

**Hamilton-Wenham Regional School District Committee**

**Oct. 17, 2013**

**Minutes**

**CALL TO ORDER AND  
PLEDGE OF ALLEGIANCE:**

Roger Kuebel opened the meeting at 7:06 p.m. in the Buker Multipurpose Room. The Committee and others present rose for the Pledge of Allegiance.

**PRESENT:**

Jeanise Bertrand, Bill Dery, Deb Evans, Roger Kuebel (chair), Sheila MacDonald, Bill Wilson

**ALSO PRESENT:**

Dr. Michael Harvey, Superintendent; Dr. Celeste Bowler, Assistant Superintendent for Learning; Don Gallant, Treasurer; Vincent Leone, Accountant

**ABSENT:**

Sean Condon, Barbara Lawrence

**CITIZENS' CONCERNS:**

None.

**CHAIR'S REPORT:**

R. Kuebel reported the Towns have agreed that a resident of Wenham should be appointed to the seat left open on the Committee by the resignation of a member who resided in that town at the time of her resignation. He invited Wenham residents to indicate interest in appointment by the Friday of the week following this meeting. He also invited other Committee members to indicate interest in replacing the retired member as the Committee's liaison to the SEPAC and described what it involves.

**SUPERINTENDENT'S REPORT:**

October 1 enrollment report

Dr. Harvey reported that as of Oct. 1, a total of 1795 Hamilton and Wenham students were enrolled in the district. He provided some additional enrollment statistics and noted that the written report (which is appended to these minutes) includes breakdowns by school, grade and classroom, and indicates the number of faculty children who attend district schools but reside outside the district. As of Oct. 1, 115 choice students also were enrolled at HWRHS.

**COMMITTEE REPORTS:**

Audit

B. Wilson said this working group met with the district's auditors two days prior to this meeting and went over all portions of the audit report, which was to be presented to the full Committee later in this meeting.

Building

B. Dery reported siding work is underway at the Center Building, window replacement is underway at Buker Elementary. Two projects in the \$10,000 cost range are pending. Overall, the capital improvements projects undertaken over the summer and into the school year are \$100,000 under budget.

Master plan steering

Dr. Harvey said a second "visioning session" is to take place the Monday following this meeting, and one will be scheduled for an evening or

Saturday morning in November to invite community input about the future of the school district. .

**CONSENT AGENDA:**

Minutes of Oct. 3, 2013 meeting  
Field Trip to Washington, D.C.

Both items were removed from the consent agenda at the request of Committee members. R. Kuebel said corrections are needed to the Oct. 3 minutes; a vote was deferred pending those corrections. S. MacDonald pointed out an error on the field trip request form for the Washington, D.C. trip and an error on a letter to families about the trip that was part of the packet submitted for Committee review; Dr. Harvey said he would have those errors corrected.

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO APPROVE A FIELD TRIP OUT OF STATE OVERNIGHT TO WASHINGTON D.C., DEPARTURE DATE 4/24/14 AND RETURN DATE 4/27/14. SHEILA MACDONALD SECONDED THE MOTION. THE MOTION PASSED 6-0-0-2.**

**NEW BUSINESS:**

Student Government Presentation

High school student government officers Riley Frackleton, Liz Rose, Morgan Sperry and Chase Schaub gave brief reports on freshman elections, the new teacher of the month program, digital citizenship initiative, and internship program.

Update from Tom Kondell on Buker & Winthrop Building Projects

The project manager overseeing the feasibility study re the district's proposed improvements to Buker and Winthrop distributed revised quotes (which are appended to these minutes). His presentation and an associate's, and questions and discussion that followed, touched on the estimated expense of each major component of the projects, how costs were estimated, where the possibility of hazardous materials has been ruled out, and the project components in which monitoring and special materials handling might increase costs, and by how much. B. Dery spoke about design options for ventilation. T. Kondell and R. Kuebel totalled costs, and concluded that if the Massachusetts School Building Authority agrees to reimburse the district for some of the expenses, the MSBA would pay for \$1,320,000 of the costs and the local community would be responsible for \$1,800,000.

Dr. Harvey said the Hamilton fire chief has informed the district verbally that he may require the district to install a fire suppression sprinkler system at Buker Elementary, and perhaps elsewhere. The district has received nothing about this is writing as of the date of this meeting. R. Kuebel said state law gives fire officials authority to mandate such a project if major renovations take place in a building, but the law does not detail what qualifies as major renovations; district officials are researching this.

Motion on issuing bonds for summer 2013 capital projects

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE**

**THAT WE HEREBY DETERMINE, IN ACCORDANCE WITH G.L. C. 70B,**

THAT THE AMOUNT OF THE COST OF THE CUTLER SCHOOL ROOF REPLACEMENT PROJECT AUTHORIZED BY A VOTE OF THE COMMITTEE DULY ADOPTED ON SEPTEMBER 20, 2012 NOT BEING PAID BY THE SCHOOL FACILITIES GRANT IS \$324,500 AND WE HEREBY APPROVE OF THE ISSUANCE OF NOTES AND BONDS IN SUCH AMOUNT UNDER SAID G.L. C. 70B.

THAT THE SALE OF THE \$1,582,000 GENERAL OBLIGATION MUNICIPAL PURPOSE LOAN OF 2013 BONDS OF THE DISTRICT DATED OCTOBER 22, 2013 (THE "BONDS"), TO FIDELITY CAPITAL MARKETS, A DIVISION OF NATIONAL FINANCIAL SERVICES LLC AT THE PRICE OF \$1,611,261.31 IS HEREBY APPROVED AND CONFIRMED. THE BONDS SHALL BE PAYABLE ON OCTOBER 15 OF THE YEARS AND IN THE PRINCIPAL AMOUNTS AND BEAR INTEREST AT THE RESPECTIVE RATES, AS FOLLOWS:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2014	\$57,000	2.00%	2020	\$ 95,000	3.00%
2015	80,000	2.00	2021	95,000	3.00
2016	85,000	2.00	2022	100,000	3.00
2017	90,000	2.00	2023	100,000	3.00
2018	90,000	3.00	2026	330,000	3.00
2019	95,000	3.00	2029	365,000	3.50

THAT THE BONDS MATURING ON OCTOBER 15, 2026 AND OCTOBER 15, 2029 (EACH A "TERM BOND") SHALL BE SUBJECT TO MANDATORY REDEMPTION OR MATURE AS FOLLOWS:

**Term Bond due October 15. 2026**

<u>Year</u>	<u>Amount</u>
2024	\$105,000
2025	110,000
2026*	115,000

•Final Maturity

**Term Bond due October 15.2029**

<u>Year</u>	<u>Amount</u>
2027	\$120,000
2028	120,000
2029*	125,000

♦Final Maturity

**TO APPROVE THE SALE OF A \$142,500 0.65 PERCENT GENERAL OBLIGATION BOND ANTICIPATION NOTE OF THE DISTRICT DATED OCTOBER 23,2013, AND PAYABLE OCTOBER 23, 2014 (THE "NOTES"), TO EASTERN BANK AT PAR.**

**THAT IN CONNECTION WITH THE MARKETING AND SALE OF THE BONDS, THE PREPARATION AND DISTRIBUTION OF A NOTICE OF SALE AND PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER 3, 2013 AND A FINAL OFFICIAL STATEMENT DATED OCTOBER 10, 2013 (THE "OFFICIAL STATEMENT"), EACH IN SUCH FORM AS MAY BE APPROVED BY THE DISTRICT TREASURER, BE AND HEREBY ARE RATIFIED, CONFIRMED, APPROVED AND ADOPTED.**

**THAT IN CONNECTION WITH THE MARKETING AND SALE OF THE NOTES, THE PREPARATION AND DISTRIBUTION OF A NOTICE OF SALE AND PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER 3,2013, AND A FINAL OFFICIAL STATEMENT DATED OCTOBER 10,2013, EACH IN SUCH FORM AS MAY BE APPROVED BY THE DISTRICT TREASURER, BE AND HEREBY ARE RATIFIED, CONFIRMED, APPROVED AND ADOPTED.**

**THAT THE BONDS SHALL BE SUBJECT TO REDEMPTION, AT THE OPTION OF THE DISTRICT, UPON SUCH TERMS AND CONDITIONS AS ARE SET FORTH IN THE OFFICIAL STATEMENT.**

**THAT THE DISTRICT TREASURER AND THE CHAIR OF THE COMMITTEE BE, AND HEREBY ARE, AUTHORIZED TO EXECUTE AND DELIVER CONTINUING AND SIGNIFICANT EVENTS DISCLOSURE UNDERTAKINGS IN COMPLIANCE WITH SEC RULE 15c2-12 IN SUCH FORMS AS MAY BE APPROVED BY BOND COUNSEL TO THE DISTRICT, WHICH UNDERTAKINGS SHALL BE INCORPORATED BY REFERENCE IN THE BONDS AND THE NOTES, AS APPLICABLE, FOR THE BENEFIT OF THE HOLDERS OF THE BONDS AND THE NOTES FROM TIME TO TIME.**

**THAT WE AUTHORIZE AND DIRECT THE DISTRICT TREASURER TO ESTABLISH POST ISSUANCE FEDERAL TAX COMPLIANCE PROCEDURES IN SUCH FORM AS THE DISTRICT TREASURER AND BOND COUNSEL DEEM SUFFICIENT, OR IF SUCH PROCEDURES ARE CURRENTLY IN PLACE, TO REVIEW AND UPDATE SAID PROCEDURES, IN ORDER TO MONITOR AND MAINTAIN THE TAX-EXEMPT STATUS OF THE BONDS AND THE NOTES.**

**THAT EACH MEMBER OF THE COMMITTEE, THE DISTRICT SECRETARY AND THE DISTRICT TREASURER BE AND HEREBY ARE, AUTHORIZED TO TAKE ANY AND ALL SUCH ACTIONS, AND EXECUTE AND DELIVER SUCH CERTIFICATES, RECEIPTS OR OTHER**

**DOCUMENTS AS MAY BE DETERMINED BY THEM, OR ANY OF THEM, TO BE NECESSARY OR CONVENIENT TO CARRY INTO EFFECT THE PROVISIONS OF THE FOREGOING VOTES.**

**I FURTHER CERTIFY THAT THE VOTES WERE TAKEN AT A MEETING OPEN TO THE PUBLIC, THAT NO VOTE WAS TAKEN BY SECRET BALLOT, THAT A NOTICE STATING THE PLACE, DATE, TIME AND AGENDA FOR THE MEETING (WHICH AGENDA INCLUDED THE ADOPTION OF THE ABOVE VOTES) WAS FILED WITH THE TOWN CLERKS OF EACH OF THE MEMBER TOWNS OF HAMILTON AND WENHAM (TOGETHER, THE "TOWN CLERKS") AND A COPY THEREOF POSTED IN A MANNER CONSPICUOUSLY VISIBLE TO THE PUBLIC AT ALL HOURS IN OR ON THE MUNICIPAL BUILDINGS IN WHICH THE OFFICES OF THE TOWN CLERKS AND THE DISTRICT SECRETARY ARE LOCATED, OR IN ACCORDANCE WITH AN APPROVED ALTERNATIVE METHOD OF NOTICE PRESCRIBED OR APPROVED BY THE MASSACHUSETTS ATTORNEY GENERAL AS SET FORTH IN 940 CMR 29.03(4), AT LEAST 48 HOURS, NOT INCLUDING SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS, PRIOR TO THE TIME OF THE MEETING AND REMAINED SO POSTED AT THE TIME OF THE MEETING, THAT NO DELIBERATIONS OR DECISION IN CONNECTION WITH THE SALE OF THE BONDS AND THE NOTES WERE TAKEN IN EXECUTIVE SESSION, ALL IN ACCORDANCE WITH G.L. C.30A, §§18-25 AS AMENDED.**

D. Gallant and Peter Frazier of First Southwest briefed the Committee and distributed information (which is appended to these minutes). The presentation and discussion touched on topics including the district's bond rating upgrade to AA+, interest rates, and the bonding process. (The bond documents are available to the public.)

**THE MOTION PASSED 6-0-0-2.**

Presentation from Powers & Sullivan  
on FY2013 audit

The district's auditors gave a PowerPoint presentation about the FY13 audit. (The PowerPoint slides are appended to these minutes and the full audit report is available to the public.) The presentation touched on topics including substantial improvements over the past three years, the general fund balance at the end of FY13 (\$2.3 million: \$130,000 committed for specific purposes, \$1.5 million unassigned), funds that will go into the Excess & Deficiency (E&D) account (\$450,000); revolving fund balances and appropriate levels to hold over in the circuit breaker fund; and adoption over the past year of financial policies and procedures. They said cash reconciliation remains an issue.

R. Kuebel noted that when FY13 E&D is certified by the state it would bring the balance to \$1,519,443 which exceeds the statutory limit by \$65,000, and the Committee's lower limit by \$647,000.

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO ACCEPT THE FY2013 AUDIT AND EXCESS & DEFICIENCY CALCULATION TO BE SUBMITTED TO THE STATE AS PRESENTED BY POWERS & SULLIVAN. SHEILA MACDONALD SECONDED THE MOTION. THE MOTION PASSED 6-0-0-2.**

Q1 Financial Report  
*Updated projections for full FY14 compared to budget*

V. Leone provided a quarterly financial report and projected that an end-of-year surplus of \$934,000, due to lower than expected transportation costs and a decrease in health insurance premiums. His report and discussion that followed touched on topics including increased costs that offset the impact of the above lower expenses, how he developed his projections, their reliability.

*Consideration of returning excess FY14 assessment, including revenue and budget*

Bill Wilson distributed information about state revenue and the process of determining the Towns' assessments. (The document is appended to these minutes.) The Committee discussed whether to reduce the assessments to the Towns in light of the projected end of year surplus and E&D balance that would result. Discussion touched on topics including how much to reserve in the revolving fund earmarked for special education costs, and why; which funds could be used toward capital improvements at Winthrop; how the state calculates the sum it reimburses the district for transportation; uncertainty about whether the E&D balance will transpire as forecast at this meeting; and the possible sprinkler project at Buker. R. Kuebel suggested the Committee vote at another meeting about whether to take any action to commit to reduce the Towns' assessments.

Motion to add Bill Dery to Warrant Committee

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO ADD MR. BILL DERY TO THE WARRANT COMMITTEE. DEB EVANS SECONDED THE MOTION. THE MOTION PASSED 5-0-1-2.** (B. Dery abstained.)

Discussion and vote on MASC Resolutions

Postponed.

Review of 2014-15 Calendar

The Committee and Dr. Harvey discussed pros and cons of starting the school year before or after Labor Day, and how construction in the buildings might affect that choice. (The calendar options are appended to these minutes.) The Committee decided to schedule an opportunity for public comment at a November meeting.

Policy First & Second Readings  
*First Readings*

Postponed.

*Second Readings Executive Sessions*

This proposed policy reiterates state law.

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO APPROVE THE EXECUTIVE SESSIONS POLICY AS PRESENTED. SHEILA MACDONALD SECONDED THE MOTION. THE MOTION PASSED 6-0-0-2.**

*Guidelines for Public Comment*

Committee members suggested revising this draft policy's points about pre-registration to address the Committee during meetings, whether public comment would be accepted at every meeting or generally, and the length of periods for public comment, and the phrasing regarding whether one speaker or many from one group can address the Committee at a given meeting to express similar opinions about a given issue. The Committee referred this draft policy back to the Policy Working Group for revision.

*Gifts to Staff*

This proposed policy reiterates state law.

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO APPROVE THE GIFTS TO STAFF POLICY AS PRESENTED. SHEILA MACDONALD SECONDED THE MOTION.**

D. Evans pointed out a typo, which the Committee agreed to correct.

**THE MOTION PASSED 6-0-0-2.**

*Solicitations by Staff*

This policy proposes that in order to solicit donations among students or staff, a staff member would first need to request the permission of the Committee.

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO APPROVE THE SOLICITATIONS BY STAFF POLICY AS PRESENTED. JEANISE BERTRAND SECONDED THE MOTION. THE MOTION PASSED 5-1-0-2.**

*Tutoring*

**BILL WILSON MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO APPROVE THE TUTORING POLICY AS PRESENTED. JEANISE BERTRAND SECONDED THE MOTION. THE MOTION PASSED 6-0-0-2.**

**ADJOURNMENT:**

**BILL DERY MADE A MOTION THAT THE HW REGIONAL SCHOOL COMMITTEE VOTE TO ADJOURN. THE MOTION PASSED 6-0-0-2.**

The meeting adjourned at 9:51 p.m.

**DOCUMENTS AND EXHIBITS**

Concert Band and Concert Choir field trip request form and supporting

**USED AT THIS MEETING:**

documents, 4-24-14 to 4-27-14, Washington D.C. (9 pages)  
Oct. 1, 2013 Enrollment by School (3 pages)  
Quarterly Spending for September 30, 2013 (1 page)  
Revenue & Assessments (5 pages)  
2013-2015 School Calendar options, start before Labor Day and after  
Labor Day (2 pages)  
Draft policies for second readings: Executive Sessions, Guidelines  
for Public Comment, Gifts to Staff, Solicitations by Staff,  
Tutoring (7 pages)

Respectfully submitted,  
Ann Sierks Smith, School Committee recording secretary