



TOWN HALL | 39 SOUTH STREET | HINSDALE, MA | 01235 | 413-655-2300

SELECT BOARD MEETING MINUTES July 24, 2019 at 7pm

Town Hall-Community Room - Downstairs

posted 11:45am on 6/18/2019

7:00 PM Vivian open meeting, asked if anyone was recording besides us, and if everyone could turn off their phones. Pledge of Allegiance was recited.

Rich made a motion to approve July 10, 2019 Meeting Minutes as written, Ray seconded, all those in favor said Aye. Ray made a motion to approve and release the Executive Session minutes of July 8, 2019 as written, Rich seconded, all those in favor said Aye.

Bob Graves, TA said the sale of the Plunkett Lake Beach property has been signed and recorded at Registry of Deeds. The Council on Aging is working to gather a mailing list and starting a computerized newsletter. New LED lighting has been replaced this week by Earthlight, which should save the Town money after we pay for the initial cost. Lynne and I have been speaking to vendors about obtaining a new copier with scanning for document retention, narrowed down to 2 out of 3 vendors. We need to save the backup of all our documents here on site, working with IT to make sure we have enough room on the server. Ray and I met with Kathy Stevens, former DOT Chapter 90 expertise on grant writing. She has given great feedback before sending the grant application in next Monday. Assessors have reported that Vision Software is up and running. We are waiting to see how that improves things for the assessors' office and Hinsdale residents. The backup to the server will happen automatically, not manually.

Vivian read the recommendation from the Planning Board to approve the Park Avenue Solar Extension to May 9, 2021, and Ray made a motion to, Rich seconded, all those in favor said Aye.

The names of the interested residents for the Plunkett Lake Beach Committee were read aloud - Marlene DeAngelus, Paula Walczyk, Sara Paul, Joseph Horton, Linda Yarmi, and Jim Ouimette. Vivian asked for a motion was made to appoint Paula Walczyk to the beach committee, Ray made the motion, Rich seconded, all said Aye.

Rich Peters spoke regarding the CBRSD and school committee's decision to accept the Motions as presented by the Town of Hinsdale to the School board. He requests a change in the way the language is written. Suggesting we do not want to use the voting process of 16(d) for all future voting, instead of using 16(n). We need a compromise.

Bob suggested we add another phrase that says we will go with 16(d) until all the towns agree on a new process. We want to be sure that what we asked for cannot be undone until all the seven towns agree. Rich Peters said Hinsdale alone cannot change the Charter for the CBRSD agreement. Rules must be agreed upon by all the towns. Yet 16(d) has worked for capital projects for 60 years. It is not simply about using 16(d) or 16(n) it is about School Committee acknowledging and recognizing by stating that they won't do this again. So the towns see good

faith. Then rewriting it makes sense. The school committee can take affirmative action that basically says, we get it, and we are willing to make the change. There is a lot of room to tighten up the rules so they make more sense for the current day.

Approval would be contingent on two issues: 1) our lawyer endorsing the language change and the school committee taking the action tomorrow night. To use 16(d) until such time as the district and the towns will give the final ultimate approval. One town can cancel the whole project. Mass Laws have many options on votes from A – N. 16(n) if the school committee endorsed it, by using this as a majority vote for the feasibility study and the school building vote. Only some communities have used this option, as a majority. Originally it was written to protect a region, so that everyone had a say if you didn't have regulations, we want to go back to 16(d) or something new.

Rich makes a motion that we inform our counsel from the Wahconah School matter, Mead, Talerman & Costa, that the town plans to withdraw our legal challenge to the April 6 school vote, provided that the CBRSD passes as written the two motions we have shared with CBRSD chair at their July 25, 2019 school committee meeting and has been approved by last night's amendment. The two motions are listed below. Hinsdale's withdrawal from this legal challenge is contingent on the School Committee's action.

Motion I

I make a motion, based upon concerns raised over the processes utilized regarding the April 6, 2019, vote for the incurring of debt for the new Wahconah High School, that the School Committee shall propose an amendment to Section X of the CBRSD Agreement by adding the following language to such Section:

In the incurrence of debt, the School Committee is bound to solely utilize the provisions of G.L. c. 71, §16(d) and may not utilize the provisions of G.L. c. 71, §16(n). Nor may the School Committee utilize the provisions of the final sentence of G.L. c. 71, §14D to bypass the use of G.L. c. 71, §16(d)¹ **until such time, the district and towns represented agree on new by-laws.**

I further move that the School Committee present the above amendment to the member towns for inclusion on their respective 2020 Annual Town Meeting warrants.

Motion II

I make a motion, based on the feedback this School Committee and the Superintendent have heard, particularly from our smaller Town constituents worried about the cost of the new Wahconah School to the tax payers of the district, who have and continue to support

¹ For more information on the specific State Law, see **Mass General Law, Part I, Title XII, Section 16 (d)**, attached.

the local school system, that this Committee, the Superintendent and staff, and the Wahconah Building Committee members will do everything possible during the “value-engineering” phase of the design-build to make all decisions with special attention to integrity of building, as they look for comparable construction methods and materials that might reduce the overall costs in good faith, with the best of intentions, and for the greater welfare of our district.

Ray seconded, Viv said Aye and noted this has not been an easy process.

Viv announced the Mission and Vision manual is completed. Copies are available at the library, Town Hall, and online.

Viv made a motion to adjourn the meeting at 7:36 p.m. Ray seconded, all said Aye.

Respectfully submitted,
Lynne Baumgartner