



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

School Committee

Date: 2016-07-27

Time: 7:00 PM

Building: School - Memorial High

Location: Superintendent Conference Room

Address: 82 Oakland Road

Session: Open Session

Purpose: Open Session

Version: Final

Attendees: **Members - Present:**

Jeanne Borawski, Linda Snow Dockser, Chuck Robinson, Elaine Webb, Gary Nihan, Julie Joyce

Members - Not Present:

Student Representatives Nazzaro

Others Present:

Superintendent John Doherty, Assistant Superintendent Craig Martin, Director of Student Services Carolyn Wilson (arrived at 7:09 p.m.), Director of Finance Martha Sybert, Chronicle Reporter Al Sylvia, Selectmen John Halsey and Barry Berman, RMHS Principal Adam Bakr, Student Representative Mario Cutone

Minutes Respectfully Submitted By: Linda Engelson on behalf of the Chair

Topics of Discussion:

I. Call to Order

Chair Borawski called the School Committee to order at 7:02 p.m.

II. Recommended Procedure

A. Public Input

Chair Borawski asked for public input on items not on the agenda.

There was none.

B. Reports

Superintendent's Report

Dr. Doherty provided information on the High School Construction litigation.

- The purpose of this report is to update the Community on the High School construction litigation which has been discussed most recently at the Town listening sessions, but has also been brought up for several years at Town Meeting sessions. In addition, the School Committee has had several

Executive Sessions on this case and has kept the Town Manager and the Chairs of the Board of Selectmen and the Finance Committee informed throughout the process. We have also been working very closely with counsel throughout this case, including Brackett and Lucas, who was the previous Town Counsel, and now Kopelman and Paige, who is not currently our Town Counsel, but was assigned to this case during the transition of Town Counsels in 2014.

- Because we are still in litigation we are unable to go into detail about the case, however, once the case is resolved, we will give a full presentation about the details and timeline of how this case evolved.
- As many of you know the RMHS renovation and addition construction project began in 2004. TLT Construction Corporation was the general contractor for the project.
- In the fall of 2007, TLT filed a lawsuit in Middlesex Superior Court against the Town claiming that the Town owed it additional money for work performed under the contract. In response, the Town filed a counterclaim against TLT alleging breach of contract and claiming liquidated damages for TLT's failure to complete the contract work on time.
- In 2013, after the litigation discovery process and attempts at settlement, the court referred the case to a Special Master, a retired judge, who conducted a hearing process – in lieu of a trial in the Superior Court.
- The hearings began in December of 2013 and concluded in March of 2015. Closing arguments were presented in July of 2015. Since that time, the Master has been preparing, and issuing to the parties, draft decisions on the various issues that make up the matters in dispute.
- The first draft ruling was issued in January of 2016, and it is expected that the final sets of rulings will be issued in July or August. The net result of the Special Master's rulings, and the ultimate financial outcome, will not be known until all of the rulings have been issued.
- When all of the rulings have been issued, the Special Master will prepare a final report to the Superior Court.
- Under the applicable legal procedure, the court will review the Master's final report and may adopt it, reject it in whole or in part, or send it back to the Master with instructions for additional action.
- Ultimately, the Superior Court will enter a judgment in the case, whether on its first receipt of the Special Master's report or after additional action it may order.
- On account of the volume of material to be reviewed, the Superior Court judgment is not expected until sometime in 2017.
- In March of this year, the Town reported to its outside auditor that a judgment against the Town could exceed \$3 million. By Massachusetts statute, a court judgment is subject to 12% annual interest, and interest would apply from the date the complaint was filed.
- The Primary Claim Amounts are as follows:

- TLT claims for additional payment – approximately \$4 million
 - Town claim for liquidated damages – approximately \$1.6 million
- Again, because we are still in litigation, we are unable to go into any more detail about the case, however, once the case is resolved, we will give a full presentation about the details and timeline of how this case evolved.

C. Consent Agenda

Mrs. Borawski asked the Committee if there were any consent agenda items that they would like removed. There were none.

Approval of RMHS Drama Field Trip – Broadway
 Accept a Donation to RMHS - BPO
 Approval of Minutes (July 18, 2016)

Mr. Robinson moved, seconded by Mrs. Webb, to approve the consent agenda as presented. The motion carried 6-0.

D. New Business

School Activity Account and End of Year Audit Report

Ms. Sybert reviewed the End of Year Audit report and pointed out there were two minor reporting errors that have been corrected.

She moved on to the School Activities Account (SAA) Audit report which was performed by Melanson Heath. Audits are required annually. These audits can be performed by internal personnel if they are independent of the SAA. She pointed out that we have not had our school activity accounts audited since 2009. The district will establish a three-year cycle for the three SAA.

There were six findings which Ms. Sybert went on to review these findings and the actions being taken. She, Dr. Doherty and Mr. Bakr have met to discuss the audit findings and determine the next steps to begin implementing the audit recommendations.

Mrs. Borawski would like an update on the Student Activity Accounts at a future meeting.

Approval of RMHS Student Handbook

RMHS Principal Adam Bakr reviewed the changes in the 2016-17 RMHS Student Handbook. He said that quite a bit of work has been done to reflect the school core values incorporating feedback and suggestions from staff and students.

Mrs. Borawski asked how the students will learn of the changes. Mr. Bakr said that this will be done during class meetings, during homeroom and the flex block period.

Mrs. Joyce asked if a printed copy requiring a signature would be provided. Parents are required to sign the pupil card indicating they have reviewed the handbook.

Mr. Robinson moved, seconded by Mrs. Joyce, to approve the Reading Memorial High School 2016-17 student handbook per Policy CHCA. The motion carried 6-0.

E. Old Business

Second Reading of Revised Policies – EBC, GBEC, IHAMB, JLCD and JICH & JICH-R

Dr. Nihan moved, seconded by Mrs. Joyce, to waive the second reading of the policies. The motion carried 6-0.

Dr. Doherty shared that all revisions have been incorporated in the documents.

Mr. Robinson moved, seconded by Mrs. Joyce, to approve and accept the second reading all policies presented. The motion carried 6-0.

Ms. Sybert left the meeting at 8:22 p.m.

Director of Finance Recommendation & Vote

Mrs. Borawski thanked the Screening Committee for their work and opened up discussion.

Mrs. Webb felt all three candidates provided a variety of strengths but felt Ms. Dowd stood out. Her answers provided more depth and breadth and felt that she would have no issues presenting to groups and the community.

Dr. Nihan echoed Mrs. Webb's comments and she has previous experience presenting before large groups.

Mr. Robinson felt Ms. Dowd had a strong background and being a CPA draws credibility to someone who will be developing budgets.

Mrs. Joyce like the fact that Ms. Dowd has experience taking on challenges and has a track record of resolving them.

Mrs. Borawski also agreed with all previous comments and felt all three candidates were strong.

Mr. Robinson moved, seconded by Mrs. Joyce, to authorize the Superintendent to enter into contract with Gail Dowd as the Director of Finance. The motion carried 6-0.

Dr. Nihan asked about certification as a School Business Official. Dr. Doherty said Ms. Dowd will have to go through the process and the District will apply for a waiver for this position.

F. FY18 Budget Preparation

Dr. Doherty handed out a document from the Town Manager. He said the town is looking at things that need to happen and the schools are looking at the needs and how we can get there.

Mr. Halsey shared that the Selectmen have been having ongoing discussions. We need to a better job processing all the information and having dialogue with all stakeholders.

Mrs. Borawski asked what role Town Meeting plays. Town Meeting has no role in overrides.

The School Committee asked clarifying questions.

Mr. Robinson moved, seconded by Mrs. Webb, to recommend to the Board of Selectmen that the amount of 2 million dollars be included in a proposition 2 1/2 override ballot question in the fall of 2016 to address the projected structural deficit in the FY18 School Department budget.

The School Committee asked clarifying questions.

Mrs. Joyce asked what would it look like if only the structural deficit was addressed. Dr. Doherty said FY18 would be a level service budget.

The motion carried 6-0.

Mr. Robinson moved, seconded by Mrs. Webb, to recommend to the Board of Selectmen that an additional 1.925 million dollars be included in a proposition 2 1/2 override ballot question in the fall of 2016 to fund investments in the Reading Public Schools necessary to retain and attract high quality staff and improve educational outcomes for all students.

Chair Borawski reviewed the list of revenues needed.

Student Representative Cutone left the meeting at 9:33 p.m.

She went on to thank the Superintendent and staff for all the work done on FY18 Budget Discussion items.

Mr. Robinson expressed concerns that the dollar figure can get too large. He feels comfortable supporting an additional \$1M.

Mr. Halsey said the Selectmen will look at models to determine what the best possible number would be for the override.

Dr. Nihan is concerned about sustainability. He values all the items on the list but would like more information on the items.

Mr. Halsey said the meeting on August 16th will be a general discussion.

The motion carried 4-2. Mr. Robinson and Mrs. Joyce voting against.

III. Routine Matters

a. Bills and Payroll (A)

Warrant P1701	6.13.16	\$1,174,682.37
Warrant P1702	7.15.16	\$1,001,503.05

b. Calendar

IV. Information

V. Future Business

VI. Adjournment

Mr. Robinson moved, seconded by Mrs. Joyce, to enter into executive session to discuss Strategy with Respect to Negotiations with Non-Union Personnel, Approval of Minutes and not to return to open session. The roll call vote carried 6-0. Mr. Robinson, Dr. Nihan, Mrs. Joyce, Mrs. Borawski, Mrs. Webb and Dr. Snow Dockser.

The meeting adjourned at 10:03 p.m.

NOTE: The minutes reflect the order as stated in the posted meeting agenda not the order they occurred during the meeting.

John F. Doherty, Ed.D.