

That all being said, I do agree with you that it is an all or nothing proposition. The bylaws should not be voted on piecemeal. Votes must be on the entire petition as presented. Brendan Hughes <Brendan.Hughes@sulliv

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To:

• Bruce Perron
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Section 1: Definitions "Executive officer of a public employer", the secretary of an executive office of the commonwealth, or in the case of an agency not within the executive office, the attorney general; the adjutant general of the military forces of the commonwealth; the county commissioners of a county; the mayor of a city, or as designated by the charter of the city; the selectmen of a town or as designated by the charter of the town; and the board, directors, or committee of a district in the case of the public employers of a district,

Chap 40 ss4 1/2 (b) The chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a governmental unit may, on behalf of the unit, enter into a joint powers agreement with another governmental unit for the joint exercise of any of their common powers and duties within a designated region; provided, however, that the joint powers agreement shall not apply to veterans' services in any city or town or districts and municipal veterans' services and departments shall be subject to chapter 115. The joint powers agreement shall be authorized by the parties thereto in the following manner: in a city, by the city council with the approval of the mayor; in a town, by the board of selectmen; and in a district, by the prudential committee

Section 116. In carrying out the provisions of sections one hundred and thirteen to one hundred and nineteen, inclusive, the prudential committee, if any, otherwise the commissioners, of the district shall perform all the duties required to be performed by the selectmen in town elections where official ballots are used, and the clerks of said districts shall perform all the duties required to be performed by the town clerk in elections of town officers where official ballots

Chap 40 ss3 All real estate or personal property of the town, not by law or by vote of the town placed in the charge of any particular board, officer or department, shall be under the control of the selectmen.

Chap 40 Section 21. Towns may, for the purposes hereinafter named, make such ordinances and by-laws, not repugnant to law, as they may judge most conducive to their welfare, which shall be binding upon all inhabitants thereof and all persons within their limits

Section 71: Prudential committee; selection; duties; treasurer; bond; duties

Section 71. Such districts shall choose a prudential committee, which shall expend, for the purposes prescribed by the district, the money so raised or borrowed, and shall choose a treasurer, who shall give bond for the faithful performance of his official duties in a sum and with sureties approved by the prudential committee. He shall receive all money belonging to the district, and shall pay over and account for the same according to its order or that of the prudential committee

Section 39A: Water supply or distributing system; establishment; maintenance and operation; exception

Section 39A. A town, by a majority of its voters present and voting thereon at a town meeting at which the voting list shall be used, may establish a water supply or water distributing system and maintain and operate the same, in accordance with sections thirty-nine B to thirty-nine G, inclusive; but no such system shall be established to supply water in any town while the inhabitants of any part thereof are being served directly by a

water company or a water supply district, water district, or fire district supplying water to its inhabitants, except in accordance with section thirty-eight or with special law. Any town may vote to authorize its board of selectmen to act as water commissioners, with all the powers and duties of such commissioners, until water commissioners shall be elected as hereinafter provided. A town which has so voted may, at an annual town meeting, or at a special town meeting called for the purpose and held at least thirty days before the next annual town meeting, vote that at such next annual town meeting water commissioners shall be elected.

Section 39E: Management of water system

Section 39E. The land, water rights and other property taken or acquired under section thirty-nine B, and all works, buildings and other structures erected or constructed under sections thirty-nine C and thirty-nine D, shall be managed, improved and controlled by a board of water commissioners to be elected as provided by section sixty-nine A of chapter forty-one, or by its selectmen authorized to act as such, in such manner as they shall deem for the best interests of the town.

Section 39B: Acquisition of land and water; conditions

Section 39B. For the purpose of establishing a water supply or water distributing system as authorized by section thirty-nine A, any town, by its board of water commissioners or selectmen authorized to act as such, may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring, stream or ground water sources within its limits, not already appropriated for purposes of public water supply, and any water or flowage rights connected therewith; and also for said purpose may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of the town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the department of environmental protection, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of sections thirty-nine A to thirty-nine E, inclusive, shall be subject to the approval of said department.

Section 42G: Distribution of water; payment of costs by special assessment

Section 42G. Any city, town or district having a water supply or water distributing system which, in the case of a city or town, accepts this section and the two following sections in cities other than Plan E cities by vote of the city council subject to the city charter, or Plan E cities by vote of the city council, in towns or districts by vote of its inhabitants at an annual town or district meeting called therefor, may provide by ordinance, by-law or vote for the levy of special assessments to meet the whole or part of the cost thereafter incurred of laying pipes in public and private ways for the conveyance or distribution of water to its inhabitants. Such city, town or district may provide that an owner of land which receives benefit from the laying of water pipes in public and private ways upon which his land abuts or which by more remote means receives benefit through the supply of water to his land or buildings shall pay a proportionate part of the cost not already assessed of extending such water supply to his land.