

**Portsmouth School Board
Portsmouth, New Hampshire**

Minutes of the March 22, 2007 Special Meeting

A special meeting of the Portsmouth School Board was held on Thursday, March 22, 2007 in the Eileen Dondero Foley Council Chambers at Portsmouth City Hall.

Attendance

PRESENT: Mr. Kent F. LaPage (Chair), Mrs. Nancy Novelline Clayburgh (Vice-Chair), Ms. Sheri Ham Garrity, Mr. Clay Hayward, Mr. John Lyons, Jr., Mr. Brendan Ristaino, Dr. Mitchell Shuldman, Mr. Carson Smith, Mrs. Ann Walker

PARTICIPATING: Dr. Robert J. Lister (Superintendent of Schools), Mr. Stephen Zadavec (Assistant Superintendent), Mr. Stephen T. Bartlett (Business Administrator), Mrs. Linda Briolat (Employee Representative), Ms. Elisa Loeser (Student Representative), Mrs. Ann Mayer (SAU 50 Representative), Ms. Helen Maldini (Newington School Board and Member of Middle School Joint School Advisory Committee, JSAC), Mr. John Stokel (Middle School Principal), Mr. Daniel Bisson (Team Design, Inc.), Mr. Gregg Mikolaities (Appledore Engineering), and Mr. Mike Penny (Geo-Insight).

Call to Order

Chair LaPage called the special meeting of the Portsmouth School Board to order at 6:32 p.m. The Chair explained there is no public commentary tonight as the evening is planned for the full Board to receive the information that the JSAC (Joint School Advisory Committee) has heard and deliberated on through its meetings. He said the Board would be setting up a series of meetings; one would be a public hearing to be followed by a work session, and then possibly another public commentary session and work session. The Chair said there are only two dates available for the Board to meet in Council Chambers during the month of April due to the room being used by other Boards and Commissions. The first date is April third, and the second date is April 25th. The Chair chose to stay away from April third because it will be Passover, and the Superintendent cautioned the Board that April 25th is school vacation week and there may be families who will out of town and, therefore, unable to participate.

Public Hearing

The Board agreed to hold a public hearing on Wednesday, April 11, 2007 at 7:00 p.m. at the Little Theatre at Portsmouth High School. The Chair said he will ask that it be filmed so that it can later be

***Public Hearing
(cont.)***

televised on Channel 22. A work session will follow the public hearing. The Board also scheduled another meeting for Tuesday, May 1, 2007 at 6:30 p.m., again in the Little Theatre at Portsmouth High School. This meeting will have a public commentary session at the beginning. The Chair said the Board could choose to schedule another meeting at that time.

Dr. Shuldman asked if there will be enough time at these meetings for the Board members to have dialogue and discuss information. The Chair responded that it will depend on the number of speakers for the public hearing. He explained that during a public hearing, there is no time limit for speakers. He said if there are a lot of speakers and they each speak for ten minutes, the Board will run out of time that evening. He said that speakers are limited to three minutes at a public commentary session. Dr. Lister stated people may also attend City Council and School Board meetings and address their concerns during the respective public commentary sessions.

***SAU 50
Representatives***

The Chair introduced Ann Mayer and Helen Maldini, SAU 50 representatives. He said although they do not have voting rights, the Board needs to take into consideration their comments and suggestions as they move forward.

***Comments from
Board Chair***

Chair LaPage said the School Board has not taken any formal vote of any nature on any site. He said the Board will receive tonight a review of the information from Team Design, including the information that was provided to JSAC, so that everyone is on the same page.

Chair LaPage said the Board must take action between April first and the middle of April to fund a study to do an egg count at the vernal pools. He said there is a small window of time when this count can be done, and if not done this year, the Board would have to wait one year.

The Chair said people feel like there is division in the community. He said there is no division; everybody wants something for our Middle School students, there is a difference of what they want and how they will get it. He said the people who work in that building on a daily basis tell him that something has to be done for the education of the children in the City of Portsmouth.

***Comments from
Superintendent***

Dr. Lister thanked the City for allowing us to use Council Chambers and have this meeting televised. He said that he wants everyone to understand the purpose of tonight's meeting is for all of the information to be presented to the full Board. He also said people understand there is a need to do something about the Middle School, and the Board wants to make sure that people in the community have

the information. He said the District is fortunate to have SAU 50 represented this evening, as well as representatives from Team Design, Inc., Appledore Engineering, and Geo-Insight. Dr. Lister thanked the parents, community people, and Middle School teachers for attending this evening. He said the teachers are concerned about conditions at the school and safety of the children.

The Superintendent introduced Dan Bisson from Team Design, Inc. Mr. Bisson introduced Jim Delisle and Wes Bonney, also from Team Design. He also introduced Gregg Mikolaities, a civil engineer from Appledore Engineering, and Mike Penny from Geo-Insight.

Team Design, Inc.

Mr. Bisson said Team Design, Inc. has been in existence for 22 years, basically in Manchester, New Hampshire. Mr. Bisson said he lives in Somersworth, so he has been hearing about some of the issues, which are contradictory to what Team Design does. He said the company has done educational facilities for 18 years; and have completed about 100 school construction projects. Eighty-percent of the projects were renovations or additions, and 20% was new construction. He said the other concern he hears concerns the historic building. He said that he serves on the Historic District Commission in Somersworth, so he is sensitive to those kinds of things. He said his company takes pride in trying to take care of buildings.

Mr. Bisson said the Portsmouth Middle School is a beautiful building, and there is no way they would try to tear it up or make different than what it is. He reviewed the charge to his company, which was to affirm the Parrot Avenue site has the capability for the project design to meet the educational narrative and to validate if the Middle School could be built on both sites. He said the Jones Avenue site is still a challenge due to issues with wetlands. Mr. Bisson said they provided a conceptual design that could be built on either site. He said there are some areas that are definitely difficult to change in the existing facility. (Mr. Lyons arrived at this time – 6:56 p.m.) Mr. Bisson said the conceptual building for the two sites is comparatively the same and is about 180,000 square feet. He said the two sites are extremely different: the Parrott Avenue site is 5.7 acres with the Peirce land next door, and the Jones Avenue site is about 33 acres. The Parrott Avenue site would accommodate 199 parking space; the Jones Avenue site would accommodate 339 spaces. He also explained the Jones Avenue site would allow for ballfields, whereas the Parrott Avenue site does not have that capability unless the City allows the school to use the field across the street. Mr. Bisson said the Jones Avenue site is City-owned property, and the additional land (Peirce Trust) at the Parrott Avenue site would have to be purchased through negotiations or eminent domain.

Mr. Bisson said there is a landfill on the Jones Avenue site, and there

is the issue of the wetlands. The Parrott Avenue site, however, would require waivers for square footage, and would require the students be housed in temporary modulars. He said it would be an unsafe situation for the students to be on site during construction/renovation.

Parrott Avenue Site

Mr. Bisson reviewed the conceptual design for the Middle School building on the Parrott Avenue site. He said the addition built in the 1970s would be demolished. Mr. Bisson said that in the 70s there was a trend of building inexpensive additions. He said there would be a fourth floor on one area due to running out of room. This concept is very similar to the building's current footprint and keeps the circular drive and traffic pattern.

Mr. Gregg Mikolaities said his company has been in business since 1987 in Portsmouth, and has worked on over 90 schools since 1987, and average one athletic fields upgrade per year. He said their most recent project has been at Exeter High School. He said his company has no preconceived notions; their task was to look at both sites. Mr. Mikolaities said the Parrott Avenue site is limited in size, and the addition will probably encroach the softball field. He said the site is limited for bus and parent drop-offs, and a one-way traffic route could be developed to assist with traffic flow. He said there would also be a need for some site work along Parrott Avenue to safely allow people to walk over to the library.

The Chair allowed Board members to ask questions about the Parrott Avenue site before moving on to a presentation about the Jones Avenue site. Some of the questions included: sound-proofing for the music areas; bus traffic; and parking. Mrs. Clayburgh asked, if the Board chooses the Parrott Avenue site and a new instructional building is constructed on the other side of the cafeteria and gymnasium, could the students then be moved to the new area while the present building is renovated. Mr. Bisson said that, technically, that could be done; however, the District should not want to do that with the same enrollment of students currently in the building, and it should only be done with half the number of students. He said the students should be removed from the site as it would be very unsafe to have that many students on site while construction is ongoing. He said it is possible to put 60 parking spaces on the Parrott Avenue site; the need for additional spaces would become an administrative issue. Dr. Shuldman said he has heard some staff members are not happy with the decision of where their program will be located. He reiterated that, at this time, the plan is conceptual. Mr. Bisson said if the project were to move forward, they would meet again with all educators to find out what their space needs are. He said the conceptual design provides enough square footage to get close to the educational narrative. Mrs. Clayburgh asked if the new building would look like the present building. Mr. Bisson said they would

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design the building to fit in with the present Middle School and the new public library. He said his company recently did a renovation in Hampton Falls that tied in new construction with a building that was constructed 50 years ago. Mrs. Mayer asked if half of the student body would need to be moved into modulars during construction. Mr. Bisson said that would be their recommendation, unless the District could find an empty building large enough to house the students and still provide safety features. She suggested the Vocational Technical College will be moving from Stratham to Pease, and perhaps that building could be used in place of modulars. Dr. Shuldman stated another contingency plan would be to send the Middle School students to the High School on different shifts. Dr. Shuldman said he is not in favor of separate shifts, but said the Board needs to think about other solutions, and not focus primarily on modulars. Mrs. Maldini said Portsmouth High School was on split shifts in the 1970s. She reminded the Board they are talking about Middle School students who are 11 – 13 years old.

Mr. Stokel asked if the District would have to ask the State for waivers for this conceptual design. Mr. Bisson responded yes, he believed so. Mr. Stokel asked if the façade of the present building would be retained; the answer was yes. He asked if the interior workmanship from the 1930s would be demolished during renovations; the answer was yes.

Mr. Ristaino suggested that Ed Murdough from the State Department of Education be asked to come and speak about waivers, the reasons they would need to be requested, and the possibility of receiving them.

Mrs. Clayburgh asked if the cost for Parrott Avenue included the fields being on Jones Avenue. Mr. Bisson said that is correct; he did that in order to compare apples to apples. Dr. Shuldman said that Mr. Murdough did attend a JSAC meeting and felt comfortable saying he thought the Parrott Avenue site would pass waivers.

There were no other questions from Board members. The Chair asked Mr. Bisson to begin the presentation on the Jones Avenue site.

Jones Avenue Site

Mr. Mikolaities said that Team Design was charged with looking for sites throughout the City to find out if there was land sufficient to build a school. He said a lot of work was done through this process, and over 20 sites were reviewed to see if they were large enough. He said the Jones Avenue site came to the top of the list as there is enough buildable area and had potential. He said they met with City staff on November 3, 2005 to discuss the Jones Avenue site, and there have been a number of intermediary steps over the last 17 months to do further research and further analysis.

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Mr. Mikolaities displayed a computer-generated design to hit the high points of the plan. (He said they have not done all of the engineering for this site.) He said the Jones Avenue site presents a very extensive permitting process on the local, State and Federal levels. He listed the agencies they have been in contact with pertaining to this site.

Mr. Mikolaities said people keep calling it the “Jones Avenue site.” He said they recognize that Jones Avenue is not conducive for traffic for a middle school. One of the options they have looked at is to bring the traffic in behind the High School track, softball field, and soccer field, and the traffic would then exit around the area of the softball field, and they looked at an area near the cross-country trail. He said there is a track of City-owned land that borders the apartment complex and movie theatre that could be used for traffic. There is another area near Philbrick’s and the radio station, however there are environmental issues involved as it is near the wetlands. He said nothing is finalized with this site. They have also been in contact with the Department of Transportation to be sure there would be no surprises in the future to preclude access. Mr. Mikolaities said the State Department of Education requires two ways in to a school building. He said the Jones Avenue entrance would be gated and would be used for emergency only.

Mr. Mikolaities spoke on the wetlands on the Jones Avenue site. On the second plan they are down to one acre of wetlands. He said they left a pretty substantial buffer between the residential homes along Jones Avenue. He said a wetlands consultant was called in to look at the site and told them what to stay away from. They left a pretty substantial buffer to Sagamore Creek. A site walk was held with Army Corps and representatives from Fish and Game. The Army Corps came and looked at 25 other sites along with Parrott Avenue. He said they realize there are no other alternatives as there are not a lot of options in Portsmouth. Mr. Mikolaities said the Chair has already mentioned the vernal pools, and the regulatory agencies would want to have a more detailed analysis of these vernal pools. He said if the Board wants to pursue this site, the study has to be done in April when there can be an egg count, otherwise you have to wait a year.

Mr. Mikolaities said they also looked at sites for parent drop-off, bus drop-off and visitor parking at the Jones site.

Mr. Mikolaities said there is a lot of misinformation concerning the landfill on the Jones Avenue site. He said they would not propose moving, piercing or putting a building over that landfill; it would be used for fields. Mr. Bisson said the landfill has been studied by the City of Portsmouth. He said the City was in the process of looking at

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this site as a recreation center, and that is how he was able to find Mr. Penny and the existing documents concerning the landfill.

Mr. Penny said he is a senior engineer at Geo-Insight, which is in Manchester, and he has been there for 13 years. He said that Geo-Insight had been hired by the City to look at this landfill for potential development as athletic fields, and that is how he became involved in this project. He said his charge now is no different than it was when he was working for the City: it is to evaluate how we may reuse and reclaim that land for some kind of public benefit. He said his company's philosophy regarding sustainable development is to take a piece of land that something has happened to and bring it back for public benefit. He said this could happen with some kind of engineering control. He explained how landfills work as their materials degrade over time.

Mr. Penny said this particular landfill, from a waste point of view, is very old and was a burning dump, and that a lot of the waste had been burned away in that fashion. He said that even if someone had thrown something chemical into that dump, those types of concerns are more often mitigated by a burning dump. He said the waste that is there is of a nature that does not migrate and is primarily innocuous. He said, based on their evaluation, there is no gas being produced by the landfill. Referring to ground water, he said the landfill is sealed and has a liner. Any water that was in the landfill when it was created 30 years ago has since drained out through the leach aid. He said this is evaluated by looking at water around the landfill. He said there is a very low concentration of minerals, and it should not be of any concern to anyone; it is no different than what can be found in your back yards. Mr. Penny said the ash in the landfill is quite stable; it will not settle nor cause problems with interaction with any materials that are put on top. He said people from the Solid Waste Division are very careful in reviewing and evaluating landfills, and the City of Portsmouth still monitors the landfill and will continue to monitor it for many years to come.

Mr. Penny said his company takes this subject very seriously and understands that hysteria may develop when people, without having an understanding of landfills, begin talking about them and what they perceive their affects to be on humans. He said that as a professional engineer, he has a duty to the public to make recommendations that are safe for the public. For this site, given all the potential risks, which they determine are extremely low if not absolutely innocuous, in terms of whether or not they should let kids be on this site; he said absolutely no problem.

Mr. Hayward said that many homes along Jones Avenue have wells and are not connected to the City sewers. He said he finds it hard to

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believe that well water will not be contaminated due to the trauma that will occur underground. He asked if the water will become contaminated by reuse of the landfill or construction on the land. He asked if Jones Avenue would be reconfigured to accommodate bus traffic. Mr. Penny said that blasting at any site is a concern, but is also extremely controlled. He said before any blasting is done on the site, there would be a study of existing wells. Mr. Hayward asked if there is anything the City could do to protect the homeowners should the quality of their water become contaminated. The Chair responded this would be addressed during the permit process and the City would need to look at its liability. Mr. Penny said the very nature of the ground water in that area is to flow towards the bay and not towards the residential area.

Mr. Mikolaities said Jones Avenue is to be used only for emergency purposes. It is clearly not meant for bus traffic or parent drop-off traffic. He said people may try it, but he would like to think it would be a short-lived situation once monitored by administration and police.

Mrs. Clayburgh asked Mr. Penny if he was familiar with the 1987 study done on the landfill. He explained the reasons for a closure study, and said things have changed there over time.

Mrs. Clayburgh asked Mr. Penny if, in his professional opinion, the landfill is totally safe for athletic fields. He responded it is safe for the proposed use in its capped form, especially after more soil is put on it. He said he had conversations with DES four years ago when he first looked at this site, and again recently through JSAC. They indicated no problem with moving forward on this site. Mrs. Clayburgh asked if a vernal pool could be placed in another location. The answer was yes. Mr. Bisson said there are five vernal pools on that site; they are maintaining three of the larger ones, two would need to be relocated.

Ms. Garrity asked what, if anything, could cause a disturbance to this landfill? Mr. Penny said that it would take something really dramatic to impact the liner of that landfill, such as an earthquake with the epicenter directly below the landfill. Even then, given the condition of the waste content, it is not likely to affect the ground water. He said it would take something fairly dramatic to change the conditions. Ms. Garrity said she has heard there were parts of a report that had items blacked-out. She asked if he was aware of that. He responded that there was shading on some of the tables that, when reproduced, produced a black image.

There was discussion on the impact of traffic on Lafayette Road. Mr. Mikolaities said they have ruled out traffic on Jones Avenue because

(Approved by the Portsmouth School Board on April 10, 2007.)

of the residential character of the neighborhood. He said the beauty of the Jones Avenue site is the campus feeling. He said they are not proposing any improvements along Jones Avenue. Dr. Shuldman asked if an intersection along Lafayette Road would be a nightmare for those times when school opens and closes. Mr. Mikolaities said there is already an entrance to the High School on Lafayette Road. He said he is confident a traffic solution could be found for the Middle School. Mr. Ristaino asked if the residents of the apartment complex and the homes near the High School entrance have been taken into consideration regarding traffic impact. Mr. Mikolaities said that whatever currently exists on Parrott Avenue would exist on Lafayette Road. He believes there are things that can be done to alleviate traffic issues. He said this is a viable site that warrants further analysis, and there is nothing he has found over the last 17 months to change that.

Mr. Ristaino asked if this is the only City-owned site that contains enough acreage. Mr. Bisson said over a dozen sites were identified, both City-owned and privately owned, in collaboration with the Planning Department. The rest of the sites contained wetlands. He said the City site has a nice price tag on it. He said if the Board chooses to select the Water Country or power plant site, they will pursue and study those areas.

Mrs. Walker thanked them for a fabulous presentation. She, too, has heard the presentation four times, and said she has learned something new each time. She said at first the landfill issue sounded scary, and as she learns more her fears have been put to rest. She stated that in her hometown of Lexington, Massachusetts, there is a recreational complex with eight to ten fields built over a landfill that has been in existence for 10 – 15 years. Mrs. Walker stated that none of the Board members would even consider anything that was not totally, totally safe.

Chair LaPage thanked Mr. Mikolaities and Mr. Penny for their presentations and the amount of work they have done on these sites. He asked Mr. Penny if he would be comfortable with spreading out a blanket over the landfill and having a picnic lunch with a two-year old for ten Sundays in a row. Mr. Penny said he would because he understands landfills. He also said that he has taken his kids to landfills, both active and inactive.

Mr. Bisson reviewed the conceptual design of the Middle School building on the Jones Avenue site. Mr. Stokel asked if this design meets the educational narrative for a middle school that was developed by the faculty four years ago. Mr. Bisson responded yes, this plan 99% meets the educational narrative. Mr. Stokel also asked if there is a separate place for parent drop-off and bus drop-off. The

(Approved by the Portsmouth School Board on April 10, 2007.)

answer was yes. Dr. Shuldman asked the student capacity of this building; the answer was 600 students. Mr. Bisson reviewed the parking capacity of that site.

Mr. Bisson reviewed costs and stated that construction costs have decreased in 2007 due to less work.

***Report from JSAC
(Joint School
Advisory
Committee)
Representatives***

Mrs. Clayburgh and Mr. Stokel, both members of JSAC (the Joint School Advisory Committee for the Middle School) reviewed the history of the committee, which held its first meeting on August 26, 2006 and its last meeting on February 7, 2007. Mrs. Clayburgh said the Committee received information about other sites that had 16 buildable acres, and ultimately settled on two viable options: the present site at Parrott Avenue, and the Jones Avenue site. During their meetings, the Committee heard from City officials and a UNH professor, in addition to Mr. Mikolaities and Mr. Penny. Ms. Garrity added the Committee held two public commentary sessions. Mrs. Clayburgh said 11 people spoke at the first session, and 30 spoke at the second session, for a total of 41 speakers. Dr. Shuldman said it is important to state there were actually two JSACs, the first having been formed back in 2003. He said three City Councilors and three School Board members served on the second JSAC.

Dr. Shuldman brought up the issue of eminent domain and said the Middle School cannot be on the Parrott Avenue site without having to use some of the land from the Peirce Estate. He said the Board needs some guidance from the City Council as to whether they would consider the issue of eminent domain. If not, the Board loses a possible site.

Dr. Lister thanked Councilor Joanne Grasso for her hard work while serving as Chair of the Joint School Advisory Committee (JSAC).

Mr. Stokel reported the committee in 2003 was charged to develop an educational narrative for a six, seven, and eight middle school. Committee members interviewed middle school staff members to come up with what needs to be done to meet that narrative and State developed standards. Mr. Stokel said he truly believes the Middle School needs three grades (six, seven and eight). He does not believe that a seven/eight program works for the students in Portsmouth as that would be a move backwards for the community. He urged the Board to please follow the educational narrative in whatever decision they make.

Mr. Ristaino said he graduated from the Middle School in 1995 and he has a lot of respect for Mr. Stokel and what he does. He said people who talk about changing the make-up of the middle school do not understand the synergy of what goes on in the Middle School and how the grades interact with each other. He said it is important to

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look at a building that meets the educational needs of our students. Mr. Ristaino requested to discuss at a future meeting how to give the middle school students a proper education and culture that will benefit them in the future. Dr. Shuldman suggested that Mr. Stokel also talk about a two-grade system so members of the community can hear what it is like in a two-grade system compared to a three-grade system.

Chair LaPage said there are a number of safety issues with the current Middle School, from the worn-out stairs to the issues with boilers. He said that Ken Linchey, Maintenance Supervisor, has reported that both boilers are now running. Mr. Stokel said the School Department is spending a lot of money on the building just to maintain it, not including the \$30,000 that was spent to repair leaks in the roof. He said the District was required to change doors from the 1930s so they would automatically lock when the alarm system goes off. He said those doors had been left off during the 1970s addition. He said they took the easy way out in 1975 and demolished a beautiful auditorium, losing the murals forever. He said that would not be allowed today. Mr. Stokel said his plea would be let us not make the mistakes we made in 1975; let's make sure we do what is right for the kids for the next 50 to 60 years.

Mr. LaPage said he has heard that Middle School students are running to the new public library after school to use the bathrooms. Mr. Stokel said the new library has brand new bathrooms, and the ones in the middle school are from the 1930s. He also said that only the bathrooms on the first floor are open; it would cost major money to repair the others. He said they have had to search nationally to find fixtures that would fit.

Mr. Stokel said one good thing is that people in the community who have talked with him agree that something has to be done (about the building) and JSAC members believe something has to be done. The question becomes what direction will we go? Mr. Stokel said he believes they need to focus on the educational narrative. He does not believe that we should be trying to make something just fit; that is not good education.

Ms. Garrity asked about student enrollment. Mr. Stokel said the school has had 550 students for the past eight or nine years. This year there are 512 students, and 541 students are expected at the Middle School next year. He referred to a report from PDT Architects done in 1998, which projected the Middle School enrollment next year would be 476 students. He suggested the Board look into having a population projection done by the New Hampshire School Boards Association. Mr. Stokel said he does not see any drastic changes in enrollment over the next four or five years,

(Approved by the Portsmouth School Board on April 10, 2007.)

however it is difficult to predict how many students he will have five years from now.

Mr. Ristaino suggested the Board bring in demographic experts. Mr. Smith agreed with this. Mrs. Maldini said a demographic expert may predict 50 less students in ten years, however the building is needed now. She asked the Board if they could build that building for 50 students less. Mrs. Maldini said that people state the School Board spent \$40 million on a new high school, which actually cost the taxpayers \$18 million after receiving State reimbursement aid. She said that is a big difference in cost. Mr. Ristaino said the Board should be looking at the current fourth grade.

Dr. Lister said he agrees with Mr. Ristaino and Mr. Smith that demographics are important. He said that he, Mr. Zadavec, and Mr. Bartlett have been meeting with people regarding demographics. He cautioned not to follow the predictions of one demographer. He said they have met with people from the Planning Department and the New Hampshire School Boards Association, and he has talked with Dr. Cushing, Superintendent of SAU 50. He said the Board needs to receive information from several different sources and not just one. Dr. Shuldman agreed the information will be helpful, and he cautioned the Board to carefully review the information. He asked what would happen if the Board built a school for 500 students, and then something happened and there are now more than that number attending the middle school. Mrs. Clayburgh said there is \$25,000 in the City's proposed Capital Improvement Plan (CIP) for the School Department to use for demographic studies and other issues related to the Middle School. She said it is her understanding that the School Board is the autonomy that will spend that money. She suggested perhaps the Board should look into using some of those funds to do a demographic study.

Mrs. Clayburgh also stated that "Portsmouth Listens" is very interested in organizing study circles on the Middle School. She said there will be a meeting of their Steering Committee on April fourth. She asked the Board discuss this at a future meeting.

Mrs. Clayburgh said she had a very good conversation with Mayor Marchand and told him what the Board hopes to do for the children of Portsmouth. She encouraged Board members to connect with City Councilors, and she asked if they wanted to be assigned to a specific Councilor. Mr. Ristaino said communication with the Council is important as he views this as a community project, not solely a School Board project.

Mrs. Walker said there has been much discussion about waivers. She said the school could receive a waiver and be allowed to have smaller

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size classrooms, yet she cautioned smaller classrooms have a smaller number of students. She said the Board needs to think carefully about what size classrooms they are going to have.

Mrs. Clayburgh said that during the process to approve the High School project, the City Manager made a presentation showing how much the tax rate would be affected by this project. She said this presentation made people aware of how funding the project would affect the tax rate. She suggested that Mr. Bohenko be asked to come and give a similar presentation concerning the Middle School.

Mr. Lyons expressed his concern about assigning a Board member to a City Councilor. He said that people on both sides of the issue will remain on both sides of the issue. He said he agrees with Mr. Stokel that people agree that something needs to be done, and the Board has to reanalyze the issue and find a solution. Mr. Lyons said he cares about the educational narrative and how much it will cost to get us there. He said he does not believe it will help to assign a School Board member to a City Councilor.

***Motion to Fund
Study of Vernal
Pools***

The Chair said the Board needs to decide if it wants to authorize the study of egg counts at the vernal pools. He said if this study is not done during the month of April, it will be necessary to wait another year. He said this is a posted, special meeting of the Board; therefore, it is appropriate for the Board to make and vote on motions. Mrs. Walker moved the Board authorize an amount not to exceed \$3,800 for the vernal pool study. Mr. Hayward seconded the motion. Mr. Lyons said doing the study is necessary for due diligence and would be required by governing agencies. In a roll call vote, the motion was unanimously approved.

***Motion Re:
Eminent Domain***

Dr. Shuldman moved the School Board officially ask the City Council to give direction on the issue of eminent domain. Mr. Hayward seconded the motion. There was discussion to the motion. Mr. Ristaino said he would expect the City Council to let the process work. He said the Board will select the best site educationally for its students. Dr. Shuldman said if Parrott Avenue is found to be the site that meets the educational narrative and makes more sense, then eminent domain is definitely an issue for him. If the City Council does not support the Board with that decision, there is nothing the Board can do about it. Mrs. Clayburgh agreed with Dr. Shuldman that if the City Council is not going to vote for the eminent domain, then the Parrott Avenue site is off the table. She asked why the Board should continue discussing the Parrott Avenue site if it is off the table. Ms. Garrity agreed with Dr. Shuldman and Mrs. Clayburgh, yet stated she believes the process should continue and the Board should listen to the community at the public hearing to find out what they really want. Mr. Hayward said he agrees with Dr. Shuldman's

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motion, and stated the City Council has had enough time to make a decision concerning eminent domain.

Mr. Lyons said he appreciates where Dr. Shuldman is going. He stated the problem is that there is another issue, and even if the City Council were to dictate that they were against the issue of eminent domain, there is still a third country to be heard from – the public. He said there is a possibility the public will come out and say it does not want the middle school to be comprised of grades six, seven and eight.

Motion Tabled

Dr. Shuldman stated it makes sense to wait a few weeks to hear what the public has to say, and he offered to withdraw his motion. The Chair suggested the motion could be tabled, thereby allowing it to be brought up at a future meeting. Dr. Shuldman tabled his motion until a meeting after the public hearing; Mr. Hayward agreed to second the tabling motion. The tabling motion was unanimously approved.

Mr. Lyons asked Mr. Stokel to think about, should the sixth grade be moved out of the Middle School, where would they go? Mr. Lyons said the sixth grade students would be separated if they were returned to the elementary schools. He asked how many sixth graders would be affected by this. He said the Board needs to be prepared to answer these questions.

Mrs. Clayburgh said the Board needs to consider what is the best facility for our Middle School students and present that plan to the City Council. She said the Board should not be counting City Council votes; the Board needs to follow the educational narrative, listen to the experts it will bring in, and make the best decision for our students. Mrs. Clayburgh encouraged Board members to contact the City Councilors after a decision is made and to let them know why that particular decision was made. She asked the Board to open the communications with the City Council and update them on what we are doing. Mrs. Mayer suggested the Board keep in mind additional costs that would be incurred with moving the sixth grade out of the Middle School.

Adjournment

Mr. Smith moved the Board adjourn its meeting; Dr. Shuldman seconded the motion. The motion was unanimously voted. The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Dr. Robert J. Lister
Executive Secretary