

Concord-Carlisle School Committee Minutes
Via Zoom
May 30, 2025

Present:

Alexa Anderson, Vice Chair, CCSC; CSC
Andrew Herchek, Vice Chair, CSC; CCSC
Tracey Marano, CSC; CCSC
Cynthia Rainey, CSC; CCSC
Carrie Rankin, Chair CSC; CCSC
Julie Viola, Chair; CCSC
Brian Waterson, CCSC

Peter Sumners: Legal Counsel from Murphy, Lamere & Murphy

Present from Administration:

Dr. Laurie Hunter, Supt. of School, CPS & CCRSD
Robert Conry, Asst. Supt. of Finance & Operations, CPS & CCRSD

I. CALL TO ORDER

Ms. Viola called the meeting to order at 9:00 AM. Roll call attendance was taken: Anderson, aye; Herchek, aye; Marano, aye; Rainey, aye; Rankin, aye; Viola, aye; Waterson, aye.

A motion was made by Ms. Marano, seconded by Mr. Herchek, to move Public Comments to after Discussion. The motion passed by roll call: Anderson, aye; Herchek, aye; Marano, aye; Rainey, aye; Rankin, aye; Viola, aye; Waterson, aye.

II. DISCUSSION

A. Article 13 Amenities Building. Ms. Viola stated that there is now a discrepancy of expected free cash in Concord. She stated that, in the interest of the taxpayers, she wants to make sure the SC is leaving no stone unturned. Ms. Marano stated that the SC had asked Peter Sumners to walk them through the scenario of amending the current motion to reflect using free cash instead of borrowing.

Mr. Sumners stated that he prepared a potential amendment to the article and shared it with the Concord Town Moderator. He stated that the town moderator felt that any modification that changes the source of funding from borrowing would be outside the scope of the article, and would be ruled out of order at town meeting. He noted that he inquired about the possibility of appealing on the floor and he was informed that Concord does not allow that procedure.

Ms. Viola noted that the CPA Funding would expire in Carlisle on August 31, 2025 if it does not pass in Concord. Ms. Viola asked Mr. Sumners to explain the ballot vote process and timeline. Mr. Sumners stated that, in terms of a ballot vote, the article was being presented as a debt exclusion under Proposition 2 1/2. He stated that Concord's finance policy states that any borrowing that exceeds the levy limit must go to a ballot vote. He stated that, given

that this is a debt exclusion, it is governed by statute, and is a temporary increase over the levy limit that will allow you to pay for expenses that are going to go away, such as capital projects. He stated that the article is being presented as a debt exclusion to pay for the debt on the borrowing of the amenities building which will temporarily increase the taxes and by law has to be approved at town meeting and go to a vote of the voters in the town.

Mr. Sumners stated that his interpretation of the warrant is that it includes language that is sufficiently broad to allow for an amendment, with the caveat that he is not town counsel or moderator. He stated that, even though it states "that the appropriation shall be raised by borrowing or otherwise", town articles that typically allow for multiple sources of appropriation have a different set of phrases that say something like "to raise an appropriate or appropriate from available funds". The town feels voters would not have understood that the article had the potential to be amended to appropriate from free cash, noting that he disagrees with that.

Ms. Viola commented on how much work has been gone into getting an amenities building going, noting that she doesn't want people who are advocating for this to bring this up and be ruled out of order, causing the whole project to go by the wayside. Mr. Sumners stated that the SC needs to decide how to continue to present this to voters to give it the best chance of passage. Mr. Conry stated that the SC could suggest that the town get a ban instead of a bond when they borrow, and pay down the interest and principal with free cash when it comes due. He stated that it would not be built into the taxes this way.

Ms. Marano stated that they have tried to be creative with funding sources, going to Senator Barrett, Lori Trahan, state representatives, and municipal grants. She asked, if this fails at town meeting, and the Carlisle funding expires on August 31, 2025, would they have any other way to access free cash? Mr. Sumners stated that they could petition for a special town meeting to appropriate from free cash before Carlisle's appropriation expired. He recommended having a conversation with town officials prior to starting a petition process.

Ms. Viola stated that most people are not against the ADA lead, but the issue is around borrowing. She stated that she would hate for opinion, or the way each constituent is reading the legal language, to get in the way of alleviating the taxpayer burden. She asked if they would really be called out of order if the intent was to lower the taxpayer burden.

III. PUBLIC COMMENT

1. Jessica Reed, 126 Alcott Road, Concord. Ms. Reed asked if the free cash flow is the result of borrowings that were made that were then not used for the projects allocated, and therefore could still be labeled as borrowings in part of Proposition 2 1/2 . She then asked if the town moderator has the fiduciary responsibility to use their discretion in the best interest of the town and its citizens. She stated that it's certainly seems that using the free cash would be in the best interest of the citizens, noting that she fears that the progress is going to get lost in legalities.

2. Wilson Kerr. Mr. Kerr stated that citizens are going to town meeting with the idea that the warrant is going to increase their taxes. He said a last minute change, even though out of scope, would be an actual reduction, not an increase, and asked that it be considered.

He then asked what happens if it doesn't pass since Carlisle's money was conditional on the passing, would Concord be legally allowed to pay Carlisle's share of 23% if that were to happen next year.

3. Mark Martinez, 66 Alford Circle, Concord. Mr. Martinez stated that he feels there has been some finger pointing going back and forth and suggested an amendment to authorize the borrowing, which then included urging the town and CPC to fund when the funding is available. He noted that this would allow the town and voters to go on record.

IV. ADJOURNMENT

Ms. Marano made a motion, seconded by Mr. Waterson, to adjourn. The motion passed by roll call: Anderson, aye; Marano, aye; Rainey, aye; Rankin, aye; Viola, aye; Waterson, aye, and the meeting adjourned at 9:53 AM.

Respectfully submitted,

Erin Higgins

Approved: June 10, 2025

Abbreviations:

ADA Americans with Disabilities Act

CCHS Concord-Carlisle High School

CCRSD Concord-Carlisle Regional School District

CCSC Concord-Carlisle Regional District School Committee

CEF Concord Education Fund

CPC Community Preservation Committee

CPS Concord Public Schools

CSC Concord School Committee

SC School Committee