

ATM 2021 Articles 28 – 33

Articles 28 through 33 reflect the recommendations of the Charter and Bylaw Review Committee that was originally appointed in the spring of 2019.

The Town Charter requires the Select Board to appoint a committee every 5 years to review the working of Town government for recommendations for Charter revisions and amendments considered advisable. This is to be sure the Charter reflects how the Town is operating, and is updated to be consistent with state law. The Town's General Bylaws require a similar review every 10 years. This cycle's committee was charged with both Charter and Bylaws review.

The committee requested and considered recommendations from all Town boards, commissions and committees, and from the public.

Charter recommendations were passed at the November 2019 Special Town meeting and were ratified by voter approval on the ballot at the March 14, 2020 annual Town election. Key among them was the change "Selectmen" to "Select Board."

The majority of the Committee's General Bylaw amendment recommendations were on the March 2020 Annual Town meeting Warrant. When the meeting was postponed to July due to the pandemic, the articles incorporating the Bylaw changes were indefinitely postponed.

Articles 28 through 33 on this year's warrant include all of those postponed recommendations as well as additional recommendations resulting from the Committee's concluding work.

The Bylaw amendments fall into 4 general categories:

- Changes for consistency with the Charter and Massachusetts General Laws;
- Changes to improve grammar, improve clarity, or update statutory references. These changes do not alter the substance of the Bylaws;
- Substantive changes to reflect current practices for Town committees, boards, commissions, and authorities; and
- New substantive changes.

Article 28 of the warrant contains the majority of the committee's recommendations, and these fall into the first two categories – changes for consistency, changes to improve grammar, non-substantive changes for clarity and format consistency, and changes to update statutory references.

Some examples of these changes are:

Replacing “Selectmen” with “Select Board” throughout, adding Oxford commas, and reorganizing articles for format consistency such as article 11 which addresses the purpose and responsibilities of the Select Board.

One exception is the statutory update to Bylaw Article 8, Housing Authority. This Bylaw change was not considered by the committee, but was initiated by the Select Board. The statutory update results in substantive changes to the Housing Authority membership. Four, rather than five members will be elected, and one member will be

appointed by the Select Board as a Tenant Board Member. The changes make the Bylaw consistent with state law.

Article 29 of the warrant includes changes falling in the third and fourth categories - substantive changes to reflect current board or committee responsibilities, and the following specific changes:

The proposed change to Bylaw article 1.3 would allow the Select Board, after a public hearing, to make non-substantive grammatical, punctuation, or spelling changes without the need for Town meeting action. This would provide for public comment and free Town meeting to focus on the substantive matters.

Proposed new section 5.5 incorporates the provisions of state law for filling Select Board vacancies. This was added for clarity, since the Bylaws provided for filling vacancies for all other elected offices.

Proposed changes to Bylaw article 6, Board of Assessors, make that article consistent with the Charter changes.

The remaining proposed changes in Warrant Article 29 reflect current practices for the Board of Health, Bicycle Advisory Committee, Council on Aging, Historic Preservation Commission, and Recreation Commission.

Warrant Article 30 updates procedures and fees for Control and Management of Hazardous Materials.

Warrant articles 31, 32, and 33 propose adding new Bylaw articles for the Bedford Arbor Resources Committee, the Patriotic Holiday Committee, and the Energy and Sustainability Committee. Each of these committees is a standing committee not previously included in the Bylaws. The Charter and Bylaw review committee thought it was

important that all permanent committees be included in the Bylaws to codify their purpose and responsibilities, and to provide a comprehensive source for the Town's citizens.

The Charter and Bylaw Review Committee members were:

Carol Amick, Betsey Anderson, Maria Borino (resigned 1/2020) replaced by Walter St. Onge appointed effective 2/2020), Cathy Cordes, Bruce Murphy (term ended 6/2020), Jan Shepard, Jacinda Barbehenn, Daniel Brosgol (replaced by JoAnn Santiago as School Committee rep 2/2020), Edward Pierce