

WACHUSETT REGIONAL SCHOOL DISTRICT

HOLDEN ♦ PAXTON ♦ PRINCETON ♦ RUTLAND ♦ STERLING

Minutes

Executive Session – Part A

Regular Meeting #1096, Monday, August 8, 2005

7:00 PM

Library

Central Tree Middle School

Committee Members Present:

Alice Livdahl, Chair	Kelly Maxwell
Michael Sherman, Vice-chair	Phillip Mighdoll
Cynthia Ahearn	Judith Newton
Charles Capparelli	John Nunnari
Robert Carter	Norman Plourde
Shirley Conrad	Kathleen Sweeney
David Gibbs	Tammy Tod
Mark James	Margaret Watson
Mary Catherine Maher	

Committee Members Absent:

Cynthia Bazinet
Elizabeth Brennan
Cheryl Rauh

High School Building Committee Members Present

Duncan Leith, Chair
Catherine Collins
Emerson Wheeler
David White, Ex-Officio
Kelly Maxwell, School Committee Representative to Building Committee
Thomas Pandiscio, Superintendent's Designee to Building Committee

Administration Present:

Alfred D. Tutela, Ph.D., Superintendent of Schools
John Locke, Interim Director of Operations
Rebecca Petersen, Interim Executive Assistant to the Superintendent

Others Present:

District Counsel Leo McCabe
Attorney Roy Bourgeois
Attorney Michael Christy

The School Committee entered executive session to review strategies related to legal matters at 8:25 PM.

8:25 PM Member Sweeney left the table.

8:25 PM Member Capparelli left the table.

8:26 PM Member Capparelli returned to the table.

8:28 PM Member Sweeney returned to the table.

8:28 PM Member Tod left the table.

8:29 PM Member Tod returned to the table.

The Superintendent distributed:

- July 27, 2005 correspondence from Michael Pagano, Lamoureux Pagano Associates, to the Superintendent (attachment 1)
- July 28, 2005 correspondence from Joseph Drown, *Designpartnership*, to the Superintendent (attachment 2)
- July 29, 2005 correspondence from Attorney Roy Bourgeois to Strekalovsky & Hoit, Inc. (attachment 3)
- July 29, 2005 correspondence from Attorney Michael Christy to Attorney Warren F. Baker (attachment 4)

Chair Livdahl introduced Attorney Roy Bourgeois, who then addressed the Committee, explaining legal issues relating to the high school project and outlining his suggestions as to how to deal with these legal issues. School Committee Members asked questions of Attorney Bourgeois. Members of the Building Committee were given the opportunity to address the School Committee. Attorney Bourgeois' advice to the School Committee is as follows:

- Shorten the 14 day termination period as it reads in the contract
- Condition all future payments to Strekalovsky & Hoit and subcontractors
- If it is determined that Strekalovsky & Hoit would be unable to fulfill contractual obligations, the Superintendent would authorize termination of the contract.

- Move to litigation.
- Begin negotiations with available architect.

Motion: To accept Attorney Roy Bourgeois' recommendations with regard to the handling of legal issues relating to the high school building project and the architectural firm of Strekalovsky & Hoit, Inc.:

- Shorten the 14 day termination period as it reads in the contract
- Condition all future payments to Strekalovsky & Hoit and subcontractors
- If it is determined that Strekalovsky & Hoit would be unable to fulfill contractual obligations, the Superintendent would authorize termination of the contract.
- Move to litigation.
- Begin negotiations with available architect.

(J. Nunnari)

(R. Carter)

9:07 PM Member Carter left the table.

Roll call vote:

In favor:

Alice Livdahl
Michael Sherman
Cynthia Ahearn
Charles Capparelli
Shirley Conrad
David Gibbs
Mark James
Mary Catherine Maher
Kelly Maxwell
Phillip Mighdoll
Judith Newton
John Nunnari
Norman Plourde
Kathleen Sweeney
Tammy Tod
Margaret Watson

(Motion passed unanimously)

9:10 PM Member Carter returned to the table.

9:10 PM Member Newton left the table.

This portion of the executive session ended at 9:10 PM and Central Office staff and attendees of the Building Committee left the meeting.

Respectfully submitted,

Alfred D. Tutela, Ph.D.
Superintendent of Schools

ADT:rlp