

ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL DISTRICT

REGULAR MEETING

MINUTES

SEPTEMBER 13, 2012

MEMBERS PRESENT: G.R. Harvey, Essex, Chairman  
M. Patterson, Department of Agriculture, Vice Chairman  
L. Bonfanti, Peabody, Secretary  
L. Siewko-Story, Department of Agriculture  
D. Porteous, Beverly  
R. Fravel, Danvers  
M. Teixeira, Gloucester  
M. Sweeney, Marblehead  
E. Weitzler, Middleton  
T. St. Pierre, Salem  
W. Jackson, Swampscott  
W. Nichols, Wenham

MEMBERS ABSENT: D. Cahill, Department of Agriculture  
M. Crowe, Boxford  
D. Ketcham, Hamilton  
P. Anderson, Lynnfield  
J. Sabella, Manchester  
Nahant  
Rockport  
C. Robinson, Topsfield

OTHERS PRESENT: M. Kroesser, Assistant Superintendent NSRVSD  
R. Bourgeois, Superintendent-Director, EATHS  
C. Worth, District Treasurer  
K. Nigro, PMA  
C. Levesque, Recording Secretary  
Others

1. Call to Order

The meeting was called to order at 7:23 p.m.

2. Tentative Regular Meeting Minutes for Approval

It was moved by Mrs. Sweeney and seconded by Ms. Teixeira and VOTED to approve the Tentative Special Meeting Minutes of August 30, 2012 as corrected.

Correct Ms. Sweeney as Present

Abstentions: Mr. Harvey, Dr. Siewko-Story, Ms. Weitzler

3. Treasurer's Report

It was moved by Mrs. Sweeney and seconded by Mr. St. Pierre and unanimously VOTED to place the August 31, 2012 Balance Sheet on file for audit.

It was moved by Mr. Sweeney and seconded by Mr. Jackson and unanimously VOTED to place the August 31, 2012 Profit and Loss Report on file for audit.

Ms. Worth referred to the email she received from the auditing firm in relation to issuing a management letter from the recent audit. The email stated that based on the information reviewed and the controls in place over the capital project; they did not have anything to report in a management letter.

Ms. Worth informed the committee that as the District Treasurer she is the only financial employee employed by the District. Since there is no segregation of duties, Ms. Worth clarified that bank statements and reconciliations are reviewed by Ms. Znamierowski, Business Manager, North Shore Regional Vocational School District, to ensure that a second set of eyes sees each statement.

Mr. Bourgeois stated that he would forward the M.G.L. Ch. 71, §16A for Ms. Worth to review. In order to comply with that law, some controls may need to be put in place. After discussion, Mr. Bourgeois stated that the District finances protocol is not meeting the law and needs to make an adjustment.

Ms. Teixeira stated that she has two issues - first she is upset that the auditing firm replied that we do not need a management letter after the Committee requested one and secondly the issue of segregation of duties.

#### 4. Owner's Project Manager Report

Mr. Nigro reported that the payment summary of the Status Report shows that as construction contracts are awarded a lot of money will be spent. There is a MSBA reimbursement of \$5,462,921.00 pending.

Mr. Nigro referred to the Early Packages that have been awarded i.e. Site, Demolition/Abatement, Concrete and Structural Steel for a total bid of \$24,820,285. Gilbane will negotiate the Non-Trade contracts, which are over estimate and are working hard to reduce.

The State Plumbing inspector is currently scheduled to be on site every three days to review underground water reuse system piping. The State Building Inspector is on site a minimum of once per week to inspect concrete footing wall.

Mr. Nigro and Gilbane Co. continue to solicit and request Minority BE and Women BE participate from potential bidders. The trade contract bidding resulted in the addition of MBE/WBE contracts worth over \$4 million dollars. One contractor that attended both MBE/WBE open houses was successful in gaining a portion of the demolition contract.

Mr. Nigro presented a slide show of the construction progress.

Mr. Nigro reported that the lowest responsive electrical trade contractor withdrew their bid leaving the district with only two responsive bidders. Utilizing procedures outlined in Chapter 149A and CM at Risk and with the advice of the Attorney General's Office, Gilbane was able to negotiate the electrical price with the second responsive bidder.

A motion was made by Mr. St. Pierre and seconded by Mr. Porteous to approve the Gilbane "Recommendation to Award" (RTA) for the following early construction package:

Bid Package #026A – Electrical Trade Bid (26-0000) in the amount of \$10,125,000 to be awarded to Ostrow Electric Company of Worcester, MA, as recommended by the School Building Committee.

Roll Call Vote:

Yes-

Dr. Story, Mr. Porteous, Mr. Fravel, Ms. Teixeira, Ms. Sweeney, Ms. Weitzler, Mr. St. Pierre, Mr. Jackson, Mr. Nichols, Dr. Patterson, Mr. Harvey

No-

Mr. Bonfanti

Motion carries.

Mr. Nigro stated that at this time there would be no action taken regarding the Window bid, as it will be rebid.

Mr. Nigro reported that a deadline was given to Gilbane Co to submit a final draft of the Guaranteed Maximum Price for the Committee to consider.

Mr. Nigro reviewed the Concrete Progress and does not anticipate any delays due to the concrete being pushed back.

Mr. Bourgeois stated that he has found Gilbane, DesignPartnership and PMA very good to work with. He meets weekly with Mr. Nigro, OPM and Mr. Hambridge, Gilbane to coordinate the construction schedule so to have limited impact to the educational learning environment. Outside of the issues of a level budget and Guaranteed Maximum Price, which are being addressed, he feels grateful to have Mr. Nigro as the OPM.

Mr. Harvey reported that he received notice that there will be a hearing on December 17<sup>th</sup> for four access locations seeking variances. Mr. St. Pierre offered that, if necessary, he has a good working relationship with a member of the Appeals Board.

5. Essex North Shore Agricultural and Technical Foundation, Inc. Report – Mr. Dean Porteous

There was no meeting or report.

6. Superintendents' Report

Mrs. Kroesser reported that Essex Aggie and North Shore Tech had planned Joint Professional Development. On July 30, 31, August 1, 2 four general education teacher and one special education math teacher from North Shore Tech and three math teachers from Essex Aggie worked with Mary Alice Murdoch to align Algebra I and II and Geometry to the Common Core. August 28<sup>th</sup> was set aside for combined Professional Development on new Evaluation Tool, but cancelled due to the fact that neither union has come to an agreement on the contract language.

On September 14<sup>th</sup> a regional grant was submitted on behalf of North Shore and Essex for math, English, social studies and science teachers from both schools to work together on curriculum alignment to the common core.

The October 24<sup>th</sup> and January 23<sup>rd</sup> professional development were cancelled due to North Shore Tech and Essex Aggie having Coordinated Program Reviews and needing this time to prepare staff for interviews with personnel from the Department of Elementary and Secondary Education.

May 8<sup>th</sup> - Topic yet to be decided.

Mr. Bourgeois stated that the Department of Elementary and Secondary Education performs Coordinated Program Review every six years. It takes one year to receive draft report of the findings and the districts will develop an action plan to address each finding. The irony is that both districts will no longer exist.

Mr. Bourgeois reported that he recently met with members of Senator Brewer's staff and other regional superintendents to encourage the Ways and Means Committee to revisit the financial responsibility for out-of-district Chapter 74 students. Recent passing of legislation Section 173-189 shifted the financial burden from the resident community to the vocational district. Mr. Bourgeois gave as an example that when the new school opens Greater Lawrence Regional would be financially responsible for students that reside in Lawrence. The members from Senator Brewer's staff offered to discuss this issue with Senator Brewer to seek alternative strategies to the legislation.

## 7. Sub-Committee Reports

There was no meeting or report by the **Finance & Property Policy**

There was no meeting or report by **District Policy**.

### **Personnel Policy**

Mr. Porteous reported that legal counsel needs to be retained for personnel matters for the district. He contacted the firm that worked on the 501c3 and requested and received information from that firm. Mr. Bonfanti questioned the fees and if this firm represent other public school districts. Mr. Porteous replied that the fees vary from \$250.00 to \$325.00 per hour and their clientele does include public school districts. Mr. St. Pierre asked if the district is required to go out to bid for the purpose of hiring a legal firm and Mr. Porteous replied no.

Mr. Porteous was asked if he was requesting that a vote be taken this evening to hire this legal firm and he replied yes. Mr. Bourgeois stated that this is not noted as an action item on the agenda and therefore a vote could not be taken tonight.

Ms. Weitzler brought up the topic of how the new district should proceed in the hiring of a Superintendent-Director and indicated that she would like the Committee to develop a timeline for this process. Ms. Weitzler questioned where the funds would come from to compensate a Superintendent-Director after he/she was hired. Dr. Patterson concurred that a scope and sequence of what the district needs to do should be developed and submitted to the full Committee.

Mr. St. Pierre stated that the Finance Sub-Committee needs to meet to draft a proposed Operating Budget in order to hire a Superintendent.

Mr. Harvey stated that Finance and Personnel Sub-Committees need to schedule meetings before the October 11, 2012 full School Committee meeting to address the above concerns.

Mr. Bourgeois stated that Essex Aggie administrators that have contracts expiring within the next two years are anxious as their positions are not secure.

## 8. Other

There was no discussion.

9. Warrant

It was moved by Mrs. Sweeney and seconded by Mr. Porteous and unanimously VOTED to approve the Warrant of September 13, 2012 and place on file for audit.

10. Adjourn

It was moved by Mrs. Sweeney and seconded by Mr. St. Pierre and VOTED unanimously to adjourn.

The Chairman declared the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Secretary

There were no meeting hand-outs.