



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:

The following action was taken:

At 7:00 p.m. on November 8, 2018, the Moderator, Dick Downey called the Special Town Meeting to order.

A quorum was present.

Guests were acknowledged and admitted.

Voted: To appoint Jack MacKeen as Deputy Moderator.

Voted: To waive the reading of the warrant its entirety.

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.

The following action was taken:

Voted: Yes 91, No 30 to prohibit the sale of Town of Maynard water or sewer services to other Towns, developers, and communities; not located within the boundaries of the Town of Maynard excluding existing customers now receiving these services.

The Finance Committee did not recommend.

This article was voted by a secret ballot.

Motion made and seconded to dissolve the Special Town Meeting at 8:15 p.m.

Motion carried.

Special Town Meeting – November 8, 2018 – Fowler Middle School