

# MINUTES – WAYLAND SCHOOL COMMITTEE

## Regular Session – July 22, 2013

A Regular Session of the Wayland School Committee was held on Monday, July 22, 2013, at 7:00 P.M. in the School Committee Room of the Wayland Town Building.

Present were:

Barb Fletcher, Chair  
Beth Butler, Vice Chair  
Malcolm Astley  
Ellen Grieco (joined meeting by remote at 9:45 p.m.)  
Donna Bouchard

Also:

Paul Stein  
Superintendent of Schools

Brad J. Crozier  
Assistant Superintendent

Marlene M. Dodyk  
Director of Student Services

Geoffrey MacDonald  
Business Administrator

Also:

Lea Anderson, HSBC  
Joe Lewin, HSBC  
John Moynihan, Director of Public Buildings  
Anne Harris, Energy Initiatives Advisory Committee  
Tom Sciacca, Energy Initiatives Advisory Committee  
Mike Staiti, resident

Chair Barb Fletcher convened the Regular Session at 7:06 P.M. and announced that the meeting is being broadcast by WayCAM.

1. **Comments and Written Statements from the Public:**

There were no comments and written statements from the public.

2. **Update re: Interim High School Principal:**

Paul Stein announced that he has hired Dr. John Ritchie as the interim principal of Wayland High School. Paul read some of the press release that he will submit via his List Serve. Because Dr. Ritchie is retired, his appointment was contingent upon a special waiver from the State. Dr. Ritchie will start on July 29, 2013.

3. **Review and Acceptance of MSBA Audit Report:**

Lea Anderson and Joe Lewin of the HSBC presented the MSBA Final Project Cost Audit to the School Committee. Considered a milestone by the HSBC, Lea commented that the draft proposal was reviewed by David Saindon of KVA and she noted that she and Joe review it as well. Lea praised David Saindon in his work with the MSBA, as Wayland received almost all of the grant money. Lea noted that there were small discrepancies in the projected reimbursements, thus, they all agreed to delay the approval of the audit report until MSBA's next meeting. Since the MSBA concurred with the errors found, this added another \$64,000 to the grant. Lea referred the School Committee to the Project Summary page of the report. Lea also reviewed some of the post audit expenses that will not be reimbursable. She also stated that the proposed cost of the entire project was \$70.8M, but the final cost was \$67.5M.

The School Committee thanked Lea and Joe, and the HSBC, for all their hard work.

Upon a motion duly made by Beth Butler, seconded by Malcolm Astley, the School Committee voted unanimously (4-0) to approve the MSBA final audit report dated July 17, 2013 with a final total facilities grant amount of \$22,402,004.

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4. **Approval of HMFH Contract Amendment #11 for Post Construction Work at Wayland High School:**  
Lea Anderson and John Moynihan elaborated on the additional design work needed for the post construction work being done at Wayland High School.

Upon a motion duly made by Donna Bouchard, seconded by Beth Butler, the School Committee voted unanimously (4-0) to approve HMFH Contract Amendment #11 in the amount of \$22,000 for additional design services for Field House roof snow slide protection, Field House lightening protection, site drainage revisions for outfalls and area around the South Building, and glare control in the Commons.

5. **Update re: Middle School and Claypit Hill Summer Projects:**  
John Moynihan updated the School Committee on the Middle School roof project, which started on schedule. However, due to some rainy days and a week or more of intense heat, the crew is working on a modified schedule. Although 6 of the 9 float days have been used, it is anticipated that the roof will be completed on or about August 15<sup>th</sup>. John attends the weekly job meetings on Wednesdays, and, if there are any further updates, he will let the Committee know.

John also updated the School Committee on the Claypit Hill asbestos abatement floor tile installation. Prior to the project, it was estimated that there was one layer of floor tile; however, the contractor discovered that there were four layers of floor tile while John was on vacation. The contractor provided John with a change order proposal in an amount higher than the original \$98,000, and, without John's approval and not according to the contract agreement, he ordered more materials and continued to do the work, even though it was going to cost more than originally agreed upon in the contract. John terminated the contract, with the intent of paying the contractor for the work he had done. Due to the unforeseen increase in costs, only 20 rooms can be tiled at Claypit Hill and the remaining 5 will be done next year when Happy Hollow's floor tiles are replaced.

John requested School Committee approval allowing him to pay the contractor for his services up to date in the amount of \$71,040. John answered questions from the School Committee regarding the work done up to this point.

*Barb left the meeting at 7:37 p.m.; returned at 7:39 p.m.*

A discussion ensued in terms of understanding the termination, what has been done up to this point, and whether to move forward to completion now. John stated that the project cannot be completed because of the additional cost of removing more layers than had been previously known.

Upon a motion duly made by Donna Bouchard, seconded by Beth Butler, the School Committee voted (3-0-1) (Malcolm abstained) to approve the change order in the amount of \$71,040 to be paid to SMI contingent upon receiving the release from further claims from legal counsel, as well as hauler's receipts which will confirm the amount of tile that has been removed.

6. **Discussion re: Proposed Solar Project on Middle School Roof and Update on Progress of Municipal and School Building Energy Savings Performance Contract:**

Anne Harris and Tom Sciacca of the Energy Initiatives Advisory Committee, as well as Mike Staiti, presented a proposal from Broadway Electrical Company regarding a solar project on the Middle School roof. Although the final contract requires Town Meeting approval and since the next step in this process is to sign a Letter of Intent (LOI), they have come before the Committee to ask for its support to proceed with the LOI, a non-binding agreement. Anne added that the Energy Initiatives Advisory Committee is expecting another proposal from Power Options.

Anne reviewed what Broadway's service agreement includes, adding that there would be no money up front. Broadway would design, finance, install, operate, and maintain the solar panels until such time that they are removed by the company. Wayland would lease the Middle School roof to Broadway and agree to purchase all the electricity needed to run the panels. A performance guarantee would also be provided by Broadway. However, the only anticipated risk is if electricity costs plummeted over the next twenty years.

Anne reviewed the report she provided to the Committee, which included electricity costs and a one-year look at current usage and the proposed production. A drawing of where the panels would be placed was also included. Anne also noted that the total benefit to the town would be approximately \$400,000. As a positive model, this program also includes an educational component, as well as creating renewable energy and offsetting carbon emissions.

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John Moynihan agreed that this was a good program for the town, as it demonstrates a responsibility to help protect the environment. He commented that there will be some savings, but there will also be costs. Overall, he said this was a good plan.

Anne cited other current solar projects in other towns. In response to Paul's question, John confirmed that this project would not compromise the integrity of the brand new roof. However, after signing the LOI, Broadway will hire a structural engineer to do a structural assessment. Also discussed were Broadway's responsibilities in terms of the maintenance of the solar panels.

It was recommended that the MSBA be contacted to ask if the Middle School roof funding would be jeopardized if Wayland were to enter into a solar program, ask for the feedback of the Permanent Municipal Building Committee, and to secure a provision from the roofing company that their guarantee would remain the same with or without the solar panels.

The School Committee agreed that they will support moving ahead with the Letter of Intent, contingent upon hearing from the Permanent Municipal Building Committee.

As an update, Anne commented that they are in the midst of an energy savings performance contract with Amaresco in which all municipal buildings are being looked at for a possible energy efficiency project. The High School is not being considered. John Moynihan will present to the School Committee in the fall regarding the capital funding of this project.

#### 7. **Discussion and Approval re: Transfer of Funds Related to Special Education:**

Paul began the discussion by saying that this request is in an area that fluctuates based on the needs of the kids. In this case, Marlene is creatively trying to keep this student in Wayland, and she provided the background for the request. She stated that the funds that were allocated for transportation and for out-of-district placement would be transferred and used for staff time. By keeping the student in-district, a claim can be made for circuit breaker reimbursement.

A discussion followed in terms of other costs incurred, such as staff benefits and the costs in comparison to in-district vs. out-of-district placement. A request was made by Donna Bouchard for a long-term cost benefit analysis regarding health insurance costs and OPEB costs. The request was acknowledged.

Paul stated that he doesn't believe in creating benefits packages, as he scrutinizes every request, and his main concern is what's best for the children.

Barb commented that there can be unexpected new needs for services since the budget was put together, and these services must be provided according to the law. She praised Paul and Marlene in their efforts to save money. Paul reiterated that they are not asking for additional appropriations from the budget for this week's and last week's staffing request.

Upon a motion duly made by Malcolm Astley, seconded by Beth Butler, the School Committee voted (3-0-1) (Donna abstained) to approve the transfer of funds from the out-of-district tuition and transportation account to the personnel account as noted in the memo from Marlene dated July 17, 2013.

#### 8. **Discussion re: Reclassification of Dean of Students to Interim Assistant Principal:**

Paul distributed a memo explaining the reasons for this request. With the new evaluation model being implemented in the fall and a new interim high school principal, Paul is recommending that the Dean of Students become an Interim Assistant Principal to assist with the supervision and evaluation of staff. The Dean of Students would also become the coordinator for health and wellness for Grades K-12. This would be an opportunity to test this pilot model for administration. Paul spoke to the cost factors, none of which is over and above the FY14 budget, that are involved in this one-year reclassification. He commented that department chairs contribute to the observations of teachers for the evaluations, but they are not the primary evaluators under the new evaluation model.

A discussion ensued regarding the cost factors pertaining to the budget, the supervisory ratio and staff time in terms of the new evaluation system, and how the district should move forward in terms of staffing and costs.

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The School Committee will discuss this request again on August 1<sup>st</sup>. The Committee will review the information and ask questions of Paul, if necessary, before August 1<sup>st</sup>.

9. **Continued Discussion re: Dr. Stein's Evaluation:**

Barb asked the Committee for their comments regarding the evaluation. Beth offered some minor changes. It was reiterated that Donna Bouchard will not participate in Dr. Stein's evaluation process.

*Donna left the meeting at 9:38 p.m.; returned at 9:40 p.m.*

The Committee will have another discussion on August 1<sup>st</sup> when Ellen can be present.

10. **Continued Discussion re: Public Records Requests from George Harris and Release of Executive Session Minutes:**

Barb informed the School Committee that she asked George Harris what his overall goal is in terms of the OML complaints. Mr. Harris's goal is to see that the Open Meeting Law is complied with on all Boards within the town. Barb and George agreed that the Executive Session minutes will be reviewed from July 1, 2010 forward to determine which sets of minutes will be released. Barb also spoke to Gini Tate regarding the School Committee's response to the request for Executive Session minutes, and Gini confirmed that the response should be within 30 days or by the next Committee meeting. As agreed by the Committee, Barb will ask for an extension from George to release to him any Executive Session minutes from July 1, 2010 to date.

Donna updated the Committee about the procedure that the Board of Selectmen follows regarding Executive Session minutes. Fred Turkington reviews the minutes and periodically puts them on the consent agenda, as a way of regular housekeeping. If there is a question or gray area, he will consult with Mark Lanza for his opinion. Then the minutes are put on the BOS agenda again for final approval. Donna recommended that the School Committee adopt this process, but having the Superintendent or his designee review the Executive Session minutes.

Ellen called into the meeting at 9:45 p.m. She did supply the remote participation form, as she was unable to attend because of geographic reasons. Barb updated Ellen regarding this agenda item conversation.

For the minutes from July 1, 2010 to July 1, 2011, Donna recommended that two Committee members review the minutes to determine their release and consult with counsel, if needed, regarding what is or isn't appropriate to release. At this juncture, they would be brought to the Committee for final approval. From July 1, 2011 to July 1, 2013, she recommended that Paul or whomever he would delegate, review these minutes and follows the same procedure toward final approval.

Paul questioned his expertise to know what constitutes protected information, given that this is a controversial issue. Some of the Committee members were concerned about whether Paul would have the time to take on this process given all of his responsibilities as Superintendent. Paul suggested that they could move past the backlog and then create a tickler file.

Concerned with the cost, Barb proposed that she make the first cut whereby she would recommend to the Committee the minutes that can be released with no questions attached. For the second cut, she would bring the questionable minutes to the Committee and they will recommend to pursue or not to pursue a legal opinion. Barb will also call Glenn Koocher to ask how other districts handle this process. The Committee agreed with this proposal.

As a point of legal opinion and based on the timeline issue, Donna asked if the Committee could release questionable minutes with some redacted portions, or does the entire set become non-releasable.

11. **Continued Discussion re: School Committee Retreat:**

At Paul's suggestion, Barb recommended dates that Rob Evans of HRS could facilitate a meeting that will help the Committee to work together as a more cohesive group. Dates for a second meeting were suggested in which the School Committee could discuss their objectives.

Also discussed were dates for Jim Powers to attend a meeting and present his school audit report.

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12. **Consent Agenda:**

- (a) Approval of Minutes:
- Special Session of July 2, 2013

Upon a motion duly made by Malcolm Astley, seconded by Beth Butler, the School Committee voted unanimously (5-0) to approve the Special Session Minutes of July 2, 2013, as written. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Beth Butler, Vice Chair	X	
Malcolm Astley	X	
Ellen Grieco (by remote)	X	
Donna Bouchard	X	

13. **Superintendent's Report:**

Paul gave the School Committee a Chapter 70 update. The final amount for FY14 is \$3,928,626, which is an increase of \$678,358. Paul also anticipates the circuit breaker to increase.

Geoff MacDonald updated the School Committee on the lunch program and why a lunch price increase is not being implemented at this time. Although projected in the final quarterly report that there would be a small amount left in the revolving account, it was found that the Town Treasurer's postings were not up to date. Thus, upon completion of reconciling the account, Food Service finished out the year with a carryover of \$83,433. Taking all accounting into consideration, there will not be an increase for the FY14 school year.

The State has allotted \$5M in the Foundation Reserve or the Pothole Fund, which is available to school districts for certain circumstances. Geoff, together with Marlene Dodyk, went over various criteria and found one that would fit the higher costs of Special Education. Upon sending an application, they were able to secure \$60,000 for the school district, which will have its own revolving account to supplement the budget, not supplant the budget.

Donna Bouchard asked questions regarding the lunch program in terms of accounting.

Paul informed that Marlene has been working with The Education Cooperative (TEC) to secure classroom space at Loker. Marlene elaborated that the space is a primary classroom and can be used because of the age and needs of the student. TEC reached out to Wayland, as a member district, and TEC will pay a nominal rental fee for the use of the classroom. This arrangement will keep the student in-district, thus saving on transportation costs for an out-of-district placement. Once a final agreement is reached, Paul and Marlene will bring it to the Committee.

14. **Comments from the Public:**

Tom Sciacca commented on the earlier discussion about adding Special Education staff to accommodate the needs of a student in terms of adding benefits to the position. He recommended that it would be helpful and useful if the cost of benefits was added to these requests.

Tom requested that the press release regarding the interim high school principal be posted on the website.

In its beginning stages, Tom commented that there is a generational turnover in Wayland that will add to the school population and asked the School Committee to keep this in mind as they plan for the future.

15. **Executive Session:**

Upon a motion duly made by Beth Butler, seconded by Donna Bouchard, the School Committee voted unanimously (5-0) to convene in Executive Session at 10:29 P.M. as permitted by M.G.L. 30A, section 21(a) (1) to discuss reputation, character, physical condition, and mental health rather than professional confidence of an individual or to discuss the discipline or the dismissal of or the complaints or charges brought against a public officer, employee staff member or individual related to four OML complaints, one filed by George Harris on June 17, 2013, one filed by George Harris on June 27, 2013, one filed by Donna Bouchard on July 1, 2013, one filed by George Harris on July 10, 2013 as noted in our agenda, as well as permitted by section 21(a) (3) to discuss strategy with respect to Collective Bargaining with WTA, WESA, Food Service and Custodial workers, as such a discussion in open meeting may have a detrimental effect on the bargaining position of the School Committee and an Executive Session is necessary to

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protect the bargaining position of the School Committee. The Chair announced that the School Committee will reconvene in Open Session for adjournment purposes only. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Beth Butler, Vice Chair	X	
Malcolm Astley	X	
Ellen Grieco	X	
Donna Bouchard	X	

Barb confirmed that Ellen was alone while participating remotely.

16. **Adjournment:**

Upon a motion duly made by Malcolm Astley, seconded by Donna Bouchard, the School Committee voted unanimously (5-0) to adjourn the Regular Session at 11:51 p.m. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Beth Butler, Vice Chair	X	
Malcolm Astley	X	
Ellen Grieco	X	
Donna Bouchard	X	

Respectfully submitted,

Paul Stein, Clerk  
Wayland School Committee

Observers:

Tom Sciacca, WVN

Corresponding Documentation:

1. Press Release re: Interim High School Principal
2. Memo re: Reclassification of Dean of Students Position
3. MSBA Final Project Cost Audit
4. HMFH Contract Amendment #11
5. Report from Broadway Electrical Co. re: Proposed Middle School Solar Project
6. Memo re: Special Education Staffing Needs 2013-2014
7. Special Session Minutes of July 2, 2013
8. Draft of Superintendent's Evaluation