

**Merrimack School Board Meeting
Merrimack School District
School Administrative District Unit #26
October 2, 2017
Merrimack Town Hall – Matthew Thornton Room
PUBLIC MEETING MINUTES**

Present: Chair Barnes, Vice Chair Schneider, Board Members Guagliumi and Schoenfeld, Superintendent Chiafery, Assistant Superintendent McLaughlin, Assistant Superintendent for Business Shevenell and Student Representative Puzzo.

Absent: Board Member Thompson was excused from the meeting.

1. Pledge of Allegiance

Chair Barnes called the meeting to order at 7:01 p.m.

Chair Barnes asked for a moment of silence after the Pledge of Allegiance in honor of Merrimack High School Social Studies teacher Nick Seymour who died in a car accident last week.

Chair Barnes led the Pledge of Allegiance.

2. Public Participation

Parent Brian Stisser of 56 Middlesex Road came to the microphone and stated that he was in favor of full-day kindergarten.

3. Honeywell Phase V Energy Project Proposal Overview

Chair Barnes invited Honeywell representatives Jim Lucy and Wally Howe to the table.

Mr. Lucy presented his information via a PowerPoint demonstration and referred school board members to their hard copies for details.

Tonight's purpose was to outline a new phase in identifying cost saving and equipment replacement plans as they relate to the district's energy costs.

Mr. Lucy reviewed existing contracted services, objectives and considerations of new proposals, opportunities and needs, project funding sources, and sample project scenarios.

He spent considerable time reviewing the history and existing status of collaborative projects and then some of the specific areas of need. Cost savings to the district have been considerable.

As Mr. Lucy shared his proposal board members were invited to ask questions. He addressed the individual needs for each school.

Chair Barnes asked if the ventilation proposal will allow for future air conditioning.

Mr. Lucy responded that air conditioning would require different duct work and that decision would need to be made before any work is begun.

Board Member Guagliumi noted the high discomfort level in the high school at Parent's Night.

Assistant Superintendent for Business Shevenell commented that full air quality testing is not done regularly but individual classrooms can be monitored.

Board Member Guagliumi asked how often testing for air quality should be done.

Mr. Lucy responded that it depends on the age of the system, regularity of maintenance and other variables.

Board Member Guagliumi stated that she would like to see testing to create a baseline of air quality in all of the schools.

Chair Barnes asked if air quality testing can be done as part of a remote diagnostic test.

Mr. Lucy responded no. The diagnostic would run CO2 testing that would allow for monitoring and venting at individual classroom levels.

Vice Chair Schneider would like to see some level of monitoring done before any work is begun to validate need.

Mr. Lucy outlined three possible project self-funding scenarios. They ranged from \$3.75 to \$9.5 million dollars.

Chair Barnes asked what the actual costs of the projects would be and was told these are the actual principal amounts. These figures are meant to be illustrations and are not to be used to choose a project.

Vice Chair Schneider would be interested in the details and differences between the first and second scenarios.

Mr. Lucy stated that he would need direction and some level of authorization from the school board before entering the next level of authorization.

Superintendent Chiafery stated that when she and Assistant Superintendent for Business Shevenell sat with Mr. Lucy to shape the presentation the purpose was only to share all of the possibilities and to address areas of high need such as lighting and ventilation.

Vice Chair Schneider asked the Superintendent if her goal is to move this project to a decision in time for consideration for the next operating budget.

Superintendent Chiafery responded that she is hopeful to go before the Planning Board on November 7th with an improved capital improvement plan. She noted his request for baseline data and agreed on its importance.

Mr. Lucy intended the presentation to compliment the capital budget and not compete with it.

Assistant Superintendent for Business Shevenell gave the board some of the history of district financing and non-competition clauses.

Board Member Schoenfeld appreciated the presentation and noted the value of the district's diligence in conducting regular maintenance.

Vice Chair Schneider asked about solar as an option in the overall scenario.

Chair Barnes noted the \$1.4 million in cost avoidance through the partnership with Honeywell.

Chair Barnes asked Assistant Superintendent for Business Shevenell to compile information on the budget dollars and price points on the different amounts of money at the 2% bond rate.

4. New School Board Policy

- **First Reading of Data/Records Retention Policy**

Chair Barnes invited Director of Special Services Fabrizio to the table.

Director Fabrizio stated that due to legal changes the language in the policy needs to be updated.

He read the new policy into the minutes.

Data/Records Retention

The Superintendent shall develop procedures for a records retention system that is in compliance with RSA 189:29-a and Department of Education regulations. The procedures should ensure that all pertinent records are stored safely and stored for such duration as are required by law. Additionally, the Superintendent shall develop procedures necessary to protect individual rights and preserve confidential information.

Special Education Records

The District shall retain a student's special education records until at least the student's 25th birthday, unless written consent to destroy the records or a written request to destroy the records is received from the parent or, where applicable, the adult student.

The District shall inform parents when personally identifiable information collected, maintained, or used in relation to the provision of special education for their student is no longer needed to

provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation, 34 CFR 300.624.

The District shall maintain a copy of the last Individualized Education Plan ("IEP") that was in effect prior to the student's exit from special education until the student's 60th birthday.

The District shall provide parents, or where applicable the adult student, with a written notice of the District's document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights, whichever occurs first.

The District shall provide public notice of its document destruction policy at least annually.

Litigation Hold

On receipt of notice from legal counsel representing the District in that a litigation hold is required, the routine destruction of governmental records, including paper and electronic records, which are or may be subject to the litigation hold shall cease. The destruction of records subject to a litigation hold shall not resume until the district has received a written directive from legal counsel authorizing resumption of the routine destruction of those records in accordance with the retention requirements of this policy and the associated procedures.

Right-to-Know Request – Hold

On receipt of a Right-to-Know request to inspect or copy governmental records, the Superintendent shall cease any destruction of governmental records which are or may be the subject of the request. The records shall be retained regardless of whether they are subject to disclosure under RSA Chapter 91-A, the Right-to-Know law. If a request for inspection is denied on the grounds that the information is exempt under this chapter, the requested material shall be preserved for no less than 90 days and until any lawsuit pursuant to RSA 91-A: 7-8 has been finally resolved, all appeal periods have expired, and a written directive from legal counsel representing the District authorizing destruction of the records has been received.

Legal References:

*RSA 91-A, Right to Know Law
RSA 189:29-a, Records Retention and Disposition
NH Code of Administrative Rules, Section Ed. 306.04 (a) (4), Records Retention
NH Code of Administrative Rules, Section Ed. 306.04 (h), Records Retention
NH Code of Administrative Rules, Section Ed. 1119.01, Confidential Requirements
20 U.S.C. 1232g, Family Educational Rights and Privacy Act (FERPA)*

Board Member Guagliumi asked if the language could be clarified in the first paragraph under Special Education Records.

Superintendent Chiafery asked Board Member Guagliumi to write down the re-wording for her. She further agreed that some of the sentence construction was awkward but that she was told by the NHSBA legal advisor not to make any changes.

Board Member Guagliumi asked for clarification on the issue of retaining the last Individual Education Plan (IEP) until the student's 60th birthday and was told that it is state law.

Vice Chair Schneider asked if the legislation and the district policy both refer to a 25th birthday and was told yes.

Chair Barnes stated that a second reading will take place at the next meeting scheduled for October 16th.

5. Board's Response to Proposed Capital Improvement Plan from 2018-2024

Vice Chair Schneider cautioned that it is unclear if the Honeywell ideas now under discussion would affect the 2018-2019 budget. He would like to see the Honeywell plan be articulated to the Planning Board.

Superintendent Chiafery stated that the 2018-2019 projects have been on the Capital Improvement Plan (CIP) for a period of time and have already been vetted for the taxpayers. These should be a first consideration. The Honeywell ideas are a vision and she would welcome an expedited decision from the board on how to move forward.

Superintendent Chiafery noted that the board needs to also consider the future of the SAU/SPED offices.

Vice Chair Schneider appreciated the explanation and noted that he was concerned about possible impacts on the CIP for this upcoming year.

Chair Barnes agreed with a suggestion made at the prior meeting about moving the bleacher project at James Masticola Upper Elementary School (JMUES) to 2018-2019. She sees this as a safety issue.

Assistant Superintendent for Business Shevenell was asked to provide information about including the bleachers in the JMUES All Purpose Room in the project. Based on new quotations he has received, the cost to replace the bleachers in the Smith Gym would be \$155,000 and \$100,000 in the All Purpose Room.

Chair Barnes moved (seconded by Board Member Schoenfeld) to move the bleachers in the Smith Gym into 2018-2019.

The motion carried 4-0-0.

Vice Chair Schneider stated for the record that there is no SAU/SPED office on this CIP and that when more data becomes available this might change the 2018-2019 plan.

Chair Barnes noted that the conversation on the funding of the turf field scheduled for 2020-2021 will continue as will further research on how other districts managed their funding.

Vice Chair Schneider moved (seconded by Board Member Guagliumi) to move the JMUES All Purpose Room (APR) bleachers into the 2019-2020 CIP at a cost of \$100,000.

Board Member Guagliumi asked if there would be a cost savings if the APR bleachers were done also in 2018-2019 and was told no.

Chair Barnes expressed concern about trying to bring in bleachers while other contractors are trying to pave the parking lot.

Assistant Superintendent for Business Shevenell stated that multiple project coordination will not be an issue.

The motion carried 4-0-0.

Chair Barnes moved (seconded by Vice Chair Schneider) to accept the CIP as amended.

The motion carried 4-0-0.

6. Preparation for joint Meeting with Town Council (Suggested Dates and Topics)

Board Members discussed possible schedule conflicts.

Chair Barnes will offer two possible dates to the Town Council for consideration.

Chair Barnes noted that Board Member Thompson expressed interest at an earlier meeting in discussing fields and water quality.

Board Member Guagliumi would like to discuss the O’Gara Drive property and outline a timeline for the public.

Superintendent Chiafery would like to discuss the School Resource Officer (SRO) position at Merrimack Middle School now that the grant will be ending.

Vice Chair Schneider reminded the board that part of the requirement of the grant was that the recipient pick up the funding for the position and that either the town or the school board budget should show this.

Board Member Guagliumi noted the value of the partnership between the school district and the police department.

Vice Chair Schneider stated the importance of clearly sharing the history of the O’Gara Drive project for the public’s consideration and understanding. The decision not to fund the monitor for the skate park is also of concern.

Vice Chair Schneider would also like to have a discussion on polling places.

Chair Barnes noted that the Town Council voted to retire the monitor position and also nixed the request by the school board to install cameras.

7. Timmons Property Update

Vice Chair Schneider presented background to the board on the possible viability of its use as fields. This is school property located on the intersection of Baboosic Lake Road and South Baboosic Lake Road.

The school board gave a charge to the Planning and Building Committee to investigate its possibilities. Their recommendation was that possibly one field could be built on it but that the intersection and parking options might be of concern.

The Parking and Recreation Committee also walked the site and determined that it might be more viable.

The Parks and Recreation Committee is requesting the school board allow them to have the property surveyed to provide all parties an unbiased baseline. This survey would be of no cost to the taxpayers.

Chair Barnes asked if the town is open to paying for a survey with no promise to access in its place and also if the town expects the school board to hand the land over to build fields.

Vice Chair Schneider responded that the Parks and Recreation Committee is planning to get a survey done at no cost to the taxpayers and that the idea is to get a baseline for all of the parties to use to begin a discussion.

Assistant Superintendent for Business Shevenell stated that he will not be able to get a survey done for free. The 40 acre area involves wetlands and requires the involvement of a soil scientist.

Vice Chair Schneider responded that it is his understanding that the Parks and Recreation Committee has asked for permission to do the survey and that any costs incurred would be the responsibility of the Parks and Recreation Committee to figure out.

Chair Barnes noted that this is a suggested topic for the joint meeting.

Board Member Guagliumi asked if anyone else had more knowledge on the history of this piece of land.

Superintendent Chiafery responded that athletic fields are very important to Town Council and the School Board and that it is very important to investigate the options.

Vice Chair Schneider reiterated that this was part of a charge to the Planning and Building Committee. He did not see their findings as conclusive. Board Member Thompson's request on behalf of the Parks and Recreation Committee is to get the data and report it back to all parties in order to initiate a discussion.

Board Member Schoenfeld is agreeable to a survey that provides good data for the interested parties.

Vice Chair Schneider suggested that this be a topic at the joint meeting that results in a decision.

Chair Barnes expressed concern over the ownership of the land if playing fields are built. Will this lead to a land swap?

Assistant Superintendent for Business Shevenell cautioned the board that any land swap that involves the school board needs to go before the voters.

8. Individual Board Member's Thoughts Regarding 2018-2019 Budget

Board Member Guagliumi asked that the approach used in the past be continued in the areas of student safety, quality of education, value for the taxpayers, and creative solutions that support learning. Information technology (IT) infrastructure and communication are also ongoing interests.

Board Member Guagliumi would like to see continued conversations on full-day kindergarten, Global Positioning System (GPS) on the school busses, expanded uses of technology and continued focus on the CIP.

Board Member Schoenfeld agreed and added that she would like to see continued and enhanced services for diverse student populations, continued funding for successful existing initiatives, forward planning and full day kindergarten.

Chair Barnes read Board Member Thompson's thoughts. He would like to see the budget increased by 2%, not including CIP items. He would like to see wish lists from all of the schools and finally replacement of all hand dryers in the schools.

Vice Chair Schneider would like to discuss full day kindergarten and all possible funding options, more data on the SAU/SPED offices, student enrollment projections, co-curricular transportation funding, and feedback on needed materials for the new math curriculum.

Chair Barnes would like to see budgeting that maintains infrastructure and facilities, expands technology to meet student demands, and correlates expenditures with a goal of continuing to improve student performance while remaining mindful of the tax burden. All projects impacting student safety should remain in the budget. Important but not imperative projects should be made available as possible warrant articles. The cut list should be presented with a plan to compensate for their consequences. Opportunities for the community to weigh in should be presented in varied in media formats.

9. New School Board Policy

- **Third Review of Health Education and Exemption from Instruction Policy**

Superintendent Chiafery reviewed the most recent changes that were highlighted for board members.

Distinctions were made clearer about students over eighteen years of age and parents and guardians. Also made clearer were the two reasons for opting out. They are objectionable material or religious reasons.

Board Member Schoenfeld asked that the word religious be put before the word objections in the first sentence under the heading Opt-Out Procedure and Form.

Chair Barnes will put the policy on the consent agenda for the next meeting.

10. New Hampshire School Boards Association (NHSBA) 2018 Call for Resolutions

Chair Barnes asked members to bring their resolutions to the board for vetting.

11. Approval of October 2, 2017 Minutes

Vice Chair Schneider moved (seconded by Board Member Schoenfeld) to accept the minutes of the October 2, 2017 meeting.

The motion carried 4-0-0.

12. Gifts and Grants under \$5,000

- **Heartland Payment Systems to Merrimack School District Food Service for \$500**

Assistant Superintendent for Business Shevenell presented a gift from Heartland Payment Systems to the Merrimack School District Food Service in the amount of \$500.00. The funds are to be used to help promote student participation in the use of My School Bucks.

Board Member Guagliumi moved (seconded by Vice Chair Schneider) to accept the gift with gratitude.

The motion carried 4-0-0.

13. Consent Agenda

- **Educator Nomination**

Rebekah Spotts, Merrimack High School, School Counselor

Assistant Superintendent McLaughlin presented the consent agenda.

Vice Chair Schneider moved (seconded by Board Member Guagliumi) to accept the consent agenda as read.

The motion carried 4-0-0.

14. Other

a) Correspondence

Chair Barnes received correspondence in regards to homework, faxing student information, and a request for clarifying parent/guardian in communications to be more inclusive of the modern family structure.

b) Comments

There were no comments.

15. New Business

Superintendent Chiafery stated that on the agenda for the next meeting the three elementary principals will come before the board to respond to questions on all-day kindergarten.

16. Committee Reports

Vice Chair Schneider reported that the District Wellness Committee met and he was unable to attend due to a conflict. He would like to exchange this responsibility with another board member.

Vice Chair Schneider noted that the SERESC Board of Directors did not meet but a communication from them stated that effective October 3rd the building has been sold. They will reside there until the end of the calendar year. Concurrently they are moving their program to 165 South River Road.

Chair Barnes attended the NHSBA Board of Directors meeting last month and heard from three speakers on the issue of mental health. She shared their contact information with Assistant Superintendent McLaughlin.

17. Public Comments on Agenda Items

There were no public comments.

18. Manifest

The Board signed the manifest.

At 9:24 p.m. Vice Chair Schneider moved (seconded by Board Member Guagliumi) to enter non-public session per RSA A 91-A: 3, II, (a), (b), (c).

A roll call vote was taken. The motion passed 4-0-0.

At 10:45 p.m. Board Member Schoenfeld moved (seconded by Vice Chair Schneider) to adjourn the public meeting.