

**BY LAW REVIEW COMMITTEE
MEETING MINUTES
16 JULY 2018
1st Floor Conference Room – Wakefield Town Hall**

The meeting was called to order at 5:12 p.m. by Chairman Lieber who presided throughout.

Members present:

- Dan Lieber, Chairman
- Cindy Schatz
- Bob Vincent
- Keith LaGraves
- Jeff Stikeman

Members absent:

- Michelle Licciardi
- Brian McCoubrey

Members of the Public:

- Eric Reid, Charter Review Committee
- Thomas Mullen, Esq. – Town Counsel – departed at 6:20 p.m.

There was no public comment.

The Committee reviewed a draft of the 26 June meeting minutes. Vincent moved to approve with corrections to typographical errors, with LaGraves seconding. Stikeman abstained due to nonattendance of the meeting in question. and the motion carried otherwise unanimously, minutes approved.

Mr. Mullen advised that the State Attorney General is still reviewing the language of the changes to the Bylaws which were passed at Town Meeting.

As a result of the June 26 town vote on the ballot initiative, there was further discussion re the Permanent Building Committee, as well as the role of any Advisory Committee reporting to it. Lieber advises the Committee may wish to reconsider our proposal to modify the way the PBC is constituted. There was discussion regarding our engaging the PBC in a working session, and whether the Town Council, or Mr. Maio, would be helpful in facilitating such a meeting. Mr. Lieber will approach Mr. Maio for his opinion.

Mr. Vincent inquired whether there was a residency requirement to serve on appointed committees. Mullen advised 'no', excepting the Permanent Building Committee. There was general discussion regarding pros/cons of a residency requirement and other Towns' precedents.

The Committee briefly discussed progress re language for bylaws concerning "Vacant Storefronts" and "Noise Abatement". Concerning noise abatement, Mr. Lieber reported that he continues to research what the City of Boston has implemented, and how it references EPA guidelines. Mr. Mullen is continuing to investigate options for both issues, and he will report back to the Committee at a later date.

Mr. Lieber gave a brief report re Chapter 143 (...'Background Checks'). He suggested the Committee consider adding a 'timing' provision that the approvals shall not be effective until such time as a CORI review is completed and returned. He advised that Chief of Police Richard Smith would like the

Committee to consider a provision allowing an extra 30 days for the review, upon the request of the Chief of Police. Mr. Mullen will draft language to that effect.

Chapter 126, Historic Structures: There was review of the proposed bylaw revision as drafted by Mr. Mullen. There was clarification requested of Mr. Mullen re both the Historic Commission and the Building Inspector having authority under the proposed bylaw amendment. Mr. Mullen advised in his opinion there was no conflict. There being no further changes proposed, Ms. Schatz made a motion to refer the proposed changes to Town Meeting, on the condition it passes a review by the Historic Commission. Seconded by Stikeman, the motion passed.

Chapter 130: Hunting and Trapping: Ms. Schatz indicated the draft should indicate that it is Chapter 130-2 which is being revised and that any/all references to "his" should be changed to "his or her". There was some question regarding the discharge of firearms ('blanks', specifically) by people or groups in demonstrations, as during the Independence Day Parade. Mullen advised it was not necessary to provide specific permission, given it would fall under the provision where the Chief of Police has discretion to approve this. Ms. Schatz will visit with the Independence Day Committee to see if the Chief's approval has typically been sought, and this Committee will revisit at a later date.

Chapter 147: Sidewalk Cafes: There was general discussion of Mr. Mullen's draft, with no issues identified and no further changes proposed. Mr. Lieber will however run the draft by the Building Inspector, Jack Roberto. Ms. Schatz made a motion to approve the draft and refer to Town Meeting, with the provision it meets with Mr. Roberto's approval. Seconded by Mr. LaGraves, the motion passed.

Chapter 148: News Racks: After a brief discussion, Ms. Schatz moved to approve the proposed revisions and refer to Town Meeting. Seconded by Stikeman, the motion was passed. Mr. Lieber will forward a copy of the draft as passed to Mr. Stinson as a courtesy.

Thomas Mullen, Esq. – Town Counsel – departed, exhibiting restrained jubilation, at 6:20 p.m.

There was general discussion regarding the progress of the Charter Review Committee, their public presentation of progress-to-date, and whether there was a deadline for public comment. Mr. Lieber inquired as to whether this Committee would like to comment as a body, or individually. This will be determined at a later date, following our review of their proposed changes. Mr. Mullen advised that he has been working with the Committee to draft proposed language.

There was general discussion regarding the Charter Commission's proposed changes which would impact Town Meeting, namely: Dates of Town Meeting; Secret Ballot; and the 200-vote threshold required for initiating a Town-wide referendum.

The Committee revisited its 'eagerness' to review Chapter 190 ("Zoning Bylaws"), given its scope. It was reconfirmed that for clerical or language edits, Mr. Mullen would be available to assist, but that substantive change would be beyond the scope of this Committee, and Mr. Mullen, at this time.

Next meeting is scheduled for August 6th.

There being no other business, and with lurkers in the hallway for a 7pm meeting, Mr. Lieber moved to adjourn instead of simply doing so as his position and powers would permit. Mr. Vincent laconically seconded, Mr Stikeman inexplicably thirded, the motion passed, and meeting ADJOURNED at 6:47.

Respectfully submitted by Jeff Stikeman

Approved 8/6/2018.