

OPEN SESSION MINUTES
MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT
SPECIAL SCHOOL COMMITTEE MEETING
DECEMBER 21, 2015 PM 6:00 PM
PAUL REVERE ROOM, MINUTEMAN HIGH SCHOOL

Present:

Jeff Stulin, Chair (Needham)	Jennifer Leone (Lancaster) (arrived 6:30 PM)
Carrie Flood, Vice-Chair (Concord)	Sharon Antia (Lincoln)
David Horton, Secretary (Lexington)	Pam Nourse (Acton)
Alice DeLuca (Stow)	Jack Weis (Belmont)
Ford Spalding (Dover)	Mary Ellen Castagno (Wayland)
Vince Amoroso (Boxborough)	Doug Gillespie (Weston)
Judy Taylor (Carlisle)	Sue Sheffler (Arlington)

Absent: David O'Connor (Bolton), Dave Manjarrez (Sudbury)

Also present: Ed Bouquillon, Kevin Mahoney, Jack Dillon, Elizabeth Rozan, Steve Sharek, Nancy Pierce, Caitlyn Kelleher, Dan Matthews, Len Simon, Peter Braun

1. CALL TO ORDER: OPEN SESSION

2. TO TAKE FROM THE TABLE THREE ITEMS TABLED PER VOTE OF SCHOOL COMMITTEE ON 12.15.15

The Chair noted that there was no need for a formal vote to proceed, as it was specified in the vote of 12.15.15 that these items would be considered at a special meeting on 12.21.15.

a. Discussion and Vote to Amend Draft Regional Agreement (v. 3.11.14)

A motion was made (Spalding) and seconded (Flood) to approve the proposed amendments to the Draft Regional Agreement (v. 3.11.14), dated 12.21.15, to notify the Boards of Selectmen and request a special town meeting be held prior to March 1, 2016, and to send the draft warrant article language to them. (Materials listed as Attachment A were at the table.)

In response to a question raised in the hope of eliminating confusion, it was clarified that the intent of the enrollment numbers in the revised Regional Agreement Capital Allocation Formula (Appendix A) was to reflect full time equivalent high school students.

The reason for Lincoln being included in the list of possible withdrawing towns was raised, and it was clarified that the towns listed wanted to keep options open. A concern for the way the language was written on the school's location was assuaged with the reassurance that it had been discussed with counsel.

The work of the Selectmen to reach a fair compromise was commended, and specific points in the revisions were noted as having a potentially positive impact on the vote. The following vote was then taken:

ACTION 2015 #100

Moved (Spalding) and seconded (Flood)

That the District School Committee approve the proposed amendments to the Draft Regional Agreement (v. 3.11.14), dated 12.21.15.

FURTHER VOTED: That within seven (7) days from the date on which this vote is adopted, the Secretary notify the Boards of Selectmen of each member town of the District of this vote, and request that a special Town Meeting be held prior to March 1, 2016 to consider approval. The secretary is further instructed to send the draft warrant article language to the 16 Boards of Selectmen.

Vote: Unanimous (with 13 members present)

b. Discussion and Vote to Authorize Bonding under MGL Ch. 71 Sec. 16 (d)

It was moved (Flood) and seconded (Spalding) to vote to authorize bonding, as described in material at the table, shown as Attachment B.

The member from Boxborough, who had been an active participant in the Selectmen meetings that resulted in the proposed amendments to the Draft Regional Agreement, noted that concern has been raised about the timing of the debt vote. The risk of confusion, the potential for inadvertent defeat on the debt vote, the uncertainty about District membership, and the need to educate Town Meetings, were points raised in favor of postponing this vote until the School Committee's February 23 meeting, and a case was made for still being able to meet the deadline within this time frame. Technical alignment of the dates, the need for DESE approval and MSBA approval, the need to get a majority of voters to attend the special Town Meetings regarding the Regional Agreement, and the interest in hearing from Sudbury Selectman Len Simon, who had made a proposal for different sequencing of the votes, were points raised.

[At 6:30 PM, Ms. Leone arrived.]

The Chair extended some time for people to read Mr. Simon's proposal, which was at the table (Attachment C). Mr. Simon explained that he attended all the meetings held in Weston for Selectmen, and he found the process collaborative and beneficial to the District. He noted that most Selectmen at the meetings were clear about the votes needed, but there is potential for confusion. He noted that to pass the proposed Regional Agreement, it must be unanimous, with 16 towns voting affirmatively. To pass the debt, no vote is needed, and it can pass by virtue of a non-vote. He noted the unpredictability of Town Meeting, and emphasized his point that to get to yes, a clear sequence of events would be beneficial to avoid a glitch, and that this sequence he is proposing has no consequence to the timing of the building project. He pointed out that after sending out his proposal, he heard back from 8 towns in favor of the process. He pointed out that he reviewed Minuteman's Project Timeline document, as well as the modules described in the MSBA process. With Minuteman still in Module 4, until January 27 when MSBA gives its determination on the Schematic Design, he pointed out that Minuteman is "on schedule," and he is confident that sequencing the votes related to a new Agreement, the decisions on the option to withdraw and on the debt, provides a better chance to get to yes. He noted that if someone from his town asked him how much the debt would be for Sudbury, he couldn't tell them because of the membership uncertainty, and this would be embarrassing. He noted that if the debt vote could be decoupled from the Regional Agreement and the withdrawal issues, and postponed for about 8 weeks until the end of February, there would be greater certainty of a positive outcome.

The consequences of decoupling, potential for the value of the \$145M diminishing being a result of delay, worst case-scenarios of missing by one vote, the need to preserve the interests of the school, and the

deadlines imposed by the MSBA process were noted. Support for sequencing was offered, noting town resistance to spending without clarity, and the fickle nature of Town Meeting.

The Selectmen's arrival at consensus, the risk involved in not decoupling the votes, and the value of listening to the 16 member towns as a way of serving the interests of the school were also noted. The time frame involved in a worst-case scenario, the danger of the project failing and needing to "go it alone," the importance of going through the process of Town Meeting, and the danger of rushing things through too early in the process were noted.

The need for towns to work together, the need for them to rediscover why they joined the Minuteman District in the first place, and the need to show leadership in the towns to demonstrate why it is important to stay in the District were points offered. The rationality of voting to approve the changes of the Regional Agreement was also noted. It was pointed out that there is state money that could be sought for the building project.

Dan Matthews explained that the bonding process does not need approval of Town Meeting, as it can pass with just a School Committee vote. Once the School Committee votes it, there is a 60-day window during which towns can veto it. Keeping the votes coupled creates greater risk, and there is the cost implication of the value of \$145M eroding. He advocated for simplifying the process, and listening to the Selectmen, who are asking for the decoupling and delay.

The Chair pointed out that the value of \$145M could go down, and there is no guarantee by how much. He wondered how that money could be made up. Risking funding, concern about losing it, and concern about having to cut programs were highlighted.

The member from Arlington pointed out that Arlington is facing the prospect of their own high school project with MSBA, and a request for funding is pending; she also noted that a middle school project is in the future and also portable classrooms are needed at the elementary level. She noted that politically, the Minuteman project must be palatable, and the Regional Agreement must be passed before the debt. She noted that Arlington values the Minuteman education, but it is not in isolation of other school needs facing the town.

The Superintendent expressed his view that the risks inherent in acting now on the debt are greater than if the vote is delayed. He noted that the proposed vote to bond is contingent upon MSBA approval and approval of the Regional Agreement. He noted that the Governor has just issued an increase of \$9.2M for new equipment funding, which will address the Furniture, Fixtures, and Equipment (FF&E) problems; the erosion of the \$145M, through escalation of costs, contingencies, and increased interest rates, can possibly be addressed through the newly established 501c3, and allowing a town to vote to withdraw increases certainty about the composition of the District, and, therefore, approval of issuance of debt. He suggested tabling the debt vote for 60 days and to get on with the next item.

The Chair of the Minuteman Building Committee pointed out that there is only one issue: getting to yes. He suggested that the Selectmen and the Finance Committees do the extra work of going back to discuss this with the other members of the Boards of Selectmen, and explain what's been accomplished with the Regional Agreement. He urged getting them to support Minuteman as the right thing to do and to say yes for the building. He reiterated that we are in Module 4 (Schematic Design), and that on January 27, will probably be moving into Module 5 (Funding the Project). He urged getting everyone committed to the project, and to see Minuteman in positive terms.

Per the Superintendent's suggestion, the main motion, then, was amended (Stulin) and seconded (Weis) with the following:

To table the vote to authorize bonding until after March 1.

To align with scheduling, a friendly amendment to this was offered, and seconded as follows:

To table the vote to authorize bonding until no later than the February 23, 2016 Regular School Committee Meeting.

The need for strong leadership, and to be working with “Grandma” and not “the Wolf” was emphasized. The process for debt exclusion was also discussed, and the benefit of taking the time to discuss the issues with the Town Boards of Selectmen and Finance Subcommittees was emphasized. The vote was then taken as follows:

ACTION 2015 #101

Moved (Stulin) and seconded (Weis)

To table the vote to authorize bonding until no later than the February 23, 2016 Regular School Committee Meeting.

Vote: Unanimous (with 14 members present)

The member from Wayland extended appreciation to everyone; Len Simon also extended thanks to the School Committee for hearing him and taking the vote.

c. Discussion and Vote re: Host Community Considerations

It was moved (Spalding) and seconded (Leone)

that the Minuteman School Committee authorize the Superintendent to enter into negotiations with the Town of Lincoln to develop an Intermunicipal Agreement (IMA), which will be presented to the School Committee for ratification at a later date.

The Superintendent noted that he has asked Jack Weis and Carrie Flood to serve as advisors, and would bring the result back to the School Committee for discussion, probably by the January meeting.

The member from Lincoln read a position statement (shown as Attachment D), noting that she is not in favor of an annual fee or payment to Lincoln or to any town. She urged pursuing funds from the legislators, and quoted from Governor Baker’s November, 2015 press release in support of economic and workforce development. She suggested that the focus be on considering how to sustain this quality education, and the need for collaboration in the process. She noted that she does not support an IMA, but if it is developed, she would like to see a revisiting of it every X number of years with a cost benefit analysis, and that it come for a vote at Spring Town Meeting in Lincoln, so that the people of Lincoln can decide. She also affirmed her commitment to inform the people of Lincoln about the issues.

The member from Lexington emphasized the need for a revisiting clause and that any payment not be a lump sum, but rather for reasonable expenses, in a quid pro quo arrangement.

Regarding seeking more funding for the school from the State, the member from Wayland noted that efforts towards this end were made, and there was no appetite for it.

An amendment to the motion was offered (Spalding) and seconded (Sheffler) as follows:

that the Minuteman School Committee enter into negotiations...

The member from Dover stressed that he believes it is the School Committee’s responsibility to negotiate this, and that he doesn’t know what Lincoln wants. He did not feel he got a clear answer when he asked them. He suggested also that the Selectmen from Lincoln be invited to a School Committee meeting to state their concerns, and that guidelines be established for the negotiating so that it can be done before Lincoln Town Meeting.

The Chair noted that at the recent Selectmen's meeting in Weston, the sense was that there needs to be a review clause and a clear number of years, that it be tied to the building project approval, and that payments be for services. Lincoln was not happy with this, but the sense was to start with what is reasonable. He suggested that a few School Committee members make up the negotiating team.

The member from Belmont added that his sense was that Lincoln's Board of Selectmen felt they had a higher capital impact, but now that Lincoln has the ability to get out, they may be reconsidering the need for an IMA.

Ms. Flood noted that state law would be the guidance in any sort of negotiations. She commended Ms. Antia for her bold statement and asked for further clarification on the intended audience for Ms. Antia's written statement. Ms. Antia noted that she would be reading her statement at Lincoln's Board of Selectmen meeting later in the evening.

The Superintendent noted that there are some restrictions to making the negotiating team a body of the School Committee, and that open meeting law requirements must be followed. The process can be more cumbersome if 3 members of the School Committee are appointed.

The member from Stow expressed that she found Lincoln's request unpleasant, and she prefers an open public meeting aspect to these discussions. She also pointed out that this belongs in the negotiating arm of the School Committee, but does not need to be limited to only School Committee members. Mr. Spalding noted that it would not be the entire School Committee, but that it is the School Committee's job, as a governing body. The following vote on the amendment was then taken:

ACTION 2015 #102

Moved (Spalding) and seconded (Sheffler)

That the Minuteman School Committee enter into negotiations...

Vote: Unanimous (with 14 members present)

The member from Boxborough pointed out that his sense was that this was viewed as a "hot potato" thrown to the School Committee. He pointed out that he didn't think he could sell it to the communities, and that he is not opposed to an IMA. A tool for negotiating with Lincoln was given, namely the ability to withdraw. He stressed that the goal was to provide an opportunity for a mutually advantageous situation, and support for the Regional Agreement and the Building Project, and that he tried to create an incentive for every town to pass the revised Regional Agreement.

The following vote was then taken on the main motion as amended:

ACTION 2015 #103

Moved (Spalding) and seconded (Leone)

That the Minuteman School Committee enter into negotiations with the Town of Lincoln to develop an Intermunicipal Agreement (IMA), which will be presented to the School Committee for ratification at a later date.

Vote: Unanimous (with 14 members present)

3. ADJOURNMENT

The meeting was adjourned at 8:10 PM.

Respectfully submitted,

Elizabeth Rozan
District Assistant

David Horton
Secretary

ATTACHMENTS TO THE MINUTES OF 12.21.15

- A. Proposed amendments to the Draft Regional Agreement (v. 3.11.14), dated 12.21.15 and Appendix A (Capital Assessment Model)
- B. Proposed vote to authorize bonding under MGL Ch. 71 Sec. 16 (d)
- C. Len Simon proposal
- D. Sharon Antia position statement