



FALL SPECIAL TOWN MEETING MINUTES
Monday October 16, 2017
Historic Old Town Hall

Hampshire, ss.

To one of the Constables of the Town of Pelham, in said County.

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Pelham, Massachusetts, qualified to vote in the Town affairs to meet in the Pelham Historic Old Town Hall, located at the intersection of Route 202 and Amherst Road, in said Pelham on Monday the 16th day of October, in the year A.D. 2017 at 7:00 p.m. for the reading of the Town Warrant which was duly posted September 25, 2017 by Constable Donald G. Clark; and to proceed with the meeting. 42 Voters attended .

Fall Town Meeting was called to order at 7:01 PM by Police Chief Gary Thomann due to the absence of Constable Donald Clark. He introduced Moderator Daniel Robb.

The Moderator noted that Attorney David Doneski from our Town Council Firm KP Law was present. Those at the head table were Select Board Members; William Martell Chairman, Karen Ribeiro and Alisa Pearson. Also present, were Finance Committee members; Fred Vanderbeck, John Trickey, Chairman and Tara Loomis and Kathleen Martell Town Clerk . Also recognized were Gary Thomann Police Chief and Rick Adamcek DPW and Building and Grounds Superintendent.

Announcements included asking for a Moment of Silence for Eli Kwartler and his family on the recent death of his daughter. Observed.

Meeting terms explanation for a couple of newcomers to Fall Town Meeting included: The moderator uses Town Meeting Time which is similar to Roberts Rules to make things as transparent as possible and he encourages questions. A discussion of terms such as calling the question and resulting actions were discussed. The Moderator stated he required that those wishing to speak: Rise if able, and State Name and Street Address when recognized by the Moderator. The Moderator is the only person to interrupt the person speaking. Then, he proceeded to the Town Meeting.

Article 1

Motion made and seconded that the Town appropriate the sum of \$27,500.00 from the Capital Stabilization Fund to make structural repairs to the exterior siding of the Community Center where substantial buckling and bulging has occurred at the second

floor. Alisa Pearson questioned RFP. Bids so far were below those expected so that it was hoped that the bid could be awarded and work could begin by November 1st. Discussion included: An engineer did an analysis of the situation and Terry Neihard did the plans. Question what happens if proceed into winter, then what happens to project? Answered, it would prolong the project, but that the wood could not get painted but would be primed before putting it up. Extra cost would not be foreseen, if problem runs over for weather, it is the contractor's problem. The men that previously did the work on the base of the building, found the issue, as the siding was not properly attached and clapboards were bulging due to water. This bid is for half of the building. The West and South sides will be done later. We are doing the most critical part on the North (and East) side now and that money will come from a different budget process than now. John Trickey stated there was about \$230,000.00 left (in Capital Stabilization fund) after this expenditure. We need to get this done now and then get a sense of long term needs. There is no free cash now, only at beginning of year and not until certified again at the first of the year. More discussion included: the extra money in this article for unanticipated issues found when doing this project and that it was built on a wet area and wondered about seepage anywhere near the building. Rick Adamcek stated that Drainage was put in for that, and it runs continuously into a catch basin on South Valley Road. Also questions on building and insulation answered: Built in 2000 and question was there was construction insurance on past contractor. There is a history of problems with the building including mold and mistakes made by architect (out of business) and warranty on original work was 1 year on craftsmanship. Cuts were made during building process but did not look at long term effects of those decisions, like taking away the covered walkway between the library and school buildings and roof issues. The town attorney at the time said it didn't pay to sue. No one now will guarantee the old work. Original cuts in building plans were due to litigation. A lot of work has been done since then, including adding trusses to attic area when insulation was done. Question about the area surrounding footing, answered that the drainage is working at present but may need to be redone in the future and cost a lot more money. Tara Loomis called the question

Vote taken to end discussion Passed with only one Nay Vote .

Vote on Article 1 Unanimous.

A temporary recess was taken to allow for a special Select Board meeting to vote on the Award for the Bids for the repairs in Article 1.

Fall town meeting resumed after the Select Board Meeting adjourned at 7:45 PM

Article 2

A motion was made and seconded to transfer \$8,000.00 from the Sale of Lots fund to the Cemetery Non expendable Trust Fund. Norman Page of the Cemetery Commission stated that this was just an accounting move. No further discussion Vote taken on

Article 2 passed unanimously.

Article 3

A motion was made and seconded that the Town will vote to create a Regional School District Planning Committee consisting of three (3) members, one of whom must be a member of the School Committee as per MGL Chapter 71 Section 14, which committee

may choose to join with corresponding committee(s) from another town(s) to form a Regional School District Planning Board, whose purpose shall be to perform a detailed exploration of and recommendation as to forming a Regional School District for a K-6 ***(changed by later amendment to PreK -6)*** school and such other purposes as set forth in MGL Chapter 71, Sections 14A and 14B. Cara Castenson Chairman of the Pelham School Committee presented an amendment to the Article to change the wording to omit K-6 and insert Pre K -6 . Amendment seconded. She said it would allow for flexibility in arrangements that can be made. Discussion included that this needs more study and communication with the town than the last regionalization committee, and wanting to see savings on paper as the previous committee stated nothing about savings, but rather stated educational benefits, this needs to be looked at completely and transparently and the costs substantialized. Another comment was that the elephant in the room is that Charter schools are killing us and maybe not making any changes until that legislation is amended. Roger Conant called the question ending discussion **Vote to end discussion Unanimous**

Vote on amendment Unanimous.

Cara Castenson said that they needed to work on the Charter School legislation before working on regionalization and gave a short presentation about regionalization and handed out a document entitled “Amherst/Pelham Regionalization Study - Implications of Potential K-6 Study”. In the spring Pelham put it on the ATM warrant and in September Amherst put it on their Town meeting Warrant. Amherst and Pelham are closely aligned and share a business office and use the same curriculum. This is not a commitment to regionalization just committing to a study, Previously it involved 4 towns this would create a Pre K – 6 Region with two town Amherst and Pelham and the two moderators would appoint a Regional School Committee. This is not a sub committee of any other school Committee. Previously saw savings on transportation and no was looked at several times before Union 26 is K-6 and Regional School is 7-12. Dr Morris Superintendent of Amherst Pelham Regional asked to speak Vote taken and allowed this. He spoke about Transportation funding in past but state changed funding so not advocating for regionalization for transportation alone. Dr Morris comes to Pelham which is good, and travel savings should not out-weigh the educational aspect. No further discussion, vote taken.

Article 3 passed with one nay vote.

John Trickey Chairman of the Finance Committee spoke on Articles 4-8 . These articles are in response to a need to cover a shortfall caused by Charter School funding for three students equaling \$70,000.00 insurance rates increasing 10% in June and 10% and again in October and the need for additional \$10,000.00 for Special Needs student this year. The Finance Committee met in July and recommended that 1/3 \$36,333.00 be from the School budget, 1/3 \$36,333.00 by the town and 1/3 \$36,333.00 by increasing taxes. Discussion included that this had been previously discussed. School felt it could absorb their 1/3 \$36,333.00 and the town could manage that 1/3 \$36,333.00 from budget and the Board of Selectmen agreed since no money was available from the state, to raise taxes to cover the last 1/3 \$36,333.00. Gary Thomann the Police Chief had a full time police officer funded at May ATM and money was moved from Part time officer budget and money appropriated for insurance costs. The position is now vacant and he was prevailed upon not to fill it as full time so will now reverse that back to part time

and that money not spent could be moved to back to the town.. The school had a Special Needs Teacher position not being filled so would not be not cutting actual day to day operations. Comments including the reporting issue as the state paid for 2 students not known to Pelham and in the second year the town has to pay the bill for them.

Questioned on how to pay from taxes, answered that the state does that by giving us money on the cherry sheet and is taking that away, it does it on what is called the recap sheet. Cara Castenson said Senator Rosenberg was asked to see if we could get a state grant to help cover curriculum to save the school money. Dr Morris said there are three reports per year. December and February no students were reported, but in June was changed to three students for the full year. The first year the state pays 95% then years 2-4 25% then we pay 100% but not enough state budget so now funding at 0%.

Question asked, If money was gifted to the town could it be applied to the school?

Answer not sure of that answer . What if town cannot pay the bill? answered, the state adds it to the tax rate. Point of order asked to end discussion not Articles. Discussion ended.

Article 4

Motion made and seconded to reduce the Full Time Police Office's Salary under the FY 2018 budget from \$30,926.00 to \$846.00. Discussion was that only one payment was made in July the rest is the remaining balance.

Vote on Article 4 Passed Unanimously.

Article 5

Motion was made and seconded that the Town will vote to increase the Part Time Officers' Salaries under the FY 2018 Budget from \$28,601.00 to \$51,155.00 to cover appointment if an additional officer.

Vote on Article 6 Passed Unanimously

Article 6

A motion was made and seconded that the Town vote to reduce the Fiscal Year 2018 Health Insurance Budget by \$18,000.00 or a new total of \$171,000.00 which reflects the cost of the current number of insureds.

Vote on Article 6 Passed Unanimously

Article 7

Motion was made and seconded that the Town will vote to reduce the FY 2018 Appropriation to the Reserve Fund by \$11,140.00 to bring the total to \$75,860.00.

Discussion that this is not an accumulative fund is new every year and is emergency funds.

Vote on Article 7 Passed Unanimously

Article 8

A motion was made and seconded that the town will raise and appropriate the sum of \$73,333.00 (**Changed later to \$2,666.00 by amendment**)to be added to the FY2018 Pelham Elementary School Budget to bring the total to \$1,715,205.00 to cover the cost of Charter School tuition, increased health insurance costs and the cost for

Special Education. John Trickey of the Finance Committee made an Ammendment to Article 8 as Follows:

The Town will vote to raise and appropriate the Sum of \$2,666.00 to be added to the FY2018 Pelham Elementary School budget to bring the total to \$1,715,205.00 to cover the cost if Charter School tuitions, increased health insurance costs and the cost for Special Education.

Vote on Amendment Passed Unanimously

Discussion included Confusion about insurance money, Possibility of this recurring answered the maximum allowable is 9% of the budget so could be as high as \$60,000.00 next year depending on the number of students in charter schools; Making sure that this is not a reporting error next year; The state thinks this is small potatoes but what if the Pelham Selectmen acted by asking towns to join together like in Shays rebellion; What is the possibility of having towns together sue the state answered by Atty Doneski “bringing claims highly unlikely to win. Costs undeterminable of a Daniel Shays type rebellion as the State budget is in place but can do a letter writing and email campaign”. Dr Morris said that last year joined the Rural School Coalition as there is significant toll on small towns by charter schools. There is currently a Charter school expansion petition.

Vote on Article 8 as amended Vote Passed Unanimously

Announcements at end of meeting:

The Moderator stated that in 1916 the ATM adopted a town code to Stand Uncovered and Address the moderator with uncovered meaning you must remove your hats, but he doesn't require this.

Mr Martell who is also on the Finance Committee wanted to know if the townspeople would like to have a meeting to explain the town finances maybe on a Saturday am or a night meeting The audience response was yes

Selectmen Ribeiro created a MVP survey monkey to engage people in town which was not voted by the Board of Selectmen. The Moderator said he would allow the info to be handed out as a citizen request.

Motion to Adjourn at 8:56 PM Seconded and Passed.

Attachments :

Cara Castenson's Ammendment to Article 3 and Amherst/Pelham Regionalization Study- Implications of Potential K-6 Study handout, John Trickey's Ammendment to Article 8

Respectfully submitted,

Kathleen Martell
Pelham Town Clerk

s/s A true copy I attest Kathleen Martell Pelham Town Clerk