

**The Town of Chelmsford**  
**CITIZEN PETITION**  
**2021 Spring Annual Town Meeting Article**  
*In accordance with M.G.L. c. 39 § 10*

**INSTRUCTION TO PETITIONER**

1. The Petitioner will be the contact name listed in the Warrant and should be the first registered voter to sign this petition form.
2. Before gathering signatures, please consult the Board of Selectmen's office to confirm that the language of your article is actionable. It will be voted at Town Meeting Exactly as worded in your typed submission.
3. Return this citizen petition to the Town Manager's Office when complete. A minimum of 10 signatures is required for an Annual Town Meeting article. It is suggested you obtain more than that for verification.

Date and Time received by Town Clerk/Registrar

**DEADLINE: 4 PM, - January 4, 2021**

- Citizen petitions must be **FIRST** submitted to the Town Manager's Office. The Town Manager's office will submit document to Town Clerk/Registrar of Voters for certification of names.

Name of  
Petitioner:

David Foley

Address:

6 Armand Drive, Chelmsford, MA, 01824

Street & number

apartment/unit

Chelmsford

zip code

Phone:

978-489-5654

Work/Cell: \_\_\_\_\_

Email:

davidfoleyfam@comcast.net

**Proposed Warrant Article:**

To see if the Town will vote to amend Chapter 132 "Sewage Disposal" Section 3 "Grinder Pumps" of the Code of the Town of Chelmsford by adding a new subsection F. as follows:

### Section 132-3

F. Allegations of misuse or abuse of any grinder pump or grinder pump system pursuant to Chelmsford Bylaw Chapter 132, Section 132-3, Subsection E shall comply with the following procedure.

- (1) The Town of Chelmsford shall send prior written notice of its intent to charge a property owner for the repair or replacement of any grinder pump or grinder pump system pursuant to Chelmsford Bylaw Chapter 132, Section 132-3, Subsection E. Such notice shall be sent by certified mail, return receipt requested. Copies of Chelmsford Bylaw Chapter 132, Section 132-3 and any repair reports completed by grinder pump repair technicians shall be provided with said notice. Property owners have the right to contest any charges to be assessed by the Town of Chelmsford for the repair or replacement of a grinder pump or grinder pump system. The three-level review process for contesting such charges is as follows:
- (2) First, within thirty (30) days of the Town's written notice of intent to assess a grinder pump charge, a property owner may file a written request for relief with the Superintendent of the Department of Public Works Sewer Division, together with copies of any documentation or information the property owner wishes to submit in support thereof. The Superintendent shall review the request and supporting materials and respond in writing within thirty (30) days.
- (3) Secondly, if a property owner remains aggrieved by the Superintendent's response to a request for relief, he or she may appeal that response in writing to the Director of the Department of Public Works within fourteen (14) days. Upon receipt of that appeal, the Director shall schedule a grinder pump hearing to be held within twenty-one (21) days. The Director shall direct the grinder pump repair technician who repaired or replaced the property owner's grinder pump or grinder pump system to attend the grinder pump hearing. The property owner may attend the grinder pump hearing (with or without counsel), call witnesses, question any Town witnesses or technicians, and offer any other evidence regarding the request for relief. The Director shall issue a decision in writing on the appeal within thirty (30) days after the close of the grinder pump hearing. The attendance of the technician shall be at no cost to the property owner, and if the technician cannot attend due to sickness, vacation, or other comparable reason, the hearing shall be rescheduled at a mutually convenient date for both the Director, the technician and the property owner. If the technician cannot attend due to death, serious injury, or because he/she is no longer employed by the entity responsible for the grinder pump repair, or other comparable reason, the Director shall direct another technician to attend, who has comparable experience in servicing grinder pumps and can review the prior technician's report and be capable of testifying in the prior technician's stead.
- (4) Thirdly, if a property owner remains aggrieved by the Director's decision on appeal, he or she may submit a further appeal in writing to the Town Manager within fourteen (14) days. The Town Manager shall review the proceedings and decision below and, within

- (30) days, issue a decision in writing. The Town shall not assess any charges for the repair or replacement of a grinder pump or grinder pump system until the conclusion of this three-level process.
- (5) Regardless of whether a property owner pursues the three-level review process described above, he or she also has a right to contest a sewer assessment by filing an application for an abatement on an approved form with the Chelmsford Board of Assessors. G.L. c. 59, § 59. For deadlines for filing such applications, contact the Chief Assessor.
  - (6) Finally, if the Board of Assessors denies an application for an abatement of a sewer assessment, either in whole or in part, an applicant may appeal to the Appellate Tax Board upon the same terms and conditions as a person aggrieved by a refusal of the Assessors to abate a tax. G.L. c. 83, § 16E.



# INSTRUCTIONS TO SIGNERS

- For your signature to be valid you must be a registered voter in the Town of Chelmsford and your signature should be written substantially as registered. If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence.

## SIGNERS' STATEMENT

We, the undersigned registered voters of Chelmsford, do hereby petition the Board of selectmen to include the Article printed on the reverse side of this form in the Warrant of the Fall Annual Town Meeting.

	CHECK	SIGNATURE To be made in person with name as registered	PRINT NAME LEGIBLY	ADDRESS As registered to vote in Chelmsford street, number, unit, and zip code	PRECINCT
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## INSTRUCTIONS TO REGISTRARS

You must time stamp or write in date and time these papers are received. Check thus ✓ against the name of each qualified voter to be certified. For names not certified use the following code. Draw a line through any blank spaces not containing signatures. N – No such registered voter at that address or address is illegible; S – unable to identify signatures as that of voter because of form of signature, or signature is illegible; T – already signed same citizen petition article.

### CERTIFICATION OF NAMES

At least three registrars names must be signed or stamped below:

Month and day

We certify that:

Number of names certified (use numbers and words)

Above signatures checked ✓ are the names of qualified voters from Chelmsford.