TOWN OF BURLINGTON
Meeting Posting

Notice of Public Meeting – (As required by G.L. c. 30A, c §18-25)

DEPT./BOARD: School Committee – VIRTUAL MEETING using WebEx Technology*
DATE: April 28, 2020
TIME: 7:00 p.m.

This meeting is being held fully remotely in accordance with the Governor of Massachusetts’ March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, Section 20.

AGENDA**

1. Call to Order

2. Approval of Warrant

3. Public Participation

4. Coronavirus Update from the Superintendent (estimated time 7:00 – 7:30)
   a). Cancellation of Remainder of School Year
   b). Remote Learning from Home

5. Communication (estimated time 7:30 – 8:30)
   a). School Building/Facilities Update
   b). Architectural Services Contract
   c). Elementary School Building Statement of Interest – Approval
   d). BEA Unit A, Memorandum of Understanding: One Year Contract Agreement - Approval
   e). School Transportation Services - Approval
   f). FY21 School Budget - Public Hearing

6. Adjournment

*MEETING ACCESS INFORMATION ON NEXT PAGE

**Agenda subject to change
Meeting number (access code): 715 408 745

Meeting password: tuesday

Tuesday, April 28, 2020
7:00 pm | (UTC-04:00) Eastern Time (US & Canada) | 3 hrs

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BURLINGTON SCHOOL COMMITTEE
MINUTES OF APRIL 28, 2020

Chairman Monaco called this WebEx virtual meeting of the School Committee to order at 7:00 p.m. Present: Mr. Stephen Nelson, Ms. Martha Simon, Mr. Thomas F. Murphy, Jr., and Mrs. Kristin Russo. Superintendent Eric Conti, Assistant Superintendent Patrick Larkin, Business Manager Nichole Coccia, and Director of Operations Bob Cunha also present. Ways & Means subcommittee members present: Sue Harrigan, Diane Creedon, John Iler, Robert Neufeld, and Jaya Voruganti.

CALL TO ORDER

Chairman Monaco read the following statement: Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the (Name of Board) is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. He further explained that the Chat function is on; please type in a comment or question and the Chair will call on commenter.

APPROVAL OF WARRANT

Moved by Ms. Simon and seconded by Mrs. Russo to approve warrant; Ms. Simon, aye; Mrs. Russo, aye; Mr. Murphy, abstain; Mrs. Monaco, aye; Mr. Nelson, abstain. Motion carried 3-0-2.

PUBLIC PARTICIPATION

Parent Liz DiTucci inquired about the Afterschool Program tuition, it was closed on March 12, she received an email issuing a 2 week tuition credit, on April 24 that was reversed and was informed she d have to pay for all of April and May. She expressed concern for having to pay for April, May, and June with no services provided and also referred to a November school committee meeting where it was announced that the Afterschool Program has a very large positive balance for the program. Dr. Conti explained that they are looking at offering refunds/credits for tuition, are trying to figure out how long the closure will last, and are reviewing how Summer Central would look like. He further noted the program needs to keep a balance in the black, has received emails from other concerned parents and an updated email needs to be sent out to participating families regarding the program. Parent Michael Souza noted he d contacted Director Donna Sullivan who indicated that the program is not able to make adjustments, he further explained his job is commission based and he has three children in the program. Chairman Monaco stated that there are ongoing discussions regarding the Afterschool Program, the School Department is paying employees of the program, and Dr. Conti should have an update this week. Mrs. DiTucci stated that she d rather receive a refund rather than a credit and Mr. Souza also explained he anticipates his three children will not participate in summer central. The Superintendent noted that they are trying to figure out a balance between employees and families. Mr. Cunha announced that BCAT is having difficulties and this portion of the meeting is not on Facebook or live television.

Chairman Monaco held a moment of silence for all of people who died with this terrible infection, specifically those in our community and sent condolences on behalf of the School Committee to all in the community.

Town meeting member Adam Sensesi inquired about the March 13 emergency school committee meeting, noting that the agenda for the meeting did not indicate the School Committee would be voting on employee compensation during the school closure, and suggested that the School Committee take another vote on it. Chairman Monaco thanked Mr. Sensesi for bringing this to the Committee’s attention, and stated that if Dr. Conti feels we need to take another vote, he will advise the Committee of this. The Superintendent stated that the School Committee could choose to reaffirm the vote to pay employee wages at the May 12 meeting.

Coronavirus Update from
The Superintendent
Cancellation of Remainder
Of School Year

Remote Learning from
Home

Dr. Conti began by explaining that senior parents and students have expressed a sense of loss by not being able to celebrate senior activities and Principal Sullivan is trying to come up with a safe way to recognize BHS seniors. He further noted that his colleagues have also not identified a way to recognize graduates.

Dr. Conti reported that DESE had released modified guidelines for remote learning from home, which will be in effect until the end of the school year and beginning in our district the week of May 11. Dr. Conti will share a summary of the 25 page document with the School
Committee by the end of the week. Mr. Larkin explained that phase II of remote learning began today and the revised guidelines will be phase III. Commissioner Jeff Riley has advised communities to encourage the promotion of students to the next grade level for September. Four things that that strong remote learning should include: prioritize meaningful connections with educators and peers, provide engaging core instruction focused on the content standards most critical for student success in the next grade, offer opportunities for enrichment, exercise & play, ensure programming is accessible, and that communication is streamlined for students and families. The Superintendent commented that early conversations about summer school as well as summer central have begun- what they would look like and a decision needs to be made by May 15. There is a high demand for summer programs but right now it looks like it will not be a typical program with limitations for building access and physical closeness between students and teachers. Dr. Conti feels that Burlington is well positioned for the new DESE remote learning guidelines. He further explained that discussion has begun regarding opening school in the fall, how to do it and planning for different contingencies. The School Committee made comments including: thanking and being appreciative of all staff, administrators, teachers during this health crisis, stated that remote learning won’t replace education of students by teachers in classrooms, commented that special education students are not getting the education that they should be, hoped that creative ideas to celebrate seniors could be planned, and finally expressed a sense of loss and heartbreak for students, teachers, and families.

Mr. Cunha commented that the two crews currently working at Francis Wyman should finish installing air conditioning on the first floor and replacing fire alarms next week.

Director of Operations Bob Cunha reminded the School Committee that the original deadline for submitting a Statement of Interest to the Massachusetts School Building Authority was extended to May 9 and reported that the Board of Selectman had unanimously approved the submission of the Elementary School Statement of Interest at their meeting last night. The School Committee is also being requested to authorize the submission of an Elementary Statement of Interest by the Superintendent.

Mr. Nelson read the following: Resolved: Having convened in an open meeting on 04/28/2020, prior to the SOI submission closing date, the School Committee of Burlington, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 05/06/2020 for the Fox Hill School located at 1 Fox Hill Road, which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority #2 Elimination of severe overcrowding and priority #7 Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority. Moved by Mr. Nelson and seconded by Mr. Murphy that the School Committee approve the resolution. Mr. Nelson, aye; Mrs. Russo, aye; Mr. Murphy, aye; Ms. Simon, aye; Mrs. Monaco, aye. Motion carried 5-0-0.

Chairman Monaco thanked the Board of Selectman for supporting this request, thanked all staff who’d worked on this as well as the School Committee and commented that she was excited to see the school district move forward with an elementary building project statement of interest.

By consensus, this agenda item was taken out of order. Dr. Conti recognized Ms. Coscia for beginning negotiations with other surrounding districts and Trombly Bus Company, who are not providing services but we want to make sure we have drivers and buses in the fall. Ms. Coscia explained that conversations with the bus company began soon after the school closure and the Draft Memorandum of Agreement with NRT Bus, Inc/Trombly Motor Coach Service, Inc. agreement shows a cost profile summary and a 22% monthly invoice cost
reduction during the school closure. Attorney Matt Feher from Kopelman & Paige further explained that they are looking at payment obligations by the school district during the pandemic, what terms are to be considered, whether to do a modification or not and is informing Burlington of available options. The School Committee has the authority to eliminate or decrease/ reduce Trombly's services. Attorney Feher commented that it's his understanding that Burlington wants to keep current provider, the Town may be willing to do a bridge agreement with Trombly until pandemic over and to avoid other potential problems. He further explained that with possible federal funding relief, districts will need to honor vendor contracts, it's reasonable to advise Burlington to enter into a temporary arrangement, and it's a business decision if Burlington chooses to pay wages. A temporary arrangement could pay for continuity of costs which would not include labor; however, paying 78% of monthly costs is high considering they are not providing services. Attorney Feher also referred to the possibility of a non-disclosure agreement, as well as adding language to a temporary agreement to ensure that all rights are retained with the underlying Trombly contract and require that Trombly provide actual costs.

Dr. Conti observed that this draft MOA with Trombly negotiated at 78% was created when school was supposed to re-open on May 4, and we did not want to restart school on May 4 with no buses or drivers, but schools have been ordered closed for the remainder of the year and so the context of this agreement has changed. The School Committee made comments regarding the draft agreement: 78% payment rate is too much, actual costs look too high, not comfortable approving this agreement and would like to renegotiate the draft MOA particularly as the school closure is for the remainder of the year. Ways & Means member John Iler pointed out the bus drivers are eligible for unemployment (which would reduce the bus company's labor costs), the bus company is also saving on fuel costs, and would like to suggest wording improvement on numbers 5 and 6 of the draft MOA. Mr. Murphy also recommended wording changes to numbers 5 and 6 of the MOA.

Dr. Conti inquired of Attorney Feher if it is possible for the school district to go back and negotiate with Trombly for a lower price, what is the risk of non-payment to the bus company, what if no agreement is reached - will there be financial harm to the school district? Attorney Feher replied that worst case would be a termination of the contract, the district would need to go out to bid again, he'd need to read the agreement again, and believes that the contract lets the town reduce or eliminate routes, and that it requires 30 days notice to do that. He summarized by saying it's a business decision, to not pay and not have a contract or to keep the agreement and further stated that litigation is always a possibility. The School Committee and Dr. Conti requested that Ms. Coscia and Attorney Feher go back to the drawing board with negotiations with Trombly and report back to the School Committee at our next meeting of their willingness to renegotiate. Ms. Coscia stated that Trombly has not been paid since the closure of school in March. The School Committee thanked Ms. Coscia for her work on this draft agreement and her willingness to go back to renegotiate with Trombly.

Dr. Conti explained that when the school closure happened, they were in the middle stages of bargaining with the BEA for a new three year contract and thanked the BEA for their flexibility in working out a one-year contract\(^2\) with a 2-1/2% COLA. He further explained that BEA negotiations will be put off until a meeting can be held face-to-face, nothing is off the table for the contract, and stated that by having an agreement with the teachers' union it allows the school department to be confident about the FY21 school budget and guideline. Unit D of the BEA contract is not settled yet but will be worked on after the School Committee approves the teachers' contract and the clerical contract remains to be settled. He anticipates that there will be an electronic vote of the one-year BEA contract scheduled for Friday. Moved by Ms. Simon and seconded by Mrs. Russo to approve the Memorandum of Agreement for a one year contract agreement with the BEA. Ms. Simon, aye; Mrs. Russo, aye; Mrs. Monaco, aye; Mr. Nelson, abstain; Mr. Murphy, abstain. Motion carried 3-0-2. Mr. Nelson stated that he did not participate in any of the BEA negotiations.

\(\text{BEA, Unit A Memorandum of Agreement}\)

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1. **BEA Unit A, Memorandum of Understanding: One Year Contract - Approval**

2. **FY21 School Budget - Public Hearing**
public hearing. Ms. Simon, aye; Mrs. Russo, aye; Mrs. Monaco, aye; Mr. Nelson, aye; Mr. Murphy, aye. Motion carried 5-0. Chairman Monaco reviewed the FY21 budget amounts: salary account is $47,967,549, in non-salary expenses is $7,506,389, total operating budget of $55,473,938 and Special Education Accommodated is $12,615,139. Ms. Coscia explained the original draft budget showed a 4% increase and to get to the 3.75% guideline all new positions except for two nurses were removed, and all expenses were level funded. Dr. Conti further explained that some positions have been on the list for a couple years, one additional nurse was hired a couple months ago at the request of Nurse Leader Barbara Conley, there are some unknown expenses/conditions going into the fall, however he feels much better going into FY21 with a BEA contract settlement. A budget subcommittee meeting was held last Thursday, outstanding questions were answered and they reviewed reductions to bring the budget down to the 3.75% town guideline. Some comments/concerns expressed by the School Committee included: a 3.75% increase is a fair budget, disappointed to not be able to hire other needed staff (20 new positions cut), thanked administration, town staff and ways & means for their financial planning and not reducing the guideline that was identified last fall, thanked teachers for settling a one-year contract, the two new nurse positions will be needed as school re-opens in the fall after the pandemic closure, and thanked everyone for their work to come in at budget guideline. The Committee also noted that due to the covid pandemic, there may be unexpected and/or additional expenses associated with the situation.

Ways & Means member Diane Creedon also expressed disappointment on needing to drastically reduce the number of new positions, explaining there was so much justification for those positions and we want our students needs to be met. Town meeting member Adam Senesi commented that next year will be a challenge, the positions for math specialists and special education staff are needed but understands why they needed to be cut under these circumstances. Moved by Mr. Murphy and seconded by Mr. Nelson to close the public hearing. Ms. Simon, aye; Mrs. Russo, aye; Mrs. Monaco, aye; Mr. Nelson, aye; Mr. Murphy, aye. Motion carried 5-0-0.

Moved by Ms. Simon and seconded by Mrs. Russo to approve a FY21 school budget salary account of $47,967,549; Ms. Simon, aye; Mrs. Russo, aye; Mrs. Monaco, aye; Mr. Nelson, abstain; Mr. Murphy, abstain. Motion carried 3-0-2. Moved by Ms. Simon and seconded by Mrs. Russo to approve FY21 school budget non-salary expenses of $7,506,389. Ms. Simon, aye; Mrs. Russo, aye; Mr. Nelson, aye; Mr. Murphy, aye; Mrs. Monaco, aye. Motion carried 5-0-0. Moved by Ms. Simon and seconded by Mrs. Russo to approve a FY21 school total operating budget of $55,473,938. Ms. Simon, aye; Mrs. Russo, aye; Mr. Nelson, aye; Mr. Murphy, aye; Mrs. Monaco, aye. Motion carried 5-0-0. Moved by Ms. Simon and seconded by Mrs. Russo to approve a FY21 school special education accommodated budget of $12,615,139. Ms. Simon, aye; Mrs. Russo, aye; Mr. Nelson, aye; Mr. Murphy, abstain; Mrs. Monaco, aye. Motion carried 4-0-1.

Dr. Conti requested that the School Committee revisit the submitted warrant article list for June town meeting as part of the school budget discussion. He explained they are working with the town financial team and are requesting that the School Committee put together a tiered list of warrant articles, with the possibility of delaying $500K in projects.

A prolonged discussion ensued with some of the comments from School Committee members:

- The town is clearly in a difficult time financially and the need to consider postponing warrant articles that are not priorities or safety issues.
- BHS Varsity Field is $500K and could potentially be put off for 2-3 years, however the School Department has the responsibility to maintain it and we don’t want to have it to fall into such disrepair that it may need to be replaced.
- Not wanting to put off water bubbler replacement at MSMS due to current health conditions.
- Possibility to put off MSMS auditorium for $350K, but there are safety concerns with the stage curtain, lights, and asbestos.
- During the 2008 financial downturn, the Memorial School was replaced for a very good price and interest rate. Now might be a good time to be bonding and grouping projects.
- The School Committee could pull submitted warrant article projects during the town meeting on June 10. A School Committee public meeting could be posted immediately prior to the start of town meeting and the committee could decide then.
The Committee will discuss possible postponement of submitted warrant articles at the next couple School Committee meetings and requested that Dr. Conti and Mr. Cunha create a prioritized list of warrant articles.

Mr. Cunha reported that over 24 people requested specification information, 6 companies submitted qualifications and three firms were interviewed. Mr. Cunha is recommending the firm of CBI Consulting LLC, for on call architect and engineering services for three years as proposed in RFQ #01-26-2020. He further explained the firms references were good and they completed a project for Burlington schools 7 years ago. The contract has not been presented yet, fees have not been discussed, CBI Consulting will be brought on for 3 years and services will be paid for as they complete projects/designs for the district. The Superintendent commented that currently there is an open warrant to create bid documents for the BHS heating/cooling system and is this something CBI could do? Mr. Cunha replied yes, it’s within the scope of what they can do. In response to Dr. Conti, Mr. Cunha stated that a rough estimate to replace the HVAC system would be in the $12-15 million range. The boilers are on borrowed time being over 30 years old, are being maintained, but any firm will recommend replacing them, it will take a couple months for CBI to design/recommend a BHS hvac system, and he hopes to have more defined documents to present to the School Committee in the fall. Dr. Conti commented that the hvac design work is limited to hvac and can’t include upgrading the BHS science labs, additional warrant article funding would need to be requested. Moved by Mr. Nelson and seconded by Mr. Murphy that the School Committee award a three-year contract for on call architectural services as proposed. Ms. Simon, aye; Mrs. Russo, aye; Mr. Nelson, aye; Mr. Murphy, aye; Mrs. Monaco, aye. Motion carried 5-0-0. The School Committee thanked Mr. Cunha for his work on this project. Dr. Conti stated that there is currently $100K in warrant article funding for the design of the BHS HVAC system and another $100K design services warrant article has been submitted for approval at June town meeting for a total of $200K for design services but this will not be enough to fund all upcoming projects.

ADJOURNMENT

Moved by Mr. Murphy and seconded by Mr. Nelson at 9:40 p.m. to adjourn the meeting. Motion carried 5-0-0.

Respectfully submitted,

Sharon Gilbert  
Recording Secretary

Date submitted: 5/26/20
Date approved: 5/26/20