

CHARTER AND BY-LAW REVIEW COMMITTEE MEETING

Thursday, June 18, 2009

VERSION 4

The Charter and By-Law Review Committee (CBRC) held a duly posted meeting on June 18, 2009 in the Edward Dlott meeting room in Town Hall. The Chair, Ms. Gloff called the meeting to order at 7:10 AM.

Members present: Mr. Jay Ball, Mrs. Barbara Chinetti, Ms. Carol Gloff, Mr. Robert Healey, and Mr. Richard Sidney.

Members absent: Ms. Karen Adelman Foster and Mr. Tony Lista.

Others present: none

GENERAL DISCUSSION

Mr. Sidney suggested the committee concentrate on completing the next stage for the Charter review before the By-Law, to insure completion for fall Town Meeting and if necessary March 2010 Town Election; point was taken by committee with no objections.

APPROVAL OF MINUTES

- October 2, 2008, with no discussion or questions, Mr. Ball moved to approve, seconded by Mr. Sidney, committee voted to approve 5-0-0.
- March 5, 2009, discussion on two minor editing corrections, line one (1) change date from March 26, 2009 to corrected March 5, 2009. In 'Discussion of Minutes section, the last paragraph, delete "March " before the word 'February' in the first line. Mr. Sidney moved to approve the minutes as noted, seconded by Mr. Healey, committee voted to approve 4-0-1, with Mr. Ball abstaining.
- March 19, 2009, under 'Discussion of by-law article 84', section 7.B.3.h, insert the term in parentheses (fertigation) after the term 'fertilized irrigation', in line one for clarification. Mr. Ball moved to approve the minutes as noted, seconded by Mr. Sidney, committee voted to approve 5-0-0.
- March 26, 2009, several minor corrections noted in discussions.

Under heading 'Discussion of by-law Article 80' correct article number is 81 not 80, so the correct version reads "Discussion of By-Law Article 81."

Under heading 'Discussion of by-law article 82,' last line in parentheses area, change the article number from 82 to the correct number 84, so the correct version reads "(similar to that in Article 84, Section 12)."

Under heading 'Discussion of By-Law Article 82' change article number to correct article number 83, so the correct version reads "Discussion of By-Law Article 83."

Under heading ‘Discussion of By-Law Article 90’ (first such heading), Mr. Sidney suggested the addition of a Section three (3) severability clause that would apply globally to all the by-laws and that the title of Article 90 should be broadened to reflect this addition. Mr. Sidney suggested the title of Article 90 to read “Repeal and Severability of By-Laws.”

Under heading ‘Discussion of By-Law Article 90 (second such heading) change article number from 90 to the correct article number 91, so the correct version reads “Discussion of By-Law Article 91.”

Mr. Sidney moved to approve the minutes (March 26, 2009) as noted, seconded by Mrs. Chinetti, committee voted to approve 4-0-1, with Mr. Ball abstaining.

FURTHER DISCUSSION

The chair indicated, formal notice (by email June 16, 2009) sent to thirty-three (33) various boards, committee chairs, agencies, commissions, directors and superintendents, copies of the appropriate charter and by-law articles relating to their area of interest; asking for comment. [See attached sample notice for reference.] The chair indicated that copies of all charter and by-law section sent to Town Administrator and Town Counsel.

Ms. Gloff informed the committee that the chair has received replies from 6 recipients within the next day. Several members of the committee stressed the importance on getting “formal” reply, for the record from all the various notaries’.

General discussion of arranging meetings with the CBRC, process and follow-up; members of the committee agreed to take responsibility to “birddog” response. Chair agreed to monitor response rate and report to committee on status at next CBRC meeting. Mr. Sidney indicated the Fin Com unlikely to rely or answer until after July 1, 2009.

Committee entered into discussion regarding the grouping of topics to expedite future meetings. Mr. Ball indicated his preference to have real-time record of revisions, deletions, additions and edits, so committee can vote as a whole while the various Articles are in mind. Mr. Sidney suggested use of a laptop with projection during future CBRC meeting to document a real-time record of the discussion. The committee felt a ‘recording secretary’ dedicated to this task is ideal. The committee acknowledged that the CBRC has no funding available and several members would attempt to solicit the services of a volunteer.

FUTURE MEETING DATES

The Committee after discussion agreed to future weekly meetings each Wednesday evening at 5:30 PM with the following dates firmed; [June 24, July 1, July 8, July 15, July 29 and August 5] confirmed. The committee noted that meeting once a week would not likely allow sufficient time to complete the necessary tasks prior to submitting articles for fall Town Meeting. The committee after discussion agreed to brief follow-up meetings on Thursday morning’s, with the following dates firmed, [June 25, July 2, July 9, July 23, July 30 and August 6].

Mr. Healey turned over taking of minutes to Mr. Ball and departed at 8:13 AM.

CONTINUED DISCUSSION (Recorded by Mr. Ball)

Discussion of proposed groupings of articles (for consideration in a given meeting). No problems found with Ms. Gloff's proposed list.

Police Chief Mannix and Lt. Mabardy (becomes interim Chief on July 1, 2009) will be invited for June 24, 2009 meeting, (Chief Mannix retires as of June 30, 2009).

Motion to adjourn was made by Mr. Sidney and seconded by Mr. Ball.

The meeting was adjourned at 8:23 AM.

Respectfully submitted, Bob Healey and Jay Ball

Minutes approved on July 15, 2009 by a vote of 4-0-1.

ATTACHMENT

[Example of emails sent by Chair Ms. Gloff to department heads, elected official and committee chairs. This example sent to Don Breda, chairman of the Board of Health, dated 16 June 2009 at 3:31 PM.]

Dear Don,

This is Carol Gloff, and I am chair of the current Charter and By-Law Review Committee (CBRC). I am writing to you in your role as chairman of the Board of Health. You may wish to distribute this to all members of your board, or you may feel that is not necessary; that is your choice to make.

The CBRC has completed its initial review of all sections of the charter and the by-laws, and has generated some questions, comments and suggestions. We are now reaching out to specific individuals, committees and departments to request their feedback on relevant sections of our town's governing laws.

I have attached the sections of the charter and by-laws on which we think your thoughts would be particularly relevant, and we ask the following:

1. Please review the attached documents, ignoring our tracked changes/comments, and let me know what changes, if any, you recommend.
2. Please consider our comments/questions/suggestions as tracked on the attached documents and provide feedback as you see appropriate.

In addition to the sections, which I have provided to you, there may be other sections of the charter and/or by-laws on which you would like to comment. I have also attached listings of the titles of the charter and of the by-law sections; let me know if there are other sections you would like me to email to you for your review.

Next, it would be helpful to know when you expect to be able to review these documents. The CBRC is currently scheduling its meetings for late June and early July, and would plan to cover these articles as soon as possible, but after you have completed your review. When do you think you will be able to complete your review of these sections?

Finally, you may wish to provide comments in written form (by email or hard copy) to me, or, you may wish to attend a CBRC meeting to participate in discussion of these sections. Once you have taken a look at these articles please let me know how you prefer to provide your feedback. I may be reached at (phone number) or at (email address).

Thank you for your consideration and your assistance.

Carol Gloff