

REGULAR SCHOOL BOARD MEETING
Barre Town Middle and Elementary School – Library
December 19, 2018 – 6:00 p.m.

MINUTES

BOARD MEMBERS PRESENT:

Alice Farrell - Chair
Jay Paterson – Vice Chair
Rebecca Kerin-Hutchins – Clerk
Chris Hull
Victoria Pompei

BOARD MEMBERS ABSENT:

ADMINISTRATORS PRESENT:

John Pandolfo, Superintendent
Scott Griggs, Principal
Jennifer W. Nye, Principal
Erica Pearson, Assistant Principal
Donald McMahon, Director of Special Services – departed at 6:54 p.m.

GUESTS PRESENT:

Video Vision Tech	Dave Delcore-Times Argus	Gina Akley	Rob LaClair	Pat MacAskill
Paul Malone	Mary McFaun	Molly McFaun	Topper McFaun	Dotty Ricks
Eddie Rousse	Dan Spaulding	Sean Toohey		

1. Call to Order: Pledge of Allegiance

The Chair, Mrs. Farrell, called the Wednesday, December 19, 2018, Regular meeting to order at 6:02 p.m., which was held at the Barre Town Middle and Elementary School Library. The flag salute followed.

2. Additions and/or Deletions to the Agenda

None.

3. Visitors and Communications

None.

4. Approval of Minutes

4.1. Approval of Minutes – December 5, 2018 Regular Meeting

On a motion by Mrs. Pompei, seconded by Mr. Paterson, the Board unanimously voted to approve the Minutes of the December 5, 2018 Regular Meeting.

5. New Business

None

6. Old Business

6.1 Act 46

Eight documents were distributed; the Notice of the Public Informational Hearing on 01/02/19, The Warning and Agenda for the Special Meeting on 01/10/19 (if Article 1 passes on 01/08/19), the Warning and Agenda for the Special Meeting on 01/10/19 (if Article 1 does not pass on 01/08/19), a document titled ‘Annotated Transition Timeline’, a document titled ‘Post-Merger Tips; Organizational Meetings’ (from the AOE), and a document titled ‘Post-Merger Tips: Relative Responsibilities of Boards’ (also from the AOE). Mr. Pandolfo provided an overview of the ‘Timeline’ document, including; the Organizational Meeting, Board make-up (under ‘yes’ vote and ‘no’ vote scenarios), the work of the Transitional and Initial Boards, votes to be held (under ‘yes’ vote and ‘no’ vote scenarios), including the budget vote (which under a ‘no’ vote, will most likely not occur until May 2019). In response to a query regarding a possible extension on the timeline, the Superintendent advised that an extension is not likely to be granted.

State Representative Rob LaClair addressed the Board advising that he has confirmed that the State Board of Education had the authority to merge districts. Mr. LaClair advised that there is possible legislation being drafted, but it is not known if one large bill or several small bills will be introduced. Mr. LaClair provided an overview of the very deliberative and lengthy legislative process and advised that if anything is to be done by the legislature, it will not be done quickly. Mr. LaClair supports a ‘yes’ vote on 01/08/19 advising that a positive vote will allow Barre Town tax payers to receive tax incentives, the implementation grant, and operate under the Articles of Agreement crafted by the Study Committee. Mr. LaClair sees no down-side to a voluntary merger and feels that by

voting 'yes', Barre Town citizens have nothing to lose. Mr. LaClair advised that as a legislator and tax payer, he strongly encourages citizens to vote 'yes'. Mr. Hull asked if a 'yes' vote would result in Barre Town not being impacted by new legislation. Mr. LaClair does not believe a 'yes' vote would preclude Barre Town from new legislation. Mrs. Kerin-Hutchins advised that the BTMES Board has not voted on whether or not to join a lawsuit, and advised that she has information from two Vermont Senators (Ann Cummings and Anthony Pollina).

Representative Topper McFaun addressed the Board, advising that as a Representative, he will support whatever position the Board and people take. Mr. McFaun advised that the State Board has mandated a merger, and any new legislation will take a very long time to pass. As a resident and tax payer, Mr. McFaun believes a 'no' vote will cause Barre Town to lose all of the benefits the 706 Committee worked to achieve. Mr. McFaun believes the 706 Study Committee listened to the concerns of Barre Town voters, and addressed those concerns. A 'yes' vote will create stability, insure local control, create a board of 9 members (rather than 4), and provided financial assistance in the form of the tax incentives and the implementation grant. A 'no' vote puts the school system in turmoil, takes away local control, requires 4 additional votes (rather than 1), and causes a financial loss. Mr. McFaun advised that it is important that the public knows that he supports a 'yes' vote, and he asks the Barre Town citizens to vote 'yes' in January.

Dotty Ricks advised the Board that she is a former board member, former teacher, and Barre Town resident. Ms. Ricks advised that Barre Town voters, have voted 'no' three times and she believes the citizens of Barre Town have said 'no' to tax incentives and Articles of Agreement created by the two Study Committees. Ms. Ricks believes that Act 46 is poorly written and the community should stand up for what they want. Ms. Ricks encouraged the Board to join the lawsuit against Act 46.

Paul Malone, SHS Board Chair addressed the Board advising that he believes the Articles of Agreement created by the most recent Study Committee dealt with the concerns of Barre Town citizens. Mr. Malone advised that the issue being voted on is not whether or not to merge. The State has already mandated a merger for Barre. Mr. Malone advised that there is nothing to be gained by voting 'no' on 01/08/19. The vote impacts Barre City and Barre Town Residents. A 'yes' vote allows the communities to receive tax incentives, the implementation grant, utilize the revised Articles of Agreement with a 9 member board, and maintain more local control. A 'no' vote will result in the loss of tax incentives, loss of the implementation grant, requires 4 additional votes (at a cost to tax payers), will require that the newly merged district be run under the State's Default Articles of Agreement, with a poor governance structure (a 4 member board) and shifts power from the citizens to the board. Mr. Malone believes there is nothing to lose by voting 'yes' and strongly supports a 'yes' vote.

Mrs. Kerin-Hutchins read a statement from Anthony Pollina regarding legislation he plans to introduce. Mrs. Kerin-Hutchins will provide a copy of the document to the recorder, Mrs. Poulin.

It was noted that school's legal counsel, Sean Toohey is present to answer questions from the Board. Possible litigation was proposed as an item for discussion in Executive Session.

On a motion by Mr. Paterson, seconded by Mrs. Pompei, the Board unanimously agreed to find that premature general public knowledge of the item proposed for discussion would clearly place Barre Town Middle and Elementary School at a substantial disadvantage should the discussion be public.

On a motion by Mrs. Kerin-Hutchins, seconded by Mrs. Pompei, the Board unanimously voted to enter into Executive Session, with Mr. Pandolfo and Mr. Toohey in attendance, at 6:58 p.m. under the provisions of 1 VSA section 313 to discuss the item (possible litigation) proposed for discussion.

On a motion by Mrs. Pompei, seconded by Mr. Paterson, the Board unanimously voted to exit Executive Session at 7:41p.m.

Brief discussion was held regarding whether or not the Board should vote on joining the lawsuit.

Mr. Hull made a motion to have the BTMES Board join the lawsuit against Act 46. Mrs. Kerin-Hutchins seconded the motion. On a vote of 2 to 3 the motion to join the Act 46 lawsuit failed. Mr. Hull and Mrs. Kerin-Hutchins voted in support of the motion. Mrs. Farrell, Mr. Paterson, and Mrs. Pompei voted against the motion.

Mrs. Pompei made a motion that the BTMES Board support a 'yes' vote on 01/08/19. Mr. Paterson seconded the motion.

Mr. Paterson advised of his concern that a 'no' vote impacts the stability of the school, and that he is interested in keeping things positive going forward. Mr. Paterson supports a 'yes' vote.

Mr. Hull believes that supporting a 'yes' vote, goes against the voters. Mr. Hull does not support a 'yes' vote.

Mrs. Pompei advised that she voted 'no' on the first two votes, but she believes the new Articles of Agreement address her concerns and voted for the merger at the third vote. Mrs. Pompei believes the tax incentives are important and she wants the budget to be successful. Mrs. Pompei supports a 'yes' vote.

Mrs. Kerin-Hutchins believes that the citizens of Barre Town won't care about tax incentives and she does not believe a merger is best for the school. Mrs. Kerin-Hutchins does not support a 'yes' vote.

Mrs. Farrell respects voters in the previous votes, but is concerned regarding the upcoming vote. The January vote is not about merging (the State has mandated a merger), but rather will determine whether or not tax incentives are received, strong Articles of Agreement are implemented, and a good board structure is put in place. Mrs. Farrell supports a 'yes' vote.

Mrs. Pompei withdrew the motion.

Mrs. Farrell wants the Barre Town population to be informed voters. Mr. Pandolfo advised that a Public Informational Hearing will be held, and Act 46 Study Committee Members will be present to answer questions from community members.

Mr. Hull suggested holding an exit poll after the 01/08/19 vote. A paper poll was suggested. It was noted that those who voted early/by absentee ballot would be excluded from the exit poll. It may be beneficial to have both paper and electronic versions of the exit poll. Mr. Pandolfo will draft an exit poll and present it at the next meeting.

6.2 Facilities Projects

A document titled 'BTMES Facilities Projects for Consideration December 19, 2018' was distributed. Mr. Pandolfo provided an overview of the document advising that the revised list contains estimated costs. Addition of sound proofing tiles for the cafeteria was not added to the list because the cost is minimal and the project is in process. Mr. Pandolfo advised that if the Board would like to move forward with projects on the list, they need to advise him so that he can notify Mr. Evans to proceed. After brief discussion, the Board advised that they would like to move forward with projects 2, 3, and 4 (woodchip boiler repair, seam seal multi-purpose room EPDM flashing, and replacement of roof membrane material over the band/chorus area). The Board would like additional, more specific estimates on item #5 (repair of the front canopy entrance and sidewalk replacement). The Board agreed to hold off on the purchase of a truck with plow & sander. Mrs. Nye advised that employees are currently using their personal vehicles to run errands and pick up supplies, and that an on-site truck would be beneficial to allow for some daytime plowing and sanding by staff. Mr. Paterson advised that a 'no' vote on the upcoming merger vote will result in a loss of tax incentives, and believes that the Board should be cautious of spending down the BTMES General Fund.

7. Board Reports

7.1. Superintendent (verbal update)

The Superintendent's written report was distributed at the 12/05/18 Board Meeting. Mr. Pandolfo reported that much of his time has been spent working on Act 46 related tasks, and advised that the surveys for Administrator Evaluations have closed. Mr. Pandolfo stressed the importance of maintaining the Board until June 2019 and advised that Board Seat Petitions are due in January. Mr. Paterson commended the Superintendent for his hard work and effort to provide the Board with comprehensive information, and assisting the Board with making informed decisions.

7.2 Principals Report

The Principals' written report was distributed at the 12/05/18 Board Meeting. Mr. Griggs advised of average student counts per grade; K – 4 = 74, 5 – 8 = 80. Mr. Pandolfo suggested that enrollment trends be reviewed in the future. Mrs. Nye advised that students and staff are looking forward to winter vacation. Teachers were celebrated at the last staff meeting. Board Members were encouraged to view the 'Thankful Tree' in the lobby.

8. Other Business

None

9. Future Agenda Items and Upcoming Committee Meetings

- Facility Issues
- Announced District-wide Tuition Rate
- Act 46 (Exit Poll)
- Executive Session – Discuss Feedback on Superintendent's and Administrators' Evaluations

10. Executive Session

An Executive Session was held under Agenda Item 6.1. No items were proposed for discussion in Executive Session under Agenda Item 10.0

11. Adjournment

On a motion by Mrs. Pompei, seconded by Mr. Hull, the Board unanimously voted to adjourn at 8:30 p.m.

Anthony Pollina's e-mail, as provided by Mrs. Kerin-Hutchins:

----- Forwarded message -----

From: **anthony pollina** <apollinavt@gmail.com>

Date: [Wed, Dec 19, 2018](#) at 3:45 PM

Subject: Re: act 46

To: Dottie Ricks <drdaerin@gmail.com>, rkerinhutchins@bsu61.org <rkerinhutchins@bsu61.org>

Hi Rebecca & Dottie,

Unfortunately, I can not make it to the meeting tonite.

I do understand the frustration many people are feeling as they are literally forced into school mergers they do not support and feel will undermine their schools and communities.

I voted against what became Act 46. At the time I argued against it on the Senate floor, expressing my concern that it would lead to forced mergers and school closings. But, supporters of the bill said this would never happen. They also argued there would be real financial savings. They were wrong. I do think some of those who supported the bill are now having second thoughts.

There will be legislation introduced to address this process.

I will be introducing a bill to require a merger to win an affirmative, yes, vote in each involved community, so no town will be "forced" to merge. It will also provide for a one year extension of time to allow those votes to take place, along with further negotiation.

I know that other legislators are also preparing bills that deal with issues regarding community votes, timeframes, debt sharing and other issues surrounding Act 46.

While there is no way now to predict the outcomes it is clear these ideas will be discussed in the Legislature this coming session.

I hope this information is helpful as you move forward.

Thanks

Senator Anthony Pollina

On [Wed, Dec 19, 2018](#) at 2:40 PM Dottie Ricks <drdaerin@gmail.com> wrote:

Hi Anthony - I am wondering if you could send me an email [today](#) if possible that describes your lack of support for act 46 and what you are willing to do to help districts being forced to merg

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Anthony Pollina
Vermont Senate
Washington County

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-- Rebecca Kerin-Hutchins
Board Member, BTMES and BSU

Respectfully submitted,
Andrea Poulin