

SCITUATE SCHOOL COMMITTEE
SPECIAL MEETING - THURSDAY, AUGUST 11, 2016
NORTH SCITUATE COMMUNITY HOUSE

1. 7:00 PM- Regular Meeting Called to Order-Chair Umbriano

Roll Call of Members-Chair Umbriano

Present were Mrs. Umbriano, Chair, Mrs. Guglielmi, Mrs. Pendergast, Mrs. Esposito and Mr. LaPlante. Also present was Dr. Lawrence Filippelli, Superintendent

A. Pledge of Allegiance

B. Public Comments:

Mr. LaPlante: Move to have public discussion topic based. Allow for public comments when topic comes up.

Mrs. Pendergast: Second

Mrs. Umbriano: I will go along as long as we do not keep talking about the same thing.

Amended motion: public may comment about any new business items when the topic is called.

Ratification of contracts:

Mrs. Pendergast: I would like to be very clear that we are talking about the process not the persons we selected. This is the first time I have seen any of the contracts.

Mrs. Umbriano: You have not been on the negotiation team.

Mrs. Pendergast: It is a contract.

Mrs. Umbriano: Process. Negotiation team for custodians

Mrs. Pendergast: You are talking about collective bargaining

Mrs. Umbriano: Process on how it happens: everyone here has done this. We have executive sessions and we inform the entire committee about the negotiation process.

Mrs. Guglielmi: Only 2 from School Committee so there is not a majority

Mrs. Umbriano: The sub-committee comes to full committee and then it gets the contract approved or ratified and it is signed.

Mr. LaPlante: have you asked to get a copy? The committee has approved and has trusted the chair and counsel.

Mrs. Pendergast: New terms to the contracts.

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Mrs. Esposito: We are referring to collective bargaining. We would look at the contracts when terms are up.. I do not know if you are bargaining as a search committee.

Dr. Filippelli: On the contract, we would write a letter to the Superintendent and he would bring it to the chair.

Mrs. Umbriano: We did away with this procedure.

Mr. LaPlante: I do not remember seeing the contracts however you did not know about the terms.

Mrs. Pendergast: 3 year contract for Superintendent; all principals are 2 years. The form was prepared by Attorney D'Agostino and someone in the office plugs in the numbers. Who instructed a staff person to change to 3 year term?

Mrs. Umbriano: I would like to table the discussion of Mr. Hassell's contract.

Mr. LaPlante: Coleen is saying that she wants to.

Mrs. Pendergast: This is my greatest reservation, when I asked I was given contracts that are not signed. They are not binding because they have never been ratified.

Mr. LaPlante: We talked core terms.

Mrs. Pendergast: Who would have negotiated, we have a secretary complete a form?

Mrs. Umbriano: Mr. Hassell would you rather discuss in an Executive Session? Would you like to speak with counsel? I do not want us to get into any trouble.

Mr. LaPlante: This is an open meeting issue. I am willing to give you the opportunity.

Mrs. Guglielmi: It was not long ago all the principals had one year contracts and they would have to apply for their job each year and it is unsettling to have to ask for your job every year. So at that point we changed it to 2 years.

Mrs. Pendergast: I would like to go on the record to say that if at any point Mr. Hassell was offered a 3 year contract and that was his belief then I believe he should be afforded a 3 year contract. I do not think that we should take it away from him. It places this committee in a poor situation with all the other principals in this district who have not been afforded a 3 year contract. It is clear to say the document that you signed is not valid and it is a very dangerous practice to be signing documents before they are approved.

Mr. LaPlante: I respectfully disagree. I believe it is appropriate for the chair to sign contracts. Is it consistent with what we approved?

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Mrs. Esposito: In June we had a similar issue with the exit agreement with the Superintendent and Attorney D'Agostino said that going forward he would bring all agreements to the committee before the chair signed. I remember discussing salary for Mr. Hassell however I do not remember term lengths.

Mrs. Umbriano: I think we should go back and listen to the tape.

Mr. LaPlante: Did you intend to change the contract.

Mrs. Umbriano: No

Mrs. Pendergast: So it is a clerical issue?

Mrs. Umbriano: It could be.

Mrs. Pendergast: I would like to add, I misunderstood that these contracts were drawn up by an attorney but I did contact Attorney D'Agostino and he has never looked at those contracts and they are the 3 highest paid people in this town. I think we have a responsibility to the town.

Mrs. Umbriano: Attorney D'Agostino goes over every contract.

Dr. Filippelli: He creates the contract however David does not review every one.

Mr. LaPlante: Coleen, I think it is not so much you would like the lawyer to review, I think you would like to review.

Mrs. Pendergast: I think someone should review it.

Mr. LaPlante: But someone is! It is the chair's responsibility to execute what we approve.

Michael Marcello:

I am the individual who in May of 2016 requested copies of all contracts and separation agreement of Paul Lescault. I received a formal response on May 31st. Every one of those contracts were signed by the parties to that contract including you Mrs. Umbriano. I do not remember a meeting where this body ratified these contracts. If there are minutes of a meeting where these contracts were ratified then I would like to see them. When I asked for the separation agreement; the response I received was that it was subject to ratification by the School Committee. I was at the June meeting, chair and attorney did not even know if the contracts had been signed, however I had them in my email at home.

Mrs. Umbriano: What would you like us to do?

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Mr. Marcello: I am just a citizen and these are the 3 highest paid employees in this town. Who remembers a 3 year contract and when was that negotiated. Who did that? Was it during the search process?

Mr. LaPlante: That does not matter.

Mr. Marcello: Of course it does.

Mrs. Umbriano: Mike was brought to us by Paul, I will check on it.

Mr. LaPlante: Those perspective terms are brought to this group.

Mr. Marcello: Wouldn't you like to know the exact terms of the contract before you had signed them and did not tell the committee.

Mr. LaPlante: This is not a debate, I know November is impending. This is real simple; tonight you have an opportunity to ratify the contracts or not ratify. I believe we empowered the chair to sign the contracts.

Mr. Marcello: When?

Mr. LaPlante: Mike, I do not have that information.

Mr. Marcello: That is because it does not exist.

Mr. LaPlante: That is not true. I have a vivid recollection of meeting as a body and discussing his salary and approving it and voting on it in public session.

Mr. Marcello: What was the term?

Mr. LaPlante: I do not have a recollection of that.

Mr. Marcello: Before you signed the contract you reviewed it?

Mrs. Umbriano: I do not recall.

Mr. Marcello: It is the process. One of the things that we talked about and I do not see in these agreements is the evaluation tool.

Mrs. Pendergast: We just discussed every raise is performance based.

Mr. Marcello: I think it is a good idea to review that contract, there is a problem because no one knows the terms. It is improper procedure to have the committee chair sign before the body has a chance to review.

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Mr. LaPlante: It is not true. There is nothing in the law that this body or any public body cannot empower the chair to act.

Mr. Marcello: What meeting was it when you empowered the chair to execute the contract?

Mr. LaPlante: You just suggested that we need a written contract in front of us in order to ratify and that is not the law in Rhode Island. You think we need it in writing in front of us. That is absurd. It may be prudent but not unlawful.

Mr. Marcello: So it maybe a best practice but you do not want to follow.

Mr. LaPlante: That is not what I mean. You are misleading.

Mr. Marcello: What meeting?

Mrs. Umbriano: Ratify or approve it is the same thing.

Mr. Marcello: What meeting

Mrs. Umbriano: June 7th

Mrs. Pendergast: We voted to hire him we approve salary nothing about terms.

Mr. Marcello: I do think it is unfair for these employees, and you have an obligation to them to have their contracts ratified in a proper way. I already have signed contracts.

Mrs. Esposito: Need to know ratification and appointment of an employee what is the difference? We voted to appoint.

Mr. LaPlante: Any connection with the appointment because we are prudent.

Mrs. Esposito: I do not remember, and I believe it was salary. I think I should see a contract before I hire someone and after that we could empower the chair.

Mrs. Umbriano: Do we have a process and policy. Maybe we should have a written process.

Mr. LaPlante: We have Mike sitting out there wondering where his contract is going. I assume he has an expectation of a 3 year deal. If this committee is not prepared to honor that Mike should have an opportunity to share why we should honor the 3 year term.

Dr. Filippelli: I think it was a conversation with Paul, the only caution is that if you go there and if you are willing to do this and offer 3 years to the other administrators.

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Mr. LaPlante: I was willing to distinguish Mike. He came from another district where he had a career path.

Dr. Filippelli: 2 years was ok because we did this a few years back. The committee can do whatever they choose.

Mrs. Umbriano: Leave it the same

Mrs. Esposito: Change the others to keep consistent and approve raises in July; all the same dates.

Mrs. Umbriano: Wait for the raises until we get the mean.

Mrs. Pendergast: I think Mr. Hassell should be able to have a conversation with Larry to find out who and what was negotiated. If it was a clerical error then I do not think we should afford all of our principals a 3 year term. If it was part of the agreement that is fine but if it was a clerical error then we should have that information. The next school committee meeting we can make an informed decision.

Mr. LaPlante: I can agree with that and what led up to that.

Mrs. Umbriano: Did he have a 3 year and was coming to a 2 year?

Mr. LaPlante: I move to ratify the contracts of Superintendent and Assistant Superintendent and to table the ratification of the high school principal contract.

Mrs. Pendergast: I will second and then have discussion. The two highest paid people in the town and the contracts have never been reviewed by legal counsel. Is that of any concern to you?

Mrs. Umbriano: It was put together by legal counsel.

Mrs. Pendergast: Yes, Attorney D'Agostino drafted in 2015 and it was changed by office staff. It is a Word document and someone in the central office changed the terms. Now again on Assistant Superintendent contract it says "to the extent that this period is different than the one currently enjoyed unused vacation days should be paid out, carried over or should be credited for any time lost." I think this was in someone else's contract and it is not in Mr. Hassell's or Dr. Filippelli.

Dr. Filippelli: This could be language that was a lay over from when the contracts lapsed and so that should be amended.

Mr. LaPlante: This is the clean up and the language was carried over. I am going to amend my motion; I am going to make a motion to table all of the contracts and have legal counsel review.

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Mrs. Esposito: second
All in Favor: Yes

Athletic Director:

Dr. Filippelli: This is one of the reasons to have a special meeting tonight. I am not sure who from the interview committee are here. What the interview committee came up with is that they would like to hire someone for a month trial period. Does the committee want to look at the position, cast the net wider? The committee had 14 applicants and they interviewed 5. Sal was the best candidate and could be offered an interim position. What would you like to do with this position?

Mr. LaPlante: We need to talk to the committee, are we looking at changing the terms of this position. I think that it is a process. We need an Athletic Director in place and a one month appointment is not good. Consider an appointment with the new policies in place. If Sal goes through in one year or if at mid-year we decide he is not the person for this position then we appoint someone else. Can we hear from the committee?

Mr. Hassell:

14 applicants reviewed by Dr. Sollitto, Michael T. Zajac, Middle School principal, 2 parents, 2 athletes, 2 teacher/coaches, those teachers could not sit on the committee but they did offer input before making the final decision.

After we heard 5 candidates it was the committee's recommendation to go with an acting Athletic Director..

Mrs. Umbriano: I was told if we did not have an Athletic Director at the beginning of the school year the building principal could take on that roll. Sal was chosen as a one month interim because he lacks the experience? Was there anyone else that was chosen who did have the experience that did not take the position?

Dr. Filippelli: One of the candidates was a top choice and was asking for something that we could not give.

Mr. LaPlante: Sal was the only viable candidate?

Mr. Zajac: I would not say only viable and he has the commitment and drive to learn.

Dr. Filippelli: The other person was a coach and was not willing to give up his seasonal coaching and it was not the right fit. Appointing Sal as acting AD was the right fit.

Mrs. Umbriano: When you started this, you have always wanted the best of the best. Re-write this and cast a wider net. You wanted to add more money to this position.

Mrs. Esposito: I know you have worked hard Brian, do you have an idea of where you want the job to be? Can you bring that to us? The committee is recommending Sal as interim and then we open it up and Sal can apply again with some experience.

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Dr. Filippelli: We have to re-post.

Mr. LaPlante: We want to communicate with Sal that we are not talking about this as a July to July, this is a short term position subject to an open search.

Dr. Filippelli: You cannot appoint anyone tonight because it is not under new business.

Mrs. Umbriano: It is just a discussion.

Mrs. Esposito: The search committee's recommendation is a month. What happens after the month?

Mr. Hassell: Sal has been great in the past couple of weeks. He has never been an Athletic Director before and so we wanted a one month trial. Upon one month it would be the recommendation of the high school principal and assistant to hire or not.

Mrs. Guglielmi: In my experience as a school committee person for 22 years, one of the things I was told is to make sure the kids get a good education and the town can afford it. The other thing I learned is that on the school committee we are in different fields but we are not experts and we should hire good people let them do their job. The committee met and brought us back their recommendation and I think we should take the recommendation of the committee.

Mrs. Umbriano: It is an interim position, but what happens after that month.

Mr. LaPlante: Under the recommendation which is a month trial

Mr. Hassell: September.

Mr. LaPlante: When would you advertise? Do you think the month is viable?

Dr. Filippelli: You need a little more time, the next meeting is in a couple of weeks. Going back to what was talked about earlier. Is it enough time for Sal?

Mrs. Umbriano: Put Sal in as interim for a month when does this month begin.

Mr. Hassell: We did not have that conversation. That would be a conversation with the building administrators and central office.

Mr. LaPlante: We need something to go on because we have to vote. We can't just label it as an interim; it would disempower him with the coaches.

Mrs. Umbriano: When would he accept the position?

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Sal: My conversation with Dr. Sollitto was that I would be appointed as interim in August and I would be appointed at the September 6th meeting. You are welcome to do what you want I just want to be clear that you are not going to ride me out for the fall sports and then hire someone else.

Mrs. Pendergast: This is a \$9,200 a year position so no one is doing this for the money. It is year by year appointment with no contract.

Mr. Zajac: Someone who is on the clock 24/7 for \$9,200; and the ability to return calls.

Mrs. Umbriano: Something that should have been brought to us; \$9,200 it was not enough.

Mrs. Pendergast: I think we all knew it was not enough.

Mr. LaPlante: I think we are on the road to redefine that position. However, in the interim we have to do what is best for the kids and I want stability and I am not cloaking anyone with tenure. It is an important position.

Todd Oster
3 French Lane

I do not think anyone is here that has not had Sal for a coach. He knows the situations with the fields. He does not have any experience but what is in his heart.

Joseph D'Antonio
136 Eagle Drive

I am trying to piece together the events. It seems you have gone through a process and now you have reached a point in August and this is a ramp up time. I am trying to piece together the facts. It seem that the committee has found out of the 14 applicants the best candidate for the job and there is a recommendation for an interim.

Mrs. Umbriano: I did not know that he was even doing the job.

Mrs. Pendergast: It was in the form of an email from the Assistant Superintendent.

Mr. D'Antonio: This body needs to consider if Sal walks away from this position right now the town and more importantly the children are going to be left in a bad position. Does

Sal have experience as a sitting Athletic Director? No. Does he have experience with youth organization, communication, and fields? Yes I think he can clearly do the job. You put the town in a bad situation. My recommendation is that you send a clear message tonight that interim Athletic Director has been appointed with a permanent appointment on September 6th.

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Trish Washburn
263 Frenchtown Road
I echo everything that he just said.

Paul Marrow?

Sal has been in the town and has run leagues, he knows what he is walking into. 6 months to a year if he does not do the job let him go but give him the opportunity.

Ann Oster
3 French Lane

He has coached both of my daughters and when they found out Sal was applying for this position, this is why the community house is filled to speak for him. He does the right thing when no one is looking and he does the right thing all the time.

Larry Pierce
84 Woodsong drive

I have been interacting with Sal for years and you have the best of the best there is no point in belaboring this. \$9,200 is coffee money. He coaches my kids when his kids are playing somewhere else and that is the ultimate sacrifice.

Kristen Anglilly
29 Wilkinson Road

I am here to support Sal he has not coached my children yet. I also agree about the pay. More often than not anytime we hire a teacher they come to us with very little experience. I am new to this and wanted to support Sal and I think we should give him the chance and I think we should extend the month. I think he should have at least a season to prove himself.

Joe
Assistant Baseball Coach
30 days to do your job. You need a whole season.
I do not know how an Athletic Director can just be given one month. He will not know what the standards are. Give him a season.

Andrea Olsen
Spruce Valley Drive

Sal is experienced and he is committed and he has been a coach and knows what to do to take care of the children in emergency situation.

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Joe: The comment have been great. I would like to restate what I said as it does not appear you can do a formal ratify so I would implore the committee that barring any unforeseen issues they have the full intention of appointing Sal on September 6th.

Joyce Gansert
46 Country Side Lane

I do not believe the last 2 athletic directors had experience. It is a good starting point for someone and I do not think a month will get him through the learning curve. Sal has a vision for the program-give him some time; he has great ideas and is committed to Scituate. One month is not enough and if I were him I would think about walking away.

Mr. LaPlante: I respect the committee and we have to respect your position. I think it is unwise to have instability in that position. If you appoint him what can happen? You do not know do you? If it does not go well it is not a contractual position and if he does not perform he can be terminated.

Mr. Zajac: I believe he can do the job.

Mr. LaPlante: So you believe he can do the job you just want that one month of review because you are not 100% sure.

Mr. Zajac: It is just to get going because of all the changes taking place. Just working together.

Mr. LaPlante: What is the reservation? The other person had a conflict.

Mrs. Umbriano: Sal's a coach?

Sal: I would resign from coaching.

Mrs. Pendergast: I would not do that until you get the job that is not even fair.

Dr. Filippelli: The other candidate would have been the top choice but was unwilling to walk away from a coaching conflict.

Mr. LaPlante: We are concerned about the kids and I think the best thing is stability. I do not believe our hands are tied. You can manage Sal and if it does not work out then you terminate and post the position.

Mrs. Umbriano: Mr. Hassell being a first time principal are you comfortable?

Mr. Hassell: With respect to the committee these were discussions we had as a committee. Let's not go with anyone and get a neutral person and that is no disrespect to Sal. The interscholastic league can be a great thing but it can be a deal breaker.

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There are legalities to all of that. All the things that were said here were echoed by the committee. Sal is a great coach and I do not want to take away from that.

Mrs. Pendergast: I do not understand, we have a candidate with qualifications.

Mr. Hassell: We considered a retired Athletic Director. We decided that Sal was the best candidate and we would give him a chance.

Mr. LaPlante: Define the plan?

Mr. Hassell: Dr. Sollitto had conversation with Sal that I was not a part of. The recommendation of the committee is to put Sal into an acting position.

Mrs. Umbriano: When did you start?

Sal: I started a week ago on 8/3/16 by 9/6 you will have the month.

Mr. LaPlante: Do you think you will have the information by then to take a position.

Mr. Zajac: You can learn a job and you cannot teach someone to be passionate.

Mr. LaPlante: Do you think by 9/6 you will have the knowledge base to make that decision?

Mr. Zajac: Yes. We are having meetings and working as a team.

Mr. LaPlante: I move that we table this decision on the appointment of Athletic Director until our next scheduled meeting.

Mrs. Umbriano: We cannot appoint him because there is no appointment on here.

Mr. LaPlante: I do not necessarily agree on that.

Mrs. Umbriano: Motion to accept the recommendation of the search committee for a trial period of one month of Sal as Athletic Director.

Mr. LaPlante: I just want to be clear that on 9/6 that period of review will culminate into a recommendation.

Mrs. Esposito: Email sent on 8/3 that Sal was being recommended as an interim.

Mr. LaPlante: Make a motion that we accept the recommendation of the committee to appoint Sal as interim.

Mrs. Guglielmi: Second
All in favor: Yes

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Motion passes

Improvements to athletic field:

Mrs. Umbriano: Caito Field and the Practice field you have 2 papers in front of you; \$146,694.00 for the practice field and \$135,194.00 our decision at the meeting was that Larry would get these quotes and we would make a decision on which way to go with the money we have. The town would help us.

Dr. Filippelli: The town engineer worked with Glen to come up with these numbers. The recommendation is to go with the practice field.

Mr. LaPlante: Why the practice field end-zone to end-zone the turf itself is the same amount? The practice field by no means is 100 yards. I think it would be cheaper on the turf side.

Dr. Filippelli: I sent emails to get prices and here they are.

Mrs. Umbriano: Where are we with getting the 33 % back from RIDE?

Dr. Filippelli: What you are going to approve tonight is completely separate from RIDE. Anything you do right away is not reimbursable by RIDE it is better to go with the practice field. If you go with the practice field and that is done and it does not have to be part of the RIDE project. Jacobs & Company: RIDE contracted them to do a building audit for all the school buildings in Scituate and they would not let me touch the document and they will not give it to me for about 3 weeks. I got my eyes on some pictures. They give you a list of must dos and here are the suggestions. RIDE wants us to capture everything in your bond but, you have to sell it. If you can put some of the improvements that they are recommending in the audit into one bond. That is the process and the deadline is October 14th. We need to have stage one completed by October 14th. The buildings are capital improvements and we have that but does that mirror what we need? Capture everything in the 5 year plan. Once RIDE approves the 5 year plan it is covered for 5 years and we receive an automatic 33 % reimbursement.

Keep it all together and put it out to the voters and payment goes directly to the town. If your bond passes great if it does not all is not lost because your asset protection plan is already approved. It is a huge document they used to have a rolling application. If you do not have stage one done by October 14, see you next year. Stage one requires a building committee appointed by the town. It requires engineering and how do we get this done for October 14. We do not have the experience with creating a stage one application. I need direction from the Committee we can try and slog through and get to stage one by October 14 or we can try and get an engineering company.

If we were to go out to bid, if you make a decision tonight for architectural companies you are now somewhere in the middle of September.

Use someone on the master price list that is approved by the state.

Is there a threshold to the bid 30-40,000 to get the architectural work done?

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Mrs. Pendergast: The town council will pay for engineering so is that reimbursable

Dr. Filippelli: Yes, If we do not have this in by October 14th or this is all for naught. I have the master price list. I have contacted 2 of them and they just finished up the Narragansett project.

Mrs. Pendergast: Based on reviews?

Dr. Filippelli: The bigger picture is to capture the field needs and the building needs.

Mr. LaPlante: Would you need engineers for the buildings to?

Dr. Filippelli: I do not think it is major renovations.

Mrs. Umbriano: Is this the same company that came in when we had to change doors.

Dr. Filippelli: This is different, Joe from RIDE said he would help us cast a wide umbrella

Mrs. Umbriano: We should always keep this 5 year going.

Dr. Filippelli: Ours has expired-we need to get the process going.

Mr. LaPlante: I think you already have our vote.

Mrs. Umbriano: Need an engineer.

Dr. Filippelli: I wanted to bring that new piece of information.

Mrs. Umbriano: When is the town appointing the committee?

Dr. Filippelli: It is very descriptive of who has to be appointed and I believe they are doing that tonight.

Mrs. Umbriano: Town Council appoints an 8 person committee and you need an engineer.

Dr. Filippelli: The committee is the key. The town is going to bond.

Mr. LaPlante: The building committee will contract and recommended to the town. The town owns the real estate.

Mrs. Esposito: We are talking about long term project, Caito field improvements itemization.

Dr. Filippelli: I wake up in the morning and recite it. (laughter)

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Mr. LaPlante: Can you send that to all of us.

Mrs. Pendergast: You cannot contract the architectural firm?

Dr. Filippelli: I can get it on the folks at MPA's radar. It is the scope and it is stage one and get it submitted to RIDE. The earliest is May 2017 but you will get no approval if you do not meet the deadline.

Mr. LaPlante: Please pursue this and keep us updated.

Mrs. Umbriano: You will be on the committee and you want him to use the master list. Yes-use the master list. First phase committee and then engineer? Are they broken up by engineering and architectural firms? Is there a price list.

Dr. Filippelli: Some are both.

Mrs. Umbriano: You have what you need for the long term. Now we will go back to our long term.

Mr. LaPlante: Move to approve the practice field renovation and postpone the renovations to Caito field. The reason is to have a permanent solution to the practice field for years and the approach is to have an eye toward quality.

Mrs. Esposito: Second
All in favor: Yes
Motion passes

Committee remarks

Mrs. Esposito: Nothing

Mr. LaPlante: I appreciate everyone coming out tonight and I think everyone here cares about the kids.

Mrs. Guglielmi: Nothing

Mrs. Umbriano: Great to move forward for the student in a positive way.

Mrs. Pendergast: Nothing

Mrs. Guglielmi: Motion to adjourn
Mrs. Esposito: Second
All in favor: Yes

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Respectfully Submitted

Mrs. Guglielmi, Clerk

Minutes were prepared by Theresa C. Yeaw, Recording Secretary. Neither the Clerk nor the Recording secretary is the designated Public Records contact for the Scituate School Committee or Scituate School Department under the RI Access to Public Records Act ("ARPA"). For all APRA inquiries, please contact the Superintendent's Office.