

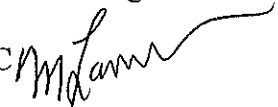


Town of Winchester
OFFICE OF THE TOWN CLERK
Town Hall 71 Mt. Vernon Street Winchester, MA 01890
Phone 781-721-7130 Fax 781-721-1153 E-Mail melannon@winchester.us

MaryEllen Lannon, Town Clerk

Linda-Lee Angiolillo, Asst. Town Clerk

To: Beth Rudolph, Acting Town Manager

From: MaryEllen Lannon, CMC
Winchester Town Clerk 

Date: August 3, 2022

Subject: General Code of By-law approval

The Attorney General has approved the addition of Section 4.8 to Chapter 2 "Town Meeting" to the General Code of Bylaws. Said section was voted in the affirmative at the Spring Town Meeting held on April 25, 2022. The legal notice will be published in the Daily Times Chronicle, Woburn, MA on two consecutive weeks.

4.8 Retiree Health Insurance Advisory Committee

4.8.1 Establishment – The Town shall have a permanent Retiree Health Insurance Advisory Committee ("RHIAC") having the duties and organized in the manner described below.

4.8.2 Duties – The RHIAC shall have the following duties and responsibilities as may be further specified in this bylaw:

The full text of the amendment can be found on the Town Clerk's webpage www.winchester.us

Attachment Legal Notice

Cc: Select Board
Town Counsel
Town Comptroller
Treasurer/Tax Collector

**TOWN OF WINCHESTER
AMENDMENTS TO
TOWN OF WINCHESTER
General Code of Bylaw**

I, MaryEllen Lannon, Winchester Town Clerk hereby certify that the following amendment to the General Code of By-Laws of the Town of Winchester voted at the Spring Town Meeting on April 25, 2022 has been approved by the Attorney General of Massachusetts on July 27, 2022. Said legal notice shall be published in a newspaper having circulation in the Town for two consecutive publications. The bylaw becomes effective after the satisfaction of the second publication.

4.8 Retiree Health Insurance Advisory Committee

4.8.1 Establishment – The Town shall have a permanent Retiree Health Insurance Advisory Committee (“RHIAC”) having the duties and organized in the manner described below.

4.8.2 Duties – The RHIAC shall have the following duties and responsibilities as may be further specified in this bylaw:

1. Ongoing communication with Town retirees, informing them of proposed legislative changes in health insurance at both the state and the municipal level; proposed changes to carriers, plan designs, or contribution percentages for Town plans; and programs that can mitigate or reduce the cost of retiree insurance.
2. Ongoing communication with municipal officials including the Town Manager, the Select Board, the School Committee, the Finance Committee, the Personnel Board, the Public Employee Committee (PEC), the Insurance Advisory Committee (IAC) the Moderator and Town Meeting informing them of: potential opportunities to improve municipal insurance; and potential opportunities, based on best practices in other communities, of managing OPEB liabilities without unduly burdening employees or retirees.
3. Ongoing communication with the Town’s professional health insurance advisors, including actuaries and consultants, to understand: the Town’s health insurance options, OPEB liabilities and future approaches for funding OPEB.

4.8.3 Composition: Appointment and Term of Office – The RHIAC shall consist of eleven voting members, including one sitting member appointed by each of the following: Select Board, School Committee, Finance Committee and Personnel Board; one Active Non-School Department employee, appointed by the Select Board; one Active employee School Department employee, appointed by the School Committee; two Retired School Department employees, appointed by the Town Moderator; one Retired Non-School Department employee, appointed by the Town Moderator; two Citizens, appointed by the Town Moderator. The Committee shall also include two non-voting (ex-officio) members: the Town Treasurer and the Town Comptroller. The


members of the RHIAC may hold other Town Offices. Appointments to the RHIAC shall be made after approval of this section 4.8 by the Attorney General.

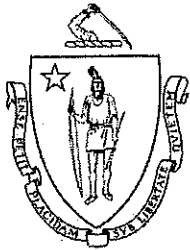
RHIAC members representing the Select Board, School Committee, Finance Committee and Personnel Board shall serve at the discretion of each appointing entity and the ex-officio members shall serve as long as they maintain their current position with the Town. The remaining seven RHIAC members (employees, retirees and citizens) shall serve three (3) year terms. To ensure that all RHIAC do not turn over at the same time, one Citizen will initially be appointed to a one (1) year term and one Citizen will initially be appointed to a three (3) year term; further, one Active Non-School Department employee will be appointed to a three (3) year term and one Active School Department employee will be appointed to a two (2) year term; and further one Retired Non-School Department employee will be appointed to a three (3) year term and one Retired School Department employee will be appointed to a two (2) year term and one Retired School Department employee will be appointed to a one (1) year term.

4.8.4 Filling of Vacancies – Whenever a vacancy occurs on the RHIAC, it shall be filled by the appointing board or officer who originally appointed the member whose seat has become vacant. The newly appointed member will complete the term of the member who they are replacing.

Submitted by:

MaryEllen Lannon, CMC
Winchester Town Clerk





E-MAILED
7.27.22

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

July 27, 2022

MaryEllen Lannon, Town Clerk
Town of Winchester
71 Mt. Vernon Street
Winchester, MA 01890

**Re: Winchester Annual Town Meeting of April 25, 2022 -- Case # 10521
Warrant Article # 7 (General)**

Dear Ms. Lannon:

Article 7 - We approve Article 7 from the April 25, 2022 Winchester Annual Town Meeting. Under Article 7 the Town amended the general by-laws, Chapter 2, "Town Meeting," to add a new Section 4.8, "Retiree Health Insurance Advisory Committee" (RHIAC). The by-law provides that the RHIAC will have ongoing communication with the Town retirees, municipal officials and the Town's professional health insurance advisors regarding various health insurance matters as provided in subsection 4.8.2, "Duties." The RHIAC is comprised of eleven voting members to be appointed as provided in subsection 4.8.3.

In addition, subsection 4.8.3 provides that "[a]ppointments to the RHIAC shall be made after approval of this section 4.8 by the Attorney General." In applying this provision, the Town should be mindful that under G.L. c. 40, § 32, a by-law approved by the Attorney General must be posted or published before it goes into effect:

Before a by-law or an amendment thereto takes effect it shall also be published in a town bulletin or pamphlet, copies of which shall be posted in at least five public places in the town; and if the town is divided into precincts, copies shall be posted in one or more public places in each precinct of the town; or instead of such publishing in a town bulletin or pamphlet and such posting, copies thereof may be published at least twice at least one week apart in a newspaper of general circulation in the town.

Therefore, for purposes of appointments to the RHIAC, the new by-law does not become effective until the Town satisfies the posting/publishing requirements of G.L. c. 40, § 32. The Town should consult with Town Counsel with any questions on this issue.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting

and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

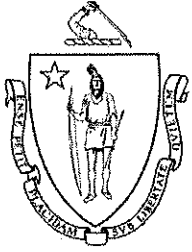
Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

cc: Town Counsel Mina Markarious



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
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Therefore, for purposes of appointments to the RHIAC, the new by-law does not become effective until the Town satisfies the posting/publishing requirements of G.L. c. 40, § 32. The Town should consult with Town Counsel with any questions on this issue.

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4.8.2 Duties – The RHIAC shall have the following duties and responsibilities as may be further specified in this bylaw:

1. Ongoing communication with Town retirees, informing them of proposed legislative changes in health insurance at both the state and the municipal level; proposed changes to carriers, plan designs, or contribution percentages for Town plans; and programs that can mitigate or reduce the cost of retiree insurance.
2. Ongoing communication with municipal officials including the Town Manager, the Select Board, the School Committee, the Finance Committee, the Personnel Board, the Public Employee Committee (PEC), the Insurance Advisory Committee (IAC) the Moderator and Town Meeting informing them of: potential opportunities to improve municipal insurance; and potential opportunities, based on best practices in other communities, of managing OPEB liabilities without unduly burdening employees or retirees.
3. Ongoing communication with the Town’s professional health insurance advisors, including actuaries and consultants, to understand: the Town’s health insurance options, OPEB liabilities and future approaches for funding OPEB.

4.8.3 Composition; Appointment and Term of Office – The RHIAC shall consist of eleven voting members, including one sitting member appointed by each of the following: Select Board, School Committee, Finance Committee and Personnel Board; one Active Non-School Department employee, appointed by the Select Board; one Active employee School Department employee, appointed by the School Committee; two Retired School Department employees, appointed by the Town Moderator; one Retired Non-School Department employee, appointed by the Town Moderator; two Citizens, appointed by the Town Moderator. The Committee shall also include two non-voting (ex-officio) members: the Town Treasurer and the Town Comptroller. The



LEGAL NOTICE

TOWN OF WINCHESTER AMENDMENTS TO TOWN OF WINCHESTER General Code of Bylaw

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4.8 Retiree Health Insurance Advisory Committee

4.8.1 Establishment – The Town shall have a permanent Retiree Health Insurance Advisory Committee ("RHIAAC") having the duties and organized in the manner described below.

4.8.2 Duties – The RHIAAC shall have the following duties and responsibilities as may be further specified in this bylaw:

1. Ongoing communication with Town retirees, informing them of proposed legislative changes in health insurance at both the state and the municipal level; proposed changes to carriers, plan designs, or contribution percentages for Town plans; and programs that can mitigate or reduce the cost of retiree insurance.
2. Ongoing communication with municipal officials including the Town Manager, the Select Board, the School Committee, the Finance Committee, the Personnel Board, the Public Employee Committee (PEC), the Insurance Advisory Committee (IAC) the Moderator and Town Meeting informing them of: potential opportunities to improve municipal insurance; and potential opportunities, based on best practices in other communities, of managing OPEB liabilities without unduly burdening employees or retirees.
3. Ongoing communication with the Town's professional health insurance advisors, including actuaries and consultants, to understand the Town's health insurance options, OPEB liabilities and future approaches for funding OPEB.

4.8.3 Composition: Appointment and Term of Office – The RHIAAC shall consist of eleven voting members, including one sitting member appointed by each of the following: Select Board, School Committee, Finance Committee and Personnel Board; one Active Non-School Department employee, appointed by the Select Board; one Active employee School Department employee, appointed by the School Committee; two Retired School Department employees, appointed by the Town Moderator; one Retired Non-School Department employee, appointed by the Town Moderator; two Citizens, appointed by the Town Moderator. The Committee shall also include two non-voting (ex-officio) members: the Town Treasurer and the Town Comptroller. The members of the RHIAAC may hold other Town Offices. Appointments to the RHIAAC shall be made after approval of this section 4.8 by the Attorney General.

RHIAAC members representing the Select Board, School Committee, Finance Committee and Personnel Board shall serve at the discretion of each appointing entity and the ex-officio members shall serve as long as they maintain their current position with the Town. The remaining seven RHIAAC members (employees, retirees and citizens) shall serve three (3) year terms. To ensure that all RHIAAC do not turn over at the same time, one Citizen will initially be appointed to a one (1) year term and one Citizen will initially be appointed to a three (3) year term; further, one Active Non-School Department employee will be appointed to a three (3) year term and one Active School Department employee will be appointed to a two (2) year term; and further one Retired Non-School Department employee will be appointed to a three (3) year term and one Retired School Department employee will be appointed to a two (2) year term and one Retired School Department employee will be appointed to a one (1) year term.

4.8.4 Filling of Vacancies – Whenever a vacancy occurs on the RHIAAC, it shall be filled by the appointing board or officer who originally appointed the member whose seat has become vacant. The newly appointed member will complete the term of the member who they are replacing.

Submitted by:
MaryEllen Lannon, CMC
Winchester Town Clerk
221063 8/9,16/22