

Shutesbury Board of Selectmen Meeting Minutes January 7, 2014

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

Members Absent: None.

Remote participation: None.

Staff present: Town Administrator Rebecca Torres, Administrative Secretary Leslie Bracebridge.

Press present: None.

Members of the Public present: Melissa Makepeace-O'Neil, Mary Lou Ferro and Michael Vinsky from Shutesbury and Frederick Vanderbeck from Pelham for the School and Finance Committee portion of the meeting only.

Chairman Puleo opened the meeting at 6:30 P.M. at the Shutesbury Town Hall.

Appointments

Police Chief Harding: Was not present as this was a special meeting with the Finance and School Committees. Selectmen will meet again on Tuesday, January 14 for their regular meeting.

Topics

1. Select Board Letter:

- Selectmen reviewed their letter sent by registered mail to Birch Drive resident Ron Meck regarding Mr. Meck's complaint about a barking dog in his neighborhood.
- Selectmen also referenced a letter Chief Harding had also sent to Mr. Meck regarding Mr. Meck's barking dog complaints.
- Becky reported that Town Counsel feels a judge could rule either way about whether or not the Select Board should hold a dog hearing.
- Elaine felt it wise to schedule a hearing as soon as possible, suggesting Tuesday, January 14, and asked who needed to be notified and what timelines were mandated.
- The Select Board doesn't need to notify abutters and the dog owner doesn't need to be present.
- Neighbors could feel intimidated if they attend a meeting. They have already been interviewed impartially by police officers, whose report could be given by Chief Harding.
- Mr. Meck has highlighted his main concern that the complainant (Mr. Meck) may testify under oath. This appeared to be important to Mr. Meck in his response letter to the Select Board.
- Selectmen wanted the Dog Officer present. In addition to notifying the Dog Officer Selectmen also wanted to notify the dog owner, Mr. Meck and 2 other people mentioned by Mr. Meck as having concerns about the barking in a letter he wrote back to the Select Board, and Chief Harding.
- The 2 other people lived in the neighborhood and complained of barking when the dog owner owned 2 dogs but moved away from the neighborhood before the owner found a new home for her second dog.
- April wondered if Selectmen could be "called" for not notifying the abutters. Selectmen agreed that Chief Harding will be asked his preference in that it was his officers who interviewed the neighbors.
- Elaine would like the hearing on January 14 if possible.

2. Regional School District Planning Board (RSDPB). Elaine reported:

- The Department of Elementary and Secondary Education (DESE) has indicated to RSDPB Chairman Andy Steinberg that the 4 towns may go ahead with crafting an amendment to the Regional agreement as discussed at the December 5 meeting at Amherst Town Hall. A letter will be sent to Chairman Steinberg explaining the details that Elaine understands to be:

- The DESE wants the towns to have 2 votes: The first votes of all 4 towns would be to amend the regional agreement to include Pre-K through 6th grades; the second votes for the 3 smaller towns only, would be to select whether or not to opt out of the Pre-K–6 portion of the agreement. Amherst would not have the option to opt out. All votes would be town meeting votes for all towns.
- The school committee can vote to change the town’s membership in the union at anytime (without a town meeting vote); the school committee does not make the deciding vote to join the region.
- When the Amherst Regional School Committee meets next week, they will vote whether or not they wish to craft an amendment to the regional agreement to include Pre-K through 6th grades, and if they decide that they do, than they could also decide if they want to form a subcommittee to do the work of developing the amendment wording. RSDPB Chairman Andy Steinberg assumes that the regional committee would appoint a subcommittee and members of the RSDPB would be considered for appointment to the subcommittee, and others if wanted, but this is an assumption.
- The Regional School District Planning Board (RSDPB) would become inactive for an amendment.
- Michael DeChiara is Shutesbury’s representative on the Amherst Regional School Committee.
- The agreement amendment will have to define such things as the composition of the school committee, what would happen to the school buildings, and all of the other things that the Regional School District Planning Board has been working on.
- Various Select Board comments were made about the complexity of the 2 votes. They questioned what would happen if the agreement is first amended and then more than 1 town chooses to opt out.
- It is anticipated that these things and more will be clarified in time.

Select Board Action Items

1. Selectmen unanimously voted to approve the December 3, and 17, 2013 meeting minutes as written. Becky promised to provide the November 19, 2013 meeting minutes to the Select Board before the weekend so that the Board will have plenty of time to read them before January 14.
2. Becky reported that the Hampshire Power fixed price electricity contract is not yet available.
3. Selectmen had previously signed vendor warrants totaling \$55,601.89.
4. Selectmen had previously signed payroll warrants totaling \$91, 157.83. Selectmen will sign new warrants at their regularly meeting next Tuesday, January 14.

Topics the Chairman Could Not Reasonably Have Anticipated

1. Town Counsel is arranging for an executive session meeting with an expert consultant.
2. Selectmen will discuss the February 4 All Boards meeting at their January 14 meeting.
3. Becky will research the occupancy status of 91 Baker RD.

At 7 PM the Select Board welcomed Finance Committee Co-Chairs Lori Tuominen and Rus Wilson and members: Eric Stocker, “Weezie” Houle, Allen Hanson, Gary Hirschfield, and George Arvanitis, School Committee Chairman Michael DeChiara, and members: Sean Woodard-McNiff, Mare Fox and Dan Hayes, Elementary School Principal Maureen Hayes, and Union 28 Superintendent Bob Mahler, to review the Elementary School draft budget. Elaine opened the meeting and reminded people of the Feb. 4 All Boards meeting at the school at 7 PM, and then turned the meeting over to School Committee Chairman DeChiara:

- Previous years’ school budgets were falling behind programmatically. Last year the School Committee was able to reinvest in the programs, so quality-wise the school did not lose any ground; “things were built back into the budget.”
- The FY 15 budget has a 7.98% increase:
 - 1 % is attributed to school operations,
 - 3% for additional staff mandated for educational needs and
 - 3% more, which Michael deferred to Superintendent Mahler to explain later.

- Shutesbury is doing a wonderful job attracting families. We've risen from 24+% of students served by the Union last year to 26+% of the students served by the Union this year.
- Line 129: Shows a \$55,000 increase for special education out of district placement costs.
- Line 50: Teacher aide salaries are up by \$21,000 for specialized in-house staff that weren't in the budget last year. This will continue next year.
- Line 44: Shows a \$32,000 increase for mandated special staff.
- Line 42: Shows \$12,000 so the salary team can negotiate in good faith.
- Line 31: Union 28 costs increased by \$11,481 for Shutesbury. This is higher than the overall Union request for a 2.9% increase due to the increase in Shutesbury's percent of children served. The Union 28 budget is almost level funded. The big exception is \$8,000 for technology upgrades: the current software is so old, maintenance is no longer available; computers are also very old.

Superintendent Mahler stated that 1% of the 7.98% increase is for school operations, the remainder is for mandatory expenses. He invited questions and answered with the following comments:

- **“Circuit breaker” funds:** After \$40,000 of special education expenses for an individual child the circuit breaker cuts in. (From a Department of Revenue Technical Assistance paper: The special education circuit breaker program (MGL Chapter 71B§5A) is intended to provide partial reimbursement to school districts for the cost of individual special education students. The reimbursement formula provides for a 75 percent reimbursement of the special education costs in excess of four times the state average per pupil foundation budget.) It does not include special transportation costs. The amount of support depends on the set amount of money made available in the state, which is then divided amongst all the circuit breaker requests. Last year about 70% of costs for towns across the state over the \$45,000 thresholds were covered. Circuit breaker funds for FY 14 will show up as reimbursement to the town, not the school, in FY 15.
- Something called **“Extra Relief”** goes directly to the school. The school got \$11,000 in March of 2013, which was returned to the town, as there was no real plan for it, so it seemed only right to turn it over to the town rather than create a way to spend it.
- \$106,000 of the FY 15 draft budget is SPED or ELL related.
- Future special needs cannot be projected.
- The future population seems stable at 140-150 students per year in the school.
- There are currently 1 elementary charter student, and approximately 6 choice elementary students residing in Shutesbury. Because of variables in funding, choice student numbers are not completely discernible.
- When students get to 7th grade, they belong to the region and the choice and charter students are not broken down by towns.
- Within Union 28, while Shutesbury's percentage increased to 26%, Leverett's elementary enrollment dropped by 20 students, due to a “bubble” of students passing through to the Region. Erving and Swift River have seen no big enrollment changes.
- Voters will want to know what the Union 28 costs will be if one town pulls out as a result of regionalization. There are lots of different options for adjusting the Union 28 budget. The Union 28 Joint Supervisory Committee would be the group that would decide those things.
- Michael DeChiara and Elaine reviewed the status of the regionalization question:
 - The 12 person body met Dec. 5 and unanimously approved a plan to amend the regional agreement to include Pre-K through 12, with the provision that any one of the 3 smaller towns could choose to only participate in the region in the 7th through 12th grades.
 - DESE will allow us to amend the agreement for a Pre-K through 12 region for all 4 towns to vote on, and the second vote would be to opt out at the Pre-K through 6th level. As long as

only one town votes to opt out then there would be a Pre-K through 12 Region. We have not yet seen the written letter from DESE.

- The concept goes to the Jan. 14 Regional School Committee meeting, where they will decide whether or not to amend the agreement, and whether or not to form a sub-committee to research this plan, and perhaps invite members of the Regional School District Planning Board to be on this Amherst Regional School Committee Agreement Amendment Subcommittee.
- Elaine: It will be extremely complicated. Becky: Depending on which town votes to leave, future Union 28 costs will be a different answer.
- The \$8,000 Union 28 software expenses for FY 15 is split between lines and between all 4 schools. In total, it is more like a \$2,000 cost for Shutesbury.
- The Finance Committee will further consider funding some of the special needs with free cash
- Whenever you have children in special programs, you are always hoping it is the best program for them. Shutesbury School should be complemented for doing a very good job at keeping children within the school and a part of our community.
- The School Committee sends whatever is left at the end of the budget year back to the town.
- Becky reported that estimates for repairs to the school roof have gone dramatically up and down this year with different engineers looking at it:
 - A company came in with an engineer, pulled back the lining and did some repairs: That engineer felt the roof was in exceptionally good shape and a new roof could be put off for 5 years. Then it started leaking.
 - Engineer Tom Ewing was called back and a discussion amongst engineers relative to snow-load took place.
 - The original engineer went through all of the figures and said there were no snow-load concerns.
 - Shutesbury will be applying to the Massachusetts School Building Assistance (MSBA) Program. Both engineers felt that the repairs shouldn't be over \$100,000, but with the MSBA Program, the project gets turned over to their engineers and reviewed with our engineers. There is a 40 to 64 % anticipated reimbursement rate, depending on variables unique to the town and project.
- Becky reported on the school HVAC system: On a visit for another reason, Jamrog realized that the thermostat software that controlled when and where the heat levels changed was not making changes. Fortunately it was stuck on heat and not off. This was a new problem that needed to be fixed immediately as it was using an excess amount of fuel. The Finance Committee approved up to \$10,000 from reserves to make the repair. Jamrog got a quote back at \$3620 and the repair was made a few days later. The school fuel line has been quickly expended. We used at least 1000 gallons of fuel during the fall.
- Finance Committee Co-Chair Wilson described the arrangement of payment of the repair as a "good fit" referring to an agreement of a few years ago, of the School Committee keeping their budget trim and leaving emergencies for the Finance Committee to cover. Becky added that sometimes the School Committee can take on unexpected expenses, but that there were other big costs this year. The good-will works both ways.
- Superintendent Mahler said that some changes in staff offered a little savings in this year's school budget. He and the School Committee are watching the budget closely and will be in touch on an on-going basis. They are not sure that they can cover everything.
- Superintendent Mahler reported that improvements have been made to the school **security system**. Details are kept for people to know on an as needed basis only. Money for improvements came from the town, grant money, and some from the school budget. He praised

the School Safety Committee's work. They will be looking at more improvements for next year. Lock-down drills are routinely conducted. The Safety Committee also considered provision of space blankets and rain ponchos for leaving the building in emergencies. School Committee Chairman DeChiara noted that times have changed from when parents used to have forums about locking the doors. Now the doors are locked and no one questions it. The kids know stuff happens. It's reality now.

- The next meeting of Select Board, Finance and School Committees is March 4th.
- Part of school costs are for mandated staff, which at the Amherst region has forced cuts of un-mandated staff. Costs are almost 50/50 for SPED and regular programs.
- A light-hearted comparison was made at the end of the meeting that a preschool is to an elementary school as a farm team is to a baseball team, and that we have a robust preschool keeps our elementary school strong.

The School Committee left, the Select Board **adjourned at 7:58 P.M.** and the Finance Committee continued with their business meeting.

List of Documents and Other Exhibits Used at the Meeting:

1. December 30, 2013 Select Board letter to Ronald Meck
2. December 3 and 17, 2013 meeting minutes.
3. December 12, 2013 12:38 print-out of the Shutesbury School Committee Fiscal Year 2015 Draft Budget.
4. January 7, 2014 1:18 PM print-out of the Shutesbury Elementary School FY 2015 Budget Drivers.
5. November 4, 2013 10:20 AM print-out of the Union 28 Cost Allocation Calculation Fiscal Year 2015 on one side and the November 4, 2013 10:19 AM print-out of the Erving School Union #28 Comparison of Cost Allocations Over Time.

Respectfully submitted,

Leslie Bracebridge
Administrative Secretary