

Haverhill School Committee Regular Meeting of June 23, 2016

Mayor James Fiorentini, Chairperson called the Regular Meeting to order at 7:00 p.m. Present: Mr. Sven Amirian, Attorney Paul Magliocchetti, Mr. Shaun Toohey, Mr. Scott Wood, Mrs. Maura Ryan-Ciardillo, President, Mrs. Julie Kukenberger, Assistant Superintendent and Mr. James Scully, Superintendent of Schools.

Ms. Gail Sullivan, Vice President participated remotely according to City Ordinance Chapter 66.

Note: If any member participates remotely, all votes must be by roll call.

Mayor Fiorentini acknowledged the attendance of City Councilors Colin LePage and Andy Vargas at tonight's meeting.

Public Participation.

Lisa Begley, Haverhill Education Association President urged the committee to finalize the Secretarial Contact and also asked that they appoint Kyle Riley as the Special Education Director.

Lisa Marzilli, 1153 West Lowell Avenue Haverhill MA stated her support of the school committee and superintendent to hire exceptional leaders for the district with a commitment to the district. Ms. Marzilli suggested that the hiring process should be evaluated to make it more effective and get the best applicant pool.

Michael Malone, Kingston MA former Superintendent of Schools and School Committee member stated that he knew both Mr. Scully and Mr. Riley. Mr. Malone related that both the district's Human Resources Department and the investigator had contacted him. He felt that Mr. Riley was being treated unfairly (i.e. unsubstantiated letter that was received by committee that may have been part of a personnel file) and Kyle Riley was well respected in his field and is well connected in the special education arena. Mr. Malone concluded that Mr. Riley held staff to high standards and that letter was evidence of that work ethic; he hoped he was selected tonight and the biggest losers were the children.

Keith Boucher, 512 Washington Street, Haverhill MA – Chairperson of Urban Kindness Mount Washington Neighborhood Group gave a brief background on the group's activities. Mr. Boucher wanted to raise awareness of the Tilton School and improvements to the school. He asked \$300,000 be earmarked for Tilton School in FY17 and upgrade the facility with the goal of replacement within five years.

Superintendent Comments/Reports.

Mr. Scully provided a visual overview of the Tilton School especially the library and the gymnasium and noted the deficiencies in the school. The Superintendent acknowledged the contributions of School Physician John Maddox and the Maddox Foundation's generous donations to the school system of over \$300,000 to the school district.

Mr. Scully introduced Dr. Maddox and Tilton School Assistant Principals Erin MacKay and Meg Fitzgerald. The Superintendent stated that the Mayor had agreed to match the Maddox Foundation's contribution for the Tilton School.

Dr. Maddox stated as representative of the J.F. Maddox Foundation based in New Mexico he was pleased to be able to make donations to Haverhill since he moved here in 2004 with his wife, who is

a Haverhill native. He related that up until this time the donations had been anonymous but because of his excitement and belief in Tilton School an exception was made this time; this is the single highest donation.

Dr. Maddox presented a \$50,000 check for the Tilton Library from the J.F. Maddox Foundation.

Mrs. Fitzgerald thanked Dr. Maddox for his contribution. On behalf of Mrs. Antkowiak, Mrs. MacKay and Tilton Community she thanked everyone for their confidence in Tilton School.

Mayor Fiorentini and the members thanked Dr. Maddox for his generosity.

Mr. Scully acknowledged the scholarship donation from Pauline Haroian in memory of her brother Byron Haroian, a 1938 Haverhill High School graduate.

The Committee agreed to move up Item 4B – Appointment of Director of Special Education.

The motion to move up the Appointment of the Director of Special Education was made by Mr. Wood. Mr. Toohey seconded the motion.

Mayor Fiorentini asked if there was any discussion; there was none. He indicated that the vote would include the candidate's name.

The chair called for a vote of the members:

Mr. Amirian	Dr. D'Agostino	Attorney Magliocchetti	Dr. D'Agostino
Mr. Toohey	Kyle Riley	Mr. Wood	Kyle Riley
Ms. Sullivan	Dr. D'Agostino	Mrs. Ryan-Ciardello	Kyle Riley
Mayor Fiorentini	Kyle Riley		

Mayor Fiorentini congratulated Mr. Riley on his appointment as permanent Director of Special Education and the audience applauded.

Mayor Fiorentini asked if someone would make a motion to make the vote unanimous.

Mr. Amirian asked the Mayor to explain the purpose of a unanimous vote.

The Mayor replied that it meant that the committee agreed to support the decision and work collaboratively with Mr. Riley.

The motion was made by Attorney Magliocchetti to approve the appointment by a unanimous vote. The motion was seconded by Mr. Toohey.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

Mr. Riley thanked the Committee for its support and looked forward to a productive term. He especially thanked the families.

Mayor Fiorentini asked that the Superintendent send the committee a draft copy of Mr. Riley's contract.

The Superintendent asked to make a statement:

Thank you of your support of my recommendation of Kyle Riley as Director of Special Education.

My job as superintendent is to look out for what is best for the children of Haverhill, is responsible to the City and taxpayers' interests, to be ethical and respectful and to offer guidance.

For the past four months, I have been involved in the issues surrounding the appointment of a special education director, which is one of the positions under the purview of the School Committee since the passage of the Education Reform Act of 1993. The prolonged selection process by the committee has caught the attention of state officials and many parents and community members. I say this to you only with the intention of ensuring that you understand the implications of this lengthy search process on the operations of the Special Education Department. Specifically, program and personnel decisions have been postponed until a permanent director was appointed.

Despite the negative comments of a few, I enjoy the strong support of the parents and community in doing what is right for our children. I want to ensure that I will continue to perform in that fashion for the children in Haverhill.

Thank you.

Student Advisory Comments.

Mrs. Kitsos related that discussion had been ongoing regarding how GPA and Class Rank were determined. She introduced Director of Guidance Jami Dion and several students Ben Roy, McKenna Judge, Jackie Connolly and Nina Elfakih.

The students spoke in favor of a weighted GPA and a percentile version of class rank.

Mr. Wood asked that the matter be referred to the Policy Subcommittee.

The Mayor asked where the 2016 graduates would be attending school in the fall.

McKenna will be attending Princeton and Ben will attending Harvard.

Mr. Wood made a motion to refer the matter to the Policy Subcommittee. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

Mr. Wood made a motion to move up the Solar Presentation. “The motion was seconded by Attorney Magliocchetti.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardiello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

Mr. Amirian stated for the record that he worked for MassAmerican Energy and that he was going to recuse himself from the discussion and leave the room. He noted his financial interest in the project and also commented that the Ethics Commission had provided a written opinion and that he was cleared for this purpose.

Mr. Amirian left the Council Chambers at this time.

Mr. Quincy Vale, Manager of MassAmerican Energy provided an update on the Solar Project for Haverhill High School through a PowerPoint Presentation. He noted the substantial benefits included: a full engineering study of roof; the roof would be fully replaced at no cost to the city, a payment of \$22,180 per year and sell the electricity at a reduced rate to the city. Mr. Vale reported the savings in first year would be \$140,000 and savings grow each year (\$7m over 20 years) not included the several million dollars to replace the high school roof which would not be borne by the taxpayer. Mr. Vale stated that Gardner Roof had done an analysis in October 2014 regarding the condition of the roof that indicated that it would need replacement. During the term of the contract, MassAmerican would be responsible for roof and provide for upkeep and at end of term there would be a decommissioning plan that is included in the contract. Mr. Vale was hoping that the project could begin in mid-August and be completed by the end of the year. He noted that there was an incentive program from the State that required the project to be mechanically complete by January 8, 2017.

For clarification purposes, Mr. Wood asked if the motion that the Committee would be entertain would be the following to approve of the Haverhill High School Roof Replacement and PV Installation Project, as presented and to authorize the Haverhill Public Schools Superintendent to negotiate, finalize and execute needed agreements with MassAmerican Energy LLC and its affiliates and assigns and to undertake other actions as related thereto.

Mr. Orlando Pacheco, the City’s Purchasing Director/Energy Manager was of the opinion that the schools derive net metering credits that the schools should authorize Power Purchase Agreement, since discounted power would go strictly to school facilities.

Mr. Pacheco outlined the RFP Process for this project. He recommended approval of this project as the Energy Manager for the City.

Questions & Comments from Committee:

Q: The savings are they going to the School Department (Attorney Magliocchetti)

R: Yes – approval of proposal will give the school department savings (Mr. Pacheco)

Q: In relation to the Foundation Budget does the school department keep the \$143,000? (Attorney Magliocchetti)

- R: Mayor Fiorentini responded it was his intention for the school department to keep the money
- Q: Removing of solar panels at end of contract (Attorney Magliocchetti)
- R: Decommissioning bond paid by Company (\$125,000) and put up by a well-rated surety insurance company to remove solar panels (Mr. Vale)
- C: Clarification: No cost for installation, no cost for removal and no cost for disposal (Attorney Magliocchetti)
- Q: Energy Costs – what happens if they go down? (Mayor Fiorentini)
- R: Utility Costs are lowest they can get at present time (Mr. Vale)
- Q: Total cost going below 13.25? (Mayor Fiorentini)
- R: Distribution Cost is at 8.5 but it is a cost that never goes down (Mr. Pacheco)
- Q: Cannot shovel roof? (Mayor Fiorentini)
- R: Correct – does not need to be shoveled (Mr. Vale)
- Q: Use of facilities would need to be approved by the School Committee (Mr. Wood)
- R: Correct – legal guidance that has been given (Mr. Pacheco)
- Q: How much involvement has the Superintendent and Maintenance Department had in this project?
- R: Most of the data has been obtained from Tom Geary and Garland Roofing contact (Mr. Pacheco)

Mr. Pacheco recommended that the Power Purchase Agreement remain in the same form and not deviate and was done in consultation with the City Solicitor and Meister Group.

Mr. Wood made a motion to approve the project and the use of building for discussion purposes.

Ms. Sullivan seconded the motion.

Mr. Wood stated the School Committee authorizes the use of facilities for the purposes of the Solar Power Project and the Power Purchase Agreement comes back to the Committee.

The Mayor offered the following that after agreement comes back to the Committee after the Superintendent and Mayor have negotiated and finalized other agreements including a Power Purchase Agreement. Furthermore, the Power Purchase Agreement has to come back to the School Committee for approval.

Attorney Magliocchetti suggested a friendly amendment to include that after the Superintendent and Mayor have negotiated, finalized and but not execute other agreements with MassAmerican Energy and its affiliates, including but not limited to the Power Purchase Agreement. Furthermore, the Power Purchase Agreement has to come back to the School Committee for approval.

Mr. Pacheco noted a lease agreement and a net metering credit agreement.

Mr. Wood referenced discussions with Beverly High School official about its solar project.

Mr. Toohey had concerns about signing a long-term agreement and was concerned with the instability of this particular industry. In addition, he was concerned with the formation of the LLC that was formed just 3 months ago.

Mr. Vale replied that real estate development usually had its own LLC (its own entity).

Mayor Fiorentini asked what would be the worse case scenario.

Mr. Vale replied that a defunct and non-functioning solar array that would need to be either removed or put back into service.

Attorney Magliocchetti noted Haverhill High School would receive a new roof.

Mr. Vale distributed an opinion from the Ethics Commission to the Committee which he had permission to share.

Mayor Fiorentini stated for Ms. Sullivan's benefit that the Ethics Commission indicated that Mr. Amirian had abstain from any involvement in this agreement and had to file a disclosure form.

Mr. Wood was seriously concerned about the financial benefit for an elected official.

The chair called for a vote of the members:

Mr. Amirian	Not present	Attorney Magliocchetti	Yes
Mr. Toohey	No	Mr. Wood	No
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	No
Mayor Fiorentini	Yes		

3 members having voted in the affirmative

3 members having voted in the negative

0 members having abstained

The motion failed.

Mayor Fiorentini asked that someone bring Mr. Amirian back to the Council Chambers.

Mr. Amirian returned to the meeting.

School Committee Communications.

The Committee heard from both sides of the Charter School Issue.

Mr. Wood introduced Lisa Begley; Haverhill Education Association President spoke in favor of the Save Our Public Schools and the Charter School Ballot Question and would be spending \$30 per member to support this ballot initiative.

Mr. Phil Brown, Haverhill teacher noted that charter schools did not need to be certified.

Mr. Marc Kenen from the Charter School Association spoke about the ballot initiative and indicated it was a modest proposal. He further related that in some areas the gap had been achieved and there was a need in those particular communities. Mr. Kenen spoke about the innovations and different types of instruction that provided parents with choices for education and to be creative, free of some of the regulations and educational laboratories. He explained that the money associated with the student followed that student to the charter school; i.e. loss of money and students to the district school.

Mr. Wood introduced the following resolution:

WHEREAS, free public schools available to all students regardless of income, ability, need or English language proficiency are foundational to our democracy; and

WHEREAS, all of our students deserve high-quality public schools that teach the whole child, providing enrichment and addressing social and emotional needs in addition to core academic subjects; and

WHEREAS, local accountability for our public schools is necessary to ensure that schools are responsive to the needs of their communities; and

WHEREAS, Haverhill is losing \$2,807,927 to Commonwealth charter schools and public school districts across the state are losing more than \$408 million this year alone — a loss of funds that is undermining the ability of districts to provide all students with the educational services to which they are entitled; and

WHEREAS, Commonwealth charter schools are often approved over the objections of a majority of community residents and their elected officials and are not accountable to local elected officials once they are approved; and

WHEREAS, Commonwealth charter schools often fail to serve the same proportion of special needs students, low-income students and English language learners as the districts from which they receive students and often use high suspension rates to drive out students they don't want to serve; and

WHEREAS, the Commonwealth charter school system is creating separate and unequal opportunities for success; and

WHEREAS, lifting the cap on charter schools would greatly worsen the problems listed above and lead to a costly and divisive two-track school system;

THEREFORE, be it resolved that the Haverhill School Committee opposes lifting the cap on Commonwealth charter schools.

Mr. Wood made the motion to support the resolution. Mrs. Ryan-Ciardiello seconded the motion.

Attorney Magliocchetti asked about the amount that was spent out of the district for these students.

Mr. Wood related that \$2.8 million was sent to the commonwealth charter school instead of being part of the Haverhill Public Schools' budget.

Mr. Amirian noted the issue was a deeply divided issue with strong opinions on each side. He acknowledged that both his children attended Hillview Montessori and that they received a wonderful education. He acknowledged the committee was not unified on the issue.

Mr. Wood commented a number of districts had passed the resolution. He stated that the funding mechanism was not sustainable and at present the gap would not impact Haverhill directly.

Mayor Fiorentini asked if Hillview Montessori School would be impacted by the ballot question.

Mrs. Begley replied no.

Mayor Fiorentini's concern was the funding namely the money for the Charter School's money came from the public school district. He recommended the charter school become a line item in the state budget.

The chair called for a vote of the members:

Mr. Amirian	No	Attorney Magliocchetti	No
Mr. Toohey	No	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

4 members having voted in the affirmative

3 members having voted in the negative

0 members having abstained

The motion passed.

Haverhill Public Schools' Job Postings – Mr. Wood.

Mr. Wood noted that the timing of posting positions were late i.e. May or June. He recommended posting positions as anticipated in March.

Mr. Scully responded that they would begin implementing earlier postings.

Attorney Magliocchetti asked about the Assistant Superintendent of Schools' position.

Mr. Scully stated that the position had been posted and he would make a recommendation to the Committee.

Mayor Fiorentini encouraged the Superintendent to include the School Committee in the filing of the position.

Mr. Scully noted that the delay in the hiring of the special education director had held up programs and appointments in that department.

Subcommittee Reports.

Mr. Amirian introduced Katie Vozeolas, Supervisor of School Nursing Services to outline the Wellness Policy Recommendations.

Ms. Vozeolas highlighted some changes in the policy and was advocating this as a first reading.

Mr. Scully recommended this matter be referred to the Policy Subcommittee.

Mr. Wood made a motion to refer this matter to the Policy Subcommittee. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

New Business.

Mr. Wood made a motion to approve Items V A & C - Warrant Number EV20160624 totaling \$296,283.00 and Warrant Number EV201600624B totaling \$632,981.99 as indicated in the agenda material. Attorney Magliocchetti seconded the motion.

Mr. Toohey asked that each warrant be voted separately. Mr. Wood withdrew his motion.

Mr. Wood made a motion to approve Item V A Warrant Number EV20160624 totaling \$296,283.00 as indicated in the agenda material. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardiello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

Mr. Wood made a motion to approve Warrant Number EV201600624A totaling \$26,122.45 as indicated in the agenda material. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Abstain
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardiello	Yes
Mayor Fiorentini	Yes		

6 members having voted in the affirmative

0 members having voted in the negative

1 member having abstained

The motion passed.

Mr. Wood made a motion to approve Item V C Warrant Number EV201600624B totaling \$632,981.99 as indicated in the agenda material. Mr. Toohey seconded the motion.

Attorney Magliocchetti questioned 7 months of cell phone payments (page 4) in the amount of \$50.74 each.

Mr. Scully would find out the answer.

A friendly amendment proposed by Attorney Magliocchetti and accepted by Mr. Wood to remove those bills from the warrant.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardiello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative
0 members having voted in the negative
0 members having abstained
The motion passed.

Items by Consensus.

The Superintendent recommended approval of:

the minutes of the regular meeting of May 12, 2016;

the use of facilities:

Requested by Angel Burges II from Haverhill Elite for the use of Whittier School gym, June 27, 2016 thru August 29, 2016 from 10:00am-11:00am for basketball practice

Process Fee: \$10.00

Utility Fee: \$20.00 per hour

Custodial Fee: \$30.00 rate per hour

Rental Fee: \$100.00 per day

and the conference request(s):

Carol Van Doren (Hunking) to attend the International Literacy Conference on July 8-9, 2016 at Hynes Convention Center in Boston MA at a cost of \$504;

Carol Van Doren (Hunking) to attend the Literacy for All Conference on October 23-25, 2016 at the RI Convention Center in Providence RI at a cost of \$989;

Lane Gomes (HHS) to attend the NAF Conference on July 17-20, 2016 in Orlando FL at a cost of \$1,533.44;

Cliff Ashbrook (HHS) to attend the NAF Conference on July 17-20, 2016 in Orlando FL at a cost of \$1,533.44

Moved by Mr. Wood to approve the Items by Consensus. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

Moved by Mr. Wood to suspend the rules. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

The motion passed.

The committee recognized Julie Kukenberger outgoing Assistant Superintendent who was leaving to become the Superintendent of Schools in Scarborough Maine and wished her well.

Mrs. Kukenberger thanked the committee and stated that she enjoyed her time in Haverhill and that it prepared her well for her new assignment.

A brief discussion of summer meeting schedule was held.

Moved by Attorney Magliocchetti to approve the summer meeting schedule of July 28, 2016 and August 25, 2016. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

Moved by Mr. Wood to adjourn the meeting. Mr. Toohey seconded the motion.

The chair called for a vote of the members:

Mr. Amirian	Yes	Attorney Magliocchetti	Yes
Mr. Toohey	Yes	Mr. Wood	Yes
Ms. Sullivan	Yes	Mrs. Ryan-Ciardello	Yes
Mayor Fiorentini	Yes		

7 members having voted in the affirmative

0 members having voted in the negative

0 members having abstained

Meeting adjourned at 9:51 p.m.

List of Documents included as part of packet: Agenda Item – Mr. Amirian; Agenda Items - Mr. Wood; Wellness Policy Recommendations; Power Purchase Agreement Information; Warrants; Minutes; Use of Facilities; Conference Request