

# Bylaw Review Committee 02/19/2020 Minutes

## Attendees:

Mary McGurn (MM)  
Jenn Frederick (JF)  
Richard Allen (RA)

Chet Delaney (CD)  
Richard Slutzky (RS)  
Eileen Vining (EV) (arrived at 6:30 p.m.)

Called to order by Chair Mary McGurn at 5:36 p.m.

Minutes from 1/22/2020 are approved, and minutes from 2/5 are approved.

## Membership

- The committee appoints vice chair Chet Delaney.

## Review of Bylaws

- **Bylaw 3 (Reviewed by EV)**
  - **Original Text**

3.1 SELECTBOARD TERMS OF OFFICE: In May, 1999, one member shall be elected for a three year term, one for a two year term, and one for a one year term. Thereafter, beginning with the election of May, 2000, and each year thereafter, each expiring term shall be filled by a three year term.
  - **Proposed revision**

There shall be three members of the Selectboard, with each member serving for a three year term. Only one Selectboard member shall be elected each year, except in the case of a vacancy.
  - Motion to accept proposed revisions is tabled pending CD revision to clarify language.
- **Point of discussion:** Should bylaw specifying terms of Selectboard members be removed because it's already stated in MGL (see MGL C. 41 s. 21, for example)?
  - Committee agrees that specifying terms of Selectboard members should remain in the Bylaws.
- **Point of Discussion:** Should all elected town officers be listed in the bylaws?
  - Motion passes to not implement the option to include a list of elected offices or appointed offices in the bylaws.
- **Proposed new bylaw** under Bylaw 3 to address vacancies of appointed and elected positions "Each holder of an elected or appointed position shall serve until his or her successor is elected or appointed. Vacancies shall be filled in the same manner that the original position was filled." (suggested by RA)
  - Motion passes to accept proposed new bylaw as written above. \* We are considering that we may amend this motion.
  - Research assignments regarding new bylaw about vacancies:

- RA to check case law regarding MGL C. 41 s.11 Appointment to fill vacancy in town office; further research for new suggested bylaw dealing with elections so that we are accurate in creating a bylaw on vacancies.
- EV stated that the process for filling a Planning Board vacancy does not fit this bylaw as written. She will provide the source for this.

- **Proposed New Bylaw**

Bylaw 1: The town shall be governed by Open Town Meeting as the legislative body and the Board of Selectmen (to be called the Selectboard) as executive officers.

- Motion passed to not include proposed new Bylaw 1.

## **Reorganization of Bylaws**

- Discussion around EV proposed reorganization of bylaws to group them under more logical headers.
- This discussion will continue at the next meeting.

## **Running List of Terms to Standardize**

1. voter/registered voter/ legal voter (EV assigned research)
2. property tax payer/ resident
3. selectmen/ selectboard/Board of Selectmen
4. Town Meetings (annual, open, special, capitalized, lowercase)
5. Gendered language (use of They; selectman; selectboard)

Next Meeting Feb. 26, at 5:30 p.m.

**Adjourn at 7:17**