town Meeting Members. An article removed from the Consent Agenda shall return to its original place in the Warrant for debate and voting. Adoption of the Consent Agenda as a whole shall require the affirmative vote necessary to satisfy the most restrictive voting threshold applicable to any article included therein.**

3.11. Voting.

3.11.1. Voting shall be by:

1. Voices of the members, or
2. A counted vote by:
 - (a) An electronic tally and display system used i) by itself to reflect the vote, or ii) in conjunction with a voice vote, as authorized pursuant to this bylaw; or
 - (b) Members standing.

3.11.2. Electronic System:

1. The Town Clerk shall provide for the use of an electronic system for voting that includes, at a minimum, the following features:
 - (a) Votes taken using the electronic system shall be displayed to Town Meeting members and the public before the Moderator announces the vote. The display shall be capable of showing, at a minimum:
 - (i) The final tally of votes when the electronic vote is accompanied by a voice vote; or
 - (ii) A listing identifying each Town Meeting member and the member's precinct, vote and the final tally of votes.
 - (b) At the Moderator's discretion, or at the request of 20 or more members, the listing in Subsection 3.9.2.1(a)(ii) shall be used even if the electronic vote is accompanied by a voice vote.

2. Votes taken using the electronic system in conjunction with a voice vote shall be determined by the results reported by the electronic system.
3. The Moderator may in the Moderator's discretion use a voice vote on simple motions without an electronic tally of the vote, including, without limitation: a) votes taken by unanimous consent, b) votes to adjourn, or c) votes to amend a motion to correct typographical or other clerical errors.

3.11.3. Record of votes:

A record of the vote taken by the electronic system or in the manner specified in Subsection 3.9.2 above shall be made available electronically to the public within 24 hours of the vote. The record shall disclose whether and how each Town Meeting member voted.

(Special Town Meeting Committee)

(Majority Required)

MOTION:

MOVED AND SECONDED that the Town vote to amend Section 3 of Chapter 2 of the Code of Bylaws as followed.

Section 2-3. Rules of Procedure.

3.12.

In General.

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3.13.

Assistant Moderator

Prior to the commencement of each Town Meeting, the Moderator may appoint a Town Meeting member as an Assistant Moderator to support the Moderator's duties while the Moderator addresses the meeting. The Assistant Moderator has no other authority to serve in the Moderator's absence.

3.14.

Preparation for Debate.

It shall be the duty of every citizen of the Town seeking recognition to speak at a Town Meeting to have attempted in advance of the Town Meeting to become informed regarding the warrant article under consideration. On any warrant article on which a public hearing has not been held, the Town Manager or the appropriate Town agency shall schedule a time and place at which information with respect to said article shall be furnished in advance of the meeting.

3.15.

Participation in Debate.

The Moderator shall first recognize the proponent of the main motion under each article in the warrant unless the maker of any other motion is offering a procedural motion or for the

A subsection of the main motion under an article may be reconsidered without first reopening the main motion under the article.

Not more than one motion for reconsideration on the same subject shall be in order.

3.21. Preparation for Town Meeting.

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3.10.2. Warrant Article Requirements.

1. The proponent of each warrant article shall prepare or cause to be prepared the main motion as it is to be presented, prepare a supporting report and cause copies of each to be made available to Town Meeting members at the required public hearing. If requested, the Select Board shall provide, or cause to be provided, assistance with the preparation of the formal motion.
2. The Town Manager's office shall cause a copy of each main motion, ~~and~~ supporting reports, ~~and the Consent Agenda~~ to be delivered to Town Meeting members at least seven days before the first session of Town Meeting, unless prohibited by applicable law
3. For Warrant Articles sponsored by Town Boards or Committees, absence of a timely main motion and supporting report shall preclude any consideration of the article by the Town Meeting until seven days after such main motion and report is made available to members, unless otherwise voted by a majority of the Town Meeting.
4. **The Town Manager, or their designee, in consultation with the Chair of the Select Board, the Vice Chair of the Select Board, Town Counsel, the Town Clerk, the Moderator, and the Comptroller, shall identify routine and non-controversial articles from the Warrant for inclusion in a Consent Agenda. These articles will be voted on as a single unit without debate. Any article may be removed from the Consent Agenda at the discretion of the Moderator or upon the request of five (5) Town Meeting Members. An article removed from the Consent Agenda shall return to its original place in the Warrant for debate and voting. Adoption of the Consent Agenda as a whole shall require the affirmative vote necessary to satisfy the most restrictive voting threshold applicable to any article included therein.**

3.22.

Voting.

3.11.1.

Voting shall be by:

1. Voices of the members; or
2. A counted vote by:
 - (a) An electronic tally and display system used i) by itself to reflect the vote, or ii) in conjunction with a voice vote, as authorized pursuant to this bylaw; or
 - (b) Members standing.

3.11.2.

Electronic System:

1. The Town Clerk shall provide for the use of an electronic system for voting that includes, at a minimum, the following features:
 - (a) Votes taken using the electronic system shall be displayed to Town Meeting members and the public before the Moderator announces the vote. The display shall be capable of showing, at a minimum:
 - (i) The final tally of votes when the electronic vote is accompanied by a voice vote; or
 - (ii) A listing identifying each Town Meeting member and the member's precinct, vote and the final tally of votes.
 - (b) At the Moderator's discretion, or at the request of 20 or more members, the listing in Subsection 3.9.2.1(a)(ii) shall be used even if the electronic vote is accompanied by a voice vote.
2. Votes taken using the electronic system in conjunction with a voice vote shall be determined by the results reported by the electronic system.
3. The Moderator may in the Moderator's discretion use a voice vote on simple motions without an electronic tally of the vote, including, without limitation: a) votes taken by unanimous consent, b) votes to adjourn, or c) votes to amend a motion to correct typographical or other clerical errors.

3.11.3.

Record of votes:

A record of the vote taken by the electronic system or in the manner specified in Subsection 3.9.2 above shall be made available electronically to the public within 24 hours of the vote. The record shall disclose whether and how each Town Meeting member voted.

(Special Town Meeting Committee & Committee on Rules)

BACKGROUND:

Furthering the work began by the Decennial Review committee in the fall of 2024, and the Parliamentary Rules Study Committee Report (PRSC) in the summer of 2025, a Special Town Meeting Committee was charged by the 2025 Fall Town Meeting to address the unresolved procedures identified in the “Impact, Actions & Notes” table set forth in the Appendix to the PRSC report presented to the 2025 Fall Town Meeting (the “Prior Report”).

The Special Town Meeting Committee conducted seven meetings in the fall and winter of 2025 and the spring of 2026. With the assistance of Winchester Town Counsel Karis North, analyzed each of the twenty-nine differences between Roberts Rules of Order (“RRO”) and Town Meeting Time identified in the Appendix to the Prior Report, and on the developed proposed bylaws for Town Meeting consideration.

The Special Town Meeting Committee recommendation to amend the bylaw governing Winchester’s parliamentary rules to adopt Town Meeting Time, the Committee identified three areas in which the existing Winchester Town Meeting tradition differs sufficiently from Town Meeting Time that a bylaw would be beneficial. Those three areas are: (1) codification of the role of the Assistant Moderator; (2) codification of the Consent Agenda practice; and (3) codification of a Winchester-specific approach to the practice of moving the vote, commonly referred to as the “cry of the meeting.”

During the Committee’s work, it became clear that many of the practices of Winchester Town Meeting are not written down anywhere. Since Town Meeting Time, and Massachusetts General Law, allows for many slight variations from town to town, the Committee recommends that the Moderator and Town Clerk add more detailed explanations of our policies and procedures in the *Guide to Winchester Town Meeting*, particularly relating to several procedural devices.

Since the Warrant closed, the Committee met and reviewed recommendations from the Committee on Government Regulations and accepted those recommendations. Here they are as follows and as included in the motion above:

3.1 In General.

The proceedings of Town Meetings shall be governed by the rules of parliamentary procedure contained in ~~Robert’s Rules of Order Revised, as the same may be revised from time to time, unless another provision is made by statute or by these bylaws~~ **Town Meeting Time, A Handbook of Parliamentary Law, 4th edition, as may be revised from time to time, unless another provision is made by statute or these by-laws, or established through Town Meeting’s Policies and Procedures Handbook as accepted by Town Meeting.**

The Moderator, alongside support of the Committee on Rules and the Town Clerk, will be continuing the work of a seamless transition to Town Meeting Time for Fall of 2026 with the integration of written current policies and procedures into Winchester’s Guide to Town Meeting. This document does not require a vote of Town Meeting for its creation and distribution by the Moderator.

3.2.1 Assistant Moderator

Prior to the commencement of each Town Meeting, the Moderator may appoint a Town Meeting member as an Assistant Moderator to support the Moderator's duties while the Moderator addresses the meeting. The Assistant Moderator has no other authority to serve in the Moderator's absence. ~~If the otherwise absent or temporarily vacates the meeting, a temporary substitute will be elected by the Town Meeting members.~~

This sentence is superfluous, as it is addressed in MA State Laws.

3.6

Move the Vote

Any Town Meeting member may move to close the debate and proceed to an immediate vote on the pending question. Such a motion shall be addressed to the Moderator and is subject to the Moderator's discretion in whether they accept the motion at any particular time. The member making the motion ~~does not need to be formally recognized to speak but~~ may not interrupt a speaker who already has the floor, nor may the member make a motion to move the vote immediately after questioning or commenting on the pending motion. A motion to close debate must be seconded, may not be debated, amended, or reconsidered, and requires a two-thirds vote for passage.

The Committee worked to try to make the transition from Robert's Rules of Order to Town Meeting Time as seamless as possible and align with current practice. In response, additional language was requested to clearly state that the speaker is not required to stand in queue to make the motion.

Since the Warrant closed, the Committee identified a scrivener's error. Here it is as follows and as included in the motion above:

- The Town Manager, or their designee, in consultation with the Chair of the Select Board, the Vice Chair of the Select Board, Town Counsel, the Town Clerk, the Moderator, and the Comptroller, ~~may~~ shall identify routine and non-controversial articles from the Warrant for inclusion in a Consent Agenda. These articles will be voted on as a single unit without debate. Any article may be removed from the Consent Agenda at the discretion of the Moderator or upon the request of five (5) Town Meeting Members. An article removed from the Consent Agenda shall return to its original place in the Warrant for debate and voting. Adoption of the Consent Agenda as a whole shall require the affirmative vote necessary to satisfy the most restrictive voting threshold applicable to any article included therein.**