

MARTHA’S VINEYARD REGIONAL HIGH SCHOOL (MVRHS)/*Special Meeting*
School Committee Meeting
Friday, May 5, 2023 at 8:30 AM
CADR/Zoom

Present: Chair – Robert Lionette, Roxanne Ackerman, Skipper Manter, Kris O'Brien, Louis Paciello, Kathryn Shertzer, Michael Watts
Zoom: Vice Chair (VC) – Kimberly Kirk, Jennifer Cutrer

Others: About 20 attendees including:
Town Counsel/Attorney of Mead, Talerman & Costa, LLC. – Brian Winner,
President & Project Manager/Huntress Associates Inc. – Christian C. Huntress

Staff: Principal – Sara Dingley, Finance Director – Suzanne Cioffi, Facilities Director – Mike Taus

Supt.’s Office: Superintendent – Richard M. Smith, Ed.D., School Business Administrator – Mark Friedman

Towns/County: Chilmark – Vicki Divoll, Oak Bluffs – Maura McGroarty, West Tisbury – Clark Rattet

Press: MV Times – Eunki Seonwoo, MVTV, Vineyard Gazette – Louisa Hufstader

Recorder: Teresa Kruszewski

Please note: All business will consist of a discussion and possible *vote* to take action.

Call to Order:

The meeting of the Martha’s Vineyard Regional High School School Committee (MVRHS SC) was called to order at 8:36 AM by Chair Robert Lionette. 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.*)

Welcome - Chair:

(Agenda Item #I)

Chair Lionette said this meeting was put together with a sense of urgency and to discuss two points of how to move forward during Executive Session and to come to an understanding to be shared publicly in advance of the Town Meeting of Aquinnah.

**Executive session, subject to the chairs declaration, to discuss litigation strategy,
pursuant to G.L.c. 30A s21(a)(3), in the matter of Martha’s Vineyard regional high school versus the Oak Bluffs
Planning Board, and the Town of Oak Bluffs Land Court NO. 22 MISC 000294
Vote to reconvene to return to open public session.**

(Agenda Item #II)

Skipper Manter said it would better serve the public to hear the discussion and to stay in Public Session.

MICHAEL WATTS AT 8:38 AM, MOVED TO GO INTO EXECUTIVE SESSION, SUBJECT TO THE CHAIRS DECLARATION, TO DISCUSS LITIGATION STRATEGY, PURSUANT TO G.L.C. 30A S21(A)(3), IN THE MATTER OF MARTHA’S VINEYARD REGIONAL HIGH SCHOOL VERSUS THE OAK BLUFFS PLANNING BOARD, AND THE TOWN OF OAK BLUFFS LAND COURT NO. 22 MISC 000294 VOTE TO RECONVENE TO RETURN TO OPEN PUBLIC SESSION; AND TO INVITE SUPERINTENDENT RICHARD M. SMITH, PRINCIPAL SARA DINGLEY, ATTORNEY BRIAN WINNER, CHRISTIAN C. HUNTRESS AND RECORDER TERESA KRUSZEWSKI TO BE PRESENT THROUGHOUT; KRIS O’BRIEN SECONDED; MOTION PASSED: 8 AYES, 1 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MS. KIRK—AYE, MR. LIONETTE—AYE, MS. O’BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE. MR. MANTER—NAY.

MARTHA'S VINEYARD REGIONAL HIGH SCHOOL/*Special Meeting*
Friday, May 5, 2023 at 8:30 AM

DISCUSSION ENSUED THEREON A MOTION AT 9:58 AM, TO RETURN TO REGULAR SESSION WAS MOVED BY SKIPPER MANTER AND SECONDED BY LOUIS PACIELLO; THE MOTION PASSED UNANIMOUSLY: 9 AYES, 0 NAYS, 0 ABSTENTIONS.

Christian C. Huntress wanted to state for the record that he offered to be present at no cost, to Superintendent Richard M. Smith; he was happy to do whatever he could to have the Committee come to a resolution.

Kris O'Brien, at 10:02 AM read the statement from Executive Session:

"The Committee has resolved and directed the school's Attorney to engage in settlement discussions with the attorney for the Town of Oak Bluffs (OB) and the Oak Bluffs Planning Board for the purposes of resolving the pending appeal."

Kris O'Brien, at 10:12 AM read the [revised] statement from Executive Session:

"The Committee has resolved and directed the school's Attorney to engage in settlement discussions with the attorney for the Town of Oak Bluffs (OB) and the Oak Bluffs Planning Board for the purposes of resolving the pending appeal and shall be limited to the legal fee line of FY23."

Kris O'Brien, at 10:52 AM read the [second revised] statement from Executive Session to address all concerns:

"The Committee has resolved and directed the school's Attorney to engage in settlement discussions with the attorney for the Town of Oak Bluffs (OB) and the Oak Bluffs Planning Board for the purposes of resolving the pending appeal and shall be limited to the legal fee line of the FY23 budget and to not take any money from FY24."

Legal fees pertaining to litigation of pending appeal:

(Agenda Item #III)

Members discussed procedurally, how to handle private donations toward the legal process and how that would impact the motion; some expressed concern over private funding to cover these expenses; Chair Lionette would look into/confirm that donor lists were a matter of public record.

Roxanne Ackerman recommended adding language to the motion to not sue each other.

Members discussed the anticipated legal expenses for FY23 and what was [potentially] available.

Motions and amendments to those motions were discussed at length; the following was decided and voted.

MICHAEL WATTS AT 10:14 AM, MOVED TO RESCIND ACTION TAKEN ON THE APRIL 3, 2023 VOTE;

[KIMBERLY KIRK MOVED TO ALLOCATE FUNDS TO COMPLETE THE LITIGATION AT THIS POINT IN TIME; 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. CUTRER—NAY, MR. LIONETTE—NAY & MR. MANTER—NAY.]

KRIS O'BRIEN SECONDED; MOTION PASSED UNANIMOUSLY: 9 AYES, 0 NAYS, 0 ABSTENTIONS.

MS. ACKERMAN—AYE, MS. CUTRER—AYE, MS. KIRK—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.

MARTHA'S VINEYARD REGIONAL HIGH SCHOOL/*Special Meeting*
Friday, May 5, 2023 at 8:30 AM

MICHAEL WATTS AT 10:17 AM, MOVED TO ONLY ACCESS FUNDS FROM FISCAL YEAR 2023 PRESENT ON THE LEGAL LINE FOR THE APPEAL; KRIS O'BRIEN SECONDED; MOTION PASSED UNANIMOUSLY: 9 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MS. KIRK—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE, MS. SHERTZER—AYE & MR. WATTS—AYE.

In response to Vicki Divoll,

SKIPPER MANTER AT 10:39 AM, MOVED NOT TO TAKE ANY FUNDS FROM THE FY24 OPERATING BUDGET FOR THIS PARTICULAR CHALLENGE/LITIGATION; ROXANNE ACKERMAN SECONDED; MOTION PASSED: 5 AYES, 4 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE & MR. WATTS—AYE. MS. KIRK—NAY, MS. O'BRIEN—NAY, MR. PACIELLO—NAY & MS. SHERTZER—NAY.

Set all other meeting dates and agenda:

(Agenda Item #IV)

Chair Lionette suggested that meetings be twice a week; they would begin on May 8, 2023 and would continue on Mondays and Thursdays at 6:00 PM through the end of FY23; the format would be hybrid. The agenda would be a boilerplate with three items - Welcome, Executive Session and Adjournment.

Members discussed having a point person to limit individual contact with Attorney Winner and in the spirit of building transparency of the process; VC Kimberly Kirk defined the limited scope for this person as an administrative role and said it should be a Committee Member.

Through the discussion, there were multiple motions and amendments to the motion for the point of contact with the Attorney; this was the agreed upon [final] motion:

SKIPPER MANTER AT 10:32 AM, MOVED THAT MICHAEL WATTS BE THE POINT OF CONTACT BETWEEN THIS COMMITTEE AND ATTORNEY BRIAN WINNER WITH SUPERINTENDENT RICHARD M. SMITH INCLUDED THROUGHOUT; ROXANNE ACKERMAN SECONDED; MOTION PASSED: 8 AYES, 0 NAYS, 1 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—AYE, MS. KIRK—AYE, MR. LIONETTE—AYE, MR. MANTER—AYE, MS. O'BRIEN—AYE, MR. PACIELLO—AYE & MS. SHERTZER—AYE. MR. WATTS—ABSTAINED.

Adjournment:

(Agenda Item #V)

KRIS O'BRIEN MOVED TO ADJOURN THE MVRHSSC MEETING AT 10:53 AM; LOUIS PACIELLO SECONDED; MOTION PASSED UNANIMOUSLY: 9 AYES, 0 NAYS, 0 ABSTENTIONS. MS. ACKERMAN—AYE, MS. CUTRER—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 5.5.23.pdf

MARTHA'S VINEYARD REGIONAL HIGH SCHOOL/*Special Meeting*
Friday, May 5, 2023 at 8:30 AM

Respectfully submitted,



Teresa Kruszewski – Recorder

November 6, 2023

Date

Robert Lionette – MVRHSC Chair

Date

Richard M. Smith, Ed.D – MVRHSD Superintendent

Date

APPROVED NOVEMBER 6, 2023