



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Legislation Details (With Text)

**File #:** 17-158      **Version:** 1      **Name:**  
**Type:** Order      **Status:** Passed  
**File created:** 8/30/2017      **In control:** Town Council  
**On agenda:** 9/19/2017      **Final action:** 9/19/2017

**Title:** To approve the form of warrant and specimen ballot for a special town meeting to be held on November 7, 2017, for the purpose of acting on a referendum question to authorize the issuance of up to \$9,300,000 in general obligation bonds or notes of the Town and appropriate the proceeds thereof to pay for the design, construction, and equipping of a new public works and school transportation and maintenance facility located at property on Windham Center Road in the Town and related redevelopment of the site, which warrant and specimen ballot shall include the recommendation of the Town Council to vote "yes" to authorize such actions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 17-158 Cover Sheet, 2. 2017 Special Town Meeting Warrant and Financial Statement, 3. 2017 Windham Bond Referendum Specimen Ballot, 4. Project Budget 20170907

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 9/19/2017 | 1    | Town Council | approved | Pass   |

### I. Council Action Requested.

To approve the form of warrant and specimen ballot for a special town meeting to be held on November 7, 2017, for the purpose of acting on a referendum question to authorize the issuance of up to \$9,300,000 in general obligation bonds or notes of the Town and appropriate the proceeds thereof to pay for the design, construction, and equipping of a new public works and school transportation and maintenance facility located at property on Windham Center Road in the Town and related redevelopment of the site, which warrant and specimen ballot shall include the recommendation of the Town Council to vote "yes" to authorize such actions.

### II. Basis for Council Action.

Council approval of this item is required because:

- a. pursuant to Article VIII, Section 2 of the Charter, "any appropriation of twenty-five thousand dollars (\$25,000) or more in addition to or supplementary to the annual budget appropriation; the issuance of bonds or notes, except notes in anticipation of taxes to be paid within the fiscal year in which issued; shall become effective only after it has been adopted at a Town Meeting by the vote of a majority of those present and entitled to vote at such meeting,"
- b. the articles of business on the warrant for the proposed special meeting would appropriate an amount greater than twenty-five thousand dollars (\$25,000) in addition to or supplementary to the annual budget recommendation and authorize the issuance of bonds or notes other than a note in anticipation of taxes to be paid within the fiscal year,
- c. the provisions of 30-A M.R.S.A. § 2521 require that such meetings be called by a warrant signed by a majority of the "selectmen" (i.e. municipal officers),

- d. the provisions of 30-A M.R.S.A. § 2528(5)(B) require that “[i]f a particular article to be voted on by secret ballot requests an appropriation of money by the municipality, the article, when printed in the warrant and on the ballot, must be accompanied by a recommendation of the municipal officers,” and
- e. pursuant to Article II, Section 1 of the Charter, “[t]he Town Council, hereinafter called the ‘Council’, shall be and constitute the municipal officers of the Town.”

III. Issue Summary.

Please refer to the copy of the warrant and ballot for the special town meeting to be held on November 7, 2017 to vote on the Shared Maintenance Facility project.