

Shutesbury Select Board Meeting Minutes
November 17, 2020 Virtual Meeting Platform

Select Board members present: Melissa Makepeace-O'Neil/Chair, April Stein, and Rita Farrell
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary
Board of Assessors & Staff: Kevin Rudden/Administrative Assessor, Leslie
Bracebridge/Assessors' Clerk, and Assessors Jeffrey Quackenbush/Chair, Susan Reyes, and
Howard Shpetner
Finance Committee: Susie Mosher, Jim Walton/Chair, Jim Hemingway, Bob Groves, Ajay
Khashu, Melody Chartier, and George Arvanitis
School Committee: Lauren Thomas-Paquin and Steve Sullivan
Guests: Michael DeChiara/Planning Board, Ellen McKay/Tax Collector, Grace Bannasch/Town
Clerk, Leslie Luchonok, Michael Vinsky

Makepeace-O'Neil calls the meeting to order at 5:32pm.

Agenda Review: No changes are noted.

Public Comment: Michael DeChiara/Planning Board states he is following up on his recent email regarding the compilation of abutter lists and thanks Town Administrator Becky Torres and Kevin Rudden/Administrative Assessor for clarifying the procedure and that, based on facts, his concerns are being worked out; in this instance, without following up, he would have had the wrong information which could have affected attendance on the Planning Board. DeChiara continues: his other concern was clarifying when issues go to Town Counsel; the policy for committee chairs to consult with Torres before contacting Town Counsel makes sense. Torres to Farrell's request for an explanation: if an issue comes up, committee chairs or the Town Clerk confer with Torres about how/when Town Counsel is consulted; the School has their own legal counsel; usually, the Town Administrator and the Select Board chair confer about when to consult Town Counsel and often use conference calls when doing so. Torres explains that DeChiara and Miriam DeFant/Conservation Commission began including Town Counsel in recent emails; Town Counsel Donna MacNicol is trying not to respond to emails sent to her without Torres' awareness. Farrell suggests an email explaining to committee chairs that access to Town Counsel needs to go through the Town Administrator noting that this is an expensive service. Stein and Makepeace-O'Neil agree that a clarification email is appropriate.

1. Tax Classification Hearing: Makepeace-O'Neil calls the hearing to order at 5:45pm.

Tax Classification Hearing Legal Notice:

"In accordance with Chapter 369 of the Acts of 1982, the Select Board will hold a public hearing at 5:45 PM on Tuesday, November 17, on the issue of allocating the local property tax levy among the classes of residential, open space, commercial, industrial, and personal property. All interested taxpayers are invited to attend and may present oral or written information on their views.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, Sec. 18, and the Governor's March 5, 2020 Order imposing strict limitation on the number of people who can gather in one place, this meeting of the

Shutesbury Select Board will be conducted via remote participation. Instructions for participating in the virtual Public Hearing will be listed on the meeting agenda posted on the Town website.”

Rudden refers to his “Tax Classification Hearing November 17, 2020” document and notes that the correct version is available on the Assessors webpage: there will be four decisions requiring a Select Board votes during the hearing: 1. To have a single or a split tax rate. 2. To adopt/not adopt an Open Space Discount. 3. To adopt/not adopt a Residential Exemption. 4. To adopt/not adopt a Small Commercial Exemption. Rudden reviews the “Tax Classification Hearing November 17, 2020” in total and notes an example of current year trends based on a property assessed for \$240,000 and listed at \$369,000; these trends will be reflected in the FY22 evaluation.

1. Rudden recommends Makepeace-O’Neil ask for a motion for a single tax rate. Stein moves and Farrell seconds a motion that the Select Board approve a single tax rate for Fiscal Year 2021. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O’Neil: aye; the motion carries.
2. Rudden recommends not to adopt an Open Space discount for FY21. Farrell moves and Stein seconds a motion that the Select Board not adopt an Open Space Discount for FY21. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O’Neil: aye; the motion carries.
3. Rudden recommends not to adopt a Residential Exemption for FY21. Stein moves and Farrell seconds a motion that the Select Board not adopt a Residential Exemption for FY21. Roll call vote: Farrell: aye, Stein: aye, Makepeace-O’Neil: aye; the motion carries.
4. Rudden recommends the Select Board not adopt a Small Commercial Exemption for FY21. Farrell moves and Stein seconds a motion that the Select Board not adopt a Small Commercial Exemption. Roll call vote: Farrell: aye, Stein: aye, and Makepeace-O’Neil: aye; the motion carries.

Rudden reviews the “FY21 Property Values by Class” and the “FY20 and FY21 Property Tax Values” and the “Solar PILOT Value Increases for Fiscal Year 2022” (Wheelock Solar Farm) from his document. There being no further questions, Makepeace-O’Neil closes the public hearing at 6:06pm. Grace Bannasch/Town Clerk was present to witness the four Select Board votes. Makepeace-O’Neil appreciates Rudden’s thorough presentation. Stein appreciates the information provided about the Wheelock Solar Farm. Rudden explains that the information about the Wheelock Solar Farm was provided as part of his responsibility to inform taxpayers about what effects the tax rate.

2. Four-Town Meeting Preparation with Finance & School Committees:

Jim Walton/FinCom Chair calls the Finance Committee to order at 6:32pm. A quorum of School Committee members is not present. Makepeace-O’Neil welcomes all who are present and notes the tradition for the three committees to meet to touch base prior to the December four town meeting and that no new information has been received from the Region.

Torres refers to the 6.23.20 Select Board letter to Jeffrey C. Riley/Commissioner of Elementary and Secondary Education regarding the Select Board vote for the FY21 alternative assessment method to be calculated as 45% of a five-year average and the “FY21 Modified Regional School Budget” dated 6.8.20.

Makepeace-O’Neil expects the 12.5.20 meeting to focus on the budget and COVID related concerns. Stein: last year, we were still working toward a 100% statutory method. Torres: in May, the FY21 budget was based on three months COVID experience.

Torres refers to the “HWM FY21 Budget Releases” 11.6.20 email from Doug Slaughter/Director of Finance: Chapter 70 stayed level for all communities for FY21, otherwise, there were minimal state aid losses for Amherst. Steve Sullivan to Stein’s question: the Regional School Committee is not close to talking about the budget though is meeting 11.17.20; students are leaving the Region to attend private schools; Regional enrollment is down about 30 students. Makepeace-O’Neil reviews the 12.5.20 four-town meeting agenda. Bob Groves: last year, as a concession acceptable to all, Shutesbury agreed to the 45% statutory method; per annual town meeting, he understood Shutesbury would be going further toward statutory; because negotiations are expected to occur during the four-town second meeting, there needs to be a strong presentation at the upcoming meeting. Groves supports a proposal that moves in the direction of full statutory with a five-year rolling. Stein: the prior year was 30%; 60% would be a reasonable place to start. Groves: start at 75% to get to 60%.

Ajay Khashu recommends a one-year pause on the move to statutory given the current circumstances and the strain the Regional District is under; proceeding with the same strategy would not be negotiating in good faith; Shutesbury feels strongly that an incremental move to statutory is needed, however, we understand the unique circumstances and suggest a freeze at 45% and, given an economic recovery, recommend proceeding next year. Khashu still feels statutory is the best method however there are different dynamics at play right now. Khashu to Walton’s question: because more information is needed, it is an indication that the Region is scrambling to address immediate issues; the “hold harmless” agreement may be changing in the law; there is a general awareness that there been huge losses in critical revenue areas in the Town of Amherst; Shutesbury does not have that kind of loss.

Makepeace-O’Neil agrees with Khashu’s observation and notes the economic losses resulting from the absence of college students and tourism. Groves: Amherst has a sixty-five million dollar budget; the statutory difference to a Shutesbury taxpayer will be miniscule to an Amherst taxpayer; the FinCom has a responsibility to represent Shutesbury taxpayers whose broad opinion is that we should be moving toward statutory; there is no new data from Amherst, therefore, he recommends proceeding along the statutory track.

Susie Mosher needs to know how the foundation budget, State aid, and Chapter 21 are affecting the four towns; Amherst is a large town with revenue losses; a lot of people are “holding still” until we know where we will be on the other side on the pandemic; we need more information about State aide before we make a decision to take a hard stand; supports Khashu’s recommends for a pause. Torres reads more from Slaughter’s email: looking at the Governor’s revised budget, the “Region’s income is \$41,000 less from the Chapter 70 line in our budget... there is a net reduction in State support of \$68,000.” Torres notes that we only have information about FY21 and have no idea when we will receive FY22 information; there should be very little change for this year because the State is “holding harmless” for FY21. Mosher: the delay from the State is another reason to “hold still”. Leslie Luchonok recalls that during the FY19 annual town meeting there was strong support for moving to the statutory method; there is data supporting this and the sentiment to do so in Town. Luchonok rebuts Khashu’s observation; Shutesbury has supported the Regional budget through the residential tax rate therefore statutory should continue to be on the table. Mike Vinskey reiterates Luchonok’s statement; Shutesbury taxpayers have been looking toward statutory for many years; it is not appropriate to go into a four-town meeting and say Shutesbury is not interested in moving toward statutory. Stein appreciates Khashu’s and Mosher’s points; these

are extraordinary times; our intent is to move toward statutory with a five-year rolling average; how do we do this and bargain in good faith at this time. Makepeace-O'Neil agrees; this is a complicated time. George Arvanitis: we have been working in good faith; this is a unique year; everybody is affected and it does not make sense to argue about who is hurt more; we need to be firm about our long-term goal, the statutory method. Arvanitis suggests setting a goal for reaching 100% statutory, i.e., FY24-25; we understand the situation this year, however, per Groves, we need to stay firm on what we want to do; when we go to statutory, Amherst picks up the difference; after the pandemic, their revenues will come up. Luchonok: things will not go back to normal; we need to be prepared for that and make the best decisions we can; normal is past tense in the USA. Sullivan, noting that he cannot speak for Pelham, states that Pelham has lost twenty students, needed to drop their preschool and may not be able to open next year; Pelham will be reporting at the 12.5.20 meeting. Lauren Thomas-Paquin: enrollment at the Shutesbury elementary school is in flux; currently, numbers are down; parents are making different decisions based on the model of teaching offered. Sullivan: the sharp drop-off in the number of Regional students may be reflected in state aid. Makepeace-O'Neil: it is hard to take a firm stance toward statutory without more information; we may need to stay at 45% for this year. Groves does not support "throwing in the white flag" about moving toward statutory without more information; taxpayers in Shutesbury are expecting a move toward statutory; we have a responsibility to keep taxes as low as possible. Stein: no one disagrees on getting to 100% statutory with a five-year rolling average; we have to go to the 12.5.20 meeting open to listening to what is going on in the other three towns. Groves agrees to go and listen and then respond to factual information which we do not yet have. Khashu: it may not be necessary to have an articulated decision for 12.5.20; we may need to freeze for one year, however, we do not need to say this; let's take the opportunity to hear what the other towns have to say on the 5th. Mosher: it is important to know what information is needed for our decision, i.e., what percentage of the total budget is for education, the tax rate, and per pupil spending for each town. Mosher recommends requesting specific information so we are informed by facts not just positioning. Jim Hemingway: we need to go in with a position consistent with what we have taken in the past and the way we would like to move in the future; appreciates Mosher's need for facts; there will be so much to talk about related to COVID and the State. Farrell notes that we need to be clear about moving toward statutory however, it does not make sense to set a percentage at this meeting. It is noted that for caucusing, virtual break out rooms may be possible. Arvanitis: we need to listen and have a consistent method; the opportunity to caucus will give us time to consider. Makepeace-O'Neil agrees with the need to listen. Torres suggests the committees may want to post a meeting one-half hour prior to the 12.5.20 meeting in order to consider any new information available prior to the four-town meeting. All agree to meet early if new information is available. Walton: the point of focus is listening and continuing to set the tone for our goal to move toward statutory. Torres to Farrell's question: usually, whoever is most comfortable speaks; one person may have more information and understanding. Groves: in the past, the first meeting is more open to information; in the second meeting, there is more expression of positions; we currently do not have a position except for our commitment to statutory and the willingness to listen. Details for the meeting are reviewed. Mosher requests Torres to ask, in advance, that minutes be taken. Torres notes that the meeting will be recorded and available on Amherst TV. Makepeace-O'Neil thanks all for attending.

At 7:28pm, Stein moves and Farrell seconds a motion to adjourn the meeting. Roll call vote:
Farrell: aye, Stein: aye, and Makepeace-O'Neil: aye; the motion carries.

Documents and Other Items Used at the Meeting

1. "Tax Classification Hearing November 17, 2020" by Kevin Rudden
2. 6.23.20 Select Board letter to Jeffrey C. Riley/Commissioner of Elementary and Secondary Education
3. "FY21 Modified Regional School Budget" dated 6.8.20
4. "HWM FY21 Budget Releases" 11.6.20 email from Doug Slaughter

Respectfully submitted,
Linda Avis Scott
Administrative Secretary