

Shutesbury Select Board Meeting Minutes
March 20, 2019 Shutesbury Town Hall

Select Board members present: Melissa Makepeace-O'Neill/Chair, Elaine Puleo and April Stein
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary

Personnel Board members present: Ralph Armstrong, Anna Aaron, Melissa Makepeace-O'Neil
Finance Committee members present: Weezie Houle, Rita Farrell, Bob Groves, Jim Hemingway, George Arvanitis, and Eric Stocker

Assessors present: Steve Schmidt and Diane Jacoby

Guests: Penny Kim/Moderator, Michael DeChiara, and Leslie Bracebridge/Assessors' Clerk

Makepeace-O'Neil calls the meeting to order at 6:33pm.

Agenda Review: No changes.

Public Comment: Puleo commends the Shutesbury Highway Department for the amazing amount of work they have been doing to repair the extremely muddy conditions on the Town's dirt roads. Stein and Makepeace-O'Neil agree.

Discussion Topics:

Unanticipated Topic: Makepeace moves that due to the unusual winter with snow, ice, rain, muddy conditions and snow melt on the Town's dirt roads, the Select Board declare a state of emergency for budgetary concerns; Puleo seconds the motion that passes unanimously.

1. Zoning Bylaw Amendments and Citizen Petitions for Annual Town Meeting Warrant:
Puleo moves and Stein seconds a motion that the Select Board acknowledge receipt of the Planning Board's submission of a warrant article titled: "Proposed Zoning Bylaw Changes for the Keeping of Livestock within 400 Feet of Lake Wyola"; motion is unanimously approved.
Puleo moves and Stein seconds a motion that the Select Board acknowledge receipt of the Planning Board's submission a warrant article titled: "Proposed Zoning Bylaw Changes to Section 8.10 Ground-mounted Solar Electric Installations"; motion is unanimously approved.
Stein moves and Puleo seconds motion that the Select Board acknowledge receipt of a citizen petition titled "Resolution Calling for the US to Join the Treaty on the Prohibition of Nuclear Weapons"; motion passes unanimously.
Stein moves and Puleo seconds motion that the Select Board acknowledge receipt of a citizen petition titled "Medicare for All"; motion passes unanimously.
Stein moves and Puleo seconds motion that the Select Board acknowledge receipt of a citizen petition regarding "the use of Stabilization Funds to pay down the Broadband Debt Exclusion"; motion passes unanimously.
Stein moves and Puleo seconds motion that the Select Board acknowledge receipt of a citizen petition titled "Resolution in Support of a State Seal/Motto Commission"; motion passes unanimously.

2. 3.26.19 Special Town Meeting Warrant: Torres reports that earlier 3.20.19, she met with Town Clerk Susie Mosher, Town Moderator Penny Kim and Town Counsel Donna MacNicol to review the protocol for the 3.26.19 special town meeting. Kim: the requirement for a 2/3rds vote will be explained; prior to the vote on the warrant article, the FinCom will give a report followed by a brief presentation on the reason for the vote by Gayle Huntress/MLP Manager; questions will be limited to the topic of the warrant article. Per Kim, after the vote, the MLP will make an informational presentation about the next steps in the Broadband installation process. Torres: MacNicol will attend the meeting to provide any necessary guidance.
3. Review Calendar: the upcoming meeting schedule remains unchanged at this time.
4. Wage Adjustment and Annual Draft Budget: Torres reviews the highlights of the 3.19.19 draft FY20 budget; the elementary school needs a \$134,000 increase, in part, due to a loss of \$90,000 in grant funds; the regional school is being level funded helping to offset the elementary school increase. Torres thanks those who have contributed to the work done on the regional school assessment methods. Torres: the health insurance premiums will not increase this year; as a result of a detailed analysis of subscriber plans, the overall health insurance line is being reduced by \$25,000; this change leaves little room for error; the Select Board and the unions agreed to create a fund to reimburse subscribers for the new copays. Torres continues: the Building Committee has a funding request that has yet to be included; there is a decrease in Police Department overtime and the addition for holiday pay for the Police Chief; the FinCom and Town Administrator have been working on placing more funds into excess capacity – this is becoming more important as the Town gets closer to the \$25/1,000 limit; excess levy capacity is certified by the State. Michael DeChiara explains that Anna Aaron/Personnel Board Chair asked him to speak about concepts discussed in 2018, specifically, that union and contract employees are able to negotiate for salary increases while non-union and non-contract employees do not have the opportunity to do so; the Personnel Board planned to review non-union job descriptions every three years for any significant changes that may result in an increased rate of pay; at some point, contract employees would receive the same increase that those who cannot negotiate receive; one could say that some have more leverage than others, so in this way, the percentage decided upon will effect everyone. Aaron: these recommendations came out of acrimonious contract negotiations; there is a need for contract negotiation guidelines and a need to address perceived inequity. Groves: addressing departmental equity would be a good thing to do for the whole budget. Arvanitis: the revenue number is greater than is needed, however, it will decrease with the Building Committee request and some other expenses. Torres: each 1% cost of living (COLA) increase reduces the revenue number by \$6,000. Arvanitis: the question is whether a 2% COLA is adequate; what criteria shall be used – it is unfair that non-represented employees do not have the same say as those with contracts and union representation. Aaron notes that the Personnel Board did not confer on criteria, however, lists several criteria she identified - compare with other towns' COLAs, median household income, % change in income; % of residents over 65 and % of residents on a fixed income; per capita median household income in Franklin County. Arvanitis: the current inflation rate is 1.5%; the Social Security Administration's COLA for 2019 is

2.8%; the Consumer Price Index (CPI) is 1.3%; the CPI for clerical workers is 1.1%. Arvanitis: overall, average salaries are being increased by 3% and retention of experienced staff is important. Torres cites that the majority of COLAs in other small towns are 2% however some of these towns have a step increase in addition to the COLA. Puleo: the elementary school has a 2% COLA with a step that results in a 4.8% salary increase; the Personnel Board is looking at the impact of these steps. Torres: all contracted department heads have agreed to receive the same COLA increment as non-represented employees. Groves: taxes are increasing by 2%; ultimately, COLA increases will raise taxes. Torres: the Town will probably reach the \$25/\$1,000 tax rate in a few years at which point taxes cannot be raised further. Steve Schmidt/Board of Assessors to Farrell's question: the next revaluation will be done in FY23; this is a less important because the interim adjustment now needs to be done every year. Arvanitis and Torres note the impact of mandated education related costs. Torres to Stocker's question: the step chart is updated annually; in the past, a 3% COLA was routine then, at some point, annual discussions about the COLA percentage began to take place; the chart is reconfigured each year and is not a tool employees can use for guidance; these annual discussions do not provide the stability for employees. Torres to Aaron's question: it is based on the grid compensation chart – each position has a job description, there is a job classification schedule for the “grades” that fit into an hourly pay rate. Aaron: what is the primary source? Torres: the Personnel Board reviewed job descriptions from other towns; the grid compensation chart is a numerical system for grading. Makepeace-O'Neil: it is a way to add structure. Puleo confirms that a 2% COLA is in the current draft of the budget. Makepeace-O'Neil suggests all agree to start at 2% as it is already in the budget. Puleo states she is comfortable with 2% as it is in the budget; may the COLA increase? Armstrong asks who present wants to leave at the COLA at 2% as supported by budget. Arvanitis suggests it will be okay to go to 2.5%. Makepeace-O'Neil and Torres note that contracted Police Department employees will be receiving a 3% COLA for the next 3 years and that the average elementary school staff increase, with steps, is 4.8%. Groves notes the need to evaluate departmentally and to approach the situation in an orderly manner, considering what the Town can afford and be equitable. Stocker: one could make the argument that Shutesbury teachers are paid less than those in other towns. Arvanitis: pay rates for other positions need to be adjusted from time to time. Houle recommends a 3% COLA and Arvanitis recommends a 2.5% increase. Stein: the average has been 2% however, unionized employees are receiving 3-4% increases, therefore she supports a 3% COLA noting that there is enough in the budget to support this. Aaron notes the creation of disparity and inequity and the need for a different process; in the spirit of compromise, supports a 2.5% increase. Armstrong supports a 2.5% increase. Both Armstrong and Aaron note the subjectivity of the process. Stein: the process is not entirely subjective because the unions provide protection for their employees. Arvanitis concurs: the process is not completely subjective noting that average salary increases in the country are 3.3%; keeping experienced staff is worthwhile. Armstrong notes that while some salaries in the country go up at a much higher rate, others are going down. Houle: those Town employees that are not represented are being taken advantage of; why are we not agreeing to a 3% increase? Houle moves the Finance Committee support a 3% COLA; Farrell seconds the motion. Groves: paying taxes is the other side of this equation; notes the need to consider the well-being of the taxpayer particularly those on fixed incomes and

declining incomes. Five FinCom members vote in favor of the motion; one abstains; the motion carries. Stein moves the Select Board support a 3% COLA; Puleo seconds the motion that passes unanimously. Armstrong moves the Personnel Board align with the FinCom's support of a 3% COLA; Aaron seconds the motion that passes unanimously. Makepeace-O'Neil appreciates the discussion process. Stocker notes that the unions negotiate separately. Torres notes the need for communication with all parties and that SES staff are at the lower end of the pay range for the area.

5. Administrative Assessor's Retirement: Stephen Schmidt/Board of Assessors Chair refers to his 3.20.19 document titled "Assessors Staffing": the Board of Assessors agree with the outlined proposal and recommendations. Puleo: is Leverett contracting with the same consultant? Schmidt: they did so for one year and have just renewed for three years; the situation is different in Leverett however – they did not have clerical staff such as Shutesbury has; the Board is intending to maintain the Assessors Clerk position and the Clerk's office hours; the consultant will also need to maintain office hours perhaps one day/week. Schmidt suggests issuing a Request for Proposal (RFP) to see what responses are received; refers to the "Full Leverett Email Survey" and the Egremont sample scope of services. Torres: Leverett and Orange are both using Regional Resource Group, the same consultant, Harald Scheid, who assisted Shutesbury with the solar PILOT agreement; both Orange and Leverett cited Scheid's lack of availability and being overextended; Scheid is the principal of the consulting firm. Torres recommends that in parallel to the RFP for a consultant, the Town advertise for an Administrative Assessor. Torres to Stein's question: the consultant's cost of \$30,000 includes clerical staff. Leslie Bracebridge/Assessors Clerk supports the use of a consultant noting that they have the expertise, that there are other firms in addition to the Regional Resource Group, and that there is a severe shortage of certified assessors. Armstrong suggests submitting a RFP, advertising for the position and looking at the advantages of both options. Schmidt: a scope of services is needed for the RFP; someone who can work with the database on a regular basis is needed. Aaron: it is assumed a consultant will have the necessary skill set. Torres: Ken Holmberg, the current Administrative Assessor who is retiring, reviewed the job description and did not recommend any changes. Schmidt, who is a retired Administrative Assessor, is willing to review the job description. Aaron: reviewing the job description may result in an increase in the salary line thus on the budget. Torres notes that sick days, etc. are rolled into the contract costs; the consultant is required to get the work done. Bracebridge: Schmidt is a great resource who will carry the Town through the transition; an outside firm may be seen as a more neutral party by the public. Bracebridge has concerns about how she will manage if there is not an Administrative Assessor in place on 7.1.19. (Holmberg retires on 6.30.19) Torres: with Schmidt's assistance, the Town will cast a wide net. Armstrong concurs with Puleo that the job description for the advertisement needs to be different from the scope of services for the RFP. Torres notes the need for there to be time for Holmberg to transition a new staff person or a consultant during the month of June. Bracebridge: will the Clerk's job description be different if a consultant is hired? Schmidt requests Bracebridge let the Assessors know of any changes she may identify. Bracebridge: office hours may need to be adjusted; her position is limited to 12 hours/week; the Town is fortunate to have had

the same experienced person as Administrative Assessor for almost twenty years. Makepeace-O'Neil appreciates Bracebridge's work in the Assessors' office.

6. Town Clerk and Assistant Town Clerk Positions: Torres explains that Town Clerk job description was changed to reflect 25 hours/week, however, because this is an elected position, the retroactive pay request, to 7.1.18, can only be approved at an annual town meeting. Torres continues: the salary for a 10 hour/week Assistant Town Clerk position is included in the FY20 budget; a request has been made that the FinCom allocate \$2,200 to hire the Assistant as soon as possible in order that the new hire will have a full 12-month training period; this request was considered during the 3.19.19 FinCom meeting, one member had questions so the Committee is working on the decision to appropriate the funds then the position can be advertised. Aaron cites the 10.18.18 Personnel Board minutes in which Town Clerk Susie Mosher explained she would provide training to a new Town Clerk (Mosher's term expires after the 2020 annual town meeting); retroactive pay for the increase in the Town Clerk's hours was supported by the Personnel Board and Select Board as well as hiring an Assistant Town Clerk for one year to bridge the transition. Puleo: because it is an elected position, there is no way of knowing if the Assistant would become the new Town Clerk. Aaron: if someone else is elected to be the new Town Clerk, the assistant will be able to train that person. Armstrong: it is a large assumption that the Assistant will run to be the Town Clerk. Torres: there used to be an Assistant position. Bracebridge/former Town Clerk: in the past, the Assistant was needed when there were projects to be done. Torres: there would need to be flexibility. Bracebridge: especially in the case of an illness or for another reason, another person needs to be available. Torres: a functional Assistant position may be a good option. Bracebridge: up to 10 hours/week could be needed for the transition. Torres affirms Bracebridge's observation. Makepeace-O'Neil appreciates the update on the Town Clerk and Assistant Town Clerk positions.
7. Special Event Form Revision: pending
8. Town Administrator Updates:
 - a. Puleo moves and Stein seconds a motion for the Select Board to acknowledge receipt of the 3.14.19 letter from the Jill Berry/Amherst-Pelham Regional School District Treasurer regarding the 3.12.19 vote to incur three million dollars in debt; motion passes unanimously. Makepeace-O'Neil signs the document.
 - b. Stein moves and Puleo seconds a motion that the Select Board sign the 3.18.19 letter written by Gayle Huntress/Municipal Light Plant Manager to the WiredWest Executive Team formally withdrawing the Town of Shutesbury from the WiredWest Cooperative. Torres notes that the number of years that Shutesbury has participated in the Cooperative needs to be amended from five to nine. The motion passes unanimously. Makepeace-O'Neil will sign the letter once the amendment has been made.
 - c. The annual social hour honoring retiring volunteers and staff as well as introducing candidates for election will be held 4.28.19; Town Moderator Penny Kim, Town Clerk Susie Mosher and Scott will coordinate the event.
 - d. Torres: on 3.19.19, the FinCom met with the Police Chief and Capital Planning; four Capital Planning requests were approved by the FinCom: Fire Department - a new

vehicle chassis and an extractor washing machine/drying rack for turnout gear;
Elementary School - barrier for the surface of the preschool playground; Library - \$25,000 for the Library Building Fund.

- e. Torres to Puleo's question: Walter Tibbetts/Fire Chief submitted a timely February activity report.

9. Committee Updates: none offered

Administrative Actions:

1. Select Board members sign vendor warrants totaling \$104,351.67.
2. Select Board members sign payroll warrants totaling \$107,171.97.
3. Select Board members sign Broadband warrants totaling \$162,503.25.
4. Puleo moves and Stein seconds a motion to approve the 2.26.19 meeting minutes. Makepeace-O'Neil and Stein approve the 2.26.19 meeting minutes as presented; Puleo abstains.
5. Stein moves and Puleo seconds a motion to approve the 3.12.19 meeting minutes. Makepeace-O'Neil and Stein approve the 3.12.19 meeting minutes as presented; Puleo abstains.

At 9:34pm, Puleo moves and Stein seconds a motion to adjourn the meeting; motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. "Proposed Zoning Bylaw Changes for the Keeping of Livestock within 400 Feet of Lake Wyola"
2. "Proposed Zoning Bylaw Changes to Section 8.10 Ground-mounted Solar Electric Installations"
3. "Resolution Calling for the US to Join the Treaty on the Prohibition of Nuclear Weapons"
4. Citizen Petition: "Medicare for All"
5. Citizen Petition: "Use of Stabilization Funds to pay down the Broadband Debt Exclusion"
6. "Resolution in Support of a State Seal/Motto Commission"
7. 3.19.19 Draft FY20 "Shutesbury Town Budget"
8. List of current Town positions with grade and hourly pay rate
9. 3.20.19 document by Steve Schmidt: "Assessors Staffing"; Full Leverett Email Survey; "Egremont Assessing Contract FY2016-2018: Scope of Services"
10. 3.12.19 email from Town Clerk Susie Mosher: "Assistant Town Clerk Position"
11. 3.14.19 letter from Jill Berry/Amherst-Pelham Regional School District Treasurer
12. 3.18.19 letter by Gayle Huntress/Municipal Light Plant Manager to the WiredWest Executive Team

Respectfully submitted,
Linda Avis Scott
Administrative Secretary