

**Merrimack School Board Meeting
February 28, 2011
Merrimack Town Meeting Room (the former Courthouse)**

PUBLIC MEETING MINUTES

PRESENT: Chairman Vaillancourt, Vice Chairman Thornton, Board Members Swonger, and Barnes, Superintendent Chiafery, Assistant Superintendent McLaughlin, Business Administrator Shevenell and Student Representative McLavey. Board Member Ortega participated via conference call.

1. Call To Order

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

Chairman Vaillancourt explained that the meeting was being held at the Merrimack Town Courthouse because the technology at that facility would allow Board Member Ortega to participate via telephone. She thanked the Town of Merrimack for allowing the School Board to utilize this technology. Board Member Ortega stated that he was participating from the Ambrose Hotel in Santa Monica, CA, from room 309 and that no other people were present.

Chairman Vaillancourt noted the meeting proceedings would follow RSA 91-A:2 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 must be taken by roll call vote.

Chairman Vaillancourt led the Pledge of Allegiance.

2. Approval of February 7, 2011 Minutes

Board Member Barnes moved (seconded by Vice Chairman Thornton) to approve the February 7, 2011 minutes.

Board Member Barnes requested the following changes to the minutes.

- Page 2 of 11, paragraph 10, change the word “Investment” to “Investments”.
- Page 4 of 11, line one, and replace the word “asked” with “appreciated the willingness of”.
- Page 8 of 11, paragraph one, lines 3 and 5, and change the words “Fund” to “Funds”.
- Page 8 of 11, paragraph nine, line one, and change the word “Fund” to “Funds”.

Board Member Swonger requested the following change to the minutes.

- Page 8 of 11, paragraph four, replace the word “apposed” with “opposed”.
- Page 10 of 11, paragraph six, replace the word “made” with “proposed”.

Vice Chairman Thornton requested the following change to the minutes.

- Page 8 of 11, the last paragraph, change the title “Vice Chairman” to read “Chairman”.
- Page 7 of 11, paragraph three, sentence two, add “that are necessary to cover the gym floor” to the end of sentence.

Board Member Barnes voted in favor of the motion.

Board Member Swonger voted in favor of the motion.

Vice Chairman Thornton voted in favor of the motion.

Board Member Ortega abstained from the motion.

Vice Chairman Thornton voted in favor of the motion.

The motion passed 4-0-1 by a roll call vote with Board Member Ortega abstaining.

3. Public Participation

There was no public participation.

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

- Boy Scouts of America (Troop 401) to Reeds Ferry Elementary School for \$364.30.

Business Administrator Shevenell reported that an Eagle Scout raised funds for a projected at Reeds Ferry Elementary School. Upon completion of the project there was a balance of \$364.30. The excess funds are to go to Reeds Ferry Elementary School.

Board Member Barnes moved (seconded by Board Member Swonger) to approve the Gifts/Grants under \$5,000.

Board member Barnes voted in favor of the motion.
Board member Swonger voted in favor of the motion.
Vice Chairman Thornton voted in favor of the motion.
Board member Ortega voted in favor of the motion.
Chairman Vaillancourt voted in favor of the motion.

The motion passed 5-0-0 by roll call vote.

5. Consent Agenda

- Approval of Pupil Safety Violence Prevention (Bullying) Policy

Board Member Swonger moved (seconded by Board Member Barnes) to approve the consent agenda.

Board member Barnes voted in favor of the motion.
Board member Swonger voted in favor of the motion.
Vice Chairman Thornton voted in favor of the motion.
Board member Oretga voted in favor of the motion.
Chairman Vaillancourt voted in favor of the motion.

The motion passed 5-0-0 by roll call vote.

6. Discussion about Legislative Issues with Merrimack's Legislative Delegation

Representative Christensen introduced Senator White and Representatives Peterson, Hinch, Barry and Thompson.

Representative Hinch spoke to House Bill 39 (HB 39). He reported that House Bill 39, an act relative to the adoption of the common core state standards in New Hampshire and relative to the substantive content of an adequate education, went before the education committee and executive session. He reported that House Bill 39 was killed because it was a duplicate of House Bill 164 (HB 164). House Bill 164 is an act requiring legislative approval for the adoption of the common core state standards in New Hampshire that was passed by the House. He stated that House Bill 164 would move forward to the Senate.

Board Member Swonger asked if House Bill 164 would require legislative approval for the definition of an adequate education. He asked if House Bill 164 would prevent the Department of Education from changing curriculum standards.

Representative Hinch stated that it was his understanding that House Bill 164 was intended to target the amount of funding and to make it understood what the funding would support. He noted that in House Bill 39 arts education; world language; health education; and technology education and information communication technologies were removed from what was considered the core standards of an adequate education. He requested time to better understand the background of House Bill 164 before providing Board Member Swonger with a definitive answer to his question.

Board Member Barnes asked how House Bill 164 would affect Merrimack.

Representative Hinch responded that Merrimack School District should prepare for less educational funding from the State of New Hampshire. Details won't be available until after the New Hampshire State budget is defined in June.

Chairman Vaillancourt stated lack of funding should not redefine the definition of an adequate education. She does not support removing subjects from curriculum.

Representative Christensen stated that the definition of an adequate education has changed in the past and will change several more times in the future.

Representative Christensen stated that the House and Senate goals are to maintain the level of support for school districts contrary to the Governors budget message.

Superintendent Chiafery expressed concern over the mandatory training requirements defined in the anti-bullying law.

Representative Hinch reported that House Bill 370 included an act to repeal the mandatory training.

Board Member Ortega stated that he did not find a reference that the training requirements will be removed from House Bill 370, but hoped it would be included. He noted the desire to broaden the language in the anti-bullying law; however, the broad language in the anti-bullying law could be a challenge to school districts.

Representative Thomas spoke to House Bill 318, an act to reduce a School District's liability for special education costs to two times the estimated state average expenditure per pupil. He explained that the bill is meant to reduce the money allocated to students with special needs and to set a lower limit on the amount the State of New Hampshire would pay. He explained that House Bill 318 would return to the committee and will not come up again this year.

Board Member Swonger noted the Governor's initial proposal is intended to change the District liability from three times the state average up to ten times the state average. He asked if the House thought that the Governor's proposal would come to fruition or would there be something different.

Representative Barry responded that Merrimack should not count on more funds than the Governor's proposal.

Representative Barry asked the School Board to notify legislators of state laws that impede their job or that control costs.

Representative Barry reported that House Bill 604, building aid, was retained in committee because of House Bill 220, approval of plans and specifications for the construction of school buildings, and House Bill 528, requiring school districts to develop a facility maintenance and capital improvement plan. House Bill 220 and House Bill 528 will go to executive session on March 2, 2011. He reported that the State will not provide building aid for at least the next two years.

Representative Barry stated that House Bill 219, a bill to establish a committee to study the abolishment of the Department of Education, will also be in executive session on March 2, 2011.

Board Member Swonger expressed his concern over House Bill 604 affecting completed building projects. He asked what the House's approach was to House Bill 604 realizing that it affects older building projects as well a new building projects.

Representatives Barry and Christensen responded that it was their understanding that the intent of House Bill 604 was not to take away existing building aid payments. The moratorium would be on construction of new projects for the next two years.

Business Administrator Shevenell read an excerpt from the Governors speech that indicated a 40% reduction in building aid which equated to a reduction of \$300,000 in building aid for the Merrimack School District.

Representative Barry stated that he would get clarification on the House Bill 604 relative to whether or not existing building aid payments would continue.

Business Administrator Shevenell noted that the tax impact will not be known until June which is after the deliberative session in March.

Chairman Vaillancourt stated that it is difficult to plan a budget for 2011-2012 when the amount of State funding is unknown. She stated that a \$2.3 million reduction in State funding could result in an increase in taxes, elimination of programs or a combination of both.

Senator White reported that Senator Bradley's bill regarding the New Hampshire retirement plan received strong opposition. He reported that the Governor's proposed reductions to New Hampshire retirement were a surprise to both the House and the Senate. The Senator felt it was important to note that that Senate President Bragdon is a Milford School Board member and sensitive to school issues.

Senator White reported that the House and the Senate are more likely to make cuts at the State level rather than reduce aid to towns and schools. The long term goal for the New Hampshire retirement plan is credibility and sustainability. The retirement system is broken. It is an unfunded mandate. Perhaps we should look into a class action suit.

Board Member Ortega commented that there needs to be middle ground to better manage the retirement system.

Board Member Barnes stated that she heard much of the same information at the New Hampshire School Boards Association Delegate Assembly. She requested more frequent and fluid lines of communication between the School Board and Legislative Delegation.

Representative Peterson spoke to an amendment to a bill that would provide immunity for school personnel using reasonable force to protect students. She explained there was no financial impact as a result of the amendment. The bill was passed by the Committee and the House and will go before the Senate on March 10, 2011.

Representative Thomas reported that a bill to repeal kindergarten failed last week.

Vice Chairman Thornton thanked the Legislative Delegation for their support.

Both the Legislative Delegation and the School Board appreciated the opportunity to communicate and expressed a desire to continue conversations.

Chairman Vaillancourt called for a five minute recess at 9:30 p.m.

Chairman Vaillancourt reconvened the meeting at 9:37 p.m.

The Board agreed to discuss agenda item 13 at this time, in consideration of Moderator Christensen.

7. Discussion Regarding the Governor's Proposed Budget and Its Ramifications for the School District Budget

Business Administrator Shevenell summarized the Governor's February 15, 2011 budget address. He reported that state level reductions in catastrophic aid, New Hampshire retirement system and building aid will significantly impact the Merrimack School District. The impact to the 2011-2012 budget would be \$2.3 million.

Chairman Vaillancourt explained that the catastrophic aid and the building aid are considered revenues. If the voters approve the current budget and the state funds are reduced, the district would have to appropriate the difference in taxes.

Chairman Vaillancourt explained that the contribution to the New Hampshire retirement system is considered an expenditure. If the voters approve the budget and the state does not contribute its portion (\$1 million) to the New Hampshire retirement system the district would have to find ways to cut the budget by \$1 million.

Chairman Vaillancourt stated that legal council advised against reducing the \$1 million to address the possible increase in expenditures from the budget at this time. Legal counsel felt it was prudent to amend the budget to address some of the anticipated revenue shortfalls.

Chairman Vaillancourt directed the administration with support from the Board to reduce the current 2011-2012 budget by \$500,000 in anticipation of an amendment to the budget at the deliberative session. She requested that the reductions be sustainable, not affect class sizes and not affect current program offerings. She noted that the Board would meet on March 3, 2011 to review and discuss the administration's proposed reductions.

Chairman Vaillancourt stated that the State's contribution amount or lack of contribution to the New Hampshire retirement system won't be known until June. She stated that personnel will most likely be put on notice between April 15.

Superintendent Chiafery received recommendations from individual board members relative to budget items they would like her to consider during her budget reduction process.

8. Warrant Presentations for Deliberative Session on March 7, 2011

The Board determined who would move and second the warrant articles at the deliberative session on March 7, 2011.

9. Request for Two Additional School Board Meeting Dates in March

The Board agreed to meet on Thursday, March 3, 2011 and Monday, March 14, 2011 in addition to the March 21, 2011 meeting.

10. Town's Request to Take Ownership of Sewer Line Servicing Merrimack Middle School

Chairman Vaillancourt read a letter from Town Council Chairman Koenig dated February 7, 2011 requesting that the Town of Merrimack take ownership of the sewer line that services the middle school.

Board Member Swonger moved (seconded by Board Member Barnes) that the School Board offer ownership of the sewer line that services the Merrimack Middle School to the Town of Merrimack.

Board Member Barnes voted in favor of the motion.
Board Member Swonger voted in favor of the motion.
Vice Chairman Thornton voted in favor of the motion.
Board Member Ortega voted in favor of the motion.
Chairman Vaillancourt voted in favor of the motion.

The motion passed 5-0-0 by roll call vote.

11. Modification to 2010-2011 School Calendar

Superintendent Chiafery requested that that the Board change March 23, 2011 from a teacher workshop day to a school day for students. If approved, the last day of school for students would be June 21, 2011 rather than June 22, 2011. She stated that the program development would take place on two three-hour after school sessions in March, April and/or May.

Chairman Vaillancourt asked the Board to waive the two week rule if a motion were to come forward.

Board Member Barnes moved (seconded by Board Member Swonger) to accept the modification to the 2010-2011 calendar and to waive the two week rule.

Board Member Barnes voted in favor of the motion.
Board Member Swonger voted in favor of the motion.
Vice Chairman Thornton voted in favor of the motion.
Board Member Ortega voted in favor of the motion.
Chairman Vaillancourt voted in favor of the motion.

The motion passed 5-0-0 by roll call vote.

12. Second Review of Proposed School Calendar for 2011-2012

Superintendent Chiafery presented modifications to the 2011-2012 school calendar (draft A). She explained that the modifications were based on input from the School Board. She requested that the Board take action on the 2011-2012 school calendar at the March 14, 2011 meeting.

Board member Swonger clarified that both drafts of the 2011- 2012 calendar list February and April vacation weeks after the Massachusetts school vacation weeks.

13. Discussion with School/Town Moderator Regarding School District Deliberative Session and Consideration of Merrimack High School as the Sole Polling Site

Chairman Vaillancourt introduced School District Moderator Lynn Christensen.

Superintendent Chiafery explained that Moderator Christensen would speak to her request that the Board consider Merrimack High School as a sole polling site and about her expectations for the School District deliberative session.

Moderator Christensen explained that election dates follow a four year cycle. Annual town meetings occur every year, the presidential election occurs every four years with odd elections in between. She stated that elections dates are pre determined, except for the presidential primary date. She explained that the Secretary of State sets the presidential primary date which is dependent on when other states hold presidential primaries.

Moderator Christensen stated that there is a need to reduce the number of polling sites from three to one. She stated that if the Board agreed to the one polling site at the high school a floor covering for the high school gym would need to be purchased. The primary cost savings would be \$2,000 to \$4,000 annually in personnel, depending on the number of elections that year.

Chairman Vaillancourt inquired about the cost of the floor covering for the gym floor. There is no agreement from the Town of Merrimack with the District to share that expense, even though it could be.

Superintendent Chiafery responded that it was estimated that a floor covering would cost \$10,000 and that the Town of Merrimack and the School District could share the expense.

Superintendent Chiafery agreed to provide the Board with drafts of the next five school year calendars for additional discussion at the March 15, 2011 meeting.

School District Moderator Christensen informed the Board that she plans to run the School District deliberative session the same way she has run the town meetings for many years.

School District Moderator Christensen requested to know, in advance of the meeting, which Board members planned to move and second motions for each of the warrant articles. She also requested to know of amendments, in advance of the meeting.

14. Other

a) Correspondence

There was no correspondence.

b) Comments

Chairman Vaillancourt felt the need to clarify misleading and inaccurate information regarding the proposed negotiated teacher contract. She emphasized that references to teacher raises could not be spoken about without consideration of the huge (approximately \$500,000) healthcare concession by the teachers.

Chairman Vaillancourt announced the total healthcare cost of the teacher contract is \$180,000 for teacher salaries, if approved. If the teacher contract does not pass, teacher salaries will be frozen, however, the tax impact will be \$450,000 for healthcare costs. She believes the teacher contract is in the best interest of the District, teachers, students, and taxpayers.

Board member Swonger stated that the proposed teacher contract was available to review upon request.

Board member Swonger stated that the contract negotiations were very professional and the Merrimack Teachers Association displayed great flexibility. He offered to speak about the details of the contract, if asked.

Board member Ortega stated that Chairman Vaillancourt and Board Member Swonger did a good job summarizing the benefits of the teacher contract. He added that the benefit to the tax payers is going to benefit us in terms of lower healthcare costs in the long term.

15. New Business

The School Board supported Superintendent Chiafery's request that the first page of the annual report be in memoriam to Claude Leavitt a former Merrimack School Superintendent for twenty-four years.

16. Committee Reports

Board member Barnes reported that the Grater Woods Subcommittee was not ready to present the Master Plan to the Conservation Commission. Two factors contributing to the delay were the passing of Walter Warren and the desire to share the plan with the abutters, area neighborhoods, and public.

Board Member Swonger along with Superintendent Chiafery and Business Administrator Shevenell went before the Planning and Building Committee with the capital improvement plan. The Planning Board unanimously approved the capital improvement plan which included the consolidation of the superintendent and special education offices building.

Chairman Vaillancourt reported that she attended a Planning and Building Committee meeting on behalf of Board Member Swonger. Committee members worked on a presentation for the School District deliberative session and worked on its year-end message for the annual report.

Chairman Vaillancourt stated that she attended a Program Evaluation and Review Committee meeting. She explained that Jeff Capone a high school technology education teacher and Tom Putney the technology education department chair presented a proposal for a television production course at Merrimack High School that would make use of the former television studio. She reported that the Committee was in support of the proposal.

17. Public Comments on Agenda Items

Merrimack Teachers Association President Debra McLaughlin thanked the School Board, on behalf of the teachers, for its support relative to the teacher contract. She encouraged Merrimack residents to attend the deliberative session for details about the contract. She also asked the public to support the teacher contract.

Matt Publicover of 75 Amherst Road spoke as one member of the School District Budget Committee. He asked the Board to consider the removal of \$200,000 for entrances from the capital improvement plan.

18. Manifest

At 11:15 p.m. Board Member Swonger moved (seconded by Board Member Barnes) to adjourn the meeting.

Board member Barnes voted in favor of the motion.
Board member Swonger voted in favor of the motion.
Vice Chairman Thornton voted in favor of the motion.
Board member Oretga voted in favor of the motion.
Chairman Vaillancourt voted in favor of the motion.

The motion passed 5-0-0 by roll call vote.

The meeting adjourned at 11:15 p.m.