

**PROCEDURES FOR INSERTING AN ARTICLE
IN ANNUAL and SPECIAL TOWN MEETING
WARRANTS**

1. Annual Town Meeting Warrant: An article may be included in the Annual Town Meeting Warrant by petition of ten or more registered voters (MGL c. 39 §10). The Select Board determines the deadline for submission of warrant articles for the Annual Town Meeting.

2. Special Town Meeting Warrant: The Select Board shall call a Special Town Meeting upon request in writing, of two hundred registered voters or of twenty per cent of the total number of registered voters of the town, whichever number is less. Such meeting is to be held not later than forty-five days after the receipt of such request.

An article may be included in any Special Town Meeting Warrant by petition of one hundred registered voters or by ten per cent of the total number of registered voters of the town whichever number is less. (MGL c. 39 §10).

3. Petitions for submission of a Citizen's Article may be obtained from the Office of the Town Clerk. They are also available in excel format and can be sent to a citizen electronically. By law, Citizen Articles must be printed in the Warrant exactly as submitted. Therefore, in order to ensure that the article is precisely what is intended, it is recommended that the language of the article be reviewed prior to submittal by the Deputy Town Manager (kaxtell@lexingtonma.gov). The Deputy Town Manager also requests that the actual motion for the Article is submitted with the Citizen's Article petition.

- The deadline for submitting Citizen Petitions is posted on the Town's website at LexingtoMA.gov/CitizenPetition
- The petition must have "wet" signatures of the required number of registered voters in the Town of Lexington. It is recommended that the petitioner obtain additional signatures in the event that some signatures are not certifiable by the Board of Registrars.
- Signatures must be written on the same page as the petition. If the petition is lengthy and leaves insufficient space for the necessary signatures on one page, the petition must be copied on each additional page required for the remaining signatures.
- Signatures should be written substantially as registered so that the Registrars can reasonably determine the identity of the signer. If a signature is illegible, signer should print his or her name.
- The voter's address, with the house number and street name, must be included on the petition. Precinct numbers are not necessary but, if known, should be listed.
- All completed petitions shall be returned to the Office of the Select Board. The Board then submits petitions for certification to the Board of Registrars.

Chapter 39: Section 10. Warrant; issuance; contents.

Section 10. Every town meeting or town election, except as hereinafter provided, shall be called in pursuance of a warrant, under the hands of the selectmen, notice of which shall be given at least seven days before the annual meeting or an annual or special election and at least fourteen days before any special town meeting. The warrant shall be directed to the constables or to some other persons, who shall forthwith give notice of such meeting in the manner prescribed by the by-laws, or, if there are no by-laws, by a vote of the town, or in a manner approved by the attorney general. The warrant for all town meetings shall state the time and place of holding the meeting and the subjects to be acted upon thereat. The town meeting may be held in one or more places; provided, that if it is held in more than one place, the places are connected by means of a public address system and loud speakers so that the proceedings in all such places may be heard and participated in by all the voters present therein. Whenever the moderator determines that voters are being excluded from the town meeting because there is no room for them in the places provided or that voters in attendance are being deprived of the opportunity to participate therein for any reason whatsoever, he shall either, on his own motion recess the meeting for any period during the day of the meeting or, after consultation with the members of the board of selectmen then present, adjourn the same to another date, not later than fourteen days following the date of said meeting, when places and facilities sufficient to accommodate all voters attending and to enable them to participate therein shall be available. The selectmen shall insert in the warrant for the annual meeting all subjects the insertion of which shall be requested of them in writing by ten or more registered voters of the town and in the warrant for every special town meeting all subjects the insertion of which shall be requested of them in writing by one hundred registered voters or by ten per cent of the total number of registered voters of the town whichever number is the lesser. The selectmen shall call a special town meeting upon request in writing, of two hundred registered voters or of twenty per cent of the total number of registered voters of the town, whichever number is the lesser; such meeting to be held not later than forty-five days after the receipt of such request, and shall insert in the warrant therefor all subjects the insertion of which shall be requested by said petition. No action shall be valid unless the subject matter thereof is contained in the warrant. Two or more distinct town meetings for distinct purposes may be called by the same warrant.

The written requests of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The selectmen shall submit such written requests to the board of registrars of voters or the board of election commissioners who shall check and forthwith certify the number of signatures so checked which are names of voters in the town, and only names so checked and certified shall be counted. A greater number of names than are required in each case need not be certified.

Sample Wording for Warrant Articles

TYPE: Resolution

Article 42 of 2004

Patriot Act Resolution

To see if the Town will vote to adopt a resolution to affirm its strong opposition to terrorism, and also to affirm its desire that any efforts to end terrorism not be waged at the expense of the fundamental civil rights and constitutional protections guaranteed to all Americans by the Constitution of the United States, and to specifically call for the repeal of those portions of the U.S.A. Patriot Act, passed in 2001, that infringe on protected rights and liberties, specifically our constitutional rights to freedom of religion, speech, assembly and privacy, protection from unreasonable searches and seizures, our rights to due process and equal protection, access to counsel, presumption of innocence and a fair, speedy, and public trial, or act in any other manner in relation thereto.

(Inserted by John Sackton and nine or more registered voters)

Description: This warrant article calls on the Town of Lexington to join with 27 other Massachusetts communities in passing local resolutions calling for repeal of the unconstitutional provisions of the USA Patriot Act. The act allows the Justice Department to conduct searches of personal financial, medical, and other information such as book store or library records without a warrant and without judicial oversight, and makes it a crime for a librarian to inform a patron that their reading habits are being monitored. The article puts the Town on record against such unreasonable searches, and instructs local officials to record the Town's opposition to actions which diminish liberties guaranteed under the Bill of Rights.

TYPE: Street Acceptance

Article 23 of 2004

Laconia Street Acceptance

To see if the Town will vote to establish as a town way and accept the layout of as a town way the unaccepted portion of Laconia Street at a distance of 2200 feet, more or less, as laid out by the Selectmen and shown upon a plan on file in the office of the Town Clerk, dated January 5, 2004, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefore; and raise and appropriate money for the construction of said street and for land acquisition; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Submitted by Lawrence Fiore and nine or more registered voters)

Description: This article has been submitted by residents of Laconia Street and adjacent streets to have the unaccepted portion of Laconia Street brought up to town standard and accepted by the Town. The total cost of bringing the street up to town standard will be borne by the affected residents through the assessment of betterments. It is expected that the construction work will be done in connection with the relaying of a town water line which was previously approved.

TYPE: Petition to State Officials

Article 30 of 2003

L.G. Hanscom Field

To see if the Town will request the Selectmen to call upon the Governor of the Commonwealth of Massachusetts and all relevant State and Federal agencies to recognize L.G. Hanscom Field, Massport's civilian airport, as a unique airport in the United States, sited in the midst of an irreplaceable historical, cultural, and environmentally sensitive area, and to take initiatives to prevent expansion of the airport, or to act in any other manner in relation thereto.

(Inserted by Carolyn H. Tiffany and nine or more registered voters)

Description: Six years ago, Town Meeting unanimously passed three warrant articles regarding Hanscom Field and its impact on the town. Since then, commercial passenger operations have been introduced at Hanscom, jet aviation has tripled, millions have been poured into infrastructure improvement, and Massport has discussed additional increases and changes of use (such as cargo) that would have grave implications for the surrounding towns, including Lexington. The proponents are asking Town Meeting to renew and update its support of the Selectmen in their ongoing efforts to contain use of Hanscom Field, so that there is a balance between use of the airport and preservation of the environs that surround it.

TYPE: Transfer of Land

Article 23 of 2002

Transfer of Land to Conservation – Lot 120 on Map 41

To see if the Town will vote to transfer the care, custody, management and control of all of the land on Worthen Road between Baskin Road and the Teresa and Roberta Lee Fitness Nature Path shown on Lot 120 on Assessor's Property Map 41 to the Lexington Conservation Commission for conservation purposes as provided by Section 8C of Chapter 40 of the General Laws, or act in any manner in relation thereto.

(Inserted by Charles Lamb and nine or more registered voters)

Description: This wooded parcel of Town land on Worthen Road is located across from the High School Field House, extending from Baskin Road to the entrance of the Teresa and Roberta Lee Fitness Nature Path. It consists of approximately 3 acres. This woodland contains over 400 trees of diverse species, including mature black locust, oak, elm, red maple, cherry and ash. This land also harbors wetlands. It is part of the centrally located stretch of open space and recreational land that includes Lincoln Field, the Teresa and Roberta Lee Fitness Nature Path and Swamp Nature Trail. This parcel is immediately adjacent to the Baskin and Loring Roads residential area and serves to buffer residents from the traffic, noise, lights and pollution on Worthen Road. It is also a corridor for wildlife.