

MILLINOCKET SCHOOL COMMITTEE REGULAR MEETING
STEARNS JUNIOR-SENIOR HIGH SCHOOL LIBRARY
TUESDAY, NOVEMBER 10, 2015
4:00 PM

Jeffrey Gordon	Present
Kevin Gregory	Present by phone
Michael Jewers, Chair	Present
Margaret Manzo	Present
Warren Steward	Present – arrived 4:35 PM
Francis Boynton, Superintendent	Present

I. Call to Order

The meeting was called to order at 4:00 PM by Michael B. Jewers, Chairperson.

II. Adjustments to the Agenda

Executive session from the original agenda marked IV. held before executive session III.

III. To see if the Board will enter into executive session to meet with legal counsel to discuss its legal rights and responsibilities pursuant to 1 MRSA § 405(6)(E).

Motion: To enter into executive session to meet with legal counsel to discuss its legal rights and responsibilities pursuant to 1 MRSA § 405(6)(E) including Attorney Campbell Badger

Motioned by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Board Discussion:

None

Voted: 4 - Yes 0 - No 0 - Abs

Time In: 4:00 PM **Time Out:** 4:18 PM

No action as a result of executive session

IV. To see if the Board will enter into executive session MRSA § 405(6)(B) Student Discipline

Motion: To enter into executive session pursuant to 1 MRSA § 405(6)(B) Student Discipline

Motioned by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Board Discussion:

None

Voted: 4 - Yes 0 - No 0 - Abs

Time In: 4:19 PM **Time Out:** 4:27 PM

No action as a result of executive session

V. To see if the Board will enter into executive session to hear a grievance filed by the Millinocket Education Association pursuant to 1 MRSA § 405(6)(D).

Motion: To enter into executive session to hear a grievance filed by the Millinocket Education Association pursuant to 1 MRSA § 405(6)(D) including Attorneys Campbell Badger and Donald Fontaine.

Motioned by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Voted: 4-0 - Yes 0 - No 0 - Abs

Board Discussion:

None

Result of executive session:

Motion: To deny the grievance filed by the Millinocket Education Association on August 27, 2015, and to direct the Board Chair to draft a letter to the Association to give the reasons for the denial.

Motioned by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Voted: 5-0 - Yes 0 - No 0 - Abs

Time In: 4:28 PM **Time Out:** 5:19 PM

VI. To see if the Board will enter into executive session to meet with legal counsel to discuss its legal rights and responsibilities pursuant to 1 MRSA § 405(6)(E)

Motion: To enter into executive session to meet with legal counsel to discuss its legal rights and responsibilities pursuant to 1 MRSA § 405(6)(E) including Attorney Campbell Badger.

Motioned by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Board Discussion:

None

Voted: 5 - Yes 0 - No 0 - Abs

Time In: 5:22 PM **Time Out:** 5:58 PM

Result of executive session:

Resolutions:

WHEREAS, the School Committee is currently paying approximately \$600,000 toward retiree health insurance per year;

WHEREAS, the cost of retiree health insurance is depriving the School's students of needed resources;

WHEREAS, the School Committee has explored a number of options to address the Town's and the School's difficult and unfortunate financial situation;

WHEREAS, the School Committee filed an Amended Complaint on December 5, 2014, seeking a Declaratory Judgment to determine the nature and scope of its contractual obligations to former employees;

WHEREAS, the Cumberland County Business and Consumer Court issued an order on October 8, 2015, directing the School Committee to demonstrate the existence of a justiciable case or controversy; and

WHEREAS, the School Committee has concluded that this Vote is necessary to demonstrate the existence of a justiciable case or controversy.

Motion:

I move that the vote entitled, "Vote to Confirm Intent to Change Certain Health Insurance Premiums," be approved in form presented to this meeting and that a copy of said Vote be included in the minutes of this meeting.

**VOTE TO CONFIRM INTENT TO
CHANGE CERTAIN HEALTH INSURANCE PREMIUMS**

VOTED: Pursuant to the terms of the 1985-1987 collective bargaining agreement, the School is obligated to pay each of the 1985-1987 Teacher and Support Staff Retirees the actual dollar amount that the School was contributing towards such persons' health insurance premiums at the time of each of their respective retirements (or, as the case may be, the retirement of their spouse). Therefore, upon the later of September 1, 2016, or the Maine Business and Consumer Court's ruling on the School's Declaratory Judgment Action, and contingent upon the outcome of the Court's ruling on the School's Declaratory Judgment Action, the School will reduce its contribution to such persons' health insurance premiums to the actual dollar amount that the School contributed at the time of each person's respective retirement or by such other amounts as may be negotiated between the School and such persons as a result of the outcome of the Declaratory Judgment Action.

VOTED: Pursuant to the terms of the 1987-1989 collective bargaining agreement, the School is obligated to pay each of the 1987-1989 Teacher Retirees the actual dollar amount that the School was contributing towards such persons' health insurance premiums at the time of each of their respective retirements (or, as the case may be, the retirement of their spouse). Therefore, upon

the later of September 1, 2016, or the Maine Business and Consumer Court's ruling on the School's Declaratory Judgment Action, and contingent upon the outcome of the Court's ruling on the School's Declaratory Judgment Action, the School will reduce its contribution to such persons' health insurance premiums to the actual dollar amount that the School contributed at the time of each person's respective retirement or by such other amounts as may be negotiated between the School and such persons as a result of the outcome of the Declaratory Judgment Action.

VOTED: Pursuant to the terms of the 1991-1996 collective bargaining agreement, the School is obligated to pay each of the 1991-1996 Support Staff Retirees the actual dollar amount that the School was contributing towards such persons' health insurance premiums at the time of each of their respective retirements (or, as the case may be, the retirement of their spouse). Therefore, upon the later of September 1, 2016, or the Maine Business and Consumer Court's ruling on the School's Declaratory Judgment Action, and contingent upon the outcome of the Court's ruling on the School's Declaratory Judgment Action, the School will reduce its contribution to such persons' health insurance premiums to the actual dollar amount that the School contributed at the time of each person's respective retirement or by such other amounts as may be negotiated between the School and such persons as a result of the outcome of the Declaratory Judgment Action.

VOTED: Pursuant to the terms of the Post August-2001 collective bargaining agreements, at the time of their retirement, none of the Post August-2001 Teacher Retirees had a contractual right to have their health insurance premiums paid by the School beyond the term of the then-current collective bargaining agreement. Therefore, upon the later of September 1, 2016, or the Maine Business and Consumer Court's ruling on the School's Declaratory Judgment Action, and contingent upon the outcome of the Court's ruling on the School's Declaratory Judgment Action, the School will, through negotiations, reduce the amount of its contributions to the Post August-2001 Retirees' health insurance benefits by an amount the School deems equitable.

VOTED: Nothing in this Vote is intended to change any rights to retirement benefits as third-party beneficiaries under the current collective bargaining agreement between the School and its teacher employees, which is set to expire on August 31, 2016.

VOTED: The purpose and intent of the above Votes and Resolutions is to clarify and memorialize the intent of the School Committee in approving counsels' pursuit of the litigation noted above.

Motion by: Jeffrey Gordon **Seconded by:** Warren Steward

Voted: 5 - Yes 0 - No 0 - Abs

VII. Adjournment

Meeting adjourned at 5:58 PM

Motion by: Jeffrey Gordon **Seconded by:** Margaret Manzo

Voted: 5 - Yes 0 - No 0 - Abs

Upcoming Meetings:

Tuesday, November 17 - Warrant Meeting in Stearns Junior-Senior High School library at 4:00PM.

Tuesday, December 1 – Regular Meeting in Stearns Junior-Senior High School library at 4:00PM.

Tuesday, December 15 - Warrant Meeting in Stearns Junior-Senior High School library at 4:00PM.

Tuesday, December 29 - Warrant Meeting in Stearns Junior-Senior High School library at 4:00PM.

Respectfully submitted,

Francis N. Boynton
Superintendent of Schools