

**Groton Dunstable Regional School Committee  
High School Library  
Business Meeting Minutes  
August 3, 2005    Approved August 24, 2005**

PRESENT:

Ms Cindy Barrett, Secretary  
Ms Kim Cowie  
Ms Karen Lofgren  
Mr. Chuck McKinney, Chair  
Ms Patricia Murray  
Mr. Frank O'Connell, Vice- Chair

Absent:

Mr. Alan Vervaeke

ADMINISTRATION:

Dr. Alan Genovese, Superintendent  
Mr. Craig Young, Business Manager

STAFF, PRESS, OTHERS: L. Worthy, Lowell Sun; J. Mingoelli, Groton Herald;  
P. Comtois, Groton Landmark; , D. Icenogle, G. Dee, Attorney H. Greenspan,  
D. Twomey, Dee Bus Service representatives

CALL TO ORDER

The GDRSC Meeting was called to order at 7:00 p.m. by the chair, C. McKinney.  
He welcomed Dr. Genovese to his first School Committee meeting.

ANNOUNCEMENTS

Dr. Genovese announced the search process for the Athletic Director was underway when he came on board. Four of the twenty-six applicants were selected for interviews and two finalists were chosen. He asked the high school and middle school principals to interview the candidates and share their information with him. He then met with the candidates and noted they both had a lot to offer. Without knowing more about the school and community cultures, he asked that another screening committee be put together where he could sit outside of the group and have interview questions asked so he could concentrate on the answers and responses. He announced Dan Twomey has been selected and is present this evening.

D. Twomey thanked Dr. Genovese for the in-depth interview process. He stated he received great insight from the questions with respect to what the community is looking for and that communication is the number one thing with this position.

C. McKinney announced the MASS/MASC Joint Conference schedule has been finalized. It is scheduled to be held at the Worcester Centrum on October 26th, October 27th and October 28th. Dr. Genovese encouraged members to attend. A School Committee delegate will be appointed at a later time.

C. McKinney announced the Executive Committee of MASC has been meeting with various entities in the State House and has completed a discussion about the impact of regulations. Lt. Governor Kerry has scheduled a follow-up round of "listening sessions" around the state for school committee members, and others, to talk about the impact various regulations have on a district's ability to perform. Two sessions will be held in the western part of the state tomorrow, a session will be held in Brockton on August 5th, one will be in Worcester on August 11th and another at Lowell City Hall on August 12th.

C. McKinney announced the School Committee has scheduled a workshop for 5:30 p.m. on August 17th at Tarbell. They anticipate holding an executive session at the end of the workshop. Dr. Genovese distributed a copy of the agenda.

P. Murray announced there will be a joint financial meeting with the Boards of Selectmen, FinComs and Budget and Finance Committee on August 11th at in the high school library.

#### REPORTS FROM SUB-COMMITTEES

Budget and Finance - P. Murray reported they did not meet in July but they will be meeting at Tarbell at 5:30 p.m. on August 9th to discuss the end of the year finances and where they are headed with the joint meeting on Thursday.

Naming Committee - K. Cowie reported they met and scheduled a meeting at MSN on August 30th at 9:00 a.m. They will be planning public meetings and reviewing all submissions to both Naming Committees. They will be looking at ways for the children who attend the schools to get involved with some of the research. She stated they will be considering all submissions.

Policy - K. Lofgren reported they will be meeting on August 16th at 7:30 p.m. in the high school library.

#### MINUTES

F. O'CONNELL MOVED TO APPROVE THE BUSINESS MEETING MINUTES OF JUNE 15, 2005. SECONDED BY K. LOFGREN  
SO VOTED IN FAVOR UNANIMOUSLY

F. O'CONNELL MOVED TO APPROVE THE BUSINESS MEETING MINUTES OF JUNE 29, 2005. SECONDED BY K. LOFGREN  
SO VOTED IN FAVOR UNANIMOUSLY

#### QUESTIONS/COMMENTS

None

#### PRESENTATIONS/DISCUSSION

Laidlaw: Proposed Settlement Agreement

C. McKinney introduced Attorney Greenspan. Attorney Greenspan stated the district had a three year contract, with a two year option, with Laidlaw Transportation Company, to provide bus services and the last school year was the first year of the two year option. In December 2004, they received notification from Laidlaw that they would not administer EpiPens to students nor were they willing to participate in training provided by the district. He stated Laidlaw had participated in the training for three years without objection and the administration was surprised that the bus company would no longer provide this function.

Dr. Jennings and Mr. Young met with Laidlaw several times in an effort to get this back on track and have the service provided to the students but no resolution was made. He stated the School Committee was very concerned about the safety issues and authorized him to file a lawsuit against Laidlaw Transportation Company alleging a breach of contract relative to this matter. In the spring of 2005, he prepared a complaint alleging two counts of violation of the contract and filed it in Middlesex Superior Court. He also requested the court issue a preliminary injunction requiring Laidlaw to perform those services. A court date was scheduled in the early spring but Laidlaw removed the case to United States District Court in Massachusetts. He stated they were in front of a judge during the third week of June but due to the lateness in the school year, the judge did not issue the injunction. She did have a trial date of August 1st and this put them on the fast track. Attorney Greenspan stated Dr. Jennings and Mr. Young met with the Groton and Dunstable police on several occasions to come up with plans that would ensure the safety of the students while they were on the busses. Parents were also informed of the issues.

In the time leading up to the trial, Attorney Greenspan stated he did five depositions and the usual pre-trial discovery. He had Mr. Young re-bid the bus contract and insert the requirement in the Invitation for Bid that the company would be required, as a condition of the contract, to participate in the training provided by the district and to administer an EpiPen when required. Bids were received and after they were opened, Mr. Young informed him they had a responsible bidder willing to provide the service and transportation and the price for the 2005-2006 school year was comparable to the last year of the Laidlaw contract. He

stated they then tried to work out a settlement without going to trial. They have agreed to a settlement that releases the district from any issues relative to the last year of the contract in terms of payment to Laidlaw and Laidlaw is releasing the district in terms of this issue. Laidlaw can bid on contracts in the future without prejudice. Laidlaw filed a counterclaim against the district alleging the district entered into some unfair business practices when the bus contract was re-bid. He stated there is no financial damage to the district after the case is settled and the Committee authorizes the new bidder to provide the transportation services.

Attorney Greenspan thanked Mr. Young for his assistance in keeping the process moving. He stated Ms Irelan, Dr. Staub, Dr. Jennings and Dr. Genovese also played significant roles in this matter. He stated this case was an issue of providing first aid.

He has signed an agreement from Laidlaw per Dr. Genovese's request. The School Committee needs to approve the settlement and authorize the superintendent to execute the settlement.

P. Murray asked about the counterclaim and Attorney Greenspan advised this is dismissed. She asked if future contracts will have the clause that the bus company has to participate in the training provided by the district and administer EpiPens when required. Attorney Greenspan responded "absolutely" and noted this issue, in terms of bus contracts, is just coming up on the radar screen in other districts.

#### Student Transportation Bid Recommendation

C. Young stated they anticipated that Laidlaw was serious about not wanting to provide the services the district was asking for and it was important to get a bid in place in case they needed to go to another company. They received two bids and one meets the requirements. He stated he received great references on Dee Bus Service Inc. of Concord, MA. C. Young stated it appears the district is in good shape and this bid is similar to what was in place, with the addition that the drivers be trained in first aid. A fuel escalation clause was also added with a cap of \$2.25 per gallon, exclusive of taxes. He recommends awarding a three contract, with the option to renew for two years, to Dee Bus Service per their bid of \$3,346,940 submitted on July 21, 2005. This bid falls within the budget parameters. He noted his recommendation is contingent on the successful resolution of their disagreement with Laidlaw and the termination of their contract. The August 1st start date will be waived for the first year since they are past this date.

Dr. Genovese stated Mr. Dee is ready to start securing bus drivers and if awarded the contract this evening, he is ready to move forward.

As the mother of a child with allergies, K. Lofgren stated it was a benefit to have a bus driver she had established a relationship with and wondered how the process works.

Mr. Dee said he would like to contact the present drivers and try to put them back on the same routes they have now. While there are no guarantees, they do try to keep the same drivers. C. Young said a driver's allegiance tends to be with the town and school district.

K. Cowie thanked Mr. Dee and his representatives for coming tonight. As a parent whose children do not currently ride the bus, she looks forward to giving it a try in the fall.

P. MURRAY MOVED TO SUSPEND THE RULES TO MOVE THE ACTION ITEMS FORWARD FOR CONSIDERATION. SECONDED BY F. O'CONNELL  
SO VOTED IN FAVOR UNANIMOUSLY

#### ACTION ITEMS

VOTE: Laidlaw Settlement Agreement

K. COWIE MOVED TO APPROVE THE LAIDLAW SETTLEMENT AND INSTRUCT THE SUPERINTENDENT TO EXECUTE THIS SETTLEMENT.

SECONDED BY P. MURRAY

SO VOTED IN FAVOR UNANIMOUSLY BY ROLLCALL

VOTE: Award Student Transportation Contract

P. MURRAY MOVED THE GROTON DUNSTABLE REGIONAL SCHOOL COMMITTEE AWARD THE STUDENT TRANSPORTATION CONTRACT TO DEE TRANSPORTATION AS INDICATED IN THE MEMO DATED JULY 26, 2005. SECONDED BY C. BARRETT SO VOTED IN FAVOR UNANIMOUSLY BY ROLLCALL

C. McKinney thanked Attorney Greenspan and all those who put this together in a short period of time. He also appreciates the Committee's focus on making the buses safe.

#### PRESENTATIONS/DISCUSSION (CONTINUED)

##### FY2005 Year End Financial Report

C. Young reviewed the FY2005 (unaudited) financial report. He reported they ended the year with an unexpended balance of \$12,779. He stated E&D is currently at \$679,425, which is below the 3% target of \$900,000, and this will help replenish this account. He noted they received additional Circuit Breaker funding and increased reimbursements for student transportation and Charter Schools. A premium from the sale of BANS also increased revenues. Dr. Genovese noted the state had eliminated the partial reimbursement for Charter Schools. Districts generally had a three cushion and the increase in the reimbursement was a commitment by the state to put some of the money back this year to help offset the decrease in funding.

To have a \$30M budget with volatile expenditure issues that are impossible to predict with 100% accuracy, C. McKinney stated Mr. Young and his staff did a tremendous job balancing the budget. C. Young noted the principals and directors also played a part in the process.

P. Murray asked if the heating issues have been resolved at the middle school.

C. Young stated the MSN heating system had not been fine-tuned when the school opened. Significant issues, with the boilers being the main issue, were discovered and are being resolved.

##### Revolving Funds

C. Young reported these funds revolve to the next year. All funds performed at or beyond expectations. The school lunch fund continues to improve but remains in a deficit cash position. He reviewed a comparison of the FY2003, FY2004 and FY2005 lunch program. With the FY05 inventory balance, he stated they ended with a balance perspective of \$6,525.45 but not a cash perspective. He said they should have six to eight weeks cash on hand but they are making positive headway.

With respect to the Performing Arts Center, he noted there is always a timing difference when closing out the year but they ended with a balance of approximately \$9,000.

C. Barrett asked if the inventory for the school lunch program is nonperishables.

C. Young said there may be some perishables in the freezers. She asked if it will be good through September and October and he said yes.

##### Grant Funds

C. Young reported most grant funds end on August 31, 2005 and a final report is not available. An interim report is included in his printed report. He noted they have not received notice about next year's Title 1 and 94142 grants. Dr. Genovese feels the 94142 (Special Education) will be about the same but the concern is with the Title 1 Grant.

P. Murray asked about the \$10,000 from the Groton School grant. C. Young said the School Committee had decided Ms Morgan-White was going to use it on two items, but he does not recall what those are at this time.

##### Building Projects

C. Young reported the roof work at Prescott is expected to start on August 8th and it is anticipated the windows will arrive the second week in August. C. McKinney said there seems to be a certain amount of jeopardy associated with the Prescott windows.

Dr. Genovese said he has spoken with the principal about having a Plan B in place and she is looking at various options.

C. Young stated they have put a hold on all spending at the high school except for items all ready in process. They are evaluating the bid they received for the camera security system. MSS is done and 99% of the MSN building construction is complete. Some landscaping needs to be done in August. Depending on what they do with the security system, he stated they should have \$300,000 left in the high school building fund and \$750,000 to \$900,000 in the MS building fund.

P. Murray asked Mr. Young if he anticipates they will be on target to bond in November and he said yes.

C. McKinney asked when the Committee needs to make a decision on whether or not to award the contract for the security system. C. Young said you typically have thirty days to evaluate and make a recommendation and the bids were opened on July 21st.

#### QUESTIONS/COMMENTS

C. Barrett asked if there has been any news on the high school water. C. Young said last week they received the adjusted plan per DEP requirements, submitted it to DEP and they are waiting for DEP's final approval. The modifications will then be made.

K. Lofgren asked if there has been any feedback from DOE on their Coordinated Program Review. She was advised nothing has been received yet.

#### ADJOURNMENT:

F. O'CONNELL MOVED TO ADJOURN THE MEETING AT 8:28 P.M.

SECONDED BY K. LOFGREN

SO VOTED IN FAVOR UNANIMOUSLY

Respectfully submitted,

Susan H. Smith  
Recording Secretary