

*CHARTER AND BYLAW REVIEW COMMITTEE MEETING*

March 26, 2009

The charter and bylaw review committee (CBRC) held a meeting on March 26, 2009 at 7:00 a.m. in the Dlott meeting room, town hall. The meeting was duly posted by Carol Gloff, chair. Ms Gloff called the meeting to order at 7:10 a.m.

Members present: Barbara Chinetti, Karen Adelman Foster, Carol Gloff, Robert Healey, Richard Sidney

Members absent: Jay Ball, Tony Lista

Others present: None

**DISCUSSION OF MINUTES**

Ms. Adelman Foster moved approval of the meeting minutes from March 12, 2009, Mr. Healey seconded. The minutes were approved unanimously. It was decided to discuss the October 2<sup>nd</sup> minutes at a later date. Ms. Gloff will post the 2009 minutes on the website, and reports that most of the 2008 minutes are now posted (without signatures).

**DISCUSSION OF BY-LAW ARTICLE 81**

A number of small questions arose, and it was determined that the opinion of the Health Department and Fire Department would be sought as to whether the by-law is complete and sensible.

Section 6: Mr. Sidney requested that we ask Environmental Compliance Officer Robert Bois who validates that metering devices on tanks are accurate, and whether Section 6(a) is enforceable.

Section 6(e): Ms. Chinetti suggested that the CBRC inquire about compliance with this section.

Section 8(a): Ms. Adelman Foster suggested the insertion of the words "of an" after the words "shall be."

Questions were raised about the distinction between tanks covered under Section 8(a)1 and Section 8(a)2.

Section 8(a)1: Ms. Adelman Foster requested we consult with the Board of Health to see if the standards set forth in this section are still considered adequate.

Section 8(d)1: Mr. Sidney suggested requiring notification to the Board of Health in addition to the Fire Department.

Mr. Sidney requested the section as a whole be looked over by the Board of Health and Fire Department.

Section 9(a) Ms. Adelman Foster requested we inquire whether the standards set forth in this section are still considered adequate.

**DISCUSSION OF BY-LAW ARTICLE 82**

Section 6: Ms. Gloff noted that the Building Inspector's title should be made consistent.

Section 8(a): Mr. Sidney inquired whether the Department of Public Works, as the service provider, should be given a role in this section.

Section 10: Ms. Gloff volunteered to reword in the active voice.

Section 11: Questions were raised as to whether any other parties should be added to this section.

Mr. Healey asked whether a transitional provision (similar to that in Article 84, Section 12) should be added to the article.

#### DISCUSSION OF BY-LAW ARTICLE 83

Section b: Ms. Adelman Foster pointed out that because the section specifies tobacco, non-tobacco products that may be legally smoked (such as clove cigarettes), are not here regulated. She requested broadening the language.

Section d & e: There was consensus that the sections had to be updated to include all public places.

#### DISCUSSION OF BY-LAW ARTICLE 90

Mr. Sidney suggested the addition of a severability clause that would apply to all the by-laws, and that the title of the article should be broadened to reflect this addition.

#### DISCUSSION OF BY-LAW ARTICLE 91

Ms. Gloff raised the question of whether the word “and” should be changed to “or,” so as to read “Whenever the Natick Town Meeting duly votes to accept, approve or adopt [...]” Discussion ensued, but no consensus was reached.

#### DISCUSSION OF BY-LAW ARTICLE 92

Consensus was reached that the amount of the fines here specified should be reviewed.

Mr. Sidney asked if a severability clause applicable to all by-laws might be appropriate here.

#### CONCLUSION AND ADJOURNMENT

Adjournment was moved by Mr. Sidney, seconded by Ms. Chinetti, and voted unanimously. Ms. Gloff adjourned the meeting at 8:30 a.m.

Respectfully submitted by Karen Adelman Foster, CBRC member

Minutes approved on June 18, 2009 by a vote of 4-0-1.