

REVISED
11/3/14

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – June 9, 2014

An Executive Session of the Wayland School Committee was held on Monday, June 9, 2014, at 11:25 P.M. in the School Committee Room of the Wayland Town Building.

Present were:

- Barb Fletcher, Chair
- Ellen Grieco, Vice Chair (by remote)
- Malcolm Astley
- Donna Bouchard
- Jeanne Downs

Also:

- Paul Stein
- Superintendent of Schools

Brad Crozier

Assistant Superintendent

1. **Executive Session:**

Upon a motion duly made by Barb Fletcher, seconded by Donna Bouchard, the School Committee voted unanimously (5-0) to enter Executive Session at 11:25 p.m. for the purposes of discussing strategy with respect to Collective Bargaining with the Food Service workers, as permitted by M.G.L. Chapter 30A §21(a)(3) and to discuss strategy with respect to litigation from the Attorney General's decision regarding the Open Meeting Law Complaints filed by George Harris on June 27, 2013 and Donna Bouchard on July 1, 2013 related to the June 3, 2013 Executive Session, as permitted by M.G.L. Chapter 30A, §21(a)(3), as such discussions in open meeting may have a detrimental effect on the litigation and collective bargaining positions of the School Committee and an Executive Session is necessary to protect the litigation and collective bargaining positions of the School Committee. In addition, the School Committee will enter Executive Session for the purpose of discussing strategy with respect to an Open Meeting Law Complaint filed by George Harris on February 18, 2014 related to the February 10, 2014 meeting notice and statement made to enter Executive Session on February 10, 2014, as permitted by M.G.L. Chapter 30A, §21(a)(1), and to conduct negotiating strategy related to the Superintendent's contract, as permitted by M.G.L. Chapter 30A, §21(a)(2), and to review minutes from prior Executive Sessions for declassification, as permitted by M.G.L. Chapter 30A, §22, for the following meetings: March 24, 2014, April 3, 2014, and April 7, 2014, and to approve minutes from prior Executive Sessions, as permitted by M.G.L. Chapter 30A, §22 for April 28, 2014.

The School Committee will be joined by Paul Stein, Superintendent of Schools, Brad Crozier, Assistant Superintendent of Schools. The School Committee will reconvene in open session to conduct regular matters as noted on the meeting notice. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Ellen Grieco, Vice Chair (by remote)	X	
Malcolm Astley	X	
Donna Bouchard	X	
Jeanne Downs	X	

Per a comment by Linda Segal, since Ellen was participating remotely, Barb asked Ellen if any other person was present and/or able to hear the discussion at the remote location. Ellen indicated that no other person was present to hear the discussion.

2. **Continued Discussion re: Strategy with respect to Collective Bargaining with Food Service Workers, pursuant to M.G.L. Chapter 30A, §21(a)(3):**

The School Committee reviewed the changes to the Memorandum of Agreement and the analysis regarding the kitchen managers' positions at the High School and Middle School. The agreement is within the parameters of negotiations for the WTA and WESA.

Released 11/3/14

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – June 9, 2014

The School Committee discussed the managerial positions in terms of cost savings and reviewed the chart attached to the Memorandum of Agreement. As an action item, the School Committee will discuss at a future meeting what the potential savings would be if the position was not filled. Brad commented that there would be about a \$20,000 net savings, but it is not being recommended because of inadequate staffing and supervision at the Middle School. Brad also noted that there is about a \$1,000 difference in the two proposals, which is not enough to impact sustainability.

The School Committee agreed to seek the Finance Committee and Board of Selectmen's approval regarding these terms before it comes back to the School Committee for its approval.

3. Discuss Strategy with Respect to Litigation from the Attorney General's Decision re: Open Meeting Law Complaints Filed by George Harris on June 27, 2013 and Donna Bouchard on July 1, 2013 re: the June 3, 2013 Executive Session, pursuant to M.G.L. 30A, §21(a)(3):

Barb updated the School Committee about her conversation with Mark Lanza. Mark had not seen any paperwork regarding a pre-trial conference with Gini Tate and Mark Higgins. As Mark had provided to Barb, she described the process that the Board of Selectmen followed when they were in a similar situation. Mark recommended that the School Committee negotiate for a lesser fine, with no admission of guilt.

The Committee discussed the upcoming pre-trial conference. Ellen will follow up with Gini Tate after the pre-trial conference and Barb will follow up with Mark Lanza regarding the possibility of him negotiating on behalf of the School Committee. A discussion will be held at the next meeting. The Committee agreed that Donna should contact Gini to ask Mark Higgins about whether to redact the name of the individual who is the subject of the Executive Session minutes related to the Open Meeting Law complaint.

Ellen commented that she agreed with Jeanne's public comment. She also commented on the meeting on June 3, 2013 in terms of the OML violation. She would like the Committee to delegate a member to be an Open Meeting Law authority in terms of solving technical issues. Ellen recommended that Donna be appointed for this purpose. The Committee will discuss this issue again at the next meeting.

4. Continue to Discuss Strategy with Respect to Open Meeting Law Complaint Filed by George Harris on February 8, 2014 re: the February 10, 2014 Meeting Notice and Statement Made to Enter Executive Session on February 10, 2014, pursuant to M.G.L. 30A, §21(a)(1):

The School Committee discussed amending their response regarding this OML complaint. Donna commented that if a violation is determined in this situation, this matter could be considered an intentional violation. Thus, since the School Committee has a determination, she suggested that the Committee admit to the violation now in order to avoid a second penalty. Barb reviewed the response already given regarding the non-union personnel listing. She commented that if the School Committee has specific language it wants to add or change to the Committee's response, it can be added to a future agenda.

5. Conduct Negotiating Strategy related to Superintendent's Contract, pursuant to M.G.L. 30A, §21(a)(2):

The School Committee reviewed the corrected draft of the superintendent's contract. Ellen updated the Committee on the changes that were made to the contract after her conversation with Paul, such as sick leave, salary, insurance, and a merit raise in the 2nd and 3rd years based on his evaluation. The Committee also discussed the long-term care and disability information provided by Barb.

6. Review of Minutes:

The School Committee reviewed the recommended redactions for the March 24, 2014, April 3, 2014, and April 7, 2014 Executive Session minutes. The Committee agreed to the redactions for March 24 minutes. There were no redactions to the April 3 minutes. The Committee also agreed to release Malcolm's email included in the April 7 minutes.

7. Approval of Minutes:

Upon a motion duly made by Jeanne Downs, seconded by Malcolm Astley, the School Committee voted unanimously (5-0) to approve the April 28, 2014 Executive Session minutes as written. A roll call vote was taken as follows:

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – June 9, 2014

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Malcolm Astley	X	
Ellen Grieco (by remote)	X	
Donna Bouchard	X	
Jeanne Downs	X	

Donna asked if anyone had heard from Chris Hinckley. Brad said that he received a text from him and that he was upset.

8. **Adjournment:**

Upon a motion duly made by Malcolm Astley, seconded by Donna Bouchard, the School Committee voted unanimously (5-0) to adjourn the Executive Session at 12:21 A.M. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Malcolm Astley	X	
Ellen Grieco (by remote)	X	
Donna Bouchard	X	
Jeanne Downs	X	

The School Committee reconvened in Open Session at 12:22 a.m.

Respectfully submitted,



E. Fletcher, Chair
Wayland School Committee

Corresponding Documentation:

1. Executive Session Motion
2. Draft Memorandum of Agreement with Food Service Workers and related attachment
3. School Committee Response to OML Complaint Filed by George Harris on February 18, 2014
4. Draft Superintendent's Contract
5. Email from John Senchyshyn re: Long-term Care Plans
6. Email from Malcolm Astley re: Superintendent's Contract
7. Executive Session Minutes of March 24, 2014
8. Executive Session Minutes of April 3, 2014
9. Executive Session Minutes of April 7, 2014
10. Executive Session Minutes of April 28, 2014