

WACHUSETT REGIONAL SCHOOL DISTRICT COMMITTEE

HOLDEN ♦ PAXTON ♦ PRINCETON ♦ RUTLAND ♦ STERLING

Minutes

Special Meeting #228 Monday, December 3, 2001

7:00 PM

Media Center
Wachusett Regional High School

Committee Members Present:

| | |
|-------------------------------------|-----------------|
| John Rokicki, Chairman | Alice Livdahl |
| Sherry Horeanopoulos, Vice-chairman | David Lowenthal |
| Kimberly Ferguson (7:05 PM) | Peter MacDonald |
| Michael Gennert | Kelly Maxwell |
| Jeffrey Gibbs | John Nunnari |
| Jane James | Elizabeth Pape |
| Sarah Jordan | Julie Scott |
| Duncan Leith | Kathleen Singh |

Committee Members Absent:

| | |
|---------------|----------------|
| Carol Esperti | Kenneth Fensin |
|---------------|----------------|

Administration Present:

Alfred D. Tutela, Ph.D., Superintendent of Schools
Paul Soojian, Director of Operations
Philip Campbell, Director of Student/Information Services
Susan Sullivan, Executive Assistant to the Superintendent

Others present:

Linda Lehans, *The Landmark*
Mary Anne Magiera, *Worcester Telegram & Gazette*
Leo McCabe, District Counsel
Glen Mair, Holden Town Counsel
Joseph Sullivan, Holden Selectboard
David White, Holden Selectboard
Douglas Briggs, Rutland Selectboard
Paul Sushchik, Sterling Selectboard
Scott Runstrom, Paxton Selectboard
Stanley Moss, Chair, Finance Advisory Committee

Edmond Benoit, Chair, Holden Finance Committee
Paul Anderson, Holden Finance Committee
Joseph Giotta, Holden Finance Committee
Paul Challenger, Holden Finance Committee
Christian deMarcken, Paxton Finance Committee
Robert Sauer, Princeton Advisory Committee
Glen Mair, Holden Town Counsel
Donald Benson, Holden
David Gibbs, Sterling
John Schneeweis, Sterling
Rosemary Warren, Paxton
Larry Floryan, Holden
Maureen Floryan, Holden

I. Call to Order

Chairman John Rokicki called the meeting to order at 7:01 PM. Copies of the Agenda were distributed (attachment 1). Chairman Rokicki reported that three members had asked for the Special Meeting to discuss changes to the wording of the motion to amend Section 4 of the Regional Agreement.

The Superintendent distributed copies of the following:

- Resignation letter of Member Jeffrey Wentzell (attachment 2)
- Copy of correspondence from Holden Town Counsel Robert Martin (attachment 3)
- Copies of approved language (attachments 4 and 5)

II. Regional Assessment Warrant Article

Motion: To reconsider the Motion to amend Section 4 of the Regional Agreement, voted at Special Meeting on November 7, 2001.

(J. Scott)

(P. MacDonald)

Roll call vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Kimberly Ferguson
Jane James
Sarah James
Duncan Leith
Alice Livdahl
David Lowenthal
Peter MacDonald
Kelly Maxwell

John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:

Michael Gennert
Jeffrey Gibbs

(Motion passed 14-2)

Motion: That the final paragraph of the main motion to amend Section 4 of the Regional Agreement, which commences with the phrase “Provided, however, in the event only four (4) of the member towns”, be deleted in its entirety and the following be inserted in its place: “Notwithstanding anything to the contrary contained in Section 14.2 of the Regional Agreement or in the text of the proposed amendment to Section 4 of the Regional Agreement, the proposed amendment to Section 4 will be effective only if it is approved by all five (5) member towns at Town Meetings on December 4, 2001.”

(J. Scott)

(K. Maxwell)

District Counsel Leo McCabe explained why the original wording was recommended. He explained that if the “per capita lite” was successful at town meeting, it only deals with year one. The new wording does not answer any questions beyond year one.

Joseph Sullivan, Holden Selectboard, apologized for the special meeting. He requested that Holden Town Counsel Glenn Mair speak to the issue. He disputed the need for an annual vote in order to enact Chapter 16B and that it was not recommended that a provision that may not be needed should not be included.

The Superintendent reported that the concern was to protect the budget and that the motion on the floor as recommended by Holden Town Counsel Robert Martin did not accommodate a change to the Chapter 16B paragraph.

Chairman Rokicki reminded Attorney Mair that if the intent of the Holden Selectboard was to exclude the annual vote, the wrong amendment was recommended.

Attorney McCabe reported that he spoke to Department of Education legal Counsel, Debra Comfort, and she verbally confirmed that the DOE concurred with the Department of Revenue that an annual vote was required. He then spoke with Jeffrey Wulfson, Department of Revenue, who wrote Chapter 16B, who also concurred that an annual vote was necessary.

The Superintendent further reported that the concern was for subsequent years. There is no provision to recover funds if only four towns vote. He reminded members that the Regional Agreement currently utilizes per capita and the towns assessment utilize Chapter 70 funds.

Discussion among members ensued.

The Superintendent offered a suggestion, which he was not endorsing, recommending, or suggesting, that language can be added to protect the District after year one, just eliminating the reference to Chapter 70 and including "the Law".

Attorney McCabe reminded members that if there is a problem embracing Chapter 70, that is the law and the current method of funding.

Ed Benoit, Holden Finance Committee Chair, restated that it was imperative to remove the reference to the wealth-based formula.

Following further discussion and at the advice of the committee members, Chairman Rokicki recessed the meeting at 8:06 PM, and appointed an interim ad-hoc subcommittee to resolve the wording of the motion for town meeting and return to the School Committee meeting with recommended language:

John Rokicki, Chairman WRSDC
Alfred D. Tutela, Superintendent of Schools
Leo McCabe, District Counsel
Julie Scott, School Committee Member
Kelly Maxwell, School Committee Member
Alice Livdahl, School Committee Member
Peter MacDonald, School Committee Member
Joseph Sullivan, Holden Selectboard
Scott Runstrom, Paxton Selectboard
Douglas Briggs, Rutland Selectboard
Paul Sushchuk, Sterling Selectboard
Edmond Benoit, Holden Finance Committee
Stanley Moss, Princeton Advisory Committee
Glenn Mair, Holden Town Counsel

The meeting was reconvened at 9:45 PM.

With the agreement of the maker and seconder of the motion, the previous motion to amend was withdrawn.

Member David Lowenthal left the meeting at 9:55 PM.

Motion: To extend the time for the School Committee to 10:30 PM.
(S. Horeanopoulos)
(J. Scott)

Roll call vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Kimberly Ferguson
Michael Gennert
Jeffrey Gibbs
Jane James
Sarah James
Duncan Leith
Alice Livdahl
Peter MacDonald
Kelly Maxwell
John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:
None

(Motion passed 15-0)

The Superintendent distributed copies of the Interim Ad-Subcommittee's agreed upon language to amend Section 4 of the Regional Agreement to School Committee members and members of the public (attachment 8). Chairman Rokicki explained the wording and reported that the wording was agreed to by all members except Douglas Briggs, Rutland Selectboard. The Superintendent explained that this wording protects the District budget process and abides by the law.

Motion: That the final paragraph of the main motion to amend Section 4 of the Regional Agreement, which commences with the phrase "Provided, however, in the event only four (4) of the member towns", be deleted in its entirety and the following be inserted in its place: "Provided, however, in the event only four (4) of the member towns vote to approve the above amendment at town meetings in December 2001 or in the event in any subsequent year, not all member towns elect to so allocate, then payment of all costs shall be apportioned and assessed to each member town based upon the prior October 1st student enrollment percentage of each member town and the requirements of state law."

This amendment shall not prejudice the rights of member towns to change from the above to: "payment of all costs shall be apportioned and assessed to each member town based upon the prior October 1st student enrollment percentage of each member town," should such rights of towns be recognized by the general court or a court of law.

(J. Scott)
(K. Maxwell)

Discussion continued among School Committee members with a variety of minor changes, accepted as friendly amendments.

Member Kimberly Ferguson left the meeting at 10:15 PM.

Member David Lowenthal returned to the meeting at 10:00 PM.

Member David Lowenthal left the meeting at 10:23 PM

Motion: To extend the time for the School Committee to 11:00 PM.

(S. Horeanopoulos)
(J. Scott)

Roll call vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Michael Gennert
Jeffrey Gibbs
Jane James
Sarah James
Duncan Leith
Alice Livdahl
Peter MacDonald
Kelly Maxwell
John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:

None

(Motion passed 14-0)

Member David Lowenthal returned to the meeting at 10:25 PM.

Motion: To divide the question into two parts.

(S. Jordan)

The motion died due to the lack of a second.

Motion: To amend the amendment by deleting the second paragraph.

(M. Gennert)

(D. Lowenthal)

Vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Michael Gennert
Jeffrey Gibbs
Jane James
Sarah James
Duncan Leith
Alice Livdahl
David Lowenthal
Peter MacDonald
Kelly Maxwell
John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:

None

(Motion passed unanimously)

Roll call vote on the amended motion, as amended to read: That the final paragraph of the main motion to amend Section 4 of the Regional Agreement, which commences with the phrase “Provided, however, in the event only four (4) of the member towns”, be deleted in its entirety and the following be inserted in its place: “Provided, however, in the event only four (4) of the member towns vote to approve the above amendment at town meetings in December 2001 or in the event in any subsequent year, not all member towns elect to so allocate, then payment of all costs shall be apportioned and assessed to each member town based upon the prior October 1st student enrollment percentage of each member town and the requirements of state law.”

Roll call vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Michael Gennert
Jeffrey Gibbs
Jane James
Sarah James
Duncan Leith
Alice Livdahl
David Lowenthal
Peter MacDonald
Kelly Maxwell
John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:

None

(Motion passed unanimously)

Roll call vote on the main motion, which reads: That the School Committee and Superintendent enthusiastically support and work towards the immediate implementation of the attached proposed language ‘Section 4 Method of Apportioning Costs of the Regional School District’ and the Superintendent forward to Town Selectboards, following review of counsel, for action at December 4, 2001 Town Meetings and the Superintendent to provide language to protect the budget assessment process.”

Proposed Language for Regional Agreement and Bridging Plan

CURRENT LANGUAGE:

“Section 4. METHOD OF APPORTIONING COSTS OF THE REGIONAL SCHOOL DISTRICT

Payment of all operating costs shall be apportioned among the member towns on the basis of their respective previous five year average total enrollment as of October 1st of each year of the preceding five fiscal years.”

PROPOSED LANGUAGE

“Section 4. METHOD OF APPORTIONING COSTS OF THE REGIONAL SCHOOL DISTRICT” SHALL BE DELETED AND REPLACED WITH THE FOLLOWING:

The payment of all operation costs for the District shall be apportioned among the member towns based on the following formula: the “**Required Net School Spending (NSS)**” for each Wachusett member town, as determined by the Massachusetts Department of Education, as well as any approved District

appropriations over and above Required NSS, shall be aggregated. To that sum shall each town's District enrollment percentage be multiplied; said percentage to be determined by the individual town's "**Foundation Enrollment**" (as of October 1st of the previous year) during the fiscal year for which the appropriation shall take effect. From the resulting calculation shall each town's total "**Chapter 70 Aid**", as determined by the Massachusetts Department of Education, be subtracted. The net amount shall be each member town's required payment to the Wachusett Regional School District for the fiscal year of the apportionment, except that there shall be an initial four-year period of transition as follows:

4-YEAR BRIDGING PLAN

TRANSITION RULES

YEAR 1

LOCAL TOWNS – The "**Required Net School Spending (NSS)**," as well as any approved District appropriations over and above Required NSS, shall be totaled and multiplied by the 4-year rolling average enrollment percentage for each District town. From these resulting apportionment amounts shall each town's total "**Chapter 70 Aid**" be subtracted, producing its Modified Per Capita assessment. Said assessment shall then be compared to each town's "**Net Minimum Contribution**," as determined by the State. For each town determined to have "underpaid" (Net Minimum Contribution minus Modified per Capita assessment), the resulting calculation shall be multiplied by **60%**. Said amount shall be added to the underpaying town's assessment for the upcoming fiscal year.

WACHUSETT REGIONAL SCHOOL DISTRICT – An amount equal to **40%** of the underpayment as calculated above shall be subtracted from the overpaying town's assessment for the upcoming fiscal year; said amount to be absorbed by the Wachusett Regional School District and not assessed to any member town.

YEAR 2

LOCAL TOWNS – The "**Required Net School Spending (NSS)**," as well as any approved District appropriations over and above Required NSS, shall be totaled and multiplied by the **3-year** rolling average enrollment percentage for each District town. From these resulting apportionment amounts shall each town's total "**Chapter 70 Aid**" be subtracted, producing its Modified Per Capita assessment. Said assessment shall then be compared to each town's "**Net Minimum Contribution**," as determined by the State. For each town determined to have "underpaid" (Net Minimum Contribution minus Modified per Capita assessment), the resulting calculation shall be multiplied by **70%**. Said amount shall be added to the underpaying town's assessment for the upcoming fiscal year.

WACHUSETT REGIONAL SCHOOL DISTRICT – An amount equal to **30%** of the underpayment as calculated above shall be subtracted from the overpaying town's assessment for the upcoming fiscal year; said amount to be absorbed by the Wachusett Regional School District and not assessed to any member town.

YEAR 3

LOCAL TOWNS – The “**Required Net School Spending (NSS)**.” as well as any approved District appropriations over and above Required NSS, shall be totaled and multiplied by the **2-year** rolling average enrollment percentage for each District town. From these resulting apportionment amounts shall each town’s total “**Chapter 70 Aid**” be subtracted, producing its Modified Per Capita assessment. Said assessment shall then be compared to each town’s “**Net Minimum Contribution,**” as determined by the State. For each town determined to have “underpaid” (Net Minimum Contribution minus Modified per Capita assessment), the resulting calculation shall be multiplied by **80%**. Said amount shall be added to the underpaying town’s assessment for the upcoming fiscal year.

WACHUSETT REGIONAL SCHOOL DISTRICT – An amount equal to **20%** of the underpayment as calculated above shall be subtracted from the overpaying town’s assessment for the upcoming fiscal year; said amount to be absorbed by the Wachusett Regional School District and not assessed to any member town.

YEAR 4

LOCAL TOWNS – The “**Required Net School Spending (NSS)**.” As well as any approved District appropriations over and above Required NSS, shall be totaled and multiplied by the **prior October enrollment percentage** for each town. From these resulting apportionment amounts shall each town’s total “**Chapter 70 Aid**” be subtracted, producing its Modified Per Capita assessment.

Approval by the member Town of this amendment shall constitute an election by the member Town to reallocate the sum of all the member towns required local contributions to the District in accordance with the Regional Agreement, pursuant to the provisions of Massachusetts General Laws Chapter 71, Section 16B, effective for the Fiscal Year beginning July 1, 2002 and for this amendment to be effective, the approval by all member towns of the amendment constituting an election by each member town to reallocate the sum of all member towns required local contributions to the District for the Fiscal Year beginning July 1, 2002.

For subsequent fiscal years commencing July 1, 2003, this amendment shall be subject to the election of all the member Towns on or before November 30, 2002 and on or before November 30th of each calendar year thereafter at a Town meeting called by the Board of Selectmen at the Town’s expense to reallocate the sum of all the member towns required local contributions to the District in accordance with the Regional Agreement for the ensuing fiscal year pursuant to the provisions of Massachusetts General Laws Chapter 71, Section 16B.

Provided, however, in the event only four (4) of the member towns vote to approve the above amendment at town meetings in December 2001 or in the event in any subsequent year, not all member towns elect to so allocate, then payment of all costs shall be apportioned and assessed to each member town

based upon the prior October 1st student enrollment percentage of each member town and the requirements of state law.

In favor:

Sherry Horeanopoulos
Jane James
Sarah James
Duncan Leith
Alice Livdahl
David Lowenthal
Peter MacDonald
Kelly Maxwell
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:

John Rokicki
Michael Gennert
Jeffrey Gibbs
John Nunnari

(Motion passed 11-4)

The Superintendent distributed copies of the PowerPoint presentation for the modular classroom proposal and information booklets for town meetings (attachment 6 and 7).

III. Adjournment

Motion: To adjourn.

(S. Jordan)
(A. Livdahl)

Roll call vote:

In favor:

John Rokicki
Sherry Horeanopoulos
Michael Gennert
Jeffrey Gibbs
Jane James
Sarah James
Duncan Leith
Alice Livdahl
David Lowenthal
Peter MacDonald

Kelly Maxwell
John Nunnari
Elizabeth Pape
Julie Scott
Kathleen Singh

Opposed:
None

(Motion passed unanimously)

The meeting was adjourned at 10:45 PM.

Respectfully submitted,

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

ADT:ss

School Committee/Minutes