

*CHARTER AND BY-LAW REVIEW COMMITTEE MEETING*

Monday, December 7, 2009

VERSION 1

The Charter and By-Law Review Committee (CBRC) held a duly posted meeting on December 7, 2009, in the Edward Dlott meeting room in Town Hall. The Chair, Ms. Gloff called the meeting to order at 7:36 AM.

Members present: Mr. Jay Ball, Ms. Karen Adelman Foster (arrived at 7:39 AM), Ms. Carol Gloff (Chair), Mr. Robert Healey, Mr. Antony Lista (arrived at 7:42 AM) and Mr. Richard Sidney.

Members absent: Mrs. Barbara Chinetti

Others present: None

Attachments: Two-page summary sheet titled 'Charter and By-Law Review Committee – Status of Charter and By-Law Articles.'

DISCUSSION OF CHARTER and BY-LAW REVIEW STATUS

[Note: where a CBRC motion or vote reads, "to change," the committee is aware that we are voting only to propose a change to Town Meeting.]

The Chair passed out the aforementioned two-page summary for the committee's perusal.

CHARTER 2:

- The committee discussed Charter Article 2, Section 2-11 (d) referred back to the CBRC during Fall Town Meeting (Article 24). The CBRC original motion, as printed in 'Recommendations of the Natick Finance Committee book for 2009 Fall Town Meeting, was amended by Town Meeting action on 10/27/09, into motions 24A, 24B and 24C. Motions 24A and 24C passed and motion 24B [Charter 2-11(d) "Publication" was referred to the CBRC.

- The CBRC after discussion recommended inviting Town Meeting Member Mr. Paul Connolly, maker of the motion(s) at Fall Town Meeting, to our next meeting regarding Charter 2-11(d).

- Quick actions required with the intent bring any changes to the pending Special Town Meeting, to allow slot on the March Town General Election Ballot.

BY-LAW 91: Collective Bargaining

-The CBRC briefly discussed By-Law 91 that under Article 56, 2009 Fall Town Meeting motion "Move that the Town refer the subject matter of Article 56 to the CBRC" passed on 11/19/09.

-Ms. Gloff indicated the chair intended to talk to town counsel Mr. Flynn regarding issued raided by the Natick Police Department and advise the CBRC of the discussion.

The CBRC following the aforementioned 'Status' document reviewed the open items.

BY-LAW 11: Town Clerk

-No action contemplated presently by the CBRC.

BY-LAW 24: Town Employees/Personnel Board

-The chair noted that the personnel board is working on a re-write and has not forwarded recommendations to the CBRC.

BY-LAW 26: Historic District Commission

-The chair noted the HDC will be asked to finalize its' recommendations.

BY-LAW 41: Contracts, Town Property and Regulations of Town Boards and Officials

-The chair noted that town administrator Ms. White at the 8/16/09 CBRC meeting requested time to re-write paragraph one of Section 1. Ms. White to investigate compliance regarding Section 12. Further review the list of Town Regulations at the end of the section and verify that entries are correct.

BY-LAW: Fire Regulations

-CBRC to review re-write recommendations from the Fire Department.

BY-LAW 74: Junk Dealers

-The chair indicated town counsel MR. Flynn responded to the CBRC questions, however the answers were not received prior to Fall Town Meeting warrant closing. Ms. Gloff to gather document(s) and deliver to committee for further discussion.

BY-LAW 81: Chemical Storage

-Mr. Jim White of the Board of Health had several questions and comments, via email at the 8/5/09 CBRC meeting. Further investigation with town administrator, town counsel, board of health, environmental compliance officer and DPW required.

BY-LAW 82: Water Conservation

-The chair reminded the committee that Mr. Bois and Mr. Sisitsky at our meeting of 8/5/09 were to discuss and return to the CBRC with recommendations.

Ms. Gloff indicated she would contact Mr. Bois for a follow up.

The CBRC entered into a brief general discussion regarding 2009 Fall Town Meeting's reaction to the various and many Charter and By-Law changes.

## OTHER DISCUSSIONS

The chair discussed two questions raised by citizens for CBRC discussion.

-One regarding Police Regulations (By-Law 50) section regarding Hunting and Trapping. The citizen indicated they would like to discuss with CBRC or might offer a citizen petition at a future time. The chair noted several issues related to MGL and she would raise questions with town counsel and report back to CBRC.

-Second regarding By-Law Article 3, Procedure at Town Meeting. Citizen wants to address Section 3, 'Speaking' and find some way of prevented never ending debate with nothing being added to discussions. The CBRC determined to invite, at various times, the citizen, town moderator and town counsel to discuss the topic.

The CBRC approved inviting Town Meeting member Mr. Paul Connolly to our next meeting to discuss Charter 2-11(d).

Next meeting Monday December 14, 2009 7:30 AM at Town Hall second floor.

#### APPROVAL OF MINUTES

The CBRC reviewed whom "Owned" the minutes for some meetings. The CBRC determined to review non-approved minutes at next meeting(s).

Mr. Sidney moved to adjourn, seconded by Mr. Lista.

Meeting adjourned at 8:17 AM.

Respectively submitted by Bob Healey.

Minutes approved o December 14, 2009 by a vote of 4-0-0.

**Charter and By-Law Review Committee – Status of Charter and By-Law Articles**

#	Charter Article Title	Status
1	Incorporation and Powers	No changes needed; review complete
2	Legislative Branch	Changes to Section 2-11(d) referred to CBRC; all other changes passed at Fall TM
3	Elected Officers	No changes needed; review complete
4	Town Administrator	All changes passed at Fall TM
5	Fiscal Procedures	All changes passed at Fall TM
6	Administrative Organization	All changes passed at Fall TM
7	General Provisions	No changes needed; review complete.
#	By-law Article Title	Status
1	Town Meetings	All changes passed at Fall TM
2	Nominat./Elect. Procedures for TM Members	No changes needed; review complete
3	Procedure at Town Meetings	All changes passed at Fall TM
10	Board of Selectmen	All changes passed at Fall TM
11	Town Clerk	Changes, if any, to be submitted for 2010 Spring Annual TM
12	Collector of Taxes	All changes passed at Fall TM
20	Town Administrator	All changes passed at Fall TM
21	Planning Director	All changes passed at Fall TM
22	Town Counsel	All changes passed at Fall TM
23	Finance Committee	All changes passed at Fall TM
24	Town Employees/ Personnel Board	Changes, if any, to be submitted for 2010 Spring Annual TM
25	Council on Aging	No changes needed; review complete.
26	Historic Dist Commission	Changes, if any, to be submitted for 2010 Spring Annual TM
27	Inform Syst Adv Board	No changes needed; review complete
28	Registrars of Voters	No changes needed; review complete
29	Board of Appeals	No changes needed; review complete
30	Conservation Commission	No changes needed; review complete
32	Open Space AdvComm	All changes passed at Fall TM
40	Town Reports and Records	All changes passed at Fall TM
41	Contracts, Tn Property, & Regulations of town Boards /Officials	Changes, if any, to be submitted for 2010 Spring Annual TM
42	Licenses	All changes passed at Fall TM
43	Licenses/ Permits of Delinquent Taxpayers	All changes passed at Fall TM
44	Conflict Between Town Agencies, Assignment of Counsel	No changes needed; review complete
50	Police Regulations	All changes passed at Fall TM

<b>51</b>	Alarm Systems	All changes passed at Fall TM
<b>52</b>	Solicitors and Canvassers	No changes needed; review complete
<b>53</b>	Use of Recreational Conveyances	No changes needed; review complete
<b>60</b>	Fire Regulations	Changes, if any, to be submitted for 2010 Spring Annual TM
<b>70</b>	Public Works Regulations	All changes passed at Fall TM
<b>71</b>	Sewer Assessment	No changes needed; review complete
<b>72</b>	Building Regulations	All changes passed at Fall TM
<b>72A</b>	Newsracks on Public Property and Public Ways	All changes passed at Fall TM
<b>73</b>	Junk Collectors	No changes needed; review complete
<b>74</b>	Junk Dealers	Changes, if any, to be submitted for 2010 Spring Annual TM
<b>75</b>	Remedy of Public Nuisance	All changes passed at Fall TM
<b>76</b>	Regulations for the Demolition, Alteration or Relocation of Histor Significant Buildings or Structures	All changes passed at Fall TM
<b>77</b>	Water and Sewer Rate Discount Program	No changes needed; review complete
<b>78</b>	Removal of Overhead Wires	No changes needed; review complete
<b>78A</b>	Prompt Removal of Utility Poles	No changes needed; review complete
<b>79</b>	Wetlands Protection	No changes needed; review complete
<b>79A</b>	Stormwater Management and Erosion Control	All changes passed at Fall TM
<b>80</b>	Water Supply Protection	All changes passed at Fall TM
<b>81</b>	Chemical Storage Tanks and Systems	Changes, if any, to be submitted for 2010 Spring Annual TM
<b>82</b>	Water Conservation	Changes, if any, to be submitted for 2010 Spring Annual TM
<b>83</b>	No Smoking in Public Places	Changes, if any, to be submitted for 2010 Spring Annual TM
<b>84</b>	Illicit Discharge	No changes needed; review complete
<b>90</b>	Repeal of By-Laws	All changes passed at Fall TM
<b>91</b>	Collective Bargaining	Referred to CBRC
<b>92</b>	Enforcement of By-Laws	All changes passed at Fall TM