

SPECIAL TOWN MEETING

August 8, 2022

Pursuant to the Warrant issued by the Select Board, duly served and legally posted by a constable of the Town, Moderator Katie Goodfellow called the meeting to order at **6:31PM** at Apponequet Regional High School Auditorium.

Moderator Goodfellow stated that according to the Town of Lakeville's General Bylaws a requirement of 100 registered voters is needed to open a Town Meeting, but due to the lack of a quorum for tonight's Special Town Meeting, it is the discretion of the Moderator to dissolve the meeting if the Moderator feels that it is unlikely to ever garner a quorum. Moderator Goodfellow believes that a quorum will not be garnered for tonight's Special Town Meeting.

ARTICLE 1 - RECALL of an Elected Official (Citizen's Petition)

To see if the Town will vote to amend the General By-laws of Town of Lakeville by adding the attached By-law for the Recall of an Elected Official or take any action thereto.

A. RECALL DESCRIPTION

1. Any holder of an elected office in the Town of Lakeville may be recalled therefrom by registered voters of the Town as hereinafter provided.
2. The recall of an elected official will consist of a 3-step process.
3. An initial recall affidavit shall not be filed against an officer within 3 months after the officer takes office or within the last 3 months of the term.

B. INITIATION OF THE RECALL AFFADAVIT - (Step one) The Affidavit

1. Any 100 registered voters of the Town of Lakeville may initiate a recall petition by filing an affidavit with the Town Clerk.
2. The Select Board may appoint a Temporary/ Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

C. THE PETITION - (Step two) The Petition

1. If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, and shall demand the election of a successor to such office.
2. Such blanks must be provided within five Town hall business days during regular business hours.
3. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk.
4. In the event that the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day.
5. The petition, before being returned and filed, shall be signed by 200 qualified voters of the Town. Every signature must be accompanied by the signer's place of residence, giving the street and number.
6. Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

D. THE RECALL ELECTION - (Step three) The Recall Election

1. If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it

with the certificate to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Select Board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

2. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.
3. Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE
[NAME OF OFFICER] ()

AGAINST THE RECALL OF THE
[NAME OF OFFICER] ()

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

F. DUTIES OF THE INCUMBENT

1. The incumbent shall continue to perform the duties of his/her office until the recall election.

2. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, as provided in this act.

H. VOTING RESULTS

1. If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted.
2. In that instance, the candidate receiving the highest number of votes shall be declared elected for the open office.
3. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.
4. If the official is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term.
5. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

I. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

1. Any elected official sought to be recalled may not be a candidate to succeed himself/herself.
2. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

J. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

1. Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any Town office within 4

years after such removal or such resignation.

2. In the case of an officer subjected to a recall election and not recalled, a new recall affidavit shall not be filed against that officer until at least 3 months have elapsed after the election at which the previous recall was submitted to the voters of the town.

K. EFFECTIVE DATE

This act shall take effect upon its passage.

Unable for all business on the Warrant to be acted upon, a motion to dissolve came at **6:33PM due to the expectation of never achieving a quorum.**

Check lists were used and **6 voters**, including 4 Town Meeting Members were checked on the lists as being present as follows:

	P.1	P.2	P.3	Total
Voter Registration per Precinct as of 7/29/2022	2864	3090	2914	8868
Checked-in	4	1	1	6
% Turn-out on 7/29/2022	0.13%	0.03%	0.03%	0.06%
TOTAL	4	1	1	6

A true copy of the record,

Attest:



**Lillian M. Drane, MMC/CMMC,
Town Clerk**

NOTE: New Procedure to Check-In at the Annual/Special Town Meetings

To accelerate the check-in process at Lakeville's Annual & Special Town Meetings this year, check-in will now be accomplished by use of electronic Poll Pads. The use of these tablets will allow our election officers to check in a voter:

1. By manually entering the first three (3) letters of the voter's first and last name;
or
2. By scanning the bar code on the back of the voter's driver's license. In this case, the Poll Pad matches the name and birth date of the person on the voter list with the name and birth date it reads from the bar code on the back of the license. No information from the scanned license is retained by the Poll Pad.

The Commonwealth of Massachusetts does not require that a voter present a license to check in at any Elections and Town Meetings.

The Poll Pads immediately talk to one another, eliminating any chance of a voter checking in more than once.

