

**Bylaw Review Committee – by Zoom
April 27, 2023 Meeting Minutes**

Members present: Robert Schafer, Robert McGaw (Chair), Joe Hicks,
Ellen O'Brien Cushman (arrived at 7:45 PM)
Member not present: Elizabeth Goss
Others Present: Larry Link

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DATE: April 11, 2024
TIME: 2:13 PM

The Chairman called the meeting to order, stated that the presence of Messrs. McGaw, Schafer and Hicks constituted a quorum, and noted the items on the agenda for the meeting. There was brief discussion of how we should proceed, whether we should wait for Ellen to join as she is running a Caucus of Precinct 6 Town Meeting Members at 7 PM, expecting to join Bylaw Review meeting by 7:45 PM. Committee decided to begin.

Article 5: Amend General Bylaw §50-220 Establish Recreation Revolving Fund

The motion to Town Meeting asks adoption of Article 5, text as written in the warrant:

- To see if the Town will vote to establish a Recreation Revolving Fund under M.G.L. chapter 44, § 53E½ by amending § 50-220 of the Town Bylaws to add a new subsection I., as follows, or in any way act thereon.

This is a simple motion to add another Revolving Fund to the approved list already in the Bylaws.

Motion by Bob Schafer, seconded by Joe Hicks to approve the motion as to form, and placement and consistency with the General Bylaws

Roll Call Vote: Bob S – Yes, Joe H – Yes, Bob M -Yes, Ellen -Yes 4-0-0. Motion approved unanimously.

Rules for the Bylaw Review Committee Meetings - Review of draft and possible vote to adopt. Bob McGaw indicated his feeling that a more formal version of the rules for the Bylaw Review Committee would make the flow of the meetings more organized, and clear. Only small grammatical and spelling changes were made to the proposed document, shared on screen.

Ellen O'Brien Cushman joined the meeting

Motion by Bob Schafer, second by Joe Hicks to accept the Rules for the Bylaw Review Committee as revised during the meeting.

Roll Call Vote: Bob S – Yes, Joe H – Yes, Bob M -Yes, Ellen -Yes 4-0-0. Motion approved unanimously.

Minutes - Motion by Bob S to approve minutes for the following meetings submitted by Ellen Cushman, with the minor edits as agreed today: March 9, 2022, March 30, 2022, April 28, 2022, October 25, 2022, November 22, 2022, March 13, 2023, March 27, 2023. Second by Joe H.

Roll Call Vote: Bob S – Yes, Joe H – Yes, Bob M -Yes, Ellen -Yes 4-0-0. Motion approved unanimously.

Article 6: Amend General Bylaws §60-800.D(2) and D(3), Public Ways, Sidewalks and Rights-of-Way, Obstructions

The sponsor, Gi Yoon-Huang has submitted an amendment by Substitute Motion that removes the last portion, regarding enforcement. Since the Bylaw Review Committee had approved the prior version, that included the enforcement provision, this subset need not be approved again but since

we were meeting, to be clear we have voted. Redline is shown below with the final text: Moved to amend the General Bylaws by inserting the language in red and underlined only for emphasis, below:

§ 60-800. Public ways, sidewalks and rights-of-way.

D. Obstructions.

- (1) No person shall permit a tree, branch thereof, hedge, bush or shrubbery growing on his/her land to extend over or overhang any street, sidewalk or highway so as to interfere with the free and full use of such street, sidewalk or highway.
- (2) No person, other than an authorized agent of the Town, may place or cause to be placed or maintained any permanent or temporary structure or any natural or man-made materials (including, without limitation, the parking of vehicles of any type) on any public street, sidewalk or highway in such a manner as to obstruct or otherwise interfere with the free and full use of such public street, sidewalk or highway for the passage of vehicles or pedestrians, except upon written permit or authorization from the Select Board or its designee, which the Board or its designee may in its discretion issue subject to such terms and conditions, including a bond, as may be deemed necessary and appropriate to protect the public safety.
- (3) The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability. In addition to other penalties applicable to violation of these bylaws, in the event the Town undertakes to remove any obstructions described in Subsection D(1) and (2) , the Town may charge the landowner for the reasonable cost thereof.

Motion by Bob Schafer, seconded by Joe Hicks to approve the motion as to form, and placement and consistency with the General Bylaws

Roll Call Vote: Bob S – Yes, Joe H – Yes, Bob M -Yes, Ellen -Yes 4-0-0. Motion approved unanimously.

Bob McGaw mentioned that the Police use a document called the Traffic Rules & Orders and they feel that the section in the General Bylaws is not required, though it is broader and does cover the sidewalks, obstructions by shrubs, etc.

Respectfully Submitted,

Ellen O'Brien Cushman

Town Clerk, Ex-officio member