

**Shutesbury Finance Committee**  
**Tuesday, April 5, 2022, Virtual (Zoom) Meeting**

Members Present: George Arvanitis, Ajay Khashu, Susie Mosher, Melody Chartier, Jim Hemingway, Bob Groves, Jim Walton,

Members Absent: None

Recycling Committee Members Present: Gary Bernhard, Meryl Mandell, Peg Ross

Conservation Commission Members Present: Miriam DeFant, Mary David

Town Administrator: Becky Torres

Non-members Present: Janice Stone, Leslie Luchonok, Don Wakoluk, Amanda Alix, April Stein, Rachel Schwab, Michael Broad, Penelope Kim, Carey Marshall, Gary Rehorka

Meeting called to order at 6:32 PM

- 1) Conservation Commission – Consultant Funding (Guest: Miriam DeFant, Chair of the Conservation Commission)
  - a) Commission would like to hire a consultant(s) for the purpose of drafting regulatory language consistent with Shutesbury’s Wetlands Protection Bylaw. Specifically, our bylaw includes language that protects subsurface streams. This language is unique to Shutesbury’s bylaw and the committee has been urged to consult scientific consultants to help draft regulatory language concerning how our local bylaws protects subsurface streams. This is relevant now in connection with the submission of Solar ANRADs.
  - b) SM asks if there are other communities that have regulatory language that can be adapted for our purposes. Miriam responds that there are no other communities that have this language in their bylaws.
  - c) JH asks for clarification as to why Shutesbury is in the unique position of having to deal with this. Miriam responds that the Wetlands bylaw was passed 35 years ago. No one has looked into this matter since then.
  - d) BG asks if there has been any consideration to removing this language from our bylaws. Miriam responds that the Commission is not looking to do that. They believe that the Commission can develop regulations to deal with this.
  - e) Anticipated consultant fee is \$5,000 (assumes 22 hours at \$225 per hour).
  - f) Leslie Luchonok states that the DEP provides little regulation and guidance on this issue. “I strongly endorse the request from the Conservation Commission to look into this.”
  - g) SM asks why the bylaws cannot be amended and whether these changes will expose us to potential lawsuits. Miriam responds that the committee’s position is that we have to do what is best for the community and that we will have legal exposure whether or not these regulations are developed.
  - h) JW asks for confirmation that no other town has similar bylaw language. Miriam confirms that this is the case.
  - i) SM asks if the Con Com has consulted with the Attorney General’s Office (AGO) on this. SM states the AGO has access to Wetlands bylaws and regulations for every

Massachusetts municipality and might be able to provide some language that would be suitable for our town.

- j) Don Wakoluk states this is going to be a one-time cost. “If you don’t fund this now it is going to come back to bite the town. If the ANRADS are processed without further development of these regulations, we are likely to be sued by homeowners who are concerned that their drinking water will be threatened.”
  - k) SM states that she believes this will have to be reviewed by the AGO. Miriam responds that the Massachusetts Association of Conservation Commissions keeps a database of all Wetlands bylaws and has encouraged consult with experts.
  - l) BG makes a motion that we approve the \$5,000 request from the Conservation Commission. Motion passes 5-1-1.
- 2) Recycling & Solid Waste Committee (Guest: Meryl Mandell, Chair of the Recycling & Solid Waste Committee)
- a) The committee recently issued an RFP for a new hauler. There were two bidders: Casella Waste Systems and USA Waste & Recycling. Both bidders met requirements the basic RFP requirements. Casella proposed a pay as you go bag collection similar to what we have now, although they proposed trash pick-up over a two day period. USA Waste proposed to use automated pickup using totes. The Recycling & Solid Waste Committee voted 5-0 (with 1 abstention) to recommend contracting with Casella.
  - b) Shutesbury is currently spending \$66K per year with our current contracted hauler. The Recycling Committee has understood that this was a very low price and was not sustainable. In fact, our current hauler is going out of business. So the committee expected new bids to come in significantly higher than what we are currently paying.
    - i) Casella’s initial price proposal was \$125K for the first year with a 6.5% increase per year. USA Waste’s bid was approximately \$40K higher than Casella. The Select Board granted permission for the Recycling committee to begin negotiations with Casella. The town was able to negotiate down from a 6.5% to a 4% annual increase. The recycling committee has made a recommendation to complete a contract with Casella.
    - ii) Specific costs: 5 Year Contract: Year 1 = \$125,952 increasing 4% per year for up to \$147,346 in Year 5. Tipping fee = starts at \$90 per ton (will increase 3% each year)
  - c) Gary Bernhard adds that the committee has explored other options including buying our own truck and doing the hauling in house. There simply isn’t enough time to accomplish that before the new fiscal year.
  - d) Our current disposal site is going bankrupt and they are selling their facility as of April 15. The town is negotiating with Casella on a separate contract to cover our trash and recycling pick up from April 15 to the end of the current fiscal year.
  - e) **AK makes a motion to endorse the Recycling Committee’s recommendation to accept Casella’s bid. Motion passes unanimously 7-0.**
- 3) **Motion to approve 3/22 meeting minutes as amended passes unanimously 7-0.**
- 4) FY23 Budget Updates (incl OPEB, Mkt Alignment)

- a) Updates include:
  - i) Salaries have been adjusted to reflect market alignment study.
  - ii) New Rubbish and Recycle hauling budget line has increased from \$66K to \$126K as anticipated with our new proposed contractor. BT is going to look into whether the Sanitary Landfill costs will need to be adjusted due to the proposed tipping fees.
  - iii) Current proposed budget = \$6,733,314. This represents a 1.59% increase over FY22.
  - iv) We may be able to level fund our health insurance line at \$520,000.
- b) SM asks if our proposed Retirement County budget is sufficient.
- c) OPEB discussion
  - i) SM would like to discuss the possibility of increasing our transfer to the OPEB trust fund.
  - ii) GA walks committee through his OPEB funding analysis Excel tool. GA recommends that we continue our practice of transferring \$50,000 a year to the OPEB fund.
  - iii) BG states that Parker reported that we were among the top 20% of Massachusetts municipalities in terms of how well we have funded our OPEB liability.
  - iv) **BG submits a motion that we maintain our current funding allocation for OPEB. Motion passes unanimously 7-0.**

## 5) Committee Reports

- a) BG for Building Committee: Committee is investigating the possibility of adding a toilet and running water to the library. HVAC engineer is getting ready to put out bidding documents for the Elementary School HVAC controls. Select Board is discussing a possible change to the charge of the Building Committee.

## 6) Future Meetings

- a) April 14 (7PM): Meet w/ Select Board and Personnel Board, Capital items
- b) April 19: Review proposed annual town warrants

Meeting adjourned at 8:44 PM