

TOWN OF HEATH
COMMONWEALTH OF MASSACHUSETTS

Franklin, SS.

July 11, 2020, 8:50 a.m., 18 Jacobs Road

Article 1: To see whether the Town will authorize the Selectboard to do all things necessary to carry out and evidence the intent of the town vote relating to the Old Town House, pursuant to a legal town meeting of November 9, 1899, namely to:

- (a) renew and/or extend the lease dated August 31, 1901 recorded at Franklin County Registry of Deeds at Book 498 Page 287 as needed from time to time
- (b) to enter into and record a Permanent Restriction and maintenance agreement as required by the Massachusetts Historic Commission (to the extent of the Town's ownership interest in the Old Town House) in connection with the Massachusetts Preservation Projects Fund grant program, so long as the aforesaid Historical Society also executes such a Permanent Restriction and maintenance agreement in its capacity as lessee of the Old Town House and applicant for grant funding. In connection with the foregoing, the execution of a Preservation Restriction/maintenance agreement by the Selectboard for the Town of Heath shall be contingent upon the aforesaid Historical Society entering into a written agreement with the Town of Heath pursuant to which said Historical Society shall assume primary financial responsibility for its restoration project on the Old Town House and fulfillment of all obligations to the Massachusetts Historic Commission relating to any such Permanent Restriction(s) and maintenance agreement(s).

,or take any other action related thereto.

Recommended by Select Board

Not within the purview of the Finance Committee

Background: The Old Town House is owned by the Town but has an extended lease to the Heath Historical Society (HHS). The HHS has been awarded an \$8,000 grant to help rebuild the windows. In order to receive the funds, there needs to be a commitment from the Town for a Permanent Restriction on the building for preservation. There is no cost to the Town for this action.

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TOWN OF HEATH  
COMMONWEALTH OF MASSACHUSETTS  
Franklin, SS.  
Originally scheduled: March 24, 2020

Recessed and Continued to July 11, 2020, 9:00 a.m.  
Held outside at 18 Jacobs Road

**\*\*\* Note:** It will be requested at the town meeting that Articles 1-9 be passed over. Because the expenses listed in Art. 1-9 occurred during FY 2020, but the STM did not occur when originally scheduled, these have been covered by Ch. 44 end-of-year transfers from balances left in other FY20 accounts.

**Article 1:** To see if the Town will vote to transfer **\$17,067.00** from Free Cash to the Smith School Tuition account in order to pay tuition for a Heath student attending Smith Vocational School, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 2:** To see if the Town will vote to transfer **\$7,114.84** from Free Cash to the Smith School Transportation account in order to fund transportation for a Heath student attending Smith Vocational School, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 3:** To see if the Town will vote to transfer **\$3,220.00** from Free Cash to the Finance Committee Reserve account; or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 4:** To see if the Town will vote to transfer **\$3,843.23** from Salary Town Accountant and **\$5,250.77** from Free Cash to Town Accountant Expense account, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 5:** To see if the Town will vote to transfer **\$4,779.23** from Salary Town Coordinator account to the Health Insurance account; or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 6:** To see if the Town will vote to transfer **\$100.00** from FY 2020 Historical Commission Expense and **\$80.96** from Free Cash to pay a Fiscal Year 2019 invoice from Heather Hathwell mileage; or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*  
**9/10 vote required.**

**Article 7:** To see if the Town will vote to transfer **\$1,000.00** from Interest on Temporary Loans account and **\$450.00** from Town Clerk Expense account to the Unemployment Expense account, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 8:** To see if the Town will vote to transfer **\$1,000.00** from Police Expense account and **\$500.00** from Town Clerk Expense account to Tax Taxing account, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 9:** To see if the Town will vote to transfer **\$500.00** from Heath School Maint. & Utilities account and **\$500.00** from Free Cash to Technical Support Town Hall account, or take any other action related thereto.

**Recommended by Select Board**  
*Recommended by Finance Committee*

**Article 10:** To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to establish a new revolving fund, to be known as the School Building Use Revolving Fund; and further, to amend the Heath General Bylaws, Section 7, 7.3 Revolving Funds by inserting a new row at the end of the Table of authorized revolving funds as follows:

| <b>REVOLVING FUND PROGRAM OR PURPOSE</b>                                                     | <b>DEPARTMENT RECEIPTS TO BE CREDITED TO FUND</b> | <b>REPRESENTATIVE OR BOARD ENTITY AUTHORIZED TO SPEND</b> |
|----------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------|
| <i>School Building Use Revolving Fund costs associated with building maintenance and use</i> | Payments related to school building use           | Select Board or School Building Use Committee             |

, or take any action related thereto.

**Submitted by the Select Board**  
*Recommended by the Finance Committee*

**\*\*\*Note:** Art. 10 establishes a new revolving fund in which rental payments of 18 Jacobs Road may be deposited for same year use toward building expenses while Art. 11 sets a spending limit per fiscal year.

**Article 11:** To see if the Town will vote pursuant to the provisions of G.L. c. 44, §53E ½, as most recently amended, to establish FY20 spending limits as set forth below for the revolving funds established in Section 7, 7.3 of the General Bylaw entitled, “Revolving Funds”, with such limits to be applicable from fiscal year to fiscal year until revised by Town Meeting prior to July 1 for the ensuing fiscal year:

| Authorized Revolving Funds                | Fiscal Year Expenditure Limit |
|-------------------------------------------|-------------------------------|
| <i>School Building Use Revolving Fund</i> | \$ 30,000                     |

, or take any action related thereto.

**Submitted by the Select Board**

*Recommended by the Finance Committee*

**\*\*\*Note:** Joining the PVMCD allows the town to participate in mosquito testing and other related services. Full services involve a monetary contribution from the town.

**Article 12:** To see if the Town will vote to become a member of the Pioneer Valley Mosquito Control District, pursuant to Massachusetts General Laws Chapter 252, §5A and other applicable sections of said law, or take any action related thereto.

**Submitted by the Board of Health**

**Recommended by Select Board**

*Not within the purview of the Finance Committee*

**Article 13:** To see if the Town will vote to amend the General Bylaws of the Town of Heath Section 8: General Regulations Regarding Town Living, Section 8.5.3, and Section 8.5.4 (1) and (2), as follows with bolded text to be inserted and strike-through text to be deleted:

8.5.3 A special permit to keep more than two (2) unregistered vehicles, on any premises, may be granted by the ~~Board of Health~~ **Select Board**. All such permits granted shall not run with the land or be granted in perpetuity.

8.5.4 Enforcement:

(1) This bylaw may be enforced by any Town police officer ~~or agents of the Town's Board of Health~~.

(2) Whoever violates any provision of this bylaw may be penalized by a non-criminal disposition process as provided in M.G.L. c. 40, § 21D and the Town's non-criminal disposition bylaw. If non-criminal disposition is elected, then any person who violates any provision of this bylaw shall be subject to a penalty in the amount of ten dollars (\$10.00) per day for each violation, commencing thirty (30) days following date of receipt of written notice from ~~the Board of Health~~ **the Select Board or its designee**. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

or take any action related thereto.

**Submitted by the Board of Health**

**Recommended by the Select Board**

*Not within the purview of the Finance Committee*

**\*\*\*Note:** The proposed change transfers the enforcement jurisdiction to the Select Board or its designee because this is not a Board of Health area.

**Article 14:** To see if voters will approve the establishment of a Broadband Drop Subsidy account for the purpose of assisting residents with the cost of fiber optic drop construction to their home, and to transfer the sum of \$200,000 from General Stabilization into this account, or take any action related thereto.

**Submitted by the Municipal Light Plant Advisory Committee**  
**2/3 vote required.**

**\*\*\*Note:** If this article passes, the remaining balance in the General Stabilization account will be \$42,813.52.