

MEETING MINUTES

Town of Heath
SELECT BOARD
Virtual Meeting
March 8, 2022

Called to Order at 6:00 p.m. with Robyn Provost Carlson, Susan Lively, Brian De Vriese (joined meeting at 6:30 p.m.) and Hilma Sumner, Town Coordinator, in attendance.

Finance Committee: Tom Lively, Alice Wozniak, Bob McGahan, Ned Wolf.

Others in Attendance: See attendance sheet.

Review Agenda: Added: COVID Testing Policy.

Flagg Hill Road: The Select Board and Finance Committee reviewed the cost estimate provided by the Highway Superintendent. He estimated that the cost to upgrade the 0.2 mile remaining of the town road that needs reconstruction will be approximately \$50,000 to \$60,000. The question arose as to whether there would be additional improvements needed after the initial upgrade. Hilma will check with the Superintendent.

Budget Hearing: MTRSD School Committee Representatives—Representatives Budge Litchfield and Barbara Rode, along with Superintendent Sheryl Stanton and Judy Houle, TMS Accountant joined the meeting. There were four topics to discuss.

FY22 Assessment Error: Budge began by stating that he thought the Town and school district need to figure out how to correct the error by Heath paying the underassessed amount as it is able. Concern was expressed by Barbara who commented that a business must have liability or bond insurance to cover errors made by its employees.

Supt. Stanton said that the error was based on two assumptions. 1. TMS assumed that Heath students at Hawlemont were counted as school choice children. 2. The Superintendent herself assumed that the number of Heath elementary students listed at 10 was due to COVID-related decisions on the part of the parents. There is precedent, according to DESE, for making mid-year adjustments to an assessment. When this year's actual enrollment numbers were seen, then last year's discrepancy was evaluated. TMS and Executive Secretary Karen Totman could not find any email thread from that time period that involved discussion with then Finance Committee chairman Ned Wolf.

Barbara affirmed that the error was discovered between February 9 and 16 when new numbers appeared on the budget worksheets. She also asked why the discrepancy was not discovered in the fall when the regionalization study team asked for some evaluation to be done by TMS. The Superintendent replied that there were different personnel who did the work on the budget a year ago and those who assisted the study team.

Susan commented that an error had been made and that the Town was responsible for its children's education, however, the Town was not responsible for this error. Those involved needed to look at all the options for obtaining payment.

Tom Lively asked how the Town could be confident of the process going forward. The Superintendent explained that when Karen Totman pulls the student numbers, the list has to go to the towns to verify the residence of each student because of the split zip codes in several of the towns.

After Tom expressed concern about the unanswered emails of last year, Ned explained that his email exchange had been with Martha Thurber, School Committee chairperson. She had said that she would pass Ned's questions on to TMS so that they could provide information but he did not receive any response from them. Supt. Stanton said that last year it was not clear who was in charge of communication but now it is Nicole in the TMS office.

Finance Committee member Alice stated that the Town did what they were supposed to do and the error was not Heath's fault. She also commented that she didn't understand how there could be any capital debt considered at all since there had not been a debt exclusion since 2019 and therefore, could not have been any capital debt. In this process there had been at least two errors and she wondered how the Town was to know whether these latest figures were accurate. Bob McGahan commented that the Town should not pay without verification and that it does not pay for on-the-job training. Brian stated that there needed to be a fair resolution determined and, if Heath was to pay additional funds, it not be required in one year.

Robyn requested that both Select Board members and Finance Committee members hold discussions and develop a list of questions to ask the district office and TMS. Supt. Stanton and Judy Houle agreed that they would review the assessment and student numbers.

FY23 Proposed Budget: The Superintendent acknowledged that some of the people present at the meeting were aware of how the budget was developed. Budge added that it was carefully put together while Barbara said she had to question the sustainability of the budget numbers and thought it was disproportionate with the number of enrolled children.

Susan asked if the assessment numbers will be impacted by whether Hawlemont is in or out of the school district. The Superintendent stated that if the "2D" school district is not agreed upon, there would be no change. If an agreement is reached, the High School assessments would be reduced somewhat. Heath's seven percent increase in the FY23 budget proposal is larger than it might have been because of last year's mistake. Susan remarked that the budget worksheet make it look like Heath is saving the district \$400,000 in expense because grades K-6 will not be attending Hawlemont yet the Town is facing a seven percent increase. She wondered how officials are to explain that to the voters at town meeting.

Colrain Central School Capital Project: Budge, co-chair of the building subcommittee, explained that this project will be to do regrading and paving of the driveway and parking area around the school. He said that bids are actively being sought, a walk-through is scheduled for tomorrow with the bid opening scheduled for March 16. There will be an ATM article to vote on the project for the price of the selected bid. However, Heath will not know its percentage of the cost until fall after enrollment has finalized. The construction bond will begin in FY24 and will be within the scope of the dollar amount approved at ATM.

Warrant Articles for Modifying the Regional Agreement: There are two warrant articles that are slated to appear on the ATM warrant to modify the Regional Agreement. These articles will address the change in Heath's circumstances in joining with Colrain in educating the pre-K through sixth grade students. Two possible typos were pointed out: "per-cent" which Budge said he will bring to

the district personnel's attention. The School Committee is scheduled to vote on the two articles at their meeting tomorrow.

Thank You: The Select Board issued a whole-hearted thank you to Budge and Barbara for their time and work as School Committee representatives. Bob Gruen and Ken Rocke were also issued profuse thanks for all the time and energy that they expended on the Hawlemont Regionalization Study Team.

Broadband Loan Repayment: Finance Committee will re-discuss this at their meeting on March 17 and then the Select Board will make their decision of which repayment plan to use.

Potential Capital Expenses: There are three capital expenditures being proposed for FY23. The Salt Shed is estimated to cost approximately \$400,000 for the entire project for a new hoop structure. Robyn will send an email to Hilma with more information that she can then share with Finance Committee. The other capital expenses would be a new highway truck (\$298,000) and a new plow for the one-ton truck (\$7,600). No decisions were reached.

Excess Land: Hilma explained the two options that had been given by the Town Treasurer and the Land Court attorney. The first would be to request that the Treasurer proceed with a land auction as per the regulations for any property taken in lieu of tax payment. The second would be for the Select Board to have the property transferred to their care. Then the land would need to be released for sale by an affirmative vote at ATM and an RFP could then be issued with restrictions. This second method would involve additional expense and a much longer period of time to accomplish.

ARPA Funds: Hilma presented and explained the outline that she had prepared to make a concise document explaining how ARPA funds were to be used and the basic guidelines that a municipality must adhere to. Ideas for use will be solicited via the website. Hilma will also contact the Municipal Light Board to ask if the request they had made a few months ago was still pertinent.

8:11 p.m. Finance Committee adjourned their meeting.

Voluntary COVID Employee Testing Program: Barbara Gordon, Board of Health member, explained that free antigen testing kits had been given to FRCOG to administer to municipal employees of all their towns. Since Heath has their own nurse, she has been allowed to get trained in the proper procedure for proctoring the test. Susan Gruen has also received the training. This is optional but available to Heath employees. The Town Nurse and Susan Gruen are preparing a letter to send out to employees informing them of this opportunity. *On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to approve the policy of Voluntary COVID Employee Testing with one correction to the written document.*

Next Meeting:

Review of the Building Facilities Committee report including what work should be done now and the Special Projects designated projects; Boards Clerk position; asking for a property auction.

8:25 p.m. *On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to enter into Executive Session pursuant to G.L. c. 30A, sec. 21(a)(3), To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declared. For deliberation and strategy in New Cingular Wireless PCS, LLC d/b/a AT&T Mobility v. Town of Heath, Town of Heath Planning Board pertaining only to review and approval of*

Executive Session Minutes: Oct. 29, 2021; Nov. 1, 2, 5, 8, 16, 22, 2021; Dec. 6, 7, 10, 15, 21, 2021; Jan. 10, 14, 19, 2022, and to move directly into the second Executive Session.

Susan Lively Aye Brian De Vriese Aye Robyn Provost Carlson Aye

On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to enter into Executive Session pursuant to G.L. c. 30A, sec. 21(a)(6), To consider the purchase, exchange, lease or value of real property and the chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body; For deliberation and strategy for entering a long-term lease of space at the 18 Jacobs Road municipal building with Hilltown Theatre pertaining only to review, approval and release of Executive Session Minutes: Nov. 1, 2, 9, 16, 2021; Dec. 7, 21, 2021, and to move directly into the third Executive Session.

Susan Lively Aye Brian De Vriese Aye Robyn Provost Carlson Aye

On a motion by Susan Lively and a second by Brian De Vriese, the Select Board unanimously voted to enter into Executive Session – pursuant to G.L. c. 30A, sec. 21(A)(1) to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual; Open Meeting Law Complaint of January 18, 2022 (Jesse Weigand) – Select Board; Pertaining only to review, approval and release of Executive Session Minutes: Jan. 26, 2022, and not to reconvene in open session.

Susan Lively Aye Brian De Vriese Aye Robyn Provost Carlson Aye

Respectfully submitted,

Hilma A. Sumner
Town Coordinator