

REVISED  
11/3/14

MINUTES – WAYLAND SCHOOL COMMITTEE

Executive Session – June 23, 2014

An Executive Session of the Wayland School Committee was held on Monday, June 23, 2014, at 10:50 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

Absent:

- Jeanne Downs

Also:

- Paul Stein  
Superintendent of Schools

Brad Crozier

Assistant Superintendent

1. **Executive Session:**

Subsequent to a roll call vote in Regular Session on a motion brought by Barb Fletcher, seconded by Malcolm Astley, to enter Executive Session at 10:50 p.m. for the purposes of discussing 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), to discuss a public records request related to a corresponding document for the June 3, 2013 Executive Session minutes used in negotiations, as permitted by M.G.L. Chapter 30A, §21(a)(3), to discuss strategy with respect to collective bargaining with the Food Service Workers, as permitted by M.G.L. Chapter 30A, §21(a)(3), and to conduct negotiating strategy session in preparation for contract negotiations with newly appointed business administrator, as permitted by M.G.L. Chapter 30A, §21(a)(2), 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 approve minutes from prior executive sessions, as permitted by M.G.L. Chapter 30A, §22, for May 12, 2014.

The School Committee will be joined by Paul Stein, Superintendent of Schools, Brad Crozier, Assistant Superintendent of Schools, and Geoff MacDonald, Business Administrator.

The School Committee will reconvene in open session to conduct regular matters 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 (absent)		

Since Ellen is participating remotely, Barb asked her to state that no other person is present and/or able to hear the discussion at the remote location. Ellen replied that no other person is present and/or able to hear the discussion.

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

Barb informed the School Committee that she received an email from John Senchyshyn that the Board of Selectmen voted in favor of the Food Services Memorandum of Agreement.

Released 11/3/14

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**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 regarding the June 3, 2013 Executive Session, pursuant to M.G.L. 30A, §21(a)(3):**

Ellen updated the School Committee that on June 26<sup>th</sup> there will be pre-hearing conference between Gini Tate, Mark Higgins and a judge. Ellen explained that this conference is a formal proceeding under Massachusetts law, and it is to determine administrative concerns, such as when the hearing will be held. Gini Tate agreed that Mark Lanza could come up with a resolution to this matter. The School Committee should not admit intent. Ellen will also ask if Wayland residents can attend the hearing.

The School Committee also discussed if Mark Lanza could ask Mark Higgins to negotiate a lesser fine prior to the scheduled hearing. It was agreed that the School Committee would set parameters and authorize Mark to move forward.

Upon a motion duly made by Ellen Grieco, seconded by Malcolm Astley, the School Committee voted (3-1) (Donna voted no based on the violation) to authorize Mark Lanza to negotiate on the School Committee's behalf with the Attorney General's office a settlement with the lowest cost possible and not admitting intentional violation. 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 (absent)		

**4. Discuss Public Records Request Related to Corresponding Document for June 3, 2013 Executive Session Minutes Used in Negotiations, pursuant to M.G.L. Chapter 30A, §21(a)(3):**

It was determined that George Harris's request for the corresponding document used in negotiations on June 3, 2013 was under the Open Meeting Law complaint as opposed to a public records request. The School Committee discussed two options – release the document or discuss again on July 10.

Upon a motion by Donna Bouchard, seconded by Barb Fletcher, the School Committee voted (1-3) to release the matrix. 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 (absent)		

The School Committee discussed the document in question in terms of why it shouldn't be released. It was agreed by 3 members not to release the document and to discuss on July 10.

**5. Conduct Strategy Session in Preparation for Contract Negotiations with Newly Appointed Business Administrator, pursuant to M.G.L. 30A, §21(a)(2):**

The School Committee reviewed a second Business Administrator's contract as advised by Gini Tate. They discussed the Indemnification Clause and if both versions have the same affect in terms of M.G.L. Chapter 258. The School Committee will consider the original proposed language. The Committee also discussed sick time and vacation time, which is in line with the WTA contract.

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6. Approval of Minutes:

- Executive Session Minutes of May 12, 2014

Upon a motion duly made by Malcolm Astley, seconded by Donna Bouchard, the School Committee voted unanimously (4-0) to approve the May 12, 2014 Executive Session minutes as written. 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 (absent)		

7. Adjournment:

Upon a motion duly made by Donna Bouchard, seconded by Malcolm Astley, the School Committee voted unanimously (4-0) to adjourn the Executive Session at 11:30 P.M. 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 (absent)		

Respectfully submitted,



Paul Stein, Clerk  
Wayland School Committee

Corresponding Documentation:

1. Draft of Business Administrator's Contract
2. Email from John Senchyshyn re: Food Service Negotiations
3. Executive Session Motion
4. Executive Session Minutes of May 12, 2014