Lunenburg Water District

BY-LAWS

Officers

Article 1

Section 1. The officers of the District shall consist of a board of three (3) commissioners, a clerk, treasurer, and moderator. The Board of Commissioners, the Clerk and Treasurer shall be chosen, for the term and in the manner provided by Chapter 17 of the Acts of 1939. A Moderator shall be elected by ballot at each succeeding annual meeting for the term of one year.

Section 2. The Board of Water Commissioners, the Clerk and the Treasurer shall have the powers and duties vested in them by Chapter 17 of the Acts of 1939.

Section 3. Any vacancy occurring in any of the offices named herein may be filled for the remainder of the unexpired term by the District at any legal meeting for the purpose.

Section 4. Except as otherwise permitted or requested by law, no person holding an elective office in the Lunenburg Water District shall perform work or other services for the District for a remuneration so long as such work is subject to the direct control or supervision of the Board or Office of which such person is a member.

Section 5. The Clerk-Treasurer of the District shall be a full-time officer and on normal business days, from Monday through Friday, inclusive the Clerk-Treasurers office shall remain open for business of the District at least 7 ½ hours each day.

Meetings

Article II.

Section 1. The annual meeting of the District shall be held on the last Saturday of March of each year.

Section 2. Special Meetings of the District may be held at such times as the Commissioners may order or upon written application of ten or more legal voters in the District.

Section 3. If the Commissioners unreasonably refuse to call a District Meeting, a justice of the peace, upon written application of twenty-five or more legal voters in the District may call a meeting by a warrant under his hand, stating the subjects to be acted upon, directed to the Clerk of the District or to any of the persons applying therefor.

Section 4. Every District meeting except as otherwise provided herein, shall e called in pursuance of a warrant, under the hands of the Commissioners, notice of which shall be given at least seven days before such meeting. The warrant shall be directed to the Clerk of the District, or to some other person, who shall forthwith give notice of such meeting by posting attested copies thereof in two or more places within the District.

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Section 5. The warrant for all District meetings shall state the time and place of holding the meeting and the subjects to be acted upon thereat. No action shall be valid unless the subject matter thereof is contained in the warrant.

Article III.

Section 1. The financial year shall be the 30th day of June

Section 2. No money, except interest on indebtedness authorized by the District shall be paid from the treasury without written approval of order of a majority of the Water District Commissioners or by vote of the District and according to its order.

Article IV.

Section 1. These By-Laws shall take effect upon adoption by the District at a legal meeting called for the purpose, and all previous by-laws shall thereby be annulled and repealed.

Section 2. These By-Laws may be amended, repealed, or changed by a two-thirds vote of the District at any legal meeting called for the purpose.

Article V.

Section 1. Voting requirements to Pass Warrant Articles

1.1 The voting requirements for the District warrant articles are defined in the District Bylaws herein. Articles related to the following conditions will require a two-thirds majority vote to pass:

a) Taking of property by eminent domain
b) Borrowing money for any purpose (consistent with existing Town of Lunenburg Bylaw)
c) Appropriation of District funds >$2M

A simple majority vote is sufficient to pass warrant articles related to topics not listed above or covered in the existing District Bylaw.

1.2 The District Commissioners do not have the power to decide whether a two-thirds majority or a simple majority is required for passing of a warrant article at a District meeting as this would be taking away the will of the voters.

Section 2. Voting Procedure

2.1 Qualified Water District Voters

- The definition of a qualified legal voter of the District shall be defined as a registered voter within the Town of Lunenburg who is a resident whose primary place of residence is within the geographical confines of the District
- The District Clerk shall obtain the registered voter list from the Town of Lunenburg Clerk up to twenty (20) days prior to any District meeting and election.

2.2 Provisional ballot for District Elections

- Individuals have the right to cast a provisional ballot if they believe they are a qualified voter, but a poll worker tells them that they are ineligible to vote.
- The District Clerk will verify the voting status of any individual casting a provisional ballot with the Lunenburg Town Clerk within five (5) business days.
- Any verified provisional ballot will be added, and election results updated accordingly.

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2.3 Determination and method of vote for District meetings

- Voting method shall be by electronic vote or if the electronic vote is not utilized, the sense of the vote shall be determined by the show of hands of the voters and the Moderator shall declare the vote as it appears to him/her. Before any action on the vote is taken, a vote by written or printed ballot will be required if requested by twenty-one (21) voters.

Section 3. Procedures for Election of Water District Commissioners

3.1 Recounts for Contested Commissioner Elections

- If a contested election for Water District Commissioner results in a vote difference of 10% or less of the total votes caste between candidates, either candidate has the right to request a recount. The recount must be conducted within 5 business days of the election. No winner will be declared until the recount process is complete. During the unsealing and recounting of ballots, each candidate may have their designated representative present to observe the tabulation.



Christine Schlenger