

**SELECTBOARD MEETING
TUESDAY, JUNE 30, 2020
MEETING MINUTES
VIRTUAL MEETING ROOM – 6 P.M.**

Present were Chair Jeff Cyr, Vice Chair Sarah Etelman, member Chris Geraghty, member Bruce Forcier, Member Andrea Miles, and Town Administrator Michael J. Sullivan.

CALL TO ORDER

Cyr called the meeting to order at 6 p.m.

COVID-19 UPDATE

There are 143 confirmed COVID-19 case, 130 contact, five probable, two suspect and 23 deaths.

Spray parks are open from 10 a.m. to 2 p.m. The water is a continuous flow and not being recycled due to COVID. Residents are asked to avoid the area when there are more than 10 children using the space.

There have been no decisions made for reopening Mount Holyoke College yet.

Cyr said outdoor dining is off to a good start.

SENIOR CENTER UPDATE

Cyr said the project is coming along nicely. The project is still on schedule as planned.

BOND ISSUANCE

Unibank Advisor David Eisenthal explained the town is engaging in two transactions – \$11.8 million bond anticipation notes (BAN), and approximately \$5.6 million refunding bonds. The BAN will renew \$4.8 million in notes maturing July 16. The majority of this money was for the new senior center, while the rest was for capital and the remaining Plains School financing. What is left of the \$11.8 million will provide new money for the senior center project, to mature in July of 2021. The bids on these BANS will be tomorrow. The Selectboard will vote to award and execute the notes at its next meeting.

The refunding bond refinances 2013 bonds that funded school capital, Plains School and South Hadley Public Library projects. The bonds are redeemable in May of 2021. Under the tax act of 2017, doing this issuance now means it must be on taxable revenue. Refunding is being done on a negotiated basis to give town flexibility to pick a structure that will maximize savings given market conditions.

Moodys rates TOSH at an AA2 rating. This rating was given to the refunding bonds. The BAN was given a mid-1 rating, which is highest note rating available. Moodys said town finances are healthy based on conservative budgeting and healthy reserves. TOSH's debt burden is above

average but manageable. Its long-term liability and pension are manageable. They did not see COVID-19 as key driver at this time but did see it as a waiting risk.

Sullivan said the refunding will save TOSH \$50,000 a year and \$500,000 over the next 10 years. This savings goes to the taxpayer, not back to the general fund.

REVIEW OF AD-HOC VIRTUAL PLATFORM COMMITTEE

The Selectboard voted to have member Geraghty represent the board on the committee.

Roll Call Vote

Chair Cyr – Aye

Vice Chair Etelman – Aye

Member Geraghty – Aye

Member Forcier – Aye

Member Miles – Aye

88 EAST STREET SEWER

Etelman motioned to approve the access license for the sewer at 88 East Street and authorized Sullivan to sign on the Selectboard's behalf. Miles seconded.

Roll Call Vote

Chair Cyr – Aye

Vice Chair Etelman – Aye

Member Geraghty – Aye

Member Forcier – Aye

Member Miles – Aye

Sullivan noted the license route was chosen due to the dire situation a septic system is in at 88 East Street. The applicant will have 10 years to apply for an easement. This sewer line encroaches on some conservation land but the Conservation Commission approved the measure.

OPEN MEETING LAW VIOLATION

The Selectboard voted to accept Forcier's Open Meeting Law complaint he filed against the Selectboard after members released a statement publicizing their stance against racism.

Roll Call Vote

Chair Cyr – Aye

Vice Chair Etelman – Aye

Member Geraghty – Aye

Member Forcier – Aye

Member Miles – Aye

Forcier read the following statement: "First of all I'm in full agreement with the sentiment expressed in the letter, as I believe it reflects the values of our constituents. We are elected to reflect their values. I believe they trust us to also respect the process by which we are required by

law to operate. Out of respect for the law and the oath I swore to uphold specifically the open meeting law which prohibits us from making decisions on behalf of our constituents behind closed doors (or secret emails) I chose not to sign the letter as it was presented to me. I'd be happy to sign it after proper discussion, and suggest we check with the attorney general's office to make sure we are proceeding correctly."

Etelman said she doesn't believe there was a violation. The communications, she said, were: one member sent an email to the chair, vice chair and town administrator asking for something to be done, and offered to write the statement. The chair and vice chair discussed this with the town administrator, which she said is above board. The letter was drafted, sent to the chair, vice chair and town administrator. There was no polling or discussion, and as far as she is concerned there was no violation. The town administrator forwarded the letter to all members, asking them to read the letter and add their names.

Forcier asked for the complaint to be read into the record. The description of alleged violation is as follows: "I have reviewed the Selectboard Agenda from April 14th thru June of 2020 (23) and could [sic] find any mention or discussion of a statement dealing with BLM. On Tuesday I received an email asking me for feedback on the draft. The following morning I received a text on my phone indicating that I had until noon to sign in. [sic] I spoke with the Town Administrator who indicated that he did not see a hurry in it going out. Member Miles posted the information on Facebook. It appears that I am not perceived to be a racist. It appears to be a clear violation of the Open Meeting law as no open deliberation took place. I look forward to hearing from you."

Miles noted she did not post the statement on Facebook. Maher said she posted the statement to the town website and to Facebook, and released it to the press. Miles said Forcier did not respond to the email indicating his thoughts on the matter, or to the draft letter, or, to her understanding, phone calls. She said the complaint was not submitted until two days after the statement was released.

Sullivan said at the time he did not feel it was a violation. Afterward, town counsel said it might be. Sullivan said the statement seemed to be something that members wanted to get out to the public to have their sentiments known.

Cyr thanked members of the public who reached out to Selectboard members in support of the board's stance on racism in the community. Etelman seconded these sentiments and said members received an avalanche of support for the statement thanking the board for taking a stand and for encouraging and demanding the town continue to look at what it can do better and how.

Sullivan said the complaint has been turned over to town counsel.

Miles motioned to accept the statement against racism as written. Etelman seconded.

Roll Call Vote
Chair Cyr – Aye

Vice Chair Etelman – Aye
Member Geraghty – Aye
Member Forcier – Aye
Member Miles – Aye

Forcier asked if members were alright with what he called “racist hatred” that was “put on” him. Cyr and Etelman said they did not see any. Geraghty said he heard from upset residents bothered by the absence of Forcier’s signature on the original letter, and Geraghty encouraged them to reach out to Forcier directly to speak to his decision making process for not signing the letter in the first place.

Sullivan said employees wanted to remind the Selectboard and the public that they are in support of the letter and continue to attend trainings on inclusion and acceptance during professional development days.

ADJOURN

SE motion to adjourn. Miles seconded.

Roll Call Vote

Chair Cyr – Aye
Vice Chair Etelman – Aye
Member Geraghty – Aye
Member Forcier – Aye
Member Miles – Aye

The meeting adjourned at 6:53 p.m.

RESPECTFULLY SUBMITTED
Kristin Maher
Executive Assistant to Administration