

School Committee: Bonnie Silvers, David Travis, Ken Knox, Maryellen Brown, Marcella Bush, Art Batacchi, Jane Burke, Jeffrey Blaugrund

Absent: Dennis Sears arrived at 5:50 p.m.

Administrators: Beth Regulbuto, Peter Dufresne, Chris Regan, Sandi Hubbard,

Press: CTSB TV, Terry Cowgill-Berkshire Edge, Ted Nappo –Berkshire Record

1. **Call to Order** – Beth Regulbuto, Superintendent called the meeting to order at 5:08 p.m.
2. **Reorganization** (Please see enclosed District policies)
 - a. Election of Chair (will assume duties immediately upon election)

Superintendent Regulbuto asked for nominations for Chair
Jane Burke nominated Ken Knox. Jeffrey Blaugrund seconded the nomination.
David Travis nominated Art Batacchi. Marcella Bush seconded the nomination.
Jeffrey Blaugrund nominated Bonnie Silvers. Ken Knox seconded the nomination.
Jane Burke, Ken Knox, Art Batacchi and David Travis made statements supporting their nominations.
Bonnie Silvers asked the committee to support Ken Knox
Roll Call Vote:
Art Batacchi voted for himself
Ken Knox voted for himself
Jeffrey Blaugrund voted for Ken Knox
David Travis voted for Art Batacchi
Maryellen Brown voted for Art Batacchi
Marcella Bush voted for Art Batacchi
Bonnie Silvers voted for Ken Knox
Jane Burke voted for Ken Knox
Vote is four (4) for Art Batacchi and four (4) for Ken Knox. Motion fails.

Superintendent Regulbuto asked for nominations again.
Jane Burke nominated Ken Knox. Jeffrey Blaugrund seconded the nomination.
David Travis nominated Art Batacchi. Maryellen Brown seconded the nomination.
Ken Knox nominated Bonnie Silvers. Marcella Bush seconded the nomination.
Discussion ensued.
Roll Call Vote:
Art Batacchi voted for himself
Ken Knox voted for himself
Jeffrey Blaugrund voted for Ken Knox
David Travis voted for Art Batacchi
Maryellen Brown voted for Art Batacchi
Marcella Bush voted for Art Batacchi
Bonnie Silvers voted for Ken Knox
Jane Burke voted for Ken Knox
Vote is 4 for Art Batacchi and 4 for Ken Knox. Motion fails.

Bonnie Silvers asked to withdraw her name from nomination as Chair.

Maryellen Brown asked Ken Knox if he would consider withdrawing from the position of Chair and consider the position of Vice Chair. Mr. Knox declined.

David Travis asked the same question of Mr. Batacchi. Mr. Batacchi also declined.

Revote:

Roll Call Vote:

Art Batacchi voted for himself

Ken Knox voted for himself

Jeffrey Blaugrund voted for Ken Knox

David Travis voted for Art Batacchi

Maryellen Brown voted for Art Batacchi

Marcella Bush voted for Art Batacchi

Bonnie Silvers voted for Ken Knox

Jane Burke voted for Ken Knox

Vote is 4 for Art Batacchi and 4 for Ken Knox. Motion fails.

Superintendent Regulbuto adjourned the meeting for 5 minutes to try to reach Mr. Sears at 5:34 p.m.

The meeting reconvened at 5:38 p.m. Superintendent Regulbuto stated that she had called Mr. Sears. He thought the meeting began at 6 p.m. and was on his way.

Mr. Sears arrived at 5:50 p.m. and the meeting reconvened at 5:51 p.m.

Superintendent Regulbuto asked for nominations for Chair.

Jane Burke nominated Ken Knox. Bonnie Silvers seconded the nomination.

Dennis Sears nominated Bonnie Silvers. Ms. Silvers stated that she had withdrawn her name.

Mr. Sears withdrew his nomination.

David Travis nominated Art Batacchi. Marcella Bush seconded the nomination.

Mr. Knox informed Mr. Sears that so far it has been a 4/4 vote. Mr. Knox and Mr. Batacchi both gave their reasons for wanting to be chair of the committee.

Roll Call Vote:

Art Batacchi voted for himself

Ken Knox voted for himself

Jeffrey Blaugrund voted for Ken Knox

David Travis voted for Art Batacchi

Maryellen Brown voted for Art Batacchi

Marcella Bush voted for Art Batacchi

Bonnie Silvers voted for Ken Knox

Jane Burke voted for Ken Knox

Dennis Sears voted for Ken Knox

Vote is 4 for Art Batacchi and 5 for Ken Knox.

Ken Knox is voted Chair.

b. Election of Vice Chair

Ken Knox assumed his position as Chair and asked for nominations for Vice Chair.

Marcella Bush nominated David Travis. Art Batacchi seconded the nomination.

Bonnie Silvers nominated Dennis Sears. Maryellen Brown seconded the nomination.

Discussion ensued.

Roll Call Vote:

Art Batacchi voted for David Travis

Ken Knox voted for Dennis Sears

Jeffrey Blaugrund voted for David Travis

David Travis voted for himself

Maryellen Brown voted for Dennis Sears

Marcella Bush voted for David Travis

Bonnie Silvers voted for Dennis Sears

Jane Burke voted for Dennis Sears

Dennis Sears voted for himself

Vote is 4 for David Travis and 5 for Dennis Sears.

Dennis Sears is voted Vice Chair.

Appointment of the following:

- Secretary of the School Committee – Beth Regulbuto
Jane Burke moved to appoint Beth Regulbuto as Secretary of the School Committee. David Travis seconded the motion. There was no discussion and the motion was unanimously approved.
- Treasurer – Harvey Thompson
Bonnie Silvers moved to appoint Harvey Thompson as Treasurer. Dennis Sears seconded the motion. There was no discussion and the motion was unanimously approved.
- District’s Law Firm – Murphy, Lamere & Murphy, PC
Bonnie Silvers moved to appoint Murphy, Lamere & Murphy as the District’s Law Firm. Art Batacchi seconded the motion. There was no discussion and the motion was unanimously approved.
- Clerk to the School Committee – Lynette Gagnon
Bonnie Silvers moved to appoint Lynette Gagnon as Clerk to the School Committee. Marcella Bush seconded the motion. There was no discussion and the motion was unanimously approved.
- MD for the School District – Lisa Sylvia
Bonnie Silvers moved to appoint Lisa Sylvia as the MD for the School District. Art Batacchi seconded the motion. There was no discussion and the motion was unanimously approved.

3. New Business

- a. Vote to ratify all actions taken by Art Batacchi in his capacity as the presiding officer of the School Committee at the School Committee’s meeting on November 29, 2018.
Bonnie Silvers moved to ratify all actions taken by Art Batacchi in his capacity as the presiding officer of the School Committee at the meeting on November 29, 2018. Marcella Bush seconded the motion. There was no discussion and the motion was approved with Art Batacchi abstaining.
- b. Vote to ratify all actions taken by Tim Schroepfer in his capacity as the presiding officer of the School Committee at the School Committee’s meeting on November 29, 2018.
Bonnie Silvers moved to ratify all actions taken by Tim Schroepfer in his capacity as the presiding officer of the School Committee at the meeting on November 29, 2018. Marcella Bush seconded the motion. There was no discussion and the motion was approved unanimously.
- c. Vote to ratify the Memorandum of Agreement for a Collective Bargaining Agreement between the Committee and the SBREA, Unit D, for the period July 1, 2018 through June 30, 2021.
Bonnie Silvers moved to ratify the Memorandum of Agreement for a Collective Bargaining Agreement between the Committee and SBREA, Unit D, for the period July 1, 2018 through June 30, 2021. Marcella Bush seconded the motion. There was no discussion and the motion was unanimously approved.

- d. Vote to ratify the Memorandum of Agreement for a Collective Bargaining Agreement between the Committee and the SBREA, Unit E, for the period July 1, 2018 through June 30, 2020.
Bonnie Silvers moved to ratify the Memorandum of Agreement for a Collective Bargaining Agreement between the Committee and SBREA, Unit E, for the period July 1, 2018 through June 30, 2020. David Travis seconded the motion. There was no discussion and the motion was unanimously approved.
- e. Vote to authorize counsel to send a demand letter to the Town of Egremont relative to payment of the Town's quarterly assessment.
Bonnie Silvers moved to authorize counsel to send a demand letter to the Town of Egremont relative to payment of the Town's quarterly assessment. David Travis seconded the motion. There was no discussion and the motion was unanimously approved.
- f. Report of the Sheffield Appointive Authority Meeting on December 3, 2018 – E. Bonnie Silvers
Bonnie Silvers reported that on Monday, December 3, 2018 the Town of Sheffield Select Board held a meeting with the three Sheffield members of the school committee (Bonnie Silvers, Art Batacchi and Dennis Sears) to appoint the fourth member to the school committee. Just before the meeting Tim Schroepfer had withdrawn as a candidate for reappointment. Discussion took place.
The Town of Sheffield Select board made a motion to nominate Jonathan Bruno, who had run in the November election. The vote was 3 nay to 2 yes for Jonathan Bruno.
Nadine Hawyer announced that a notice had been published for applicants for a School Committee member.
Ms. Silvers also stated that she and Mr. Sears have attended every select board meeting with regard to issues related to the school district. In addition, no school wide activities are scheduled on dates of the annual town meetings.
Mr. Blaugrund requested that the School Committee take into consideration Mr. Bruno's application.

4. Public Comment

Michelle Shalaby, Chairman of the New Marlborough Select Board, stated that the Town of New Marlborough had sent a letter to the School Committee encouraging the South Egremont program returning to Egremont after all the renovations were completed and the building was certified safe for the students.

Pat Barrett introduced himself to the School Committee as the president of the teacher's association, former school committee member at Farmington River, school choice parent and member of the faculty. He thanked the committee for their service. He praised the administration and students for their achievements, but was concerned regarding negative comments he has heard from other districts.

Mr. Barrett questioned the training that was held for the School committee members in the fall.

Mr. Barrett requested that the committee reconsider Mr. Bruno for the school committee.

Jessica Schaefer, a parent and resident of New Marlborough, was recommending that Jon Bruno be appointed as the fourth member to the school committee.

5. Executive Session – Motion to go into Executive Session for the following purposes at 6:33 p.m.

- a. *Bonnie Silvers moved, seconded by Mr. Sears to enter executive session pursuant to M.G.L. c.30A, §21(a)(1), to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual, based upon complaints brought against District administrators and staff in a survey of former employees provided to the Committee by a resident. Roll Call Vote required.*

Roll Call Vote:

<i>Bonnie Silvers - Yes</i>	<i>David Travis - Yes</i>	<i>Ken Knox – Yes</i>	<i>Maryellen Brown – Yes</i>
<i>Marcella Bush – Yes</i>	<i>Art Batacchi – Yes</i>	<i>Jane Burke – Yes</i>	<i>Jeffrey Blaugrund - Yes</i>

Dennis Sears – Yes

- b. *Mr. Sears moved, seconded by Mr. Batacchi, to enter executive session pursuant to M.G.L. c.30A, §21(a)(3), to discuss strategy with respect to imminently likely litigation, as an open meeting may have a detrimental effect on the litigating position of the Committee, as declared by the Chair.*

Roll Call Vote:

Bonnie Silvers - Yes David Travis - Yes Ken Knox – Yes Maryellen Brown – Yes
Marcella Bush – Yes Art Batacchi – Yes Jane Burke – Yes Jeffrey Blaugrund - Yes
Dennis Sears - Yes

- c. *Mr. Travis moved, seconded by Mr. Sears, to enter executive session pursuant to M.G.L. c.30A, §21(a)(3), to discuss strategy with respect to imminently likely litigation related to the South Egremont School, as an open meeting may have a detrimental effect on the litigating position of the Committee, as declared by the Chair.*

Roll Call Vote:

Bonnie Silvers - Yes David Travis - Yes Ken Knox – Yes Maryellen Brown – Yes
Marcella Bush – Yes Art Batacchi – Yes Jane Burke – Yes Jeffrey Blaugrund - Yes
Dennis Sears - Yes

- d. *Mr. Travis moved, seconded by Mr. Batacchi, to enter executive session pursuant to M.G.L. c.30A, §21(a)(7), to comply with or act under authority of, any general or special law or federal grant-in-aid requirements, specifically M.G.L. c.30A, §22(f) and (g) with regard to the review, approval, and/or consideration for non-disclosure of executive session minutes from January 1, 2014 through November 29, 2018, and/or related appointment of one or more designees, and not to reconvene in Open Session.*

Roll Call Vote:

Bonnie Silvers - Yes David Travis - Yes Ken Knox – Yes Maryellen Brown – Yes
Marcella Bush – Yes Art Batacchi – Yes Jane Burke – Yes Jeffrey Blaugrund - Yes
Dennis Sears - Yes

Mr. Sears read the following statement to the School Committee:

“I feel a debt to compatriots on the SBRSD School Committee and the general public to clarify my actions in our last School Committee meeting. My action when I left the meeting was not a planned event. In several meetings of the entire school committee in executive session we had discussed the potential for possible legal action against the individual members of the school committee if certain events were to happen. I had been very clear in those discussions that all of us should be concerned about such liability and my position was I would not willingly accept being in such a position. Unfortunately, in my opinion, if I had been part of the actions under deliberation, I would have put myself in the position I said I would not be willing to accept. Seeing no other choice, I stated I would start the process of resignation from the SBRSD school committee and left the meeting. The next step was to draft a letter of resignation that would be sent to the Chair. When I reached home, I also realized we had violated the Open Meeting Law regarding use of “secret ballots” and advised the current chair, Bonnie Silvers, Art Batacchi, and the Superintendent. After doing so, I realized the entire meeting might have to be redone and, if so, the pending action that led to my exit and planned resignation letter would also be undone, not knowing in my absence that the action was not taken. This led me to realize there was no need to send the letter of resignation until I knew what was going to be the results of the OML violations. The net is I did not send a letter of resignation and hopefully will not have to. I apologize for acting in such a dramatic manner when I should have realized that I could have just gone home and written the required letter after the meeting and for failing to call out the potential violation of the OML before the vote was taken.”

6. Adjourn

Mr. Travis moved to adjourn and enter executive session at 6:40 p.m. Bonnie Silvers seconded the motion. There was no discussion.

Roll Call Vote:

*Bonnie Silvers - Yes David Travis - Yes Ken Knox – Yes Maryellen Brown – Yes
Marcella Bush – Yes Art Batacchi – Yes Jane Burke – Yes Jeffrey Blaugrund - Yes
Dennis Sears – Yes*

Documents presented at this meeting:

Agenda Special School Committee Meeting