

**TOWN OF BELCHERTOWN  
BOARD OF SELECTMEN'S MEETING MINUTES  
MONDAY, FEBRUARY 27, 2017  
Selectmen's Meeting Room, Lawrence Memorial Hall**



**Present:** George D. Archible, Brenda Q. Aldrich, Nicholas O'Connor, William R. Barnett, Ronald E. Aponte

**Call to Order:** Chairman Archible called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

**2) Sign Documents:**

- a) Warrant #1735 was signed for \$636,349.51.
- b) Routine documents
- c) Approval of Minutes: Mr. O'Connor moved the Board accept the regular session minutes of February 13, 2017. Motion seconded by Ms. Aldrich. Motion passes 4 yes, 1 abstain (Archible). Mr. O'Connor moved the Board accept the executive session minutes of February 13, 2017. Motion seconded by Ms. Aldrich. Motion passes 4 yes – 1 abstain (Archible).

**3) Additions to the Agenda:**

- Jim Mazik – Pioneer Valley Planning Commission: Gary Brougham presented the details to the Board. There are a few forms that the town has been asked to sign specific to an ADA self-evaluation policy that is required as part of the application process. These were items that the Board voted on and authorized the Chairman of the Board to endorse at a previous meeting. Mr. Archible endorsed the forms.

**4) Appearances Before the Board:**

- 7:35 p.m. – Steve Williams, Director of Public Works – Green Communities Competitive Grant: Mr. Williams presented the details to the Board regarding the Green Communities Competitive Grant. This grant will be for approximately \$195,000 and they are intending to replace 377 light fixtures. This will be about a 54% annual savings. Because of the tight deadline he is asking the Board to authorize the town administrator to be the signatory on the grant.

Mr. Aponte moved that the Board approve and endorse the Green Communities Competitive grant for the year 2017 in the amount of \$195,358. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

Mr. Aponte moved that the Board of Selectmen assign the town administrator, Gary Brougham, as the signatory for this grant. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

- 8:00 p.m. – LeeAnne Connolly, Conservation Administrator – Mader Town Forest Acquisition: Ms. Connolly came before the Board for the Mader Town Forest. She applied last year for a Land Grant to purchase this property; however, the town was denied at that time. This is the exact same project that she presented to the Board last year; the sale price is also the same. The total price is \$337,500. She is applying for a land and water conservation fund grant which only pays 50% of the sale price. The grant has to be in by March 9<sup>th</sup>. She is asking for a letter of support and a vote to sign the grant application. This is a federally funded grant program and right now all federal grant programs are frozen. She has to apply for the grant as if the funds will be available. Right now she will have approximately a \$50,000 shortage with the new grant program. She wants to know if we can use the \$89,000 timber value on this property. This will be a town forest managed for forest resiliency, education, and passive recreation. Can the town borrow against the timber value, short term contingent on getting the grant?

Mr. O'Connor moved the Board authorize the Chairman to sign the grant application. Motion seconded by Mr. Aponte. Motion passes 5 – 0. Mr. Aponte moved the Board authorize the Chair to endorse the letter of support. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

**5) Discussion/Action Items:**

- a. Hampshire Council of Governments Warrant Article: Gary Brougham, Town Administrator presented the details to the Board. He reminded the Board that back in October of 2016 the Board authorized him to write a letter to the executive committee of the Hampshire Council of Governments expressing the concerns of the Board of Selectmen with the direction and lack of accountability with the director of the HCOG. Both he and the Chairman of the Board attended a committee meeting at the HCOG. They were told that Belchertown's concerns were to be taken seriously. There was also some talk about getting together to address those concerns with no further effort of having a collaborative meeting. One of the most concerning things was the lack of the COG's ability to produce the electricity aggregation for town residents. The Board of Selectmen eventually voted to withdraw from the electricity aggregation program which was eventually denied by the Department of Public Utilities and the Attorney General's Office. He estimated that the cost of that failure was between \$600,000 and \$800,000. It was later suggested by a member of the Hampshire Council to be 1.2 million. To date no one has been held accountable for that failure.

Mr. Brougham continued to give a detailed history of the Hampshire Council of Governments. He stated there were suggested big savings through raw purchasing through a bulk purchasing group, a very cost effective municipal electricity program that never got off the ground, followed by the very recent promise of a residential electricity program. The Town has looked to withdraw from the Council on a couple of different occasions. The first time it caught the Council's attention and the annual fees were changed from \$70,000 to a considerably reduced fee. The next time the Town considered withdrawing we were told it would be a huge mistake because the money from sale of the long term facility care would be shared between member communities.

Belchertown has had less and less participation the purchasing unit. We no longer get our heating oil through them; we no longer get gasoline or diesel fuel through them. We don't buy their winter sand. This is because there are much better deals out there. Mr. Brougham feels the HCOG works for small communities that don't have the resources or they find it convenient.

He is concerned about the lack of accountability towards the Director of the Hampshire Council of Governments who he feels is solely responsible for losing over \$1,000,000 in the electricity aggregation. He is concerned about the number of turnovers that have taken place at the HCOG. The executive committee recently gave the director a new contract and was given a 7.5% pay raise.

Mr. Brougham does not believe it is in Belchertown's best interest to remain in the Hampshire Council of Governments. The Town of South Hadley is very concerned about the director's interference with the Hampshire County Trust rate setting being manipulated by the Council.

Mr. O'Connor confirmed it costs the Town \$3,700 to be a member of the HCOG annually. He questioned if the town receives at least that level of value from their services. He was told that the current items that the town uses from the purchasing program are road salt, bituminous concrete and chip sealing so we are saving that amount but there is also an administrative fee that the Council charges that is buried in the price. Mr. O'Connor understands the concerns about the organization but questions the financial aspect for the town.

Mr. Aponte knows the HCOG is a vendor and questions if we are getting \$3,700 in savings. The other concern is that everything the town administrator has said about the HCOG is fact. He is very concerned about the scathing comments that the DPU sent to HCOG regarding their failed

electricity program. He is concerned and questions if Belchertown as the largest member community in the HCOG has any legal liability for this organization. He believes the town needs to find out if we have any financial liabilities.

Ms. Aldrich stated that giving a manager a 7.5% pay raise when he can't bring to the table what he has promised is something that organizations just don't do.

Mr. Archible believed at one time the Hampshire Council of Governments was a good thing. He purchased electricity for a local veteran's organization. He doesn't think the town should just walk away from the HCOG; he believes we should run away from it.

Mr. O'Connor is concerned about the Hampshire Council of Government Board oversight. He is very surprised that with the insubordination the director has shown that he was given a new contract and a raise. He is also concerned about the director and his oversight.

Mr. Barnett stated that much of what had been said is correct. He did state that the HCOG has its purpose and that is to work with smaller town's that don't have the ability to do different projects. He explained how the HCOG was supposed to do the electricity aggregation but it was taken in the wrong direction. He indicated that they were told by the people who were taking care of everything that they would answer the questions but they in fact did not. He went on to say that the nursing home was losing thousands of dollars on a regular basis. The sale of the nursing home was to keep the HCOG going until they could find ways to raise other income. The HCOG had to keep the money or they would have gone under.

Mr. Barnett spoke about the programs that the Hampshire Council of Governments offers.

He indicated he became involved with the HCOG when it was known as county government. He became involved with the Hampshire County Trust which offered health insurance to municipal employees. A self-insured health insurance program was developed for public employees. Right now it insures about 11,000 people. He stated it makes the State program look sick. The Hampshire County Trust now has a reserve that is about \$27,000,000. There are 69 towns now in the trust.

He is very concerned about the Hampshire Council of Governments. In order for them to continue operating they need to have 30% of the population of the county as members.

He feels the problems that Belchertown has with the HCOG had to do with its director. He admitted that the director has made some big mistakes and has not done what he was supposed to do. The HCOG Board met in executive session several weeks ago and has come up with a plan to deal with the issues.

Ms. Aldrich feels that by having the warrant article the town can look at it and make a decision.

Mr. O'Connor asked for confirmation regarding the Hampshire County Trust asking if the town employees would suffer if Belchertown pulled out of the HCOG. Mr. Barnett stated if the HCOG goes under and the Insurance Trust is taken over by the State then yes they would. The answer is if Belchertown removes itself from the HCOG it would not do anything it would only be if the HGOC goes under.

The Board of Selectmen agreed they need to find out what if any legal liabilities there are for the Town if the HCOG goes under. The Board also wants to find out the options in regards to the Insurance Trust.

Kyle Vincent, Hampshire Council of Governments Board member feels it is unfortunate that the town has had a bad experience with the HCOG. He stated that there have been a lot of executive session meetings lately and he is not able to discuss those but he believes things are being taken care of. He spoke of what he feels are the positive programs the HCOG provides.

Mr. Aponte again stated he wants to see his questions answered. He wants to know what if any legal liability Belchertown has that the HGOC incurs. He also wants to know what happens to the Insurance Trust if the Council of Government disbands. Mr. O'Connor wants to know the value of belonging to the HCOG. Mr. Archible indicated this discussion will go back on their agenda in March.

- b. Appointment – Board of Registrars: Mr. Barnett presented the details to the Board. Clara Very has declined reappointment. Mr. Barnett moved the Board appoint Mary-Ellen O'Reilly-Bracey to the position of Board of Registrar, term to expire March 31, 2020. Motion seconded by Mr. O'Connor. Motion passes 5 – 0. The democratic town committee requested the Board send a letter to Ms. Very thanking her for her many years of service. A letter will be sent.
- c. FY18 Budget Process: Mr. Brougham began the discussion regarding the budget process. It has always been a collaborative effort involving the finance committee, the board of selectmen, the town accountant, himself, and the school committee. Mr. Boucher, the chairman of the finance committee, had called him and told him that all departments would be instructed to level fund their budgets for the fy18 budget process. Mr. Brougham did not understand the intent and further questioned the chairman of the finance committee as it was so early in the budget process with no solid knowledge of what the numbers would be. He further questioned if the chairman was aware of inflationary costs that needed to be accounted for within these budgets that are not discretionary. They are labor issues and some are goods and services.

His concern is that there have been no open discussions with the board of selectmen, the finance committee, the town accountant and himself. He questioned why the chairman of the finance committee wanted to go in this direction. It is not the way the town has conducted business in the past and it is not the authority of the finance committee to how we set up and operate the town's budgets. They are an advisory board only. The finance committee has scheduled meetings without seeing if the board of selectmen is available. He updated the Board as to what we know so far in regards to where we stand in the budget process.

Mr. Archible questioned Mr. Boucher if he had instructed the departments to level fund. He stated he did not. Mr. Archible indicated he had read Mr. Boucher's email and he is not in agreement, he does not want to change the way things have been done. He feels the town is doing well with the way our budget process works.

Mr. O'Connor stated he has been a part of both sides of this conversation with the revenue committee and attending the school committee meetings. He is in agreement with the finance committee with priority budgeting. He believes it is critical to taxpayer transparency. As a selectman that has oversight of the budget he wants familiarity of the budget with a line item so that he can help with that oversight. He absolutely wants to see a priority budget. If there is no more money than what the town had last year, what is the priority budgeting and once that is decided then new money for this year is added to that based on priority. He doesn't believe there is any transparency in the budget and it was apparent to him in last year's budget process that only the people who work with the numbers every day have that level of transparency. As a member of the board that oversees the budget he needs that transparency.

Mr. Boucher, Finance Committee Chairman explained how we got to this point. He felt that during last year's budget process there were a lot of people who attended the meetings that were confused by the process. The finance committee decided to take a look at how things were done previously in the budget process to see if they could make things better. They believe taxpayer

transparency is essential. If every department starts with having the same amount of money as they did in last year's budget and then prioritize with new money. He believes it changes the equation from taking away from budgets to adding to the equation.

Ms. Aldrich believes the municipal side has been quite open. The various town side department heads bring their list of budget requests to the budget meetings so it is transparent. She believes what was stressful last year was on the school department side. The municipal side has done what the board has charged them to do with their budgets by bringing in their budget requests. She believes the town side is transparent.

Mr. O'Connor stated he has no sense of priority and he's been doing this for two years. There is a list of things the town needs to buy; there's no assignment of priority to those things.

Jill Panto, Town Account asked Mr. O'Connor for clarification of what he wants to do; the departments are going to turn in level funded budgets and then have a public free for all prioritizing what goes back? He said that is not what he is suggesting at all. If it feels that including the public makes it harder than he is doing something right. She wants the priorities to be designed by the people who have the knowledge of what the town's needs are and not by the public. Mr. O'Connor stated that is not what he is saying. He wants the town administrator and staff to prioritize their budgets with a zero increase over last year.

Mr. Brougham feels the budgets are being cut. If the budgets are level funded and he has a contractual obligation in his budget and has no discretionary money that means a cut. Mr. O'Connor stated that is exactly right unless there is off setting revenue. He also stated that there is \$881,000 in free cash coming back to the town and feels the town took a million dollars from the taxpayers that we didn't need to take. He feels the town wouldn't have had to raise taxes last year and we wouldn't be sitting on free cash this year. He feels that prioritizing budgeting deletes this, it gives transparency.

Mr. Aponte questioned if the revenue committee asked the department heads for level service budgets. He was told that was correct. So the numbers are out there and everyone is comfortable with them (town administrator, town accountant, revenue committee). He feels the board of selectmen also has a comfort level with that as well. In the past the town has done the budgets with level service and then makes cuts as necessary. Since the process has already begun we should continue how it's been done in the past. Next year the budget process could begin with level funding and then work up with the priorities.

Mr. O'Connor believes that the process in place now failed dramatically last year. Mr. Aponte wasn't sure if it failed because of communication. Mr. O'Connor stated it could be it failed for two reasons – the fifth grade band debacle or the reinstatement of two positions that were not necessary the board had agreed to cut and one member went off on their own and reinstated them with funds that he did not know about. He felt it was embarrassing at the town meeting and does not want it to happen again. He wants the transparency. If cuts are only being prioritized but not prioritizing spend it makes no sense. Ms. Panto questioned how you prioritize cuts if she comes in with a level funded budget, how to you prioritize whose hours are going to be cut or which employee is going to be cut. He feels it's just like any other manager would do it and given that we are a public entity it should be even more transparent. Ms. Panto stated that none of the departments have enough staff to be able to make cuts. He stated he's been sitting at the Board of Selectmen table for two years and does not have a good handle on the budgets because he's not told what the priorities are. He thinks there is too much protesting and it makes him want to go after it even more. He thinks there is something rotten going on but he doesn't know what it is. He wants the books opened and tell him what the priority is.

Mary Beth DiNapoli, a town resident, spoke and agrees with Mr. O'Connor and Mr. Boucher. She agreed with Mr. Boucher that the emotion part of the budget process is huge. She feels the finance committee should be able to come in and say there might be a better way to do the budget. She doesn't think the town should be afraid of the transparency that is being asked for by the finance committee and Mr. O'Connor.

Brian Gibbons, a town resident, came to offer some suggestions about accountability. He put together a couple of citizen's petitions that he plans on submitting for annual town meeting. He is in agreement with Ms. Aldrich regarding the rhetoric around the school committee last year which was really unfortunate. He went over the figures he had for the school budget including the central office. He doesn't feel there is any budget discipline with the school department.

Mr. O'Connor questioned if the board was going to vote on how to proceed. Mr. Aponte feels that we have already started with the level service budgets we should continue the process for this year and then next year make the switch. He still has concerns regarding the free cash amount. Ms. Panto explained the process to him and how we have to budget for items that constantly change such as electricity, heating fuel, snow removal. He still feels that a million dollars is too much money to have for free cash. As a tax payer he is upset that he was taxed more than necessary. Ms. Panto invited him to come to her office to see how things can change. The town may have more development than expected; it is not an exact science. When we set our tax rate with the department of revenue we have to prove that we have a balanced budget and we are not out there swindling the tax payers out of extra money.

Mr. Brougham stated that 20 years ago the town always had a million or more in free cash. He feels we have closed that gap. New home growth, car sales all contribute to free cash and that can't be predicted. Worker's comp also affects it. The town can't under budget and it can't over project. There are a lot of factors that contribute to how much free cash the town receives. He wants to be clear that there is a lot of emotion in this discussion and there is a lot of concern. He is very proud with what the town departments have done with our finances and our ability to squeeze more and more out of our town departments with little or no additional money. He will advocate for his town. He is receptive to changing the formula but doesn't like the way it was done with no consideration. There has never been this division. The proper way to restart this process is to put some dates on the table where everyone can go come back to the table and come up with a strategy. It is not the finance committee's role to drive the bus. There is also a very significant imbalance in the division of revenue and something needs to change.

Mr. Aponte moved the board of selectmen recommend to the finance committee and the school committee that we precede with budgeting with a starting point of a level services budget. Motion seconded by Ms. Aldrich. Motion passes 4 – yes, 1 – no (O'Connor).

Mr. Brougham asked if someone would initiate a meeting schedule and the necessary steps so we can start this process and be sure of a meeting space. The board of selectmen is not posted for the finance committee meeting for tomorrow night because we were not given ample notice.

d. Miscellaneous Matters:

- 6) **Town Administrator's Report:** He, Steve Williams, Doug Albertson, Lisa Banner and LeeAnne Connolly reviewed the parcels that are taken by tax title or owner unknown sat down and reviewed the list of two pages of parcels and following that discussion several were flagged to remain under ownership of the town and some will be auctioned off. The auction has been scheduled for May 4<sup>th</sup> and will be held here in town hall.
- 7) **Review of Weekly Mail:** Mail reviewed, no discussion held.
- 8) **Individual Board Members' Reports:** None.

- 9) **Questions from the Press:** Jim Russell from the *Republican* questioned when the board of selectmen was first asked to do the level funded budget; he wanted to know if it was tonight or prior to tonight's meeting. Mr. O'Connor stated it was a letter from the chair of the finance committee to the town administrator. Mr. Russell asked for a copy of that letter. He confirmed that the next finance committee meeting is scheduled for tomorrow night.

With the potential for a town meeting warrant article to withdraw from the HCOG and Mr. Barnett being the Chairman of the HCOG

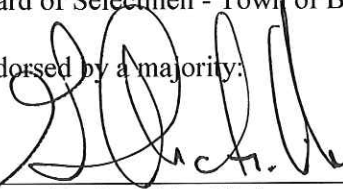
- 10) **Adjournment:** Meeting adjourned at 10:00 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: April 10, 2017

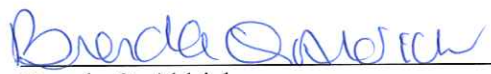
Board of Selectmen - Town of Belchertown

Endorsed by a majority:

  
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George D. Archible, Chairman

  
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Ronald E. Aponte

  
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Nicholas O'Connor

  
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Brenda Q. Aldrich

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William R. Barnett