NEWRY WITHDRAWAL COMMITTEE MINUTES OF MEETING Wednesday, February 1, 2016

Present: Committee members: Jim Sysko (Chair), William Andrews, Gary Wight Bonnie Largess,

Educational consultant: Dr. Mark Eastman Legal consultant: Dan Stockford

Community members: Alison Aloisio, Brooks Morton, Gary Drown, Doug Webster, Bob Lowell,

Amy Bernard,

Guest: Dean Richmond

Absent:

Open Session Proceedings:

Meeting was called to order at 5:00 pm by Chair, Jim Sysko.

The minutes of the January 6th meeting were reviewed. **Gary Wight moved that the minutes of the previous meeting be approved; William Andrews seconded. Motion passed unanimously.**

<u>Citizens' Comments</u>: Jim noted that comments may be made at any time during the meeting.

Old Business:

- a) Letter from NWC to SAD 44 asking for a counterproposal by January 22nd: Jim Sysko reported that a counterproposal was not received by the deadline, but NWC did receive a 3-page letter from SAD 44 stating, in part, that Newry's withdrawal would present an undue hardship. Jim offered to give a copy of the letter to anyone requesting one since it is public information.
- b) Letter from NWC to the DEO Commissioner sent on December 21st expressing the committee's frustration with not receiving good-faith negotiations from SAD 44. Jim reported that a response from the Commissioner has not been received to date. Later in the meeting, Dan Stockford summarized the letter's contents stating that the letter addressed, among other items, some misstatements contained in Marcel Polak's December 9th letter to the Commissioner in regards to the status of negotiations and in regards to the formal mediation sessions.

Mark Eastman spoke of the School Board's latest response to this committee's request for a proposal. He read aloud the last section of that response letter where the School Board gives their understanding of "Good Faith Bargaining".

- c) Financial Status: Jim reported that, at last accounting, there was \$10,676. 79 in the Withdrawal Committee account. There are outstanding invoices yet to be received from Mark Eastman and Dan Stockford; so that amount will go down.
- d) Weakness in the Statute: Mark read aloud a letter he wrote in mid-November to Paula Gravelle who handles withdrawal questions for the Maine DOE. Mark's letter pointed out a weakness in the statute that is resulting in this stalemate. Mark noted that this letter was written prior to receiving the latest written response from the School Board (read aloud earlier in this meeting). Mark stated that no response in regards to addressing this weakness has been received to date.

Mark reported that he had heard from Jim Rier, the former Commissioner, who suggested that this Committee threaten to litigate in order to move this along. He noted that historically just the threat is enough, that actual litigation had not been necessary in the past.

New Business:

a) Binding Arbitration - Amy Bernard talked about her meeting with the SAD 44 Superintendent and her feeling that the two groups are at an impasse. Amy clarified that she is neither for nor against withdrawal, and spoke of the possibility of asking for binding arbitration and bringing this to the voters. Dan explained the process of binding arbitration to the group.

b) Jim Largess's request to the School Board to initiate a funding change - Jim Sysko spoke of Jim Largess's attempt request to have the School Board start a committee to work on changing the school funding formula. Bonnie read aloud the resolution that was listed as item 8 on the School Board's agenda. It was pointed out that this resolution contained a condition that the Newry citizens are allowed to vote on whether or not they want to continue the withdrawal process. Gary Wight noted that the Select Board is discussing this request at their next meeting. Dan noted that the letter from Laney Cross and Marcel Polak addresses this issue, and he clarified that, according to their letter, as long as there is initiation of a warrant article, they would then take up the issue starting the cost-sharing amendment process; their condition is not contingent on that article being approved.

Dan went on to explain that in order to terminate the withdrawal process, there would need to be a referendum; it should not be just an article that goes before the open Town Meeting. Dan spoke about the timing issues, and that a special Town Meeting referendum would be needed. He believes that the vote of whether there should be additional funding can be taken at either the open Town Meeting or as a referendum question. The group continued to have a lengthy discussion on this process.

Mark asked about the possibility of the NWC suspending (or pausing) their meetings while the cost-sharing discussions take place. Bonnie felt that this would be well received by the School Board committee. The committee decided to discuss this option further in Executive Session.

c) Dean Richmond, Report on Cost Comparison to other Maine School Districts – Dean, who is from Mason Township, explained that he and some other folks with varying professional backgrounds had formed a group (The Telstar Community Partners) with the intent of looking at the expenditures in SAD 44 and finding areas of possible cost savings. The group researched data on districts with similar demographics to compare SAD 44. Dean distributed a pie chart and explained the group's findings.

The group went on to discuss this research, the accuracy of the information found on the DEO's website, SAD 44's relationship (financial and otherwise) with Region 9 and the 4-H camp, etc.

- d) Date for next meeting: Thursday, February 25, 2016, at 5pm
- e) Executive Session: William moved to enter executive session to consult with legal counsel regarding the legal rights and duties of the Withdrawal Committee pursuant to 1MRS Section 4056E. Gary seconded, and the motion passed unanimously. Committee entered Executive Session at 6:06pm, and the session ended at 6:35.
- f) Following Executive Session, William moved, and Bonnie seconded, that the NWC recommend to the Newry Selectman the following response to the latest SAD 44 School Board resolution. (That resolution by the School Board was they would form a new school district committee to possibly change the funding formula once the Newry Selectmen place a warrant article before the Newry voters to terminate the NWC). William's motion recommended that the word "PAUSE" be substituted for the word "TERMINATE". The motion passed unanimously.

<u>Adjournment</u>: William moved to adjourn; Gary seconded. The motioned passed unanimously, and the meeting was adjourned at 6:45 pm.