

**Traditional Town Meeting Moderators Workshop 2023
Hypotheticals**

1. A hotly-debated, controversial article to raise \$500,000 to purchase a new fire truck is taken up at the town meeting.
 - a. An amendment is made and seconded to decrease the amount to \$50,000. Before the vote on the amendment, a voter hustles up to the moderator and hands him a hand-written note asking for a secret ballot. It is signed by 5 voters. Only 4 of the 5 voters are actually present at the meeting. The voter tells you the missing voter just left to go home to care for a sick child. **May the moderator grant the request for a secret ballot vote?**
 - b. Assume instead all 5 voters who asked for the secret ballot are present, and so the moderator announces a secret ballot vote will take place. The fire chief asks for the names of the individuals who made the request. **Can the moderator identify them?**
 - c. Assume that the request for a secret ballot was procedurally proper. **May the moderator refuse to conduct the secret-ballot vote?**

2. An article for a new safety complex that would raise and appropriate funds in accordance with the provisions of the Municipal Finance Act (RSA 33) by a bond is voted on at the town meeting. A total of 903 ballots are counted, and the results are as follows:

Total Yes Votes for Safety Complex Bond: 536
Total No Votes for the Safety Complex Bond: 357
Total Blanks for the Safety Complex Bond: 10
The moderator declares that the bond did not pass.

What vote is necessary to pass a bond? How should the “yes,” “no,” and “blank” ballots counted? Did this bond pass?

3. A petitioned warrant article was submitted and duly added to the Town of Granite town meeting warrant that provided as follows:

To see if the Town will vote pursuant to RSA 37:11, RSA 37:12 and RSA 37:13 to rescind the adoption of the Town Manager statute effective June 30, 2023 and return the management of day to day operations of the town to a Town Administrator?

A coterie of supporters of the current Town Manager, who would lose her job if the article is adopted, speak in opposition to the article. One voter proposes the following amendment to the article:

To see if the Town will vote pursuant to RSA 37:11, RSA 37:12 and RSA 37:13 to retain the provisions of the Town Manager statute?

How do you respond to the voter? Do you permit the amendment to be voted on?

4. Article 7 on the warrant reads as follows:

To see if the Town will raise and appropriate \$40,000 as the annual compensation for the town clerk-tax collector, in lieu of fees, per RSA 41:25 and RSA 41:33.

When the select board is called upon to present Article 7, the chair asks the moderator if he can “move in” the article with the appropriation stated as \$38,000, rather than \$40,000.

Is this proper? How should the moderator respond?

5. The debate and discussion on the operating budget for the Summerland School District is contentious as there seems to be equal numbers of those seeking to increase the operating budget as there are those seeking to cut the operating budget. A person speaking for the group supporting more spending moves to amend the article by increasing the bottom line of the budget by 5% or \$250,000. After a secret ballot vote that motion is defeated. A person speaking for the group supporting a cut in spending moves to amend the budget by reducing the bottom line of the budget by 10% or \$500,000. After another secret ballot vote that motion is defeated. Then those seeking an increase again move to amend the budget with an increase 4% or \$200,000 and that motion is again defeated after a secret ballot vote. Then, a person representing those who wish to cut the budget moves to reduce the bottom line by 8%, or \$400,000. After another secret ballot vote that motion is defeated. The opposing sides on the budget debate seem intent on continuing to offer competing motions to increase or decrease the budget.

What role, if any, could a moderator play in addressing this seeming stalemate on budget article?

6. The Springfield School District has engaged in the process to consider withdrawing from its current school administrative unit (SAU). The school district has undergone the proper process to study withdrawal, has submitted its proposed withdrawal plan to the NH Department of Education, and is now ready to present the plan for withdrawal to the voters. Consistent with RSA 194-C:2, the following warrant article is submitted by the Springfield School Board:

“Shall the school district accept the provisions of RSA 194-C providing for the withdrawal from a school administrative unit involving school districts of Springfield and Shelbyville, in accordance with the provisions of the proposed plan?”

The pertinent statute, RSA 194-C:2, IV(i) states that a 3/5 vote is required for the warrant article to pass.

Before voting on the article is undertaken, a motion is made to add language to the article requiring 2/3 majority vote for the article to pass rather than a 3/5 majority.

How should the moderator rule on this motion?

7. After months of tense negotiations, the Springfield School District reached a tentative agreement for a new three-year contract with the union representing the teachers, Local 15 of the United Teachers of the Granite State (UTGS). The School Board presents a warrant article to approve the cost items contained in the tentative agreement as follows:

“To see if the Springfield School District will vote to approve the cost items included in the collective bargaining agreement reached between Springfield School Board and Local 15 of the United Teachers of the Granite State which calls for the following increases in salaries and benefits:

Year	Amount
7/1/23 – 6/30/24	\$127,846
7/1/24 - 6/30/25	\$136,955
7/1/25 – 6/30/26	\$145,845

and further to raise and appropriate the sum of \$127,846 for the 2023-2024 Fiscal Year, said sum representing the additional costs attributable to the increase in salaries and benefits over those paid in the prior Fiscal Year (This appropriation is in addition to Article 9, the Operating Budget.) (Recommended by the Board of Selectmen 5-0) (Recommended by the Budget Committee 10-0).”

A member of the body proposes an amendment to the article as follows:

To see if the school district will vote to raise and appropriate the sum of \$127,846 to fund those cost items related to an increase in personnel salaries and benefits for the fiscal year 2023-24, the first year of a new three (3) year collective bargaining agreement between the Springfield School Board and Local 15 of the United Teachers of the Granite State; such sum of money representing the additional costs attributable to the increase in personnel salaries and benefits over those paid in the 2022-23 fiscal year. (Cost items for years two and three of the new collective bargaining agreement will be presented to voters in the respective warrants for the 2024 and 2025 annual meetings.) (This appropriation is in addition to Article 9, the Operating Budget.)

How should the Moderator respond to this motion?

8. There is an article on the warrant seeking to rescind the adoption of RSA chapter 36-A and dissolve the town Conservation Commission pursuant. It is well known in town that the moderator supported the creation of the Conservation Commission 25 years ago, and she served on the Conservation Commission for 10 years, although the moderator last served as a Conservation Commission member 15 years ago. There are strong feelings in town that are reflected at the business session from those supporting and opposing the continued existence of the Conservation Commission. The moderator is alerted before the meeting that those seeking to keep the Conservation Commission will move to amend the article to reaffirm rather than rescind the existence of the Conservation Commission. When the article is introduced for discussion a member of the group supporting abolishment of the Conservation Commission challenges the moderator's impartiality and requests she recuse herself from the handling of that warrant article.

How do you respond?

9. A group of individuals are moving for a secret ballot vote on every single warrant article. Each time the request is made, the body erupts in anger, but the secret ballot vote takes place because all the signatures are presented. Finally, after the fifth secret ballot vote, an angry voter moves to disallow secret ballot voting because it serves no purpose except to function as a stalling tactic. Several voters jump up and second the motion.

How do you handle the motion?

10. It's a dark and stormy night. Your business session is scheduled to start at 6 PM. You arrive at 4pm to begin setting up. You get a call from a selectperson at 4:30 that a tree has fallen across the road (the one road) to the meeting space. The selectperson contacts the road agent, who, after coming out to the site, determines he and his staff can have the road passable by about 7 PM.

What do you do?