

**MINUTES OF THE TOWN COUNCIL
ORDINANCE COMMITTEE
Town Hall Council Chambers
May 11, 2011 - Wednesday**

Present: Michael Smart, Chairman
Ed Harrington
Robert Conlon
Arthur Mathews

Not Present: Brian McDonald, Vice-chairman

Also Present: George Lane, Town Solicitor
Dan McCormack, Public Health Director
Michael Gallagher, Director of Administrative and
Community Services

Recording Secretary: Mary Barker

Chairman Smart called the meeting to order at 6:15 PM.

10 042- Ordinance Review Committee Recommendations

Dan McCormack was the Chair of the Charter Review Committee and reported out on the recommendations proposed. Copies are available at the Town Clerk's Office, and have also been posted to the website. Copies on CD will be available upon request. Solicitor Lane noted the document was over 200 pages, without substantive changes and was presented to the Town Council on May 2, 2011.

Mr. McCormack noted that under section 8-5 of the Home Rule Charter, the ordinances are required to be reviewed. The nine member review committee appointed by the Mayor included Chief Leary, WFD, Capt. Comperchio, WPD, Bob O'Connor, then Director, DPW, Jean Savoy, Mayor's Office and Dan as Chairman. Halfway through the process, Bob O'Connor retired and Chip Fontaine took his place. Council appointees were Robert Conlon and Ed Harrington; Colleen Kelly, Michelle Cronin was replaced in January by Diane Hachey.

The committee met seventeen times. As Mr. Lane mentioned, all edits

requested are not substantive changes; they are grammar corrections and formatting changes. Mr. McCormack reviewed the changes in a power point presentation. At the request of Councilor Mathews, Mr. McCormack reviewed a sample page. The committee members had specific questions which were addressed by Mr. McCormack. Formatting and editing changes were made to standardize the language of the entire document and keep consistent with the Charter and are indicated on the document. Some of the editing changes are a function of the Microsoft Word program. 95-99% of the changes are grammatical in nature.

Solicitor Lane stressed that the changes are not substantive. The hope is that the committee will accept the document as revised to forward to the printer. Mr. McCormack reported that the document has been edited twice; once when created and again with this review. The power point presentation basically showed how the changes were made.

Councilor Mathews asked why the committee chose the word “may” over “shall” in some of the edits and its applicability. There was a brief explanation regarding the use of the two words, and the definitions as explained in the Charter. Solicitor Lane noted that substantive changes would require amendments to the charter and there may need to be some amending done as a result of the revision. Councilor Mathews also asked for explanation of specific changes where wording has been removed. Mr. McCormack noted that these recommendations were a matter of redundancy. Councilor Mathews asked about change in the way some Boards are referred to in the documents; specifically the BZA. Mr. McCormack responded that it was more as a matter of consistency in the editing. Councilor Smart asked if these changes were made throughout. Solicitor Lane noted that some of these points will have to go back to the minutes of the committee meetings to review specific questions. This is a draft document and can be changed. Solicitor Lane advised that the Council can accept, reject or amend the report.

Other specific changes were addressed; titles and functions within the organization of departments in the Charter. Solicitor Lane noted that in his judgment, the changes do not warrant the public hearing process for amendments; the changes are not substantive.

Solicitor Lane commented on the five year interval for the Charter review and noted that the committee was very self-directed and spent seventeen

meetings to come up with all of the changes to the Charter language. He commended the committee members.

Councilor Mathews asked for the record whether any change is included in the draft document that increases any fees increases or any salary increases for any elected official. Mr. McCormack responded no; in the meeting minutes of April 15, 2011 it was motioned and voted; “pursuant to Section 8-5 of the general provisions, the revisions must be without any substantive changes; that no change to any or fee will be included as part of our recommendations to the Town Council or Mayor.” Solicitor Lane reported that he was present for the vote and will attest to it.

Timeframe was briefly reviewed. There was no public hearing five years ago; the recommendations were accepted by the Council. Action will need to be taken by June 15, 2011, due to Charter language. There will probably need to be one more committee meeting before this is reported out to the Council. Councilor Smart recommended any questions that still need to be addressed should be forwarded to Diane Hachey so that the committee can review prior to the next committee meeting.

Adjournment

At 6:58 PM, there being no further business, a motion was made by Councilor Mathews to adjourn, seconded by Councilor Harrington and was unanimously voted.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Councilor Michael Smart as Chairman