

**Merrimack School Board Meeting
Merrimack Town Hall Meeting Room
October 15, 2012
PUBLIC MEETING MINUTES**

PRESENT: Chairman Ortega, Vice Chairman Powell, Board Members Barnes, Markwell and Schneider, Superintendent Chiafery, Assistant Superintendent McLaughlin, Business Administrator Shevenell and Student Representative Crowley.

1. Call To Order

Chairman Ortega called the meeting to order at 7:30 p.m.

Chairman Ortega led the Pledge of Allegiance.

2. Approval of the Minutes of the October 1, 2012 meeting

Vice Chairman Powell moved (seconded by Board Member Barnes) to approve the minutes of the October 1, 2012 meeting.

Vice Chairman Powell requested the following changes to the minutes:

- Page 5 of 11, last paragraph, second sentence, change the word “many” to “much”.
- Page 6 of 11, last paragraph, should read, “Chairman Ortega asked if the \$1.5 million figure for the building of the SAU offices includes the \$400,000 reduction.
- Page 7 of 11, section 7, paragraph 4, add “for the field and track” at the end of the sentence.
- Page 8 of 11, paragraph 9, add, “as amended” at the end of the sentence.

Board Member Barnes requested the following changes to the minutes:

- Page 2 of 11, section 4, paragraph 1, correct the names of the student Kyra Gustafsen
- Page 8 of 11, paragraph 5, add the word “and” after Board Member Schneider.
- Page 9 of 11, last paragraph should read “follow-up”
- Page 10 of 11, correct the spelling of Vaillancourt and Rothhaus.
- Page 11 of 11, first paragraph, insert the word “prescription” before “drugs”

Board Member Schneider requested the following changes to the minutes:

- Page 6 of 11, paragraph 6, change “lining” to “striping”.
- Page 9 of 11, paragraph 3, add to the last sentence “and keep the terms the same”.
- Page 9 of 11, paragraph 2 from the bottom needs clarification. Delete the sentence beginning with “she added . . .”. Replace with “She added that the school board would set the dates for the hearing, at which time she would work with the budget committee to set up the liaison meeting dates.”

Chairman Ortega requested the following changes to the minutes:

- Page 3 of 11, 10th bullet, correct the word Legislature.
- Page 3 of 11, paragraph 2 from the bottom, add at the end of the last sentence “and asked that he put his request in writing”.

- Page 5 of 11, paragraph 1, replace the last sentence with the following: Administration’s CIP that was submitted to the Planning and Building Committee once again pushed the consolidated SAU/Special Services offices out two years in place of the Track and Field, stating that student needs were an imperative and the Planning and Building changed that unanimously by placing the SAU/Special Services in the 2013-14 year.
- Page 5 of 11, paragraph 2, sentence one should read “Mr. Hendricks spoke in detail about an already explored option of moving the Special ...”
- Page 5 of 11 7th bullet, change the spelling to “buses”
- Page 5 of 11, heading should read “Track and Field Upgrade”
- Page 6 of 11, paragraph 6 from the bottom, change the word “previous” to “committee”
- Page 7 of 11, paragraph 2, change the last sentence to read “He added that the ongoing maintenance and replacement costs are only about \$20,000 more than the current maintenance costs of the grass fields yet we get three times the use for them.”
- Page 8 of 11, paragraph 4, change the word “recognizes” to “supports”.

The motion passed 5-0-0.

3. Public Participation

There was no public participation

4. Consent Agenda

Assistant Superintendent McLaughlin presented the following item for approval:

- Kim Morgan, Nurse, Reeds Ferry Elementary School

Board Member Markwell moved (seconded by Board Member Barnes) to accept the consent agenda as presented.

The motion passed 5-0-0.

5. Proposed Reeds Ferry Elementary School Sidewalk Along Lyons Road

Business Administrator Shevenell gave a brief description of the project, which is the proposed sidewalk along Lyons Road at Reeds Ferry Elementary School. He introduced Mr. Steven Keach of Keach-Nordstrom Associates, Inc. and Mr. David Cota.

The memo sent to Business Administrator Shevenell from Mr. Keach gave a history of and proposal for the new sidewalk. Highlights include:

- The family’s proposal is to cause approximately 1,375-linear feet of paved pedestrian way to be constructed on School District property along and generally parallel to both Pearson Road and Lyons Road at Reeds Ferry Elementary School.
- Implementation of the Cota family’s proposal would result in the construction of a 5-foot wide paved pedestrian way, extending northerly from the present terminus of a similar pedestrian way situated on open space land within the Lilac Place subdivision. More specifically, this pedestrian way would extend along the full length of the Pearson Road frontage of the Reeds Ferry School property as well an additional plus or minus 825 feet along the northerly line of Lyons Road, commencing at Pearson

Road and extending to the southwesterly corner of the large gravel parking area at the Reeds Ferry athletic field complex.

- The Cota family's proposal is to construct these improvements at no cost to the public.
- Raymond Cota has resided at 14 Pearson Road for decades. Unfortunately the situation is such that the family feels it is necessary to subdivide and ultimately sell all or portions of 14 Pearson Road.
- The Merrimack Planning Board granted Mr. Cota approval for the creation of three new single-family house lots. Applicable provisions of the Merrimack Subdivision Regulations require construction of a pedestrian way along the frontage of any subdivision which fronts on a collector road such as Pearson Road.
- The traditional way of satisfying this requirement would result in the construction of a pedestrian way along the full length (1,185-feet) of Mr. Cota's frontage on Pearson Road. However this construction would necessitate the removal of several trees and a significant length of the existing stonewall.
- Mr. Keach and the Cota family believe sidewalk construction along the westerly line of Pearson Road would functionally benefit far fewer people than the logical extension of the existing public pedestrian way now proposed.
- They believe that "moving the construction" from the west side of Pearson Road to the east side and subsequently extending the length of the walk another 9,825 feet along the northerly side of Lyons Road would create a "win-win" situation for the school district, the public and the Cota family.
- The Merrimack Planning Board found the Cota's alternate proposal acceptable and conditionally approved the Cota subdivision on that basis. They attached a condition to the approval which requires the applicant to provide written documentation from the Merrimack School District authorizing the location of and approving the construction of the proposed pedestrian way on property owned by the School District.
- Should the School District approve, they are asked to submit correspondence to the Planning Board stating such consent. Upon receiving such authorization, it is the Cota family's intention to commence construction of the proposed improvements without delay.

Business Manager Shevenell stated that this is a perfect case of taking a regulation and looking at it in a creative fashion that would benefit the town and the school district. It is very much appreciated.

Board Member Markwell asked why the pedestrian walkway would not be constructed on the south side of Lyons Road.

Mr. Keach replied that the grass area is for overflow parking. Beyond the field there is a gravel parking lot where people park perpendicular to Lyons Road. The fronts of those two areas have barrier posts. If cars parked there, where the south sidewalk would be, the cars would overhang the sidewalk on the south side making it unusable. He added that during events in the area, the north side gets far more foot traffic than the south side.

Board Member Schneider asked if the intent with the sidewalk on the north side of Lyons Road near Pearson Road is; a) not to allow somebody to drive over it or; b) it is going to be blocked.

Mr. Keach responded that the sidewalk meanders to the north where there could still be some parking, but it is back far enough to not inconvenience many spaces.

Board Member Schneider asked if people cut across the sidewalk from Pearson Road on the south side, are they going to be prohibited from crossing the sidewalk.

Mr. Keach replied that the sidewalk would not be an impediment to the cars parking.

Vice Chairman Powell thanked Mr. Keach for bringing the information forward and applauded the Planning Board for realizing that this was a good solution. He asked about the sidewalk being cleared during the winter.

Business Administrator Shevenell responded that the school district would not be responsible for clearing the walk during the winter. It would not be cleared, as any passive walkway would not be cleared, during the winter months.

Chairman Ortega questioned if the work begins this week, as is the plan, how school traffic would be impacted.

Mr. Cota responded that the construction would not affect the school traffic because the work would begin after the buses leave. He added that the asphalt would begin a week after and assured the board they would work between the buses.

Board Member Barnes moved (seconded by Board Member Markwell) to accept the offer of Mr. Cota to build a sidewalk at Reeds Ferry Elementary School, waiving the two-week rule.

The motion passed 5-0-0.

6. Replacement of Merrimack High School Phone System

Business Administrator Schevenell explained that the high school phone system is very old. There was an upgrade 10 years ago to capture voice mail, but the voice mail is always getting lost. He added that the back-up system is antiquated and continues to have numerous intermittent outages. The frequency and severity of the problems get worse and worse every day.

Nancy Rose added that the old system was installed in 1994. Since that time there have been many changes in technology. As the system is dying, it is getting more and more difficult to get parts. The first failure was in March 2012 when the on-board battery failed and could not be replaced. As such, every time there is a power outage, the vendor has to be called to rebuild the system.

Ms. Rose continued to say that this plan would replace the top-level phones as well as putting in the backbone to service the entire district. She added that she had hoped the current system would make it until the end of the year, but it keeps failing. She also noted that this system does not replace the paging system or classroom phones, which will be addressed in the future.

Ms. Rose spoke about the company, RTM from Bedford, NH, that has been hired for the installation of the new system. It is a small company which is very focused on providing high quality network and telecommunications.

Business Administrator Shevenell referred to the School District Repair Reserve Fund. He considered the replacement of the high school phones an emergency. Use of the School District Repair Reserve Fund would require a board vote to release the funds.

Chairman Ortega noted that the Fund was not only for emergency repairs, but also for unanticipated repairs.

Vice Chairman Powell asked if the lease needed to be paid even if the \$58,597 was paid up front.

Business Administrator Schevenell explained that if the total \$58,597 (the cost to replace the current system) was expended, the lease would not be an option.

Board Member Markwell asked if there was a buyout at the end of the lease period.

Business Administrator Shevenell responded that there is a buyout for about \$1.00, at which time we would own the system. What the lease does is spread the payments out over time instead of all at once.

Board Member Markwell noted that because of interest and such, at the end of the lease period the district would have spent approximately \$63,000 as opposed to the \$58,597.

Board Member Barnes asked how much money was in the Repair Fund at the present time.

Business Administrator Shevenell responded that there is currently \$58,000 in the account, noting that the amount needed to replace the phone system would be close to \$58,000. He added that there might be some items that will be removed from the estimate.

Superintendent Chiafery added that it is very difficult to replenish a reserve fund and therefore agreed with Business Administrator Shevenell to lease the equipment for the three-year period.

Board Member Schneider asked if any other bids were put out for the job. He was concerned that some of the voters may be concerned that there were no other bids.

Ms. Rose responded that since the administration had been working with RTM on the network and some of the older switches, they are keenly tied into what is being done and what is needed.

Business Administrator Shevenell added that there is no legal requirement in New Hampshire to put jobs out to three bids. He added that RTM has been very helpful and that he is comfortable with having them do the job. He added that several of the trades involved (i.e. electrical etc.) would be put out for bid.

Chairman Ortega added that the purpose of the discussion was for gathering information. The topic will be placed on the agenda for the November 5, 2012 school board meeting.

7. Selection of Parent Representatives for the Teacher Evaluation and Performance Committee

Chairman Ortega spoke about the three parent seats to be filled on the Teacher Evaluation and Performance Committee. Vice Chairman Powell will be the school board representative on the committee. He explained that eleven people have volunteered to be on the committee. They are: Amy Bowley, Kevin Bobbitt, Jennifer Calabro, Jill Gaumont, John Monte, Margaret Roy, Patricia Swonger, Roy Swonger, Jennifer Thornton, Maureen Tracy and Jody Vaillancourt. He suggested that he would like to take nominations for three volunteers, one from each school level, if possible, as well as one alternate who would take the place of a nominee should that nominee have to withdraw from the committee.

Board Member Barnes moved (seconded by Board Member Schneider) to nominate, Jennifer Calabro, Jennifer Thornton and Maureen Tracy to the committee and Jody Vaillancourt as the alternate.

Board Member Markwell stated that he would like to see some “different” people and not fill all the vacancies with previous school board members. He suggested that there be a random selection of volunteers, such as drawing names out of a hat.

Chairman Ortega stated that each candidate for nomination is willing to give his or her time to this effort. He realized that some board members were having difficulty with the process of choosing the volunteers.

Board Member Barnes withdrew her motion. Board Member Schneider withdrew his second to the motion.

Board Member Markwell moved (seconded by Board Member Barnes) to use an alternate process such as a lottery or a pick of random names.

Board Member Schneider stressed that the original plan was to have representatives from the high school, elementary schools and the middle school.

Board Member Barnes added that some parents have multiple school connections.

Vice Chairman Powell stated that he did not feel comfortable using a random selection. His suggestion was to nominate one person at a time and then vote on that person.

The motion by Board Member Markwell failed on a 1-4-0 vote with Board Member Schneider, Board Member Barnes, Vice Chairman Powell and Chairman Ortega in opposition.

Vice Chairman Powell moved (seconded by Chairman Ortega) that the board members nominate individuals and then talk about them based on the nominations. Then a vote would be taken on each nominee.

Board Member Schneider again reminded the board about covering all the schools with the nominations.

The motion passed on a 4-1-0 vote with Board Member Markwell in opposition.

Vice Chairman Powell moved (second by Board Member Schneider) to nominate Kevin Bobbitt as a member of the Teacher Evaluation and Performance Committee. The motion passed on a 5-0-0 vote.

Board Member Barnes moved (seconded by Chairman Ortega) to nominate Jennifer Calabro as a member of the Teacher Evaluation and Performance Committee. The motion failed on a 2-3-0 vote with Board Member Schneider, Board Member Markwell and Vice Chairman Powell in opposition.

Board Member Markwell moved (seconded by Board Member Barnes) to nominate Jennifer Thornton as a member of the Teacher Evaluation and Performance Committee. The motion passed 5-0-0.

Vice Chairman Powell moved (seconded by Board Member Schneider) to nominate Roy Swonger as a member of the Teacher Evaluation and Performance Committee. The motion failed 2-3-0 with Board Member Schneider, Board Member Barnes and Board Member Markwell in opposition.

Board Member Schneider moved (seconded by Board Member Barnes) to nominate Patricia Swonger as a member of the Teacher Evaluation and Performance Committee. The motion passed 4-0-1 with Board Member Markwell abstaining.

Board Member Markwell moved (seconded by Chairman Ortega) to nominate Margaret Roy as the alternate to the Teacher Evaluation and Performance Committee in the event one of the nominated parent volunteers drops off the committee. The motion passed 3-2-0 with Board Member Schneider and Board Member Barnes in opposition.

Chairman Ortega stated that he would draft a letter to all the applicants thanking them for their interest in serving on the Teacher Evaluation and Performance Committee. He will send a letter to the nominees, Kevin Bobbit, Patricia Swonger, Jennifer Thornton and Margaret Roy (alternate) informing them of their appointment to the committee.

Superintendent Chiafery stated that she would like to ask the board to make a modification to what has been laid out. She reminded the board members that at last month's meeting she shared a letter from the President of the Merrimack Teachers' Association (MTA), asking for representation on the committee. She stated that she felt it is very important to have a member of the MTA on the committee. She added that they had asked for three representatives on the committee, but she was asking for just one, making the number of teachers on the committee five.

Superintendent Chiafery then stated that she had extensive meetings with the six principals in the district as well as individual meetings with them. In the beginning, she stated that she was asked to cut back the committee size and she did by eliminating three of the principals. After some conversations and deliberations she came to realize that, as a Superintendent, it is important to have the six principals as part of the process. All six principals want to participate. She asked the board to consider adding the other three principals to the committee and to vote on it at the November 5th meeting, so that the consultant would have the right mix at the table.

Vice Chairman Powell asked if Superintendent Chiafery wanted this on the Consent Agenda or as an agenda item at the next meeting.

Superintendent Chiafery responded that whichever was the pleasure of the school board.

Board Member Markwell stated that he did not support a MTA representative being on the committee and did not support adding three more principals to the committee.

Board Member Schneider asked what the number of committee members would be if the three principals and the MTA representative were added to the committee.

Superintendent Chiafery responded that it would bring the number of committee members to 17, adding that the original number proposed was 21.

Board Member Barnes stated that she would like to see a MTA representative on the committee. She felt that by having someone represent the union, they would be a conduit for communication to the entire MTA. It would be a value to the district when the process is implemented.

Superintendent Chiafery stated that the collective bargaining agreement states that if the measurement tool and/or the process changes at all, there has to be an agreement. She added that the MTA person would be informed and would understand exactly what would happen in order to be able to get the measurement tools and the process through.

Superintendent Chiafery continued by saying the tools and the process are going to change. The MTA and the school district will have to come together. She would prefer putting the time upfront in the

deliberations, instead of at the end when people have been working on this for 10 months. She would hope the MTA representative would help get it through.

Vice Chairman Powell stated that he was not comfortable having an MTA union member serving on the committee. However, he did understand the value of the buy-in on it. He added that he was also not comfortable with adding the three principals to the committee. He felt that the three principals on the committee should collaborate with the other three principals, just as he will collaborate with the school board as their representative to the committee.

Superintendent Chiafery stated that the six principals are responsible for overseeing the tool and the process. They are going to be held accountable. As far as the number of people on the committee, that is not a tremendous concern. According to the consultant, there will be small group work, individual work and collective work. The number of people is not as important as who is present and what they bring to the table. She added that she felt the six principals are of major importance for the future and the implementation.

Board Member Markwell stated that a union member is not just a buy-in or a help in adoption, but would influence the committee. He stated that it would be throwing someone in who doesn't necessarily have the best intentions for moving the committee forward, but a more slanted opinion on the way it should go.

Superintendent Chiafery reported that five teachers applied for membership on the committee. Four teachers were appropriate; one teacher did not have a continuing contract and was therefore not appropriate.

Board Member Schneider asked what the role would be for the union representative sitting on the committee. Specifically, he wanted to know if it would be someone from the leadership or a representative from the union.

Superintendent Chiafery responded that she and the Director of Human Services meet with the MTA every month. She would like, if the board is willing, to extend an invitation to the president of the MTA to have one representative on the committee. The expectation would be like everyone else; this person would become informed about what the tools and processes are of contemporary teacher evaluations and performances. Everyone would be able to work together to bring it forward.

Superintendent Chiafery added that because the collective bargaining agreement states that if there is a change in tools or process there needs to be a "side-bar agreement". She felt that it would help to have a union representative on the committee so the results do not get bogged down.

Assistant Superintendent McLaughlin added that one of the things the consultant has been clear about is that she is intending to create a mechanism where consensus will rule the day. She will get the best product out of the process.

Board Member Barnes stated that whether the number of participants is 21, 13, 14 or 17, all of those combinations would share the work. They are all equals under one collaborative umbrella. She added that the board is getting bogged down in the details. She stated that if Superintendent Chiafery feels that strongly about adding one MTA representative and the three principals to the committee, the board should support her.

Chairman Ortega stated that this topic would be on the agenda for the next meeting.

8. Proposed Grater Woods Memorandum of Understanding between the Merrimack Town Council and Merrimack School District

Board Member Barnes explained that a paragraph was added for clarity regarding action to be taken in the event there is an emergency.

“Please note that in the case of an emergency as defined by the Town of Merrimack, all the provisions in this MOU with regard to access shall be suspended for the duration of the event. The Town shall therefore have complete access in the performance of their duties.”

Chairman Ortega said that in looking to ratify the Memo of Understanding, it needed to be voted on by the board and then it would be put on the Town Council’s October 25th agenda and moved forward.

Vice Chairman Powell moved (seconded by Board Member Barnes) to accept the Memo of Understanding as it is written and to authorize the board Chair to sign it for the board.

The motion passed 5-0-0.

9. Board’s Response to Call for NHSBA Resolutions

Chairman Ortega explained that at the last meeting the board was presented with the resolutions proposed by the New Hampshire School Board Association, noting that the list could be expanded if a board member wished to add a resolution. No one wished to add to the list of resolutions.

10. Other

- Correspondence

Chairman Ortega shared a letter from the Chair of the Town Council thanking the board for its action in making Merrimack High School the single polling place for the biennial election at Merrimack High School and the remaining elections at James Masticola Upper Elementary School.

- Comments

Chairman Ortega opened a discussion relating to when non-public sessions of the board should be held. In the past, the non-public session was scheduled at the end of the board meetings. Following up on an ad-hoc agenda, the board has been scheduled to meet at 6:30 p.m., prior to the public session when there is a long public agenda. He asked if the board would be receptive to meet at the high school main office conference room at 6:30 p.m. as a standing process.

Board Member Schneider asked if that meant that 6:30 p.m. needed to be kept open for every meeting. He also asked if the non-public meeting would have to reconvene if all the items on the agenda were not covered.

Chairman Ortega responded that would be the case, but splitting the non-public meeting is very rare.

Board Member Markwell had a concern if a last minute non-public issue comes up at the last minute. Some people have other obligations that may interfere with the 6:30 p.m. non-public session. He added that if there is a full schedule for the public meeting, if it is only a single non-public item, it should be kept until after the public meeting.

Vice Chairman Powell agreed that it is a good idea to hold the non-public meeting prior to the public meeting if there is a full schedule. He added that he would prefer meeting in the high school conference room than in the Town Hall.

Board Member Barnes stated that if a last minute item comes up, the non-public session could be held after the public meeting.

Chairman Ortega stated that if there is an opportunity with an agenda to hold a non-public meeting at 6:30 p.m., that will continue to be done. If there is a last minute non-public item that needs to be dealt with, it will be held after the public meeting.

11. New Business:

There was no new business.

12. Committee Reports

Board Member Schneider attended the Budget Committee meeting on October 9th. The proposed schedule for budget meetings made by the school board was presented and was well received. There was a concern over the liaison meetings. Overall, the response was favorable. The next meeting will be on November 13th at which time Business Administrator Shevenell will speak about the budget hearings.

Board Member Barnes attended the Merrimack Safeguard Committee meeting on October 4th. The fall expo and the prescription drug take-back were reviewed. There was discussion on how to create an atmosphere that is not tempting for drug and alcohol use. She added that a subcommittee is being formed with the athletic department regarding "Life as an Athlete" as it relates to drug and alcohol abuse.

Vice Chairman Powell attended the Healthcare Cost Containment Committee meeting. He explained that the maximum guaranteed rate for health insurance is between 3% and 4.5%. He also explained that there were changes in the "Slice of Life Wellness Program".

Chairman Ortega attended the Master Plan Steering Committee meeting on October 9th. There was little discussion in terms of the school district. He added that he shared the board's opinion and their attorney's position on the Capital Improvement Plan representation.

13. Public Comments on Agenda Items

There were no public comments.

14. Manifest

The Board signed the manifest.

At 9:35 p.m. Board Member Schneider moved (seconded by Board Member Barnes) to recess to non-public session per RSA 91-A:3,II (a), (b), (c).

The motion passed 5-0-0 on a roll call vote.

At 10:29 p.m. Board Member Barnes moved (seconded by Board Member Markwell) to adjourn the meeting.

The motion passed 5-0-0.