

SPECIAL TOWN MEETING

**2010
WARRANT**



**TOWN OF TEWKSBURY
COMMONWEALTH OF MASSACHUSETTS**

Finance Committee Public Hearing

April 28, 2010 7:00 p.m.
Town Hall Auditorium

Special Town Meeting

May 5, 2010 7:00 P. M.
Tewksbury Memorial High School

TOWN MEETING GUIDELINES

- ** Voters and Visitors shall have their identification ribbons conspicuously displayed.
- ** Visitors shall sit in the designated VISITORS SECTION unless they are assigned to a designated area.
- ** Standing at the doors or in the aisles inside the gymnasium or auditorium is prohibited.
- ** No one shall enter the gymnasium or auditorium while voting is in progress.
- ** Everyone shall be at a seat so as to allow the vote to be counted without hindrance.
- ** Collecting signatures upon petitions or nomination papers is prohibited in the building where the Town Meeting is being held.
- ** Food and beverages are not allowed in the gymnasium or auditorium as per order of the School Committee.
- ** Smoking is not allowed in the School Building or on School Property.
- ** To prevent active interference with the conduct of the Town Meeting, any person taping, video taping or using any other means of sonic reproduction is assigned to the designated Press Table or the side aisle perimeters of the gymnasium or auditorium.

This meeting is being held at a site which is physically accessible to persons with disabilities.

For further information please call 978-640-4355.

CART services need to be requested as early as possible, as CART providers often fill their schedule 2-3 months in advance. Other reasonable accommodations for disability related needs will be provided upon request.

Middlesex, ss.

To any of the Constables of the Town of Tewksbury, in said County:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Tewksbury, qualified to vote in Town affairs, to meet and assemble at Tewksbury Memorial High School, 320 Pleasant Street, in said Tewksbury on Wednesday, May 5, 2010, at 7:00 p.m. to act on the following articles:

ARTICLE 1

To see if the Town will vote to transfer the following sums or take any action related thereto:

FROM:		TO:	
Cable TV-Operating (Professional Services)	\$ 9,692	School-Salaries	\$ 9,692
Admin Services-Salaries	\$ 40,000	Reserve Fund	\$ 20,000
Town Manager-Salaries	\$ 12,000	Veterans-Operating (Aid)	\$ 26,000
Regional School District	\$ 20,535	BOS-Operating (Labor Counsel)	\$ 45,000
Library-Salaries	\$ 20,000	Fire-Operating (Grant Match)	\$ 32,651
Assessor-Salaries	\$ 5,000	Town Counsel (Professional Services)	\$ 60,000
Treasurer-Operating (Professional Services)	\$ 3,116	Town Clerk-Salaries	\$ 8,200
Short-term Interest	\$ 5,000		
Liability Insurance	\$ 10,000		
Rubbish (Disposal)	\$ 76,200		
TOTAL	\$201,543	TOTAL	\$201,543

Town Manager

Executive Summary: This article is a regular Special Town Meeting article where the Town transfers funds from accounts with a projected surplus to accounts with a projected deficit.

ARTICLE 2

To see if the Town will vote to approve the sum of \$145.61 to pay outstanding bills of a previous fiscal year and that to raise this appropriation the Town will vote to transfer \$145.61 from Council On Aging-Operating, or take any other related action.

Council On Aging-Operating

Office Supplies Banc of America Leasing \$145.61

Town Manager

Executive Summary: According to Massachusetts General Law bills that are late must be approved by Town Meeting before payment. This article will authorize the bill to be paid and allow transfers to cover the amount.

ARTICLE 3

To see if the Town will vote to appropriate the sum of \$3,000,000 to be expended by the Town Manager for the cost of roadway and drainage improvements to various streets in the Town of Tewksbury, including the payment of all costs incidental and related thereto and to determine whether such amount should be raised by taxation, by transfer from available funds, by borrowing or by any combination of the foregoing, or take any other action relative thereto.

Motion: That the Town hereby appropriates the sum of \$3,000,000 for the cost of roadway and drainage improvements to various streets in the Town of Tewksbury, and for the payment of all costs incidental and related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44 Section 7(5) of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

Town Manager

Executive Summary: This article authorizes the Town to borrow funds to undertake roadway and drainage improvements to various streets in the Town of Tewksbury. The priority project will be River Road Phase 1 which is a section of River Road in poorest

condition and in need of an upgrade to the drainage system. If funding is available after River Road Phase 1 improvements are complete the next area of Town for improvements will be from a prioritized list developed by the DPW Engineering Department.

ARTICLE 4

To see if the Town will vote to appropriate up to \$375,000 from the Community Preservation Fund's Budgeted Reserve Account to recover, preserve and protect Town records and archives and other associated costs as proposed by the Town Clerk. This project is recommended for adoption by the Community Preservation Committee.

Community Preservation Committee

Executive Summary: This article would appropriate up to \$375,000 from existing funds in the Budgeted Reserve Account within the Community Preservation Fund for the preservation and protection of Town records and archives. The proposed project includes proactive document storage measures as recommended by the New England Document Center and the State Board of Library Commissioners. The preservation of town historical records and archives is a State mandate as well as a community need.

ARTICLE 5

To see if the Town will vote to appropriate \$40,000 from the Community Preservation Fund's Community Housing FY11 Reserve Account to be transferred to a Tewksbury Planning Board affordable housing planning account, as proposed by the Planning Board and recommended for adoption by the Community Preservation Committee.

Community Preservation Committee

Executive Summary: In accordance with our Master Plan, Chapter 5 Housing Element, the Tewksbury Planning Board seeks these CPA funds to address affordable community housing needs through a variety of professional resources to include; town or privately owned site feasibility assessment by the appropriate consultant, research of funding sources or grants to be added to Affordable Housing Trust Fund money, public outreach, implementation of State requirements for the development of defined affordable housing units and associated legal fees as determined by the Planning Board. This article is endorsed by the Tewksbury Local Housing Partnership.

ARTICLE 6

To see if the Town will vote to appropriate up to \$27,000 from the Community Preservation Fund's Budgeted Reserve Account subject to the Tewksbury State Hospital and State Division of Asset Management transfer of land known as the Saunders Recreational Facility to the Town of Tewksbury. These funds will be utilized by the Town's Park's and Recreation Department to clean-up and fence-off an existing State Hospital Cemetery which is on a portion of the land to be transferred to the Town. This project provides additional funding for the fence, which is proposed to be a wrought iron style rather than the previously approved funding for a chain link style fence. This project is proposed by the Recreation Director and is recommended for adoption by the Community Preservation Committee.

Community Preservation Committee

Executive Summary: This article would appropriate up to an additional \$27,000 from existing funds in the Budgeted Reserve Account within the Community Preservation Fund for the cleaning-up and fencing-off of an existing State Hospital Cemetery subject to the transfer of the Saunders Recreation Facility land from the State to the Town of Tewksbury. The previously approved CPA fund amount is \$15,000. The adoption of this article will bring the total proposed cost up to \$42,000. The State has requested this up-grade in the style of fence and that a plan for this remedial action be in place in consideration of the land transfer. The benefits of this project are to secure the transfer of the land to the Town for recreational use, and to preserve and protect the historic cemetery and surrounding open space.

ARTICLE 7

To see if the Town will vote to authorize the School Department to spend \$9,674.43 from the E-Rate Account for purposes of paying for School Department Technology Expenses.

School Committee

Executive Summary: The School Department is requesting that the Town authorize the expenditure of the \$9,674.43, which is in the E-Rate Account for the purposes of paying for School Department technology expenses. These funds were generated from the implementation of the Telecommunications Act of 1996 and are the direct result of discounts for technology services that were provided to the School Department. These discounts were generated in the form of checks and deposited by the Town of Tewksbury. The intent of the Act was to offset the cost to the School Department of affordable access to modern telecommunications and information services.

ARTICLE 8

To see if the Town will vote to amend the following sections of the Zoning Bylaw relative to the Floodplain Overlay District:

1. By deleting the third paragraph of Section 2300 which reads:

The Flood Plain District is shown, defined and bounded on the map accompanying this By-Law entitled the Tewksbury Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) dated July 2, 1981 as Zone A, A1-30, B, & C, and the FEMA Flood Boundary & Floodway Map dated July 2, 1981 on file with the Town Clerk.

and replace it with the following:

The Flood Plain District includes all special flood hazard areas within the Town of Tewksbury designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Tewksbury are panel numbers 25017C0142E, 25017C0144E, 25017C0163E, 25017C0164E, 25017C0256E, 25017C0257E, 25017C0259E, 25017C0276E, 25017C0277E, 25017C0278E, 25017C0279E, 25017C0281E and 25017C0283E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

2. By amending Section 8120 to read as follows:

8120. Floodplain District Boundaries.

The Floodplain District is herein established as an overlay district. The District includes all the special flood hazard areas within the Town of Tewksbury designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP. The map panels of the Middlesex RIRM are wholly or partially within the Town of Tewksbury are panel numbers 25017C0142E, 25017C0144E, 25017C0163E, 25017C0164, 25017C0256E, 25017C0257E, 25017C0259E, 25017C0276E, 25017C0277E, 25017C0278E, 25017C0279E, 25017C0281E, and 25017C0283E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Town Engineer. The above referenced maps and study booklet may be amended from time to time.

3. By amending Section 8152 to read as follows:

8152. Other Use Regulations.

1. In Zone AE, along watercourses that have a regulatory floodway within the Town of Tewksbury as designated on the Middlesex County Flood Insurance Rate Maps, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Planning Board

Executive Summary: These changes reflect the new Flood Insurance Rate Maps and will maintain the Town's participation in the National Flood Insurance Program.

ARTICLE 9

To see if the Town will vote to amend the Zoning Bylaw Section 5244 by changing the existing text from:

5244. One (1) identification sign not exceeding twelve (12) square feet in area at any public entrance to a subdivision or multi-family development may be erected upon the issuance of a special permit by the Board of Appeals; such special permit shall specify limits on the size of the sign and the length of time to be maintained.

To read:

5244. One (1) identification sign not exceeding twelve (12) square feet in area at any public entrance to a subdivision or multi-family development may be erected upon the issuance of a special permit by the Planning Board; such special permit shall specify limits on the size of the sign and the length of time to be maintained.

Planning Board

Executive Summary: In 2005 portions of Section 5200 Signs were approved for clarity. This amendment would make Section 5244 consistent with the actions of 2005.

ARTICLE 10

To see if the Town will vote to amend the Zoning Bylaw by deleting footnotes 1 and 2 of Section 8604, Section 8624 and 8644.

Planning Board

Executive Summary: The footnote is not necessary for the Town Center Overlay District, Village Mixed Use Overlay District and Village Residential Overlay District the definitions that the footnotes refer to can be found in Section 10000 Definitions of the Zoning Bylaw.

ARTICLE 11

To see if the Town will vote to amend the Tewksbury Zoning Bylaw and the Zoning Map by adding the following Section 8660 to the Zoning Bylaw and adding the overlay map described below to the Town's Zoning Map:

8660. South Village Overlay District

8661. Purpose: The purposes of the South Village Overlay District (SVOD) shall be the same purposes as described in the 8601, Town Center Overlay District, in its entirety.

8662. Boundaries: The boundaries of the SVOD shall be as shown on the Town of Tewksbury Overlay Map, on file at the office of the Town Clerk.

8663. Relationship to existing Zoning: The relationship to existing zoning shall be the same as described in the Town Center Overlay District, in its entirety.

8664. Use Regulations and Definitions: The following uses are allowed in the SVOD subject to the requirements outlined in these SVOD regulations, and provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

1. Residential Uses (as a component of a mixed-use development):
 - a. Multifamily
 - b. Artist Lofts: All or a portion of a building that has been converted into an artist's workspace and living area.
 - c. Assisted living facilities
2. Government, Institutional and Public Service Uses:
 - a. Municipal
 - b. Educational
 - c. Religious
 - d. Public or Private Utility Facilities
 - e. Post Office
 - f. Recreation
3. Business Uses
 - a. Retail Store
 - b. Professional Offices
 - c. Financial Services/Bank
 - d. Restaurant
 - e. Hotel, Inn
 - f. Bed and Breakfast
 - g. Lodge or Club (Membership)
 - h. Personal Services
 - i. Artist or Craftsman Studio: Commercial space utilized to create, design, and fabricate sculptures, statues, furniture, structures and other art forms.
 - j. Day Care Facility
 - k. Museum: A depository for collecting and displaying objects having scientific, historical or artistic value for the purposes of education, study and enjoyment.
 - l. Art Gallery: A room or series of rooms where works of art are exhibited.
4. Mixed use development: A single building with the ground floor used primarily for retail, commercial, service or office and the upper floor(s) used for residential use.

Affordable Housing Requirement.

An application for an SVOD Special Permit as a Mixed use development may require that certain dwelling units, as determined by the Planning Board at the Concept Plan meeting, be established as Affordable Housing Units (7013.a) in perpetuity. Timing of establishment of affordable units to be determined by the Planning Board.

8665. Prohibited Uses. Any use not listed above is to be considered prohibited. Adult use establishments are not allowed for any use in the SVOD district.

8666. Site Plan Special Permit. All uses and structures in the SVOD are subject to a Special Permit and Site Plan Special Permit from the Planning Board in accordance with Sections 9300 and 9400 of the Zoning Bylaw. In addition to the requirements of these sections, all design criteria as described in the Village Residential Design Guidelines. The Planning Board shall be the Special Permit Granting Authority.

8667. Concept Plan. Prior to the application for approval of any special permit for a SVOD, a preliminary plan called for purposes of this Section 8600 a "Concept Plan", shall be filed for review with the Planning Board. The submitted Plan shall be consistent with the provisions of TCOD 8607 a. through e. To attain the goals of the SVOD, collaborative development proposals involving more than one property owner are encouraged where appropriate. In such cases, it is recommended that a Combined Concept Plan be submitted to the Planning Board with the initial project application, detailing the specific elements of the proposed project, outlining the impacts of the overall project, and identifying responsibilities of each property owner. The Combined Concept Plan should describe: the uses proposed, the layout and size of the project, potential impacts to the environment, access and transportation impacts, water and sewer needs, and economic impacts. The Planning Board encourages creative and collaborative efforts promoting the Purpose and the Design Guidelines of SVOD, such as, but not limited to: shared and off-site parking, pedestrian walkways, lighting and other such amenities.

8668. Dimensional Requirements.

Buildings within the SVOD shall conform to the following requirements:

Minimum Lot Area	10,000 square feet
Minimum Frontage	50 feet
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setbacks	Combined- 10 feet
Minimum Side Yard Setback when abutting a residential district	50 feet
Minimum Rear Setback	15 feet
Minimum Rear Setback when abutting a residential district	50 feet
Maximum Building Height	2.5 stories or 35 feet

8669. Special Provisions. The following special provisions apply to all development within the SVOD:

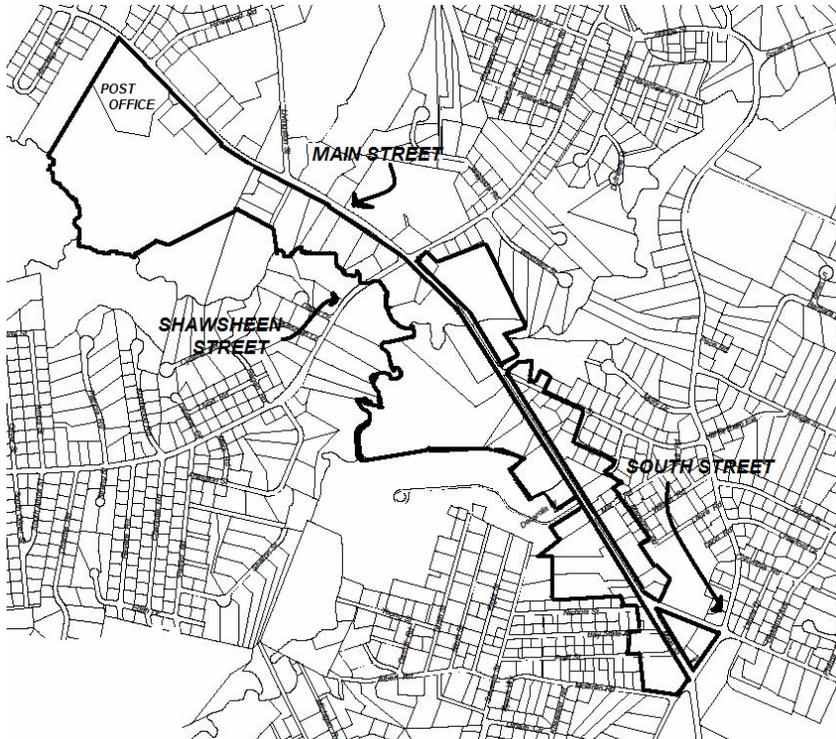
1. The minimum separation between two or more buildings on the same lot shall be 20 feet.
2. The Planning Board may modify all dimensional requirements outlined in Section 8668, and 8669.1. if, in its opinion, such modifications will result in improved design that is in keeping with Section 8661 above.
3. Frontage and Access – The Planning Board may, as part of the special permit, reduce lot frontage for a development that provides consolidated or shared access to site access, for two or more adjoining parcels, subject to a legally enforceable agreement or restriction in a form acceptable to the Planning Board and approved by Town Counsel.
4. The Zoning Board of Appeals shall not grant a variance of any use not allowed under Section 8665, nor grant a variance from any 8668 Dimensional Requirements or 8669 Special Provisions.

8670. Parking Requirements. The parking requirement for any use in the SVOD shall be the same as in the underlying zoning classification. The Planning Board may reduce the required number of parking spaces in the SVOD based on the following considerations:

- a. The availability of shared parking on another property. The Board may require a shared parking agreement to be submitted as part of the application for development.
- b. The availability of public transportation.

8671. Criteria for Granting SVOD Special Permit. In addition to the Criteria and considerations for actions by the Planning Board in Sections 9300 and 9400 of the Zoning Bylaw, the Planning Board shall determine that the site proposal and density of uses on the proposal shall promote the Purposes of this SVOD bylaw and shall take into consideration the same criteria as set forth in the Town Center Overlay District 8611.

8672. Special Permit Conditions - The Planning Board may impose such conditions, safeguards and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to same conditions as set forth in the Town Center Overlay District 8612.



Planning Board

Executive Summary: The adoption of this article will implement a new zoning overlay district moving south along Main Street from the Post Office area to the South Street area. This Overlay District recognizes the existing nature of the land described above and allows for this as well as other uses, while underlying zoning rights remain intact. This action was a recommended implementation step of Town of Tewksbury Master Plan endorsed at the 2004 Annual Town Meeting. The overlay district bylaw and design guidelines emphasize the highest quality of architectural and site design in development, increase the economic incentive for new investment and redevelopment by providing mixed-use opportunities. Design guidelines and accompanying overlay map are available at the Town Clerk’s Office and Department of Community Development.

ARTICLE 12

To see if the Town will vote to amend the Zoning Map for three parcels of land on Andover Street, Assessor’s Map 53, Lots 4, 5, and 6, from Senior Village District to Office Research District.

Beginning at a point at the northeast corner of the premises, said point being on the southerly line of Andover Street, at the northwest corner of land of now of formerly Oly Realty One, LLC., thence; S 56° 12’ 09” W, by said Oly Realty One, LLC land, and land of now or formerly North Tewksbury Commons, LLC, a distance of 665.00 feet, more or less, to a point, thence; N 5° 55’ 42” W by land of now or formerly Stephen C. Pirello, a distance of 223.49 feet, more or less, to a point at land of now or formerly Derrick Lee, thence; S 88° 24’ 36” E by said Lee land, a distance of 1800 feet, more or less, to a point, thence; N 1° 35’ 24” E, by said Lee land, a distance of 151 feet, more or less to a point on the southerly line of said Andover Street, thence; S 88° 24’ 36” E, along said street, a distance of 18.61 feet, more or less to a point, thence; S 89° 51’ 39” E along said street, a distance of 534.94 feet, more or less to the point of beginning. Being lots 2A, 2B and land of Stagnone as shown on a plan entitled “Plan of Land in Tewksbury, MASS – Scale 1”=80’ – dated July 18, 1963 and recorded in Middlesex North District Registry of Deeds Plan Book 99 Plan 56.

Gerald Weitz and others

Executive Summary: The proposed zoning article seeks to extend the existing Office Research zone line to include three adjacent parcels of land on Andover Street.

ARTICLE 13

To see if the Town will vote to authorize the Board of Selectmen to petition the state legislature for special legislation to authorize the Division of Capital Asset Management for the Commonwealth of Massachusetts to transfer land to the Town of Tewksbury for use as

ARTICLE 14

To see if the Town will vote to authorize the Board of Selectmen to petition the State Legislature to exempt the Town from a reversionary clause in the deed of the Police Station at 935 Main Street and allow the Town to sell the property with a deed restriction that any new owner of the property shall grant the Tewksbury Housing Authority an easement to pass and repass by vehicular traffic, create and reserve twenty parking spaces at the rear of the parcel for residents of the Tewksbury Housing Authority Carnation Drive Housing site with an adequate vegetative buffer and parking area to be constructed and maintained by the Tewksbury Housing Authority. Proceeds from the sale of the property will be shared 50% with the Town of Tewksbury and 50% with the Commonwealth of Massachusetts, or take any other action related thereto.

Town Manager

Executive Summary: In 1996 Town Meeting approved an article authorizing the Board of Selectmen to petition the State Legislature to exempt the Town from the Reversionary Clause in the deed sending the property back to the Commonwealth if the town had no public use for it. Over the years the Town has tried to negotiate this issue with various State Administrations and the State Legislature. Due to the passage of time, it has been recommended that this issue be addressed gain by Town Meeting so that there can be some clarity from the Town concerning this issue.

And you are directed to serve the within Warrant by posting up true and attested copies thereof upon the Town Hall and in each precinct, fourteen (14) days at least before the time of holding said meeting; also, leaving at least 500 copies at the Town Hall or at such convenient places as the Selectmen shall think proper in said Town of Tewksbury.

HEREOF, FAIL NOT, AND MAKE DUE RETURNS OF THIS WARRANT, with your doings thereon, to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 10th day of March in the Year of Our Lord, Two Thousand and Ten.

BOARD OF SELECTMEN

Todd R. Johnson, Chairman

Anne Marie Stronach, Vice Chairman

Scott Wilson, Clerk

David Gay

Douglas W. Sears

~ Helpful Trash and Recycling Information ~

Trash and Recycling must be placed curbside no later than 7:00am.

Please call Allied Waste at 1-800-442-9006 with any questions or concerns about the collection of your solid waste or recycling items.

The Town does not endorse these companies; we only supply a list of known companies that accept these items to help the Tewksbury Residents with proper disposal.

ITEMS	COMPANY
FLUORESCENT LIGHTS (Free)	Aubuchon Hardware, 2261 Main St., Tewksbury - 978-657-9333
HOUSEHOLD HAZARDOUS WASTE (consult webpage for possible changes) Saturdays, 9-2pm April 24 May 15 June 19 July 17 August 21 Sunday, September 19 October 16 November 13	Minuteman Hazardous Waste Products Facility, 60 Hartwell Ave., Lexington. http://ci.lexington.ma.us/dpw/hhhwfacility.cfm Directions to the facility: From Rte 128 take exit 31 (Rte 4/225 heading towards Bedford). At the first light take a right, via jug handle, onto Hartwell Ave. The composting facility site is ¼ mile on the left just after the bike path.
TIRES, BATTERIES, METALS, ETC.	Penny's Auto & Junk Yard, 11 Kitterage Ave., Tewksbury 978-851-5351
ASPHALT SHINGLES	Rooftop Recycling Inc., 369 Codman Hill Rd., Boxborough 978-263-1899
TIRES	Schlott Tire Co., 663 Main St., Tewksbury 978-858-0181 Monday – Friday 8AM to 5PM; Saturday 8AM – 2PM
ALL PAPER (EX: NEWSPAPER, MAGAZINES, MAIL, ETC) NO CARDBOARD	Paper Retriever: Located at the parking lots of the following: Dewing School, 1469 Andover Street Heath Brook School, 165 Shawsheen Street Library, 300 Chandler Street North Street School, 133 North Street Tewksbury Memorial High School, 320 Pleasant Street Town Hall, 1009 Main Street Wynn Middle School, 1 Griffin Way
MOTOR OIL, NEEDS TO BE IN CLEAR CONTAINERS, CANNOT BE MIXED WITH ANYTHING	First Class Auto Service, 2532 Main Street, 978-657-8888 M&S Service Inc., 1857 Rear Main Street, 978-851-6800

GLOSSARY OF TERMS

Town Meeting:

A duly called meeting in which all Town of Tewksbury registered voters are eligible to participate to act upon fiscal issues, zoning changes, by-law amendments, and other matters affecting the Town. Each voter has one vote in the decision making process.

The Annual Town Meeting is held each May to decide issues for the fiscal year starting July first. Special Town Meeting(s) may be called at other times, to address issues that cannot wait for the next Annual Town Meeting, a Special Town Meeting is called by the Board of Selectmen; or by a petition of 200 registered voters.

Warrant:

Public notice of business to be considered at the Town Meeting. It is publicly posted in each Precinct throughout the Town. The Warrant is mailed to each dwelling in the Town in which a registered voter resides and describes all of the Articles which will be acted upon at the Town Meeting.

Article(s):

Individual subjects are described in the articles so that all voters are warned of potential action to be taken. The scope of each article sets the bounds of action that may be taken. Articles are submitted by the Town Departments or by voter petitions. Articles submitted by voter petitions require ten (10) or more registered voters signatures for insertion in the Annual Town Meeting Warrant, and one hundred (100) or more registered voters signatures for insertion in a Special Town Meeting Warrant.

General Information:

The Moderator presides at the Town Meeting and is responsible for the ruling on procedural matters, overseeing an orderly debate, announcing the result of all votes and preserving decorum.

The proceedings are governed by Town Meeting Time, a handbook of parliamentary law prepared under the auspices of the Massachusetts Moderators Association. This guide may be simpler and easier to understand than the more widely known and consulted Robert's Rules of Order. Copies are available for reference at the Town Clerk's Office, Board of Selectmen's Office and the Tewksbury Public Library.

Registered voters are entitled to attend, address and vote at the Meeting. Visitors may attend the meeting and shall sit in the "reserved for visitors" section.

A voter desiring to speak should approach the microphone, await recognition by the Moderator, and identify him or herself when recognized by name and address.

Motions, Motions to Amend, and Votes Required:

An Article in the Warrant states a question for the Town Meeting voters to answer. Separate issues are described in the Town Meeting Articles so that all voters are warned of potential action to be taken. The scope or intent of each Article set the bounds of action that may be taken.

Customarily the Finance Committee Chairman makes the first or Main Motion or if the Article relates to the Zoning By-Law the Planning Board Chairman will make the first or Main Motion. The sponsor or Petitioner of an article also may make the first or Main Motion.

The Motion is then open for discussion by the assembly.

Motions to Amend the Main Motion, which is within the scope or intent of the Article, may be made on the Town Meeting floor.

Ordinarily motions require a majority vote of the voters present and voting for an Article to pass. Certain motions require a 2/3, 4/5 or a 9/10 vote to pass because of the provisions of the Town By-Laws or Massachusetts General Laws. The Moderator will announce the voting requirement before each vote requiring more than a majority vote.

Motions For Indefinite Postponement of an Article:

A motion to Indefinitely Postpone an Article is equivalent to a motion to take no action on the Article. If the Motion to Indefinitely Postpone the Article is Adopted; the Article is defeated.

Reconsideration of an Article:

No vote on a prior Article shall be Reconsidered except to correct a procedural defect, scrivener's error or an oversight. Reconsideration for the above exceptions requires a majority vote.

Move the Question:

The voters have heard all the discussion that they wish to hear on the pending Article and prefer to vote at once.

The Moderator shall allow those presently standing, at the time of the motion, the opportunity to be heard and then he or she will take the vote to Move the Question.

Rules to Govern Speakers:

No voter shall speak twice on any one subject, if any other voter who has not spoken already and is standing to be recognized by the moderator. No voter shall speak for more than five minutes at one time, except by vote of permission of the assembly.

CAR.-RT.
PRESORT
BULK RATE
U.S. POSTAGE
PAID
Tewksbury, MA
PERMIT NO. 33

RESIDENTIAL CUSTOMER
RURAL ROUTE BOX HOLDER

PLEASE TAKE THIS WARRANT
WITH YOU TO TOWN MEETING