

Town of Medway
Commonwealth of Massachusetts
Bylaw Review Committee
December 15, 2021 - 7:00PM
Town Manager's Conference Room
Town Hall: 155 Village Street, Medway

Committee Members Present (in person): Ellen Hillery, Glenn Trindade, Tim Fagerson, and Maryjane White

Committee Members Present (via phone): Tom Gay

Committee Members Absent: None

Also Present: Allison Potter

1. **Call to Order:** At 7:16PM, Mr. Trindade called the meeting to order.
2. **Approval of Minutes (8/31/21 and 10/18/21)**

This item was not addressed at this meeting.

3. **Continued Review of Draft Amendments**

The committee resumed their work with Article 17, which deals with historical properties. Mr. Trindade asked Ms. Potter to confirm the existing bylaws with the Historical Commission before taking further action; she agreed to do so.

In regard to Article 18, there were no questions or comments.

Mr. Trindade reminded the committee that their previous plan was for Article 19 to be deleted.

VOTE: Ms. Hillery motioned to delete Article 19. Ms. White seconded this motion, which passed unanimously. Hillery: aye, White: aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

Mr. Trindade and Ms. White suggested slight wording changes to Article 20. These changes involved removing the number 21 from 20.2 and 20.4. Additionally, they wished to change "inspector" to "building commissioner" in 20.6. Moreover, they wished to change both "highway superintendent" and "water superintendent" to "public works director" in 20.6.

VOTE: Ms. White moved to accept Article 20 with the changes. Ms. Hillery seconded, which passed unanimously. Gay: aye, Trindade: aye, Hillery: aye, White: aye, Fagerson: aye. VOTE: 5-

0.

Mr. Trindade suggested changing Article 21 in section 21.2, line 5 the letter “A” before “aquaculture” will be struck.

VOTE: Ms. White moved to accept Article 21 with the changes. Ms. Hillery seconded, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In regard to Article 22, one change will be to strike the number 18. Mr. Trindade suggested deleting certain language in this article but opted to wait until Ms. Potter sees if this is a public health matter.

VOTE: In terms of Article 23, Mr. Trindade mentioned that aspects of this section are redundant. Therefore, Ms. White motioned to delete Article 23. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In terms of Article 24, the committee noted some formatting issues, as well as some changes in the previous delegation of responsibilities, particularly in regard to the Select Board taking over for water and sewer commissioners. Mr. Trindade also noted the need for consistent language and formatting. Ms. Hillery also noted some inconsistencies with the language in this Article versus others, primarily in regard to irrigation systems and automatic sprinkler usage. Mr. Trindade suggested having the irrigation system under section 5E instead. The committee agreed that they must be consistent with what the Planning Board is already doing; Ms. Potter agreed to check with the members, Pete Pelletier, and Barbara Saint Andre, about this. In regard to penalties, Mr. Trindade and Ms. Hillery agreed that there should be a consequence for not adhering to this bylaw. Ms. Potter agreed to discuss this with the Planning Board, too. Mr. Trindade also suggested looking into what other towns are doing. The committee agreed to revisit this Article when they have more information.

In regard to Article 25, the committee wished to denote the change from 7 members to 9 members, as well as fixing a typo with “last resort” in section 25.6.

VOTE: Ms. White motioned to accept Article 25 with the aforementioned changes. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

VOTE: As for Article 26, Ms. White motioned to accept Article 26 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In regard to Article 27, the committee noted one adjustment in section 27: changing “administrator” to “manager.” Ms. Hillery also noted the need to fix the existing strikeouts.

Mr. Fagerson raised questions about whether nonprofit or for-profit organizations are able to canvass with approval under this bylaw; the committee confirmed that only nonprofit organizations may do so, as well as religious organizations.

VOTE: Ms. White moved to accept Article 26 with the aforementioned modifications. Ms. Hillery seconded the motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

VOTE: Ms. White motioned to accept Article 28 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

VOTE: Ms. White motioned to accept Article 29 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

VOTE: Ms. White motioned to accept Article 30 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

VOTE: Ms. White motioned to accept Article 31 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In regard to Article 3.7.1, Ms. Potter agreed to discuss details of this section with the fire department to ensure accurate details for the committee’s review.

VOTE: Ms. White motioned to accept Article 32 as written. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In regard to Section 6.3, the committee discussed making the term 3 years, instead of 4. They all collectively agreed to this approach.

VOTE: Ms. White motioned to accept Article 6.3 as amended above. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In regard to Article 8, the committee agreed to revisit this issue when they have more information. Mr. Gay suggested checking on issues such as building codes and Massachusetts general laws before proceeding. Ms. Potter offered to do this research.

In terms of Article 10, Mr. Trindade suggested revisiting this section in the future when they have further information.

In regard to Article 11, the committee discussed accepting a substitution in regard to wording about the fire lanes from the fire chief.

VOTE: Ms. White motioned to accept Article 11 with the aforementioned substitution. Ms. Hillery seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.

In Article 12, the committee discussed adjustments to the phrasing in 12.6: they wished to change “carriages” to “bicycles or automobiles.” Mr. Gay wished to be more inclusive, especially in regard to trucks and motorcycles. The committee discussed changing “carriages” to “tires of bicycles and motorized vehicles” instead. The committee agreed to this substitution. In terms of 12.9.h, the committee discussed increasing the existing fines: the second offense would become \$50, the third would be \$100, and the fourth would be \$250. Therefore, the maximum daily fine allowed would be \$250. Mr. Trindade asked Ms. Potter to send out the existing fines and fees study to the committee for their review, in order to be consistent with all other sections in Article 12, as well as other committees’ pricing breakdowns. Ms. White also suggested that Stephanie Carlisle look into how other towns handle this and proceed accordingly.

4. Fines and Fees

This item was addressed in conjunction with Agenda Item #3 - please see above.

5. Dog Bylaw

The committee briefly discussed the existing issues with disposal of dog waste, as well as leashing protocols. Mr. Trindade raised concerns about using effective language in the dog bylaw to ensure accountability. He also suggested creating stations with bags for dog waste. Ms. Hillery suggested increasing the dog leashing violation fees in order to cover the cost of bags at these stations.

Motion to Adjourn: At 8:54PM, Mr. Trindade motioned to adjourn the meeting. Ms. White seconded this motion, which passed unanimously. Hillery: aye, White; aye, Fagerson: aye, Trindade: aye, Gay: aye. VOTE: 5-0.