

**BYLAW REVIEW COMMITTEE MEETING
SEPTEMBER 20, 2007**

**Present: Christine Pilch, William Towlson, William Bradley, Francis W. Cote.
Also Present: Nancy J. Talbot – Ex Officio Member.**

Changes to be made of currently existing bylaws as found by ByLaw Review Members:

Page 2 – General Information Section 2 – Titles should appear as in Article 5 of Town of Ware Charter. (5.5 – Administrative Organization)

**Page 4 – Division 1 – ByLaws
Chapter 5 – See Article 4 of Charter**

**Page 5 – Chapter 8 – See Article 6.7 of Charter
Chapter 13 – 1991 Article regarding Ambulance receipts no longer in effect. See Article 6.5 of Charter**

**Page 6 – Chapter 19 – Zoning Board of Appeals see 5.14 of Charter
Chapter 24 – Town Manager appoints Building Inspector see 8.10**

Page 7 – There is no Building Code of Appeals – it does not exist in Charter for Town of Ware

**Page 8 – Chapter 33 See 8.10 of Charter for Town of Ware
Chapter 80 – there is no longer an Adm. Assistant to Board of Selectmen in Charter**

Page 9 – Chapter 99 Town Property sale of items see Chapter 4-2 (l) of Charter

Page 11 – Chapter 138 Cemeteries (an update from Paul St. Pierre was given to General Code by Town Clerk as to fees, etc., it may need further review however regarding specific section as questioned by General Code)

Page 14 – Chapter 150 – Dogs section does not violate Charter however may need review of by laws and updated information

Page 17 – Chapter 160 Fees Town Clerk section should probably reference only how fees are established at Town Meeting and not include actual fee section – simply a statement to indicate they are on file and posted in Office of Town Clerk.

Page 18 – not in conflict with charter but probably needs to be updated to reflect current laws

Page 19 – not in conflict with charter but probably needs to be updated to reflect current laws

Page 21 – Chapter 194 not in conflict with charter but probably should seek Chief of Police/Building Inspector and/or ADA to reflect current laws

Page 21 – Chapter 199 needs review but not in conflict with Charter

Page 22 – Peddlers and Solicitors not in conflict with Charter but needs review as requested regarding penalties

Page 23 – Chapter 208 not in conflict with Charter but we do not presently have recycling in Ware

Page 23 – Chapter 215 we do not have Water and Sewer Commissioners – this is under authority of Board of Selectmen and this needs review as to what is in effect

Page 24 – Chapter 219 not in conflict with Charter but may need review or update

Page 26 – Chapter 236 – outdated section needs review but not in conflict with Charter

Page 27 and 28 – needs updated information but not in conflict with Charter

Page 29 through 40 – not in conflict with charter but needs review

Page 41 through 45 – not in conflict with charter but needs review

Page 46 through 49 –not in conflict with charter but needs review of Chapter 418, Chapter 430 – Fees for various permits Fees for Street Excavations – is this still in existence? check with DPW Director

Page 50 through 52– not in conflict with BOH as to needs for updates

Page 53 – not in conflict with Charter but needs review by Fire Dept (check with Fire Chief – update may have been given to Town Clerk for General Code previously)

Page 15 of 24 – Appointment of ZBA needs to conform with Charter 5-14 and 8.10

Page 21 of 24 ZBA members to consist of 5 members and 2 alternates

Page 11 of 374 - delete this section – no longer applicable (see Charter)

Page 13 of 374 – Chapter 8 Council on Aging see sec 5.7 of Charter

Page 17 of 374 – Chapter 19 Board of Appeals see 5.7 of charter – Zoning Board of Appeals

Page 19 of 374 Town Manager appoints Bldg. Insp. also review Article II – Building Code of Appeals – this may not be in existence or accurate

Page 21 of 374 – 30-1 Conservation Commission see sec. 5.15 of charter, 30-2 same as previously stated, 30-3 there is no Recreation Commission – under Park Commissioners (see sec. 5-5)

Page 23 of 374 – 33-1 Pathfinder Regional Vocational Technical Committee see 5.9 of charter, 33-2 deleted see charter 3.3, 24 of 374 see charter 8.10

Page 23 through 27 are thoroughly covered by Charter for Town of Ware

Page 27 of 374 not in conflict with charter but dictated by MGL

Page 29 of 374 – delete this page – covered under Charter for Town of Ware

Page 31 of 374 – not in conflict – okay as written

**Page 33 of 374 – section 72-1 not in conflict but check with labor counsel
section 72-3 see charter sec. 8.9 for vacancies**

**Page 35 of 374 – section 80-1 outdated – charter supersedes
section 8-4 change Town Adm. to Town Manager**

**Page 37 of 374 – section 88-1 change title to Treasurer/Collector
section 88-3 delete**

Page 39 of 374 – all in conflict with Charter for Town of Ware

Page 41 of 374 – Town Meeting Section covered by Charter for Town of Ware

Page 43 of 374 – Chapter 99-1 Charter covers this sec 4.2 (d through l)

Page 45 of 374 – Review current bylaw – public drinking but does not violate charter

Page 49 of 374 – not in conflict with charter but who enforces?

Page 51 of 374 – Cemeteries needs review by Paul St. Pierre for Cemetery Commissioners

Page 57 of 374 – Dogs needs reviewing but not in conflict with Charter

Page 59 of 374 – Removal of Dog Waste bylaw not in conflict with Charter

Page 61 of 374 – Excavations not in conflict who is enforcing?

Page 63 of 374 – Fees 160-1 Park Commissioners are in charge of municipal pool and/or related fees and maintenance and use

Town Clerk fees set by Town Meeting vote under MGL

sec. 160-3 Conservation Commission fees not in conflict with charter

Page 65 of 374 needs review – is this current under MGL?

Page 67 though 69 of 374 – not in conflict with charter but needs review as it may be outdated

Page 71 of 374 – delete this section – landfill was closed years ago

Page 73 of 374 – needs review but not in conflict with charter

Page 75 through 77 of 374 - needs review but not in conflict with charter check with ADA, Police and Building Inspector to insure accuracy

Page 79 and 80 of 374 – not in conflict but needs updating

Page 81 of 374 not in conflict but check language under sec. 199-11 Chief Engineer? or other Asst. Engineers?

Page 83 of 374 – not in conflict but needs review by Police Department to conform with MGL

Page 87 of 374 – recycling not in conflict with charter but suggest deleting this

Page 89 through 92 of 374 – all references to Water and Sewer must be changed to Board of Selectmen, change Water and Sewer Department references to DPW

Page 93 of 374 – not in conflict check for bylaw updates however

Page 95 of 374 – not in conflict with charter but check for updating all sections

Page 97 of 374 – Snow and Ice Removal bylaw okay as is – needs enforcement adherence, Street Acceptances (BOS adopted procedures and timeline in 2007 check policy with Town Manager/Town Clerk

Page 98 of 374 okay as is but needs wording changes to DPW Director from Supt of Public Works

Pages 98 to 121 of 374 needs words changed from Supt to DPW Director

**Motion made by Bill Towlson to meet on Thursday October 18, 2007 and 6 PM All
in favor 4-0**

Meeting adjourned at 8:02 PM

**BYLAW REVIEW MEETING
THURSDAY – OCTOBER 18, 2007**

**Present – Francis Cote, Christine Pilch, William Bradley
Also Present – Nancy Talbot**

Meeting began at 6:10 PM

Page 123 of 374 – not in conflict with charter but outdated

Page 125 of 374 – not in conflict with charter

Page 127 of 374 – Change references of Water and Sewer to Board of Selectmen and Water Supt to DPW Director

Page 128 of 374 – 247-4 Change Supt of Water Works to DPW Director, Water Commissioners to DPW, Ware Water Department to Town of Ware and Water Commissioners to DPW, Water Commissioners to DPW in various sections

Page 129 of 374 – change references of Water Commissioners to Board of Selectmen, Supt. of Water Works to DPW Director, waterworks to DPW

Page 130 of 374 – change Supt. of Water Works to DPW Director, board to DPW, Water Commissioners to Board of Selectmen. Section D – whose authority? Section 247-10 Water Commissioners to DPW Director, 247-11 Water Commissioners to DPW Director

Page 131 of 374 – change Water Commissioners to DPW, 247-13 change Water Commissioners to DPW, 247-14 change Water Commissioners to Board of Selectmen

Rates for quarterly metered water – information on rates probably should not be part of bylaw book but rather posted accordingly at DPW and Town Manager offices

Page 132 of 374 – change references of Article 52, 29 to reflect 247-17 – (a),(b),(c)

Page 134 of 374 – Change Supt of Water Works to DPW Director

Page 144 of 374 – 2.41 changes associate members to alternates

Page 149 of 374 change Highway to DPW, delete Water and Sewer Commissioners

Page 166 of 374 – change Water and Sewer Commissioners to DPW

Page 172 of 374 – section 5.219 change Highway to DPW and delete the wording on Highway Surveyor

Page 205 of 374 – (f) change Highway to DPW

Page 212 of 374 – 6.03 – change Inspector of Buildings to Building Inspector

Page 218 of 374 – change Water and Sewer Department to DPW in section 6.147

Page 219 of 374 – change in 6.15 to Natural Resources Conservation Service

Page 226 of 374 – lower portion of page - # 2 – delete Hazardous Materials Coordinator

Next meeting to be November 1, 2007 at 6 PM

Motion to adjourn at 7:27 PM All in favor.

**BYLAW REVIEW MEETING
THURSDAY – NOVEMBER 8, 2007**

**Present: Rob LaHair, Bill Bradley, Christine Pilch, Francis Cote
Also Present : Nancy Talbot – Town Clerk**

Called to order at 6:02 PM

Tabled reading of minutes from previous meetings until they are typed.

Page 245 of 374 – change Water and Sewer Department to DPW

Page 260 of 374 – change Highway Surveyor to DPW Director

Page 264 of 374 – change Sewer Commissioners to Board of Selectmen, change Water Department to DPW

Page 271 of 374 – section 1 (b) we do not have an Engineering Department – needs different wording or deletion, section 2 – change Sewer Department to DPW, section 4 – change Water and Sewer Commissioners to DPW

Page 277 of 374 – change Water and Sewer Commission to DPW

Page 285 of 374 – Highway, and Water Departments should be deleted and changed to DPW

Page 291 of 374 – all BOS references are changed to Town Manager

Page 293 of 374 – change Board of Selectmen to Town Manager, not in conflict with charter but need to be sure this meets with MGL standards and procurement laws

Page 295 through 297 of 374 – Fees for permits should be deleted and a reference that they are on file in various departments

Page 299 of 374 – check with ADA – this may not meet ADA requirements under the law

Page 301 of 374 – check to be sure this is updated – not in conflict with charter however

Page 303 of 374 – change all references from Highway Surveyor to DPW Director, change Town Clerk and Treasurer to Treasurer/Collector

Page 307 of 374 – are these current? not in conflict with charter however

Page 311 of 374 – 1943 Edition of United States ????

Page 313 of 374 – check with Board of Health are these current with MGL?

Page 326 of 374 – not in conflict but check with Board of Health for accuracy and is this current?

Page 327 of 374 – is this necessary we do not have a Refuse Disposal Area

Page 329 of 374 – we do not believe these are bylaws and they may not belong here but in Fire Department rules instead

Page 335 of 374 – these are rules of a department and may not belong in a bylaw book, similar to Page 329 of 374

Page 339 of 374 – Sewer Use – change Board of Water and Sewer Commissioners to Board of Selectmen

Noted that a review of Acceptance of Special Acts to see if they are appropriate to Charter

Meeting adjourned at 7:12 PM All in favor