

TOWN OF BECKET

Minutes

Town Meeting ByLaw Review Committee

3/4/2013

(APPROVED 4/1/13)

Members Present: Bruce Garlow (Chair), Rob Gorden, Ann Krawet, Jeanne Pryor

The meeting began at 1:00 p.m. It was moved and seconded to approve the minutes of 2/11/13 and the motion passed unanimously.

Bruce followed up on our discussion at the last meeting of Who's Budget is it?, noting that, per Becket's Town Bylaws, Article 2B, Sec. 16, "The Finance Committee shall consider the tentative budget submitted by the Town Administrator and make such recommendations relative thereto as it deems expedient and proper in the interests of the Town. On or before the forty-fifth day prior to the Annual Town Meeting, the Finance Committee shall transmit a copy of the budget, together with their recommendations relative thereto, to the Board of Selectmen."

The Committee agreed that they had exhausted the Town Bylaws from other towns. The committee reviewed "Bylaws Master List" rev. 2/20/13 and the following changes were made:

NOTIFICATION BEFORE THE MEETING

3- No less than seven days before the Annual or any Special Town Meeting the Select Board shall post on the Town website and mail to all ~~registered voter~~ **full-time and part-time** households copies of the warrant. ~~{Part-time residents and non-voter residents?}~~ In all cases the Select Board shall provide an explanation in plain language to accompany each article and line item in the warrant. Monies for this mailing shall be set aside by means of a separate line item in the Town's budget. No less than seven days before the Annual Town Meeting the Select Board shall mail a post card to all residents as a reminder that the town report is on the website and to request in writing if one would like a town report mailed to him or her. Warrants for the Annual Town Meeting and reminders of the availability of town reports may be accomplished in the same mailing. The Select Board shall issue a press release notifying voters of each Town Meeting to be published in a newspaper of general circulation within the Town. The requirements provided in this subsection shall not be deemed to be a part of the legal notification of such meeting or the legal service of such warrant and the failure to comply with the provisions of this subsection shall not serve to invalidate the proceedings of any Town Meeting.

NOTE: Use Town Clerk Households list and Assessor personal property list.

~~POWER OF FINANCE COMMITTEE~~

~~1-In preparation for Town Meeting, the Finance Committee shall have authority to summon before it for such information and investigation as it shall deem necessary, any~~

~~of the Town officials and reports, for such examination considered by it necessary to the proper discharge of its duties.~~

The Committee agreed that this proposed bylaw should be omitted.

HANDOUTS

1- All informational materials relating to articles on the warrant and other information of interest to voters shall be placed on a table or other suitable location outside of the meeting hall. Copies of the warrants and town reports may be placed at the registration table.

This was reviewed again by the Committee but no changes were made.

DEPUTY MODERATOR

1-The Moderator shall appoint by May 1 a Deputy Moderator for a one year term. The Deputy Moderator shall preside in the absence of the Moderator, or when the Moderator recuses himself for reason of conflict of interest, or to assist the Moderator when the number in attendance or physical layout of the room(s) requires an additional Moderator.

The Committee reviewed the current Town Bylaw:

ARTICLE 2--ELECTED TOWN OFFICIALS

SECTION 3. A MODERATOR shall be elected on the Official Ballot for a term of three (3) years. In the absence of the Moderator one shall be elected from the voters for that meeting only.

The Committee suggested that, instead of the proposed new bylaw re Deputy Moderator, the Committee instead agreed to amend Article 2, Section 3 as follows:

ARTICLE 2--ELECTED TOWN OFFICIALS

SECTION 3. A MODERATOR shall be elected on the Official Ballot for a term of three (3) years. **The Moderator shall appoint by May 1 a Deputy Moderator for a one year term. The Deputy Moderator shall preside in the absence of the Moderator, or when the Moderator recuses himself for reason of conflict of interest, or to assist the Moderator when the number in attendance or physical layout of the room(s) requires an additional Moderator.** In the absence of the Moderator ~~or Deputy Moderator~~ one shall be elected from the voters for that meeting only.

MOTIONS

1-A motion to ~~"pass over"~~ **"take no action"** on an article contained in the warrant shall not be entertained until a motion incorporating the substance of said article is before the meeting and at least one voter has spoken in favor thereof, unless, after a reasonable opportunity to do so, no voter makes such motion or speaks in favor thereof. A motion to ~~"pass over"~~ **"take no action"** shall be debatable as to its merits, but not to the merits of the article itself.

Reconsideration

1- A motion to reconsider any prior votes ~~of~~ **at a** town meeting shall not be accepted, except when, in the best judgment of the Moderator, a significant error or omission occurred in the language or process of the original action on the article, or a significant

change of circumstances has occurred, such that there is a substantial likelihood that the outcome could change upon reconsideration or that reconsideration would be in the Town's best interest. Such errors, omission or change of circumstances shall be brought to the Moderator's attention as soon as they are known, and the Moderator shall determine if and when the matter will be taken up. The Moderator shall announce this decision to the Town Meeting. If the Moderator determines that the matter may be taken up pursuant to this Section, a two-thirds vote shall be necessary in order to proceed with reconsideration. No motion shall be reconsidered more than once.

Suspension of the rules

Needs a 2/3 vote; instead of including a new by-law, rely on Town Meeting Time. Advance an article should be included in a guide.

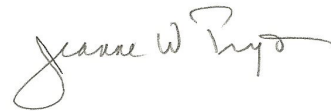
The Parliamentary guide will be discussed at a future meeting. Bruce noted that he will step down as Moderator at the upcoming Annual Town Meeting regarding this Committee's article requesting funding for sound equipment and the 250th Anniversary Committee's article requesting funding as he has been working with that committee as well.

The title Board of Selectmen/Select Board/Selectboard was discussed. The Committee agreed that they would like to recommend using Board of Selectmen instead of Select Board. The concern is that all bylaws currently use Board of Selectmen and it would require a change to all bylaws if the title is changed to Select Board. Bruce will bring the discrepancy to the Selectmen and ask if they have a preference. He will also recommend a change in the TM Bylaw Review Committee Charge, by permission of Selectmen, to change our completion date as we will not have our work completed by the upcoming ATM and also to include completing a guide.

The paperwork concerning Petitioned Articles was distributed and the Committee agreed to discuss this at a future meeting. There was no additional information regarding agenda items #7 and #8

The next two meetings were scheduled for April 1, 2013, and May 6, 2013 both at 1:00 p.m. The meeting was adjourned at 3:00 p.m.

Respectfully submitted,



Jeanne W. Pryor

List of documents discussed and/or distributed at meeting:

1. BYLAWS MASTER LIST (REV. 2/20/13)
2. PETITIONED ARTICLES (samples)
3. Parliamentary Guide sheet