

## Haverhill Public Schools - School Committee Regular Meeting Remote Meeting of April 9, 2020 revised 05.11.20

### Roll Call - Pledge of Allegiance.

Mayor James Fiorentini, Chairperson called the meeting to order at 7:08 pm and requested a roll call of the members.

Mrs. Sapienza Donais	Present	Ms. Sullivan	Present
Mrs. Ryan-Ciardiello	Present @ 7:12 pm	Attorney Magliocchetti	Present
Mr. Wood	Present	Attorney Rosa, Vice Chair	Present
Mayor Fiorentini, Chair	Present		

Dr. Margaret Marotta, Superintendent of Schools, Mr. Michael Pfifferling, Assistant Superintendent and Attorney William Cox, Legal Counsel were also Present.

The Pledge of Allegiance was recited.

#### Opening Statement.

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 20. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."

#### This meeting will be available: via this link:

https://stream.meet.google.com/stream/1c3694df-cf56-4776-9e6f-0343b29e877d or for the full meeting recording on our website www.haverhill-ps.org will be available the next day.

#### Communications and Reports.

#### Superintendent Comments/Reports.

Coronavirus Update.

Dr. Marotta announced that students were officially back to school and the remote learning plan had been implemented. She reported that there were a few students were being contacted who had not responded yet and asked parents to contact the school with the preferable contact method. The Superintendent related that teachers are requested to be in contact at least twice a week with students; specifically, a teacher will have contact with a student twice a week, it may not be the same teacher who is reaching out to the student. Dr. Marotta commented that the district had developed a strategy to find students who were not participating in class instruction. She gave a "shout out" to Tilton teacher Kristen Assad for finding a way to identify students who were online and instant messaging them to join her in class; Ms. Assad had shared this information with her colleagues.

Mayor Fiorentini asked about the district strategy. Dr. Marotta responded that using Google Superintendent Marotta responded that there is a feature in the Google Platform called Google Family and through this means you can determine if students are online and invite them to class.

In reference to the Mayor's question on students who had not been participating, Dr. Marotta stated that the goal was to first determine the child's safety; she noted in a few cases, the students had gone out of state to visit family or even traveled out of the country.

The Superintendent announced that 3,000 Chromebooks had been distributed last Friday. She noted that during our efforts approximately 500-600 Chromebooks needed repair/rejuvenation and this work was being done internally by the IT Department. Dr. Marotta reported on behalf of the IT Department, that 325 classroom meetings were being conducted daily through Google Classroom and for any computer issues, the support ticket system was available through the parent portal. Additionally, the slow internet issue especially in the morning was being addressed by trying to identify more hotspots.

Dr. Marotta provided a Food Service Department update noting that approximately 33,000 total meals had been provided, along with continuing to serve 1,000 daily meals to our families. She was very proud of these accomplishments.

### FY21 Budget.

Superintendent stated that the budget outlook remained unclear and several budget scenarios were being developed. She commented that the Finance Subcommittee had been meeting.

Mrs. Sapienza Donais asked how the pandemic was impacting our staff and student body.

Dr. Marotta asked Mr. Pfifferling if there were current numbers available from Human Resources. He responded that information would be available before the conclusion of the meeting.

The Superintendent reported that the Student Opportunity Act Application had been filed on time April 1, 2020, although, there was conjecture funding would be delayed for one to two years.

#### Haverhill 311.

Dr. Marotta commented that this system was available with an extensive support network for the community through the Mayor's website or by calling 311.

Mayor Fiorentini praised the Haverhill Education Association for creating a MASH help group which is tied into the 311 system. He commended the HEA, non-profit groups and the 311 staff.

Assistant Superintendent Pfifferling reported 10 staff members/students had been impacted by COVID-19, with three staff members being diagnosed with the virus. He further noted that several staff members' families had also been diagnosed with the virus.

In response to Mrs. Sapienza Donais' question about outreach, Mr. Pfifferling responded that the Ms. Katie Vozeolas, Supervisor of School Health and Nursing Services along with the nursing staff, in conjunction with Ms. Mary Connelly, City Public Health Nurse had aided families.

Based on the Mayor's question, the Assistant Superintendent responded that Ms. Vozeolas had recovered fully from the virus.

Mayor Fiorentini thanked the school nurses for their assistance during the pandemic.

Dr. Marotta acknowledged the impressive efforts of our staff and was proud of the team's work.

#### School Committee Communications.

Attorney Rosa: Update and Discussion Regarding HPS Transportation Contracts.

Mrs. Ryan-Ciardiello joined the meeting at 7:12 pm.

Attorney Rosa reported on the recent Transportation Subcommittee meetings:

- ◆ The subcommittee (included himself and member along with Mrs. Ryan-Ciardiello) has met twice since the last School Committee meeting;
- Participating in the meetings were Dr. Marotta, Mr. Pfifferling and Attorney Cox;
- The last meeting was yesterday and NRT Owner John McCarthy joined the first part of the meeting;
- ♦ More information than two weeks ago;
- There are three types of transportation contracts: big bus special education buses and smaller transportation companies (out of district and homeless students);
- Start with out-of-district and homeless; no formal contracts with these companies;
- ◆ Total cost of transportation **for out-of-district and homeless** is \$1.9 million per year;
- Approximate savings of \$600,000 if we discontinue paying companies that provide homeless and out of district transportation for the rest of the year;
- The estimated savings from not paying the NRT big bus contract is \$720,000;
- ♦ The estimated savings from not paying the NRT special education contract is \$260,000.

He and Mrs. Ryan-Ciardiello agreed that these companies can qualify for the Federal Government's Paycheck Protection Program and therefore, the recommendation was to discontinue payment to the smaller companies.

Mrs. Ryan-Ciardiello agreed with Attorney Rosa. She commented that it was a long, tedious meeting, much information was shared, the details were settled and wished to hear from other members of the committee. Mrs. Ryan-Ciardiello thanked Attorney Rosa.

Attorney Rosa continued with additional details:

- When NRT purchased Coppola Bus Company, the company now has both big bus and special education bus contracts;
- NRT was requesting 95% of the contract or 92.5% if we agree to pay through the end of the year now;
- ♦ The big bus contract cost 95% would be \$700,020 and 92.5% would be \$666,000; savings of about \$54,000;
- 54 NRT employees associated with Haverhill for two contracts;
- Too many employees as a company to qualify for PPP Program;
- NRT may qualify for a tax credit program in the amount of approximately \$140,000;
- ◆ Agreement from Mr. McCarthy if company is paid 92.5%; he will reimburse Haverhill the \$140,000;
- A recommendation that any action taken be for two weeks, this will allow the committee to check the landscape;
- The estimated savings from not paying the NRT big bus contract is \$720,000;
- The estimated savings from not paying the NRT special education contract is \$260,000;
- It does not make sense to be the first district to act;
- The matter should be continued to the next regular meeting agenda.

Mrs. Ryan-Ciardiello stated that the initial request from NRT was 70% and then it rose to 92.5%; she wanted to ensure taxpayers that there would be no further changes.

Mr. Pfifferling responded that Mr. McCarthy's initial request of 55-75% when it appeared the shutdown would be for two weeks. However, since the shutdown extension more funds are a majority of contract was needed to sustain the company.

Attorney Magliocchetti asked about the company issues and suggested that they apply for these programs and that the district not pay for the contract. He inquired if there was discussion on the EIDL Disaster Loan Program. He commented that this loan program was extra funding, covered more expenses and for a longer period of time.

Attorney Rosa responded they only spoke about the PPP and Tax Credit Programs and not the EDIL Program. He stated that the company's concern was employees would make more money in unemployment and it would be difficult to obtain drivers for the reopening of schools.

Attorney Magliocchetti asked if any of our vendors qualified for the stimulus funds.

Attorney Cox replied that Mr. McCarthy was confident that his company would receive stimulus monies and that is the reason for his offer of returning received funds, if contract was paid.

Attorney Magliocchetti strongly encouraged NRT to apply for EDIL funds.

Mr. Wood inquired of the Assistant Superintendent the mark-up on contracts.

Assistant Superintendent Pfifferling responded that Haverhill's big bus contract was the lowest in the State (\$244/per day and the district paid for the fuel. Although additional runs (afternoon, loop, Gateway) provided supplementary compensation, the company claimed to make a 3% profit. Mr. Pfifferling commented NRT was holding the line at 95% with all districts.

Mr. Wood offered that our contract was lower, but doubted the 3% profit. He recommended waiting and not committing to the 95% and did not want to be the trendsetter in this matter.

Mr. Pfifferling reported that NRT districts were handling the matter in several ways, including not paying the contract, negotiating lower rate, establishing a performance bond and negotiating as a group.

Mr. Wood commented that larger districts (cities) are holding off on a decision.

Ms. Sullivan asked about the worst-case scenario, including NRT going out of business.

The Assistant Superintendent referenced Mr. McCarthy's assertion of invoking force majeure and causing the district to rebid the contract. He commented it was a difficult decision for the Committee.

Mrs. Sapienza Donais was concerned about the dedicated, hard-working bus drivers.

Mr. Pfifferling was concerned with busses for the reopening.

Attorney Magliocchetti related that the applications should have been already submitted by Mr. McCarthy. He asked about savings received as a result.

Mayor Fiorentini assured the Committee that funds would be committed to the school district. He was extremely concerned with the budget deficits and did not recommend payment.

Attorney Magliocchetti agreed with non-payment, but wanted to consider the employees. He believed based on the loan programs, there were assurances that NRT would be able to stay in business through the pandemic and its aftermath.

Mayor Fiorentini asked for a motion on this matter.

Mr. Wood made a motion to not pay the contract. Attorney Rosa seconded the motion.

Attorney Rosa suggested voting on each contract individually, starting with the homeless and out-of-district transportation.

Assistant Superintendent Pfifferling recommended specifying a date.

It was clarified that in a previous action, the School Committee authorized the transportation companies be paid until March 31, 2020.

Mr. Wood amended his motion to state effective April 1, 2020, the district will stop paying the transportation company that provides homeless and out-of-district transportation. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

0 members absent

A motion was made by Mr. Wood that effective April 1, 2020, the district will stop paying the transportation company NRT that provides special education transportation. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

0 members absent

A motion was made by Mr. Wood that effective April 1, 2020, the district will stop paying the transportation company NRT that provides big bus transportation. Attorney Rosa seconded the motion.

Ms. Sullivan stated that the Committee needed to vote on the motion.

Attorney Cox recommended that the contract should not be voided, so the motion should contain the phrase "for services that are not received on the contract".

School Committee Regular Meeting 04.09.20 - Page 5 of 10 revised Attorney Rosa

Mr. Wood noted that to avoid any challenges, he made a motion to reconsider the vote on the homeless and out-of-district transportation. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

A motion was made by Mr. Wood that effective April 1, 2020, we no longer pay for services not received relative to out-of-district and homeless transportation. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

A motion was made by Mr. Wood to reconsider the motion on not paying NRT for special education transportation. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

A motion was made by Mr. Wood that effective April 1, 2020, we no longer pay for services not received relative the special education contract (NRT). Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

Mayor Fiorentini would reconsider his vote if NRT offered another lower rate contract.

A motion was made by Mr. Wood that effective April 1, 2020, we no longer pay for services not received relative to the big bus contract (NRT). Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

### Subcommittee Reports.

Attorney Magliocchetti provided a report on the Finance Subcommittee meeting held last week. He stated that the minutes were presently being circulated and numerous issues were discussed. Finance Chair Magliocchetti related that the subcommittee (Mr. Wood and Ms. Sullivan) recommended a level-service budget along with various scenarios be prepared. Additionally, the Student Opportunity Act was discussed among the members and a potential Statement of Interest for John Greenleaf Whittier School. Attorney Magliocchetti announced that Finance Subcommittee meetings would be held every two weeks and thanked the Superintendent and Assistant Superintendent for their input and guidance.

Mayor Fiorentini reported that it was going to be a difficult year and that the consensus was that a State budget would not be finalized until September. He stated it was possible a supplemental budget would need to be completed at that time.

#### Old Business.

School Choice for 2020-2021 (remained on table 04.09.20).

Dr. Marotta requested that School Choice remain on the table.

### Student Opportunity Act Submission.

Superintendent Marotta related that the district submitted the application (presented to the Committee on 3.26.20) on time. Both Dr. Marotta and the Mayor noted that there would be changes to the SOA.

#### Statement of Interest – John Greenleaf Whittier Middle School.

Attorney Magliocchetti reported that it was important to get in the MSBA cue, since he was a strong supporter of a new school building and requested that the Superintendent/Assistant Superintendent review several models. He emphasized the importance of continuing the discussion.

Assistant Superintendent Pfifferling requested action on this item so that an application could be submitted by the new deadline of May 6, 2020, since it was a lengthy process.

Mayor Fiorentini supported a new school, however, he would not block submission of an SOI.

Attorney Magliocchetti doubted that approval would be received this year, since Consentino did not get approved the first time.

Attorney Rosa offered that it would be three years before a financial commitment would be decided, if the application was accepted.

A motion was made by Attorney Magliocchetti to authorize the Superintendent/Assistant Superintendent to submit a SOI for the Committee's approval. Mrs. Ryan-Ciardiello seconded the motion.

Since it would be a recommendation to him, Mayor Fiorentini would vote present on this motion.

### A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Abstain		

6 members voted in the affirmative

Motion passes

0 members voted in the negative

1 member abstained

#### New Business.

Vice Chair Rosa read the following Warrants recommended by the Superintendent to be approved:

1) Warrant Number EV202000410 totaling \$709,164.73 ../../Users/bcassano/Documents/Warrants 04.09.20.pdf

A motion was made by Attorney Rosa to approve Warrant Number EV202000410 totaling \$709,164.73. Mr. Wood seconded the motion.

Mrs. Sapienza Donais questioned the Market Basket Bill.

Assistant Business Manager Kathleen Smith joined the meeting and responded that Leaning Café, Special Education High School Café and Discovery Club purchased food for their programs. She believed a backup of bills were being processed. Mrs. Sapienza Donais asked for a listing in the future.

## A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Abstain
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Abstain		

6 members voted in the affirmative

Motion passes

0 members voted in the negative

1 member abstained

A motion was made by Attorney Rosa to approve Warrant Number EV202000410B <u>Warrant EV20200410B.pdf</u> totaling \$501,098.33. Mrs. Ryan-Ciardiello seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

 $\boldsymbol{0}$  members voted in the negative

0 members abstained

# Items by Consensus.

A motion was made by Mr. Wood to approve the Items by Consensus - Minutes of Regular Meeting of March 26, 2020 School Committee Regular Meeting Minutes 03.26.20 Final & Approved.pdf. Attorney Magliocchetti seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

A motion was made by Attorney Rosa to go into Executive Session to discuss strategy with respect to collective bargaining, and to reconvene in Open Session. Mr. Wood seconded the motion.

A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

## Return to Open Session.

A motion was made by Attorney Magliocchetti (8:37 pm) to suspend the rules to discuss and to vote on the CARES Act relative to Coronavirus. Ms. Sullivan seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

Mayor Fiorentini requested two votes one for teachers and one for non-teaching staff.

A motion was made by Attorney Magliocchetti to allow for non-teaching staff to use vacation and sick time (excluding sick bank) to care for family members with Coronavirus. Ms. Sullivan seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained

A motion was made by Attorney Magliocchetti to allow for teachers to use vacation and sick time (excluding sick bank) to care for family members with Coronavirus. Mrs. Ryan-Ciardiello seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Abstain		

6 members voted in the affirmative

Motion passes

0 members voted in the negative

1 member abstained

A motion was made by Attorney Magliocchetti to adjourn the meeting. Ms. Sullivan seconded the motion. A roll call vote was requested:

Mrs. Sapienza Donais	Yes	Ms. Sullivan	Yes
Mrs. Ryan-Ciardiello	Yes	Attorney Magliocchetti	Yes
Mr. Wood	Yes	Attorney Rosa, Vice Chair	Yes
Mayor Fiorentini, Chair	Yes		

7 members voted in the affirmative

Motion passes

0 members voted in the negative

0 members abstained