

KITTERY SCHOOL COMMITTEE
MINUTES OF APRIL 7, 2009
COUNCIL CHAMBERS - TOWN HALL

I. ASSEMBLY OF SCHOOL COMMITTEE MEMBERS:

- A. Call to Order: Chair Pelletier called the meeting to order at 6:37 p.m.
- B. Roll Call: Answering the roll were Bill Furbush, David Batchelder, Kim Bedard, Glennis Wright, Ken Lemont, Chair Jeff Pelletier and Student Advisory Member Lauren Kennison. Absent was Patti Ayer. Also in attendance were: Business Manager Sheri Rockburn, school administrators, Councilor George Dow, members of the press and the community and substitute recorder, Barbara Boggiano.
- C. Take action to appoint Interim Superintendent: MOTION by Chair Pelletier to appoint Marilyn Woodside as Interim Superintendent for tonight's meeting, SECONDED by Kim Bedard, and VOTED 6-0, with Lauren Kennison voting in the affirmative. Motion passed.
- D. Adjustments to agenda: Chair Pelletier they have an addendum to VII and Interim Supt. Woodside said there was an additional resignation, Adriana Goff, Ed. Tech. II under Superintendent's Report.
- E. Approval of the Minutes of Meetings held on March 17 and March 31, 2009: Chair Pelletier accepted both sets of minutes as amended.
- F. Student Advisory Member Report: Lauren Kennison said that she was not in touch with the principals this time so all she had to report was that students were signing up for classes this week.

II. PUBLIC COMMENT: Chair Pelletier opened the meeting for public comment.

Jeff Clifford said he appreciated the School Committee's efforts in dealing with closing Frisbee School and the bond issue with minimum expense to the town. His basic concern was in moving the students from Shapleigh to Mitchell this Fall. He listed several issues, which included not only school bus parking, lunch schedules, playground issues, classrooms, light and ventilation, evacuation, but also the septic system and the increased usage would exceed the capacity and design flow. He said that is the potential basis of a show stopper.

Mr. Clifford said the State is unlikely to approve another increase with the existing system when they have already done that. He said the numbers already exceed the water gallons with K-2 on that site and agreed something has to happen. He said he spoke with WPRC and perhaps leach field improvements may add to the capacity and the water flow is not an issue.

Mark McNabb said he sent letters to the Board but he wanted to talk about the process. He feels overwhelmed with the information and he thought that the Board has compromised. He said if 500 people have signed a petition and this is not about win or lose, right or wrong, and he is asking the Board to hear these people by not closing Frisbee until construction is complete. He said this is a lengthy process and will not happen before September, especially if they need to purchase additional land.

Mr. McNabb said that the Board is asking people to fund a \$7 million dollar project and citizens are frustrated because they want to see a site plan, an Executive Summary and a Financial Overview so they can vote intelligently. He urged the Board to just slow down and wants to see the closure of the school done right.

Leah Perkins-Sillsby wanted to speak about voting on the petition which was brought forward and she said the Board should vote so the townspeople can vote it up or down. She said they have more than enough signatures on the second petition, but let us work on the current petition regarding closing Frisbee. She said the second petition will be filed next week and will go directly for a town vote. Ms. Perkins-Sillsby wanted them to stick with one petition but have copies but stated the kids should not be moved.

Chair Pelletier asked Ms. Perkins-Sillsby what is the goal of the second petition.

Ms. Perkins-Sillsby replied that Frisbee stays open until the additions have been completed and the Certificate of Occupancy has been received, and then move the kids. She said to put the onus on the Town Council and ask them to fund keeping Frisbee open.

Chair Pelletier said the Town Council wants the School Committee to take action first, and then secondly, ask the community to keep it open until everything is done.

Ms. Perkins-Sillsby said the first one is what they are looking for – and that is asking if they have to close Frisbee then get the community to vote and it needs to stay open. Ms. Bedard asked if it is their intent that this will go on the June ballot. Ms. Perkins-Sillsby replied yes.

Ken Lemont wanted to know why was one petition presented to the School Committee and the other to the Town Council. Ms. Perkins-Sillsby replied that it is State law, the one presented to the School Committee, because they are closing it. She said secondly they are not through the school-closing process. She said they will find out how the process goes from here on out.

Diane Fallon believes the School Committee is acting with the best intentions with a view toward preserving the quality of education in Kittery, but that they have become attached to closing Frisbee. She said there are other things dealing with quality – like buildings that are overcrowded and buildings under construction, so parents are upset over a number of things.

Ms. Fallon said the other side of the issue is the School Committee is putting a \$7 million dollar bond on the ballot where only 1500 people will vote and it needs to be a broad-based consensus, which she does not see. She said she sees is that it will cost \$2.8 million dollars to keep Frisbee open versus \$7 million dollars for construction of additions. She thought the process is too rushed and that she would rather take the cuts.

Chair Pelletier said he would address the dollar figure attached to Frisbee later on in the agenda, but it is a place holder.

Gavin Barbour said it was important that this proceed in stages. He said the movement with the petitions and the bond is to have some sort of contingency plan if the bond fails or Frisbee stays open. He said it is difficult for people to make a choice when you do not know what the other side is, i.e. if the bond fails, what are the options. Mr. Barbour encouraged the Committee to provide some sort of pay back period on the bond so the people understand the financial ramifications of the bond and how long it would take to pay it off.

Jeff Nowicki said he is a structural engineer and he said the numbers are misleading. He said it sounds like a renovation rather than a closure and he felt they could continue to use Frisbee for a short duration while everything gets through. He said the Fire Marshall is not going to require things like a sprinkler system to buy off one year. He thought the process could go easily for another year. Mr. Nowicki said the move is too vast and there is too much contradicting information to go on. He thinks they need to slow down.

Hearing no other comments, Chair Pelletier closed the public comment portion at 7:05 p.m.

III. CORRESPONDENCE:

A. Acknowledge Receipt of Correspondence

Kim Bedard said they have received e-mail correspondence and Chairman Pelletier said he will print it off and give the copies to Supt. Littlefield.

IV. STAFF REPORTS: None

V. UNFINISHED BUSINESS: None

VI. NEW BUSINESS:

A. Take action to approve the 2009-10 Traip Academy Program of Studies: Interim Supt. Woodside said that a lot of work has gone into this document and she outlined the changes. Discussion ensued.

Ms. Bedard questioned the Co-curricular activities and Student Organizations and Clubs listing and thought that it was in the handbook. She indicated they did not have a great deal of time to review all the information prior to the meeting. Interim Supt. Woodside asked if the Board could approve the courses because they would not change. The Board reached a consensus on approving the courses offered. Chair Pelletier said they will hold off approval until the Board receives the final document.

B. Take action to approve the request from Head Start to remain at Frisbee for the 2009-10 school year. MOTION by Chair Pelletier to approve the request for the 2009-10 school year, SECONDED by Kim Bedard and VOTED 6-0 with Student Representative Lauren Kennison voting in the affirmative. Motion carries.

C. Take action to appoint the following co-curricular positions:

1. Steve Frost – Shapleigh Outdoor Track Co-Head Coach
2. Wesley Rhames – Shapleigh Outdoor Track Co-Head Coach

MOTION by Kim Bedard and SECONDED by Glennis Wright to appoint Steve Frost and Wesley Rhames as Shapleigh Outdoor Track Co-Head Coaches, and VOTED 6-0, with Student Representative Lauren Kennison voting in the affirmative. Motion carries.

D. Take action on second reading of policies:

1. BIC – School Committee Member Freedom of Access Law Training

MOTION by Chair Pelletier and SECONDED by Kim Bedard to accept and adopt Policy BIC and VOTED 6-0 with Student Representative Lauren Kennison voting in the affirmative. Motion carries.

2. KDB – Public’s Right to Know /Freedom of Access

Ken Lemont said that it reads that it is set by State law. Interim Supt. Woodside said she did not know. Mr. Lemont asked if they could research this. Chair Pelletier asked for a copy of the statute. MOTION by Chair Pelletier, and SECONDED by Kim Bedard to accept and adopt Policy KDB and VOTED 6-0 with Student Representative Lauren Kennison voting in the affirmative. Motion carries.

E. Take action to accept the “Citizens’ Petition for Repeal of the Kittery School Committee Action to close Frisbee School effective June 30, 2009”

MOTION by Chair Pelletier, and SECONDED by Glennis Wright to accept the petition. Discussion: Kim Bedard asked if the Superintendent had accepted it. Chair Pelletier replied that he did, on behalf of the School Committee, but now they are formally accepting it in public. He said the Town Clerk has certified the signatures and this can be placed on the ballot if that is the Board’s stated objective. VOTE 6-0, with Lauren Kennison, Student Representative, voting in the affirmative. Motion carries.

F. Take action to repeal the Kittery School Committee vote of February 25, 2009 to close Frisbee School, effective June 30, 2009.

Chair Pelletier said that the intent of the petition is to be on the June ballot if they do not repeal their decision. He said if they vote “yes” to repeal it, then Frisbee School will remain open, if “no” then they will re-affirm their vote to close Frisbee. MOTION by Kim Bedard to repeal the Board’s February 25th vote to close Frisbee, SECONDED by David Batchelder. Discussion ensued. Ms. Bedard said there are a number of issues and she is concerned about the additional money needed and that she does not have the financial information, which she would like to have in a five-year plan, along with the Executive Summary. Mr. Batchelder agreed with Kim

Bedard and said he is also concerned about the added cost and asked if they put money back in the budget or make adjustments to the existing budget to keep Frisbee open. He said he has felt all along that they are moving too fast and that they need to take time to make this work, which he would support.

Mr. Furbush said there will be challenges in closing Frisbee, but he does not want to pay to keep it open indefinitely. He was concerned about the additional costs of construction if they wait a year.

Mr. Furbush said they may have to compromise by keeping the kids at Frisbee another year while construction is taking place but they need to talk about it. He said the State has given them a new estimate, which is 1.1% below the number they currently have budgeted for and there will be additional costs. Mr. Furbush said a lot of people have come forward with their concerns.

Sheri Rockburn said that she has provided information to the Board in their packet and for a 20 year period on a \$7 million dollar bond, would be \$515,375. She said she has given the Board to scenarios, the first – to keep Frisbee open, would be for a \$2.4 million dollar bond for major repairs, which the tax rate would be \$14.34 or go up \$2. The second for a \$7 million dollar bond to close Frisbee over the next five years, with one year a delayed payment not until FY 11, the tax rate would be a savings of 30 cents or \$14.04. Ms. Rockburn said the schedule shows that it costs less to close it than the cost of maintenance to keep it open.

A lengthy discussion ensued regarding keeping Frisbee open and giving it to the town. Chairperson Pelletier said in speaking with the Town Manager, revenues are down and the subsidy figure is less than what they have budgeted for. He said he is concerned about the safety of Frisbee School as well.

Mr. Batchelder asked what if they were not paying a \$2.4 million dollar bond. Ms. Rockburn said she has included in their packet a list of salaries and benefits of teachers as well as major repairs identified that would help the Board in their discussion.

Chair Pelletier said there are two solutions the Committee can do – either cut their budget to accommodate keeping Frisbee School open or their contingency plan would be to go to the Town Council and ask for another \$450-500,000 for next year and the year after for salaries and maintenance at Frisbee. He said he has heard from the Town Council and they do not have any more money to give so the decision they have to make is what do they cut to keep Frisbee School open and the answer is 10 teaching positions. The Board discussed this in detail and the need to let teachers know if their contracts would not be reviewed and not wait until June.

Mr. Lemont said he agreed with Mr. Batchelder and Chairman Pelletier in that it should not be a \$2.8 million dollar bond and they have to find a way to address the health and safety areas of Frisbee. Chairman Pelletier said that figure is just a placeholder. Discussion included a possible warrant article. Interim Supt. Woodside said that April 13th is the last date for submitting questions to be on the June Ballot, according to the Town Clerk. Chair Pelletier addressed Councilor Dow, who said the Council is voting on the budget as presented on Monday night.

The Board reviewed the list and discussed the need for a full-time principal as well as technology and the list of major repairs.

MOTION by the Chair that they set this action aside and ask for a meeting with the Town Council on the budget prior to voting on this issue. Mr. Lemont asked if he was making a motion to table this item. MOTION by Kim Bedard to table this discussion and postpone taking action, SECONDED by Glennis Wright and VOTED 3-3, (In opposition: Bill Furbush, Kim Bedard, David Batchelder) Motion fails.

The Board discussed the timing of this issue and the need to meet Thursday or Friday, depending on when they could meet with Council to reconvene and vote on this item. Mr. Lemont said the Board needs to take action before Monday in order for this to be on the ballot. Discussion continued.

Chairman Pelletier said there will be a special meeting on Friday at 6:30 p.m., depending on the Town Council's willingness to meet with the School Committee, when they will vote on this item.

Chair Pelletier declared a recess at 9:10 p.m. At 9:25 p.m. the Chair reconvened the meeting to take up item "G."

G. Take action to request that Town Council call a Special Referendum on the following question: "Shall the Kittery School Committee be authorized to close Frisbee School effective June 30, 2009? The additional cost of keeping the school open has been estimated by the School Committee to be \$2,803,102."

Chair Pelletier said that the petition is going to the Town Clerk tomorrow, they have accepted it, but the Board has not acted on the repeal. The Board discussed leaving the figure blank; however, Sheri Rockburn said they need to give the figure to the Town Clerk for the ballot. The Board then discussed the list that Ms. Rockburn had provided for their review in more detail.

Mr. Batchelder asked Ms. Rockburn if she could give the Board a breakdown on what it would cost for a full time principal because the consensus was that a full-time principal was needed during this transition period.

Chair Pelletier asked for a consensus from the Board on the figures for the major repairs. The Board discussed the list of maintenance issues and what had to be done. The revised figure came to \$660,220. The Board agreed that the leaks had to be repaired and the carpet had to be replaced. Ms. Rockburn said these numbers are from June 2008, so they could be more money. Discussion continued.

MOTION by Chair Pelletier to extend the meeting past 10:00 p.m., SECONDED by Glennis Wright and VOTED 5-1 (Ken Lemont in opposition), with Student Representative Lauren Kennison voting in the affirmative. Motion carries.

MOTION by the Chair to move the petition forward to the Town Council to call a Special Referendum on the following question: "Shall the Kittery School Committee be authorized to close Frisbee School effective June 30, 2009 and the additional cost of keeping the school open has been estimated by the School Committee to be \$660,220, contingent upon the Board's affirming the closure of Frisbee School as stated in their vote of February 25, 2009, SECONDED by Ken Lemont. Discussion ensued. MOTION by the Chair to amend the motion to replace the \$2,803,012 figure with \$660,220 and the motion on the action item as is, SECONDED by Ken Lemont. VOTED on original motion 5-1 (Bill Furbush in opposition) and Lauren Kennison voting in the affirmative. Motion carries.

VII. SUPERINTENDENT'S REPORT:

A. Resignation/Retirement:

1. Rebecca Waldron Geranis – Mitchell Primary School teacher
2. Tara Hamer – Shapleigh Middle School teacher
3. Adrianna Goff – Ed. Tech. II, Frisbee School

MOTION by Chair Pelletier to accept the resignations of Rebecca Waldron Geranis, Tara Hamer and addendum, Adrianna Goff with regret, SECONDED by Kim Bedard and VOTED 6-0 with Lauren Kennison voting in the affirmative. Motion carries.

B. Graduation Date: Interim Supt. said that the Traip Graduation Date is June 14th.

- C. Gov. Baldacci/Commissioner DOE Initiative for extending 1:1 Laptop Program into the High School. Interim Supt. Woodside said the information is in the Board's packet for them to review and she will bring this item back up for discussion at another meeting.
- D. S.A.F.E. Program at Frisbee School: Interim Supt. Woodside that Atty. McEachern has drafted a Memorandum of Understanding for the Rec. Dept.'s S.A.F.E. program to continue at Frisbee and she asked if the Board wanted to make any changes.
- E. Special Meeting to Sign Warrants – April 22nd: The Board discussed and 4 members can meet on this date.

VIII. COMMITTEES AND REPORTS: None

IX. QUESTIONS/COMMENTS/CONCERNS: Ken Lemont wanted to know what time on Friday did the Board want to meet. Chair Pelletier said he will work with the Town Council Chair and the Vice Chair and come up with a meeting date and will get the information for the Board's meeting on Friday. The only item on the agenda will be to vote on the petition to rescind their February 25th vote to close Frisbee.

X. EXECUTIVE SESSION: None

XI. ADJOURN: MOTION by Chair Pelletier and SECONDED by Glennis Wright to adjourn the meeting at 10:22 p.m. and VOTED 6-0 with Student Representative Lauren Kennison voting in the affirmative. Motion passes.

Respectfully submitted,

Barbara Boggiano, Substitute Recording Secretary

Date: 4-12-09

Approved by: Larry Littlefield
Larry Littlefield, Supt. of Schools

Date Approved: 4/26/09