

BYLAW REVIEW COMMITTEE

Town of Becket
557 Main Street
Becket, MA 01223

Minutes March 6, 2024

PRESENT: Chuck Garman (CG), Bob Gross (BG), Vickie DeLorenzo (VD), Robin Mathiesen
Town Clerk (Ex-Officio Member) Ethan Klepetar Moderator (Ex-Officio Member)

PUBLIC: Kathe Warden, William Elovirta, Al Blake

ZOOM: Tim Zessin, Town Counsel

Meeting agenda

- Call to order
- Approval of meeting minutes from February 21, 2024
- Results of Kathe's discussion with Town Council
- Discussion of the bylaw additions/amendments for the ATM
- Discussion of the updated interim version of the General Bylaws
- Any changes to the schedule for the ATM?
- Any other business to come before the Committee
- Adjournment

Call to order

C.G. called to order at 10:02 am.

Approval of meeting minutes from February 21, 2024

C.G. made a motion to approve the minutes from January 17th. Motion seconded by V.D.
Minutes approved.

Results of Kathe's discussion with Town Council

Chuck forwarded several questions to Kathe to review with Town Counsel, Tim Zessin. Kathe asked Tim to join the meeting via zoom. Questions included but not limited to the following:

1. *How to handle the gender/grammatical changes we would like to make to the GB's.*

Key Takeaways:

- a) Proposed gender-related references (he to he/she) should be listed in a single Article.*
- b) Grammatical changes (e.g. initial caps, by-laws to bylaws) may be grouped and listed as a separate article in the Warrant.*
- c) Lists should be numbered.*

Next Steps: Bob crafting the final copy of the Articles listing the changes.

2. How to handle the numbering typo on the Town Betterment Article 17. When the article was passed in 2017 it was misnumbered Section "22". There had already been a Section 22 so this new article should have been numbered "23". Can we just go ahead and make this change or does it have to be a separate article on this year's warrant?

Key Takeaway:

- a) This change does not need to be noted on the Warrant as it is a numbering error.

Next Steps: Bob fixing the error on the current bylaws document.

3. Is the interpretation of our requirement for a public meeting, correct? Article 16B Section 3 Paragraph G. says that "Bylaw Review Committee shall hold one or more public hearings". It also says that the "purpose of the hearings is to provide a forum for interested parties to engage in discussion and clarification of all proposed amendments or new additions to existing Bylaws".

Key Takeaway:

- a) Tim confirmed that it's acceptable to host the hearing after the Warrant has been completed as the purpose of the hearing is to clarify and answer resident's questions, not amend the warrant. Motions for changes may be made at the ATM or the article could not be passed.

Next Steps: Chuck following up on ad placement according to the Bylaws schedule.

Moving on, we discussed the logistics of creating the redline document and its potential impact on the length and complexity of the presentation for the ATM. After much discussion, Tim agreed that grouping similar changes in a separate Articles (e.g. gender, grammatical) would make it easier for voters to comprehend.

Discussion of the bylaw additions/amendments for the ATM

The committee also sought Counsel's advice on the best way to present the revised and new Articles on the Warrant. The group walked through the entire proposed Warrant document and reviewed each revision.

Counsel's advice was to keep the Warrant as streamlined as possible. Tim advised the committee to share the intent of the proposed articles as well as the revised language. It was the committee's understanding that we do not need to show an example current language followed by the proposed changes, followed by the final revised language.

Key Takeaway:

- a) It was determined that showing the revised language for each new or revised Article would suffice.

Next Steps:

- b) Bob revising the format of the Articles to be incorporated into the Warrant.

Discussion of the updated interim version of the General Bylaws

There was much discussion regarding the document that needs to be available for the Town Meeting. It's the committee's view that the Bylaws document (available on the website) should be the current document and include the changes approved at Town Meetings from 2017 through 2023. Robin confirmed that the amendments and updates to the Bylaws from 2017 through 2023 were approved by the Massachusetts AG.

Key Takeaway: *Counsel agreed with committee's view and the committee will update the current Bylaws document as it appears on the website without highlighting previously approved changes.*

Note that the plastic bag amendment will also be included in the document as Robin confirmed it had been voted on and approved by the AG, as well as publicized.

Next Steps: *Bob updating the current Bylaws document with previously approved changes.*

It was noted that the committee does not plan to work on updating the current Bylaws document with new language or amendments until the residents vote on the proposed Articles at the ATM.

Any changes to the schedule for the ATM?

There were no objections to or problems with the schedule proposed at the last meeting.

The Committee will send the final Bylaws Warrant language to Kathe on March 31st. Kathe will then forward the document to the Select Board and to Counsel for review.

Any other business to come before the Committee

The Historical Commission proposed a number of changes to the Bylaws, specifically in regard to the definition of demolition.

Key Takeaway:

The committee felt the intent of the amendment was unclear and would be confusing to voters.

Next Steps: Chuck to follow up with the Historical Commission and suggest they rework the proposed amendment.

Adjournment

By motion of C.G., second of B.G., meeting was adjourned at 11:40 am.

Respectfully submitted by Vickie DeLorenzo

Approved by Chuck Garman, Chair

Chuck Garman