

Report of the Town Manager

July 14, 2014

1. Personnel Updates-

None.

2. Financial Updates-

- a. School Retirees Health Care Costs- As a part of the FY15 state budget that was just signed by Governor Patrick on last Thursday the following is now law re: school employee retirees health insurance costs as relates to net school spending.

GOVERNOR APPROVES NET SCHOOL SPENDING EQUITY PROVISIONS

The Governor signed section 260 of the fiscal 2015 budget to establish equity in calculating net school spending under Chapter 70 by allowing, at local option, all communities to count health insurance costs for retired school employees in fiscal years 2016 and beyond, phased in over 4 years, and allowing DESE to waive penalties in the meantime. This important MMA-supported provision is needed because the current rule excludes these costs from net school spending in some districts, but allows the costs to count in others. Communities that have been prohibited from counting retiree health costs in net school spending have been forced to reduce spending municipal services or raise property taxes to make up the difference.

As you are no doubt aware, we are one of the towns that have been prohibited from counting these costs as a part of our net school spending calculation for the past 21 years.

As you may not recall, in the annual town meeting of 2008, the Selectboard and Finance Committee voted to unanimously recommend an article I drafted to do just this thing and the Town Meeting overwhelmingly supported the article.

The legislature, however, just sat on the matter until it could be addressed statewide. This FY15 budget provision reflects that very specific statewide change.

So, where are we in this matter? The Selectboard, Finance Committee and the Town Meeting voted to approve of such an allowance to count the retirees health costs as a part of net school spending and now it has come to pass---with one step yet to take place between where we are now and the realization of this Selectboard, Finance Committee and the Town Meeting expressed wish---that is a vote of the elected School Committee.

Now that the law has passed and the town's expressed wish can be realized, I will be addressing this matter with the School Committee and I respectfully ask that you join me in doing so.

Action Requested- Would you wish to join me in this discussion?

3. Project Updates-

- a. **Police Station Site Plan-** I am enclosing a copy of the submitted police station site plan materials. The matter is before the Planning Board Tuesday July 15, 2014. We are still on track to have bid specifications out on the street by the first week of August with a projected bid award date of early September and begin of construction by mid-September.

Action Requested: None.

- b. **Tennessee Gas Pipeline-** I am enclosing a copy of a draft letter that I received from M.J. Galat. The letter reinforces the fact that I have not given the pipeline company to survey town land. The letter goes a bit further and prohibits survey work on public roadways. I am not authorized to execute such a statement without a vote of the Board as "Roadway Commissioners".

Action Requested- If it is your wish that I execute such an additional prohibition please vote to authorize me to do so.

4. Miscellaneous Updates-

- a. As you are aware, we have received the requisite number of signatures on a petition to call a special town meeting to consider the question of enacting a ban on the proposed pipeline. Given the timing of the submittal and the requirement that the meeting be called with 45 days of certification of the signatures, you have two choices:
 - i. You can call the meeting for July 28, 2014 which would give the required 2 weeks posting. In order to do so you would need to vote to do so this evening and do so on or before the intended starting time planned for the meeting.
 - ii. You can call the meeting for August 4, 2014.

The next question is how long to keep the warrant open. You are required to keep it open for at least 72 hours which would put you at Thursday night at the hour of your vote.

Action Requested: Please vote to call the Special Town Meeting for July 28, 2014 or August 4, 2014 and to open the warrant this evening and to close it Thursday evening at X:xx pm.

- iii. As further relates to the special town meeting, there are two issues for which timing is of the essence that have risen in the past week that require attention at a town meeting:

- i. **Oak Way (so called)-** Please see enclosed materials.

Action Requested: See enclosed materials.

- ii. Sex Offender Residency Bylaw-I have enclosed a copy of a draft Sex Offender Residency Bylaw. This is a version I received through Town Counsel that recently met the approval of the Attorney General's office.

I have been working with a citizen who has an interest in getting such a bylaw passed here in town and I have advising her on the matter.

She is aware of the pending special town meeting and wishes very strongly that the issue be addressed in that meeting. I have advised her that there are three ways in which that could be accomplished:

1. It could be directly submitted by a town agent per the Charter once the warrant is opened, or
2. Via citizen petition containing the requisite number of signatures either while the warrant is open, or
3. Via citizens petition as a separate call of a new special town meeting.

Action Requested- If it is your wish I would like to submit the article to this Special town meeting warrant myself directly. If you would rather it be done via petition I will advise the resident who will need to collect and have certified the signatures before Thursday evening.