

Hinsdale official challenges vote to build new Wahconah

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By Larry Parnass, The Berkshire Eagle

HINSDALE — Stop this new school. Apologize to district towns. And don't mess again with a 60-year-old regional agreement.

That is a Hinsdale official's bold demand to the Central Berkshire Regional School District this week, nearly two months after a vote delivered a thin victory for a new Wahconah Regional High School.

Before the April 6 vote, the top boards in Cummington and Hinsdale, joined by the Dalton Finance Committee, opposed the project, citing its \$72.72 million overall cost and the \$41.33 million burden it would impose on taxpayers in the seven-town district, after a state reimbursement.

Late this week, Vivian Mason, chair of the Hinsdale Select Board, expressed doubts heard before and after the vote, in a three-page, single-spaced letter with five attached "exhibits."

Though not a legal document or threat to sue, Mason's letter, dated Thursday, makes the case that the district is guilty of technical flaws in the April vote and of making "an end run" around a long-standing regional agreement, undermining rights of the district's smaller towns. In the past the district made decisions on capital spending based on approval by a majority of towns.

In April's voting, as with balloting that authorized an \$850,000 feasibility study in 2017, the question was decided by an aggregate vote in all member towns: Becket, Cummington, Dalton, Hinsdale, Peru, Washington and Windsor.

The measure passed April 6 by 88 votes, 1,785-1,697.

"They ignored a binding precedent of 60 years without coming to the towns and saying, 'This is what we want to do.' It's very sad," Mason said Friday.

Mason's letter is addressed to Laurie Casna, the district's superintendent, and was copied to all member towns, the school district, building committee, two state lawmakers, the Massachusetts School Building Authority, the state attorney general and the Ethics Commission.

Casna said Friday she had not discussed Mason's letter with the district school committee and declined to comment.

Mason lays out two ballot issues she believes represent technical violations of the regional agreement. One is that town clerks did not receive final wording for the ballot question on a

new Wahconah 35 days before the election, as state law requires. Also, another state law, Chapter 71, Section 16n, says school districts must prepare ballots used at elections.

Local town clerks handled that duty for the April vote, Mason says.

But her biggest issue is the decision to use aggregate voting without first seeking town approval.

"Which was disingenuous at best," Mason writes.

"Knowing the new building would never be greenlit under the original formula for capital spending voting in the district, the District's leadership committees and officials made an end run by deciding to call for an aggregate vote," she writes.

In one exhibit, Mason provides a 1984 school district letter spelling out what it takes to change terms of the regional agreement. It says six of seven of the towns must agree to revamp the document — a threshold not crossed in this case, Mason argues.

"The School Committee has effectively silenced the smaller towns, and skewed the vote in favor of their recommendation," she writes, likening it to the "tyranny of the majority" that led the country's founders to provide two seats in the Senate, regardless of a state's population.

Safeguards put into the 1958 regional agreement were designed to prevent what happened in April, Mason suggests. "Four out of the seven towns — a clear majority — rejected the new school proposal, and yet it passed because of the School Committee's deliberate manipulation of the vote."

To gauge local interest in opposing the project after the vote, Mason convened a meeting in Hinsdale that drew a dozen officials from four towns.

Ed Munch, a Peru Select Board member, attended, as did Bill Adams, who sits on Cummington's top board.

Both men told The Eagle they felt a call to represent residents concerned about the tax increases needed to pay for the project. For the owners of homes with average values, the impact is estimated to be \$290.82 a year in Peru and \$117.31 a year in Cummington over 30 years.

"I'm just opposed to the scope of the project, how big it is," Munch said. He says he hears often from concerned residents. "They don't know what they're going to do. I don't know what to tell them."

Mason said Friday she is not opposed to investing in education, but believes spending must match what residents of rural towns can afford. Her letter asks for a delay on the Wahconah project that would allow the plan to be revisited by towns "in hopes of scaling it down, and finding a way forward that can be passed by a typical, district-wide and valid vote of the citizens shouldering the cost."

"Nobody denies that kids' education isn't of vital importance," she said Friday. "It just costs too much."

In her letter, Mason predicts that efforts by towns to pay their shares of the new school, an expense based on each community's enrollment, "will squeeze the life out of our communities, most of whom are struggling, rural towns."

Wahconah payments will rob resources from road repair, maintenance and other town needs, she writes. Hinsdale stands to pay a \$5.2 million share for the new school, based on its 12.6 percent enrollment. If financed at 4 percent interest over 30 years, the owner of a home assessed at \$199,500 in Hinsdale, the average, would see a \$198.91 yearly tax increase.

Mason concedes that to gain traction in a bid to stop the Wahconah project, towns might have to bring suit — a step she is not ruling out.

The municipal officials opposed to the project who met on an informal basis in Hinsdale intentionally avoided reaching a quorum of any one elected body, to adhere to the open meeting law.

Mason said an official, posted regional meeting might follow. She said she felt called to act on Hinsdale's behalf to register an initial objection, as deadlines approach on Wahconah funding.

"We figured we should do something so they know there is an issue here," she said of the district. "We have to put up a flag and see who salutes."

In towns that rejected the project, approval ranged from 18.8 to 42 percent. It failed 45-194 in Cummington 246-334 in Hinsdale, 102-162 in Peru and 93-139 in Windsor.