

Timberlane Regional School Board
Atkinson, Danville, Plaistow and Sandown
New Hampshire

Minutes of the Deliberative Session
February 07, 2013

Call to Order

At the Timberlane Performing Arts Center, Moderator Steven Ranlett called the February 07, 2013 Deliberative Session to order at 7:06 PM. He then led the assembly in the Pledge of Allegiance.

The Moderator introduced himself and the Assistant Moderator, NH State Representative Norman Major and stated that the Deliberative Session would be conducted following Roberts Rules of Order.

The Moderator informed those present that a citizen's petition had been brought forward to him, which requested that the vote on any amendments to the operating budget be conducted by secret ballot. He explained how the Warrant Articles can be amended during the proceedings.

The Moderator stated that voting on warrant articles number 1 through number 8 will be conducted by official ballot to be held in conjunction with town meeting voting to be held on Tuesday, the 12th day of March, 2013, at the Town election polls in Atkinson, Danville, Plaistow, and Sandown, New Hampshire.

Atkinson	Voting will be conducted at the Atkinson Community Center from 7am-8pm
Danville	Voting will be conducted at the Danville Community Center from 8am-7pm
Plaistow	Voting will be conducted at Pollard School from 7am-8pm
Sandown	Voting will be conducted at the Sandown Town Hall from 8am-8pm

School Board Members in attendance: Robert Collins (Chair), Lori Aubrey (Vice Chair), Lisa Withee, Peter Bealo, Elizabeth Kosta, Michael Mascola, Roger Barczak, Kate Delfino. Absent: Nancy Steenson

Budget Committee Members in attendance: Michelle O'Neil (Chair), Gregory Spero (Vice Chair), Donna Green, Cathy Lisi, Catherine Rochford, Diane Rothwell. Absent: Dennis Francoeur, Barry Weymouth

Others present: Dr. Earl Metzler (Superintendent of Schools), Winfried Feneberg (Assistant Superintendent), George Stokinger (Business Administrator), and Mike Elwell (District Legal Counsel).

Article One – Election of Officers

The Moderator outlined the Election of Officers that will be voted on March 12, 2013.

Danville Voters	School Board Member	3-Year Term
Plaistow Voters	School Board Member	3-Year Term
Sandown Voters	School Board Member	3-Year Term
Atkinson Voters	Budget Committee Member	1-Year Term
Danville Voters	Budget Committee Member	3-Year Term
Plaistow Voters	Budget Committee Member	2-Year Term
Plaistow Voters	Budget Committee Member	3-Year Term
Sandown Voters	Budget Committee Member	3-Year Term

Article Two – Operating Budget

The Moderator stated that there would be a change in the wording of Article Two, and that the second instance of the word "operating" in the paragraph would be changed to the word "default." Article Two with that correction will read as follows:

Shall the Timberlane Regional School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$64,272,418**? Should this article be defeated, the **default** budget shall be **\$64,418,761** which is the same as last year, with certain adjustments required by previous action of the Timberlane Regional School District or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Note: Warrant Article 2 (the operating budget) does not include appropriations proposed under any other warrant articles. (MAJORITY VOTE REQUIRED)

Recommended by the School Board 9-0

Recommended by the Budget Committee 8-0

A motion by Michael Mascola, seconded by Catherine Rochford, to place Article Two on the floor for discussion.

Michelle O'Neil, Chair of the Timberlane Budget Committee, gave a brief explanation of the duties of the Budget Committee, who the members are and how the Budget Committee operates. She introduced the members present.

Mrs. O'Neil gave a power point presentation on the proposed budget.

Resident Chris Russell of Sandown requested an explanation of why the default budget is not the amount of the previous year's budget.

Business Administrator George Stokinger explained the default law and how the default budget is determined.

The Moderator read the following list of non-voters that may speak or present information at the Deliberative Session.

Dr. Earl Metzler	Superintendent of Schools
George Stokinger	Business Administrator
Atty. Mike Elwell	District Legal Counsel
Kelli Killen	Director of Elementary Education
Scott Strainge	Director of Secondary Education
Deb Armfield	Director of Professional Learning
Dr. Roxanne Wilson	Director of Pupil Personnel
Beth Rincon	Assistant Director of Pupil Personnel
Nancy Danahy	Director of Human Resources
Michelle Gaydos	Principal - Pollard
Douglas Rolph	Principal - Sandown Central
Michael Hogan	Principal - Timberlane Regional Middle School
John Holland	Director of Technology
Tony DiBartolomeo	Director of Music
Jim Hughes	Director of Facilities
Linda Heuer	Technology Coordinator
Renzo Binagi	Director of the Evening Division
Lou Broad	TTA – Teachers' Union President
Lorraine Mascioli	TTA – Teachers' Union Vice President

A motion by Sue Sherman of Plaistow, seconded by Jack Sapia of Atkinson, to accept the non-resident list as stated. Having no further discussion, the motion passed by voice vote.

Resident Jack Sapia of Atkinson thanked the School Board and the Budget Committee for their service and asked for an explanation of the secret ballot process.

The Moderator explained that if there were no amendments to Article Two, the Article would be placed on the ballot as written. If there were any amendments proposed they would be decided by secret ballot. He stated that the signatures on the petition for the secret ballot had been verified by the Supervisors of the Checklists.

The Moderator stated that any proposed amendments had to be submitted in writing.

Resident Dennis Heffernan of Plaistow asked for clarification on the secret ballot process.

Attorney Mike Elwell clarified the RSA and the process.

Resident Sue Sherman of Plaistow requested more information on the increase in the SAU budget. Michelle O'Neil gave a brief explanation of the SAU Budget and the SAU Board and then deferred the question to the Chair of the SAU Board, Michael Mascola. Mr. Mascola explained that the budget included contractual payouts for the previous Superintendent as well as salary increases for three positions and a performance bonus for the Superintendent.

Mr. Stokinger explained that the rate increase in the New Hampshire Retirement System also contributed to the increase, and that 60% of the SAU budget was composed of staff salaries.

Budget Committee member Donna Green stated that the severance package the previous Superintendent received was not included in this proposed budget.

Resident Jack Sapia of Atkinson made a motion to increase the Operating Maintenance & Grounds - Supplies line item from \$25,000 to \$175,000, an increase of \$150,000. The motion was seconded by Resident Ed Murphy (no town given).

Mr. Sapia explained why he is asking for an increase. He would like to see the purchase of equipment which would be used for grooming the ball fields in less time than can be accomplished with current equipment and staff, and would like fencing installed around the fields.

Resident Louise Pajak of Sandown stated her support of the amendment and asked if the polls would be open for an hour for the secret ballot.

The Moderator stated that the polls would be open until he felt all people present or who had walked in had voted and he would then close the polls.

Resident Christopher True of Sandown stated that he was not in favor of passing the amendment.

School Board member Peter Bealo asked for the amendment to be re-read.

The Moderator re-read the amendment.

Mr. Bealo questioned whether or not an amendment can be made on a specific line in the budget.

Attorney Elwell explained that although a motion to amend the operating budget is an amendment on the bottom line of the budget, the person making the amendment can express their intention to change a specific line item of the budget.

Mr. Sapia clarified his intent in proposing the amendment.

School Board member Michael Mascola requested clarification on what type of equipment Mr. Sapia was proposing and whether or not he had conferred with the Director of Facilities Jim Hughes. Mr. Sapia stated that he had not consulted with Mr. Hughes, and that the equipment was a three wheel John Deere which he had priced at \$22,000.

Budget Committee member Donna Green stated that she thought such a purchase should come out of a capital account, not the operating budget.

Resident Dennis Heffernan of Plaistow asked that if the amendment passes, does the increase have to go toward what the amendment is saying or can it be spent on anything else.

Attorney Elwell responded that the budget is a bottom-line budget, and there is no requirement that the increase be spent on the intention of the amendment.

Mr. Heffernan asked if there was any way to guarantee that the money would be spent on what the amendment intended.

Attorney Elwell stated that there was not.

Mr. Stokinger stated that in the past, the intent of amendments has been honored when the money had been expended.

Superintendent Metzler stated that if the amendment passes, the District would support its intent.

Mrs. Green made a distinction between a capital expense and operating budget, and stated that she is of the opinion that the money should come out of the capital reserve fund instead of being added to the operating budget. She is not in favor of the amendment.

Mrs. O'Neil clarified that if the equipment was purchased it would be a one-time expense and would be removed from the following year's budget.

Mr. Stokinger stated that the Capital Reserve Fund is specific to purpose and cannot be used for this purchase.

There being no further discussion, the Moderator informed the voters they would now vote by secret ballot, and that voters would have to show their voter card to receive a ballot.

The ballot results were forty-one votes for the amendment, and thirty-four votes against the amendment. The amendment passed and Article Two was amended as follows:

Shall the Timberlane Regional School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$64,422,418**? Should this article be defeated, the default budget shall be **\$64,418,761** which is the same as last year, with certain adjustments required by previous action of the Timberlane Regional School District or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Note: Warrant Article 2 (the operating budget) does not include appropriations proposed under any other warrant articles. (MAJORITY VOTE REQUIRED)

Recommended by the School Board 9-0

Recommended by the Budget Committee 8-0

Resident Jack Sapia of Atkinson made a motion to increase the bottom line of the operating budget by \$75,000. The motion was seconded by Ed Murphy (no town given).

Mr. Sapia explained that the purpose of the amendment was to purchase new equipment for the athletic teams and to refurbish current athletic facilities.

Resident Jennifer Caruso of Danville spoke against the amendment.

Resident Chris Russell of Sandown spoke against the amendment.

Resident Arthur Green of Sandown spoke against the amendment.

Mr. Sapia re-stated his purpose in proposing the amendment.

School Board member Peter Bealo asked if there is space to store a new tractor and other new equipment such as batting cages.

Director of Facilities Jim Hughes stated that there was available space to store the tractor and batting cages could be left outside.

Mrs. Green stated that the previous amendment that passed had increased the recommended budget so that it was now greater than the default budget.

There being no further discussion, the Moderator informed the voters they would now vote on the motion by secret ballot.

The ballot results were twenty-six votes for the amendment, and forty-eight votes against the amendment. The amendment was defeated.

Having no further discussion the Moderator directed Article Two be placed on the ballot as amended.

A motion by Louise Pajak to restrict reconsideration of Article Two, seconded by Elizabeth Kosta. The motion passed by voice vote.

Article Three – Capital Reserve Fund

Shall the Timberlane Regional School District raise and appropriate up to **\$200,000** to be placed in the School Building Construction, Reconstruction, Capital Improvement and Land Purchase Capital Reserve Fund established in 1996, with such amount to be transferred from the June 30, 2013 unassigned fund balance (surplus) available for transfer on July 1 of this year? (MAJORITY VOTE REQUIRED)

(The funds for this article come from the 2012-2013 school budget surplus, not from additional taxes.)

Recommended by the School Board 9-0

Recommended by the Budget Committee 8-0

A motion by Michelle O'Neil, seconded by Michael Mascola, to place Article Three on the floor for discussion.

The Moderator solicited questions or comments, having none he directed Article Three be placed on the ballot as written.

A motion by Michelle O'Neil to restrict reconsideration of Article Three, seconded by Peter Bealo. The motion passed by voice vote.

Article Four – Collective Bargaining Agreement (Timberlane Teachers’ Association)

Shall the Timberlane Regional School District vote to approve the cost items included in the collective bargaining agreement reached between the Timberlane Teachers’ Association and the Timberlane Regional School Board, which calls for the following increases in salaries and benefits at the current staffing levels over the amount paid in the prior fiscal year:

Cost Distribution	2013-14	2014-15	2015-16
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Salaries	\$494,737	\$589,674	\$561,794
FICA	37,847	45,110	42,977
NH State Retirement	70,055	83,498	79,550
Medical	(204,436)	0	0
TOTAL	\$398,203	\$718,281	\$684,321

and further to raise and appropriate the sum of **\$398,203** for the 2013-14 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at the current staffing levels? (MAJORITY VOTE REQUIRED)

*Recommended by the School Board 8-1
Recommended by the Budget Committee 7-1*

A motion by Elizabeth Kosta, seconded by Catherine Rochford, to place Article Four on the floor for discussion.

Resident Jim Garrity of Atkinson asked if Article Four could be amended.

Attorney Elwell stated that the dollar amount of a Collective Bargaining Agreement (CBA) Warrant Article can be amended, but under statute the consequence of that action would be to allow either party to re-open negotiations, which would in effect defeat the Article.

Mr. Garrity made a motion to decrease the bottom line of the 2013-2014 Total Cost to \$248,203, a decrease of \$150,000. The motion was seconded by Chris Russell of Sandown.

Timberlane Teachers Association (TTA) Union President Lou Broad stated that while he understood the spirit of the amendment, he would emphasize the serious consequences if the amendment passed. He asked voters not to support the amendment.

School Board Chair Rob Collins stated that much time and effort had gone into negotiating the (CBA).

Resident Sue Sherman of Plaistow asked voters to support the Warrant Article as written.

Resident Debra Brown of Sandown stated that she though it unfair to ask the teachers to bear the cost of the previous amendment to Article Two. She asked voters not to support the amendment.

Resident Myra Hogan of Plaistow asked voters not to support the amendment.

Mr. Collins stated that in the previous TTA contract of 2006 – 2009, the cost of the contract was just over three million dollars over three years or one million per year and the \$398,203 of the CBA on this warrant article is a fair amount of money.

Resident Jack Sapia of Atkinson asked what the tax impact of the previous \$150,000 amendment to Article Two would be.

Business Administrator George Stokinger stated that he did not have the exact tax impact figure, but that \$150,000 of a \$64,000,000 budget is a relatively small percentage. He also noted that the handouts provided showed the tax impact of the TTA contract of \$398,000 as a perspective.

Resident Arthur Green of Sandown spoke against the amendment.

Mr. Garrity made a motion to withdraw his amendment. Ms. Russell withdrew her second to the motion.

Resident Shawn O'Neil of Danville made a motion to move the question. The motion was seconded by Dennis Heffernan of Plaistow.

Mr. Heffernan asked why one person from the School Board and one person from the Budget Committee did not recommend Article Four.

Budget Committee member Donna Green stated that she opposed the Article because of the terms of the contract, not because of the money. Her fundamental reason for opposing the Article was because the pay was not merit based.

School Board Member Roger Barczak stated that his reason for opposing the Article was because of the current economic situation.

Jack Sapia stated his support of the Article.

The Moderator directed Article Four be placed on the ballot as written.

A motion by Michelle O'Neil to restrict reconsideration of Article Four, seconded by Lisa Withee. The motion passed by voice vote.

Article Five - Authorization for Special Meeting on Cost Items

Shall the Timberlane Regional School District, if Article 4 is defeated, authorize the Timberlane Regional School Board to call one special meeting, at its option, to address Article 4 cost items only?

(Without this Article the District would have to petition Superior Court for a Special School District Meeting. This saves the District the expense of attorney fees and court costs).

Recommended by the School Board 9-0

Recommended by the Budget Committee 7-1

A motion by Peter Bealo, seconded by Michael Mascola, to place Article Five on the floor for discussion.

The Moderator solicited questions or comments, having none he directed Article Five be placed on the ballot as written.

Article Six – Fund Balance Retention (Surplus)

Shall the Timberlane Regional School District vote to authorize, indefinitely until rescinded, the retention of year-end unassigned general funds in an amount not to exceed, in any fiscal year, 2.5 percent of the current fiscal year's net assessment, for the purpose of having funds on hand to use as a revenue source for emergency expenditures and over-expenditures under RSA 32:11, or to be used as a revenue source to reduce the tax rate, all in accordance with 198:4-b, II? (MAJORITY VOTE REQUIRED)

Recommended by the School Board 8-1

Recommended by the Budget Committee 8-0

A motion by Elizabeth Kosta, seconded by Michael Mascola, to place Article Six on the floor for discussion.

Michelle O'Neil noted that 198:4-b, should read "**RSA** 198:4-b."

Resident Shawn O'Neil of Danville requested an explanation of how the money would be pulled out of the fund.

Business Administrator George Stokinger explained that the Article comes from new state legislation. He stated that previously surplus had to be returned to the voters, but the new legislation allows school districts to retain a small portion of the surplus as a safeguard against conditions such as unexpected expenses in a tight budget year or a shortfall in revenue. He further stated that it does not increase the budget but that the legislation would allow the District to petition the Commissioner of Revenue to exceed the budget and this fund would be used to pay for that additional expense. It could also be used to offset a spike in the tax rate if foreseen for the following year. Article Six, if it passes, would allow the School Board to make a decision each school year whether or not to set aside any money from the surplus for this purpose.

Mr. O'Neil asked if there were any checks and balances on the process.

Mr. Stokinger stated there were checks and balances.

The Moderator solicited additional questions or comments, having none he directed Article Six be placed on the ballot as corrected.

Article Seven – General Acceptance of Reports

Shall the Timberlane Regional School District accept reports of agents, auditors, and committees as written in the 2012 Annual Report? (MAJORITY VOTE REQUIRED)

Recommended by the School Board 9-0

A motion by Gregory Spero, seconded by Michael Mascola, to place Article Seven on the floor for discussion.

The Moderator solicited questions or comments, having none he directed Article Seven be placed on the ballot as written.

Article Eight – SAU Budget on Warrant Petition by Donna Green et al

Shall the voters of the Timberlane Regional School District within School Administrative Unit number 55 adopt the provisions of RSA 194-C:9-b to allow for insertion of the school administrative unit budget as a separate warrant article at annual school district meetings? (MAJORITY VOTE REQUIRED)

A motion by Michelle O'Neil, seconded by Catherine Rochford, to place Article Eight on the floor for discussion.

Mrs. Green gave a brief presentation of the purpose of the Article, that purpose being to allow Timberlane and Hampstead voters to approve the SAU budget directly. She stated that the SAU budget is not vetted by the Budget Committee and this Article, if passed, would allow voters to have oversight over the SAU budget. She further stated that in nine years the SAU budget had increased by 41%.

Mr. Collins clarified that the SAU Board serves as the SAU Budget Committee, and that they do vet the budget.

Mrs. Green stated that she had seen only one meeting of the SAU Board where the SAU budget was discussed, and that the only line item discussed at that meeting was salaries.

Resident Shawn O'Neil of Danville asked if there was a similar warrant article in the Hampstead School District and what would happen if one District passed the Warrant Article and the other District did not.

Attorney Elwell stated that all of the votes for both TRSD and HSD would be aggregated and a majority of the combined votes would determine if the Article passed or failed.

Michelle O'Neil asked if Mrs. Green could tell the voters why the SAU budget is up 41%.

Mrs. Green stated that she does not know why, she has looked at the bottom line only.

The Moderator solicited questions or comments, having none he directed Article Eight be placed on the ballot as written.

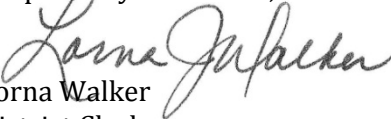
Michelle O'Neil thanked Catherine Rochford, Cathy Lisi and Barry Weymouth for their service to the Budget Committee.

Rob Collins thanked Michelle O'Neil for her service to the Budget Committee, and thanked Lori Aubrey and Lisa Withee for their service to the School Board.

***A motion by Michael Mascola, seconded by Peter Bealo to adjourn.
Motion passed by voice vote.***

Moderator Ranlett adjourned the Deliberative Session at 9:18pm.

Respectfully Submitted,


Lorna Walker
District Clerk