The following was adopted pursuant to Chapter 380 of the 1982 Legislative Acts approved by the Governor effective August 23,1982. At a meeting held September 18, 1982, the Sherwood Forest Road Maintenance District was established by a vote of 72 to 2.

**BY -LAWS**

Sherwood Forest Road Maintenance District

Town of Becket

**SPECIAL ACT**

Chapter 380

1982 Legislative Acts

BY-LAWS

of the

SHERWOOD FOREST ROAD MAINTENANCE DISTRICT

TOWN OF BECKET

CHAPTER I

GENERAL PROVISIONS

Section 1. The following provisions shall constitute the By-Laws of the Sherwood Forest Road Maintenance District adopted pursuant to Chapter 380 of the 1982 Legislative Acts approved by the Governor effective August 23, 1982.

Section 2. In the event that any provision of these By-Laws shall be inconsistent with any express or necessarily implied provisions of the Special Act creating the District, as the same may be from time to time amended, the provisions of said Special Act shall govern.

Section 3. Words and phrases specifying or naming any officer, board, or committee of the District shall be construed as including the lawful successor, or the person or persons having the powers and performing the duties of said officer, board, or committee.

Section 4. Any or all of these By-Laws may be repealed or amended, or other by-laws may be adopted at any District meeting called for that purpose.

Section 5. The Prudential Committee shall cause the By-Laws to be published following their coming into effect, and shall make available to all members of the District a copy of said By-Laws. in booklet or other convenient form, including the most-recent amendments thereto, by maintaining at all times a sufficient number of printed By-Laws in the custody and control of the District clerk.

Section 6. Invalidity of any section or of any chapter hereof shall not affect the validity of any other section.

Section 7. The governing laws and regulations of the District shall consist of these By-Laws of the Special Act above referred to, and the provisions of any general law referred to in said Special Act, or with which compliance is otherwise required by its terms or any district in the Commonwealth, or any officer, board, or committee of this District or of districts generally within the Commonwealth.

CHAPTER II

DISTRICT MEETINGS

Section 1. The annual District meeting shall be held at 1:00 p.m. on the third Saturday of April of each year, provided, however, that if the annual meeting date set by the Town of Becket, in accordance with applicable law, shall be scheduled to occur in any subsequent year more than thirty days prior to the date above set forth, then the date of the annual meeting shall be at 1:00 p.m., on the Saturday next prior to the expiration of said thirty-day period.

Section 2. Special meetings of the District may be called at any time and in the manner provided for in Section 6 of the Special Act.

Section 3. Twenty resident voters at an annual District meeting and fifteen registered voters at a special District meeting shall constitute a quorum; provided, however, that a number less than a quorum may from time to time adjourn a District meeting.

Section 4. All annual and special District meetings are open to the public and shall be held at such location within the District as the Prudential Committee shall from time to time determine. Nonresident property owners within the District are encouraged to attend any District meeting, and shall be entitled to be heard at such meetings.

Section 5. All District meetings shall be presided over by a moderator elected at the initial District meeting and at each annual meeting thereafter as the first order of business at each such meeting. The moderator should, but need not be, a resident voter of the District, but shall be, in any event, a property owner within the District as evidenced by the records maintained by the Board of Assessors for the Town of Becket as of the valuation date next preceding said District meeting.

Section 6. Only persons residing within the District as of the date of any annual or special District meeting and who are registered voters in the Town of Becket as of the date of such meeting shall be entitled to vote at District meetings.

Section 7. Articles on the District warrant for any District meeting shall be acted upon in the order in which they appear unless otherwise determined by a majority vote of the meeting.

Section 8. Any motion shall be put into writing if so directed by the moderator.

Section 9. When a question is put, the sense of the meeting shall be determined by voice vote and the moderator shall declare the vote as it appears to him. If his decision is doubted, or a division of the house is called for, the moderator may appoint tellers to make and return the count by a show of hands. If as many as ten voters so request, any vote shall be taken by written secret ballot.

Section 10. No motion, the effect of which would be to dissolve a meeting, shall be in order until every article in a warrant therefor has been duly considered and acted upon, but this shall not preclude the postponement of consideration of any article or articles to an adjournment of the meeting at a stated time and place.

CHAPTER III

DISTRICT OFFICERS

Section 1. The elected officers of the District shall be a Prudential Committee consisting of five regular members and two alternates. Three of the regular members shall be resident voters of the District and the remaining two regular members shall be non-resident, assessed owners of real estate within the District. The two alternates shall consist of one resident voter and one non-resident owner. *In the event of an absence or a need to recuse a Prudential Committee member the appropriate alternate (resident voter or non-resident owner) shall be called to serve temporarily in that position.* In the event of a vacancy on the Prudential Committee, the appropriate owner (resident voter or non-resident owner) shall be called to serve the remainder of the term of office so vacated. If a vacancy should occur for which no alternate exists, a special meeting of the District shall be called to fill the remainder of the term of office created thereby. *(insertion approved 06/04/2011)*

Section 2. At the first annual District meeting, following the initial meeting contemplated by the Special Act, members of the Prudential Committee and alternates, shall be elected at such meeting and each annual meeting thereafter, as follows: *On odd years: regular resident voter (elect two for two years), regular non-resident owner (elect one for two years), alternate non-resident owner (elect one for two years); and on even years: regular resident voter (elect one for two years), regular non-resident owner (elect one for two years), one alternate resident voter (elect one for two years).* *(insertion approved 06/04/2011)*

Section 3. The clerk and treasurer of the District shall be elected at the first annual meeting and thereafter for terms of two years each. Vacancies occurring in either office shall be filled by the Prudential Committee as provided in the Special Act.

Section 4. Following the initial election, the Prudential Committee shall appoint a superintendent of streets which shall serve at the pleasure of the Prudential Committee and shall further be subject to re-appointment, in any event, at the first meeting of the Prudential Committee next occurring after each annual District meeting.

Section 5. Each and all the officers set in the preceding section shall perform the duties and be subject to supervision therefor, as set forth in the Special Act and as otherwise required by general law.

Section 6. The officers and committee members referred to in this Section and also the District moderator shall be elected in the following manner:

A. The moderator who presided at the last annual meeting or initial meeting of the District shall initially preside at the next annual meeting of the District for the purpose of entertaining nominations for moderator from the floor.

B. Upon election of a moderator, the moderator so elected shall entertain nominations from the floor for the positions of clerk and treasurer and special elections shall thereupon be held with respect to each position.

C. Said moderator shall entertain nominations for the positions then subject to election of the Prudential Committee with respect to each regular and alternate position. By majority vote of the quorum of the meeting, the moderator may receive nominations of a slate of candidates to fill all vacant regular and alternate positions on the Prudential Committee.

D. All votes to elect the officers and committee members above referred to in this Section shall be by secret paper ballot, which ballots shall be tallied in the presence of the voters by the tellers for that purpose.

E. A majority vote of a quorum in attendance at the District meeting where elections are held shall be required to elect any such officer or committee member.

CHAPTER IV

FINANCIAL AFFAIRS

Section 1. An audit of the accounts of the District shall be made annually under state supervision or as otherwise required by the Special Act and! or the general laws of the Commonwealth as the same from time to time may be amended.

Section 2. The fiscal year of the District shall be the same as the fiscal year established by general law or otherwise for the Town of Becket.

Section 3. Except as otherwise provided by law, the District clerk shall have custody of deeds, contracts, bonds of performance, treasurer's and clerk's bond, insurance policies and similar instruments in possession of the District.

Section 4. Unless otherwise required by the Special Act or general law, the District treasurer shall receive and take charge of all money belonging to the District and shall pay over or account for the same according to the order of the District. No payment shall be made by the treasurer without an appropriation by vote of the District nor against any appropriation in excess of the same except as authorized or required by law. Any portion of the District appropriation remaining unexpended at the close of the fiscal year shall revert to the District treasury unless otherwise provided by law.

Section 5. Annually, the District clerk, treasurer, and superintendent of streets shall prepare and submit to the Prudential Committee not less than sixty days prior to the date of the annual District meeting, a detailed estimate of the amount deemed by them necessary for the administration of their respective departments and/ or the discharge of their respective duties for the fiscal year beginning on the first day of the following July. Such estimates shall be in such form and detail as the Prudential Committee shall require. In the discharge of its duties, the Prudential Committee shall have free access to all books and records of accounts, together with bills and vouchers on which money has been or may be paid from the District Treasury.

Section 6. The District clerk, treasurer, and superintendent of streets shall furnish in writing annually to the Prudential Committee a detailed report of their activities in their respective capacities to the Prudential Committee, such report to be submitted not later than forty-five days prior to the date of each annual District meeting, and such reports, together with the report by the Prudential Committee, of its doings shall be consolidated in written form to an annual report of the District, with such report to be available in one or more convenient locations accessible to District residents and District landowners not later than seven days prior to the date of each annual District meeting.

CHAPTER V

MEETING WARRANT

Section 1. Meeting warrants shall be prepared by the Prudential Committee in the manner required for the preparation of a town meeting warrant under the then existing general laws of the Commonwealth.

Section 2. All such warrants shall be posted at least fourteen days prior to such meeting at (1) a retail establishment located within the District if one exists and at such location therein as the Town of Becket then places such warrants; (2) at the bulletin board located adjacent to the United States Postal Services' mail boxes located on Wells Road and (3) at the bulletin boards located at the three other road entrances to the District from Route 20. The Prudential Committee shall further cause copies of said warrant to be available at the place and time for each such District meeting in sufficient number so as to be reasonably available to all District residents and District landowners attending said meeting, and the Prudential Committee may furnish in like number a separate printed explanation of each article appearing on any such warrant for informational purposes only. *(revised 02/04/2006)*

CHAPTER VI

LEGAL AFFAIRS

Section 1. The Prudential Committee shall be the agents of the District to institute, prosecute, and defend any and all claims, actions, and proceedings in which the District is a party or in which the interests of the District are or may be involved.

Section 2. The Prudential Committee may appear personally or by District counselor by special counsel duly employed, before any court, committee, or legislative body, or any state or county board or commission to protect the interests of the District, but are not authorized except otherwise provided by law or by vote of the District to commit the District or any of its interests.

Section 3. The Prudential Committee shall annually after the final adjournment of the annual District meeting, appoint a member of the bar in good standing to serve as District counsel for the term of one year, subject to prior appropriation therefor.

CHAPTER VII

RECORDS AND REPORTS

Section 1. All officers, board, and committees of the District shall cause records of their doings and accounts to be kept in suitable books. Said books shall be kept in the custody of said District officers and shall not be removed therefrom. Said books shall, unless otherwise provided by special act or general law, be open to public inspection at any reasonable time, but shall remain during such inspection under supervision of the officer, board, or committee having custody thereof.

CHAPTER VIII

BETTERMENTS

Section 1. The abutters to any street or way listed or described in the Special Act of Chapter 30 shall assume all costs and responsibility of construction of all driveways to their property. This is to include required culverts, and construction to grade as designated in the field by the Superintendent of Streets. Applications for driveways and curb cuts will be submitted to the Superintendent of Streets for approval seven days prior to the commencement of any work with an appropriate fee. A permit must be issued prior to construction. *(added 02/04/2006)*

The following was adopted pursuant to Chapter 380 of the 1982 Legislative Acts approved by the Governor effective August 23,1982. At a meeting held September 18, 1982, the Sherwood Forest Road Maintenance District was established by a vote of 72 to 2.

**BY -LAWS**

Sherwood Forest Road Maintenance District

Town of Becket

**SPECIAL ACT**

Chapter 380

1982 Legislative Acts

BY-LAWS

of the

SHERWOOD FOREST ROAD MAINTENANCE DISTRICT

TOWN OF BECKET

CHAPTER I

GENERAL PROVISIONS

Section 1. The following provisions shall constitute the By-Laws of the Sherwood Forest Road Maintenance District adopted pursuant to Chapter 380 of the 1982 Legislative Acts approved by the Governor effective August 23, 1982.

Section 2. In the event that any provision of these By-Laws shall be inconsistent with any express or necessarily implied provisions of the Special Act creating the District, as the same may be from time to time amended, the provisions of said Special Act shall govern.

Section 3. Words and phrases specifying or naming any officer, board, or committee of the District shall be construed as including the lawful successor, or the person or persons having the powers and performing the duties of said officer, board, or committee.

Section 4. Any or all of these By-Laws may be repealed or amended, or other by-laws may be adopted at any District meeting called for that purpose.

Section 5. The Prudential Committee shall cause the By-Laws to be published following their coming into effect, and shall make available to all members of the District a copy of said By-Laws. in booklet or other convenient form, including the most-recent amendments thereto, by maintaining at all times a sufficient number of printed By-Laws in the custody and control of the District clerk.

Section 6. Invalidity of any section or of any chapter hereof shall not affect the validity of any other section.

Section 7. The governing laws and regulations of the District shall consist of these By-Laws of the Special Act above referred to, and the provisions of any general law referred to in said Special Act, or with which compliance is otherwise required by its terms or any district in the Commonwealth, or any officer, board, or committee of this District or of districts generally within the Commonwealth.

CHAPTER II

DISTRICT MEETINGS

Section 1. The annual District meeting shall be held at 1:00 p.m. on the third Saturday of April of each year, provided, however, that if the annual meeting date set by the Town of Becket, in accordance with applicable law, shall be scheduled to occur in any subsequent year more than thirty days prior to the date above set forth, then the date of the annual meeting shall be at 1:00 p.m., on the Saturday next prior to the expiration of said thirty-day period.

Section 2. Special meetings of the District may be called at any time and in the manner provided for in Section 6 of the Special Act.

Section 3. Twenty resident voters at an annual District meeting and fifteen registered voters at a special District meeting shall constitute a quorum; provided, however, that a number less than a quorum may from time to time adjourn a District meeting.

Section 4. All annual and special District meetings are open to the public and shall be held at such location within the District as the Prudential Committee shall from time to time determine. Nonresident property owners within the District are encouraged to attend any District meeting, and shall be entitled to be heard at such meetings.

Section 5. All District meetings shall be presided over by a moderator elected at the initial District meeting and at each annual meeting thereafter as the first order of business at each such meeting. The moderator should, but need not be, a resident voter of the District, but shall be, in any event, a property owner within the District as evidenced by the records maintained by the Board of Assessors for the Town of Becket as of the valuation date next preceding said District meeting.

Section 6. Only persons residing within the District as of the date of any annual or special District meeting and who are registered voters in the Town of Becket as of the date of such meeting shall be entitled to vote at District meetings.

Section 7. Articles on the District warrant for any District meeting shall be acted upon in the order in which they appear unless otherwise determined by a majority vote of the meeting.

Section 8. Any motion shall be put into writing if so directed by the moderator.

Section 9. When a question is put, the sense of the meeting shall be determined by voice vote and the moderator shall declare the vote as it appears to him. If his decision is doubted, or a division of the house is called for, the moderator may appoint tellers to make and return the count by a show of hands. If as many as ten voters so request, any vote shall be taken by written secret ballot.

Section 10. No motion, the effect of which would be to dissolve a meeting, shall be in order until every article in a warrant therefor has been duly considered and acted upon, but this shall not preclude the postponement of consideration of any article or articles to an adjournment of the meeting at a stated time and place.

CHAPTER III

DISTRICT OFFICERS

Section 1. The elected officers of the District shall be a Prudential Committee consisting of five regular members and two alternates. Three of the regular members shall be resident voters of the District and the remaining two regular members shall be non-resident, assessed owners of real estate within the District. The two alternates shall consist of one resident voter and one non-resident owner. *In the event of an absence or a need to recuse a Prudential Committee member the appropriate alternate (resident voter or non-resident owner) shall be called to serve temporarily in that position.* In the event of a vacancy on the Prudential Committee, the appropriate owner (resident voter or non-resident owner) shall be called to serve the remainder of the term of office so vacated. If a vacancy should occur for which no alternate exists, a special meeting of the District shall be called to fill the remainder of the term of office created thereby. *(insertion approved 06/04/2011)*

Section 2. At the first annual District meeting, following the initial meeting contemplated by the Special Act, members of the Prudential Committee and alternates, shall be elected at such meeting and each annual meeting thereafter, as follows: *On odd years: regular resident voter (elect two for two years), regular non-resident owner (elect one for two years), alternate non-resident owner (elect one for two years); and on even years: regular resident voter (elect one for two years), regular non-resident owner (elect one for two years), one alternate resident voter (elect one for two years).* *(insertion approved 06/04/2011)*

Section 3. The clerk and treasurer of the District shall be elected at the first annual meeting and thereafter for terms of two years each. Vacancies occurring in either office shall be filled by the Prudential Committee as provided in the Special Act.

Section 4. Following the initial election, the Prudential Committee shall appoint a superintendent of streets which shall serve at the pleasure of the Prudential Committee and shall further be subject to re-appointment, in any event, at the first meeting of the Prudential Committee next occurring after each annual District meeting.

Section 5. Each and all the officers set in the preceding section shall perform the duties and be subject to supervision therefor, as set forth in the Special Act and as otherwise required by general law.

Section 6. The officers and committee members referred to in this Section and also the District moderator shall be elected in the following manner:

A. The moderator who presided at the last annual meeting or initial meeting of the District shall initially preside at the next annual meeting of the District for the purpose of entertaining nominations for moderator from the floor.

B. Upon election of a moderator, the moderator so elected shall entertain nominations from the floor for the positions of clerk and treasurer and special elections shall thereupon be held with respect to each position.

C. Said moderator shall entertain nominations for the positions then subject to election of the Prudential Committee with respect to each regular and alternate position. By majority vote of the quorum of the meeting, the moderator may receive nominations of a slate of candidates to fill all vacant regular and alternate positions on the Prudential Committee.

D. All votes to elect the officers and committee members above referred to in this Section shall be by secret paper ballot, which ballots shall be tallied in the presence of the voters by the tellers for that purpose.

E. A majority vote of a quorum in attendance at the District meeting where elections are held shall be required to elect any such officer or committee member.

CHAPTER IV

FINANCIAL AFFAIRS

Section 1. An audit of the accounts of the District shall be made annually under state supervision or as otherwise required by the Special Act and! or the general laws of the Commonwealth as the same from time to time may be amended.

Section 2. The fiscal year of the District shall be the same as the fiscal year established by general law or otherwise for the Town of Becket.

Section 3. Except as otherwise provided by law, the District clerk shall have custody of deeds, contracts, bonds of performance, treasurer's and clerk's bond, insurance policies and similar instruments in possession of the District.

Section 4. Unless otherwise required by the Special Act or general law, the District treasurer shall receive and take charge of all money belonging to the District and shall pay over or account for the same according to the order of the District. No payment shall be made by the treasurer without an appropriation by vote of the District nor against any appropriation in excess of the same except as authorized or required by law. Any portion of the District appropriation remaining unexpended at the close of the fiscal year shall revert to the District treasury unless otherwise provided by law.

Section 5. Annually, the District clerk, treasurer, and superintendent of streets shall prepare and submit to the Prudential Committee not less than sixty days prior to the date of the annual District meeting, a detailed estimate of the amount deemed by them necessary for the administration of their respective departments and/ or the discharge of their respective duties for the fiscal year beginning on the first day of the following July. Such estimates shall be in such form and detail as the Prudential Committee shall require. In the discharge of its duties, the Prudential Committee shall have free access to all books and records of accounts, together with bills and vouchers on which money has been or may be paid from the District Treasury.

Section 6. The District clerk, treasurer, and superintendent of streets shall furnish in writing annually to the Prudential Committee a detailed report of their activities in their respective capacities to the Prudential Committee, such report to be submitted not later than forty-five days prior to the date of each annual District meeting, and such reports, together with the report by the Prudential Committee, of its doings shall be consolidated in written form to an annual report of the District, with such report to be available in one or more convenient locations accessible to District residents and District landowners not later than seven days prior to the date of each annual District meeting.

CHAPTER V

MEETING WARRANT

Section 1. Meeting warrants shall be prepared by the Prudential Committee in the manner required for the preparation of a town meeting warrant under the then existing general laws of the Commonwealth.

Section 2. All such warrants shall be posted at least fourteen days prior to such meeting at (1) a retail establishment located within the District if one exists and at such location therein as the Town of Becket then places such warrants; (2) at the bulletin board located adjacent to the United States Postal Services' mail boxes located on Wells Road and (3) at the bulletin boards located at the three other road entrances to the District from Route 20. The Prudential Committee shall further cause copies of said warrant to be available at the place and time for each such District meeting in sufficient number so as to be reasonably available to all District residents and District landowners attending said meeting, and the Prudential Committee may furnish in like number a separate printed explanation of each article appearing on any such warrant for informational purposes only. *(revised 02/04/2006)*

CHAPTER VI

LEGAL AFFAIRS

Section 1. The Prudential Committee shall be the agents of the District to institute, prosecute, and defend any and all claims, actions, and proceedings in which the District is a party or in which the interests of the District are or may be involved.

Section 2. The Prudential Committee may appear personally or by District counselor by special counsel duly employed, before any court, committee, or legislative body, or any state or county board or commission to protect the interests of the District, but are not authorized except otherwise provided by law or by vote of the District to commit the District or any of its interests.

Section 3. The Prudential Committee shall annually after the final adjournment of the annual District meeting, appoint a member of the bar in good standing to serve as District counsel for the term of one year, subject to prior appropriation therefor.

CHAPTER VII

RECORDS AND REPORTS

Section 1. All officers, board, and committees of the District shall cause records of their doings and accounts to be kept in suitable books. Said books shall be kept in the custody of said District officers and shall not be removed therefrom. Said books shall, unless otherwise provided by special act or general law, be open to public inspection at any reasonable time, but shall remain during such inspection under supervision of the officer, board, or committee having custody thereof.

CHAPTER VIII

BETTERMENTS

Section 1. The abutters to any street or way listed or described in the Special Act of Chapter 30 shall assume all costs and responsibility of construction of all driveways to their property. This is to include required culverts, and construction to grade as designated in the field by the Superintendent of Streets. Applications for driveways and curb cuts will be submitted to the Superintendent of Streets for approval seven days prior to the commencement of any work with an appropriate fee. A permit must be issued prior to construction. *(added 02/04/2006)*