

Wednesday, February 3, 2010
Board of Directors Meeting - 7:30 p.m.
Acadia Hospital

The M.S.A.D. No. 22 Board of Directors met at Acadia Hospital on Wednesday, February 3, 2010. Tim Pease called the meeting to order at 7:30 p.m. Directors present were: Kelly Bickmore, Peter Buzzini, Kim Clark, Basil Closson, Christopher Cox, Liliane Deighan, Lance El-Hajj, Martha Harris, Cindy Mitchell, Rick Moore, Timothy Pease. Excused: Jonathan Henry, Stuart Sherburne, and Michaela Stephenson.

II. Approval of Minutes

Bickmore moved, Harris seconded, and the Board favorably voted to approve the regular meeting minutes of January 6, 2010. Abstain: Clark

III. Adjustment to Agenda

None

IV. Persons desiring to Address the Board

None

V. Board Chairman

Board Chair, Tim Pease, asked Superintendent Lyons to report on Policy GBEA Staff Ethics/Conflict of Interest and its relation to the decisions made in regards to the K-8 administration restructuring process. Board Chair, Tim Pease, also noted all proposed educational program eliminations (i.e. middle school foreign language program) will be recommended to the Board of Directors through the Budget Committee's budgetary process.

VI. Personnel

A. Resignations

None

B. Nominations

Upon recommendation of Superintendent Lyons, Harris moved, Bickmore seconded, and the Board unanimously voted to hire:

Shelly Burcalow, District K-5 Music Teacher

15 years, K-12 Music Teacher, Gorham, NH, Middle and High Schools

20 years, Private Piano Teacher

Salary: \$45,907

VII. Superintendent of Schools

A. Reading of Essential Behaviors and Outcomes Proclamation

Peter Buzzini read the Essential Behaviors and Outcomes Proclamation.

B. Introduction of Principal and Education Foundation Coordinator

Superintendent Lyons introduced and welcomed the following individuals:

- Dawn Moore – newly hired McGraw interim principal (until the end of this school year)
- Melanie Spencer – newly hired SAD #22 Education Foundation Coordinator

C. Update on Cooperative Effort with Town of Newburgh

Board Members Deighan and Bickmore, along with Superintendent Lyons, provided their respective comments relating to the January 28 public forum at Newburgh. The purpose of the forum was to discuss the proposal for leasing a portion of the Newburgh Elementary School to the Town of Newburgh. Discussion followed including:

- Review of other educational alternatives if the Newburgh citizens' vote fails
- Superintendent Lyons noted the sharing of this facility is a great opportunity for the Town of Newburgh

If the vote did not pass, the Board of Directors authorized the Superintendent to explore the opportunity to house the Old Town Regional (Behavioral Impairment) Program at the Newburgh Elementary School. The Board also authorized the Superintendent to share this concept with the Newburgh community at its February 4 town meeting.

D. Legislative Update

Superintendent Lyons reviewed the following proposed legislative documents:

LD1739 – Annual Budget of a Regional School Unit must be approved at a Budget Validation Referendum

LD1735 – An act to waive certain penalties imposed against school administrative units if the state has not fulfilled its goal of paying 55% of costs

On a separate note, Superintendent Lyons stated that Acadia Director of Substance Abuse Brent Scobie's presentation on opioids and addiction was excellent.

E. Assistant Superintendent's Update

Assistant Superintendent Genest reported on various school business matters. He noted that SAD #22 will receive \$442,000 less in General Purpose Aid for education during the 2010/2011 fiscal year.

VIII. Questions of Board Members

None.

IX. Committee Reports

A. Finance Committee

None

B. Budget Committee

None

C. Athletic Committee

None

D. Building Committee

Building Committee Chair, Martha Harris, reviewed the January 21, 2010 meeting notes that included a proposed overexcavation change order and the newly proposed Bronco monument.

E. Negotiations Committee

None

F. Education Committee

Education Committee Chair, Liliane Deighan, reviewed this evening's meeting topics:

- Foreign language survey
- Board of Directors' Goal #1 student learning outcomes: "to improve individual student engagement and achievement"
- Fall 2009 NECAP test summary (district/state)
- Upcoming dessert & discuss proposed agenda topics

Discussion followed.

G. Policy Committee

None

H. United Technologies Center Board

None

X. Policy Consideration

A. Discuss and act on second reading of IJOC-R, School Volunteer

Policy Committee Chair Harris reviewed the second reading of IJOC-R, School Volunteer. Mitchell moved, Bickmore seconded, and Board unanimously voted to approve the second reading as presented.

XI. Old Business

None

XII. New Business

A. Discuss and act on lease purchase agreement, and qualified school construction bond and lease purchase agreement

Upon recommendation of Assistant Superintendent Genest, Buzzini moved, Harris seconded, and the Board unanimously voted to endorse the issuance of a \$429,000 Qualified School Construction Bond Lease Purchase Agreement with Androscoggin Bank. The following resolutions were unanimously endorsed:

VOTE TO BE ADOPTED BY MSAD NO. 22 SCHOOL BOARD
PROVIDING FOR THE
ISSUANCE OF A \$429,000 QUALIFIED SCHOOL CONSTRUCTION BOND
LEASE PURCHASE AGREEMENT

BE IT HEREBY VOTED:

1. That under and pursuant to the provisions of sections 54A and 54F of the Internal Revenue Code of 1986, as amended (the "Code"), and 20-A MRSA § 1001, 1055, 4001 and 15915, the Treasurer be authorized to execute and deliver a lease purchase agreement in the name and on behalf of Maine School Administrative District No. 22 (the "District") in an aggregate principal amount not to exceed Four Hundred Twenty Nine Thousand Dollars (\$429,000) (the "Lease Purchase Agreement") to finance the costs of rehabilitation and repair of District schools (the "Project"), which Project is located within the jurisdiction of the Issuer;
2. That the School Board of Maine School Administrative District No. 22 hereby authorizes a lease purchase agreement in the amount of Four Hundred Twenty Nine Thousand Dollars (\$429,000) from Androscoggin Bank on behalf of the District, with interest on the principal amount thereof at a rate not to exceed 1.25% per annum, which borrowing is for the purpose of financing costs of the Project;
3. That the District accept and approve the Proposal for the Lease Purchase Agreement of Androscoggin Bank in substantially the form presented to this meeting (the "Proposal") providing for the purchase of a qualified school construction bond to be issued by the District as a lease purchase agreement in the original principal amount not to exceed \$429,000 to finance costs of the Project, provided that the Proposal of Androscoggin Bank provides for a tax credit rate and a term of years as established by the Secretary of the Treasury on the date the Proposal is executed by the Treasurer of the District;

4. That under and pursuant to the provisions of 20-A MRS § 1001, 1055, 4001 and 15915, and Sections 54A and 54F of the Code, and the Treasurer of the District be authorized to enter into the Lease Purchase Agreement, provided that the obligation to make annual payments under the Lease Purchase Agreement shall be subject to and conditioned upon the appropriation by the District's legislative body each fiscal year in which the payment is due under the Lease Purchase Agreement, and to execute and deliver the Lease Purchase Agreement under the seal of the District attested by the Secretary, dated on or about February 3, 2010, said Lease Purchase Agreement to be issued in form as the Treasurer may approve, the execution and delivery thereof to be conclusive evidence of such approval;
5. That the Lease Purchase Agreement be designated as a qualified school construction bond;
6. That the Treasurer is authorized to provide for the sale of the Lease Purchase Agreement at such times and in such manner as the Treasurer determines to be in the interest of the School Board, to retain such services in the Treasurer's judgment are advisable in connection with sale, including without limitation engagement of Drummond Woodsum & MacMahon as bond counsel, and to execute and deliver such contracts or agreements as may be necessary in connection therewith;
7. That the proceeds of the Lease Purchase Agreement, together with any investment earnings thereon, for the Project and for related costs of issuance, credit enhancement and accrued interest, if any;
8. That the Treasurer is authorized to covenant on behalf of the District that no part of the proceeds of the Lease Purchase Agreement shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such Lease Purchase Agreement to be "arbitrage bonds" within the meaning of Section 148 of the Code;
9. That the Treasurer is authorized to covenant, certify and agree, on behalf of the District, for the benefit of the holders of Lease Purchase Agreement, that the District will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, to the extent applicable, are met;
10. That the Chair and the Treasurer of the District be authorized to execute and deliver the Qualified School Construction Bond Certificate in form not inconsistent herewith and as they may approve, the execution and delivery thereof to be conclusive evidence of such approval;
11. That the Treasurer and the Chair of the School Board acting singly be authorized to execute and deliver in connection with the payment of the Lease Purchase Agreement one or more forward delivery or other escrow agreements providing for (i) the delivery of securities for purposes of investment of the District's payments made on the Lease Purchase Agreement; and/or (ii) a sinking fund for the custody, collateralization and/or investment of the District's payments on the Lease Purchase Agreement until maturity thereof, on such terms not inconsistent with this vote, if the Treasurer deems such agreement to be in the interest of the District;

12. That the Treasurer and the Chair of the School Board each acting singly be authorized to execute and deliver such tax certificates, arbitrage and use of proceeds certificates and other documents and certificates as may, in the Treasurer's opinion, be necessary or convenient to effect the transactions hereinbefore authorized, to be in such form not inconsistent with this vote as the Treasurer may approve;
13. That the Treasurer and other proper officials of the District be authorized and empowered in its name and on its behalf to do or cause to do all such other acts and things as may be necessary or desirable in order to effect the issuance, sale and delivery of the Lease Purchase Agreement in accordance herewith and any such prior action by them is hereby ratified and confirmed;
14. That the Chair of the School Board, Treasurer and other appropriate officials of the District, acting singly, be authorized to execute and deliver on behalf of the District such other documents and certificates as may be required in connection with the Lease Purchase Agreement and that the Chair of the School Board and the Treasurer, acting singly, be authorized to take all other lawful actions necessary to comply with the requirements for a qualified school construction bond within the meaning and for all purposes of Sections 54A and 54F of the Code; and
15. That if any of the officers or officials of the District who have signed or sealed the Lease Purchase Agreement shall cease to be such officers or officials before the Lease Purchase Agreement so signed and sealed shall have been actually authenticated or delivered by the District, such Lease Purchase Agreement nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Lease Purchase Agreement had not ceased to be such officer or official; and also any such Lease Purchase Agreement may be signed and sealed on behalf of the District by those persons who, at the actual date of the execution of such Lease Purchase Agreement, shall be the proper officers and officials of the District, although at the nominal date of such Lease Purchase Agreement any such person shall not have been such officer or official.

B. Discuss and act on the Collective Bargaining Agreement with Tri-22

Superintendent Lyons reviewed the following pertinent components of the proposed Collective Bargaining Agreement with Tri-22:

- One-year Contract
- Teachers will have their paychecks directly deposited,
- Release time during the student day for K-5 classroom teachers to be used for planning, this designated time is intended for teacher initiatives with minimal administrative oversight
- Course Reimbursement – The Superintendent may approve reimbursement at a higher rate than the UMaine rate, in such circumstances the total amount reimbursed in any one budget year shall not exceed the UMaine per credit charge times twelve (12)
- Course Reimbursement – The teacher may be allowed to take up to 18 credits each year for two years, the teacher will not be eligible for course

reimbursement in the following year, the intent is to have a maximum of 36 credits paid

- Funeral leave may be granted for purposes of attending the funeral of a person not covered in bereavement leave, such leave is granted at the Superintendent's discretion
- Parental Leave – Immediately following parenthood, parental leave of up to five (5) days will be granted to a teacher for the purpose of caring for a newborn child or a spouse who has given birth to a newborn child, or for caring for a newly adopted child. After the five (5) days, any additional days shall be deducted from sick leave
- Salary – no percentage increase on the current base of \$30,350 and step increase only
- Retirement incentive of 30 days unused and accumulated sick leave, paid at per diem (16 years in PERS)
- Severance Leave – 30 days unused and accumulated sick leave, paid as per diem (25 or more years in MSAD #22)
- BC/BS – Dependent coverage, moving from 75% employer and 25% employee to 72% employer and 28% employee

Upon recommendation of Superintendent Lyons, Mitchell moved, Clark seconded, and the Board unanimously endorsed the contract as presented. Members of the Board's Negotiations Committee expressed a sincere thank you to the Teachers Association for their respective sensitivity toward present economic conditions.

XIII. Communication and Correspondence

A. Set Meeting Dates

- Board meeting, Wednesday, February 24, 7:00 p.m. at RBMS
- Policy Committee, Wednesday, February 24, 6:00 p.m. at RBMS
- Athletic Committee, Wednesday, February 24, 6:00 p.m. at RBMS

XIV. Executive Session to Discuss a Legal Matter

At 8:50 p.m., the Board voted to go into executive session to discuss a legal matter, pursuant to 1 MRSA § 405(6)(E). The Board reconvened into regular session at 9:10 p.m.

XV. Other Business

A. To see what action, if any, the Board wishes to take on business required by items that are part of this agenda.

None

XII. Adjourn

The meeting was adjourned at 9:15 p.m.

Respectively Submitted,

/s/

Richard A. Lyons, Superintendent