

School Committee: David Travis, Jane Burke, Jonathan Bruno, Maryellen Brown, Marcella Bush, Dennis Sears, Bonnie Silvers, Danile Kelly, Art Batacchi, Jeffrey Blaugrund

Others: Superintendent Regulbuto

1. Call to Order

Jane Burke, Chair, called executive session meeting #1571 to order at 7:47 p.m.

2. Executive Session

Jane Burke cedes Chair of meeting to Vice Chair, Jon Bruno.

Motion to enter executive session pursuant to Purpose 1 of the Open Meeting Law (M.G.L. c.30A, §21(a)(1)), to consider an Open Meeting Law complaint against a public officer, namely the members of the School Committee, such complaint having been filed with the District by Jennifer Brown on October 18, 2019; and pursuant to Purpose 7 (M.G.L. c.30A, §21(a)(7)) to comply with or act under the authority of a Massachusetts General Law by receiving legal advice from counsel protected from disclosure under Massachusetts General Law with the relevant citations of law being M.G.L. c.4, §7(26); M.G.L. c.30A, §21(a)(1); and M.G.L. c.214, §1B. and to reconvene in open session to vote on response to OML complaint.

By: Jonathan Bruno

Second: Jeffrey Blaugrund

Roll Call Vote: Jane Burke - Yes, Jonathan Bruno - Yes, Maryellen Brown - Yes, Marcella Bush - Yes, Dennis Sears - Yes, Bonnie Silvers - Yes, Danile Kelly- Yes, Jeffrey Blaugrund - Yes, Art Batacchi- Yes, David Travis - Yes

Attorney Peter Sumners joins the meeting via telephone. Attorney Sumners informs the school committee of the purpose of the meeting which was to discuss the Open Meeting Law complaint by J. Brown and asked if they have all received a copy of the complaint and the proposed response provided by his office.

Jon Bruno informed Attorney Sumners of Mr. Carl Stewart's statement that this executive session was another violation of the Open Meeting Law and that he was going to file a complaint.

Attorney Sumners disagrees with Mr. Stewart about whether executive session is appropriate and recommends that the committee stay in executive session under the purposes listed in agenda. Attorney Sumners explained that members must maintain confidentiality of information shared in executive session under fiduciary duty, Robert's Rules, ethics laws, and privacy rights of individuals involved.

Attorney Sumners explained the OML complaint and response process and timelines. Attorney Sumners explained definition of deliberation under OML and difference between sharing factual information and opinions. Attorney Sumners explained that Complaint could be construed as against Chair, Committee as a whole, and each of its members.

There is a debate between Mr. Dennis Sears and Attorney Sumners over the appropriate response under the OML.

Attorney Sumners goes over different possible resolutions to the Open Meeting law complaint and recommends sending a written response in the form provided by his office to the Committee. Would recommend additional OML training for the school committee. All members should read the OML guide and complete a certification that they have received the OML Guide.

Discussion follows regarding the response and whether the email and response should be read aloud when the committee reconvenes in open session. Attorney Sumners recommended reading the written response aloud in open session to inform the public of how the Committee is responding.

Mr. Sears recommended removing from the draft response the sentence "Further in an effort to avoid any similar issues in the future, I as Chair will coordinate with the administration.....complies with Open Meeting Law."

Motion that the school committee approve the response letter as written.

By: David Travis

Second: Marcella Bush

Discussion followed regarding whether the change recommended by Mr. Sears was appropriate, and the process for amending the motion.

Motion to amend the motion that the letter be approved with the elimination of the sentence that begins "Further in an effort.....".

By: Dennis Sears

Second: Bonnie Silvers

Roll Call Vote: Jane Burke -Yes, Jonathan Bruno - Yes, Maryellen Brown - Yes, Marcella Bush - Yes, Dennis Sears - Yes, Bonnie Silvers - Yes, Danile Kelly- Yes, Jeffrey Blaugrund - Yes, Art Batacchi- Yes, David Travis - Yes

Motion to approve the amended letter.

By: Bonnie Silvers

Second: David Travis

Roll Call Vote:

Jane Burke -Yes, Jonathan Bruno - Yes, Maryellen Brown - Yes, Marcella Bush - Yes, Dennis Sears - Yes, Bonnie Silvers - Yes, Danile Kelly- Yes, Jeffrey Blaugrund - Yes, Art Batacchi- Yes, David Travis - Yes

Motion to adjourn from Executive Session item #2 and reconvene in open session at 8:27 p.m.

By: Jeffrey Blaugrund

Second: Bonnie Silvers

Roll Call Vote:

Jane Burke -Yes, Jonathan Bruno - Yes, Maryellen Brown - Yes, Marcella Bush - Yes, Dennis Sears - Yes, Bonnie Silvers - Yes, Danile Kelly- Yes, Jeffrey Blaugrund - Yes, Art Batacchi- Yes, David Travis - Yes

