

Reading Municipal Light Board of Commissioners

Regular Session

230 Ash Street

Reading, MA 01867

September 17, 2014

Start Time of Regular Session: 7:30 p.m.

End Time of Regular Session: 9:15 p.m.

Commissioners:

David Talbot, Chairman

John Stempeck, Secretary Pro Tem

Philip B. Pacino, Vice Chair

Thomas O'Rourke, Commissioner

Staff:

Coleen O'Brien, General Manager – Absent

Beth Ellen Antonio, Human Resources Manager

Jane Parenteau, Integrated Resources Manager

Hamid Jaffari, Director of Engineering and Operations

Jeanne Foti, Executive Assistant

Guest: Chris Pollart, Esquire, Rubin and Rudman

Citizens' Advisory Board (CAB):

Dennis Kelley, Member

Town of Reading Finance Committee Liaison

Craig Merry, Member

Public:

Peter Brown, Member of Town Meeting, Reading

Call Meeting to Order

Chairman Talbot called the meeting to order and stated that the meeting was being videotaped; it is live in Reading only.

Opening Remarks

Chairman Talbot read the RMLD Board of Commissioners Code of Conduct.

Introductions

Chairman Talbot acknowledged that Bob Soli a long time commissioner tenured his recognition today has moved out of the community and want to thank him for his years of service. The RMLD Board and Board of Selectmen will be looking for applications for his replacement. Chairman Talbot recognized CAB representative Dennis Kelley, Craig Merry from the Finance Committee, Town Meeting Member, Bill Brown and Rubin and Rudman legal counsel Chris Pollart.

Chairman Talbot said that Commissioner Stempeck will be the Secretary for this meeting.

Chairman Talbot reported that Coleen O'Brien had to leave during the Policy Committee meeting due to a breaking family medical emergency. Chairman Talbot stated that Mr. Jaffari will cover the meeting in the absence of Ms. O'Brien.

Report of the Chairman (Attachment 1)

Town of Reading – Town Warrant Article 14

The Town of Reading Board of Selectmen have been invited to attend this meeting.

ARTICLE 14 To see if the Town will vote to authorize and request the Finance Committee, pursuant to section 3.3.2.3 of the General Bylaws, to investigate at once the books, accounts, records and management of the Reading Municipal Light Department; to employ such expert and other assistance as it may deem advisable for that purpose; to make a report on its investigation setting forth its findings and recommendations, and to transmit such report to the Town Meeting prior to November 10, 2014; Or take any other action with respect thereto.

Chairman Talbot said that he reached out to the Board of Selectmen to come have a conversation with the Board. The RMLD Board did not know that Article 14 was going to be put on the warrant, it was a surprise. Chairman Talbot reported that the Chair of the Board of Selectmen Arena did get in touch with him earlier and said he was unable to attend the meeting.

Report of the Chairman (Attachment 1)
Town of Reading – Town Warrant Article 14

The Town of Reading Board of Selectmen have been invited to attend this meeting.

Chairman Talbot said that he is happy that Mr. Merry is here because Article 14 requests that the Finance Committee investigate the Department. Chairman Talbot said the Board will be voting on a new equipment disposal policy that will greater tighten any further disposal of equipment.

Chairman Talbot noted that a policy that was in place for over a decade, allowed equipment including trucks to be offered for free to Town Managers and DPW managers, then if they did not want them an ad was placed in the local newspaper which would be awarded to the lowest bidder. It was at the discretion of an RMLD manager to award the bid. In April, three trucks were attempted to be disposed in this manner, after checking with the Town Managers and DPW manager, the trucks went to bid. One employee put in some low bids and was awarded the bid. Chairman Talbot said that there are a many problems with that. It was apparent to him that the bid was low. The fact of the matter is once this came to our attention, very strong action was taken. The trucks are back. The RMLD immediately started reforming its policies which could have been performed by prior Boards over the last ten years, but it is getting done tonight.

Chairman Talbot said that they are a self-governing body, but included cooperating with the Town Accountant who we worked with extensively. Everything she asked for we gave her. The RMLD is a public agency and the records are available to anyone who asks for them. Chairman Talbot said that the Finance Committee already has the ability to ask for the same thing.

Mr. O'Rourke said that the reality is that there was no violation of policy; it was a policy that was overdue for revamping. Based on this occurrence, the policy has been updated. Chairman Talbot said that the manager did not have to accept the low bid which is one area we have to own up to which has happened. Chairman Stempeck added that when something happens it is a matter of how quickly action is taken to address the issue.

Mr. Merry explained that the Town Manager brought the Finance Committee up to date on this issue in July. At a recent meeting which occurred a week or two ago the matter of the Town Warrant was brought to their attention. They were asked to vote on Article 14 and Article 15. Mr. Merry added that the information he has received has been from the Town Manager, what he has read in the papers and has heard stories.

Mr. O'Rourke said that his reaction to this is that it would have been helpful to him as a Commissioner to have had the opportunity for discussion prior to something going onto a warrant. When we met in July with the Chair of the Board of Selectmen and one other town representative we had a healthy and productive discussion about what needed improvement and he left very positive that we had some good collaboration. Between that moment and now, to see it on the Town Warrant is a little troublesome in terms of the sense of collaboration and in terms of resolving it. We were on schedule to review all of our policies that was indicated and are available on RMLD's website which was pointed out to the town representatives. Mr. O'Rourke said that the theme that needs to take place here is collaboration and not confrontation, which he applies to his own business as well as the other board he sits on.

Mr. Pacino commented that to echo Mr. O'Rourke's comment, the first time he saw these articles is when they made the warrant. Mr. Pacino stated that as a former Finance Committee Chairman whenever something was discussed in front of the Finance Committee when he was Chairman that the parties that were going to be discussed about knew about it and were invited. Being the former Chairman-for-Life on the By Law Committee he followed this as well. No one from the Board of Selectmen has come down to speak to the RMLD Board. The first time we are seeing this is in the warrant. Communication and collaboration on this has not been good. Mr. Pacino was also in attendance at the meeting, there were changes that needed to be made and we made them.

Mr. Stempeck added that he was also in attendance at that meeting; he thought they had a great dialogue. Mr. Stempeck commented that Board of Selectmen Chair Arena and Town Accountant Sharon Angstrom were present. Mr. Stempeck said that the RMLD would address their issue. The Board of Selectmen has the same policy in place. The thing that was troublesome to him at the September 2, Board of Selectmen meeting was the use of the word "investigation." That word was used twelve times in twelve minutes. An "investigation" to his ears sounds like there was wrongdoing which is far from the truth; we are all trying to do the right thing. Investigation implies reckless accusations that could negatively impact RMLD's credit rating which could ripple back to higher rates. It would greatly outweigh any paltry savings from surplus material. His key concern is we are all trying to do the right thing. The word "investigation" is an incorrect word. Mr. Stempeck quoted Selectmen Marsie West stating "the RMLD has too much autonomy." Mr. Stempeck said that as Commissioners we are extremely surprised by that because Ms. West sat with us a year ago on the Board. Chapter 164 states that the RMLD has autonomy for very specific reasons, as it is state mandated. It is not up to the Reading Board of Selectmen nor is it within their ability to do this. We have a lot of things we are trying to accomplish. Ms. O'Brien is working on all served communities Economic Development Committees to try to attract new businesses because of RMLD's low rates, which would increase tax revenues. We are a little surprised and upset about how this transpired and do not understand how this happened because we have been extremely cooperative.

Report of the Chairman (Attachment 1)

Town of Reading – Town Warrant Article 14

The Town of Reading Board of Selectmen have been invited to attend this meeting.

Mr. O'Rourke said that he has been on the commission for five months, his biggest concern going forward, the town and RMLD is fortunate to have a highly professional General Manager. He has been impressed in a short period of time as to what she has accomplished because of what she has done with revamping the organization, labor relations, employee development; focus on future development growth, environmental initiatives and a strong desire to grow the business where it can be grown, and to operate cost effectively. Mr. O'Rourke believes he is speaking on behalf of the commission members and cautions everyone that these general managers do not come around often. We have to be careful on how we manage this singular issue so it does not drive someone away from a great opportunity for all of us. Mr. O'Rourke stated that the key note is collaboration. We have expressed our disappointment, but we are committed to collaborate with the town to work together to make this an effective and efficient operation for RMLD for the benefit of Reading as well as the other communities we serve.

Mr. Merry said that he is glad to see they have moved forward and made some changes. Everyone is glad to see that. As far as what is going on behind the scenes he cannot answer for the selectmen. He has been a member of the Finance Committee for six months. He knows a little bit about the situation from the Town Manager and what he has read in the newspapers.

Chairman Talbot said that he is familiar with what the Finance Committee role is. Chairman Talbot clarified that the Finance Committee is an independent body. Mr. Merry agreed. Chairman Talbot commented that the Finance Committee has free reign to do what they want to do as a committee to investigate town finances including RMLD finances. The Finance Committee is independent is that correct? Mr. Merry replied, yes, according to the By Laws. Chairman Talbot commented that the Finance Committee already has the ability to come in and look at the RMLD's payroll, etc. Chairman Talbot clarified why the selectmen put a Town Meeting Warrant Article to tell you what to do if you are already supposed to be independent. Mr. Merry explained that the By Laws were amended and will be potentially amended which is part of that. Mr. Merry explained that there are two Warrant Articles. Chairman Talbot asked Mr. Pollart to clarify whether the Finance Committee is already independent and empowered to conduct investigations or look at records as they deem fit. Chairman Talbot asked Mr. Merry if there is anything they want from the RMLD at this point. Mr. Merry responded not at this point. Chairman Talbot asked if there is any reason by itself that the Finance Committee sees fit that they would like to look at the RMLD. Mr. Merry responded no that he is not aware of this. Chairman Talbot asked if there a sense that RMLD has not provided what Sharon Angstrom has asked for. Mr. Merry responded he is not aware of this. Chairman Talbot added that it helps to know that. Mr. Merry commented that he is the new liaison.

Chairman Talbot asked if the Finance Committee already has the ability to look at RMLD records. Mr. Pollart replied that because the RMLD is a public entity subject to public records laws the Finance Committee, Board of Selectmen, Conservation Commission and good natured citizens have the right to request copies of public records and review the records of the RMLD and report as they see fit. Chairman Talbot reiterated that if the Finance Committee already has the ability to look at RMLD records, what this Article does that they cannot already do. Mr. Pollart responded that it is not clear. Chairman Talbot said that it is important that Town Meeting should be informed that this Article already represents something the Finance Committee can do.

Mr. William Brown said that in the background material for the Town Warrant it states that the Finance Committee does not have any control over the RMLD because it is an advisory to Town Meeting only. Mr. Brown stated that he will not vote for this Article. He might vote for the amendments because they make some sense. From what he can read from Chapter 164, he does not think that the town has an ability to do that. Mr. Brown and Mr. Pacino went over the wording in the Charter changes.

Chairman Talbot said that he finds some of this mysterious. The RMLD had an issue and fixed it. We need to move on to the important things to do. Mr. Brown added that a lot has been fixed; perhaps a letter to the ratepayers may help because there are rumors that should be cleared up.

Mr. Pacino stated that if this goes forward, and the Department is going to incur a cost, it will be an expense. This will involve time, effort as well as paperwork that needs to be assembled and is very concerned about that. Mr. Pacino said that not everyone understands the finances of this entity. There are rates then everything comes off of that. The bottom line of this entity is zero. If we incur additional expenses we are going to have to raise the rates to the customers or take it out of the construction fund and potentially lessen the reliability of this Department. Those construction funds maintain the lines. Sixty percent of RMLD's load is outside of Reading. Mr. Pacino is unsure if anyone has gone to an industrial customer in Wilmington and asked them if this is a good idea, he doubts it. He does not want the cost passed on to the ratepayers and it is very unfair that they pay for this if they do not want it.

Report of the Chairman (Attachment 1)

Town of Reading – Town Warrant Article 14

The Town of Reading Board of Selectmen have been invited to attend this meeting.

Mr. Pacino said that when he makes a motion that any cost incurred will be deducted from the payment to the Town of Reading. This commission has the right to do anything it wants to relative to the payment to the town, the below the line payment. In the motion it will state that any costs incurred by the Department will be deducted from the payment to the town. Mr. Pacino does not want to lessen the reliability nor have customers pay for this. It is unfair for the customers to pay for this especially where sixty percent customers are outside of Reading.

Chairman Talbot said that since this occurred we had many inquiries from the town that necessitated us to go to legal and staff hours to pull this information together. Chairman Talbot asked how many hours does he estimate that they will bill based on questions raised vis-a-vis Article 14 and Selectmen inquires relative to RMLD trucks, as he wants to give the public a sense of the cost. Mr. Pollart answered he is not sure of the collective total costs, but could check and report the amount back. Chairman Talbot said that approximately five figures for a truck that is worth a few grand or a few hundred dollars resulted in legal fees of five figures and staff hours. There is a point where we have to move on. Mr. Stempeck said that it is time to move on. Chairman Talbot thanked Mr. Merry for his input.

Mr. O'Rourke said that when these issues come up, whether it is to the RMLD Board or the Finance Committee, it would be easier to work together to resolve problems. He is a Town Meeting member as well as Mr. Pacino and it is a process that works. Our job should be to solve problems not to be brought before Town Meeting to be resolved if they can be fixed otherwise.

Mr. Kelley said that he would be interested in the cost. It may have opened questions of what else, and it snowballed. Having an understanding of where the policy was and where it is going helps understand that people are watching it.

Mr. Pacino made a motion seconded by Mr. O'Rourke that should Town Meeting under Article 14 vote to instruct the Finance Committee to investigate the RMLD that any costs incurred by the Reading Municipal Light Department in relation to this investigation are to be deducted from the payment to the Town of Reading in the current year.

Motion carried 4:0:0.

Mr. Pacino asked Mr. Merry to carry the message back to the town; Mr. Pacino wants the town to know what the stakes are up front. Mr. Merry replied that he will do that.

Policy Committee - RMLD Policy 2, Revision 4 Surplus Material – Vice Chair Pacino

Mr. Pacino reported that the Policy Committee met at 6:30 pm this evening to review the revised Surplus Material policy. The Policy Committee reviewed the changes to the policy and approved it with one additional change. The only other change made in the last line of the policy was changed from "The General Manager shall make such reports as required by the RMLD Board of Commissioners" to "The General Manager shall make such reports monthly to the RMLD Board of Commissioners."

Mr. Stempeck added that some of the changes to the latest revision of the policy that at the higher level independent agencies will perform the valuation of the surplus and use such sites as eBay or whichever is appropriate. The surplus will be offered to the towns, but will not be free. Employees, Board members or their families or family members will not be allowed to bid on surplus. Chairman Talbot stated that the policy will now include better marketing on surplus material to garner pricing and prohibiting employees from bidding. Chairman Talbot said that the policy also went through legal review. Mr. Pacino stated that anyone who made a comment relative to the policy, their comments were incorporated into the final policy. Mr. Stempeck said that there will be an independent value assessment performed on the trucks as opposed to conjecture, rumors and inflated value estimates on rusty old trucks. Mr. Pacino commented that the trucks should be looked at before they are valued. Mr. O'Rourke said that there is categorization of the surplus in the policy now by scrap and valued at certain level of dollars which provides for additional guidance and oversight.

Mr. Stempeck made a motion seconded by Mr. O'Rourke that based on the recommendation of the RMLD Board of Commissioners Policy Committee that the RMLD Board of Commissioners approve RMLD Surplus Material, Policy 2, Revision 4 be adopted with the change in IX. To read "The General Manager shall make such reports monthly to the RMLD Board of Commissioners."

Motion carried 4:0:0.

Chairman Talbot said that he received an e-mail from John Arena suggesting that we should harmonize our disposal policy with the town. If there is a way to improve this we are open to this. Mr. O'Rourke commented that based on the circumstances there is a high degree of urgency in order to approve this current policy in order that the RMLD can operate.

Report of the Chairman (Attachment 1)

Policy Committee - RMLD Policy 2, Revision 4 Surplus Material – Vice Chair Pacino

Chairman Talbot said that administratively for the past several months, the disposal of surplus material has been frozen, but there are transformers that have toxic materials that need to be disposed of.

Town of Reading – Charter Review – Vice Chair Pacino

An update will be provided on the status of where the Charter Review Committee is in the process.

Mr. Pacino said that there are discussions relative to further changes to the RMLD's section of the Charter. Mr. Pacino reported that Rubin and Rudman's legal opinion on the Charter has been shared with the Charter Review Committee. There is concern on the committee that the existing Charter as written conflicts with Chapter 164 as found in Rubin and Rudman's opinion. Mr. Pacino referred to the rewrite July 29, 2014 presented by Bill Brown who is a member of this committee. Basically, he asks the committee if it would be appropriate to present this to the RMLD Board to get their comments. There is also a September 10, 2014 update presented by Bill Brown as well. There is some sentiment in the Charter Committee which can be contentious the provisions in the Charter are not appropriate particularly the adoption of 30B. If you adopt 30B, the purchase of power will be negatively impacted because the bidding can only be available for an hour time frame. Mr. Pacino pointed out that the rewrite provided by Mr. Brown dated July 29, 2014 is to bring the language more in alignment with Chapter 164. Mr. Pacino said that the Charter revisions will be presented at a January 2015 Town Meeting. Mr. Pacino is seeking the Board's input.

Mr. Stempeck said that the rewrite of July 29, 2014 is excellent and this is consistent of what we have under Chapter 164. That is what we should be doing because it aligns with state law. Mr. Pacino said that he likes the July 29, 2014 rewrite. Giving reports is very important, to meet with the Finance Committee and reporting to Town Meeting November is something we should do. Just request us to speak and we will. It has been that case in the twenty eight years he has served on the commission.

Chairman Talbot asked if Ms. O'Brien would be comfortable with the rewrite of July 29 since she had to leave unexpectedly and he wants to confirm this. Mr. Pacino explained that under the present Charter, the commission appoints the Accountant. Under the Charter the Department has to use the town's auditor. These two items conflict with Chapter 164. The July 29 revision reflects that these two items be omitted (the appointment of the Accountant and use of town's auditor). Mr. Pollart stated that he did not have substantive comments on the July 29, 2014 rewrite, as the language artfully addresses items identified in his memorandum. Chairman Talbot said that it is the sense of the Board this is the language as well as Ms. O'Brien, Mr. Jaffari agreed. Mr. Pollart said that he had the following changes: the Department of Public Utilities should be added to replace the Department of Telecommunications and Energy and that as a legal point the third paragraph under Chapter 164 Section 56, the manager has the right to approve power contracts, historically that has not been done in the past, it has been brought forward to the Board for its approval and vote. Chairman Talbot clarified that the current language reads that the Commissioners approve all the current contracts; do we do that all the time? Ms. Parenteau responded that historically the Department brought the power contracts to the Board for their approval. Chairman Talbot asked if there were a contract with a two o'clock timeline would be bring it to the Department for approval. Ms. Parenteau responded that the Board would have this preapproved that with a vote from the commission to authorize the General Manager to finalize, authorize and sign.

Mr. O'Rourke commented that if you wanted flexibility in terms of the warrant and contracts could we say, "have the right or the ability to" in terms of power contracts to provide the flexibility on the contracts if we want to, depending on circumstances. Ms. Parenteau responded that what Mr. Pollart is saying is that Chapter 164 gives the General Manager that authority. The previous General Manager would bring power contracts to the Board for approval and this has developed into past practice. Mr. O'Rourke added that if the language stated that "may approve." Mr. Pacino said that on 3.5 on the original "the Municipal Light Board shall hire the General Manager of the municipal light department and set his duties and terms, replace the paragraph with the warrant and power supply language. Mr. Pacino said that he is unsure if we have to get into "approval of contracts" because that is covered by Chapter 164. Mr. Pacino said to remove the paragraph that reads, "the Municipal Light Board of Commissioners shall hire the general manager and approve warrants for payments of all bills, including payroll and approve all power contracts of the Municipal Light Department." that paragraph should be removed. In its place should state "The Municipal Light Board of Commissioners shall hire the General Manager of the Municipal Light Department and set his duties and terms of employment." Mr. Pacino said that the signing of the warrant and the approval of the power contracts is covered under Chapter 164. Mr. O'Rourke stated that under the current management could we have it state "her/his". Mr. Pacino explained that under the Charter his means her and there was a lot of debate on this.

Chairman Talbot asked if the paragraph removal was acceptable. Mr. Pollart replied that Mr. Pacino's solution is the cleanest solution. Chairman Talbot clarified that this would be acceptable to Ms. O'Brien. Mr. Jaffari replied yes. Mr. Pollart said that he is virtually certain and is comfortable speaking for her. Mr. O'Rourke said that setting the duties and responsibilities is something the Board should do.

Report of the Chairman (Attachment 1)

Town of Reading – Charter Review – Vice Chair Pacino

An update will be provided on the status of where the Charter Review Committee is in the process.

Chairman Talbot asked what happens if Chapter 164 is changed. Mr. Brown responded that he believes that any change to the state law is addressed in the Charter. Mr. Pacino added it would take quite a change. Mr. O'Rourke thanked Mr. Brown for all his efforts on the Charter review.

Mr. Stempeck made a motion seconded by Mr. O'Rourke that the RMLD Board of Commissioners to recommend the following language changes to the Town of Reading Charter Committee:

3-5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Municipal Light Board of Commissioners shall have all the powers and duties given to cities and towns in respect to municipal lighting plants under MGL Chapter 164 and any other MGL, or special acts pertaining thereto.

The Municipal Light Board of Commissioners shall hire the General Manager of the Municipal Light Department and set his duties and terms of employment.

In accordance with Chapter 164 section 56 the General Manager shall provide that the financial condition (see page 10 February 28, 2003) of the RMLD to the Municipal Light Board of Commissioners, the Town of Reading Board of Selectmen and Department of Public Utilities. The General Manager shall provide a copy of the report to the Town of Reading Finance Committee and the Town of Reading Town Meeting for informational purpose only (see page 4). Upon request the General Manager may provide the report to any other elected or appointed committee of the other Towns serviced by the RMLD.

Motion carried 4:0:0.

General Manager's Report – Ms. O'Brien - General Manager – Presented by Mr. Jaffari

Update on RMLD's Organizational/Reliability Studies

Mr. Jaffari reported on RMLD's Organizational/Reliability Studies on behalf of Ms. O'Brien. Mr. Jaffari stated that this would be a status report and the Board will be voting on the studies at the RMLD Board meeting on October 2.

Mr. Jaffari provided the following update on RMLD's Organizational/Reliability Studies:

RMLD's mission is to provide excellent customer service including competitively priced electricity (still amongst the lowest in the state) as a result of diligence in the areas of power supply risk management, system reliability and flexibility and overall business efficiency. Strategic markers were identified and included in the Request for Proposal for the said studies; some of the key scope targets:

- Develop a 20 year Long Term System and Reliability Plan to include a roadmap which identifies and prioritizes system upgrades, time lines and cost estimates.
- Develop a long term Organizational Study that integrates RMLD Division qualified staffing levels and skill sets to maximize the efficiency of the utility to meet present and future trends of the electric industry.
- Develop and maintain a fully accurate, functional and operational GIS system that can assist in modeling, outage management, projecting load growth and sufficient substation capacity for maximizing system reliability and flexibility.
- Seek opportunities for growth in business revenue, including generation development and/or ownership, expansion of fiber loop networking, etc.
- Enhance customer information systems to enable customer response for a mutual benefit of load management and associated cost savings.
- Maximize system reliability through predictive and preventative maintenance.
- Support facilitation of economic development and proactively implement marketing strategies to keep rates stable.

The Organizational Study would identify key trends and benchmarks over a 20 year horizon for what RMLD should be delivering to its customers. Recommendations on organizational structure, work processes, staffing levels, salary ranges, career development and Succession Plan, Performance appraisal system and physical space. The resource plan will include staffing requirements, budget, any outside resources, criteria for success, detailed work plan and any policies and challenges uncovered.

General Manager's Report – Ms. O'Brien - General Manager – Presented by Mr. Jaffari
Update on RMLD's Organizational/Reliability Studies

The Reliability Plan addresses all issues as they relate to the system reliability, system loss reduction, adequate substation capacity/feeder, system revenue opportunities including fiber loop assessment, safety and performance optimization. It includes an assessment of the overall system, physical plant, facilities and engineering, etc. Future trends of the electric industry are key when undertaking the study. Identification, prioritization and general cost estimates over a 20 year period focusing on improved reliability, quality and service. The study will consider and address anticipated policy and challenges/barriers that may be encountered.

The Request for Proposal (RFP) was written to have either one professional firm provide both studies and two firms performing one each with integration. An evaluation team was formed to evaluate the proposals based on the firm's qualifications including years of experience, staffing, demonstrated studies with proven efficiency improvements, communication and scheduling commitments, ability to meet scope, and interviews. The result of the evaluation showed two firms highly advantageous; one to perform the Organizational Study and one to perform the Reliability Study.

A memo for recommendation to award the Organizational Study to Leidos, LLC and the Reliability Study to Booth and Associates has been provided to the Board. A vote to accept the contracts will be on the October 2, 2014 agenda. A kick off meeting from the firms to the Board prior to work commencing will be scheduled for the November Board meeting.

Chairman Talbot said that for the future of the RMLD extremely important matters need to be discussed. What the RMLD can be doing in the future is to obtain the Finance Committee's assistance. The whole model of a distribution grid is under extreme pressure with new technologies and efficiencies that produce declining sales, customers putting in their own generation, photovoltaics and other technologies. There are many things coming in the pipeline in the next decade to twenty years. The timeline for the study is twenty years. Chairman Talbot said that he wants to know in 2034 it may be a completely different company because we will not be making it by solely buying electricity from somewhere else and selling it. Transmission costs are going up. We need to return to our roots and generate electricity. Photovoltaics are a way to do this and the RMLD perhaps could be doing this. One of the roles of the study is how we are going to achieve some innovative and newer ideas, thinking outside the box for the long term operation of the RMLD.

Mr. Stempeck said that the real issue is that the RMLD contributes a lot of money to the outside communities as well as to the Town of Reading. The demand for electricity has lowered based on efficiencies and other factors, we need to find a mechanism to substitute in order to keep the revenue flowing. Solicitations for solar panels are currently being sent to homeowners for free with the electricity for free as well which does not help the RMLD. Chairman Talbot said that it is good for society, but bad for RMLD's business model. Chairman Talbot said that currently the RMLD does not have control over the system peak, money is lost, and intelligence needs to be put into the grid. Chairman Talbot said Ms. O'Brien and Mr. Jaffari are great engineers. Chairman Talbot added that the RMLD has a thirty mile fiber optic loop running through the four towns which could provide revenue which could be targeted for schools and businesses for data.

Mr. Merry pointed out that there was a Financial Forum last week and a few coming up in the future. If he would like to, Chairman Talbot could attend these forums to share those ideas. Chairman Talbot added that if the consultants can speak to the Finance Committee how these ideas could integrate. Mr. Pacino added that these ideas would be shared with all the towns RMLD serves. Chairman Talbot was in agreement. Chairman Talbot said that it is worth exploring how the towns get its data.

Mr. Jaffari pointed out that he has been an integral part of many of these studies. The study will bear out cost savings measures, and provide a roadmap for the utility to save customers money. To have a roadmap will eliminate redundancies and unnecessary expenditures; it will bring the focus on areas that are required. It will be great for all four communities. He is looking forward to this and working with the consultants. The electrical industry is changing and moving toward demand side management, distributive management, and energy efficiency programs. The price of gas is going up, as the cost of electricity nationwide, the only way to save is focusing on efficiency measures. Mr. O'Rourke said that this is good because it is reinventing the business model.

On another matter, Chairman Talbot asked Mr. Jaffari on the transformer upgrades. Chairman Talbot said that the RMLD has somewhat old inefficient transformers throughout the system and many have been able to remain beyond their service life. They are less efficient than new transformers and when they fail sometimes oil leaks out.

Chairman Talbot asked Mr. Jaffari to provide the costs of the oil spill related expenses. Mr. Jaffari stated that the RMLD has spent \$45,000 and anticipates that the cost to reach \$100,000 to \$150,000 for cleanup. Mr. Jaffari said that a transformer inspection program has been implemented. For the padmount transformers and overhead transformers which RMLD has approximately 3,300 system wide and approximately 30% or 1,000 need to be changed out. Chairman Talbot added these should have been changed out a long time ago. Mr. Jaffari agreed and these are being corrected and now have seven proactive plans in place. One is transformer inspection and replacement. Within the past six months twenty two have been replaced. All will be replaced eventually.

General Manager's Report – Ms. O'Brien - General Manager – Presented by Mr. Jaffari
Update on RMLD's Organizational/Reliability Studies

Chairman Talbot commented that in the past, lack of maintenance has caused transformers to fail, representing a \$100,000 expenditure. Newer transformers are five percent more efficient. That is five percent less electricity the RMLD has to purchase. Chairman Talbot said these types of changes are occurring within the organization with the new management.

Public Comment

Mr. Pacino said that he is unsure if we will see Mr. Soli again. Mr. Pacino stated that he would like to thank him for his service. Mr. Pacino said that Mr. Soli and he had their differences of opinion many times, but Mr. Soli was always his own man and informed. Mr. Pacino commented that Mr. Soli brought good things to the Board. The commission members thanked Mr. Soli for his service.

Mr. O'Rourke added that the little time he spent with Mr. Soli he always had the ratepayers' interest. Chairman Talbot added that he advocated the senior citizens and customer who had modest means.

On another matter, Mr. Brown pointed out that the airport in Hyannis one side of it is lined with solar panels. Mr. Brown confirmed with Mr. Pacino that he will be providing the Board's change for the Charter Committee. Mr. Pacino agreed to do so.

General Discussion

There was none.

RMLD Board Meetings

Thursday, October 2, 2014

Thursday, November 13, 2014

Executive Session

At 8:37 pm Mr. Stempeck made a motion seconded by Mr. O'Rourke that the Board go into Executive Session to discuss mediation at union negotiations update, to discuss the deployment of security devices or strategies with respect thereto; and return to Regular Session for the sole purpose of adjournment.

Chairman Talbot called for a poll of the vote:

Mr. Pacino, Aye; Chairman Talbot, Aye; Mr. Stempeck, Aye; and Mr. O'Rourke, Aye.

Motion carried 4:0:0.

Adjournment

At 9:15 pm Mr. Stempeck made a motion seconded by Mr. O'Rourke to adjourn the Regular Session.

Motion carried 4:0:0.

A true copy of the RMLD Board of Commissioners minutes
as approved by a majority of the Commission.

John Stempeck, Secretary Pro Tem
RMLD Board of Commissioners

4.13.7.1 Notwithstanding the provisions of the Zoning Bylaw generally applicable to Special Permits, a Special Permit for a Registered Medical Marijuana Dispensary shall lapse if not exercised within one year of its issuance.

4.13.7.2 The owner of a Registered Medical Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 14 To see if the Town will vote to authorize and request the Finance Committee, pursuant to section 3.3.2.3 of the General Bylaws, to investigate at once the books, accounts, records and management of the Reading Municipal Light Department; to employ such expert and other assistance as it may deem advisable for that purpose; to make a report on its investigation setting forth its findings and recommendations, and to transmit such report to the Town Meeting prior to November 10, 2014;

Or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see if the Town will vote to amend Section 3.3.2 (Finance Committee) of the Town of Reading Bylaws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language):

3.3.2 Finance Committee

3.3.2.3 Investigation

The Finance Committee, or its duly authorized agents, ~~shall have authority~~ at any time **may**, and **promptly** upon the petition of one hundred (100) inhabitants of the Town or a vote of Town Meeting, ~~to shall~~ investigate ~~at once~~ the books, accounts, records ~~and~~ or management of any **Town Board, Committee, Commission or Department.** ~~official body;~~ **The Finance Committee may call upon the assistance of any Town official, or employee** and **may** ~~to~~ employ such expert ~~and~~ or other assistance as it may deem advisable for that purpose. ~~;~~ ~~and~~ The books, records and accounts of any **Town Board, Committee, Commission or Department** ~~department and office of the Town~~ shall be open to the inspection of the **Finance Committee, its agents, assistants or employees upon request** ~~and any person employed by it for that purpose.~~ The Committee shall have no power to incur any expenses payable by the Town without authority for such expenses having first been obtained from the **Finance Committee Appointment Committee Moderator**, and such expenses shall be paid from the Finance Committee Reserve Fund.

The Finance Committee shall make a report on every **such** investigation, setting forth its findings and recommendations, and shall transmit **each** such report~~(s)~~ to Town Meeting **and to the Board of Selectmen.**

or to take any other action with respect thereto.

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**RMLD Policy No. 2
SURPLUS MATERIAL**

Revision No. 4

Commission Vote Date _____

General Manager/Date: _____

Next Review Date _____

I. PURPOSE

The purpose of this Policy No. 2 SURPLUS MATERIAL is to provide administrative controls and procedures for use by the RMLD in disposing of surplus property to maximize the value of the disposal of such surplus property to RMLD and its ratepayers. This policy does not apply to the disposal of real estate.

II. DETERMINATION OF SURPLUS PROPERTY

Surplus property is personal property in the custody and control of RMLD which is either:

- (a) In excess of RMLD's needs due to changes in operations or personnel or other changes in circumstances;
- (b) Replaced by new or substitute property;
- (c) Damaged and non-repairable or uneconomic due to costs of repairs;
- (d) In poor or hazardous condition; or
- (e) Obsolete and no longer suits RMLD's needs.

Each RMLD Department shall identify property that it deems to be surplus. The General Manager or his/her designee shall make the determination whether any such property constitutes surplus to RMLD's needs and shall be designated for disposal. Such determination shall be made in writing identifying the reasons for declaring the property surplus.

III. ASSIGNING VALUE

Upon declaring property as surplus, the estimated value of the property shall be determined. RMLD will determine the fair market value ("FMV") of such property based on a minimum of two (2) relevant and comparable industry sources. To the extent two suitable sources are not available due to the unique nature of the item(s), RMLD will utilize the best available sources. For consumer motor vehicles, FMV shall be estimated based on Kelley Blue Book, Edmunds, NADA Guides or any other nationally recognized service that values vehicles similar to those being disposed. For other property, including commercial or service vehicles not listed in Kelley Blue Book, Edmunds, NADA Guides or a similar source, FMV shall be estimated based on quotes, trade-in offers, available sales data, appraisal or industry sources for similar property or vehicles, as may be adjusted for specific make and model, year, condition, and special equipment and features, and other factors deemed relevant. If FMV cannot reasonably be estimated for a particular property then RMLD will estimate the value of such property based on its salvage value. Salvage value is the estimated residual value of an asset at the end of its useful life or the proceeds from the disposal of the asset when it can no longer be used in a productive manner. Net salvage value takes into account the costs of disposal to more accurately reflect the residual value of a depreciable asset.

For property having no tangible resale or salvage value, the property shall be

designated as scrap.

The estimated value of the property, including the designation as scrap, and the sources consulted shall be documented and kept on file. The final determination of the property's estimated value shall be subject to review and approval by the General Manager or his/her designee.

IV. CATEGORIZATION OF SURPLUS PROPERTY

Once values are determined pursuant to Article III, property shall be categorized as follows:

- (1) Scrap – property having no tangible resale or salvage value;
- (2) Substantial Value – property having a FMV of \$10,000 or greater;
- (3) Moderate Value – property having a FMV in excess of \$500 but less than \$10,000; and
- (4) Nominal Value – property having a FMV of \$500 or less.

Scrap having a tangible or resale value shall be placed in the appropriate category based on the value of the property. If the surplus property will be sold separately as individual units, the property shall be categorized based on the value of each individual unit. For property to be sold as a set or collection, the property shall be categorized based on the estimated value of the set or collection. Items customarily sold as a set shall not be treated as individual units to evade or bypass applicable disposal procedures. However, RMLD, in its discretion may determine whether to dispose of property on an individual unit basis or as part of a set or collection in order to maximize revenue. In such instances, the reasons shall be documented and kept on file. The final decision whether to utilize a single solicitation or separate solicitations for multiple items shall be subject to the review and approval of the General Manager or his/her designee.

V. ELECTRIC UTILITY-SPECIFIC AND ELECTRIC UTILITY RATED COMMERCIAL VEHICLE PROPERTY

RMLD will identify any property that it considers to be electric utility-specific. Electric utility-specific property is property that typically only an electric utility or a company or person in the electric utility trade is likely to have an interest in acquiring. For electric utility-specific and electric utility rated commercial vehicle property of Substantial Value, RMLD will determine whether an established market exists for purposes of disposal. An "established market" is one in which commodities are regularly sold in wholesale lots and prices are set by open competition as interpreted or as otherwise defined by the Massachusetts Inspector General or agency of the Commonwealth or a court having jurisdiction over the disposal of property by federal, state, and local governmental entities. A list of trade journals and other trade publications, online advertising sources and other industry or market resources for the advertisement and sale of electric utility-specific, including electric utility rated commercial vehicles, regardless of value shall be identified and documented. This list shall be reviewed every six (6) months and updated as necessary.

VI. DISPOSAL PROCEDURES.

- A. Scrap. Scrap having no tangible resale or salvage value may be destroyed, recycled, or disposed of via an approved scrap bid or other method as determined by RMLD in its discretion based on the particular circumstances and costs of disposal. RMLD will endeavor to minimize the cost of disposal of scrap to the extent

reasonably possible.

- B. Right of First Refusal. RMLD will offer surplus property including utility rated commercial vehicles, but with the exception of scrap having no tangible resale or salvage value and electric utility-specific property, to the Towns of Reading, North Reading, Wilmington, and Lynnfield (collectively "Towns") at FMV before offering the property to the general public.

Vehicles. Vehicles will be offered to the Towns at FMV on a rotational basis. The rotational sequence is Reading, North Reading, Wilmington, and Lynnfield. RMLD will notify the Towns in writing. The Towns will have 30 days from the date of RMLD's notice to submit a notice of intent to purchase the property before RMLD offers the property to the general public. Notice of intent to purchase shall be made in writing and signed by an officer with authority to approve the purchase. If more than one town provides RMLD with a notice of intent to purchase the property at the same time, preference will be given based on the rotational sequence. If no town has provided RMLD with a written notice of intent within the 30-day period, RMLD may proceed to offer the property to the general public pursuant to applicable procedures.

Other Property. RMLD will offer other surplus property to the Towns at FMV on a first come, first served basis. RMLD will notify the Towns in writing. The Towns will have 30 days from the date of RMLD's notice to submit a notice of intent to purchase the property before RMLD offers the property to the general public. Notice of intent to purchase shall be made in writing and signed by an officer with authority to approve the purchase. If more than one town provides RMLD with a notice of intent to purchase the property at the same time, preference will be given based on the rotational sequence. If no town has provided RMLD with a written notice of intent within the 30-day period, RMLD may proceed to offer the property to the general public pursuant to applicable procedures.

- C. Substantial Value. Property determined to have Substantial Value only shall be disposed of in compliance with G.L. c. 30B requirements and such supplemental requirements and procedures set forth in this policy and/or as determined by the General Manager in his/her discretion. The General Manager shall have authority to impose additional requirements if he/she determines that it is in the best interests of RMLD to do so.

Where an established market exists for the property, RMLD may dispose of the property through the established market or by trade-in if RMLD determines that it is advantageous to do so. The reasons shall be documented and the decision shall be subject to the approval of the General Manager or his/her designee.

For all other property, a competitive solicitation process shall be used. RMLD shall evaluate whether a written competitive bid process or auction, including an online auction (i.e., EBay or similar web-based listing), presents the most advantageous approach given the property to be sold. The process, including all notices, shall conform to G.L. c. 30B requirements.

RMLD shall consider whether to impose a minimum bid reserve price or other terms and conditions of the sale. At a minimum, RMLD shall reserve the right to reject any and all bids if it is in RMLD's best interest to do so.

In addition to complying with G.L. c. 30B notice requirements, RMLD shall post a notice on its website for 30 days and advertise the solicitation in appropriate print and online sources intended to reach potentially interested buyers. Electric utility

rated commercial vehicles and electric utility-specific equipment shall be advertised in at least two sources identified on the list as set forth in Article V.

RMLD shall award the bid to the highest bidder who meets the requirements of the solicitation, unless RMLD determines that it is in its best interest to reject the bids. If RMLD rejects the bids, RMLD may solicit new bids or negotiate the sale at a higher price than the highest bid price as permitted by G.L. c. 30B.

All bidders, including participants in an auction, shall submit a non-collusion certificate as required by G.L. c. 30B.

The sources of advertising, the specific method of disposal, and the award process, shall be documented and subject to the approval of the General Manager or his/her designee.

- D. Moderate Value. Property of Moderate Value shall be sold through the best available means in order to obtain the highest price for RMLD. In determining the specific disposal and advertising methods to be used, the costs of disposal shall be weighed against the expected yield to RMLD. Among other options, as determined by RMLD under the circumstances, disposals may be made through a competitive bid or auction process to the highest bidder as provided in Article VI.C or sold for FMV or "best offer" after advertisement. When offering to sell surplus property to the general public, to the extent practical, RMLD shall advertise the sale in the local newspaper, on its website for 30 days and in appropriate print and online sources intended to reach potentially interested buyers. Commercial and electric utility-specific vehicles and equipment should be advertised in at least two sources identified on the list as set forth in Article V. RMLD also may negotiate the sale of the property or dispose of the property through less formal means after receiving three quotations or as RMLD deems appropriate under the circumstances. If RMLD solicits quotations, RMLD shall not be required to sell the property to the person providing the highest quotation, but the highest quotation shall be used as the benchmark for negotiating and approving the sale.

The purchaser of property having Moderate Value shall be required to sign and submit a non-collusion certificate.

The reasons and sources for the method of disposal and the award process shall be documented and subject to the approval of the General Manager or his/her designee.

- E. Nominal Value. Property of Nominal Value may be disposed of using sound business practices. The process and sale shall be documented and kept on file.

VII. ADDITIONAL TERMS AND REQUIREMENTS.

- A. All property shall be sold or disposed of "as is" without any warranties of any kind.
- B. The purchaser shall release RMLD, in writing, from all liabilities concerning the property. The Purchaser must provide for removal, transportation, storage, etc. at no cost to the RMLD.
- C. The purchaser shall have the responsibility to provide for the removal, storage and transportation of the property at its sole expense. The purchaser shall remove the property at a time and location designated by RMLD.

VIII. PROHIBITION ON SALES TO EMPLOYEES, BOARD OF COMISSIONER MEMBERS AND BOTH OF THEIR IMMEDIATE FAMILIES.

Consistent with G.L. c. 268A, § 20, RMLD employees and RMLD Board of Commissioner members and both of their immediate families shall not be eligible to purchase or otherwise receive RMLD surplus property regardless of price or method of disposal used. This prohibition also applies to competitive solicitation processes.

IX. ADMINISTRATIVE REVIEW AND REPORTING.

All disposals other than scrap material shall require the administrative review of the General Manager. The General Manager may require any additional reviews and approvals as the General Manager deems necessary, in his or her discretion. The General Manager shall make such reports as required by the RMLD Board of Commissioners.

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3-5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) years terms so arranged that as near equal number of terms as possible shall expire each year .

The Board of Commissioners and the General Manager shall all the powers and duties given to cities and towns in respect to municipal lighting plants under Massachusetts General Law Chapter 164 and any other special acts pertaining thereto.

Ph. 1

Run this by your group I feel
that it covers everything that is
needed

Bill Brown

9/10/14

Rewrite Rewrite 7/29/14

Despite our own opinions it is clear to me that the State Legislature in establishing Chapter 164 (Municipal Light Departments) and the various court rulings they did so for the benefit of the rate payers and to prevent any influence from any city council or town meeting or Charters to have any control of the operation of said departments including the Town of Reading Accountant .(the employment of attorneys and agents and servants see page 2) .

3-5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year .

The Municipal Light Board of Commissioners shall have all the powers and duties given to cities and towns in respect to municipal lighting plants under MGL Chapter 164 and any other MGL ,or special acts pertaining thereto .

The Municipal Light Board of Commissioners shall hire the General Manager and approve warrants for payments of all bills , including payroll and approve all power contracts of the Municipal Light Department .

In accordance with Chapter 164 section 56 the General Manager shall provide that the financial condition (see page 10 February 28, 2003) of the RMLD to the Municipal Light Board of Commissioners the Town of Reading Board of Selectmen and Department of Telecommunications and Energy The General Manager shall provide a copy of the report to the Town of Reading Finance and the Town of Reading Town Meeting for informational purpose only (see page 4) Upon request the General Manager may provide the report to any other elected or appointed committee of the other Towns serviced by the RMLD .. .

Bill Brown Rewrite 7/ 29 / 14

The School Committee shall have all of the powers and duties School Committees are given under the Constitution and General Laws of the Commonwealth of Massachusetts and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by other Town Meeting vote. The powers of the School Committee shall include, but need not be limited to, the following:

- (a) The School Committee shall appoint a Superintendent of Schools and shall fix his compensation, define his duties and terms of employment. ~~make rules concerning his tenure of office and may and may discharge him.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- (b) The School Committee shall make all reasonable rules and regulations, consistent with law, for the administration and management of the public schools of the Town.

3-4 Board of Library Trustees

There shall be a Board of Library Trustees consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Library Trustees shall have control over the selection of Library materials, and shall have custody and management of the Library and of all property of the Town related thereto, except that the Town Manager or his designee shall have responsibility for the maintenance of the Library building and grounds.

All money or property that the Town may receive on behalf of the Library by gift or bequest shall be administered by the Board of Library Trustees in accordance with the provisions of such gift or bequest.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The Board of Library Trustees shall have all of the powers and duties given to Board of Library Trustees under the Constitution and Massachusetts General Laws of the Commonwealth, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by other Town Meeting vote.

3-5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

~~The Municipal Light Board of Commissioners shall have charge of all the real estate, facilities, personnel and equipment of the Town pertaining to the production and transmission of electrical power, both within the Town and elsewhere.~~

The Municipal Light Board of Commissioners shall have all the powers and duties given to cities and towns in respect to municipal lighting plants under Massachusetts General Laws Chapter 164 Section 34 et seq. and other general and special acts pertaining thereto, together with such further powers and duties assigned to them by the Charter, by Bylaw, or by other Town of Reading Town Meeting vote.

The Municipal Light Board of Commissioners shall hire the General Manager of the Reading Municipal Light Department and set his duties and terms of employment. ~~his compensation; the General Manager shall serve at the pleasure of the Board and may be removed by vote of a majority of the entire Board after notice and public hearing.~~

The Municipal Light Board of Commissioners shall appoint the Accounting Manager or Chief Accountant of the Reading Municipal Light Department and appoint counsel to the Reading Municipal Light Department.

The Accounting Manager or Chief Accountant, as the case may be, and Counsel shall be subject to the supervision of the General Manager.

The Municipal Light Board of Commissioners shall approve warrants for payments of all bills and payroll of the Municipal Light Department and shall approve all contracts which are at or above the competitive sealed bid procedures level as stated in Massachusetts General Laws Chapter 30B Section 5 and, further, all contracts shall be made in accordance with Massachusetts General Laws Chapter 30B. Contracts for purchasing of power shall not be subject to Massachusetts General Laws Chapter 30B but shall be approved by the Municipal Light Board of Commissioners.

The Municipal Light Board of Commissioners shall employ the Auditor appointed by the Town of Reading Audit Committee.

The Municipal Light Board of Commissioners shall annually set electric rates and approve an annual operating budget and Capital Improvements Program each fiscal year. Such approval will be done by a majority vote of the Municipal Light Board of Commissioners. After the Municipal Light Board of Commissioners has approved an annual operating budget and Capital Improvements Program, it will present them to the Town of Reading Finance Committee and Town of Reading Town Meeting. Upon request of any of the other towns served by the Reading Municipal Light Department, the Municipal Light Board of Commissioners shall make a presentation to the Finance Committee and/or Town Meeting of any such town(s).

[Amended April 28, 2003 - Article 7]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

3-6 Board of Assessors

There shall be a Board of Assessors consisting of three (3) members elected for three (3) year terms so arranged that one (1) term shall expire each year.

~~The Board of Assessors may appoint property appraisers and shall have all the powers and duties given to Boards of Assessors by the General Laws of the Commonwealth not inconsistent with this Charter.~~

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

The Board of Assessors may appoint property appraisers and shall have all of the powers and duties given to Boards of Assessors under the Massachusetts General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by Town Meeting vote.

3-7 Moderator

There shall be a Moderator elected for a one (1) year term. The Moderator, as provided in Article 2 Section 2-8, shall be an ex officio representative Town Meeting Member and shall preside and regulate the proceedings at all sessions of the Town Meeting. The Moderator He shall have all of the powers and duties given to Moderators under the Constitution and Massachusetts General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by other Town Meeting vote. The Town Moderator shall not simultaneously serve as an elected Town Meeting Member or in any other elected municipal office in the Town.