

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE MEETING
Minutes (approved 2/7/13)

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January 17, 2013
8:45 p.m. AB Regional SC Meeting
(following Acton Public SC meeting)

Members Present: Brigid Bieber, Mary Brolin, Dennis Bruce, Michael Coppolino, Xuan Kong, Paul Murphy, Kim McOsker, Maria Neyland, Deanne O’Sullivan
Members Absent: None
Others: Don Aicardi, Marie Altieri, Deborah Bookis, Liza Huber, Steve Mills, Beth Petr

The Acton-Boxborough Regional School Committee was called to order by Chairperson Xuan Kong at 8:55 p.m.

Xuan stated that there does not appear to be a conflict between the current Regional Agreement and the state prescribed statutory method of calculating regional school assessments.

Xuan brought this issue to the attention of his Boxborough colleagues because he believed it was important to have a discussion about it before Budget Saturday when a preliminary vote had to be taken on the ABRSD FY14 budget. He emphasized that the discussion related to the FY14 budget, not the Regional School District Study Committee (RSDSC).

Xuan explained how assessments are calculated using the Enrollment/Alternative method and the Statutory method, ultimately showing how they come to the same assessment amount because of special language in our current agreement (see posted slides). He noted that the language (Section 5E) was added to the revised Acton-Boxborough Regional Agreement in 1998. The Committee appreciated Xuan’s explanation.

Several members asked for a second opinion on which assessment method could be used for the ABRSD FY14 budget. This was in reaction to the 1/4/13 memo from Xuan to the Committee outlining Attorney Edward Lenox’s advice that the FY14 budget placed before a district-wide meeting MUST be calculated using the statutory assessment method unless alternative method is accepted by both towns, which Atty Lenox then reversed via conference calls on 1/17/13. His reversal was based on historical information recently provided by John Fallon confirming the intent of the committee members who proposed the 1998 revisions.

Xuan confirmed that in 2001 Attorney Peter Ebb of Ropes and Gray wrote an opinion that the Regional Agreement supersedes the state regulations, due to the obvious intent of committee members of both Acton and Boxborough. New regulations were enacted in 2007, but Attorney Lenox consulted with Christine Lynch at DESE and she concurred with his opinion that because of how our local language was worded, both methods come to the same assessment amounts to member towns.

Kim McOsker questioned why Attorney Lenox, who was hired for the RSDSC, was consulted instead of the School Committee's own attorney, Myrick O'Connell. Dr. Mills explained that Attorney Lenox is an expert in regionalization and up until 12/19/12 he was responding to Xuan's RSDSC questions. Myrick O'Connell has now been asked for an opinion.

Committee members emphasized that the Regional Agreement was created by people from both towns working together for the good of the students. Both towns gave us different things that were important to them, in an effort to reach agreement. Some members expressed frustration over the developments of the past week. Brigid Bieber urged everyone to return to the mutual respect that both towns have had for each other for years.

Xuan explained that the assessment question was triggered by the RSDSC looking toward the future, but the Attorney's response was such that it could impact FY14. Xuan needed to know how a question at Town Meeting would be answered if someone asked about the statutory method, which led to the concerns. The two methods were discussed briefly at the 1/8/13 School Committee meeting. Budget Saturday needs to be about what the towns can afford for their schools, not how the cost is assessed.

Maria Neyland stated that 18 months ago the School Committee charged the RSDSC to look at expanding the region and also look at the regional agreement and suggest any changes. She feels they should have let the RSDSC do their work and on May 1st, after the Town Meeting decisions have been made, a conversation about the Agreement should take place.

Vince Amoroso, Boxborough Board of Selectman and representative on the RSDSC, offered a word of encouragement to all. He said that his family moved to the community in 1975 because it is a wonderful place to live and raise children. He has been impressed with all of the parent involvement and how education is valued. He said that since 1955 Acton and Boxborough have had a good relationship. In 1998 expansion was needed and citizens worked very hard to promise to each other that in good faith they would work together. Both sides made concessions and promises and it has worked out very well. He spoke in favor of the savings and future opportunities if full regionalization moves forward.

John Petersen spoke from the audience and agreed with Vince. He noted that the open meeting law can make it difficult for a governmental body to communicate on issues that evolve like this between meetings. In his opinion, discussion around the assessment formula is appropriate, important and valuable for all citizens to understand.

The ABRSC meeting was adjourned at 9:56 p.m.

Respectfully submitted,
Beth Petr

List of documents used: see agenda