



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SPECIAL TOWN MEETING

To the Constable of the Town of Maynard, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the voters of said Maynard, to assemble IN **FOWLER SCHOOL AUDITORIUM**, THREE TIGER DRIVE IN SAID town, on Thursday, November 8, 2018 at 7:00 p.m. then and there to act on the following articles:

SPECIAL NOTICE TO VOTERS

On Monday, October 22, 2018 at 7:00 P.M., a public hearing will be held at the Maynard Town Hall, Soup Campbell Room, Room 101, to discuss with any citizen who desires further information, as to the recommended budget, and any special Article in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Special Town Meeting. Your participation is welcome.

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as wheelchair arrangements or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by October 29, 2018 in order for reasonable accommodations to be made.

PROCEDURES AT TOWN MEETING

Order of Articles: Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

Secret Ballot Votes: The Moderator determines whether or not an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

Amending an Article at Town Meeting: Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

Reconsider an Article: An article may be reconsidered, that is revoted, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, The Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

NECESSARY MAJORITIES*

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years, (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular By-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

NOTE:

Yes and No votes will only be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

*Please note these vote quanta are for example only and there may be other types of votes, which fall under each of the categories listed above.

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<u>Article #</u>	<u>Title</u>	<u>Department</u>	<u>Vote</u>	<u>Page #</u>
1	A vote to Prohibit the sale of Town of Maynard water and sewer services; not located within the boundaries of the Town of Maynard	Citizen Petition	Open majority	5

ARTICLE 1: A vote to prohibit the sale of Town of Maynard water and sewer services to other Towns, developers, and communities; not located within the boundaries of the Town of Maynard.

To see if the town will vote to prohibit the sale of Town of Maynard water and sewer services to other Towns, developers, and communities; not located within the boundaries of the Town of Maynard. A “yes” vote would not allow the town to sell water and sewer services. A “no” vote would allow the town to sell water and sewer services.

To do or act thereon.

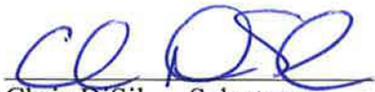
SPONSORED BY: Citizens’ Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does not recommend

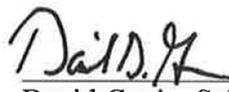
FinCom “Statement of Reasons”:

1. The FinCom is aware that Town Counsel issued an opinion on October 3 stating that, if this article is approved by Town Meeting vote:
 - a. The measure would be “a non-binding measure” and
 - b. The BoS would remain “authorized to determine whether such a sale [of water and wastewater services] would be appropriate, and to negotiate and execute an Intermunicipal Agreement or an agreement with a developer or resident of another town.”
2. Beyond those reasons given in the Town Counsel’s legal opinion, the FinCom believes for the following reasons that passage of this article is not in the best interests of the Town:
 - a. First, it appears that the measure would prohibit all sales of water and/or wastewater services even to those who are already receiving them from the Town.
 - b. Second, it appears that the measure would apply to all future applications for water and/or wastewater services, even those that might prove advantageous to the Town.
 - c. Third, it appears that these prohibitions would remain in place unless and until another Town Meeting vote reversed this measure, which may inappropriately delay action on future applications, even those that might prove advantageous to the Town.
3. In the FinCom’s view, the BoS—in its roles as Water and Sewer Commissioners—is the proper forum for decisions to be made regarding the sale of water and wastewater services to those outside the Town boundaries. That said, in light of the significant potential risks and costs involved, the FinCom believes that such decisions should be informed by:
 - a. A “roadmap” that lays out clearly the essential steps in the decision process (especially those involving opportunities for community input), including an estimated timeline and an initial plan of information to be gathered and analyzed to reach a decision that is in the best interests of the Town.

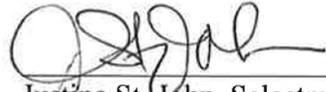
- b. A strategic plan to manage these finite resources for the long-term,
- c. A thorough near-term and long-term cost-benefit analysis of any agreements,
- d. Full transparency in all deliberations relating to any agreements, and
- e. Opportunities at appropriate times throughout the decision process for the Maynard community to provide meaningful input on any agreements.

Given under our hands this *16th* day of October *in* the year of Two Thousand and Eighteen.


Chris DiSilva, Selectman


David Gavin, Selectman


Melissa Levine-Piro, Selectman


Justine St. John, Selectman


Armand Diarbekirian, Selectman

A true copy, Attest  Constable of Maynard.
Mary McCue