

WACHUSETT REGIONAL SCHOOL DISTRICT COMMITTEE

HOLDEN ♦ PAXTON ♦ PRINCETON ♦ RUTLAND ♦ STERLING

Minutes

EMERGENCY

Special Meeting #247 Wednesday, February 12, 2003

6:30 PM

Curriculum Center
Wachusett Regional School District
Central Office

Committee Members Present:

| | |
|-----------------------------|--------------------------|
| John Rokicki, Chairman | Jane James |
| Duncan Leith, Vice-Chairman | Alice Livdahl |
| Donald Benson | Kelly Maxwell |
| Charles Capparelli | Natalie Mello |
| Clifford Connell | John Nunnari |
| Carol Esperti (6:43 PM) | Julie Scott |
| David Fedeli | Tammy Tod (6:46 PM) |
| Kimberly Ferguson (7:40 PM) | Margaret Watson |
| Patricia Gates (6:40 PM) | Patricia Young (6:38 PM) |
| Jeffrey Gibbs | |

Committee Members Absent:

Peter MacDonald

Administration Present:

Alfred D. Tutela, Ph.D., Superintendent of Schools
Paul K. Soojian, Director of Operations
Steven Penka, Director of Administrative Services
Philip E. Campbell, Director of Student/Information Services
Peter Brennan, Comptroller
Thomas Pandiscio, Principal, Wachusett Regional High School
Susan H. Sullivan, Executive Assistant to the Superintendent

Others Present:

Lewis Evangelidis, State Representative
Leo McCabe, Committee Counsel
Linda Lehans, *The Landmark*
Marc Sanguinetti, *Worcester Telegram & Gazette*
Stephen King, *The Landmark*

Joseph Sullivan, Chair, Holden Selectboard
Douglas Briggs, Chair, Rutland Selectboard
Frederick Goodrich, Chair, Paxton Selectboard
Donald D'Auteuil, Rutland Selectboard
Jack Malone, Paxton Selectboard
Joseph Giotta, Chair, Holden Finance Committee
Alan Berg, Holden Finance Committee
Christian deMarcken, Paxton Finance Committee
Evelyn Lawler, Paxton Finance Committee
Richard Fenton, Paxton
James Jumonville, Holden
Edwin Meyer, Holden
Mark James, Holden
Stephanie Rottellini, Sterling
Linda Tokarz, Rutland
Larry Floryan, Holden
David Gibbs, Sterling

I. Call to Order

Chairman John Rokicki called the meeting to order at 6:36 PM. Chairman Rokicki introduced Committee Counsel Leo McCabe, who indicated that the meeting was legal. He read the definition of "emergency" per Massachusetts General Laws, Chapter 39, Section 23A, as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action." The notification by the Commissioner of Education late Tuesday afternoon regarding the moratorium on school projects for reimbursement clearly justified the scheduling of the emergency meeting. Attorney McCabe restated that IN HIS OPINION the emergency special meeting was legal and proper.

II. Superintendent Recommendations

The Superintendent gave a brief summary of what transpired to result in the scheduling of the Emergency Special Meeting. Late the afternoon of February 11, 2003, following a lengthy meeting with the architects, the Superintendent checked his email messages. There was an email message from the Commissioner of Education declaring a moratorium on submission of projects to the School Building Assistance list. After reviewing the email several times, the Superintendent emailed Jeffrey Wulfson, Chief Financial Officer, Department of Education as to whether the moratorium included the high school project. The

Superintendent then went to dinner but felt uncomfortable about the message so returned to the office to find Chief Financial Officer Wulfson's reply that unfortunately the high school project would be affected by the moratorium. The Superintendent immediately contacted Chairman John Rokicki to inform him of this situation and to request an emergency special meeting due to the unanticipated occurrence. Chairman Rokicki then scheduled the Emergency Special Meeting for Wednesday, February 12, 2003, at 6:30 PM in the Curriculum Center at the District Central Office. All School Committee Members were called by the Superintendent and an email containing the Commissioner's message was sent to all Members who had an email service.

The Superintendent further reported that early Wednesday morning Representative Lewis Evangelidis arrived at the Central Office to gather information on what impact the Commissioner's decision would have on the high school project.

The Superintendent introduced Representative Lewis Evangelidis, who indicated that he had met with the Superintendent in order to determine the impact and the options facing the District. Representative Evangelidis stated that he believed that this is another obstacle on an already long road for the long-term high school solution. Representative Evangelidis reported that the Commonwealth of Massachusetts is facing a severe fiscal crisis in FY04, the shortfall being estimated as high as \$3 billion. The decision of the Commissioner regarding the School Building Assistance is but one of the ramifications of the crisis.

Representative Evangelidis shared his thoughts as well as his actions throughout the day regarding this issue:

- Every one of the representatives and senators elected to represent any of the towns in the Wachusett Regional School District were called.
- The Superintendent and he spoke with Christine Lynch, School Building Assistance.
- Christine Lynch reported that this is now a closed process as of yesterday.
- There are 360 projects already on the list, which need to be funded from the operating budget (\$410 million). Projects need to come off the list before any more projects are placed on the list.

- There are sixty-three (63) projects waiting, which have been pre-approved for needs assessment by the Department of Education, for submission in June.
- Of the sixty-three, fourteen appear to be critical because of safety, overcrowding, or loss of accreditation
 - Zero projects are on the list due to safety concerns.
 - Six (6) projects are on the list due to overcrowding.
 - Eight (8) projects are on the list due to the possibility of losing accreditation (4 new building projects; 4 renovation/addition projects)
- The District is on the third list, concerns regarding accreditation, but is also borderline for inclusion on the list for overcrowding.
- Representative Evangelidis intends to work with legislators in Districts to formulate a plan. He received positive feedback from the legislators today. They will all have to work through the process.
- Representative Evangelidis indicated that the legislators may need to work directly with the Governor.
- Representative Evangelidis reported that the Commissioner did have the authority to place the moratorium but that it is a legislative process. The legislature has authority as to how districts get on list.
- Representative Evangelidis re-stated that this is part of the budget process for FY04. The Governor's budget (House 1) is due out on February 26, 2003; the legislature then works to submit a budget. Right now there is no clear direction for the School Building Assistance.
- Representative Evangelidis reported to the Committee that the budget will have to be approved. He indicated that the Governor has prioritized education.
- Representative Evangelidis was notified by the Superintendent that two amendments to the Senate \$650 million deficit bill have been proposed and will be discussed tomorrow on the Senate floor. These would allow any project which had town approval prior to December 31, 2002 to be kept on the list. The Superintendent distributed copies of the proposed amendments (attachment 1).
- Representative Evangelidis re-stated that he believes that the project will be completed; that this is a momentary crisis.

Chairman John Rokicki entertained Committee Member questions to Representative Evangelidis.

Following inquiry, Representative Evangelidis reported that there are no amendments from the House like these but that the issue would be considered once the entire deficit bill goes into committee.

The Superintendent reported that he was told today by Senator Stephen Brewer that the rider to the bailout bill covered approximately sixteen projects, the Wachusett Regional High School project being one of those projects. The Superintendent represented that once passed by the Senate, the bailout bill will go to a conference committee and then subsequent approval by both houses and signature of the Governor. Representative Evangelidis explained that the issue should be resolved within the next few weeks, probably by early March. The Rutland project is not eligible with this bill, as the town approval took place in January. Chairman John Rokicki asked if perhaps the date could be changed to include the Rutland project.

Following an inquiry, Representative Evangelidis agreed that the impact on budget of the high school project not being on the list is seven years down the road but that the impact on the District is now. The Governor is trying to wield the axe; he is attempting to get school projects off the list before putting more projects on the list.

The Superintendent reported that the Governor wants to revamp the School Building Assistance, to have new standards which could include no reimbursement for interest and utilization of standard designs. In the past when changes to School Building Assistance have been implemented, the changes have always been made prospectively; this is the first time changes are occurring in the middle of the process.

The Superintendent restated that the high school project is on the list and in fact high on the list.

The Superintendent summarized the agenda items:

- Decision on Purchase of Land – The Purchase and Sale Agreement is ready to sign.

- Decision on Architectural Services – The costs to date for the architects are approximately \$250,000; the costs are estimated at \$2.5 million to complete requirements to the June submission.
- Decision on Borrowing – The Superintendent met yesterday with the Emergency Finance Board, which gave immediate approval for borrowing. The Superintendent needs to know where on the timeline he needs to stop.
- Future Temporary High School Solutions – If the project is halted, the Committee would need to address the future enrollment issues. This is not an emergency issue but must be in the forefront for future consideration.

The Superintendent explained to the Committee that no action from the Committee would result in the District moving forward. Preliminary filing would be done in March, following adoption of the educational specifications at the School Committee meeting on February 24, 2003. Much energy and considerable expense has already been expended and will continue if the Committee takes no action. The School Committee is the ultimate appropriating authority. Silence is as much action as direct action.

A. Decision on Purchase of Land

Committee Counsel Leo McCabe reported that a Memorandum of Understanding was signed in October by Mr. Lundquist and the Superintendent, subject to appropriation and town approval. The actual Purchase and Sale Agreement has been prepared and is ready to be executed.

Motion: To cease action on the high school long-term facility solution at this time until the District affirms reimbursement.

(C. Esperti)
(C. Connell)

Following inquiry, the Superintendent restated that the impact until June is approximately \$2.5 million for the architects plus the \$695,000 for the purchase of the land.

A friendly amendment was offered by Member Tammy Tod to add “with the exception of the land purchase”. This was not accepted by the maker of the motion.

Motion to Amend: To add “with the exception of the land purchase”

(T. Tod)
(K. Maxwell)

Following inquiry as to the District’s exposure if the District pulls out, Committee Counsel Leo McCabe reported that the land was appraised at \$1.8 million a few years ago, an appraisal that the District agreed to. The liability to the District is legal fees, the possibility of having to buy the land following legal action plus economic damages due to breach of contract.

Roll call vote on the motion to amend:

In favor:

John Rokicki
Duncan Leith
Charles Capparelli
David Fedeli
Patricia Gates
Jeffrey Gibbs
Jane James
Alice Livdahl
Kelly Maxwell
Natalie Mello
John Nunnari
Julie Scott
Tammy Tod
Margaret Watson
Patricia Young

Opposed:

Donald Benson
Clifford Connell
Carol Esperti

Abstained:

Kimberly Ferguson

(Motion passed 15-3-1)

Discussion continued on the main motion, as amended.

Motion To Amend: to add “and with the exception of limiting the borrowing to \$3.2 million to pay for land and the architects until the June submission”.

(K. Maxwell)
(T. Tod)

Following inquiry, the Superintendent reported that if no action was taken, the District would move forward as if no notice was sent from the state. This action would report to the community that there is an urgency and a need for this project but that the Committee has taken action to limit community exposure. The Superintendent indicated that this would be a frugal approach to a long-term issue.

Following an inquiry, the Superintendent reported that March 1st is the preliminary design stage that includes educational specifications.

The Superintendent reminded the Committee that as the Chief Procurement Officer, he executes the Purchase and Sale Agreement.

Motion: To table

(P. Gates)
(M. Watson)

Chairman Rokicki set aside the motion to table.

Roll call vote on the motion to amend:

In favor:

John Rokicki
Duncan Leith
Donald Benson
Charles Capparelli
David Fedeli
Patricia Gates
Jeffrey Gibbs
Jane James

Alice Livdahl
Kelly Maxwell
Natalie Mello
John Nunnari
Julie Scott
Tammy Tod
Margaret Watson

Opposed:

Clifford Connell
Carol Esperti
Kimberly Ferguson
Patricia Young

(Motion passed 15-4)

Motion: To table the motion, as amended

(P. Gates)

(N. Mello)

In favor:

Duncan Leith
Donald Benson
Charles Capparelli
David Fedeli
Patricia Gates
Jeffrey Gibbs
Jane James
Alice Livdahl
Natalie Mello
Margaret Watson
Patricia Young

Opposed:

John Rokicki
Clifford Connell
Carol Esperti
Kimberly Ferguson
Kelly Maxwell
John Nunnari
Julie Scott
Tammy Tod

(Motion passed 11-8)

- B. Decision on Architectural Services
- C. Decision on Borrowing
- D. Future Temporary High School Solutions

III. Adjournment

Motion: To adjourn

(M. Watson)
(N. Mello)

Roll call vote:

In favor:

John Rokicki
Duncan Leith
Donald Benson
Charles Capparelli
David Fedeli
Patricia Gates
Jeffrey Gibbs
Jane James
Alice Livdahl
Natalie Mello
John Nunnari
Margaret Watson
Patricia Young

Opposed:

Clifford Connell
Carol Esperti
Kimberly Ferguson
Kelly Maxwell
Julie Scott
Tammy Tod

(Motion passed 13-6)

The meeting adjourned at 8:17 PM.

Respectfully submitted.

Alfred D. Tutela, Ph.D.
Superintendent of Schools

ADT:ss
schoolcommittee/minutes