

Our mission is to provide rigorous and varied educational opportunities that challenge and engage all students to attain their highest level of intellectual, social, physical, and emotional growth. (2007)

LITCHFIELD SCHOOL BOARD - SCHOOL ADMINISTRATIVE UNIT NO. 27

Litchfield, New Hampshire 03052

APPROVED MINUTES

July 15, 2009

(approved as amended July 29, 2009)

Present:

Mr. Dennis Miller, Chair
Mr. Ralph Boehm, Vice Chair
Mrs. Cindy Couture, Board Member
Mrs. Pat Jewett, Board Member
Mr. Jason Guerrette, Board Member
Dr. Elaine Cutler, Superintendent
Mr. Steve Martin, Business Administrator
Mr. Bruce Ballou, Director of Technology
Mrs. Michele E. Flynn, Administrative Assistant

1) **Public Session – Call to Order – Pledge of Allegiance** **6:30 p.m.**
Mr. Miller called the meeting to order at 6:31 p.m.

2) **Review and Revision of Agenda**
Revisions to the agenda included: the addition of Item 7 under Recommended Action – Proposed Article 28-a Lawsuit Against the State of NH; under Non-Public Session, the addition of Transportation Contract.

3) **School Board Members' Comments**
Mr. Boehm was concerned that some students have started a “hate” Facebook page. He commented that he raised the concern to make parents aware.

Mr. Miller indicated that the meeting is being recorded, but is not being broadcast live due to a connection problem.

4) **Summary of Non-Public Actions**
Mr. Miller read the motions from the June 24, 2009 non-public session.

From the June 24, 2009 Meeting:

Mrs. Couture made a motion to approve the minutes as written. Mrs. Jewett seconded. The motion carried 5-0-0.

Mrs. Couture made a motion to accept the nomination of John Fichera as part time (35%) High School Athletic Director at a salary of \$24,039.21 for the 2009-2010 school year. Mr. Boehm seconded. The motion carried 4-1-0, with Mr. Guerrette voting in the negative.

Mrs. Couture made a motion to accept the nomination of Liana Wilbur as a CHS Math teacher at a salary of \$33,290 for the 2009-2010 school year. Mr. Miller seconded. The motion carried 5-0-0.

5) **Presentations to the Board**

1) Citizens Bank Update

Mr. Martin presented Chris Therrien, the District's Relationship Manager from Citizens Bank. Mr. Martin asked Ms. Therrien to explain the relationship between the District and the bank, the services they provide, and how they protect the District's money, and to answer any questions about the District's deposits or collateral agreements.

Ms. Therrien has worked in the government banking group for seventeen years and is the Relationship Manager. Her role is to attract new deposits from the municipal sector and maintain those relationships. Citizens Financial Group owns all the Citizens banks and charter groups in the United States. Litchfield School District has been a customer since 2001. Citizens provides the following services: direct deposit of payroll, sort checks in numerical order, online banking, zero balance accounts, and collaterals (protection for funds) with securities through a third

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Followed by Non-Public Session

party arrangement with Bank of NY according to RSA 197:23-a. Ms. Therrien also reported that the FDIC raised the limit for all deposits to \$250,000 and extended the coverage to 2013.

Mr. Boehm indicated that New Hampshire has strict laws regarding school and town investments.

Ms. Therrien indicated that Litchfield School District has checking accounts with interest and we offer Certificates of Deposit (CD) in accordance with RSA 197:23-a.

Mrs. Couture queried about the circumstances under which the District have a CD. Ms. Therrien noted that the District could term out excess cash in a short term CD.

Mr. Miller queried about insurance coverage (FDIC) on deposits over \$250,000. Ms. Therrien indicated that the Bank of NY secures everything above \$250,000 through an existing collateral agreement with weekly/monthly reports to confirm the amount of collateral. Mr. Martin pointed out that the Treasurer controls those funds and not the SAU or the School Board, and that it is the Treasurer's responsibility to move funds to a CD based on cash forecasts.

Mr. Miller thanked Ms. Therrien for her presentation.

2) **Appointment of Assistant Treasurer**

Lynn Baddeley presented the candidate for Assistant Treasurer, a non-paid position that was approved by the voters in March 2009.

Mr. Boehm commented that the Town's treasurer is able to appoint an assistant treasurer, however, the District's treasurer is not able to do so. He plans to bring forth legislation to allow the District treasurer to appoint an assistant treasurer at the next legislative session.

Mrs. Couture made a motion to approve the appointment of Robbin Kopaczynski as Assistant Treasurer for the Litchfield School District. Mrs. Jewett seconded.

Board members queried about the term of the appointment, which is one year.

Mrs. Couture amended the motion to approve the appointment of Robbin Kopaczynski as Assistant Treasurer for the Litchfield School District through March 2010. Mrs. Jewett seconded. The motion carried 5-0-0.

6) **Community Input**

Emilia DiCola, 5 Riverview Circle, commented that she has been in contact with those from National Coalition Against Censorship. She found that banning books is unconstitutional and that the Supreme Court has ruled that local schools cannot remove books from school libraries simply because they dislike the ideas contained in those books and seek by their removal to "prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion". She commented that she still feels strongly that the books should not be removed. Ms. DiCola commented that these stories make an impact on the lives of those reading them. She noted that by reading the types of stories in question she has chosen to make good decisions with her life.

Mr. Miller pointed out that the Board has not banned any books. A committee has been formed that will evaluate the materials to be used for that class. The materials will be published for those that would like to opt into the class.

Mr. Boehm commented that there is a difference between banning books from a library and selecting books for curriculum.

Dr. Cutler reported that the committee met recently and received a collection of 44 stories with a rubric. Ms. Lecaroz heads the committee whose members include seven parents, seven students, and the teachers who will be reading and reviewing the stories.

Ms. DiCola requested a list of the members of the committee, which Dr. Cutler offered to provide. Mr. Guerrette requested a copy of the rubric, and Mr. Miller suggested the rubric be posted on the website.

7) **Recommended Action**

a) **Business Affairs**

1) Draft School Board Minutes:

a) Public Minutes June 24, 2009

Mrs. Couture pointed out that there were some names of those that gave community input at the June 24 meeting were incorrect. The appropriate revisions were made to the minutes.

Discussion Item:

Mr. Guerrette suggested that, with regard to the reading of the non-public motions from June 17, his motion to amend the vote from the April 8 non-public session to approve the recommended administrative team salaries was inaccurate. Mrs. Couture pointed out that the June 24 public session minutes included a reading of the June 17 non-public session motions and that the change would have to be made to the June 17 minutes. Mr. Guerrette stated that he believes the original vote on the motion (mentioned above) from the non-public session on April 8 is inaccurate and does not reflect his vote correctly as he believes he voted in the negative.

Mrs. Couture made a motion to approve the minutes as amended. Mrs. Jewett seconded. The motion carried 4-0-1, with Mr. Guerrette abstaining.

2) Business Administrator's Preliminary Report – June 2009

Mr. Martin reviewed the June Business report with the Board. He reported that the District completed its first preliminary year-end close with new software. Mr. Martin is projecting a year-end general fund unreserved fund balance of \$560,000. Major contributors are:

- unanticipated revenues: \$54,000;
- Special Education student specific budget account under spends: \$230,000;
- Salaries & Benefits under spend: \$56,228;
- vocational education tuition under spend: \$16,000;
- vocational transportation under spent \$39,000;
- year end spending restraints in supplies, repairs and maintenance under spend: \$59,000.

Mr. Martin indicated that the year-end under spend in supplies, repairs and maintenance, and other areas was due to the Superintendent's request for spending restraints.

Mr. Martin reported that the Food Service fund is expected to show loss of approximately \$20,000 and there is a possibility a lunch price increase may be proposed [likely on adult meals, ala carte items, and milk].

Mr. Guerrette commented that any price increase should be delayed until it is absolutely necessary. Mr. Martin indicated that a recommendation will be proposed, but it is ultimately the Board's decision to approve or decline the increase.

Mr. Martin reported that the GASB-45 actuarial consulting services contract was awarded to Nyhart, Inc. of Indianapolis, IN, which allows the District to be in compliance. Recently, the 403(b) third party administrator was acquired by CPI Qualified Plan Consultants, and we have learned that CPI has been acquired by CUNA Mutual Group of Kansas. We will review the acquisition and any impact it may have on the District. Mr. Martin indicated that the District has provided the Selectmen with legal counsel's response to the impact fees issue raised by the Selectmen from their last meeting. The Selectmen have responded with a query regarding the District's population, to which legal counsel is preparing a response.

Mr. Martin reported that energy consultants negotiated a new five month energy supply contract with Constellation Energy, which will cover our five largest volume electricity accounts and is a lower rate than was provided by PSNH or what was budgeted for 2009-2010. The approved NH State budget included an increase in the NH Retirement System employer contribution rates. The rate increases were not included in the budget and will result in an estimated \$168,000 shortfall in the District's retirement account budget.

Mr. Guerrette queried about encumbering year-end funds to offset the shortfall. Mr. Martin explained that the 2008-2009 funds cannot be encumbered for matters that occur in a different fiscal year. The Board can only encumber unspent funds prior to the end of the fiscal year in which a shortfall [or other issues] occurs. Since the shortfall will

occur in the FY10 budget, FY09 funds cannot be encumbered. Any unspent funds at the end of the fiscal year are returned to the town to offset the tax rate.

Mr. Martin reported that the Buildings & Grounds staff has begun their summer maintenance work. Site preparation work for the new kindergarten portables is underway at GMS. In Technology, Mr. Martin reported that the District was advised of a potential donation of used computers from the IRS. The District applied and was approved for the donation. The computers will be used at GMS. Mr. Martin acknowledged Steve Bazzocchi of Litchfield who facilitated our application for the IRS donation to the District. Mr. Bazzocchi has a student at GMS.

3) Procurement Card Procedures & Employee Agreement – FYI

Mr. Martin shared a copy of the procurement card procedures manual and the employee agreement with the Board. He indicated that the employee use agreement and indemnification are being reviewed by legal counsel. The agreement states that discipline for abusing the use of the procurement card is up to and including termination.

4) Change in Computer Procurement Approval (*moved before the Business Report*)

Mr. Martin requested the Board rescind the Dell sole source policy that was approved several years ago. Mr. Ballou researched vendors and provided lower cost recommendations to the Board. He noted that at the time it made sense to have a sole source provider for consistency in the District. However, he has found that Dell's prices have become very expensive. He requested the Board allow the District to rescind the Dell sole source provider and allow purchases to be made from a vendor with a less expensive cost based on quotations.

Board members queried about the life of the warranties and third party warranties. Mr. Ballou indicated that the quotes are accompanied by five year warranties and that the warranties are through the manufacturers.

Mr. Guerrette thanked Mr. Ballou for bringing the proposal to the Board.

Mrs. Couture suggested researching the School District meetings to confirm that the decision to purchase technology from Dell was not a ballot question.

Mr. Guerrette made a motion to approve the recommendation to rescind the sole source requirement from Dell and allow purchase technology by quotation. Mr. Boehm seconded. The motion carried 5-0-0.

5) School Board Member Questionnaire for the Annual Audit

The Board is required to complete the questionnaire and be signed by the Board Chair. Board members completed and signed the document at the meeting. Board members answered the questions and Mr. Miller signed the questionnaire.

6) Authority to Sign Contracts, Grants

Mrs. Couture made a motion to authorize Dr. Elaine Cutler, Superintendent or designee, and Mr. Steve Martin, Business Administrator, to sign all Office of Business Management forms, all contracts, and all grants on behalf of the Litchfield School Board for the 2009-2010 school year. Mr. Boehm seconded. The motion carried 5-0-0.

7) Proposed Article 28-a Lawsuit Against the State of NH

Dr. Cutler presented a proposal from the NHMA, NH LGC, NHSBA, and the NHAC for a potential lawsuit against the State of NH in order to challenge the action by the State relative to the NH Retirement System mandate by the Legislature. They are recommending we pay the increase retirement costs under protest, along with a prepared statement. This group feels they have a perfect lawsuit against the state.

Mr. Boehm pointed out that the Legislature changed the law with HB2, which supersedes article 28-a. Board members briefly discussed the rationale of the lawsuit.

Mrs. Couture requested that we research whether or not the District made a contribution to the legal fund last year.

Mr. Boehm made a motion for the District to send payments to New Hampshire Retirement System under protest. Mrs. Jewett seconded. The motion carried 5-0-0.

8) Manifest

The manifest was circulated and signed by the Board. Mr. Guerrette requested a list of software agreements, which Mr. Martin will provide.

Mr. Martin reported that there was a small fire at LMS today that was confined to the tractor. The Fire Department responded and there was no damage to the building. It was determined that the tractor's electrical system encountered a problem.

8) New Business

1) Financial Policies to be Reviewed:

a) Photocopying Procedures (Amendment to Policy)

Mr. Martin presented a change to the cost of photocopying in the policy. Mr. Guerrette indicated that he was not in favor of charging for copies of public documents.

Mrs. Couture made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded. The motion carried 4-1-0, with Mr. Guerrette voting in the negative.

b) Transfer of Appropriations (DBJ)

Mr. Martin presented the new policy to the Board.

Mrs. Couture made a motion to approve the policy for a 1st Reading. Mrs. Jewett seconded. The motion carried 5-0-0.

c) Revenues from Local, State, & Federal Tax Sources (DEA)

Mr. Martin presented the policy to the Board indicating that it is revision of two older District policies.

Mr. Guerrette was concerned with the wording in the policy relative to accepting federal, local, and state funds. He suggested a revision.

Mrs. Couture made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded.

Mr. Miller suggested a revision to the opening wording of the policy and amended the motion.

Mr. Miller amended the motion to approve the policy for a 1st Reading with revisions. Mr. Boehm seconded. The motion carried 5-0-0.

d) Investment Policy (DFA)

Mr. Martin presented the Investment Policy to the Board indicating that the policy has been reviewed by legal counsel, Citizens Bank, and the District auditors. Board members suggested revisions to the policy.

Mr. Guerrette made a motion to approve the policy for a 1st Reading with revisions. Mr. Boehm seconded. The motion carried 5-0-0.

e) Gate Receipts, Fees, & Admissions (DFE)

Mr. Martin presented the revised policy to the Board. Mr. Martin commented that when the Board approved the fencing of the playfields at CHS, the agreement was that any revenue from admission fees would offset field or facilities maintenance costs. Admission fees will not be deposited into student activity funds, which Mr. Martin confirmed. Board members suggested revisions to the policy.

Mrs. Couture made a motion to approve the policy for a 1st Reading. Mr. Guerrette seconded. The motion carried 5-0-0.

f) Free Admissions (DFEA)

Mr. Martin presented the revised policy to the Board. Board members suggested revisions.

Mr. Guerrette made a motion to approve the policy for a 1st Reading. Mrs. Jewett seconded. The motion carried 5-0-0.

g) Depository of Funds (DG)

Mr. Martin presented the revised policy to the Board. Board members suggested revisions.

Mrs. Jewett made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded. The motion carried 5-0-0.

h) Authorized Signatures (DGA)

Mr. Martin presented the policy to the Board indicating changes due to electronic payments and to the payroll approval process.

Mrs. Couture made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded. The motion carried 5-0-0.

i) Bonded Employees (DH)

Mr. Martin presented the policy to the Board, noting that the District Treasurer and Assistant Treasurer are the only employees to be bonded under State law.

Mrs. Jewett made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded. The motion carried 5-0-0.

j) Financial Management & Reporting (DI)

Mr. Martin presented the revised policy to the Board noting the additional wording regarding procurement cards. Board members suggested revisions.

Mr. Guerrette made a motion to approve the policy for a 1st Reading. Mr. Boehm seconded. The motion carried 5-0-0.

k) Payroll Procedures (DKA)

Mr. Martin presented the revised policy to the Board. Board members suggested revisions.

Mr. Boehm made a motion to approve the policy for a 1st Reading. Mrs. Couture seconded. The motion carried 5-0-0.

l) Cash & Checks in School Buildings (DM)

Mr. Martin presented the revised policy to the Board. Board members suggested revisions.

Mr. Guerrette made a motion to approve the policy for a 1st Reading. Mrs. Jewett seconded. The motion carried 5-0-0.

9) Old Business

a) Policies – 1st Reading

1) Skateboards, Rollerblades, & Scooters (JHFF)

The revised policy was reviewed by the Board. Board members suggested an additional revision to the policy. Mrs. Couture was concerned that the policy is prohibiting the community from the property with rollerblades and scooters when school is not in session. Mr. Miller indicated that if community members use skateboards, rollerblades, or scooters on school property and are injured, the policy protects the District from liability.

Mr. Guerrette made a motion to approve the policy for a 1st Reading. Mr. Miller seconded. The motion carried 5-0-0.

b) 2009-2010 School Board Calendar

The revised School Board meeting calendar for 2009-2010 was reviewed by the Board. The approved calendar will be posted on the website and distributed to each school.

Mrs. Couture made a motion to approve the 2009-2010 School Board meeting calendar. Mrs. Jewett seconded. The motion carried 5-0-0.

10) Committee Reports

1) Budget Committee

Mr. Guerrette reported that the Budget Committee met on June 25, 2009. He noted that the Budget Committee requested that line item changes be reflected in future budget proposals. Mr. Guerrette also reported that the Budget Committee may request principals be present at the budget presentation.

Dr. Cutler had some reservations with principals attending Budget Committee meets as they presently have numerous evening commitments and start work very early in the day.

Mr. Miller noted that the principals do not develop the whole budget and may not be able to respond to all questions by Budget Committee members. Mr. Martin suggested that Budget Committee members attend the School Board budget presentations to the Board. Dr. Cutler agreed with Mr. Martin's suggestion.

Mr. Guerrette reported that the Budget Committee is requesting the FY11 proposed budget be prepared by object account and not only by function account. Mr. Miller pointed out that the budget MS-27 must be posted by function account. Mr. Guerrette indicated that the Committee members requested receipt of the budget by November 19, if feasible.

2) Selectmen

Mrs. Jewett reported that all town budgets are to be submitted by September 1, including all warrant articles. She also reported that the majority of truck drivers are obeying the load limit on Albuquerque. Mrs. Jewett indicated that the new Administrative Assistant to the Selectmen is doing an excellent job. She also reported that a large granite stone with a plaque will be placed on Albuquerque to dedicate the bike path in memory of Roland Bergeron.

3) Legislative

Mr. Boehm reported that the last session of the Legislature was held on June 24, 2009, however, legislators may have to go back into session due to a legal issue. Mr. Boehm asked Board members for input on the proposal of new legislation.

11) Community Input

There was no community input.

12) Non-Public Session: RSA 91-A:3II (a-c)

[Minutes of Non-Public Session are written under separate cover.]

Mrs. Couture made a motion to go into non-public session at 9:27 p.m. under RSA 91-A:3II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. (b) The hiring of any person as a public employee. (c) Matters, which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. Mrs. Jewett seconded. The motion carried by roll call: Mr. Miller, yes; Mrs. Couture, yes; Mr. Boehm, yes; Mrs. Jewett, yes, Mr. Guerrette, no.

13) Return to Public Session

Mrs. Couture made a motion to return to public session at 9:46 p.m. Mrs. Jewett seconded. The motion carried by roll call: Mr. Miller, yes; Mrs. Couture, yes; Mr. Boehm, yes; Mrs. Jewett, yes; Mr. Guerrette, yes.

14) Adjourn

Mrs. Jewett made a motion to adjourn at 9:48 p.m. Mrs. Couture seconded. The motion carried 5-0-0.

15) Upcoming Meetings

>Litchfield School Board - July 29, 2009; August 12, 26, 2009 - CHS Media Room – 6:30 PM

Respectfully submitted,

Michele E. Flynn
School Board Administrative Assistant