

**MARTHA’S VINEYARD REGIONAL HIGH SCHOOL (MVRHS)/*Special Meeting***  
**School Committee Meeting**  
**Wednesday, July 12, 2023 at 4:00 PM**  
**Culinary Arts Dining Room/Zoom**

Present: Chair – Kathryn Shertzer, Vice Chair (VC) – Skipper Manter, Roxanne Ackerman, Jennifer Cutrer, Robert Lionette, Kris O’Brien, Laura Seguin, Zoom - Michael Watts  
Others: Town Counsel/Attorney of Mead, Talerman & Costa, LLC. – Brian Winner  
Staff: Coordinator of Pathways and Special Projects – Samuel Hart,  
Finance Director – Suzanne Cioffi  
Supt.’s Office: Superintendent – Richard M. Smith, Ed.D.,  
Director of Student Support Services – Hope MacLeod  
Towns/County: Chilmark – Vicki Jamieson Divoll, Tisbury – Nancy Gilfof  
Press: MVTimes – Jenna Bernstein, MVTV, Vineyard Gazette – Louisa Hufstader  
Recorder: Teresa Kruszewski

### **Call to Order**

The meeting of the Martha’s Vineyard Regional High School Committee (MVRHS SC) was called to order at 4:04 PM by Chair Kathryn Shertzer; all votes would be taken by roll call. Public participation was encouraged, and asked to use the Zoom ‘hand raise’ feature to be recognized. The meeting was recorded; video cameras were asked to be turned off except for MVRHS SC 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.*)

### **Welcome - Chair Opening Remarks** (Agenda Item #I)

Chair Shertzer welcomed everyone and said there was much to cover and time was limited due to other obligations of Members and Administration at the table. As a Special Meeting, Public Comment was not included on the agenda; Chair Shertzer would open the meeting if time allowed.

### **Executive Session** (Agenda Item #II)

**Executive Session, subject to the Chair’s declaration, to discuss litigation strategy, pursuant to G.L. c. 30A § 21(a)(3), in the matter of Martha’s Vineyard Reg. School Dist. v. Oak Bluffs Planning Bd., Land Court No. 22 MISC 000294. Vote to reconvene to return to open session.**

At 4:05 PM, Chair Shertzer asked for a motion to go into Executive Session. Members discussed addressing Agenda Item III (see below) first, as financial concerns of how to pay Attorney Brian Winner was a point of much concern [at prior meetings]; a means to pay had not been identified as funding ended on June 30, 2023. Others indicated that Attorney Winner was in attendance and was billing for that time, and that the priority was to go into Executive Session immediately.

A lengthy [and heated] discussion ensued regarding these two [opposing] points of view.

*KRIS O’BRIEN AT 4:06 PM, MOVED TO GO INTO EXECUTIVE SESSION, SUBJECT TO THE CHAIR’S DECLARATION, TO DISCUSS LITIGATION STRATEGY, PURSUANT TO G.L.*

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*C. 30A § 21(A)(3), IN THE MATTER OF MARTHA'S VINEYARD REG. SCHOOL DIST. V. OAK BLUFFS PLANNING BD., LAND COURT NO. 22 MISC 000294. VOTE TO RECONVENE TO RETURN TO OPEN SESSION; AND TO INVITE SUPERINTENDENT RICHARD M. SMITH, ATTORNEY BRIAN WINNER AND RECORDER TERESA KRUSZEWSKI TO BE PRESENT THROUGHOUT; JENNIFER CUTRER SECONDED.*

At 4:21 PM the vote was called:

*MOTION PASSED: 5 AYES, 3 NAYS, 0 ABSTENTIONS. MS. CUTRER—AYE, MS. O'BRIEN—AYE, MS. SEGUIN—AYE—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MS. ACKERMAN—NAY, MR. LIONETTE—NAY & MR. MANTER—NAY.*

At 4:24 PM Vicki Jamieson Divoll and Doug Ruskin, members of the public, began to express their concern over the issues and refused to leave the room; Chair Shertzer asked both to leave, as Public Comment was not on the Agenda as stated above. The room was cleared at 4:26 PM.

*DISCUSSION ENSUED THEREON A MOTION AT 5:06 PM, TO RETURN TO REGULAR SESSION WAS MOVED BY SKIPPER MANTER AND SECONDED BY KRIS O'BRIEN; THE MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS.*

★ **OPEN SESSION RECONVENED AT 5:09 PM.**

Chair Shertzer said the Committee's vote in the Executive Session instructed Attorney Winner to move forward with the appeal process.

Robert Lionette said, acting independently [on behalf of his Town], he would contact the Attorney General's office tomorrow for clarification of payment to Attorney Winner.

**Appeal Finance Update**

(Agenda Item #III)

Please see Agenda Item II (above)

**Feasibility Study Agreement Discussion and Vote**

(Agenda Item #IV)

Superintendent Richard M. Smith read each vote as follows:

**1. Motion:** To enter into and be bound by the Feasibility Study Agreement between the District and the Massachusetts School Building Authority and any amendments thereto.

*SKIPPER MANTER MOVED TO ENTER INTO AND BE BOUND BY THE FEASIBILITY STUDY AGREEMENT BETWEEN THE DISTRICT AND THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY AND ANY AMENDMENTS THERETO;*

*ROBERT LIONETTE SECONDED. MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MS. SEGUIN—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

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**2. Motion:** That the \_\_\_\_\_ [insert applicable title, such as, “Superintendent of Schools” or “Chair of the School Committee”], for the Martha’s Vineyard Regional School District (the “District”), which is currently \_\_\_\_\_ [insert name of person currently holding the applicable office], is hereby appointed and authorized by and on behalf of the District to execute and deliver the Feasibility Study Agreement between the District and the Massachusetts School Building Authority and any amendments thereto (the “Agreement”) on behalf of the District and to bind the District to the terms and conditions of such Agreement for or relating to a project for construction of repairs and renovations or new construction of the Martha’s Vineyard Regional High School located at 100 Edgartown-Vineyard Haven Road in the Town of Oak Bluffs, Massachusetts (the “Project”).

*ROBERT LIONETTE MOVED THAT THE SUPERINTENDENT OF SCHOOLS, FOR THE MARTHA’S VINEYARD REGIONAL SCHOOL DISTRICT (THE “DISTRICT”), WHICH IS CURRENTLY RICHARD M. SMITH, IS HEREBY APPOINTED AND AUTHORIZED BY AND ON BEHALF OF THE DISTRICT TO EXECUTE AND DELIVER THE FEASIBILITY STUDY AGREEMENT BETWEEN THE DISTRICT AND THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY AND ANY AMENDMENTS THERETO (THE “AGREEMENT”) ON BEHALF OF THE DISTRICT AND TO BIND THE DISTRICT TO THE TERMS AND CONDITIONS OF SUCH AGREEMENT FOR OR RELATING TO A PROJECT FOR CONSTRUCTION OF REPAIRS AND RENOVATIONS OR NEW CONSTRUCTION OF THE MARTHA’S VINEYARD REGIONAL HIGH SCHOOL LOCATED AT 100 EDGARTOWN-VINEYARD HAVEN ROAD IN THE TOWN OF OAK BLUFFS, MASSACHUSETTS (THE “PROJECT”). KRIS O’BRIEN SECONDED. MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O’BRIEN—AYE, MS. SEGUIN—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

**3. Motion:** That the \_\_\_\_\_ [insert applicable title, such as, “Superintendent of Schools” or “Chair of the School Committee”], for the Martha’s Vineyard Regional School District (the “District”), which is currently \_\_\_\_\_ [insert name of person currently holding the applicable office], is hereby appointed and authorized by and on behalf of the District to make final, binding decisions with respect to the Project described in the Feasibility Study Agreement, and any amendments thereto, on behalf of the District.

**4. Motion:** That Teresa Kruszewski, as Recorder for the School Committee for the District, is hereby authorized to provide the MSBA and legal counsel for the School Committee with a certification that such votes were taken by the School Committee and such certification may be so provided prior to final approval of the minutes of this meeting.

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*SKIPPER MANTER MOVED THAT THE SUPERINTENDENT OF SCHOOLS, FOR THE MARTHA'S VINEYARD REGIONAL SCHOOL DISTRICT (THE "DISTRICT"), WHICH IS CURRENTLY RICHARD M. SMITH, IS HEREBY APPOINTED AND AUTHORIZED BY AND ON BEHALF OF THE DISTRICT TO MAKE FINAL, BINDING DECISIONS WITH RESPECT TO THE PROJECT DESCRIBED IN THE FEASIBILITY STUDY AGREEMENT, AND ANY AMENDMENTS THERETO, ON BEHALF OF THE DISTRICT AND THAT TERESA KRUSZEWSKI, AS RECORDER FOR THE SCHOOL COMMITTEE FOR THE DISTRICT, IS HEREBY AUTHORIZED TO PROVIDE THE MSBA AND LEGAL COUNSEL FOR THE SCHOOL COMMITTEE WITH A CERTIFICATION THAT SUCH VOTES WERE TAKEN BY THE SCHOOL COMMITTEE AND SUCH CERTIFICATION MAY BE SO PROVIDED PRIOR TO FINAL APPROVAL OF THE MINUTES OF THIS MEETING;*

*KRIS O'BRIEN SECONDED. MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MS. SEGUIN—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

**Additional ESP's Request Possible Vote**

(Agenda Item #V)

Tabled.

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

(Agenda Item #VI)

Public Comment was taken at 5:21 PM. Mr. Ruskin and Ms. Divoll asked for clarification of the FY24 funding for Attorney Winner.

**Adjournment**

(Agenda Item #VII)

*KRIS O'BRIEN MOVED TO ADJOURN THE MVRHS SC MEETING AT 5:27 PM; JENNIFER CUTRER SECONDED. MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MS. SEGUIN—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.*

**Appendix A - Meetings/Events**

MVRHS SC – Thursday, July 20, 2023 at 6:00 PM

**Appendix B - Documents on File:**

- Agenda MVRHS SC 7.12.23.docx
- MVRHS School Committee Acceptance 07122023.pdf
- Feasibility study votes language - 07-03-2023.docx

**MARTHA'S VINEYARD REGIONAL HIGH SCHOOL/*Special Meeting***  
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**Respectfully submitted,**



\_\_\_\_\_  
**Teresa Kruszewski – Recorder**

\_\_\_\_\_  
November 6, 2023

**Date**

\_\_\_\_\_  
**Kathryn Shertzer – MVRHS SC Chair**

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

\_\_\_\_\_  
**Richard M. Smith, Ed.D. – MVRHSD Superintendent**

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

*APPROVED NOVEMBER 6, 2023*