

TOWN COUNCIL MINUTES  
BUDGET/MANAGEMENT COMMITTEE  
Town Hall Council Chambers  
June 9, 2010 - Monday

Present: Kenneth DiFazio, Chairperson  
Patrick O'Connor, Vice Chairperson  
Arthur Mathews, Council President  
Michael Molisse, Councilor  
Michael Smart, Councilor

Also Present: James Wilson, Chief Financial Officer  
Robert Conlon, Councilor  
Ed Harrington, Councilor  
George Lane, Town Solicitor  
Sean Guilfoyle, Weymouth School Committee  
Lisa Belmarsh, Weymouth School Committee  
Karen Berry, Weymouth School Committee  
Diana Flemer, Weymouth School Committee  
Gerald Murphy, Weymouth School Committee  
Gail Sheehan, Weymouth School Committee  
Mary Jo Livingstone, Superintendent of Schools

Recording Secretary: Mary Briggs

Chairman Kenneth DiFazio called the Budget/Management Committee meeting to order at 6:30 PM.

*Review and Discussion on School Department Budget with School Superintendent, Assistant Superintendents and Senior Staff*

Chairman DiFazio noted that although committee meetings are not typically televised, given the importance of the budget process and the potential action on the School Department budget, a decision was made to air the proceedings so that the residents could follow the process; however, there will be no public input at this meeting, which is between the Budget/Management committee and the school committee. This is the initial meeting; due to the shortness of time in which the committee and the internal auditor have had to review the submitted budget, there is the need for another meeting to complete a review of materials presented. The budget presented is a draft document which has not been voted by the school committee. The Town Council may either accept the budget, or reduce the amount. While the Town Council can recommend a reduction in the budget, it does not have the authority to dictate to the school committee where any cuts are to be made. Chairman DiFazio noted this for the benefit of those constituents

who have emailed the council with specific recommendations. The review of the budget will not include any discussion of net school spending. That discussion will likely take place at council. Pursuant to MGL, the committee has no authority to instruct the school committee on future collective bargaining negotiations, so although comment will be permitted regarding the current contract and salaries, comments regarding future bargaining practices are not permissible. He also reminded the public that it is the school committee who is responsible for awarding of the contract; he suggested the teachers should not be faulted for the use of professional negotiators attempting to obtain advantageous terms within their contract with the Town of Weymouth. He will permit comment on the current contracts and non-union pay increases. The committee will listen to the budget operation plan in the hopes that the school committee and town departments may operate successfully in FY2011. All parties must understand that comments made by this committee are not required to be acted upon.

The chair requested the school superintendent and the members of the school committee to present their budget. Ms. Livingstone presented the budget in a power point presentation. She reviewed the process of the school budget--in January, the committee begins deliberation; the first task is to determine how much it costs to run the programs within the department, with all existing staffing. The FY10 budget of \$52 million is the starting point; added are payroll, SPED programs and other increases. The increases then become a \$55.5 million budget, which is considered the level funded budget. Payroll changes include step increases for 8 CBA's and non-union staff who are eligible; longevity increases; salary increases for Unit A only totaling approximately \$1.2 million; lane changes; increase in substitutes budget; BCBA (SPED position); reduction in anticipated retirements. The department has been trending a decrease in students tuitioned out of the district. Most of the budget increases are not caused by cost increases, but by reductions in SPED reimbursement from the state. Other increases, in anticipation of escalating costs include transportation, maintenance and instructional materials.

The budget gap between a level funded and the current proposal is \$4 million. The committee has been working on reductions in order to meet that number and the impacts of such. Protecting core academics is key, but difficult, and available resources will be equitably distributed within the district. Reductions with respect to the ability to recover programs was also taken into consideration.

At the primary level, 11 teaching positions, and 3 SPED positions are proposed to be eliminated which will impact classroom sizes to 20-24 at K-Grade 1; and 27-30 in grades 2-4.

At the middle school level, 9 core academic and 9.9 special service and 1 nurse position will be eliminated; the impact is a reconfiguration of students – all grade 5-6 students will attend Abigail Adams and grade 7-8 at the Maria Weston Chapman. World Culture and IMEC programs are eliminated. Classroom sizes will be 30-32—which is significant at this level.

At the high school level, closing of the Alternative HS building, 11 core academic, 1

direct and 5 support positions will be eliminated; the impact will be a classroom size of 30-35 and combining the Alternative and ACT (transitional) programs.

At the district level, 3 custodian, 3 watchman and 5 SPED positions are eliminated and a reconfiguration of the Decisions program will be done.

Total reductions include \$1.3 million in expenses and \$2.6 million in personnel. Chairman DiFazio requested a review by cost center. Mr. Guilfoyle requested the subject of a violation of the charter be addressed first. Chairman DiFazio asked for this subject to wait until after the review and then Solicitor Lane can address it.

Ms. Livingstone continued with the review, and indicated the reductions by cost center. She then reviewed how the document is set up and highlighted the significant changes in addition to a MUNIS analysis. There were several brief discussions at each cost center with regard to copier maintenance contracts, grant funding, and accommodation of all-day kindergarten programs. The committee requested the superintendent provide a report of enrollment projections and anticipated class sizes by school. The chair asked about reducing the number of deans at the middle school level; Ms. Livingstone responded that this was considered but noted there is a risk to student management with too few staff.

Councilor Harrington asked what mandates new teacher evaluations; Ms. Livingstone responded that evaluations are determined by contract. New teachers are evaluated yearly within the first three years. Discussion also ensued regarding the optimal class size and where this district falls within industry standards, stipend positions (extracurricular programs). During this discussion, the committee requested further study on measures to keep from reconfiguring of the middle school model; this is not a change that can be reversed easily, it does not foster a sense of continuity with families when only two years is vested in a school.

Ms. Berry noted the change in the model produced healthy discussion at the school committee level. The team model was working and was instituted to produce small learning communities. This was a difficult decision but it was the only way to arrive at the budget figure required. Ms. Livingstone noted it potentially can be reversed if funding becomes available, but cannot be done during a school year. Chairman DiFazio noted that saving by reducing an assistant dean position would help to maintain the middle school model.

Councilor O'Connor noted he attended the junior high when it was a two year program and believes that is the time students tend to get lost in the shuffle. He hopes revenue can be found to maintain the model or bring it back.

Councilor Mathews asked for a report on \$950,000 savings; Ms. Livingstone responded that it is available on the website. Ms. Livingstone reported on the specific changes by cost center. There was a brief discussion on the eliminations, additions and changes in positions, the role of the deans, counselors and other support services. It is the intent to loop the dean with the grade at the high school. The duty of the associate principal, dean,

guidance and adjustment counselors was outlined. The caseloads of the adjustment counselor will exceed the national average.

The chair asked if there was any discussion to reduce the professional staff as opposed to teaching staff. This was discussed at school committee level and the school committee endorsed the elimination of one dean. Councilor Mathews asked if the utilities for buildings considered for closure are still in the budget. Ms. Livingstone responded that the utilities for the alternative high school building, which houses 48 students, is included in the high school budget. Adverse impact of combining the ACT and alternative programs within the main high school, but segregated, was discussed. Mainstreaming this population is approximately a \$3-400,000 savings. The chair asked if there is a recovery plan in place if funds become available. Ms. Livingstone noted it would be spread across the district, but no recovery plan has been presented. Ms. Berry noted this is an issue of particular concern to her, but any recovery plan has not been discussed publicly at school committee.

Councilor Molisse asked if there is an increase in transportation costs with the altered configuration. Ms. Livingstone responded that the bus company is obtaining a cost analysis within a week. Councilor Smart noted that the high school has the least amount of teaching positions funded through grants. He asked the total SPED grant funding for FY11. Ms. Livingstone responded that the amount has not been confirmed yet. There was a discussion on the grant requirements and coordinator positions.

Health and Maintenance Services budgets were briefly discussed, including the cost of custodial overtime. Ms. Livingstone noted that most overtime is to cover positions for contractual obligations. Councilor Conlon noted it would appear to increase the custodial overtime by reducing the overall staff.

Councilor Smart asked earlier about overlapping services; he noted that the maintenance department, in particular, could be combined with the general government side and would result in maintaining teaching positions. Ms. Livingstone noted that custodians already have a full complement of work and could not take on additional town duties. The tradesmen are already utilized centrally and some services are already combined.

Councilor Smart noted that there are directors and other upper management positions which are duplicated on the town and school side. There have been a number of calls and emails to the councilors regarding the importance of keeping or restoring teaching positions. His opinion is that the elimination of duplicate staff will not adversely impact the individual student, where the loss of a teacher would. Ms. Livingstone noted that the schools cannot function without upper management; the administrative positions that have already been eliminated over the last several years leave the district at bare bones operation. Ms. Berry agreed; there has to be an administrative team in place in order for the department to operate effectively. Ms. Belmarsh also concurred with the superintendent, as did Mr. Guilfoyle.

Chairman DiFazio asked if the administrative positions are monitored/evaluated on a

regular basis. Ms. Livingstone confirmed that all administrators are evaluated yearly.

Councilor Smart noted that in the professional field, more is asked of the workers, and the same should be happening in the town. His opinion is that the methodology of the eliminations in the school staff is at the cost of teaching positions.

Councilor Molisse noted the lack of capital improvement projects which will impact the workload of the maintenance staff. Chairman DiFazio noted for the public that it is the school committee's ultimate decision as to what happens. Councilor Smart noted this is good government- asking the hard questions on behalf of the residents. The committee will either approve the bottom line or not regardless of the councilor's opinions.

Councilor Mathews asked if there is a plan to control the overtime in the maintenance department or if any other department receives overtime. Ms. Livingstone noted that maintenance is the only department which earns overtime and it cannot be reduced any further. Emergencies and event coverage is by overtime. She noted there is quite a bit of oversight of the overtime. Councilor Harrington noted that any changes-either combining or reconsidering maintenance staff positions must originate from the Mayor's office as it constitutes a reorganization under the charter.

Chairman DiFazio asked the Town Solicitor to address the subject of charter violation at this time. For the first time in ten years the committee was asked to review the budget without a prior vote of the school committee. The decision on Monday night at Town Council was to proceed, but it was requested that the Solicitor to research further. Attorney Lane reported that what was requested was a written opinion, and in order to comply, supporting documentation must be reviewed. Most of the requested information has been received but not all reviewed, and he asked that the matter be continued until such time as he is able to properly indicate an opinion based on the documentary materials. Councilor Mathews asked that the support documentation be provided along with the Solicitor's opinion when it is rendered. Solicitor Lane will provide either the support documentation or the reference.

The superintendent reviewed the athletic budget, which has not been fully funded by the district since 2008. Fees have been in place for some time. Most of the support has been eliminated since then; programs and stipends will be funded by fees, gate receipts and aggressive fundraising. The turf field is now available to youth groups and a fee schedule is in place. Chairman DiFazio requested the department reach out to the youth groups in town. For a part of the summer the turf field at the high school is required to be shut down for replacement poles to be installed for the lights.

Councilor Smart asked what the permit fee structure is for the school fields, particularly at the high school and the amount generated from them. Ms. Livingstone will provide the rates for rental of facilities. There is no cap on fees for families in user fees for sports as there is on transportation. Councilor O'Connor noted that fees for athletics is a sign of the times, and there is a current bill pending in the legislature to make these fees tax deductible. There was a brief discussion of the use of culinary arts programs to run

concessions at high school events; Ms. Livingstone noted that the overhead costs were too high and there was difficulty with staffing. The boosters volunteered and offer all the proceeds back to the program.

The committee then reviewed curriculum and instruction. These are discretionary and there is minimal support in the budget; only contractual obligations are included. Instructional technology was also reviewed. Ms. Livingstone noted that the budget is low for the size district. She also noted that there has been some discussion pursuant to combining technology on the town and school side. She did note most of the purchasing are items that would not translate as well to the town side. Chairman DiFazio noted that when Mr. Gallagher was before the committee and this same subject was discussed, he was extremely positive and aggressive regarding it. The chair urged the school committee continue this line of discussion with Mr. Gallagher. Councilor Smart noted this is one of the departments where the overlap be considered for combining for cost savings. Ms. Livingstone noted that she did not think that this is a department that can be reduced and still maintain services. Councilor Smart responded that there doesn't need to be two directors. He also asked if there was an opportunity to grant fund the eliminated crossing guard positions. He asked how specific the grant guidelines are on the school side. Ms. Livingstone responded that it depends on the type of grant and how it is written.

Professional development has been virtually eliminated in this budget. Transportation budget includes a 3% increase yearly for contract services. Chairman DiFazio asked if the supervisor position is necessary. Ms. Livingston responded that the supervisor also dispatches for the department during the day for the 21 SPED vans on the road daily.

There was a brief discussion on the competition in bus bids. The department owns the fleet of SPED vans, and one 15-passenger, and one full size bus. Councilor Smart asked who monitors gas receipts. Ms. Livingstone noted that gas is controlled through the DPW. There was a brief discussion on the condition of the fleet. The superintendent would like to see the fleet on a 7-year replacement schedule, with the replaced vehicles being passed within the department to tradespeople, etc. There was also discussion of grant funding vehicles, soliciting business sponsorship for vehicles and travel allowances, as well as the department vehicles and travel allowances. there was a brief discussion of vehicles and travel mileage allowances.

There was discussion of how the department intends to deal with the elimination of the crossing guards and making families aware. Ms. Livingston noted it will likely request and rely on volunteers; they cannot mandate staff perform this function as it conflicts with certain contracts.

Councilor Molisse noted the elimination of crossing guards will be very dangerous in light of the traffic at many of the primary buildings. Councilor Smart asked how the parents will be notified. Mr. Guilfoyle responded that the school committee is discussing and will likely look to parents/staff to direct traffic Councilor Molisse noted this will be a huge liability issue.

District administration budget, which includes a superintendent and two assistant superintendents, was discussed. There are no positions being eliminated at this level.

Councilor Smart again questioned the methodology for eliminating positions from a budgetary standpoint. There was a discussion regarding the number of central office administrators compared to other districts of similar size. Ms. Berry noted she is not willing to make any reductions in that area.

Councilor Mathews asked if any administrators are receiving salary increases. Ms. Livingstone responded no, other than the Unit A teachers in that budget. Those that are entitled to step increases/longevity will receive them. Councilor Smart expressed his opinion that the topmost tier should be looked at and not the bottom to begin making changes. Ms. Livingstone responded that there is no further reduction that can be made without eroding the rest of the system. Councilor Smart responded that with fewer teachers, there should also be less administrators needed.

Councilor Mathews reviewed the payroll budget, in particular the Unit A contract. He noted that the town can only raise property taxes under MGL by 2.5% of the tax levy in new revenue which translates to \$1.7 million in new revenue. Just from the salary increases alone in this year's budget, the town is already in deficit by \$100,000. The contract which the school committee ratified gives out more money in collective bargaining agreement than the town takes in in revenue. The town cannot sustain that with the fact that the state is also reducing Chapter 70 funding by \$1,392,000. At an average teacher salary of \$54,000; with the 4% increase in the agreement plus lane changes, seniority and longevity, the department will need to lay off 30 teachers just to cover the expense. The town will also be required to spend \$954,000 for unemployment costs for that department. The formula is not sustainable in this community. This is the biggest factor as to why the school department needs the money it does for a level funded budget. The Mayor's budget was presented and broken down by department-with 55.4 % of the total town operating budget was represented by the schools. Ms. Livingstone responded that this is typical of many communities. Mr. Guilfoyle noted that two other negotiating units are also under consideration and funding for those will also need to be found. Councilor Mathews noted this was a school committee decision to which the town council had no input. Mr. Guilfoyle noted that the town council is not a party to collective bargaining on the town side either.

Councilor Smart noted that in past years, the council approved all contracts. These were not subject to council scrutiny. The Town Council forwarded the economic impact of the agreement when they went forward with a resolution before the CBA was voted. It was the school committee's decision to accept an agreement that the town could not sustain. Mr. Guilfoyle noted that contracts only came forward subject to funding by the council; the council has no control over the negotiation of the contract. Councilor Mathews reiterated that the reductions in services and layoffs are a direct result of the contract approved by the school committee.

The Chairman summarized the council's position. The council forwarded a resolution in

2008 to the school committee, requesting that funding needs to be located prior to negotiating contracts, to which the school committee did not deliberate. Looking forward, he would like a commitment that the financial impact of future negotiations be discussed with the Budget/Management Committee. Mr. Guilfoyle noted that negotiations occur in executive session and cannot be shared until either an agreement has been reached or there an impasse. Chairman DiFazio noted that this situation could most definitely occur in the future, and is totally out of the hands of the council.

Councilor Mathews requested some explanation as related to the contract. Mr. Guilfoyle asked if it could wait until the next meeting. Councilor O'Connor further noted he will hold off on his resolution until the next meeting. The priority of everyone is to keep teachers in the classroom, and to keep class sizes down. It can't be done in light of the raises awarded in the contract. The options are to cut services to pay for raises; ask employees to not take raises and use the funds to keep teachers; or ask the taxpayers to sustain a tax hike to meet the raises in the contract.

Councilor Smart noted his prior request for executive session minutes from the school committee which he did not receive. The minutes he received from 2009 have no information contained in them that is of any substance leading to contract decisions. He asked Mr. Guilfoyle to review the 2008-9 minutes from executive sessions and provide some information before the next meeting.

Councilor Molisse noted that the contract was ratified and voted by the school committee; bottom line is that town employees need to be paid.

Chairman DiFazio noted that the next meeting will begin with the questions posed by Auditor Swanson.

### **Adjournment**

At 10:35 PM, there being no further business, Councilor O'Connor made a MOTION to ADJOURN the meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Briggs as Recording Secretary

Approved by Kenneth DiFazio, Budget/Management Committee Chair