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Please respond to the Winchester office

July 12, 2001

Peter Hechenbleikner, Town Manager
Town of Reading
16 Lowell Street
Reading, MA. 01867

RE: Meeting Minutes of School Building Committee

Dear Mr. Hechenbleikner:

You have requested advise concerning public access to meeting minutes of the School Building Committee ("SBC") and whether it is appropriate that the members of the Committee have no set term.

It is my understanding that the School Building Committee has refused to file minutes of their meetings with the Town Clerk. I am assuming, however, that the SBC does file its minutes at the library.

Pursuant to the Town of Reading Charter, specifically Section 8-7(f) the SBC qualifies as a "Multiple-Member Body". Section 8-10 applies to all multiple-member bodies, "whether elected, appointed or otherwise constituted." Therefore, the SBC does not have "special status" which would exempt it from the provisions of the Town's Charter, specifically the provision of Section 8-10.

Section 8-10(b) of the Charter provides only that such bodies keep rules and minutes in a "place convenient to the public". It does not provide that such minutes be filed with the Town Clerk. The term "place convenient to the public" is not defined in the charter and thus is open to interpretation. I am curious to know where the SBC is currently filing their minutes and whether such place is "convenient to the public".

2001 JUL 16 AM 11:26
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TOWN CLERK
READING, MASS.

Town of Reading, MA Fax:781-942-9070

Mar 8 '02 16:17 P.03/03

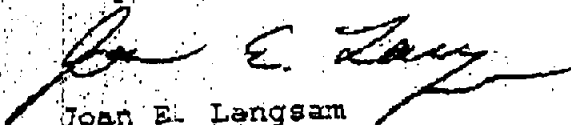
The open meeting law, M.G.L. c.39, §23B does not require that minutes be filed with the Town Clerk only that the minutes be made available to the public. M.G.L. c. 40, §33 requires that only rules and regulations of committees be filed with the Town Clerk.

As there is no explicit requirement to file minutes with the Town Clerk, I would advise that a simple charter amendment be drafted that would require all multiple member bodies, however constituted, to file minutes with the Town Clerk.

I have reviewed the Town Meeting vote establishing the SBC. My opinion, based on statutory construction, would interpret such language to mean that the Committee is constituted for as long as it takes to fulfill the purpose for which it was organized. I would strongly suggest that term limits be set at the next town meeting, for the members of the committee.

I hope I have addressed your concerns relating to these issue.

Very truly yours,



Joan E. Lengsam

JEL/
Enclosures