

TOWN OF BECKET

Minutes
Town Meeting ByLaw Review Committee
8/19/2013
(APPROVED 9/16/13)

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

The meeting began at 1:20 p.m. It was moved and seconded to approve the minutes of 6/3/13 and the motion passed unanimously.

The third draft of the proposed amended town meeting bylaw was discussed. Bruce provided the following language (underlined) for items that were agreed to at our last meeting:

SECTION 5E. The Finance Committee shall prepare for each Annual Town Meeting a report, to be delivered orally or in writing, that shall provide a succinct summary of the financial condition of the Town, including the amount available in free cash and stabilization funds, the impact of the budget on the tax rate, reasons for its budget recommendations in the context of its fiscal policy, and an updated capital plan detailing estimated future major purchases and expenditures and the anticipated sources of funding for those purchases and expenditures.

Section 5A (1) The subject to be inserted in the Warrant shall be prepared by the petitioner(s) and shall appear on the front page of each petition. If space is insufficient the text shall begin on the front page of each petition and be continued on the back page of each petition before signatures are gathered.

SECTION 7. 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, however the provisions of this section may be waived if the physical layout of the meeting space makes such arrangements difficult to obtain.

The draft bylaw will remain open for changes but Bruce will ask the Town Secretary to put the draft bylaw on the town website so it is available for review before it is included on the warrant for an upcoming Special Town Meeting this fall.

The form for petitioned articles was discussed and the following changes were agreed to:

INSTRUCTIONS:

- Signatures must appear on the same sheet as the body of the article in order to be certified.
- Petitions for the Annual Town Meeting must be filed by ~~the third Wednesday in March~~ April 1 so that ample time is given for the Board of Registrars to convene to certify signatures and for the Selectmen to place on the warrant to meet printing and posting deadlines.
- It is the responsibility of the petitioner to satisfy all the requirements for filing a petition.
- Submit signed petitions to the Board of Selectmen's Secretary, 557 Main St., Becket, MA 01223

Note: The Town Moderator and Town Administrator are available to assist voters who wish to submit a petition for consideration at a Town Meeting without sponsorship of a town board. Contact Town Moderator Bruce Garlow at 413-623-2362 or via email brucegarlow@yahoo.com or Town Administrator Edward Gibson at 413-623-8934 ext. 13 or via email administrator@townofbecket.org. ~~They~~ These officers may also consult with Town Counsel to (1) suggest language that reflects the petitioner's legislative intent in presenting articles for insertion in the warrant and (2) prepare the main motion for Town Meeting.

The Committee discussed the Parliamentary Guide/Town Meeting Handbook that was drafted by Bruce. Bruce asked Rob if he knew how long Becket has had an Annual Town Meeting and discussion followed. It was agreed that an early history book or early church records may have information about a town meeting being held before incorporation in 1765. Research is needed. The handbook will only include items pertaining to Town Meeting.

The draft guide was reviewed and the following changes/comments were made:

Town Administrator

The Town Administrator acts under the direction of the Board of Selectmen as the chief operating and fiscal officer of the Town. The Town Administrator supervises department heads and is responsible for the development of the Town's annual budget. See "The Budget" below. The Town Administrator facilitates ~~Town Meeting by overseeing~~ the development and production of the warrant and Annual Town reports. ~~, and by processing and distributing warrant articles and other documents to be considered at Town Meetings.~~ [Add information about being a full time professional with 3-year contract.]

Town Clerk

The Town Clerk records the minutes of each Town Meeting and maintains the official record of all votes taken. [Add wording that the Town Clerk has to be at Town Meeting] ~~The Town Clerk administers the oath of office to the Moderator and other elected and appointed officials.~~ The office of Town Clerk has specific responsibilities in connection with Town-wide elections and the Town census and in a number of other areas. The Town Clerk is a part-time paid official elected by the voters for a three-year term.

Moderator

There was a discussion about our current Moderator not taking either a salary or expenses but instead volunteering for the position. A future moderator may decide to request that the salary be reinstated.

GENERAL MATTERS ABOUT TOWN MEETINGS, INCLUDING THE WARRANT AND DRAFTING WARRANT ARTICLES

Paragraph 3

The Town Bylaws ~~provide~~ require that notice of Town Meetings shall be given by posting copies of the warrant in six public places in the Town. The warrant is also ~~customarily~~ posted on the Town website and sent to residents via U. S. mail

and email. Posting must occur at least seven days before the Annual Town Meeting and at least 14 days before a Special Town Meeting.

Paragraph 4

There was a discussion about what constitutes "the scope of the subject matter".

Paragraph 5

Articles may be included in the warrant by the Board of Selectmen or by petition of Town voters. Voters may have an article placed on the warrant for an Annual Town Meeting by obtaining the signatures of ten registered Becket voters and submitting the proposed article to the Selectmen before the closing of the warrant on April 1st for the meeting. Voters may place an article on a Special Town Meeting warrant by submitting one hundred signatures. Citizen petitioners are strongly encouraged to consult with the Moderator or Town Administrator ~~or Moderator~~ regarding the wording and legality of their proposed articles. If the proposal involves a change in the Town Zoning Bylaw petitioners may consult with the Planning Board.

PREPARING AND PROCESSING A WARRANT ARTICLE

3. Submit the Draft Article for Review

Though not a requirement, it is strongly recommended that all citizens' petitions be submitted to either the Moderator or Town Administrator ~~or the Moderator~~ for review prior to taking the remaining steps below. As noted above, proposed changes in the Zoning Bylaw may be reviewed by the Planning Board. These officials can assist in such areas as the proper wording of the article, conforming proposed amendments of existing zoning or general by-laws to the current wording of such bylaws and, in certain cases, addressing legal issues that might be raised by the proposed article. In all cases, all proposed Zoning Bylaws must be the subject of a public hearing by the Planning Board.

7. Post-Filing Process

~~The principal petitioner will eventually be notified of various events.~~ The petitioner will be notified when the article is to be discussed by the Finance Committee and he or she will be able to attend and make a presentation. The petitioner will also be notified when the article is to be considered by the Selectmen.

THE BUDGET

The budget process begins each year in (late fall (?)) when every Town department head prepares an estimate of expenditures for the next fiscal year. ~~If the department is presided over by a board or commission, the budget will be reviewed by that body before it is~~ and submits that budget to ~~ted to~~ the Town Administrator.

The Town Administrator submits the recommended budget to the Board of Selectmen and Finance Committee in February for detailed study. Thereafter, the Town Administrator periodically appears at meetings of these bodies to explain and defend the proposals contained in the budget. The Finance Committee holds

hearings and meetings on the proposed budget, at which department heads may explain their budget requests. On or before forty-five days prior to the Annual Town Meeting the Finance Committee forwards the entire budget, with its recommendations, to the Board of Selectmen. The chart on page ? [The committee noted that a "chart" needs to be developed.] sets forth the time schedule for the development and approval of the Town budget. Town Meeting voters and others interested in the budget generally or in specific capital or non-capital appropriations are encouraged to become involved in the budget process at as early a stage as possible.

For the next meeting, the committee will review Ann's notes on the draft handbook and continue the review of other items to be included. Ann will follow up on pricing and specs for the public address system and will work with the Town Administrator on the purchasing procedures.

The next meeting was scheduled for September 16, 2013, at 1:00 p.m. The meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Jeanne W. Pryor

List of documents discussed and/or distributed at meeting:

1. Town Meeting Bylaw Review Committee minutes of 6/3/13
2. DRAFT REVISED TOWN MEETING BYLAW, July 20, 2013
3. Citizens' Petition for Warrant Article form, revised
4. Town Meeting Handbook draft (8 pages)