

**Merrimack School Board Meeting
Merrimack Town Hall Meeting Room
November 5, 2012
PUBLIC MEETING MINUTES**

PRESENT: Chairman Ortega, Board Members Barnes, and Schneider, Superintendent Chiafery, Assistant Superintendent McLaughlin, Business Administrator Shevenell and Student Representative Crowley. Board Member Markwell was excused from the meeting. Chairman Ortega explained that Vice Chairman Powell would participate via telephone. Vice Chairman Powell stated that he was participating from The Hampton Inn in Farmingville, Long Island in New York and that no other people were present.

Chairman Ortega noted the meeting proceedings would follow RSA 91-A:2 III which states that all parties must be able to hear and speak to each other, the meeting should be audible to the public, all persons present must be identified and all votes would be taken by roll call vote.

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 October 15, 2012 Minutes

Board Member Barnes moved (seconded by Board Member Schneider) to approve the minutes of the October 15, 2012 meeting.

Board Member Schneider requested the following changes to the minutes:

- Page 3 of 10, paragraph 4 from the bottom after the word sidewalk add “on the north side of Lyons Road near Pearson Road”.
- Page 3 of 10, paragraph 2 from the bottom should read, “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”.
- Page 6 of 10, paragraph 9, should read, “Vice Chairman Powell moved (seconded by Chairman Ortega) that the board members nominate individuals and then talk about them based on the nominations.”

Board Member Barnes requested the following changes to the minutes:

- Page 4 of 10, paragraph 2, correct Business Administrator Shevenell’s name.
- Page 4 of 10, paragraph 2, replace the last sentence with “It would not be cleared, as any passive walkway would not be cleared, during the winter months.”

Chairman Ortega requested the following changes to the minutes:

- Page 3 of 10, paragraph 7 from the bottom, change the word “department” to “district”
- Page 4 of 10, paragraph 1, change the word “bring” to “bringing”.
- Page 4 of 10, paragraph 2, change the word “department” to “district”.
- Page 5 of 10, paragraph 5, change the word “spend” to “spent”.

Board Member Schneider voted in favor of the motion.
Board Member Barnes voted in favor of the motion.
Vice Chairman Powell voted in favor of the motion.
Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

3. Public Participation

Tricia Swonger, 6 Klara Drive, spoke about item number 10 on the agenda, which was the Board's Response to the Addition of Representatives on the Teacher Evaluation and Performance Committee. She is concerned that the board is "rehashing" a decision that has already been made. The first meeting of the committee had to be put off because the content of the membership on the committee has yet to be determined. She added that having a representative from the Merrimack Teachers' Association (MTA) would have some merit and hoped that at least one the of the teachers selected to the committee is a member of the union, not a separate representative. She added that she was against the addition of three principals to the committee, stating that having the three principals as originally planned would suffice as representation from the administration. She stated that there should not be a need for every building to have a representative, but instead the levels of education should be represented, just as the parents represent the levels of education.

Roy Swonger, 6 Klara Drive, ask everyone watching to vote on November 6th, reminding the public that Merrimack High School is the sole polling place for the town.

4. Acceptance of Gifts/Grants under \$5,000

- \$128.36 from Target for Merrimack Middle School towards community relations.

Board Member Barnes moved (seconded by Board Member Schneider) to accept the gift from Target for \$128.36.

Board Member Schneider voted in favor of the motion.
Board Member Barnes voted in favor of the motion.
Vice Chairman Powell voted in favor of the motion.
Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

5. Consent Agenda

Assistant Superintendent McLaughlin presented the following items for approval:

- Karen Hammes, Part-Time Nurse at Merrimack High School

Board Member Schneider moved (seconded by Board Member Barnes) to accept the Consent Agenda as presented.

Board Member Schneider voted in favor of the motion.
Board Member Barnes voted in favor of the motion.
Vice Chairman Powell voted in favor of the motion.
Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

6. Donation of Automated External Defibrillators (AEDs) to High School Soccer Teams from the Striker Club.

Chairman Ortega introduces Jeanine Lore, Mary Watkinson and Sheila Demers. He noted that these women, as representatives of the Striker Club, requested this item appear on the agenda to raise community awareness about the importance of these devices (AEDs) for all sports teams. Athletic Director Sabeau had conferred with the Striker Club and is in support of their donation of three AEDs. He will ensure that the respective coaches are trained in using an AED.

Jeanine Lore explained why AEDs are necessary at all sporting events in Merrimack. She gave examples of emergencies that have occurred in the state with or without the use of AEDs at sporting events. She asked the board to consider a Safe Sidelines Program at Merrimack High School by having AEDs available at every practice field and every game field in the town.

Ms. Lore added that the New Hampshire Interscholastic Athletic Association strongly encourages the coaches of every team to have an emergency plan that includes having the appropriate safety equipment. She added that the New Hampshire Emergency Medical Services offers grant money for the purchase of AEDs at a cost of \$800 each as opposed to the retail price of \$1,200 each.

Board Member Barnes asked what time of year the soccer teams play.

Ms. Lore replied that soccer games take place in the fall. The AEDs would be available for all teams throughout the year. She added that ten AEDs at the high school would be the ideal number.

Mary Watkinson added that the use of AEDs for the soccer program came about because many sporting events, other than soccer, take place at the high school, which have AEDs available. Soccer practices are held at Reeds Ferry Elementary School and games are played at the Budweiser field. There is an AED available at Budweiser, but you have to go through security at Budweiser to use it, and that could waste valuable time in a life or death emergency.

Vice Chairman Powell asked how the AEDs would be secured if they are being transported from practice fields to playing fields. He would hate to see them damaged.

Ms. Lore explained that the units are very portable and very durable. The coaches would carry the device with them. She brought one with her and showed it to the board.

Chairman Ortega explained to Vice Chairman Powell what the unit looked like, since he was not available to see it for himself. He stated that the AED comes in a pack and is roughly the size of an iPad.

Sheila Demers stated that the coaches have been or are being trained on how to use the AED.

Ms. Lore added that AED training is part of CPR training.

Chairman Ortega asked how long a unit would last.

Ms. Lore explained that there is some maintenance of the pads, which usually have a two-year expiration.

Board Member Schneider moved (seconded by Vice Chairman Powell) to accept the gift of three AEDs from the Striker Club

The motion was put to a vote.

Board Member Schneider voted in favor of the motion.

Board Member Barnes voted in favor of the motion.

Vice Chairman Powell voted in favor of the motion.

Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

7. Replacement of Merrimack High School Phone System

Business Administrator Shevenell referred to the October 15th meeting where he and Nancy Rose explained the need for a new phone system at Merrimack High School. It was requested that funds be taken from the School District Repair Fund in the amount of \$15,821.19 for payment of a three-year lease (\$1,757.91/month) for the equipment in the high school, which would eventually serve the entire district.

Board Member Barnes moved (seconded by Board Member Schneider) to authorize the Administration to expend from the School District Repair Fund \$15,821.19 to cover the \$1,757.91 per month leasing fee for a new VOIP phone system until the end of the fiscal year.

Board Member Barnes stated that replacing the phone system at the high school was very important and should be done immediately. Voice mails are being lost on the current system thus losing communication between the parents, teachers, administration and students.

Board Member Schneider asked if there would be a backup system for emergencies in the event power is lost.

Business Administrator Shevenell replied that there would be a POTS line (Plain Old Telephone Service) in each of the buildings.

Chairman Ortega asked where the central POTS line would be located.

Business Administrator Shevenell responded that it would be located in the high school main office.

The motion was put to a vote:

Board Member Schneider voted in favor of the motion.

Board Member Barnes voted in favor of the motion.

Vice Chairman Powell voted in favor of the motion.

Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

8. Structural Issues Regarding the Special Services Building

Business Administrator Shevenell explained the ongoing issues with the special services building (the “blue” building). The basement floods often and has been given quick fixes by drying out the area and

using a dehumidifier. The air quality has been tested and it has been determined as poor. Under the carpet there are asbestos floor tiles that have cracked and therefore the floor needs to be replaced.

Business Administrator Shevenell reported on the damage to the building due to Hurricane Sandy. Some sections of the roof were torn off, causing flooding on the first floor. Computers and other electronic devices were damaged beyond repair. The insurance carrier has been notified and an adjuster will be there on November 6th. He then turned the meeting over to Tom Touseau, Director of Maintenance and John Fabrizio, Special Services Director.

Mr. Fabrizio stated that currently there are seven people who have been relocated to the old guidance area of the upper elementary school building. Since their computers were destroyed, people are temporarily using laptops to keep communication going, but their services are limited.

Mr. Touseau reported on the conditions of the special services building upon entering after the hurricane. Water was streaming from several banks of lights, causing safety hazards. The carpet was saturated in the reception area. There was water in the basement. Many parts of the suspended ceilings had collapsed. There was a huge puddle in the boiler room. There were two large sections of the roof that had ripped off.

Mr. Touseau continued, saying that tarps were put on the roof and the electricity was shut off. There is still a bad smell in the office due to water damage. He added that they are still in the process of evaluating the situation.

Business Administrator Shevenell stated that there is a \$1,000 deductible on the insurance. The estimated costs to repair the damages by the storm, including roof replacement, inside repairs on the first floor and the asbestos abatement (should it be needed) were between \$27,000 and \$55,000. The basement damage, which consisted of replacing exterior foundation drains, fixing the ramp, and the asbestos abatement and mildew removal are estimated to cost between \$48,600 and \$76,000. He added that the walls probably have to be torn down to assess any extra damage.

Superintendent Chiafery stated that the intent was to give the board all the information on hand. She hoped that each board member could go and visit the special services building, calling ahead to Business Administrator Shevenell to set up a time. Hopefully at the November 19th school board meeting a decision would be made as to what should happen with the special services building. If the issue of the consolidation of the special services office and the central office goes before the voters in April and they choose not to consolidate, the cost of the renovations needs to go into the operating budget, as an “unanticipated consequence”.

Chairman Ortega asked if the range of costs was conservative, or could it go higher.

Mr. Touseau replied that the costs could go higher.

Chairman Ortega stated that in addition to the more realistic, or conservative estimate for renovating the special services building, it is also important to have estimates on renovating the existing space [at JMUES] as a contingency, against an inflated cost as well as a failure of the warrant article if it appears. He then asked if there is an interim plan.

Mr. Fabrizio stated that privacy for special services at JMUES is a concern, explaining that being in someone else's building is not a comfortable situation and he would prefer not making the upper elementary school a permanent space for special services.

Board Member Schneider asked about the technology damage as identified in the memo from Mr. Touseau.

Mr. Touseau replied that the technology damage does not fall under “maintenance”. It will be determined by the insurance adjuster.

Board Member Schneider would like to see how the special services office is working at the upper elementary school. He had a concern that the voters would not vote on the warrant article for the consolidation until April. He questioned what would be done in the meantime and could the special services building be stabilized while the special services office is located in the upper elementary school funds are available. He also asked if the warrant article does pass, what would be the disposition of the two existing buildings.

Superintendent Chiafery replied that the plan would be to raise both of the buildings and make a parking area. She stressed that this was discussed, but no final decisions have been made.

Board Member Schneider asked if the central office building had issues similar to those in the special services building.

Business Administrator Shevenell replied that there had been some flooding in the basement, which had been corrected by the installation of drains. Carpet in the payroll office had been lifted, and the walls had been fixed. But these repairs were on a minor scale.

Mr. Touseau reported that the roof on the central office building is about six years old and the roof on the special services building is older.

Board Member Barnes explained that there are strict and finite regulations for special services that have to be adhered to, as discussed by the Planning and Building Committee, including parking, a special entrance and separate pathways.

Vice Chairman Powell asked where the special services office had been relocated to while repairs are made to the special services building.

Mr. Fabrizio responded that they were relocated to the former guidance area of the upper elementary school, which is near the library.

Vice Chairman Powell asked if there is a contingency plan in place in the event the warrant article is defeated. He added that the Planning and Building Committee had discussed the area of the old high school. He added that everyone should be aware that the insurance report may take a couple of weeks.

Mr. Fabrizio stated that they had looked at the area described by Vice Chairman Powell, but a more segregated area is needed, due to privacy issues.

Superintendent Chiafery stated that when looking at what may be done between now and April, there is an Emergency Repair Fund that currently has about \$43,000. If the roof of the special services building needs to be immediately fixed, that money could be used to fix it, but not much else could be done to the building with those funds.

Chairman Ortega stated that the accommodations of the special services office are less than favorable. If the warrant article passes, the monies don't become available until June. He asked if the special services building was to be repaired (the roof, drying out the area, etc.) using the Repair Fund and the insurance money, could it be done in the middle of the winter.

Mr. Touseau stated that it could be done during the winter.

Chairman Ortega asked Mr. Fabrizio where he would like the special services office to be located in the interim.

Mr. Fabrizio responded that if the special services building were inhabitable, that would be the logical place.

Board Member Barnes stated that the special services building is a broken building that will still have problems, even if everything is "fixed". She added that the voters need to understand the need for the consolidation, adding that some real, smart decisions have to be made. Better facilities are needed for the administration and the students to move forward.

Chairman Ortega stated that he is in support of the consolidation of the special services office and the central office. He added that additional data is needed for the cost of repairs and renovations.

Board Member Schneider stated that the board needs to understand that if things are not working as they are now, especially from a privacy issue, what the other options are. He added that he would like an update on the conditions of the buildings when Mr. Touseau and Mr. Fabrizio come before the board again.

Superintendent Chiafery stated that on November 19th several possibilities would be discussed, adding that tonight's plan was to present to the board what happened during the hurricane.

9. Request to Administer the 2013 Youth Risk Behavior Survey at Merrimack High School

Assistant Superintendent McLaughlin spoke about the Youth Risk Behavior Survey (YRBS). The Youth Risk Behavior Survey was designed to focus on behaviors among youth which relate to the leading causes of mortality and morbidity among both youth and adults. The Youth Risk Behavior Survey provides data that measures the following behaviors: 1.) behaviors that result in unintentional and intentional injuries 2.) tobacco use; 3.) alcohol and other drug use; 4.) sexual behaviors; 5.) dietary behaviors and 6.) physical activity. Data generated by this survey allows the high school and district administration, in collaboration with Merrimack Safeguard, to identify risk areas for the students, to design appropriate supports in response to that data, and to measure the effectiveness of those supports.

As a condition of the Community Safeguard grant, students at Merrimack High School are invited to participate in this survey, conducted bi-annually. The cost of administering this survey is \$1 per student. Since our partners at Beyond Influence, the regional overseer of substance abuse programs in New Hampshire, will match the district's contribution, Assistant Superintendent McLaughlin asked the board to consider an expenditure of \$690 to cover half the cost of administering the YRBS at Merrimack High School in the spring of 2013.

Student Representative Crowley stated that the majority of students did not honestly complete the survey. It is rumored that the school monitors the survey and has ways of finding out who does what drug and alcohol activities. Even though the survey is anonymous, people still do not honestly complete the survey. Thus these survey results would allegedly be inaccurate.

Assistant Superintendent McLaughlin stated that the survey is intended to be completely anonymous to provide the students the optimal opportunity to respond honestly. He added that if the perception is as Student Representative Crowley reported, then the administration has to work very hard to make sure the students understand the anonymity of the survey.

Board Member Schneider asked where \$690 for the survey would come from.

Assistant Superintendent McLaughlin responded that the funds would come from the contracted services line in the budget, since that is where the funds came from for the previous survey.

Chairman Ortega stated that it was important to hear what Student Representative Crowley had to share and Dr. McLaughlin's response. He added that the surveys were not being monitored and the district is trying to track trends and understand what is going on. He suggested that Student Representative Crowley bring this information back to the student council.

Chairman Ortega stated that the request to administer the 2013 Youth Risk Behavior Survey at Merrimack High School would be put on the consent agenda for the next board meeting.

10. Board's Response to the Addition of Representatives on the Teacher Evaluation and Performance Committee

Chairman Ortega gave a brief background for the board to consider the addition of four people on the Teacher Evaluation and Performance Committee consisting of one representative from the Merrimack Teachers' Association (MTA) and three more representatives from the administration (three school principals).

Board Member Barnes moved (seconded by Chairman Ortega) to allow a representative from the Merrimack Teachers' Association to join the Teacher Evaluation and Performance Committee.

Board Member Barnes stated that adding a representative from the MTA made a lot of sense. Teachers who applied to be on the committee based their applications on being teachers and not necessarily being union members. She added that the MTA is a part of the collective bargaining process and therefore a representative of the union would speak from an organizational point of view.

Board Member Schneider stated that there are pros and cons regarding an MTA representative on the committee and that he was still undecided.

Vice Chairman Powell stated that he was still going back and forth about adding an MTA representative to the committee. He stated that this is a totally new evaluation process and hopefully it will be a model for other school districts. Therefore he felt that it is important for the MTA to go back to its members about the process of the evaluation and easier for the teachers to accept the final product. He stated that he was in favor of the motion.

Board Member Schneider stated that when the teachers were asked to submit their names for nomination there was no stipulation about them being a union member.

The motion was put to a vote:

Board Member Schneider voted in favor of the motion.

Board Member Barnes voted in favor of the motion.

Vice Chairman Powell voted in favor of the motion.

Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 by a roll call vote.

Board Member Schneider moved (seconded by Vice Chairman Powell) to not allow all six administrators on the Teacher Evaluation and Performance Committee, keeping the number of principals on the committee at three.

Board Member Schneider stated that he thought that the three administrators on the committee would meet with leadership teams to address issues brought up by the committee across all the buildings. He added that adding three more principals would make the committee “top heavy” with administration.

Board Member Barnes stated that if the three principals were added to the committee, there would be a handful of teachers, a handful of parents and a heavy load of administrators. She added that she was more comfortable with the structure the way it stood, and wanted to see a certain level of balance on the committee. She agreed that the future of the committee has to be considered.

Chairman Ortega stated that establishing this committee is unique with the voices of the parents, teachers and administration. With the addition of the MTA representative on the committee, there is an equity of four teachers with only three administrators. He stated that the work of performance management is administration’s alone, and that he supported adding the three administrators.

Board Member Schneider stated that having 50% of the administration on the committee is sufficient for representation, besides the fact that it keeps the committee to a working size.

Board Member Barnes added that having both the Superintendent and Assistant Superintendent on the committee adds two more people as representatives of the administration.

Chairman Ortega noted that the Superintendent is not on the committee. The Assistant Superintendent is on the committee.

The motion was put to a vote:

Board Member Schneider voted in favor of the motion.

Board Member Barnes voted in favor of the motion.

Vice Chairman Powell voted in favor of the motion.

Chairman Ortega voted against the motion.

The motion passed 3-1-0 with Chairman Ortega in opposition.

11. 2011-2012 Budget Year-End Review

Business Administrator Shevenell presented the year-end budget review for 2011-2012. He explained that the surplus is made up of two components: an under expended budget and more revenues than expected. This budget review will go before the Budget Committee on November 13th and will also be posted on line.

Highlights include:

- The Merrimack School District realized a \$1,554,263 surplus for the year-end 2011-2012.
- Professional salaries: This account was almost fully expended. The actual cost of providing new hires for those that left did not result in any significant savings.
- Performance Pay/Retirement Incentive: A few incentives came in higher than expected plus there was an Administrative Retirement.

- Support Staff Salaries: Retirements were higher than expected and para costs were lower than expected.
- Benefits: The saving was in the area of health (\$300,000) and monies reserved for the NH Retirement Fund (\$1,000,000).
- Maintenance: Actual cost for fuel oil was less than estimated.
- Special Education: The Special Education Department realized a significant savings in out-of-district placements. The Special Education Director strives to contain costs by building in-district programs that meet the needs of special education students.
- Contracted Services: The Merrimack High School Driver Education program was not fully expended due to declining enrollment.
- Equipment Repairs for the PowerSchool Server.
- Transportation
- Telephone/Printing/Postage/Advertising: The advertising budget was under expended.
- Supplies
- Texts: Periodicals, map charts and global purchases were under expended.
- Software
- Equipment: Overage was due to the additional equipment.
- Meetings/Memberships/Records Check: Increased volume in background checks that had to be re-submitted.
- Bonded Debt came in with a lower interest rate.
- Revenue Surplus Components: The \$372,213 dollar revenue surplus was the result of tuition charges and Medicaid reimbursements.
- Food Service Fund Balance Overview: The surplus fund balance was \$137,651.70.

Board Member Schneider asked why the retirement incentive was higher and the performance pay was on par with previous years.

Business Administrator Shevenell responded that the performance pay came in as allocated which was similar to recent years. However, there was a change in language in the teachers' contract taking what is available as of May 15th. If there is money left as of that date, half of the extra money goes into the Pay for Performance. The other half of the money goes into staff development. He added that if the teachers knew before May 15th how much money was left, they could take advantage of the funds prior to the end of the school year.

Business Administrator Shevenell added that the \$35,000 overage was due to some administrative retirements that were not budgeted for, plus vacation time.

Board Member Schneider asked if there was an incentive for administrators who retired.

Business Administrator Shevenell responded that there was an item in the budget for the administrators who retired plus their accrued vacation time.

12. Other

a) Correspondence

- Chairman Ortega read correspondence dated October 16, 2012 from Jody Vaillancourt regarding the process of nominating parent representatives for the Teacher Evaluation and Performance Committee.

- Board Member Barnes received an email from a member of the community who was concerned that indoctrination was occurring at the high school. She responded back, opening the lines of communication for any further questions.
- Chairman Ortega reported that members of the board received emails regarding the blog on Merrimack Patch.
- Chairman Ortega also was copied on correspondence regarding the high school band.

b) Comments

- Chairman Ortega reiterated that Tuesday, November 6 is Election Day, reminding people that Merrimack High School will be the single polling place from 7:00 a.m. to 7:00 p.m.

13. New Business

There was no new business.

14. Committee Reports

Board Member Barnes reported that she attended the Merrimack Safeguard Committee on November 1st. She reported:

- a) The National Guard did a flyover picture of students for Red Ribbon Week.
- b) 500 red tulip bulbs were planted at all the schools, the library, town hall, Community Hospice House and the police station.
- c) Challenge Day will take place on November 14th and 15th.
- d) Hopefully their website will be up in January.
- e) A presentation was made regarding No Excuse for Parent Abuse.

Chairman Ortega reported that he would participate in Challenge Day.

Board member Schneider reported that he attended the Board of Directors meeting for SERESC (Southeastern Regional Educational Service Center) in Bedford. He learned about what SERESC does and what services they offer, which are very valuable. There are currently eight districts that are members.

15. Public Comments on Agenda Items

Tracy Bull, 5 Independence Drive, reported on the Safe Routes to School update.

- a) In August they received word that the New Hampshire Department of Transportation grant had been approved. They are waiting to schedule a “scoping” meeting when they will review the project with the Safe Routes to School program in Concord.
- b) She reported that traffic counts would be taken in the areas surrounding the James Mastricola complex, including Baboosic Lake Road, O’Gara Drive, McElwain Street, Woodbury Drive, School Street, and Bishop Street. The Nashua Regional Planning Commission will be doing the traffic count and will be paying for it.
- c) On September 18th a meeting was held to discuss the baseline data surveys outcome. Not many students are walking or biking to the complex but there was interest in doing so in the future.
- d) She also reported that students from the upper elementary school participated in National Walk to School day on October 3, 2012.
- e) The next meeting of the sub-committee will be on November 3rd.

16. Manifest

The Board signed the manifest.

At 9:25 p.m. Board Member Barnes moved (seconded by Board Member Schneider) to recess to non-public session per RSA 91-A:3,II (a), (b), (c).

The motion was put to a vote:

Board Member Schneider voted in favor of the motion.

Board Member Barnes voted in favor of the motion.

Vice Chairman Powell voted in favor of the motion.

Chairman Ortega voted in favor of the motion.

The motion passed 4-0-0 on a roll call vote.

At 10:26 p.m. Chairman Ortega moved (seconded by Board member Schneider) to return to adjourn the meeting.

The motion passed 3-0-0.