

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS  
Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL BOARD**

**Tuesday, May 19, 2020**

**School Board Meeting**

**6:30 p.m.**

**Physical Location: None**

Virtual Location :

<https://us02web.zoom.us/j/86816447186?pwd=VjQ2QStpYnBkF1RiZi9ZeU8rd0NBdz09>

Password: 4ev2dU

Phone: 1 312 626 6799

ID: 868 1644 7186

Password: 533179

**Minutes**

**BOARD**

Rich Cahoon, Richard Dunning,  
Alan Edelkind, Jim Fredrickson,  
Katherine Heck, Janine Lesser,  
Niki McGettigan, Kevin Pobst,  
Robert Short, Jr., Tim Theberge,  
Stephen Ullman, Jerry Wilson

**ADMINISTRATION**

Dr. Kimberly Saunders, Supt.  
Dr. Ann Forrest, Asst. Supt.  
Tim Markley, H.R.  
Carrie James, H.R.  
Cari Christian-Coates, Student Serv.  
Ben Moenter, Special Ed.  
Lori Schmidt, B.A.  
Mark Schaub, Tech.

**1. Call to Order and Pledge of Allegiance**

Rich Cahoon called the meeting to order at 6:33 p.m.

**2. Right to Know for Public Meeting Emergency Declaration**

Rich Cahoon read the "Right to Know for Public Meeting Emergency Declaration" which outlined how the public may access this meeting.

**3. Non-Public Session: RSA 91-A:3,II**

a. Legal

b. Student

Tim Theberge moved to enter into non-public session in accordance with RSA 91-A:3,II for student matters and legal matters at 6:37 p.m. Dick Dunning second. Unanimous on a roll call vote.

Dick Dunning moved to exit non-public session at 8:09 p.m. Katherine Heck second. Unanimous on a roll call vote.

Dick Dunning moved to allow the student request from Dublin to transfer to SMS be granted. Janine Lesser second. Unanimous on a roll call vote.

**4. Role of School Board Members – Attorney, Dean Eggert**

Attorney, Dean Eggert, referenced a document titled "Serving on the Local School Board: An Overview of the Legal Responsibilities of a Board Member".

Attorney Eggert referenced the Wadleigh Law website that he thought would be of interest to the board. A second resource is the firm's email address. As a board, the way to communicate with the district's legal counsel should be preserved through policy. Typically, inquiry for counsel come through the Chair of the Board or Superintendent. Other members of the district leadership have the authority to reach out to counsel. This is done to reserve legal services and assure that board members understand what is being asked. The board is fulfilling a State Constitution responsibility of duty. State Statutory Law comes into play. Judicial Decisions inform the board. Federal Law informs the board as well. Accepting federal funds ties the district to specific actions.

The General Legal Framework for a Local School Board was reviewed. The district gains authority from a State Constitution. The Board sets the standard for a quality education for ConVal. The Board's duty is to educate all residents up to age 21. A local board must make decisions in a manner that equitably allocates resources throughout the district. There is a statutory duty to feed students "at least one meal to our students" is required. There would have been a profound impact during remote learning. Districts have made meals available to students as a result.

NH RSA 189:13 provides that the school board holds the dismissal authority over teachers. The board's role in teacher nonrenewal was discussed as well.

Attorney Eggert said that the board adopts policy. These are enforceable regulations. A first and second reading occurs before adoption, unless waived. Additionally, the board has a duty with regard to long-term suspensions and expulsions. The Superintendent or Assistant Superintendent cannot suspend or expel, they can make a recommendation to do so to the board. Another role is to hear appeals that occur at the building level related to bullying. The board is also obligated to develop a policy that guides the development and implementation of a plan to respond to suicide prevention.

Indemnification provides protection to school board members so long as they act within the scope of office. As individuals, board members have the authority only if the board or subcommittee has designated that authority on behalf of the board.

Board members take a significant oath of office to faithfully and impartially discharge and perform all the duties incumbent upon a board member according to the best of his or her abilities agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire.

Policy "BEDH" defines the board to act by a vote of the body as a whole. Individual board members do not have the authority to bind the Board or the District.

The Board complies with the Right to Know Law according to RSA 91-A. Non-Public and Public Board meetings were touched on.

## **5. Acceptance of School Board Meeting Minutes (Board Vote Required)**

### **a. May 5, 2020**

**Dick Dunning moved to accept the minutes of May 5, 2020. Katherine Heck second. Unanimous on a roll call vote.**

## **6. Public Comment**

Joel Huberman, Peterborough, reported that he is a taxpayer who voted in favor of solar energy in March. He encouraged that the School Board move with speed to get solar panels installed to save money.

Emily Manns said that the opportunity to receive rebate is still available. A project would save the taxpayer money and she wishes the project to move along.

Bryan Field spoke in support of the solar project moving forward.

## **7. Consent Agenda**

### **a. Personnel**

1) Resignation Notification – June 2020

2) Nominations – July 2020

**Tim Theberge moved to accept the resignations of Madeline Compos and Ryan Barry as well as the nominations of Deb Riley, Valerie Corso, Cynthia Bradshaw, Zoe Paige, and Annie Dintino-Cucchi.**

**Jerry Wilson second. Unanimous on a roll call vote.**

### **b. School Board Requests**

Kimberly Saunders referenced information related to the responses to School Board Requests on Student Attendance.

Kevin Pobst noted the difference in attendance protocols between South Meadow School and Great Brook School.

Rich Cahoon urged the board that when requesting data, that they begin by stating exactly what their concern is.

## **8. Superintendent's Report and Presentation of Business**

### **a. Monthly Events Calendar**

1) June 30<sup>th</sup> School Board Meeting

The Food Service/Wellness Committee will meet on Monday, June 8<sup>th</sup> at 5:30 p.m.

### **b. Update on Remote Learning**

Kimberly Saunders referenced the survey results gathered on the topic of ConVal Remote Learning.

CAREs Act dollars, specific to public schools, have been set aside as well as to private and charter schools. In addition, dollars for use at the discretion of the Governor are in place.

### **c. Communication regarding long-term costs and savings**

Tim Theberge shared communication about the thought that there would be anticipated savings and not additional costs.

### **d. Estimate of Compensatory Services**

Determination of the estimate of compensatory services; either \$1.2M or \$1.6M are options.

Ben Moenter said that compensatory services would be services that are Individual Education Plan (IEP) driven. They would be services that were lost or for those students that did not progress. It would be determined through assessment.

Two streams were laid out with different approaches identified. Ben Moenter said that the first approach services students over the weeks of closure. Costs were calculated at a 25% rate. The second formula calculates the services through contracted staff to deliver services. Mr. Moenter said that these are gross estimates.

Kimberly Saunders said that the board needs to decide the level of conservativeness that should be pursued.

Dick Dunning said that less conservative as a result of the unknown. He suggested \$1.7M.

Tim Theberge said that the board should be covering the greatest exposure. This was the sense of the board.

#### **e. Planning Related to Reopening**

Kimberly Saunders reported out on information she has been accessing related to returning to school. Recommendations will be coming forward; meanwhile ConVal needs to get started. People have been identified to serve on various committees. Board assignments to serve on some of the committees will be asked. This is an incredible opportunity to look further at how we serve our student population and community.

The budget impact was asked with reopening. Too early to estimate.

Various scenarios for reopening were touched on.

#### **f. New School Board Member Orientation Meetings Update**

Kimberly Saunders reported that she has met with each of the newly voted School Board members individually.

#### **g. Accept Gift/Donation (Board Vote Required)**

- 1) ConVal School District requests authorization to accept from: The Congregational Church of Temple, the gift/donation of \$500.00 toward the free breakfast/lunch program delivering to children at home.

**Stephen Ullman moved to accept the gift as read. Kevin Pobst second.**

Robert Short said that this program is covered by federal monies. He asked if this was appropriate to accept.

Kimberly Saunders said that she would ask that these funds be applied to unpaid debt for food service.

**Stephen Ullman withdrew. Kevin Pobst withdrew his second.**

The vote was tabled to allow time to consult with The Congregational Church of Temple. .

### **9. Reports**

#### **a. Student Representative – Lorien Tyne/Abby Kamieniecki**

None.

#### **b. Teacher Representative – Greg Leonard**

Greg Leonard reported that next week, the elementary field day organized by physical education instructors will take place. It is an opportunity for families to participate from home.

In addition, teachers will be preparing for professional development days in June.

#### **c. Education Committee – Niki McGettigan**

Jerry Wilson reported that Niki McGettigan was voted in as Chair. A middle school principal presentation on instructional time was shared. The Edith Bird Bass Contest is in progress, readers will be sought.

#### **d. Budget & Property Committee – Jim Fredrickson**

Jim Fredrickson reported that the Peterborough Elementary School HVAC plan was discussed. Capital Improvement funds will be used.

#### **e. Strategic Plan Committee – Tim Theberge**

Tim Theberge reported that the timeline and dates were reviewed. The goal end date was moved out to June 2022. This allows administration to adjust other dates. Appropriate timing of starting this work was discussed, including input from the community. Geographic distribution of participation is seen as important.

#### **f. Communication Committee – Niki McGettigan**

None.

#### **g. Policy Committee – Janine Lesser**

Janine Lesser reported that two policies are being worked on; Suicide Prevention was the first. Tim Theberge will work on developing a draft policy for review.

Second, the development of a policy that would clarify the requirements for the payment schedule for the towns was discussed. Katherine Heck and Kevin Pobst will work on this.

### **10 Old Business**

#### **a. Power Purchase Agreement**

Rich Cahoon said that the Power Purchase Agreement (PPA) is the document that guides the purchasing of power with a solar project. It is not the project itself.

**Jim Fredrickson moved that the District move forward with the Power Purchase Agreement approved by voters as Warrant Article 05, but do so as a competitive project in lieu of a sole-source negotiation with Revision Energy since a competitive bid is deemed to be in the best interest of the District.**

**Dick Dunning second.**

Janine Lesser said that she is not in favor of changing tracks at this time because time is invested on behalf of administration.

Kevin Pobst asked what the reason was for the sole source recommendation.

Janine Lesser said that provisions were made which included that the project could cost nothing to the district. Second, it had to meet the physical requirements of the high school roof. It was rushed because the board was told that there would be a savings, which turned out not to be true.

Jim Fredrickson said that this has been discussed for several years. The third component requirement also included that there would be educational value. We were told that in order to qualify for the higher tax credit, sole source was

needed to meet the deadline. The deadline was not achievable or realistic. He said that we ought to look at other sources to see if we can get a better deal for the district.

Stephen Ullman said that he is in favor of competitive bidding.

Rich Cahoon cautioned that other vendors came to speak on the topic but we did not bid the potential project out.

Jim Fredrickson said that our policy requires competitive bid.

Tim Theberge said that he voted against sole source originally. There are often times to sole source when the solution is truly unique or there is an immediate need. Solar installations at large, or on a roof, do not fit those situations.

Tim said that he does not think that sole source is the way to go nor does he think that the third requirement of an educational component in the project was met.

Katherine Heck said that she does not agree with sole source. There are many vendors who provide solar. It is our fiscal and fiduciary obligation to look for the best value. She is in favor of a solar project in the district.

Jim Fredrickson said that the original warrant article considered included specific language that included a vendor. The language was changed for the warrant.

Rich Cahoon said that he was opposed to sole sourcing this contract as well. In addition, we are expending public dollars and the public ought to have equal opportunity to bid on that work in fairness to other vendors.

Kevin Pobst noted that the next agenda item coming is a vote on the electric rates for two years.

Jim Fredrickson said that there was an escalation calculation in the price for power in the Purchase Power Agreement.

**In favor: Dick Dunning, Tim Theberge, Jerry Wilson, Robert Short, Jr., Kevin Pobst, Alan Edelkind, Jim Fredrickson, Katherine Heck, Stephen Ullman**

**Opposed: Janine Lesser**

**9 to 1 in favor. Motion carried.**

## **11. New Business**

### **a. Meals Pricing (Board Vote Required)**

Lori Schmidt reported that the USDA provides a tool to determine if our meal pricing is adequate. Last year, no action was taken. The last increase was for the 2019 year. We are falling behind. Rates should be increased by .15 at each level. The committee suggested that we go with a .10 increase at each level. The District would need to contribute about \$12,000 if no increase is instituted.

**Dick Dunning moved to increase the lunch price by .10 each at each grade level for the upcoming school year. Jerry Wilson second. Unanimous on a roll call vote.**

### **b. Electric Rates (Board Vote Required)**

Lori Schmidt said that we belong to a buying group and we have participated for a period of ten years.

**Janine Lesser moved to accept the electric rates as proposed. Tim Theberge second.**

Rich Cahoon asked if the buying consortium we belong to is the only buying consortium. If not, how do we choose which group to purchase from?

**Unanimous on a roll call vote.**

## **12. Expenditure and Encumbrance Report – Lori Schmidt**

Lori Schmidt referenced the expenditure report.

**Dick Dunning moved to accept the expenditure report and any encumbrances therein. Jerry Wilson second.**

**Unanimous on a roll call vote.**

## **13. Public Comment**

**None.**

## **14. Approval of Manifests (Board Vote Required)**

Lori Schmidt certified that manifests totaling \$390,699.56 and Payroll totaling \$1,813,709.44 have been reviewed by her and found to be proper charges against the Contoocook Valley School District for goods and/or services received and have been properly processed prior to their submittal to the School Board.

**Dick Dunning moved to approve the manifests as read. Jerry Wilson second. Unanimous on a roll call vote.**

Kimberly Saunders referenced a recommendation for a research project in need of approval.

**Kevin Pobst moved to approve the administrative recommendation for a proposed research project.**

**Tim Theberge second. Unanimous on a roll call vote.**

## **15. Non-Public Session: RSA 91-A:3,II (If Required)**

No further Non-Public Session was required.

**Janine Lesser moved to seal three legal discussions and one student matter in the first non-public session tonight for a period of five years. Dick Dunning second. Unanimous on a roll call vote.**

**Dick Dunning motioned to adjourn at 10:51 p.m. Jerry Wilson second. Unanimous on a roll call vote.**

Respectfully submitted,  
Brenda Marschok