

Shutesbury Select Board Meeting Minutes
February 1, 2022 Virtual Meeting Platform

Select Board members present: Melissa Makepeace-O'Neil/Vice-Chair & Eric Stocker
Staff present: Becky Torres/Town Administrator; Linda Avis Scott/Administrative Secretary
Finance Committee members present: Jim Walton/Chair, Bob Groves, Jim Hemingway, George Arvanitis, Susie Mosher, Ajay Khashu, & Melody Chartier
School Committee members present: Lauren Thomas-Paquin, Steve Sullivan, Bethany Rose, & Julie Martel
Other Staff/Volunteers present: Penney Jaques & Gail Fleischaker/Open Space Committee, Miriam DeFant/Conservation Commission & Historical Commission, Bridget Likely/Kestrel Land Trust, Allen Hanson/Community Preservation Committee, Ryan Mailloux/Treasurer, & Mark Rivers/Lake Wyola Advisory Committee
Guests: Joan Hanson, Mike Vinskey, & Fran Merrigan

In the absence of the Chair, Makepeace-O'Neil/Vice-Chair calls the meeting to order at 5:46pm.
Agenda Review: Torres adds two Chapter 90 reimbursement requests on behalf of Tim Hunting/Highway Superintendent
Public Comment: None offered.

Discussion Topics:

1. Community Preservation Projects:
 - A. Lot R15 Pelham Hill Road: Makepeace-O'Neil: this project, proposed by the Open Space Committee, Conservation Commission and Kestrel Land Trust, is for the purchase of 34 acres with 2,000 feet of frontage on Pelham Hill Road. Penny Jaques/Open Space Committee: the proposal is for the Town to contribute 22% and Kestrel Land Trust to contribute 75+% of the costs to purchase the parcel. Per Jaques, usually towns contribute more to such a purchase, however Kestrel is able to use a combination of Forest Legacy Funds and private donations; \$50,000 in Community Preservation funds will be requested for open space land acquisition; the Conservation Commission plans to utilize \$20,000 of their trust fund. Jaques continues: within the parcel are the headwaters of the Amethyst Brook, a historic mill, wetlands, and it connects to other preserved land; there is no other conservation area in this part of town; it will be developed for passive recreation use. Stocker has no concerns. Makepeace-O'Neil: this is great opportunity for Shutesbury. Miriam DeFant/Conservation Commission acknowledges the generosity of Kestrel Land Trust and their access to Forest Legacy Funds to be used before 7.1.22; this is a valuable parcel and a worthy project; its recreational use will benefit townspeople. Jaques: parking has been added as a project cost. DeFant: if approved at annual town meeting, the Town will become the owner of the property therefore Select Board support is requested. Torres verifies that Conservation Commission trust funds are under the Commission and Open Space Committee's control therefore a Select Board vote is not needed to approve their use. DeFant: Forest Legacy Funds are used to secure conservation restrictions on forest tracts so they cannot be developed; the property is currently owned by Wendy Pearson. Bridget Likely/Kestrel Land Trust: Kestrel is purchasing the land and will transfer ownership to the Town once the

project funding is approved at annual town meeting. Makepeace-O'Neil and Stocker support the project in going forward.

- B. Historic Guidepost: Miriam DeFant/Historical Commission screenshares photos of the historic guidepost located on the Town Common; the photos demonstrate crevices, plywood rotting on the roof, shingles peeling up, weathering, missing nails, porous openings for rot and the removal of the lettering for "Ripton". DeFant also screenshare "Issues" summarizing the problems with the guidepost that have occurred since the last restoration done by Bob Groves in 2009; the guidepost needs proper restoration; it is a unique historic structure built in 1888 and is on the Massachusetts list of historic structures. DeFant continues: the Community Preservation application is in process; feedback is pending from preservation experts for guidance on the scope of work for a fragile structure which will need to be removed from its pedestal and brought to a shop for repair. Per DeFant, Select Board support is needed because the guidepost belongs to the Town and is located on the Town Common; for consensus on the final details, the bids will be reviewed with the Select Board. DeFant explains that strengthening of the structure will be done through the use of special epoxy compounds and high quality paints; the goal is preservation for 50 years; the cost is estimated at \$5,000 though could be more; the Historical Commission has some funds in a donation account; the Friends of the Historical Society have been reached out to and there may be private donations as well.

2. Open Space Committee Appointment: Jaques: both she and Gail Fleischaker are excited about Barbara Bigelow's interest in joining the Committee; Bigelow is a member of the Recreation Committee which is a key group in the implementation of the Open Space and Recreation Plan.

- Stocker moves and Makepeace-O'Neil seconds a motion to appoint Barbara Bigelow to the Open Space Committee. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

3. Regional Assessment with FinCom & School Committee:

Walton calls the Finance Committee to order at 6:16pm.

Ajay Khashu screenshares the draft letter to the Amherst Regional School Committee, Mike Morris and Doug Slaughter. Per Khashu, the letter is the result of the Finance Committee's (FinCom) discussion after the 1.8.22 four town meeting during which the Regional budget and assessment method were discussed; the position stated by the Regional School Committee (RSC) is that the four towns came together and dug their heels in on a preferred assessment method so the RSC feels a need to propose both a budget and an assessment method utilizing the 65% statutory method from last year; there is a sense that the window to push the assessment method in the direction we want is closing and the RSC is meeting this evening. Khashu: the majority of FinCom members agreed to communicate a compromise to the Region that moves us in the direction we want to be in and may improve the chances in achieving a consensus that is more favorable to our town; the compromise also proposes a two year commitment that will appeal to the never ending need for the Region to manage a budget without clear direction from the four towns; the letter was approved by a majority of FinCom members. Lauren Thomas-Paquin calls the School Committee to order at 6:22pm.

Groves, noting that he voted against the letter, appreciates Khashu' willingness to compromise; our consensus was to support the statutory, with a 5 year rolling average, as a long term goal; it has to be remembered that we have been patient and flexible in this process over 5-7 years; there has to be universal acceptance of the method (by the four towns); if any town that does not agree, it may reject the method; we should go in with a firm opinion that the statutory is the fair method; he would then support a compromise of 85%; by going in with 85% would lose our moral position. Hemingway notes he joined Groves in opposing the letter: we need to stay with our position therefore he recommends following Groves' advice. Mosher: the FinCom voted 5-2 to approve the letter, we are not letting go of our final goal; the goal is to get the letter to the RSC before the next four town meeting on 2.10.22. Stocker: the letter starts from a position we may negotiate to. Makepeace-O'Neil recommends staying with 100% then be willing to compromise, as per the letter, if needed.

Khashu: the letter explains why the FinCom supports the position; we do not have a changed perspective on the fair method of modified statutory; in the absence of making any progress, the RSC may utilize the same method as last year which would not be good. Khashu reads comments from Dan Hayes/School Committee Chairperson into the record. Arvanitis: the body of the letter is consistent with what we have been saying all along; we are committed to 100%; 85% keeps the needle moving; the letter explains where we are however the last sentence could be edited to take out 85%. Makepeace-O'Neil supports this suggestion.

Torres suggests Sullivan/School Committee Representative to the Region be asked for comment before the letter is amended; the 85% is to ensure we get more than 65%; negotiating in a Zoom meeting with a lot of people is difficult. Sullivan: the RSC will be talking about the budget tonight and he does not think Shutesbury will see anything over 65%; if Shutesbury sticks to 100%, the Region will go to a 1/12th budget. Walton: Torres summarized why we voted the way we did; the reason driving the letter is because the time is tight; the RSC is at 65%; the letter is our effort to get in front of that and needs to get out quickly. Mosher: the letter does not say we are changing our goal; if we do not move, we will stay at 65%; this letter reflects a negotiating strategy; the two years is worth something. Groves does not agree with the letter as a negotiating tool; last year, Amherst made concession and we were successful in getting our 65%; we should go in with the convictions of our view; this is a better tactic and has a chance of success. Torres refers to the 1.20.22 issue of the *Montague Reporter* article "Frustrations In Leverett Over Amherst District Budget" citing the difficulty in agreeing on an assessment method as Shutesbury's fault and suggests sending the letter to the *Montague Reporter* to provide an explanation to readers about why Shutesbury supports equity. Stocker: there are differing philosophies on how to achieve the goal; Torres pointed to the difficulty of negotiating with a large number of participants on Zoom; Khashu's letter is in the category for how to meet our goal. Mosher: there is no harm in sending a letter; there is harm in not moving off 65% which may cascade into more harmful steps. Khashu: the RSC is an important audience; they will propose a method because the towns could not come to an agreement; we are signaling that we are willing to compromise and offer a two year commitment. Arvanitis: tell the RSC what we expect; that we want to continue to move forward and are disappointed in 65%. Hemingway: we are starting at 100% while the RSC starts at 65%. Torres asks Sullivan if the RSC would compromise at 85%.

Sullivan does not think so even with letter. Groves: we are the officials who will make a recommendation at annual town meeting; we need to determine what is best for our town; what ultimately carries the day is Town officials coming to consensus about what is best for the Town which is 100% statutory with a five year rolling average; go into the 2.10.22 meeting at 100%, give our reasons and be willing to compromise. Chartier: it might make sense to appeal to the moral high ground and talk more about equity in the letter; most people stand for justice so explain how the statutory method demonstrates equity. Khashu: to Groves' point, we need to confront the fact that we are part of the Region and represent our students; the ultimately authority is annual town meeting; there will be a bad outcome if Shutesbury says we are going to do our thing; our interest is an assessment method that achieves some of our goals. Thomas-Paquin: we need to keep in mind the consequences if the budget does not pass; we have to find a way to work with the Region with what we feel is fair and right; she does not want the school to experience more cuts. Stocker: the 85% strongly represents the students and equity; we are trying to compromise. Thomas-Paquin: we need to emphasize the equity issue and our history of compromising over a number of years; it is not just fairness and equity for Shutesbury. Mosher suggests adding to the second paragraph: "We appreciate the progress the assessment method has made over the last six years to implement the equity issue at its core; also, add "notwithstanding" to the third paragraph. Khashu screenshares the letter as it is being edited. Makepeace-O'Neil and Chartier agree with Mosher's edits. Hemingway and Groves want to remove the last paragraph. Arvanitis: the purpose of that paragraph is to tell the RSC what we want them to do; we need to state that we are not happy with 65%; additional edit: "Shutesbury would like to continue moving toward 100%. We were expecting the RSC to continue to make progress towards 100% modified statutory." Groves is willing to support "at least 85% for FY23" and add to the second paragraph "Therefore, we support continuing to move toward that method." Mosher restates that the FinCom voted 5-2 in support of 85%. Stocker suggests adding a bold "statutory method achieves a **reasonable balance**". Hemingway: why include next year at this point? Martel: we are offering to agree for FY23 and FY24. Khashu: this puts us on the record; it is ultimately the RSC's process. Walton: two years is the "carrot". Makepeace-O'Neil: and it could help us get to 85% this year. Arvanitis: a couple of years ago, Amherst recommended agreeing for two years; doing so was successful in the past; 85% is one match closer to 100%. Groves predicts that if the letter is sent, 85% will be negotiated down.

- Stocker moves and Makepeace-O'Neil seconds a motion for the Select Board to approve the amended letter to the Regional School Committee, Mike Morris and Doug Slaughter. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.
- Mosher moves Groves seconds a motion for the Finance Committee to approve the amended letter to the Regional School Committee, Mike Morris and Doug Slaughter. Roll call vote: Arvanitis: aye, Chartier: aye, Groves: nay, Hemingway: nay, Khashu: aye, Mosher: aye, and Walton: aye; the motion carries.
- Thomas-Paquin moves and Martel seconds a motion for the School Committee to approve the amended letter to the Regional School Committee,

Mike Morris and Doug Slaughter. Roll call vote: Thomas-Paquin: aye, Martel: aye, Bethany Rose: aye and Sullivan: nay; the motion carries.

Makepeace-O'Neil thanks all present.

- Mosher moves Arvanitis seconds a motion to adjourn the Finance Committee. Roll call vote: Mosher: aye, Hemingway: aye; Walton: aye, Arvanitis: aye, and Khashu: aye; the motion carries.
 - The School Committee left the Select Board meeting without adjourning.
4. Letter to USDA/Geese Population Control: Torres screenshares the letter to Donald J. Wilda/USDA District Supervisor; grammatical edits are made. Mark Rivers confirms that the Lake Wyola Advisory Committee (LWAC) will be included in the meeting with Wilda. The LWAC chairperson along with chairperson of the Conservation Commission are included in the list of those who will attend the meeting with Wilda.
 - Stocker moves and Makepeace-O'Neil seconds a motion to approve as the Select Board letter to Donald Wilda/USDA as amended. Roll call vote: Stocker aye and Makepeace-O'Neil: aye; the motion carries.
 5. Town Hall Closure Status: Torres: although case numbers are dropping, two more weeks before reopening Town Hall to the public is requested.
 - Stocker moves and Makepeace-O'Neil seconds a motion to continue the closure of Town Hall and reassess in two weeks. Roll call vote: Stocker aye and Makepeace-O'Neil: aye; the motion carries.
 6. Real Estate Appraisal Update: No update per Makepeace-O'Neil.
 7. Bond Internal Transfer: Ryan Mailloux/Treasurer explains the internal transfer is necessary because the remaining year on the Broadband debt was to be borrowed then paid in full in FY23 however the debt was paid off before borrowing occurred. Per Mailloux, because the borrowing has been completed, the Department of Local Services requires Select Board sign off on the "Advance of Funds in Lieu of Borrowing Report".
 - Stocker moves and Makepeace-O'Neil seconds a motion authorizing the Select Board to sign the "Advance of Funds in Lieu of Borrowing Report". Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.
 8. Town Administrator Updates:
 - A. Tax Collections: COVID has not impacted the payment of taxes per Ellen McKay/Tax Collector.
 - B. 2.4.22 Storm: there were no accidents; the Highway Department worked many hours during the storm.
 - C. FY23 Budget: Torres is working on budget with the Finance Committee; considering the Regional assessment formula took a lot of time; the next four town meeting is scheduled for 2.10.22.
 - D. Personnel: the new Land Use Clerk is being trained; staff are testing as needed, townspeople are patient when they need services.

- E. Annual Town Meeting: the Select Board will determine the date of annual town meeting in two weeks; Town Clerk Grace Bannasch will attend the 2.15.22 meeting. Bannasch has been involved with voting legislation; State Representative Natalie Blais' office is taking her suggestions into discussions.
- F. Capital Requests: Requests include a new Highway Department dump truck, a new Police Department cruiser, a new Fire Department cruiser, the school roof, and new VADAR software for the financial team which costs ~ \$20,000; these requests do not include the new library.

Unanticipated Topic:

- 1. Torres: Per Highway Superintendent Tim Hunting, there are two Chapter 90 Reimbursement Requests: paving Baker Road from the intersection of Pelham Hill Road to the first pond and paving a portion of Pelham Hill Road.
 - Stocker moves and Makepeace-O'Neil seconds a motion to approve the Chapter 90 Reimbursement Request of \$18,382.74 for paving Baker Road and \$131,685.10 for paving a portion of Pelham Hill Road. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

Administrative Actions:

- 1. Select Board members will sign #22-17 vendor warrants totaling \$165,448.33.
- 2. Select Board members will sign #22-17 payroll warrants totaling \$120,908.32.
- 3. Stocker moves and Makepeace-O'Neil seconds a motion to approve the 1.4.22 meeting minutes as amended. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the 1.4.22 meeting minutes are approved as amended.
- 4. Stocker moves and Makepeace-O'Neil seconds a motion to approve the 1.12.22 meeting minutes. Roll call vote: Stocker: aye and Makepeace-O'Neil: aye; the 1.12.22 meeting minutes are approved as presented.

At 7:51pm, Stocker moves and Makepeace-O'Neil seconds a motion to adjourn the meeting; Stocker: aye and Makepeace-O'Neil: aye; the motion carries.

Documents and Other Items Used at the Meeting:

- 1. Jaques' 2.1.22 email: "Purchase of Lot R-15 proposal" and "Project Description for Purchase of Lot R-15, Pelham Hill Road"
- 2. DeFant's 1.30.22 email: "Historical Commission CPA Proposal" and "Issues"
- 3. Draft letter to Amherst Regional School Committee, Mike Morris, and Doug Slaughter from Shutesbury Select Board, School Committee, and Finance Committee
- 4. Hayes statement "Assessment Methodology" read into the record
- 5. 1.20.22 *Montague Reporter* article "Frustrations In Leverett Over Amherst District Budget"
- 6. Select Board letter to Donald J. Wilda/District Supervisor USDA Amherst
- 7. "Advance of Funds in Lieu of Borrowing Report"
- 8. Chapter 90 Reimbursement Requests: Baker Road and Pelham Hill Road

Respectfully submitted,
Linda Avis Scott
Administrative Secretary