

## Shutesbury Board of Selectmen Tuesday October 9, 2012 Meeting Minutes

Members present: Chairwoman Elaine Puleo and members Al Springer and April Stein.

Also Present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge recording. Chairman Puleo opened the meeting at 6:30 P.M. at the Shutesbury Town Hall

### Appointments

#### **Police Chief Harding:**

- Working on the Auxiliary Police program
  - 4 to 5 interested people – have been notified of personal costs and not being paid for details.
  - Every town does it a little differently.
    - Belchertown uses civil defense language.
    - Granby does more community functions.
  - Under civil defense, auxiliary police cannot be paid for details.
  - Could they be sworn in as constables?
    - Different statutes; constables have a lot more authority.
- Ball park initial expenses: clothing \$500, plus a vest and firearms.
- Can we adopt a bylaw or accept a Massachusetts General Law at the fall special town meeting?
  - The question would need to be on the warrant by October 23 Select Board signing.
- Discussion of how long auxiliary officers might stay.
- This is a good opportunity for the town get to know candidates and the candidates to explore a policing career.
- Liability: Becky read that liability is on the town as long as the candidate is acting within the scope of duty and is not doing anything criminal. Town council should be consulted on liability.
- Auxiliary police status is like an internship. People do internships everywhere to explore careers.
- Becky will communicate with Town Counsel on liability and about whether this needs to be on the warrant.

#### **Regionalization Planning Committee – Shutesbury Forum**

- See topics #3 below

### Topics

1. **Letter of Intent to Host Meter for Solar Generation Facility with ALTRU – update:**
  - Becky met with the Energy Committee and will meet with Rayo Bunghara this week.
2. **Space Survey Collection for Tabulation/Building Committee Progress:**
  - The School will complete their survey at their October 18 meeting.
  - Becky will contact committees that did not respond and ask them to complete a survey if they have anything to say.
3. **Regionalization Planning Committee – Shutesbury Forum: Select Board Chairman and Regional School District Planning Committee Vice Chairman Elaine Puleo opened the forum with a summary:**
  - We are in discussion with 3 other towns to regionalize, moving out of Erving School Union #28.
  - We have the people “sitting at the table.”
  - We have hired the consultant to finalize the educational component.
  - Once we have an educational plan we will hire a financial consultant to determine costs.
    - Previous explorations have not identified how much more or less it would cost each town.
    - Each town handles financials in a different way. For example, benefits are in the town budget for Shutesbury elementary whereas in a region those benefit costs are in the regional school budget and split out to the 3 towns.
    - For Pelham and Amherst: Amherst pays a lot of fees that Pelham would normally pay.

- It would be hard for a volunteer to determine costs. We're looking forward to a financial consultant who will give us hard facts and numbers.
- It may seem fast, but we're really taking it slow: We are all working on subcommittees.
- **We will gather as much information as possible by March 2013 when the committee will sit down and decide if it makes sense to bring this to our towns.**
- **2 options:**
  - One would be one big region K-12.
  - The other model is to leave the existing model alone ("Why mess with it?") and start a new regional agreement with the same people but dealing with K-6 only.
- **We are looking to people to ask questions? What do we need to know in order to make an informed decision?**
- **If the committee decides to move forward, it's still not a done deal:**
  - There will be community forums and information gathering.
  - It will come to a town meeting vote in November 2013.
  - If passed, it would go to the Department of Elementary and Secondary Education (DESE) in December 2013. The DESE has to approve leaving Union 28 and going into a new region.
  - If approved, the new region would start in September 2014.

Elaine concluded that she is the Vice-Chair of the Regional School District Planning Committee and attends all the meetings. She cannot say if she is for or against it because she does not have enough information. She then opened the floor to tonight's questions and comments:

**Dan Hayes:**

- Policies in our elementary school reflect the values of the community. Would we be adopting the region's policies? **Elaine:** Good question; will add to list.

**Michael Vinsky:**

- If we do agree to regionalize and we get there and don't like it, what are our options? **Elaine:** All four towns have to vote to allow a town to leave a region which is a much higher bar than to get out of a union. For a union, only the school committee of the exiting town votes.
- If the towns do agree, to allow a town to leave where would the town go? **Elaine:** The town would need to ask the Department of Education what would be available. The reason this question of regionalization came up this time was because we heard from the state that they would be regionalizing all of Franklin County.
- So once the decision is made, we have to get it right the first time.
- **Al Springer:** Doesn't think there would be a Union to go back to once the decision is made because after taking Leverett and Shutesbury out, there would be nothing left. **Elaine** agreed.
- **Becky Torres:** We're not the only towns in Union 28 looking at this. What would happen to us if other towns leave Union 28? **Elaine:** Will add to list of questions.
- **Al Springer:** We could have an agreement that states that our children won't be taken to Amherst; but it won't be written in stone. **Elaine:** Any change can happen as long as all 4 towns agree on it. It's the strength of a regional agreement: If you get it right the first time, if all 4 towns agree, it won't change. It's good and bad. **Becky:** It's a positive because if all 4 towns see a problem, then changes can be made. Gave example of the annual assessment vote (of 5-year rolling average per pupil cost rather than the education reform formula) by the 4 towns of the Amherst-Pelham region.

**Mary Anne Antonellis:** Would we still have our own school committee? **Elaine:** No, it would be one regional school committee.

- How would we elect members? **Elaine:** There are a number of different ways to do this:
  - Numbers at large where everybody votes for everybody or individuals by individual towns. That question is wide-open: How do we select a school committee, and

- How many members? If you go by population of the town you could have one town have 7 seats and three towns with 1 seat. This is wide-open for debate.
- How will that question be resolved? We're not there yet.
- We're not going to talk about the regional agreement until we decide on the educational component.
- We had the baby boom and then the "echo" to the baby boom. All baby boomers are done with their children. Pelham is struggling now because of their 132 elementary school children only 64 are from Pelham. They can't sustain themselves and they want to.
- How do we make this (education) financially sustainable? Can we share equipment? Can we share teachers? Is it easier to share if we are in one region?

**Bill Wells:** How would special education money and teachers be distributed? Would a teacher come up from Amherst or would we still have our own teacher? Are we talking about any other towns to regionalize with? **Elaine:** Amherst is the only town that has offered.

**Margaret Manson:**

- In the handout it talks about local control over Shutesbury's educational approach. The handout suggests that's already centered with Union 28. What would be lost?
- **Dan Hayes:** Actually there is not a lot that comes from Union 28. Of the 5 towns and 4 schools each school has different curriculums. Shutesbury has its own math curriculum. Erving has its own science program, Leverett has Spanish and a greenhouse. Dan feels that we have a lot of flexibility with Union 28.

**Dan Hayes:** When we become a region with Amherst, would we still be able to fund the instrumental music program?

**Elaine:** Let's not say "Amherst," let's say "region."

- Declining students is a concern. Amherst has already closed a school.
- Financially, it would make sense to regionalize, bring the 6<sup>th</sup> graders to Amherst and then close a school.

**Dan Hayes:** Worthington belong to a region and their elementary school was closed. Worthington is looking into getting out of their region. They have approached Representative Steve Kulik on how that would work. **Elaine:** We are already looking at the question of would we close a school. We have been a town not to open up to school choice because we think of it as "stealing" students from other towns to support our school. If we got down to 50 students: Are we servicing the vast majority of our town's residents if we are only serving 50 children? Would we be better off servicing our seniors? So Elaine would never want to see it "put it in stone" (that we would not close a school.)

- **April:** That's a huge concern for a number of people.
- **Becky:** 4 years ago there was talk of Pelham closing and sending students to Shutesbury. RSDPC member from all four towns recognise that Shutesbury and Leverett schools are the centers of town functions. That's our "sacred cow" going into this. But it's not to say that it wouldn't change if we got down to 26 students.

**Gary Rehorka:** Is confused on process. **Becky:** First hear from a consultant who might say regionalizing is a good idea. If the RSDPC members are convinced this is a good idea for the long term, the RSDPC decides to move forward. There are subcommittees to deal with the questions being brought forward today. After the process with forums and conversations, if regionalization gains public support a regional agreement will be brought to the 2013 fall town meetings.

**Gary:** All that would be presented before the town meeting vote? **Elaine:** We (Regional School District Study Committee) will vote on the regional agreement (to be brought to the fall 2013 town meeting.)

**Gary:** It's a constant worry about losing 6<sup>th</sup> graders, losing teachers to another school in the region. It seems logical to be in one elementary K – 12, but when Amherst is such a larger town, they will dictate.

**Becky:** A number of years ago, the little towns figured out how to work together.

**Emily Bloch:** First we have to see if it is workable before we deal with the “nuts and bolts.”

**Elaine:** The question of education has to be first, then to see how much it will cost. Answer to questions such as how many school committee members, will go into the agreement. Elaine compares the process to building a house. The educational is the foundation. The financial information puts up the walls, and then you paint.

**Becky:** We just did the financial RFP so now we can work on the government component. There are about 6 or 8 subcommittees. That’s why it’s important to get feedback.

**April Stein:** The consultant is not being paid by the town budget. **Elaine:** The Pioneer Valley Planning Commission (PVPC) and the Franklin Regional Council of Governments (FRCOG) have contributed resources and the Committee has applied to DESE for support funds. All sub-committees have a member from each town.

**Mary Lou Ferro:** Who’s paying the PVPC? **(?):** The PVPC has grant money from a Massachusetts regionalization fund. They had the money, they heard about us and they asked if we wanted help. Then FRCOG heard. It’s their jobs to help.

**Mary Lou:** What would be the educational benefits to the children? **April:** Special needs students, and people who live closer to Amherst.

**Becky:** The Select boards, Finance and School committees have met for years and seen years and years of cuts to the school budgets. How do you not gut your schools? How do you keep the quality of education at the level of 2 years ago when finances keep going down? Is there a more sustainable way? Would coming together to share resources be more sustainable? The needs keep appearing.

**Mary Lou Ferro:** Are you doing it on your own before the state says you have to go to an all Franklin County? **Elaine:** Yes.

**Michael Vinsky:** Could the state come in and regionalize us into a Franklin County school system anyway? **Elaine:** Yes. **Becky:** But that was 8 years ago. Senator Stan Rosenberg got ahead of the rumblings. If we could do the research and show our differences we could stave them off.

**Michael:** What if the finances say, “Stay the way you are.”? **(?):** The state could say, “Sorry, you’re going to regionalize anyway.” **Becky:** We are in a better position if we have information to back us up. **Elaine:** They’re definitely looking at it. Right now they (DESE) have a great number of individual school system reports to receive. For every region, there is just one regional report. They start looking at it financially on their end. **Becky:** If we say look at the quality of our education (improving MCAS scores) the financials look more positive.

**(???)**: If we vote no, the state could still say you have to regionalize with Franklin County. **Elaine:** makes the comparison to Maryland, which has only a few regions, because it didn’t make sense to have so many individual school systems. **Dan Hayes:** It didn’t make sense financially either. Look at Maine.

**Dan:** We haven’t looked at a collaborative for such things as oil and equipment. The Hampshire Educational Collaborative purchases materials and training through their collaborative. Dan wants to make sure that when we’re looking at costs, that we remember our current good quality food service, good technology, and good IT instruction: how to use white boards, strong math community, we have a certified teacher in the library, and a local school board. No one understands until you’ve been there, that we can control class size: We opened two kindergartens to keep them small. Safety policies: Our doors aren’t locked on a daily basis because that is what the community wanted. Wonders: Does Amherst have “Stem Rays”, literacy and math centers where teachers work with other teachers? Every teacher can have a colleague. We’re years ahead on curriculum alignment and assessments of teacher and students.

**Elaine:** Next year superintendent evaluations will be done by the state.

**Dan:** We have a tremendous amount of local control. What do we value in our local school? We want good changes made to address declining enrollment. Union 28 provided an inclusion specialist so that we didn’t have to go outside for a specialist. On the few occasions when students were sent to Amherst, they were sent on. We have declining enrollment and funds: Why can’t we give one report from the school

union? That can happen. For equity, we can have instrumental music. **Elaine:** Doesn't want it to become a debate right now; just gathering questions.

**Elaine:** We have met at each school. What we heard from every single school was about their unique programs. Each Amherst school is unique.

**Susie Mosher:** The choices are: Union 28, regionalize K- 6 with the standing 7 – 12, or regionalize K-12. The state has a goal to get us out of Union 28 and into the Amherst region and may provide a financial incentive to do that. They acknowledge the educational agreements that towns have to bear. It is better for them. It's not likely that the state will go away from this position. The push goes on and continues to go on. At some point the state can say we want a Franklin County region. If that is where we are at, then I want to put my effort into the different model of regionalization. Susie states that she doesn't believe that Union 28 is long term.

**Elaine:** Senator Rosenberg said it is highly unlikely that the state will ever approve a new union. They cause DESE a headache; DESE doesn't like unions. While they are encouraging regions, they are discouraging unions. DESE said "no" to the idea of Union 28 joining Union 26. DESE is glad to take you out of a union, but not back into a union.

**Susie:** So other (Union 28) towns are talking about it? **Al:** Not actively at this point.

**Becky:** They went through a 5-year process. At this point they've quieted down and are watching our activity. New Salem and Wendell are united through their school structure. Erving is unique in that it tuitions out its secondary students. They are kind of autonomous. If we change, Erving will be fine. Wendell and New Salem will be a concern. If this gets serious and sounds financially and educationally reasonable, then one of the first activities will be to notify Wendell and New Salem. We first talked about Shutesbury, Wendell and Leverett joining with Pelham but Wendell and New Salem would have had a large salary step-up.

**Susie:** How does Amherst represent their schools on the school committee? **Elaine:** they are at large. All 5 Amherst school committee members sit on the regional school committee.

**April:** One question would be teacher salaries. Shutesbury would have to honor the highest salaries. Shutesbury pays the lowest: It would be a 13% increase for Shutesbury from an analysis of 3 to 4 years ago. Not sure now with 50% new staff. **Elaine:** We would be looking at what we're paying this year and next. A committee will look into the union will talk with them. **Becky:** We will hire a legal team to talk with unions.

**Michael Vinsky:** What will the Educational Consultant work be like? **Becky:** The Educational Consultant will work directly with superintendents to design staffing patterns currently in use and figuring out how to pull them together in a regional format. **Elaine:** It is not to build something new, but how to take what we have now, and immerse it into one single pattern or educational framework to be built for use in all the schools. The Consultant will talk to both superintendents and all the principals to ask, "What is it that makes your school, your school?" Elaine sits on the Education Subcommittee and asks: "What are your questions? I have a list of things that people in the school want to know? What is important to you?"

**Michael:** It sounds like they're going to give you a structure and it will be "yes or no" to that? **Elaine:** Combined with the financials can the educational structure work and be financially sound? This is what will be built. This is how much it will cost. Then the towns will give feedback; we want the towns to be happy. **Michael:** Why wouldn't everybody vote for it? Mary Anne some people won't want to change.

**Michael:** We have no options. The Union may not be there.

**Margaret Mansion:** I would hope that the Educational Consultant and plan will address the unique culture of the individual schools. Some schools have programmatic needs that other schools don't have. What is in the educationally best interest of the kids? The educational model has to address what is best for the kids first. **Elaine:** This town has always been a strong supporter of both elementary and secondary schools. We have not balanced our budget on the backs of the schools.

**Mary Anne Antonellis:** How will staff at each of the schools be hired? **Becky:** By the Superintendent; that's "Ed Reform." (?) **(?):** What kind of local control can we have in the hiring process?

**Al Springer:** Question about the Buildings Committee: If we regionalize with Amherst, who would have control of our school? **Elaine:** They wouldn't have control of the building. **Gary:** Could they turn Shutesbury into a Special Ed school? **Elaine:** The agreement would include if the school is closed we keep our building. **Becky:** The plan will reflect the capital assets. In the current region, all 4 towns own the buildings. If everyone owns separately, how do you control the maintenance? It's that not they own our buildings, but they use them and we would write language to make sure we continue to use them a well. There are a lot of legal templates to build.

**Susie:** How about the student funding? If the income stream changes state aid, (how does that affect what the towns pay?) **Becky:** The towns will decide whether to go by ed reform assessment calculations or vote annually unanimously for a different assessment calculation like we do now.

**Dan Hayes:** Dan agrees with quality education and fiscal responsibility. He recognizes the constant pressure from the state. He would rather fight the state and do what is best for the students. If it's not going to benefit the students we should be fighting to stay on the issues. How does charter school funding work? This is what is breaking our back. **Elaine:** We have been fighting for reallocation of funding charter schools. **Dan:** Wendell has put time into funding options. We're focused on the political aspect rather than addressing the issues. Even though Union 28 seems crazy, the students and families have lots of options.

**Michael Vinsky:** Do you have RSDPC minutes? **Elaine:** The website address is on the bottom of the sheet. **Becky:** The minutes get posted to the website after they are approved. August minutes are the last ones up there. Becky offers to look at them with Michael. **Elaine:** We're having a 4-town meeting on November 3. Then November 29 at 6 PM there will be a full board meeting at Fort River School in Amherst. We have sub-committee meetings; we post them on the Amherst Regional School Committee webpage, ARPS.org. Each of the town clerks post on the town calendars. **Becky** offers to post the meetings in her Town Administrator's report, and offers to answer any questions.

#### 4. **New Shutesbury Library:**

- The screen door on the library did not get fixed.
- One letter comes with thanks from the Trustees.
- Letters have gone out from the Friends with 3 options of what to do with pledged commitment funds. People are still sorting out the difference between commitments and withdrawals.

#### 5. **Solar Panel Installation Update:**

- The rain last week delayed any further installation of the panels.
- They were using the lift today – hopefully by the end of the week the panels will be producing power.

#### 6. **Cooleyville Bridge – DEP:**

- Problem: The project grew in proportion. It is a fabulous unauthorized project.
- It started as replacing planking.
- Once the planks were off, it was noticed that the stones needed repositioning.
- The project should have stopped at that point but it didn't.
- The Department of Environmental Protection (DEP) Circuit rider sent a letter to stop.
- The Conservation Commission instructed the Highway Superintendent on how to leave the project until they could proceed.
- Work done in the stream was completed with little signs of erosion.
- The stones replaced what had been there.
- The Conservation Commission issued a signed letter of enforcement.

- DEP is requesting a narrative with a timeline and how the Highway Department will secure the area from erosion, which has been sent off to the Commission so that they can create the emergency order. Then the Highway Department can get back to work.
- Violation wording is potential violation, hoping not fines.
- A new manual I available on erosion during roadwork.
- The Highway Department did a good job all summer updating the Conservation Commission when working on culverts.
- The upper planking repair did not trigger the need for a permit.

#### 7. **Fall Special Town Meeting – draft of articles:**

- The vibratory roller was removed from this warrant because the Highway Superintendent hasn't had a chance to rent and use one. This is a large piece of equipment which should go through the Capital Plan Committee. Time is needed to rent one and do the research required to spend \$30,000. We will work it through the winter and take it to a full town meeting. If we really need it that bad before May, we can rent it.
- Becky: Is waiting for a response to her inquiry concerning auxiliary officers; we may need a bylaw.
  - The Hatfield Town Administrator changed recently. Becky will check in with Belchertown and Granby Administrators.
  - There will be people concerned about letting people buy their own vests and guns and putting them in cars.
- Elaine: They have to be with someone. It's no difference than any other officer except that they are not on the payroll and there is no investment on the part of the town. To a question about auxiliary officers walking in with nothing but the Reserve Academy Elaine replied that this is a different era when kids have to have internships in all walks of life.
- Becky requests the Selectboard read the whole proposal: Men cannot wear a mustache or beard. They must be 21. Former Officer Nick Chandler was only 18 years old; he would be excluded. The
- Chief can waive the beard.
- They can't get workman's comp, but they can get special safety coverage for if they are injured.
- Also federal and state statutes kick in.

#### 8 **Recycling/toters:**

- Becky has photos of trash bags at the Laurels; we don't need a truck for three bags of trash from the Laurels. Should a truck drive 200 miles to pick up 3 bags of trash?
- Bulky Waste Day was extremely well-organized. Allied brought in all the containers that they said they would. Containers were picked up by 2:20 PM Saturday afternoon.
- Elaine: If they can do that, then why can't we have bulky waste day at the school? Good question. Becky will find out if all the stuff was gone at that time. The highway equipment was needed to load and unload the containers and the area was fenced off.
- Chief Harding did an excellent job with traffic control.

#### **Select Board Action Items**

1. Selectmen signed payroll warrants totaling \$83,406.90.
2. Selectmen signed vendor warrants totaling \$159,124.11.
3. Selectmen unanimously voted to sign the Stantec agreement for a hydrology & hydraulic study of Camel Brook at Cooleyville Road in the amount of \$2,500.
4. Selectmen unanimously voted to accept the minutes of Sept. 25 and October 2 as written.

#### **Topics the Chairman Could Not Reasonably Have Anticipated**

1. Becky announced the last Farmers Market took place on October 6.

The Select Board **adjourned at 8:55 P.M.**

Respectfully submitted, Leslie Bracebridge, Administrative Secretary  
121009 Select Board