

**MARTHA’S VINEYARD REGIONAL HIGH SCHOOL (MVRHS)/ *Special Meeting***  
**School Committee Meeting**  
**Monday, May 23, 2022 at 6:30 pm**  
**Zoom Meeting**

Present: Chair – Amy Houghton, Roxanne Ackerman, Kimberly Kirk, Robert Lionette, Skipper Manter\*, Kris O’Brien, Louis Paciello, Kathryn Shertzer, Michael Watts

Others: About 40 attendees including:  
Murphy, Lamere & Murphy, PC/School District Counsel – Peter Sumners

Staff: Principal – Sara Dingley, Assistant Principal – Jeremy Light,  
Coordinator of Pathways and Special Projects – Samuel Hart, Finance Director – Suzanne Cioffi,  
Administrator of Special Education – Heather Rogers-Rodrigues, Athletic Director – Mark McCarthy,  
Facilities Director – Mike Taus

Supt.’s Office: Superintendent – Matthew D’Andrea, Asst. Superintendent – Richie Smith,  
School Business Administrator – Mark Friedman

Towns/County: Chilmark – Vicki Jamieson Divoll, West Tisbury – Clark Rattet

Press: MV Times – Lucas Thors, MVTV – Shavanáe Anderson, Vineyard Gazette – Louisa Hufstader,  
WCAI – Eve Zuckoff

Recorder: Teresa Kruszewski     *\*Late arrivals or early departures of MVRHS SC members (see \* in text)*

**Call to Order:**

The meeting of the Martha’s Vineyard Regional High School School Committee (MVRHSSC) was called to order at 6:41 PM by Chair Amy Houghton. The meeting was recorded; video cameras were asked to be turned off except for MVRHSC members or Administrators or when actively participating; attendees were asked to identify themselves with first and last names. *(Recorder’s Note: Discussions are summarized and grouped for clarity and brevity).*

*\*Skipper Manter arrived at 6:42 PM. Due to technical difficulties, he was not able to vote or contribute to the discussion until 7:02 PM.*

**Welcome - Chair:**

(Agenda Item #I)

Chair Houghton said this special meeting was scheduled from a majority vote at the last meeting, to go into Executive Session (ES), as it was not included as part of that agenda. *(Please see document on file for details: APPROVED Minutes MVRHS SC May 17 Special Meeting.pdf, pgs 2-3, Agenda Item V, Next Steps for Track and Fields)*

**Executive Session: MGL Chapter 30A, Section 21 Meeting of Public Body in Executive Session     (Agenda Item #II)**  
**to discuss the following purpose(s):**

**A. Discuss Strategies for Litigation Involving Track and Field**

Chair Houghton informed the Committee that she contacted the Office of the Attorney General to determine if ES was appropriate as litigation was not filed at this time; she would honor the motion made at the last meeting; strategic options for the appeal only could be discussed.

*KRIS O’BRIEN MOVED TO APPEAL THE DECISION OF THE OAK BLUFFS PLANNING BOARD REGARDING THE SPECIAL PERMIT RELATED TO THE ATHLETIC AND SYNTHETIC FIELDS; LOUIS PACIELLO SECONDED.*

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- Michael Watts said he was looking to obtain advice from legal counsel during the ES, the discussion could impact his vote/decision.
- Roxanne Ackerman asked why ES was needed to get information? She was comfortable waiting another two years to allow the The Massachusetts School Building Authority (MSBA) opportunities and options unfold and to learn more about the aquifer and other environmental impacts.
- Kathryn Shertzer wanted an ES to learn about strategy.
- Chair Houghton asked Attorney Peter Sumners to answer the following question:
  - Was there a rational basis for saying there was a detrimental effect on our litigating position, if we didn't go into ES to discuss the appeal?

Attorney Sumners said an Executive Session would be appropriate and a proper topic of discussion whether or not to appeal and on what grounds to appeal.

*MS O'BRIEN AND MR. PACIELLO WITHDREW THEIR MOTION, BASED ON THE ADVICE OF COUNSEL.*

After a lengthy discussion, the following motion was made:

*MICHAEL WATTS MOVED TO GO INTO EXECUTIVE SESSION AT 6:55 PM, TO RETURN TO OPEN SESSION UNDER MASSACHUSETTS GENERAL LAW CHAPTER 30A, SECTION 21 MEETING OF PUBLIC BODY IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PURPOSE(S): DISCUSS STRATEGIES FOR LITIGATION INVOLVING TRACK AND FIELD; AND TO INVITE SUPERINTENDENT MATTHEW D'ANDREA, ASST. SUPERINTENDENT RICHIE SMITH, SCHOOL DISTRICT COUNSEL PETER SUMNERS AND RECORDER TERESA KRUSZEWSKI TO BE PRESENT THROUGHOUT; KIMBERLY KIRK SECONDED; MOTION PASSED: 5 AYES, 3 NAYS, 0 ABSTENTIONS. MS. KIRK—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MS. ACKERMAN—NAY, MS. HOUGHTON—NAY AND MR. LIONETTE—NAY.*

**Disclosure Statements:**

Kathryn Shertzer:

Late last week Dr. D'Andrea shared with me that a community member had come forth to express their concern about a conflict of interest. The concern was specific to my husband profiting from the installation of a turf in-field at the high school. My husband is a photographer. He has acted in an unpaid volunteer capacity for a non-profit youth sport group and has received no compensation of any kind. I'm able & will perform my duties as a school committee member impartially & without bias.

Louis Paciello:

As a Booster President, I have no business interest, no compensation.

Kimberly Kirk:

As a secretary of the High School Boys Lacrosse Booster Club a disclosure statement was filed as an abundance of caution. I am able to perform as a School Committee Member without bias and participate in complete fairness.

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**Open Session After Executive Session:**

(Agenda Item #III)

*ROBERT LIONETTE MOVED TO RETURN TO REGULAR SESSION AT 8:18 PM; KIMBERLY KIRK SECONDED; MOTION PASSED: 6 AYES, 0 NAYS, 0 ABSTENTIONS. MS. KIRK—AYE, MR. LIONETTE—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

**Track and Field Project:**

(Agenda Item #IV)

Members discussed and debated how this appeal would impact the entire community; this process had been challenging for everyone including the amount of time spent on this project to date and the funding spent in the process. It was important to keep the focus on the big picture, the students; this was a democratic process, we had the choice to have different views and respect each other's opinions.

*The Zoom chat feature was disabled at 8:25 PM.*

*KIMBERLY KIRK MOVED TO APPEAL THE DECISION OF THE OAK BLUFFS PLANNING BOARD WITH RESPECT TO THE ATHLETIC TRACK AND FIELD PROJECT; LOUIS PACIELLO SECONDED; MOTION PASSED: 5 AYES, 4 NAYS, 0 ABSTENTIONS. MS. KIRK—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MS. ACKERMAN—NAY, MS. HOUGHTON—NAY, MR. LIONETTE—NAY AND MR. MANTER—NAY.*

**Special Counsel:**

As the regular school counsel was not available for the appeal, time was of the essence to hire an attorney. Two firms were recommended by Attorney Sumners; funding should come from the legal line. Members discussed hiring Mark Bobrowski of Blatman, Bobrowski, Haverty & Silverstein as there was a flat rate associated with this firm of \$375.00/hr. Chair Houghton said if anyone wanted input into this process, now was the time to raise those questions.

Kris O'Brien said to trust the recommendation from our Attorney; to choose one now, the one we know the hourly rate; we didn't have time on our side. Attorney Sumners said he thought both attorneys were up to the task, it was important to identify an attorney now, tomorrow morning they would be contacted as June 3, 2022 was the deadline. (The other attorney/s recommended were Mina Makarious and Christina Marshall of Anderson Krieger)

Attorney Sumners said an appeal of this nature would be a minimum of 40 hours of work to an upper maximum that was unknown; in general not more than 80 hours; costs associated with filing ranged between \$15,000 - \$30,000. Robert Lionette said this was an extraordinary amount of money to put into the legal line.

*KRIS O'BRIEN MOVED TO AUTHORIZE KIMBERLY KIRK AND KRIS O'BRIEN TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE ATTORNEY RECOMMENDED BY ATTORNEY PETER SUMNER, MARK BOBROWSKI OF BLATMAN, BOBROWSKI, HAVERTY & SILVERSTEIN, IN FURTHERANCE OF FILING AN APPEAL; KATHRYN SHERTZER SECONDED; MOTION PASSED: 5 AYES, 4 NAYS, 0 ABSTENTIONS. MS. KIRK—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MS. ACKERMAN—NAY, MS. HOUGHTON—NAY, MR. LIONETTE—NAY AND MR. MANTER—NAY.*

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*SKIPPER MANTER MOVED TO FUND THE LAWYER FOR THE APPEAL OUT OF THE HIGH SCHOOL LEGAL LINE OF THE BUDGET; KRIS O'BRIEN SECONDED; MOTION PASSED: 5 AYES, 4 NAYS, 0 ABSTENTIONS. MS. KIRK—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MS. ACKERMAN—NAY, MS. HOUGHTON—NAY, MR. LIONETTE—NAY AND MR. MANTER—NAY.*

**Topics Not Reasonably Anticipated by the Chair/Announcements:**

(Agenda Item #V)

Ms. Shertzter said four young men on the High School Track Team and their coach, were going to Oregon for Nationals. On social media, she noticed a *Go Fund Me* page to help them pay for the trip. She asked the Committee to find a way to support them financially.

Suzanne Cioffi said she met with Principal Sara Dingley and Athletic Director Mark McCarthy earlier today; they identified funding in the Athletics budget to help offset the cost to pay for/reimburse the families for their plane tickets in support of the Nationals.

**Adjournment:**

(Agenda Item #VI)

*SKIPPER MANTER MOVED TO ADJOURN THE MVRHSSC MEETING AT 9:30 PM; KRIS O'BRIEN SECONDED; MOTION PASSED UNANIMOUSLY: 9 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. HOUGHTON—AYE, MS. KIRK—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

**Documents on File:**

- 1) Agenda MVRHS SC 5.23.22.docx
- 2) participants\_87662586340 (4).csv
- 3) OB Planning Board Decision 5.4.22.pdf

**Respectfully submitted,**

  
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**Teresa Kruszewski – Recorder**

September 12, 2022  
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**Date**

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**Amy Houghton – MVRHSC Chair**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Matthew D'Andrea – MVRHSD Superintendent**

\_\_\_\_\_  
**Date**

*APPROVED SEPTEMBER 12, 2022*