

Ad-hoc Committee for the creation of a Light, Air, and Noise by-law

Minutes

Meeting: January 22, 2019, 6:30 p.m., Pepperell Town Hall Conference Room A

Members Present: Tony Beattie, Tim Brothers, Casey Campetti, Renee D'Argento, Max Gordon, Ronald Karr, Patricia Kenneally, Mark Little, Vince Premus, Joe Radwich, Sherrill Rosoff, Margaret Scarsdale, Harvey Serreze

Members Absent: none

Guests: Andrew MacLean (Town Administrator), Carolyn Ahdab

Clerk's Comments: Votes appear in boldface

The meeting convened at 6:40 p.m. by Andrew MacLean, Town Administrator (TA). The meeting was being recorded and live broadcast on local cable.

The TA opened the inaugural meeting and reviewed a number of items in order to get the committee started correctly. These included:

- Verifying that all members were sworn-in to their role. They were.
- Reminder to complete the Conflict of Interest certification on the state website within 30 days.
 - You can find it here: <http://www.muniprogram.state.ma.us/>.
 - Bring completion certification to the Town Clerk. Email certificate to j survell@town.pepperell.ma.us or drop off to the office.
- Open Meeting Law rules were reviewed briefly. All members had been emailed the full document and were encouraged to become familiar with it. Some general tenets, like not deliberating on committee business via email were mentioned.
- Meetings should follow Robert's Rules of Order. <https://robertsrules.org/> The Chairperson may apply these rules as formally preferred but they provide a good foundation for any meeting.
- The spring 2019 calendar was discussed as an objective of the committee is to create a by-law requiring a Town Meeting approval. The next Town Meeting is May 6, 2019 and the warrant for that meeting closes on March 20, 2019.
- Zoning by-laws must avoid "spot zoning"—which applies to a unique circumstance or limited application. These will be challenged in court or thrown out by the Attorney General.
- The committee should take a broad view of any proposals, including possible unintended consequences of the by-law.

The TA then opened the election process in order to select a Chair, Vice-Chair, and Clerk. He reviewed the basic duties and asked for nominations for each.

- **Renee D'Argento nominated Margaret Scarsdale for chair. Seconded by Harvey Serreze. The motion carried, 13-0, in favor.**

- **Pat Kenneally nominated Max Gordon for clerk. Seconded by Tony Beattie. The motion carried, 13-0, in favor.**
- Margaret Scarsdale nominated Sherrill Rosoff for vice-chair. Vince Premus seconded.
- Joe Radwich nominated Timothy Brothers for vice-chair. Seconded by Sherrill Rosoff.
- **Joe Radwich motioned to allow for two vice-chairs given the size and scope of the committee. Seconded by Tony Beattie. The motion carried, 13-0, in favor.**
- The committee then voted unanimously, 13-0, in favor of both nominees.

At this time, the newly elected chairperson, Margaret Scarsdale, took over the committee meeting.

- Chairperson Scarsdale asked the committee to recommend a preference for minutes: summary, transcription, or something else. The minimum requirements appear on page 16 of the Open Meeting Law document, distributed via email to all members.
Sherrill Rosoff motioned to use summary minutes as the committee intends to have all meetings recorded for broadcast. Seconded by Casey Campetti. The motion carried, 13-0, in favor.
- Sherrill Rosoff asked about getting emails, and a discussion ensued about options and preferences. The town will issue emails to anyone on the committee, but it is not required. A group email can be created to simplify notifications.
- Chairperson Scarsdale asked for consideration of meeting dates and times. It was agreed to meet on Tuesdays, weekly, for the foreseeable future, at 7pm. The Chair will arrange for room reservations and the posting of agenda and meeting dates in conjunction with the Clerk and the TA Office.
- A broad discussion on next steps followed:
 - Should we discuss each topic individually (light, air, noise?)
 - There seemed to be general agreement that it would be best to have one by-law with three subsections (light, air, noise), but no vote was taken.
 - Adding other restrictions (e.g., traffic)—in scope? If so, consider more inclusive overarching by-law name, such as Environmental Quality.
 - Research other communities' policies
 - What are the hard/soft deadlines for the work?
 - For the by-law(s) to be added to the ballot for May 6 Town Meeting, it must be completed by March 20
 - Must hold public hearing, which can take place in March or April
 - How are templates and draft documents managed?
 - The TA recommended that all documents on the development of the by-law be added to the webpage for the committee. The chair will be shown how this is done. Drafts should be clearly labelled so the general public do not mistake them for actual proposals.
- Next steps:
 - Provide basic biographical information on each member to the whole membership; each member will talk briefly about themselves at Meeting #2.
 - Members will begin researching each topic (i.e., light, air, and noise) on their own and prepare to discuss findings at the next meeting.

- At meeting: Consider how to gather baseline data on the pollutants so there is a measurable way to understand when a person or organization is not in compliance.
- Do individually and discuss at meeting: Create anticipated goals/outcomes for the whole committee to consider.

A motion to adjourn was made by Joe Radwich. Seconded by Vince Premus. All were in favor (13-0) and the meeting adjourned at 8:29 pm.

Documents available at this meeting:

- Summary of the Conflict of Interest Law for Municipal Employees revised...
- Notice to all municipal employees
- *Open Meeting Law Guide and Educational Materials* (version 2018)

Approved 1/29/2019