

Shutesbury Select Board Meeting Minutes  
January 5, 2016 Shutesbury Town Hall

Select Board members present: April Stein/Chair, Mike Vinskey, and Michael DeChiara  
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Guests: Jackie Mendonsa/SES Principal; Jennifer Haggerty/Union 28 Superintendent; Aaron Osborne/Union 28 Director of Finance and Operation; Steve Sullivan/School Committee representative to Amherst-Pelham Region; Fred Steinberg, Dan Hayes, and Kathryn Fiander/School Committee members; Weezie Houle, George Arvanitis, Jim Walton, Eric Stocker, and Gary Hirshfield/Finance Committee members; and Jeff Lacy, Miriam DeFant and Robert Kibler.

Stein calls the meeting to order at 6:35pm.

Public Comment Period: no attendance

6:40pm: Administrative Actions and Administrator Updates

1. Move Warrant Article Petition to the Planning Board: Vinskey reports that he read through the petition and there appears to be wording missing between the bottom of page twelve and the top of page thirteen therefore recommends returning the document to the authors for correction. Torres: the petitioners' signatures have been verified. DeChiara recommends sending it on to the Planning Board who can follow up on the omission. Stein recommends including a note regarding the omission. Torres: the Select Board has fourteen days to send the document to the Planning Board; Miriam DeFant, the petitioners' contact person, could be contacted to see if there has been a typographical error or other error that can be corrected prior to submission of the document to the Planning Board. Vinskey recommends the document be complete prior to sending it along. Torres confirms with Mosher/Town Clerk that the copies of the petition are the same as the original. Torres emails DeFant regarding error/correction. Torres: per Mosher, if there is a change to the document, it will need new signatures. Topic will be carried over to the 1.12.16 meeting; if there is a new document, it will be passed to the Planning Board at that time.
2. Dog Incident: Torres reports that there has been another incident with the barking dog at 323 Locks Pond Road being left out in the cold; at the time of recent incident, Police Sgt. Masiuk was not able to obtain assistance from the Dog Officer; the complaining neighbor has asked for a dog hearing; fines incurred by the owner of this dog have not been paid; if the dog officer had been able to assist the Sgt., the dog would have been boarded until the fines are paid. Select Board plans to hold the requested dog hearing during the 1.26.16 meeting
3. Sand/Salt Shed: Torres: the salt/sand has been used up quickly because an individual had been filling up a pick-up truck; the Police Chief has spoken with the individual who had been using the sand on a private road that is taken care of by the town.

4. WiredWest/MBI: Torres: WiredWest representatives met with Senator Rosenberg today; she will provide a report at a subsequent meeting.
5. Select Board Meeting Minutes: no minutes for review at this meeting.

7:00pm: School Committee/Finance Committee/Select Board

1. School Budget: The FinCom and School Committee call their respective committees to order. Haggerty: diligent work has been done to prepare the budget. Osborne, referring to the “Shutesbury Elementary School Fiscal Year 2017 Budget” notes that every line is there for review; the major drivers are based on enrollment and Shutesbury’s numbers are down; there have been some definitive staff changes. Osborne reviews the 2017 “Budget Drivers” and significant changes; notes that State reporting requirements have become more intensive and are requiring increased clerical staff hours (line #35); a careful analysis has been done on their duties and responsibilities. Haggerty: the day-to-day duties of administrative assistants are already full; collecting data adds more work and requires more hours. Osborne: the loss of two grants totaling \$28,000 resulted in an increase in lines #42 and 50; a decrease in funding is needed for #5, the surplus funds were moved to #50. Osborne: line #94, “Building Maintenance” will be brought up as a capital item for replacement of the boiler; lines #106 & 124 – reference the 5-year technology plan for the Union 28 office. Haggerty: we now have a less expensive, local consultant to assist with technology. Vinskey asks for a copy of the technology plan. Osborne: referring to line #119, \$1,000 was added to support the after-school program becoming more academically focused. Torres: are there any constraints on using appropriated funds for this purpose? Osborne: no. Torres: because the afterschool program is paid for by parents and funded through a revolving fund, there are specific uses for these funds; will need to confer with the Town Accountant. Osborne reviews “Revenue Sources and Uses;” we are looking at some modest reductions in grants; revenue sources from grants are up in the air. Osborne reviews “Shutesbury 2017 Budget Graphs;” the first graph highlights where money is spent. DeChiara: how are the use categories determined? Osborne: the Department of Elementary and Secondary Education (DESE) categories are used. Osborne: the second graph tracks net changes in school funding over time; there has been a 17.5% increase over 7 years; 2.25% simple average increase/year. Osborne: the “2017 Shutesbury U28 Allocation,” based on enrollment as of October first, dropped by 10.55% or \$15,542. Mendonsa: current SES enrollment is 131 students; we are concerned about enrollment. Lack of Broadband service is noted as a deterrent. Houle: how many students are enrolled in the preschool. Mendonsa: 24. Stein: what happens if one or two towns pull out of Union 28? Osborne: our (Haggerty and Osborne) contracts have an adjustment clause relative to the number of schools in the union. Haggerty agrees to check if the Director of Student Support’s contract has an adjustment clause. Stein appreciates Osborne’s well thought out presentation. Hayes: last year we returned \$13,000 to the Town. Osborne is inquiring about funding sources for the boiler replacement. Vinskey: cost? Mendonsa: we will be

obtaining an estimate. Torres: could be \$150,000. Hayes: the Union is looking at ways of saving money. Osborne: because more than 35% of their students qualify for free lunch, other schools in the Union receive 75% reimbursement for lunches and partial reimbursement for the remaining 25% and end up with a net gain. Mendonsa: SES is not very far from 35%; we need all families who might be eligible for free lunch to fill out the forms next year. Hayes: if the grants are funded, we are looking at a much better financial situation. Haggerty: Mendonsa has been very forward thinking. DeChiara: notes changing requirements and need for additional staff that can meet the data mandates. Haggerty: we are looking at creating a position that can assist while maintaining the individuality of the schools, i.e. a data specialist. Osborne: we are looking at creative options for sourcing local food, i.e. farm to school initiatives and are looking at serving breakfast in the classroom. Mendonsa: breakfast is popular; a high 20's percent of the students are eligible for free lunch. Houle: playground? Mendonsa: the status of the playground will be talked about with Capital Planning; the playground is a source of injury and there are major questions about liability; the whole community uses it. Mendonsa: SES will be submitting a Community Preservation application for \$5,000 to build a track on the upper field and a second application for \$25,000 to build a small children's handicap accessible playground; there will be another focus on the playground for older children. DeChiara: if you make the school playgrounds open to the public via a policy, there is no liability. Hayes invites the Select Board to send any budget questions to the School Committee or Osborne. Vinskey: boiler maintenance comes out of the school budget; confirms that funds for replacing the boiler comes from the town. Hayes: yes. Arvanitis: age of the boiler? Torres: the boiler was upgraded in 1993 and there have been a lot of corrections over the years. Vinskey: roof? Mendonsa: the roof has some substantial leaks; the boiler is a higher priority. Torres: the Building Committee has a new material to use on the roof seams to reduce leaks. Walton: in a sense, this is a draft budget pending grant information, when will that information be available? Osborne: the Title grants are Federal and the others are State; we expect funding information sometime in February/March. Vinskey: in the School Committee minutes, he read about suspensions and the need to maintain academics during a suspension. Haggerty: we were updating the suspension policy to be in compliance with State law. Hirshfield calls for the meeting to move onto the next item. The Select Board appreciates Mendonsa, Haggerty, and Osborne's presentation.

2. Regionalization and Assessment Method/Four Town Negotiation:
  - A. Assessment: Referring to "Replacement of Current Regional Agreement Method – 2016-2017," Hirschfield: Mangano has proposed 10% of the property tax valuation with 90% of the ongoing assessment method; we are meeting again on Friday, 1.8.16, as there is a need to get this decided; Mangano is leaving out resident income as a factor because we cannot tax income though we can tax property; that is the proposal on the table. Stein: this is a temporary solution and will be looked at again next year. Vinskey: this summer, the recommendation was to go back to statutory method; 10% may be okay for this year, though, he would like to know how it will look next year and how we will get to statutory.

Hirshfield: due to time constraints, wanted to get this year “tied down;” recognizes that a longer-term discussion has been deferred. DeChiara: if the four towns can’t agree, the assessment goes to statutory so it seems like there is room to negotiate up; the solution is to document what the payment schedule is over time; we have to vote on the method each year at town meeting. Hirshfield: only the town (voters) has authority over this. DeChiara: every year, everyone has to review and vote; are we selling ourselves short? Hirshfield: per Mangano, when you compare the 10% to 25%, the difference is less than it seems it should be due to how the dollar amounts are figured. Stein: the “ability to pay” was acknowledged; Leverett chose not to participate in the last meeting. At 8:32pm, DeFant and Kibler join the meeting. Lacy: referring to the document, calls attention to the “10% Ability to Pay” compared to what Shutesbury recommended “Replaced with 25% Statutory Five Year Rolling Average.” Arvanitis: we are proposing something that would save us \$64K. DeChiara: 25% statutory is the same as 25% ability to pay. Lacy: look at the changes to Leverett’s costs using both methods. Torres: under the current method, Amherst is very stable. Arvanitis: Pelham is the wild card. DeChiara: if we don’t come to agreement, we will go to the statutory method and then the question will be statutory with a funded budget or statutory with a reduced budget. Torres: if we don’t fund the budget because we haven’t passed a method, they can bring back a reduced budget. Stocker: if we agree to 10%, will we ever get to 25% and why don’t we say 25%? Lacy: the Shutesbury Regional Assessment Summer Study Committee (SRASSC) recommended the 25% statutory five year rolling average. Hayes: it is circulating that Shutesbury doesn’t want to pay their fair share; we need to provide clearer explanations. Arvanitis recognizes that change is being talked about among Amherst, Pelham, and Shutesbury. Stein: we have been paying our share. Hirshfield: what we have paid has remained fairly consistent. Stein to Hayes: if that is the perception, what shall we do, our town doesn’t want to pay in the way we have. Hayes: maybe letters to the editor. Torres: the fact that Mangano titled his method “ability to pay” is evidence of the progress/philosophical movement that is being made. Hayes: we need to have a conversation with administration about how information is getting out to the teachers. Stein: it is also important to recognize how the fact that Shutesbury does not want to regionalize is impacting the payment method. Hayes suggests Sullivan communicate more about the “ability to pay” method at the Regional School Committee meeting. Hirshfield: if we can trust that the other towns will negotiate in good faith and we go with 10%, we are giving up something however we will gain overtime. Hayes: our recommendation was a four-year plan. Arvanitis: this is a one-year plan to buy us time for further analysis; we will consider Mangano’s proposal as long as there is a commitment for this analysis. Torres: there is no commitment. Hirshfield: believes he heard that the other towns are willing to have future discussions. Torres: there is a lot of stress about Shutesbury’s position. Hayes asks Torres for her position. Torres states she would push for a higher number and settle somewhere in between. Stocker: we would be willing to compromise over six years. Torres: doesn’t believe the group is willing to work toward 100%. DeChiara: using the “ability to pay” is an achievement; we have to

sell this at town meeting; is it legitimate to ask for more? Lacy states he agrees with Torres; 10% is a dime solution to a dollar problem; we've negotiated down and Leverett has yet to agree; recommends the 25% statutory five year rolling average: no change to Amherst, increase is divided between Pelham and Leverett. Arvanitis: this is a one-year solution and no one is willing to guarantee future talks; he agrees with Torres however would start with Mangano's 10% if there is an agreement to future talks, if we can't get that, we will go back to the 25% statutory five year rolling average; we would be saying that we would not accept the regional assessment. Hayes agrees with "ability to pay;" we need to get to the goal; leaves it in the committee's hands to negotiate; the SRASSC came up with the data and the recommendation to go to the region. Torres: the assessment will have to be voted on by the Regional School Committee; we have to start at 25% and be willing to go lower. DeChiara: we have to ensure everyone who is negotiating is an elected or appointed official; the SRASSC is disbanded. Torres: Lacy's name was brought up as a member of the negotiating committee; he is very informed and has been a very influential voice in the community. Hayes: the committee operates as a negotiating team; recommends using caucus strategy. Arvanitis: negotiations will continue on Friday, 1.8.16. Walton: what comes out of Friday (1.8.16) will be used to create the budget? Houle: who is the team? DeChiara: we need to be clear about who is negotiating. Torres: Mangano invited interested parties to attend the initial meeting. Vinskey: the need for an official statement is now more critical. Hayes: we need to identify who is on this official negotiating committee; recommends Arvanitis, Hirschfield, and Sullivan. Arvanitis recommends Lacy and Torres because they know the numbers. Vinskey makes a motion to form the "Winter Assessment Negotiating Team" to include the following members: Steve Sullivan, Gary Hirshfield, George Arvanitis, April Stein, Becky Torres, and Jeff Lacy. Motion is seconded and approved unanimously by the Select Board

Hayes: emphasizes need for caucus. Torres: the Team will need to post their meetings and negotiate in Executive Session. DeChiara: each committee recommends their representatives; Stein and Torres/Select Board; Hirshfield and Arvanitis/FinCom. Steinberg: Sullivan will be the School Committee representative. DeChiara: Lacy will be the Community representative to Team. Stocker: recommends determining a minimum at which the team walks away from the table and suggests starting at 25% and going to 20%. Houle recommends saying we are willing to add more years to the rolling average. Arvanitis: is willing to agree to 10% if we get a document ensuring a broader conversation. Torres: it is likely this could be the last session. Hayes agrees with Arvanitis; the negotiation needs parameters. Among those present, there is general agreement to start at 25%. Arvanitis: doesn't think we can sell 10% at town meeting without a plan for future negotiation. Group agrees to go as low as 20%. Houle: what will happen next? Lacy: if the towns cannot agree, the method will go to statutory. Arvanitis: Leverett will have to come to the table. Steinberg: you can tell them that to go below 20% will be a hard sell. Fiander: wants to give the Team the option to go as low as 15%. Walton and Houle note the need to consider the Town's reputation. Arvanitis: we could save a lot of money in the future if

there is an agreement to continue the analysis. DeChiara: if we negotiate down, we need something in return - a document stating their agreement to further analysis. Walton: start high then go to 15% if there is a willingness to analyze. Plan: start with 20% and go to 15% with an agreement to continue future discussions about the "ability to pay." Lacy: 20% would be a five-year plan. Houle: 15% is a 7-year plan. Vinskey asks for confirmation: start at 25% and the bottom is 15% with an agreement. Stein: we will ask for a memo. Lacy: we will go no less than 20% unless we have a written agreement.

B. Regionalization: DeChiara: Leverett's position is that if they agree to the assessment method, Shutesbury has to agree to regionalize. DeChiara presents a summary of the situation regarding regionalization: if there is an amended regional agreement, the Regional School Committee will have to agree to recommend this amended agreement to town meeting. The town will be asked to first consider amending the regional agreement and then, secondly, to vote to become part of the pre-k to twelve region. Two towns have to join this region then the other towns can drop out. Shutesbury wanted to have the ability to join in the future and we will have only two years to make the decision. Also, there is the school closure issue. (Once the regional agreement is amended, we will no longer really have a voice on future amendments to the regional agreement.) To leave Union 28, the Shutesbury School Committee will have to vote affirmatively. Voting to amend the agreement diminishes Shutesbury's voice; Shutesbury wants to retain control of our school. The bottom line is that the Shutesbury School Committee does not support regionalization. Houle: if Leverett leaves Union 28, how does the budget change? Hayes: we would have to think about how to manage change; there are options within the central office about what we can do. DeChiara: the issue on the table is that pre-k to twelve regionalization does not work for Shutesbury. Hayes: it would be interesting for the towns' leadership to get the pulse of their communities. Sullivan: the communities do not want to change the region. Stocker to DeChiara: your recommendation would be to vote "no-no". Sullivan: would vote to not move it out of the Regional School Committee; the vote was 5-4 to have sent it to the lawyer for review; a 2/3rds vote is needed to move it out of the Regional School Committee. Vinskey notes the need for Town leadership - the Select Board, FinCom, and School Committee - to have a recommendation and be able to articulate this position to residents and then there would be no question about where our community stands. Stein appreciates DeChiara's presentation.

Miriam DeFant: regarding the petition that was submitted with six lines missing, this petition was signed; recommends passing the petition on, as is, to the Planning Board. Vinskey: the document is not complete and he does not feel comfortable in forwarding it on to the Planning Board. DeFant: it is not within the Select Board's authority to decide this; the Select Board is not empowered to make the decision on behalf of the group (petitioners). DeChiara: it is the citizens' intent to put the petition forward. DeFant: because they cannot withdraw this petition, it would be confusing to have two petition articles on the warrant with essentially the same language. DeChiara moves the Select Board send the

warrant article petition titled “Proposed Zoning Bylaw Changes for Ground-Mounted Solar Electric Installations” dated 12.28.15 4:30pm to the Planning Board. This motion is seconded and the members of the Select Board unanimously agree.

A motion is made and seconded to adjourn the open meeting at 10:10pm.

At 10:10pm, a motion is made and seconded to go into Executive Session for Reason #3/salt issue: Stein: aye, Vinskey: aye, and DeChiara: aye.

Documents and Other Items Used during the meeting

1. Mangano’s “Calculating Regional Assessments per Regional Agreement”
2. Lacy’s “Replacement of Current Regional Assessment Method 2016-2017”
3. Osborne’s draft “Shutesbury Elementary School Fiscal Year 2017 Budget”
4. “Regional Agreement”
5. 12.28.15 “Proposed Zoning Bylaw Changes for Ground-Mounted Solar Electric Installations” (see 12.29.15 Select Board meeting minutes)

Future Select Board meetings:

1.12.16 6:30pm Shutesbury Town Hall

1.26.16 6:30pm Shutesbury Town Hall

Respectfully submitted,  
Linda Avis Scott  
Administrative Secretary