

**CHARTER COMMISSION
EDUCATION**

January 9, 2013

6:00 p.m.

Chairman Duval called the meeting to order.

Chairman Duval stated good evening everyone and welcome to this work session of the Charter Review Commission.

Chairman Duval called for the Pledge of Allegiance, this function being led by Committee Member Arthur Beaudry.

The Clerk called the roll.

Present: Commissioners Duval, Girard, Martin, D'Allesandro, Lopez, Pappas,
Clayton, Ashooh

Commissioner Infantine arrived late

Chairman Duval stated Clerk Leahy, Commissioner Infantine did inform me that he would be a bit late this evening due to prior obligations, but he will be on his way shortly if you could just make note of that. On behalf of the Charter Commission seated here, I want to thank each of you for taking time from your other responsibilities to join us at this work session this evening. As announced, the focus of efforts tonight is education and what changes, if any, should be made to our city charter to improve education in our community. You all know, of course, that the Charter Commission's role is very specific in nature. Translation—if any person or group came here tonight looking for additional budget money, I guarantee you will be disappointed. We are here to listen to testimony from presenters invited here based upon their years of experience in the field of education. Your experience is highly regarded and your years of collective experience

well respected. I want to thank Superintendent of Manchester Schools, Tom Brennan, for immediately accepting our invitation for him to present to us this evening. He is joined by his assistants, Mr. Michael Tursi and Ms. Karen Burkush, and finance director Karen DeFrancis. Invited to join these school administrators is School Board Member and Vice Chairman Dave Gelin. While Vice-Chairman Gelin does not speak for any or all other School Board members, he is the board's designee for tonight's session and I appreciate him taking the time to join us. The commission also welcomes other School Board members who look time to be with us. I would like them, if they could, to come forward and join us in the seats that are flanked on either side of the administration staff. Committee Member Beaudry is here if you could come forward please. Committee Member Stewart, Committee Member Connors, if you would like to, I know she has a small one in tow tonight, parenting and tending to City business at the same time. Ms. Ambrogi is here tonight. Thank you very much for joining us.

Commissioner Martin stated Mr. Chairman, also it should be noted that the HR director Paula Wakefield is also joining the administration this evening.

Chairman Duval stated you beat me to it, but thank you for joining us, Paula. I know also in the gallery are representatives from education groups and bodies, such as MEA, New Hampshire Education Association and designees from Manchester schools' PTOs and the citizen's group, Citizens for Manchester Schools. I appreciate them for joining us tonight. We will ask that they give comments, time allowing. We do want to try to make this as inclusive as possible. Aldermen Long and Shaw are with us tonight. Thank you for joining us. I appreciate your attention this evening. Finally, we appreciate the willingness of the Greater Manchester Chamber of Commerce to play an active role in issues relating to education in our community. The Chamber's president, Robin Comstock, was very enthusiastic to be included in this session. Robin, if you wouldn't mind joining us up here as well, I would certainly appreciate it. A few ground rules if we might before we start testimony this evening. This is not a public hearing; it is a work

session. You were invited tonight as a designee of your group or to allow you to have access to this presentation and become better informed so you may give testimony at our public hearing on education to be held Wednesday, January 23rd. We will confirm that before the conclusion of tonight's session. We will allow as much of an opportunity for input from presenters this evening as time allows. We will hear from school officials first. We will then move to additional comments from School Committee members, starting with their vice chairman, Dave Gelin. Following that, we will ask for comments from designees from other groups invited here tonight. As a note, if we find that time is running short we may exercise our right to adjourn the meeting and I would ask presenters to return for further presentations next Wednesday. We want to give everyone ample time tonight. If we can wrap it up tonight we will, but if we find it is getting late in the evening and the crowd is thinning, we will ask people to come back next Wednesday night to receive additional input. We ask that everyone in attendance be mindful of the fact that again, this is not a public hearing, but a work session for the commission. We appreciate your opinions and hope you feel free to express yourselves in the most candid of manners. Our role is to listen and to record your input for future consideration and discussion. Commissioners will be provided an opportunity to ask any presenter a question to clarify a presenter's remarks or to explore a presenter's perspective, to a point. As chairman, I assume the responsibility of moving this session along and maintaining decorum. Tonight we want to hear from you so let's get to work. Our first presenter tonight is superintendent of schools, Tom Brennan. Again, thank you for joining us. We are looking forward to your remarks and that of your assistants.

3. Minutes from meeting December 19, 2012.
(Note: Previously distributed to the board via email for review)

On motion of Commissioner Ashooh, duly seconded by Commissioner Clayton, it was voted that the minutes be accepted.

4. Discussion regarding changes to the City Charter related to education.

Dr. Tom Brennan, Superintendent of Schools, stated thank you, Mr. Chairman. Thank you for this opportunity to come forward before the commission. We don't have a presentation. In the work session process I would rather have that interaction, but I do have a couple of comments that I would like to make before we get into that level of conversation. Number one, I am truly representing myself as superintendent of schools. I do not speak for the board. I will share my observations of the charter and how it impacts positively and negatively on our School District. The first thing I would like to talk about is the budget timeline within the charter. Typically, I would say that the majority of the school districts in the State of New Hampshire know by the second Tuesday in March what their budget is and what their appropriation will be. I realize there are different mechanisms within each of the municipalities, but to us, two of the last three years have been very difficult because we have not know what our appropriation was until the end of June. That puts us at a real disadvantage in terms of what we will be planning for in regard to staffing. We would ask the commission to consider that possibility of making that adjustment. I can only speak from our perspective; I don't know what the ripple effects would be if we were to do that or if you were to recommend that as a commission. I do believe that singular thing would have the greatest positive impact on our School District. Simply knowing, even to the point of not knowing what, but the when, if we can know by the second Tuesday or the last Tuesday in March, but before April, in those times, because we may have a tough budget situation where we are often times looking for staff, new staff because of retirements and other vacancies that may develop, and that puts us waiting until June or July, because it is really July before we get into the scheme of things, we don't have an opportunity to jump in the water in terms of that pool. That, to me, is one of the most significant pieces that this commission should consider. The other piece that I have been talking about is, in terms of an organization standard, as superintendent of schools, having the mayor serve as the chair

of the Board of School Committee, I think places the superintendent, at times, in an untenable situation in terms of who he or she responds to. I'm old school I guess in terms of chain of command. When someone tells me they are the mayor, to me, that is the top person in the district or in the city. Having that person serve in both capacities makes it difficult. I will be very candid about that and you asked for candor so I will share that with you. It is no reflection on the current mayor, any mayor. I have only been here for two mayors and in both times I felt like I was in a very tough place in terms of how I go forward. What do I present in terms of the School District's needs? Having a person who serves as the mayor as the head of the City, that is difficult. I can expand on that if questions come forward. To me, that is a significant area that I ask you to consider as we go forward or as you go forward. It is just difficult. Lastly, we can talk about other things here and another other member of course that you want to talk with... There has always been talk of making it a department. As superintendent of schools I feel that then I would have 29 bosses, 29 people to answer to because there are statutory requirements that we have a School Board. It doesn't stipulate the number, but it indicates that we must have a school board. If we were to become a department how would we facilitate that? How would I facilitate that? I think it would compound what I just talked about in terms of having the chair also be the mayor. Those are the three things that I wanted to share right at the beginning. I'm sure that as the conversation goes on there will be other questions asked of me and I might think of something else, but I believe we have covered the majority of them. The other piece, my experience in New Hampshire, I have always worked in districts where there has been a staggered board in terms of terms so that you don't have a turnover like we did this past year where we had nearly 50% of our board come on with no experience. I would ask you to consider that possibility if you could arrange the selection or the election of board members to be staggered. One way of doing that is having an opening one year and then two years and then three years. To see that rotation, I think would be advantageous to our School District.

Commissioner Martin stated Dr. Brennan, good evening, sir. In the interest of full disclosure, I work with these individuals. I am very proud to work with these individuals. On behalf of the children in our district, I am thrilled to be here tonight and hear their impressions on how this charter impacts the lives of our students. In regards to making a district a City department, you talk about the concept that you would have 29 bosses. I think, as I listened to this conversation around the community, those who are interested in making the School District a City department, are perhaps looking for efficiencies. Having been one who lost a job at the district office in the effort of creating efficiencies, I wonder if you could speak to that, if in your true candor speaking for yourself, you could see at this point, any efficiencies achieved by this.

Chairman Duval stated you are welcome to respond to that, Superintendent Brennan, or any of the administrative staff here tonight. They can also jump in and give their comments and then also respond to Commissioner Martin's question.

Dr. Brennan stated they are not bashful, believe me, about getting involved. I will speak first just because I have the floor at this point. This has been asked several times and I think there have been numerous studies regarding efficiencies or the consideration of making our School District a department. I don't think that you would realize any true efficiencies when you start getting into it. When you start taking it apart, as we look at what the City has to do and what the School District has to do... I'll give a quick example about legal services. The City Solicitor's Office, everything that I have read and understood is that if that were to happen, the City would then need to bring on an additional staff member or more in order to deal with the specifics that are known as the School District and what those requirements are. That is one where people say that we have one City solicitor and therefore you can make that work. That is not their expertise. Many of us know that there is a whole different world out there called schools in terms of what you have to do in preparation for legal. I think that our School District is very efficient in terms of how it functions, whether it is through HR, payroll or legal services

that we have. I would be concerned about, in that transition, that something would get lost, unless you bring everyone aboard that you already have in place and why would you need to do that. That is my quick overview. I don't know if Ms. DeFrancis or anyone else has a comment.

Ms. Karen DeFrancis, Business Administrator, stated good evening. I would just mention that we have put together a packet that we were planning on distributing later in the meeting. It does have a lot of information about... One of the meetings that we went to in front of the Board of Mayor and Aldermen in June of 2008, we had presented information on the district becoming a department. The acting superintendent at the time, Henry Aliberti, and I were there with Ms. Burkush. It was a BMA meeting so you had the city solicitor, the HR director and also the finance director so in addition to the information that we would hand out tonight, we would encourage the board to look at the minutes from that meeting. I believe it was June 10, 2008, and it has some good information as far as questions that the board had.

Chairman Duval stated thank you very much. I appreciate that.

Dr. Brennan stated Mr. Chairman, just for logistical sake, I made the decision not to give you the materials before or during our presentation or conversation because...

Chairman Duval interjected at the conclusion is fine. Just make sure that the clerk gets it.

Dr. Brennan stated I have been around students for a while.

Commissioner Infantine stated Dr. Brennan, just based on the things you mentioned here, one of them was the timing of the budget and when you get your information. I had a lengthy conversation today with Alderman Craig about this very issue and as a

legislature, we wait until the last minute when we get the May numbers in to see what kind of revenue we have, to see if we can extrapolate that into more money to spend. It is the same thing here in the City. You really wait and see what happens in April and May, what kind of resignation they have for vehicles, etc. to see what revenues they can project. If the commission created a mechanism whereby the aldermen would have to give you a number, let's say in February, do you understand that that number is going to be very conservative compared to what you possibly have available to you three months later? Is that better to have it that way?

Dr. Brennan replied not if it is going to be conservative to the point that we can't get our job done. Those districts that I mentioned earlier throughout the state go through a similar process in terms of identifying what their needs are in March. That is what their needs are. I'll be candid; this is probably foreign to this conversation, but the fact that if there are revenues that need to be given that they determine that this is what the value of education is and you make it up in either taxes or other revenues instead of waiting to determine what you can or cannot do.

Commissioner Infantine stated yes, there is no question that someone can derive what the appropriate funding is to provide an appropriate education. With the tax cap I think that makes it a very difficult situation. Along those lines, obviously you want to determine when you have to send out the, I apologize, I don't remember what, RIF stands for.

Dr. Brennan stated reduction in force.

Commissioner Infantine stated thank you. Does that have anything to do with when the contract expires with the employees? Right now the contract says that you have to do it by a certain time. Is that based on when the contract expires? The reason I ask that is

because if the contract is renewed this year, let's say for two months so there is a 30 day lag, if you will, does that have any bearing on the RIFs?

Dr. Brennan replied no, sir, it doesn't because we are covered by statutory requirements. RSA dictates a certain date that you must provide notice by. Contracts can adjust that, but you still have specific dates where you have to inform a teacher if his or her RIF is taking place.

Commissioner Infantine stated so it has to do with State law and has nothing to do with the specific contract.

Dr. Brennan stated it helps guide us, but it is still a requirement that you provide that date by a certain date, which is on or before April 15th or within 15 days of the adoption of a district budget by the legislative body, whichever is later, provided that no notification shall occur later than Friday, following the second Tuesday in May. Would you like the RSA? I can give you that?

Commissioner Infantine replied no, I trust you.

Commissioner Girard stated Dr. Brennan, I would like the RSA.

Dr. Brennan stated it is in your packet, but it is RSA 189:14-1(A).

Commissioner Infantine stated you talked about the mayor's position on the board. I guess my question to you is, would you prefer to see it eliminated or would you prefer to see it amended? An amendment suggestion has been given to us that he doesn't have a vote, but he can veto. He can't break a tie. Would you rather it be amended or have it totally removed from the board?

Dr. Brennan replied I would like to have the position removed from the board.

Commissioner Lopez stated as someone who has worked with the City and school budgets, as you are well aware of, I think giving an early budget is fine. I think Karen DeFrancis could answer about what to anticipate, as the finance officer, moving forward with a budget that is given by the Board of Mayor and Aldermen because the Board of Mayor and Aldermen, to capitalize on Commissioner Infantine, they give you a number that will solve the problem to a point and unless you have a supplementary budget somewhere along the line, I'm looking for guidance on the supplementary budget aspect and the second question I would have, and I don't want to take too much time, there seems to be a legality from the School Board that indicates that they are not under the tax cap and our city solicitor tells us that you are under the tax cap. I would like to have some professional guidance as to how we can solve this problem. Are you or are you not? What is the procedure going forward so it could help this commission make decision?

Ms. DeFrancis stated I'll start with the second question. The tax cap, we did during the budget process last year, receive an opinion from our attorneys. We have included that in the packet tonight. It is a three page letter so I'll leave that for you to read. I think the opinion from our attorney is somewhat different than the solicitor.

Commissioner Lopez asked what do we do about it?

Ms. DeFrancis replied I don't have an answer to that.

Commissioner Lopez asked what about a supplementary budget?

Ms. DeFrancis asked the supplementary budget as far as if we were to receive a lower appropriation in March and then receive a second appropriation at another point in time?

Commissioner Lopez replied yes, and I'll refer back to a few years ago when we gave the School Board an earlier budget, which was voted on by the Board of Mayor and Aldermen before we gave the City budget in order to help the teachers and everyone else with pink slips. Then the City got hit with \$4 million and we couldn't touch that budget and it all came on the City side. I'm wondering where the happy medium is.

Ms. DeFrancis stated I think currently, the way that it works, if we were to receive an additional appropriation, it would have to be based on revenues and I would assume this is in the charter, it would have to be based on additional revenues that the City receives and the finance director would have to verify and the mayor would have to certify or vice versa in order to give us a supplemental appropriation. I know there was at least one time in the past when we did have additional revenues and we brought that forward to request a supplemental appropriation, but it was not approved because on the City side they were losing revenues. As a City as a whole, the City was not seeing additional revenues.

Commissioner Lopez stated I think this is important. That is why it is important for us to solve this tax cap aspect because no matter how much revenue you are getting, you can't spend it. You are compelled to the tax cap. If there is a discrepancy between the City legal and the school legal's opinion, I think the only way to solve that is through the Attorney General and find out what is right. It is pretty difficult for 14 aldermen to sit up here and override, especially going into an election year. I can tell you that. Dr. Brennan, you indicated that you would like to get rid of the mayor being the chairman of the School Board.

Dr. Brennan stated the position, yes.

Commissioner Lopez stated the position. Thank you. I have worked under both. I have worked with School Board chairmen when mayors didn't want any part in going over there. The major problem that the Board of Mayor and Aldermen had at that time was getting the correct information. Who in the City knows what is going on in the City other than Dr. Brennan on the school side and the City side getting together as far as the direction that we should go for funds and everything else. If I understand the procedures of the School Board now, the mayor is the chairman, he has no veto vote, and the School Board makes a decision. Last year you were compelled to do the tax cap. At the same time, the School Board said that you will present a \$164 million budget to the Board of Mayor and Aldermen and give them all the information. What is wrong with that process?

Dr. Brennan replied my reaction is mostly in terms of how I interact with the process, how I interact as the educational leader of the district in responding to the mayor's position that is above all others. I also, as superintendent, am focused, and should be focused, with working with the School Board. I'm just trying to share from a personal experience how difficult it has been when I speak with the mayor, any mayor, and try to start working things and then boards say we are a board of the whole, you shouldn't be having these conversations. That just puts the superintendent in a bad spot. If you are trying to reconcile that, my feeling was, let's eliminate that conversation because as I see it, it is really the aldermen and the Board of School Committee and then you have the department heads under the aldermen and the superintendent of schools under the Board of School Committee and that is the flow, but when the person, as mayor, serves as the chair, you must, I must in my perspective, go to him. He is my boss. I'm just telling you from my own personal experience how I treat that and what conflict that creates in me because he is the mayor of the city and he is also the chair of the board. The Board of School Committee is supposed to speak as one and yet, to be candid, there are sometimes influences placed upon the superintendent that makes it very difficult for him or her to function. It is a personal reaction. I am just telling you how I have felt over the past few

years. I have served under two mayors so it doesn't have anything to do with the individual mayor; it has a lot to do with the organizational chart and how I see myself functioning. I hope that helps a little.

Commissioner Ashooh stated this is more going to be a workout question. I taught at Southside Junior High for about five years. As a matter of fact, I taught with Commissioner Girard's father.

Commissioner Martin stated I was a student at that time at Southside.

Commissioner Ashooh stated we were a department then and what I am hearing tonight, a number of these issues, tax cap, the chain of command, could be resolved by going back to being a school department of the City. You eliminate a lot of this stuff. I guess the question becomes, are we better off with a School District that is a department of the City with a different division of labor between the School Board and the Board of Mayor and Aldermen or is there some advantage to maintaining the independence of the School District with some of the issues you have now described? That is an open question.

Chairman Duval stated let me just jump in here. School Committee Member Staub is here. If you could join us in one of the front seats up here, that would be fine. Thank you for joining us, I appreciate it.

Dr. Brennan stated I actually think that the School Board's authority should be expanded to include the ability to set taxes to truly develop and independent voice and status within the district, within the City. I'm concerned about making it a department. I'm going to stop for a moment. I just hope that whatever happens really puts an end to the conversation because it is like an every two year event that we talk about making it a department. Somehow I would hope that you folks come together and the other folks come together and just end the conversation one way or another. I would be concerned,

as the educational leader of the district, in trying to merge our efforts with the City. We have done several efficiency reports and they all come back about the same; there is no efficiency and if you want to do that just for saving money the savings are very small. More importantly is the coordination and the working together from an organization standpoint. It is problematic to me. I just believe that the Board of School Committee should actually have a bigger footprint with more command and control where they set the rate, they are held responsible for it, it doesn't put the onus on the aldermen. I know how important it is to get elected so you are going to make decisions that are important.

Commissioner Ashooh stated I had the distinction of being one of the last teachers on strike in this city as well.

Dr. Brennan stated I'm sorry about that.

Commissioner Ashooh stated me too because I had two part time jobs, one as a teacher and the other place where we were on strike at the same time. As a pretty much lifelong resident of the City, a former teacher, and having been involved in this community, I have seen functionally no difference between how the School Board interacts and the aldermen interact for 45 years. I just don't see what the mechanism that is going to change that. Certainly if you create a taxing authority, I can only imagine that is going to aggravate things. I'm looking for someone to tell me that we can make things better by doing the following and I would be interested to find out what the following is.

Dr. Brennan stated as you just point out, 45 years of this arrangement hasn't resulted in anything other than sometimes seeming to be at odds with each other. One thing I do know, you have never determined or allowed the Board of School Committee to be a taxing authority. That has never happened. One can speculate what may or may not happen. That has never been done so that is an option that I think should be pursued because it hasn't been done before, nor have you had that opportunity. I just think that

we keep talking about accountability and everyone is going to be held accountable for this and that and there is no better way, in my opinion, to hold any organization accountable than to have them accountable in terms of everything, from policy to finances. I think personally that would streamline it, but you have been a lot longer than I have and you know better than I.

Commissioner Ashooh stated I'm not that much older than you.

Dr. Brennan stated no, I meant in terms of being in Manchester.

Commissioner Ashooh stated that being said, everyone realizes that the Charter Commission does not have the ability to bestow taxing authority over anybody. All taxing authority comes from the State so we hear the arguments and it may go forward, but we don't have the ability to change the charter to do that.

Commissioner D'Allesandro stated quickly, about the budget. The State budget and the City budget, the process is not anaglou at all. The State budget goes through a series of iterations and as a result of that, cannot be completed until June, by virtue of the way it is designed. That is the way it is. I don't think a comparison is accurate. Let me talk to you about the budget and what the budget indicates. It seems to me that the budget indicates a message, Mr. Superintendent, and that message is what does this community feel or believe about its school system? If that message is one of a negative tone, the perception is derived from the outside as to the ability, capability and quality of the product that is being offered to the constituents. Would you concur with that?

Dr. Brennan replied yes.

Commissioner D'Allesandro stated therefore, it seems that me that an appropriate budget, given at an appropriate time, would be essential to the management of the district. Would you concur with that?

Dr. Brennan replied yes, sir.

Commissioner D'Allesandro stated I think that can be done. The taxing authority of the municipality is based on property value. The second largest increment is the \$56 million that you receive from the State. You know what that increment is going to be because it is in the law. It is in the law as we speak. It seems to me that the budget confrontation that constantly occurs could be settled very easily. I think that is something that could be done without a great deal of consternation on their side. That could be done. That would send a very positive message to our community about the value of our educational system. Given that situation, and if one could set that aside, a second issue at hand is the tax cap. You have an opinion from your attorney vis-à-vis the tax cap, the city solicitor has given another opinion. We can't use the city solicitor to give us any of his opinions so we will have to stay in the dark. By the way, Mr. City Solicitor, if you someday could come here and talk to us, we might ask you your opinion, rather than soliciting it. The reconciliation of that has to be made in order for any of these things to happen. Do you concur with that?

Dr. Brennan replied yes, sir.

Commissioner D'Allesandro stated that could solve the budget situation. Then we move forward to your second situation and having served on the School Board for a ten year period and having served at a time when the mayor did not participate and serving at a time when the mayor did participate, there is a tremendous amount of difference in both of those scenarios, just in the physical presence of the chief executive officer who comes and works the School Board vis-à-vis the vice chairman of the School Board who is one

of the board. I concur with you, in this concept, that it is very difficult for a superintendent to function as the administrative chief of the system with the chief executive officer of this City beside you. You have to defer in every instance. Would you agree with my perception that that eliminates, in some instances, your basic authority?

Dr. Brennan responded your perception is my reality.

Commissioner D'Allesandro stated we are in a situation where if we want to function, and we talked about accountability and so forth, and yet the process is styming that in your ability to function. We do pay you to be the superintendent to schools and manage the largest School District in the State of New Hampshire population wise. We say that you are given this responsibility and we are going to hold you accountable. I concur with your premise that a change should be made. Looking at other entities around the state, we are unique in the aspect that our chief executive officer is also chief executive officer of the School Board. I looked at the Nashua situation as it relates to the mayor, even as it goes to the aldermen. The mayor can't participate in the aldermanic situation and doesn't participate in the School Board. What I am saying is that functionally it works. The third premise that you brought forth is about having a department. Having served on the board and having gone through that series of confrontations, legal expenses, etc. I think a department is a very negative situation. Your last point, which I thought was very perceptive, the fact that the board could turn over in its entirety every two years. I think staggered terms make a great deal of sense to keep continuity and some experience on the board. We tend to discard tradition around here and experience and the record, but the record is a very important thing. I think those items that you presented make a great deal of sense. My last point is as a City, education is considered a very significant aspect to the economic viability of a community. If indeed a negative perception about education becomes pervasive. What does that do to our community? Your ability to attract quality people in terms of the teaching staff, the administrative staff and the like? I think that

premise seems to be gaining a great deal of momentum as we speak. I have heard that, I don't know if you have heard that, but I would like you to react to that please.

Dr. Brennan stated well I believe the corner stone of any community is its education. I also believe that the points that you made are well made, we also are losing out in terms of quality in terms of businesses and their families and how they come forward and our parent groups because of the reputation the Manchester School District has. The irony of it is that in the school buildings, education is happening, it is positive, it is incredible. Most of you have probably been in the schools and have seen the schools and know what our teachers are doing, but when we are constantly at each other's throat, and I mean that literally, about money and it seems to only be about money and it is about money that ends the conversation we lose out, or at least have a perception that there is no value placed on education in Manchester, which I disagree with because I live it, but I would imagine that if you talk to any of my colleagues about their impression of Manchester public schools it is a place they wouldn't want to come to. I don't know how you make that transition. At times people have said to me if you don't like it get out of here. I don't believe in that. I believe that we need to put a great value on education. Does that always mean money? No, it doesn't mean money all the time. It is perception that we send there, even in our conversations, and whether it appears through some form of media, newspapers or television, that interaction portrays that they are so messed up, how can they possible get anything done. I do have some things that I say that really sound funny, but I really think that my experience here and what is going on, you have taken the 'fun' out of dysfunctionality, quite literally. There is nothing wrong with being at odds or trying to make things work, but it has been raised to a level of mean-spiritedness, a sense of, let's tune in and see what is going to happen to Dr. Brennan tonight or those types of things. He is going to present at the aldermanic board, let's wait and see what happens. I don't know how you change that culture and I'm probably not answering your question, but it is giving me an opportunity to speak so I'll wrap it up. That is what I sense.

Commissioner D'Allesandro stated I wanted to say that all my children went through the Manchester system, k through 12. I live on the west side of Manchester. My wife is a graduate of the system also. I do believe in the quality of the system and I believe we can rise above it and produce quality in the system. I concur with your perception and if that continues to grow and I am going to pose these same questions to the Chamber of Commerce that has to sell our City, if that perception continues to grow then this City is in deep trouble.

Commissioner Clayton stated anecdotal evidence is useless as you know, but I speak as a proud graduate of Manchester High School West. My daughter is a proud graduate of Manchester High School West and took that education and moved to Manhattan and forged a wonderful life there, but she wants to come home. She has an eight month old child, my first grandson, and she broke my heart because she bought a home in Bedford because of the schools in Manchester. She simply does not believe that the school system is what it was when she was a student or when I was a student. As I said, anecdotal evidence is what it is worth, but I take that as a canary in a coalmine kind of example of what we are dealing with and as a community and as a member of this community, I think what we do with our schools is going to be the message we send across the board, whether it be to our industry or people who just want to buy a home in this community.

Commissioner Martin stated Commissioner Ashooh, if I heard you correctly, you said that the tax cap issue would be eliminated by making the School District a City department. Am I on the right track?

Commissioner Ashooh replied perfectly.

Commissioner Martin stated Ms. DeFrancis, you know how I am with numbers so help me out here. Do you see that, knowing how the cap works and constructing budgets?

Ms. DeFrancis responded I'm not sure I understand. I believe that we would still have, even if we were a department, a tax rate for the School District so I'm not sure how the tax cap would go away because there would still be a tax rate for the School District.

Commissioner Ashooh stated just to clarify, the tax cap wouldn't go away, but there would not be a dispute that you were under it if you were a City department. That is all I'm saying.

Chairman Duval stated the issue would go away, is what you are saying.

Commissioner Martin stated thank you.

Commissioner Girard stated Dr. Brennan, I had the honor of serving Mayor Wieczorek when you were an assistant superintendent here. When was that exactly?

Dr. Brennan replied 1998 to 2000.

Commissioner Girard stated so that would make Mayor Wieczorek the first mayor who you served under.

Dr. Brennan stated as assistant superintendent, yes, sir.

Commissioner Girard stated that was at a time when the School District was a department, was it not?

Dr. Brennan replied yes, sir.

Commissioner Girard asked during that time, did you or Superintendent Bernard feel as if you had 24 bosses, 25 if you count the mayor because there weren't at-large aldermen at the time?

Dr. Brennan responded it was Mr. Tanguy I served under. I'll tell you something; when I was an assistant principal and thought that I could become a principal and assume all those roles and responsibilities I learned a heck of a lot that it is a big jump. As assistant superintendent I was not faced with the issues or the level of involvement that I am as a superintendent. The perspective that it gives me, there is a lot of difference between being an assistant superintendent because the superintendent was the buffer, for want of a better term, the one who was in direct contact. I really cannot comment or give you a candid opinion because I didn't have to deal with the things that he had to deal with.

Commissioner Girard stated under State law, isn't it true that the only governing body that can give direction to or set policy for a school district or a department is in fact the Board of School Committee?

Dr. Brennan replied yes, sir.

Commissioner Girard stated if we were to be a department again, doesn't it remain the fact that the board of aldermen, either as individuals or as a body, would not be able to dictate policy or otherwise control the staff of the School District?

Dr. Brennan replied I think the most control that they would have would be the most important one and that would be the money.

Commissioner Girard asked is that any different than the control they currently have?

Dr. Brennan replied not once it is appropriated. I would be concerned and I don't know how the City side works, I don't know how the departments work, but I would be concerned that we would no longer, as a board, be able to identify line items. They would be able to move money around within there and only deal with the bottom line from the aldermen. The aldermanic board had that authority to move money, I think that would add to the conflict. It would add more angst between and among the board.

Commissioner Girard stated just a point of fact since I did develop budgets for the mayor during the time that you were assistant superintendent, I can assure you that under State law the aldermen would not gain line item authority. They never had line item authority over the department when it was a department. Isn't that true?

Dr. Brennan replied yes, it is. I am concerned with the conversations that takes place about how you use the dollars. I think the aldermen, in their role, would see that as part of their role, to talk about that appropriation. Did you buy number two or did you buy number one pencils? Did you do this or did you do that? Why are you doing this? It just adds to the friction that is already out there.

Commissioner Girard stated and I don't want to belabor the point, but having been through several budgets, that is not the actual historical record of what did or didn't happen. Again, I don't want to belabor the point.

Dr. Brennan stated not to be rude or disrespectful, that was then; things are different now. I have seen the difference from the time I served then and the time I serve now.

Commissioner Girard stated when you were an assistant superintendent, the current system of chargebacks which we currently have, which I think is the subject of a lot of misunderstanding and misinformation, did not exist. Is that correct?

Dr. Brennan replied I believe that is correct. The one thing that stands out in my mind is the swimming pools. Somehow we were charged as a School District to pay for the swimming pools if I remember correctly. I would like to ask Ms. DeFrancis to talk about the impact of that question that you have.

Ms. DeFrancis stated it is my understanding that when we were a department of the City, at the end of the year, the City could charge us for certain items, that we did not have control over the debt service, the City services and possibly the health insurance as well. Our budget was a smaller appropriation, but at the end of the year the Finance Department would put those charges onto our DOE-25 or give us number so we could charge that on the DOE-25 so that it would be part of our per pupil cost. I believe that during the separation from the City, one of the concerns with the board members was that if we were being charged for \$20 million between chargebacks and debt service, why don't we have any control over it?

Commissioner Girard stated really what you are saying is that the City had an accounting procedure whereby costs assigned to the schools, whether it was debt services or other services it provided, was an accounting mechanism where the City departments provided the information to the State for the purposes of setting the tax rate or determining tuition. Is that correct?

Ms. DeFrancis responded for our DOE-25, which is a report that we send to the Department of Education each year, is a 25 page report that schedules out all of our expenditures and revenues, the balance sheets, and it determines the per pupil cost and in our tuition agreement, we have to take certain line items from that DOE-25 in order to charge the sending towns tuition.

Commissioner Girard stated but the information that went into that form or that goes into that form now is no different today than it was when the district was a department.

Ms. DeFrancis stated the difference would be that our board has approved all of those expenditures and it wasn't assigned by the City Finance Department.

Commissioner Girard stated this is what you have been told; this is not something that you have actually experienced, correct?

Ms. DeFrancis replied well I actually started right when the City was going through the separation.

Commissioner Girard stated that's the next point. I think it is important... Dr. Brennan, you said that things are different now. Do you agree that things changed drastically in the relationship between the board of aldermen and the Board of School Committee after the school department sued under Norman Tanguay to become a district?

Dr. Brennan replied my perspective was based on how I felt and saw the workings of the City back in 1998 to 2000. That is my point of reference. I can't talk about it because I don't know about that. Sure, was there a motion? Absolutely, but there seemed to be a period of time when things seemed to settle down a little because we were a district and we were able to make that work. As the dollars have gotten tighter and tighter, I think it has been more difficult.

Commissioner Girard stated I would like to talk to you about the budget process. You said there needs to be another timeline and you mentioned that most of the school districts around the state know their budget by the middle of March. Isn't it true that by law they have to because of the town meeting form of government and March is when towns meet and determine their budgets?

Dr. Brennan replied yes.

Commissioner Girard stated so it is not some particular education innovation or educational emphasis in the towns that says we do it in March. It is a state law that determines when they do their budget.

Dr. Brennan stated having worked under both, I'll tell you that as a superintendent of schools it was much better to know what I had to deal with in March than July.

Commissioner Girard stated I would like to pick up on that point. Mayor Baines, when he was here, said that the last charter revision, the charter that we have now, strengthens the mayor's budget and gave it real force. In other words, it was the default budget. He also made the statement that very little changes, for all the gnashing of teeth, when the mayor proposes a budget, that is basically what the board of aldermen adopt. Can you think back on your superintendency and think of a budget that you got as superintendent of schools from the board of aldermen that was radically different than the budget that was proposed by the mayor?

Dr. Brennan replied under Mayor Guinta, the first two years I was here.

Commissioner Girard stated you got money from the board of aldermen that was significantly higher than was proposed by Mayor Guinta.

Dr. Brennan stated I don't have the dollars in front of me, but yes.

Commissioner Girard stated you said that you don't know what your budget is until the end of June, depending on what happens with the board of aldermen.

Dr. Brennan stated we don't know what the appropriation is.

Commissioner Girard stated from a management point of view, wouldn't it make sense for you, as the superintendent, to take what the mayor proposes in March, and he can do it anytime before hand, but typically it happens in March, and use that as the basis for your coming school year and until or unless the board of aldermen add anything to it... I guess what I am challenging here is the assumption that you have to sit there twiddling your thumbs waiting for a final number before you start or the Board of School Committee starts to do the work that is necessary to accept and implement the budget proposed by the mayor.

Commissioner Martin stated I didn't hear the superintendent talking about twiddling his thumbs during that time frame.

Dr. Brennan stated it is just a phase. I understand the idea he is getting at. I don't want to get caught up in that. My experience has been, if it was that simple, yes, but it is not that simple here. If it was that simple, why do you have all this other conversation going on? Let's accept the mayor's budget and move on. For me to plan that way, I think that would be irresponsible in case something happened. How do I adjust that? How do I deal with the monies in terms of where we are with our appropriation? I just wish that someone would make a decision about money in March. That is what I care about. Whatever that dollar amount it, it better reflect the best needs of our school system and our kids. That hasn't been the case either. With the tax cap it becomes even more conflicted with placing a value on our schools. The question was not asked of me, but in terms of the tax cap, I think the best thing this City could do is eliminate it, personally. It is unrealistic in today's times where we need to improve, not necessarily by getting more money, but restricting what we can really do by saying this is what we really need. Someone alluded to the fact earlier today that I proposed a budget of \$164 million. I made three proposals last year: one was for the tax cap; one was for what I called needs, which meant that we need that money to get school approval; and then an additional

source that I felt really represented what the School District needed to do to move forward. All I would request of you, for the new superintendent's sake, is that you develop some type of strategy or plan that would give him or her an idea of what the money is sooner rather than later. You can talk about if waiting until June or July is a problem or if it is not a problem, but it is a personal problem when you don't know if you are going to bring people back and whether they have to go out and find a job somewhere. This year, again, based on my experiences, we have had budgets where we have said we are going to RIF and we have RIF and before you know it, everyone comes back. That didn't happen this year. It used to be just kidding and somehow Dr. Brennan or downtown will come up with it; they have \$2 million in their side pocket and they are going to wait until the last minute or the mayor is going to come out and say I found \$2 million; we are good. There is something wrong with that. Now I am just speaking as a person in terms of my experiences here, but there is something wrong with a system that doesn't allow us to identify what the true needs are in education, not in the result of bottom line dollars, but in the result of student achievement and staff satisfaction and the realization that they are valued and that they will continue to work here.

Commissioner Girard stated you have indicated that having the mayor as chairman of the board, I think you said, created a personal issue for you because you feel that he is the chief executive authority of the City and therefore your boss. Much of the controversy is over, at least this mayor in particular, budgets and how they are developed. Is that a fair statement on my part?

Dr. Brennan stated I think that is a good observation, yes.

Commissioner Girard stated I guess my question to you, Dr. Brennan, is this: let's assume that this board removes the position of mayor from the School Board, but leaves him as he currently is in the charter as the budget officer with the ability to determine the form and content of the budget as he currently does, a process that the school department

would still, even as a department or a district as it is now, be subject to under the charter. How does that functionally change your dilemma of who is in charge if the mayor, though not chairman of the School Board, is still in control of the budget process that the School District has to go through?

Dr. Brennan replied no one asked me about changing that and I think that should be changed too.

Commissioner Girard stated I think that was implied in your answer about giving the district its own taxing authority. We know we can't do that.

Dr. Brennan asked you can't change the charter to say that the mayor is the one who decides...

Commissioner Girard interjected no, we can't change the charter to give the School District taxing authority.

Dr. Brennan stated I know, but I'm trying to answer your question that you just posed in terms of what if you remove the mayor's position, the mayor from the Board of School Committee, but that person still had the authority to set the budget. Is that what I heard you say?

Commissioner Girard stated in order for us, I would think, to not have any authority of the mayor at all, we would have to separate the School District from the overall City budget process. Assuming that doesn't get done because the School District doesn't have its own taxing authority, how does it solve your personal dilemma about how to interact with an authority figure if we take him off chairman of the board but we leave him as the budget authority?

Dr. Brennan replied my response earlier was in regards to working through policies and procedures. It had very little to do with the taxation or the establishment of the budget. I'm just saying on a day to day operational status, as superintendent of schools, when I receive a call from the mayor I go. I think that puts the superintendent in a tough situation when he or she then has to respond to this group called the Board of School Committee. What did you talk about? Why aren't those meetings posted? It is nonsensical and it takes time away from any person doing their job. That is the perspective that I was sharing. I believe I said it was personal. That is what I am talking about and I think that will be true of any superintendent who comes here if placed in that situation.

Commissioner Girard asked do you mean to suggest that if the mayor were not the chairman of the School Board or not a member at all, that if he were to call and ask to speak with you on a budget or other matter you would not have that meeting?

Dr. Brennan responded no, I would hope that he would check with my vice chair and the vice chair would direct me to do that.

Commissioner Girard stated I have one final question and thank you for taking the time to answer them. Don't the rules and procedures of the School Board require that Board of School Committee to act as a body to issue directives to the superintendent about what he can or can't do or how he is to proposed budgets or anything else and does anybody in the City or the rules of the School Board have the authority to countermand or otherwise not respond to that board authority?

Dr. Brennan replied that's what the paper says.

Chairman Duval stated before we entertain questions from commissioners, I do want to give an opportunity right now... I really appreciate School Committee members for taking the time and being with us tonight. There are a number of them here tonight. If we could pause for a minute from administration, I would like to start with Committee Member and vice chair of the School Board, Dave Gelinias. Committee Member Gelinias, I don't know if you have any questions or comments right now. If you do, please feel free to jump in. If you don't, I'll move on to Committee Member Beaudry.

Committee Member Gelinias stated thank you, Mr. Chair. Most of what the superintendent has presented this evening I agree with. Obviously the system we are under now isn't working the way that I would like to see it work. It is very unsmooth, very cluttered, very argumentative, so to speak, in this arena that we are in. I have had the opportunity of serving as a board member under both systems, under a department and under the district that we are currently in. When I was on the board in the late 1970s and early 1980s that is when we had a department. The budget was under the direct control of the Board of Mayor and Aldermen. Although they did not have control over line items of the School District I do remember in the last term of Mayor Stanton, the Board of Mayor and Aldermen did make a request from the school department to give some money back to the City because we were in a financial constraint. We were in a budget that was just a little over \$100 million. I think the request, if I remember correctly, was around \$300,000, which today doesn't seem like too much money, but that request came in. I remember that the request was a phone call to the superintendent who was then Henry McLaughlin and Superintendent McLaughlin then presented that as a board item to the full board. That possibility, if it was a department, would exist as opposed to what is going on now. The conversations that we have in regards to the budget, the ones that I have seen over the past three or four years, have been uncomfortable and very frustrating. I think the system has to change. We cannot continue to have the superintendent provide a budget and then the School Board provide

their own budget or work over it and then the mayor come in with his own budget and then you are talking about two or three different budgets because the mayor and aldermen. That cannot continue in my opinion. It just makes it haphazard, it doesn't center the conversation where it needs to be which is on education and it is unfortunate that every conversation that we have in the budget, in regards to education is always about what it is going to cost, how much is it? If we can get away from how much and discuss some of the things that Commissioner D'Allesandro had highlighted as well as the superintendent and we talk about what the City needs in regards to education rather than how much it is going to be, then I think we can see a change in how that discussion works. You folks have difficult decisions to make and I'm glad I'm not the one who has to make them. It is easy for me to express an opinion on how the set up of the School District should be or whether it should be a department or whether you should change the authority of the mayor or the scope of the School Board, but in regards to Commissioner Girard's comments in regards to how the superintendent functions daily if the mayor was not longer the chair, it would allow him to operate on a much freer basis daily, rather than having to be concerned or involved with the direction, the philosophy, the ideas of that particular mayor at the time. It would allow him to work more directly with the Board of School Committee and instead of the occasional phone calls that the vice chair gets now, he would probably be more involved directly with the vice chair which in turn would make him more involved with the Board of School Committee. Commissioner Lopez had mentioned about how you fix the inequity in regards to the tax cap. This commission does not have the authority to give the Board of School Committee the authority to raise taxes or to be in direct control of that, giving them taxation power, but that would certainly make them responsible in regards to the tax cap, if they had that authority. I'm with the superintendent; I think the tax cap should be eliminated. In today's world, trying to function within a 1.5% or a 2.5% increase over the previous year makes it impossible to manage any kind of business, any kind of city, any kind of town. I sincerely believe that the tax cap was, quite frankly, ill conceived and ill advised. I think if this commission can do away with it, it would be a major plus for the City, not just for

the district, but for the City in general. It takes away the complete authority from the Board of Mayor and Aldermen to make any decisions in regards to the entire budget based on the information that they have, based on the needs of the City, based on what the district needs, but places them under this umbrella that they have to stay within a certain guideline dollar-wise because that is what is written in the charter. It does not allow them to operate in any capacity, of any kind, of free thinking or free action. In one sense, it allows those who have that authority to use it as an excuse to not do the job that needs to be done. I could go one a little further, but I think I'll open it up to any questions you have.

Chairman Duval stated thank you very much, Committee Member Gelinis. I appreciate your comments. Committee Member Beaudry had his hand up.

Committee Member Beaudry stated thank you, Commissioner Duval, for allowing us to speak. I raised my hand with the question that Commissioner Girard had asked about aldermen giving us more money than what the mayor has given. This year alone, the extra \$2 million that we received was a substantial amount of money for the School District. We were laying off 161 positions and that allowed us to bring back over 40 positions. If we didn't get those additional dollars, we had classrooms of over 40 at the start of the school year this year so if we didn't have that additional \$2 million the School District would have been in that much worse condition. You can't define substantial, but that was a substantial number to us when we were in dire straits in this year's budget. We have looked to the aldermen and they have come forward and given us additional dollars when they can. I think the tax cap does put them in a precarious position. I will throw this out there and it is not in writing, but our attorney also gave us some advice. It is his belief that we shouldn't even be under the City charter; that the School District should have its own charter because we are a district and not a department. We should have our own charter to follow. I don't know how we could research that, but that was his opinion to the board, not in writing, but it was said in a conversation about the tax cap and

working through the tax cap number when we were talking about our budget coming before the aldermen last year. That is something that I would like to see because I personally believe that we should have full autonomy. I think the aldermen are always in a constant struggle between what they are going to give to the School District and how they are going to allow the City side to maintain the City services. That would not be a problem if we had our own autonomy and there would no more finger pointing. It is easy for the School Board to give a budget because we know that the number we are going to give is not the number we are going to get. We can give them a \$200 million budget knowing that we are not going to get it. To me, it would hold us, the School Board, more accountable. We get elected the same way the aldermen do so I don't understand why there is so much focus that the aldermen who seem to have a higher stature than the School Board where we all are elected the same way, we have more employees on the school side than the whole City side has, but yet, they don't want to give us authority over our own destiny. I would like to see us have our own autonomy and I think that would be beneficial to the aldermen because all they would have to worry about is the City side and the School Board would be elected on how they are running the school sides. Those are some of the points that I would like to make. I concur with Dr. Brennan and I applaud him for being candid this evening. I think his comments, I know I support, I don't know about my colleagues on the board, but I support the comments he made this evening. I think Commissioner D'Allesandro was on the board at the time, but when we were a department and I got this from some of the board members who have moved on, but Committee Member John Gatsas and Committee Member Kathy Labanarias, I guess when we were a department there was some talk about... Dr. Brennan mentioned the pools that were being charged to the School District. Also, we were wondering why the electric rate was so high at Beech Street School. We found out that JFK was tapped into the meter at Beech Street School so we were paying for the electricity for the ice at JFK. We took care of those problems. Those were some of the situations that I was told as to why they moved to create their own autonomy.

Chairman Duval stated it looks like committee members are good right now on their comments. Every PTO group in the city, their designees were made aware of tonight's session and I appreciate the superintendent's office for helping coordinate getting that information out regarding the session tonight. I know we have a representative from Citizens from Manchester Schools. I would ask her to come forward, state your name for the record and then go ahead and give us your comments if you would like at this time.

Commissioner Infantine stated at a School Board meeting or an aldermanic meeting within the last year, you came up with a phrase, 'put it in a box and blow it up'. That resonated with me greatly. Not that I am adverse to being creative, but in your tenure as a superintendent and all the meetings you go to across the country with other superintendents, is there a city in either New Hampshire or outside the state that has a mechanism that you find as close to perfect as it could be that you could share with us?

Dr. Brennan replied I believe, in New Hampshire, Nashua probably comes the closest in terms of how they are organized in terms of city and school district, but they are a department. I need to qualify that. When I used the phrase about blowing up the box, I was talking in terms of the way we do business as a School District and as an educational institution. I think we are not serving our students, we are serving our adults and that is a problem. That is what I was trying to get at. As far as City governments and other things, I think we are all in the same boat, no matter what size, a medium sized city or a city such as Los Angeles or Boston. There is a lot of concern about how we go about business. I can't give you another one other than Nashua. I hope that answers your question.

Commissioner Pappas asked did you say that Nashua was a department of the city?

Dr. Brennan replied yes, I believe it a school department. I don't want us to become a department.

Commissioner Lopez stated I just have one comment and question to Karen DeFrancis. As someone who served on the Board of Mayor and Aldermen, I can tell you, Dr. Brennan, with all due respect to my colleagues who were on there, a lot of people don't get involved in the school budget. Today, a lot of people ask a lot of questions to try to understand the school budget. It took me about six years to understand the school budget to a degree and I still don't understand it 100% because you get a lot of grant money. I don't want to get into that right now. It is the same way with the Board of School Committee; a lot of them don't understand the school budget either. I was wondering and this is maybe for the School Board members to take back, you used to have a five person committee of finance that really got in and understood the budget a lot better than they do today. I'll leave that thought in your mind. What I want to ask Karen DeFrancis, as you are well aware, you have the money for the debt service and I understand the MS-25 that you speak of, but even if we took all that away, are you indicating to me that we could not put that on the MS-25?

Ms. DeFrancis replied no, I believe that that was put on the DOE-25 when we were a department, it is just that the Board of School Committee did not have control of those expenditures.

Commissioner Lopez stated let me clarify my question. Even as a school department right now, if you want to know what the true amount of money for education is, keeping teachers in the school, the debt service, I don't know what it is now, \$15 or \$16 million, and then the \$6 million that you get for maintenance and the police, if that was all one the City side, of course you wouldn't get that money, but could you still put that on the MS-25 as a service?

Ms. DeFrancis replied I believe that was being done when we were a department of the City. The services were still being provided, but our School Board was not in control of those numbers.

Commissioner Lopez stated but the School Board would be in control of those numbers in a school budget. What I am saying to you, instead of giving us \$6 million back to the building maintenance department, they would hold the \$6 million and you could count that on your MS-25. Do you follow my question?

Ms. DeFrancis replied I believe I understand what you are saying. If we could put it on the DOE-25... Again, the DOE-25 sets the cost per pupil as well as if those expenditures are going to be School District expenditures I would think that the Board of School Committee would want some kind of authority over what is included in that per pupil cost and what is included in the tax rate. Just giving the \$20 million back to the City and letting the City control it, again if it is going to be included in the tax rate and included in the per pupil cost I would think that the Board of School Committee would want some kind of say as to what those expenditures are.

Commissioner Girard asked Ms. DeFrancis, doesn't the MS-25 determine what goes on the MS-25?

Ms. DeFrancis replied the DOE-25 determines what goes on the MS-25, correct.

Commissioner Girard stated so what gets to be put on the form is a function of what the State allows or requires to be on the forms. Is that not the case?

Ms. DeFrancis stated I'm not sure I understand the question.

Commissioner Girard stated you are saying that the Board of School Committee now has control over what goes on the form. I guess the point I am trying to make or the question I am trying to ask is, doesn't the form itself dictate what can and must be on it?

Ms. DeFrancis replied yes, but it has to agree to our audited financial statements.

Commissioner Girard stated back when the schools were a department... What I am trying to figure out is if we put \$2.3 million into the Health Department for school nurses or the City gives \$2.3 million to the School District which then pays it to the City department, that \$2.3 million either way goes on the DOE-25. Is that not correct?

Ms. DeFrancis replied yes, that's correct.

Commissioner Girard asked so what control does the School Board have over those expenses?

Ms. DeFrancis replied how many nurses that they could have in the schools; do they want RNs; do they LPNs; how many SRO officers do they want in the school; do they want those SRO officers at the middle school at the high school; do they want new roofs put on the facilities; do they not want roofs put on; do they want the portable classrooms maintained?

Commissioner Girard asked are you saying that those decisions, discussions or requests, when the district was a department, were not made and that the Health Department, parks department, building department or any of the departments did not interact with the schools to develop those priorities?

Ms. DeFrancis replied I cannot answer that because I started here when we were a district.

Commissioner Girard stated let me answer it for you. It always took place.

Ms. Lisa Drake, Citizens from Manchester Schools, stated thank you very much for the opportunity to join you this evening and to provide testimony. I do have prepared testimony and we will share copies with you at the end of the meeting. I would like to thank each of you for your work on this commission and for your commitment in improving our great city. The city is clearly at a crossroads and this work is terribly important. I will present to you tonight four recommendations that Citizens for Manchester Schools would like the commission to take into consideration. Many of these reflect a lot of the discussion that already happened tonight. I do have at least one new idea here for you to consider. We would like to see the School District remain intact rather than revert back to making it a City department. We understand that the primary motivation for this idea would be the claim to save money and increase efficiencies through the shared services. However, we know that the district is already very efficient and extremely lean in administrative overhead. The work and expense required to merge the School District with the City would entirely outweigh the benefits. Due to the pure size of the labor force in the School District the City administrative staff could not take on additional requirements of serving all the additional employees at the school system without increasing staff on the City side. Also, to merge the management entities of the two entities would undoubtedly take great time and expense. We respectfully suggest that there are many serious issues in our school system that require focus. Let's put the priority there: on the challenge of educating our children rather than getting sidetracked and creating bureaucratic work that yields little benefit. We must remember that schools were previous managed in a City department and there were significant problems, many of which have been mentioned here tonight. Therefore, we recommend that the School District remain as is, rather than once again becoming a department of the City. Also as suggested by others, we do support the idea of moving up the school budgeting timeline. What has happened this year, especially when it went all the to the end of June, it was

simply far too late to be able to plan appropriately, given that teachers and principals have completed their school year and are gone by the time the budget numbers are out. It means that the planning at the school level really doesn't start until the midnight hour and we witnessed the impacts of that on the first day of school and beyond this year. With a vast majority of the School District costs being fixed and predictable and revenues being projectable, it is possible for budget decisions to be made earlier in the year with a high degree of confidence and expectation for successful financial compliance. Other surrounding communities, as has been mentioned, use the March dates to finalize the school budget and that does allow them to plan and organize before summer recess. We have witnessed that these communities are hiring at the same time that Manchester teachers are either unsure of their status for the following year or have already been given a reduction in force notice. As a result, we have lost many talented teachers and principals to other communities in recent years and this must end. There is no cost to the City to make this change, but many benefits and therefore we recommend that the charter be changed to require that the school budget be finalized by March 31st. The third item is about the role of the mayor on the School Board. We believe that this creates an imbalance of power. We have an elected Board of School Committee designated to represent our citizens by ward. This board is duly able to elect its own chairperson, which by its choice, might or might not, select the standing mayor as their leader. The chair of the Board of School Committee should be the chief advocate for education. The interest of the mayor is naturally divided with obligations to not only education, but also to many other matters in the city. As the chair sets the agenda, this conflict of interest held by any mayor, may not yield the best results for education and therefore makes it difficult for the School Committee to fulfill its own obligations to deliver an excellent education to the children of Manchester. Similarly, we understand that some have suggested that the position of the mayor should have veto power over the Board of School Committee. This creates an even greater imbalance of power, giving one single elected representative control over 14 other elected representatives. Let's allow the elected School Committee members to do their work on an equal basis. We recommend

a change to the charter to allow the Board of School Committee to elect their own chairperson. Finally, the last recommendation I have is, I think, a new idea. We would like to propose a new statement be added to the charter requiring that the City provide an adequate education to all children in the city of Manchester. An adequate education should be defined as, at a minimum, one that meets education standards set by the New Hampshire Department of Education. Comparable to many other mandates that exist in the charter, we feel that most everyone will agree that providing an adequate education is a basic function of our city so let's formalize this by adding it to the charter. Finally, we have two additional items that we encourage you to explore further. I don't have a formal recommendation around them. I do encourage you to look further into the tax authority issue. We know that that step might not guarantee the delivery of an adequate education, but as has been mentioned this evening, there could be some potential benefits there so while there may be issues, it may not be within the authority of this commission to do it, I do encourage you to, if you are not sure of that fact, to continue to research that and research the benefits that it might provide. Finally, on the tax cap, we know that this could have a devastating impact on the City this year, particularly the schools. In practice, the concept of the tax cap can raise enough funds to support a city year over year, but that is when a city starts at an adequately funded level. Here there is no room to adjust for the deficiencies that currently exist. Therefore, we do recommend that your commission consider means to restructure the current tax cap to ensure that it doesn't become a barrier to meeting the basic needs of the citizens of the city. This might include changing the supermajority required to override a tax cap or to override a mayoral veto and change it to a simple majority. This would still respect the intent of the voters who supported the tax cap and would keep spending in line with economic conditions, yet it provides a greater opportunity for elected representatives to approve budgets in the need of the City. In closing, I sincerely hope that our suggestions are helpful to the commission and its work. We are certainly available to discuss, at any point, additional education issues or questions you would like us to participate in.

Chairman Duval stated thank you for joining us. We appreciate your input and comments. We do have final presenter and then we can go back to questions. Again, the Chamber of Commerce was very good in immediately responding enthusiastically to joining in on the conversation about education tonight. I did note that last week I did receive a survey as a Chamber member from my business about the question of education within the context of our community. I appreciate receiving that; it is the first time I have received that since being a member. I would like the president of the Chamber of Commerce to give comments if she would like.

Ms. Robin Comstock, President of the Greater Manchester Chamber of Commerce, stated thank you so much for having me here tonight and thank you for your hard work on this important opportunity of reviewing the charter. I have no formal, prepared notes; I just want you to know that the Chamber of Commerce is very concerned about the condition and quality and character of the education system in the City of Manchester, so much so that the Chamber's board created an education committee perhaps three months ago. Their third meeting is coming up next week. There is a belief among the business community that the education system is in fact not an expense, but an investment into the current quality and condition and character of any community, including Manchester. We are not unique in that way at all. We should recognize our public school system and its institution with the highest of value and importance as a contributing institution to the well being of a community. I would like to share with you too, that we approached this as a Chamber of Commerce quite differently. I am hearing the detail that the previous speakers have spoken about. Ours is a little more abstract. I apologize that if it makes you uncomfortable or if it doesn't answer your specific questions, but I will tell you abstractly, we believe, and I can tell you that this Chamber has a very long history of this believe system and I would imagine that it would be held well into the future that the education system is essentially about the well being of workforce development and workplace preparation, but beyond that, it is also about creating well balanced citizens of the community who can be contributing figures to ensure the vitality of a thriving

community. I would like you to know, again, as uncomfortable as it is to say it and I'm sure, as uncomfortable as it is to hear it, the business community believes that there is a problem, that there is something going on in the public school system that is just not working. We don't pretend to be educator, we don't pretend to be aldermen or School Board members, we just think that it is problematic and it is beginning to affect the nature of this community. As shallowly or superficially as property values and as profoundly as workplace readiness and workforce development and the very nature of civic contributions that will be able to be made into the future... There are a lot of concerns. Yes, Jerome, it is true; in my 12 years at this Chamber of Commerce we just developed our first survey around the nature of education. But backtracking for just one second, many of you know and Skip sat on the board at that time, we actually had an education department at the Chamber for ten years that was partly funded by Bank of America and we did very important work and I would be happy to share the results of some of the most meaningful projects, commonly known as the perception project where we partnered with the Annenberg Institute. We invested \$60,000 into studying the value and perception of education in the City of Manchester. I just reviewed that report and shared it with the education committee. It seems very relevant today and I would be happy to share that with you at any time. Having said all of that, I would just say that we have sent this survey out to all of our members over the course of three weeks and we do have one of the highest returns during my tenure here at this organization of feedback from our members about their perceptions, beliefs and their advice around education. I hope to reveal those results for the first time on Friday morning at the upcoming education committee. As those results settle and the incoming information seems more stable, I'm certainly happy to share it with you and your committee, Mr. Chairman. I think more largely and much more abstractly and more in the tree tops than the weeds, we think there is a problem. We think your work presents an incredible opportunity to step back, be visionary and ask yourselves on behalf of the city the larger questions and to execute this process in a way that benefits the education system and the end result because it is the essence of a health and vital community.

Chairman Duval stated thank you very much and we will accept that offer and will willingly accept any material you want to give this commission. If you get that to us we can make sure it is distributed.

Ms. Comstock stated Jerome, as chairman of this commission, I'll email you that information tomorrow, the perception project, and I will probably have to wait until Monday for the results of the survey we are conducting now.

Chairman Duval stated that's fine. Thank you very much. We appreciate your participation.

Commissioner Infantine stated my first question is for Citizens for Manchester Schools. One of your suggestions was to add a definition of adequate education to the charter.

Ms. Drake stated yes, but first and foremost, a mandate to provide adequate education and therefore also to define what we mean by adequate and our suggestion would be to meet State standards.

Commissioner Infantine asked would you have a different definition of adequate education or would you be okay with the State definition?

Ms. Drake replied I am suggesting that the State standards could be the definition of what we mean by an adequate education.

Commissioner Infantine stated my next question is for Ms. Comstock. You talked about businesses supporting better education in the state and you also just mentioned that this Charter Commissioner has the ability to be, I can't remember the word you used, by I'll say bold, yet we were told by the mayors last week not to be bold or aggressive, just

chip around the edges. My question to you, if this commission is bold and with that boldness comes a divided commission, will we get the support of the chamber and the businesses?

Ms. Comstock replied that is obviously a great question. I would be anxious to be as engaged as possible to show the information and the challenges of this commission with my own board of directors. I can't directly answer that question, but I will tell you that our board of directors is very vocal in their concerns, but well beyond the board of directors, a large number of Chamber members are very concerned. Those people who I have talked to anecdotally, have had conversations with, feel very strongly that your commission represents an opportunity and we can only hope that every member of this commission will rise to the challenges that are presented before you and many speakers have said that they are many. We all applaud your efforts, but we believe that you will come to consensus and be able to come to the business community with bold solutions to one of the most critical and important issues before us today, in this year and in this decade, and that is our education system. We would like to tell you that we would like to work with you. We hope that you find consensus and will challenge yourself to be able to do so. I will tell you tonight that I believe that the Chamber's board of directors and the business community will support you in whatever ways we can. I haven't directly answered your question, but I hope it gives an implication of an investment into the subject matter for you.

Commissioner Lopez stated when I was chairman of the board, I was one of the gang of eight who stayed here until one minute after midnight to oppose the tax cap and that went to the Supreme Court; they won and now it is part of our charter. I can tell you that when the people went to vote on it with very little turnout... For those people in the audience, 45 to 50% of the people who work in the city of Manchester do not live in Manchester. It is going to be a very difficult thing... 99.9%, I don't think it could be done unless we have a big meeting at the civic center and we get 10,000 residents or 20,000 residents in

there to vote to overturn the tax cap. When we went and asked the Chamber of Commerce and other people to stand forward and say this tax cap is no good, it is going to destroy the City, they didn't want to get involved. Eight aldermen stood alone and we got the gang of eight, as we were branded by the press, and everything that we said that night is true today. I don't know how you are going to do it. They won by the Supreme Court, 4,000 people voted for it and then there are 4,001 to not have it. People do not live in Manchester; they work here, they get paid here, but they go back to Hooksett or Candia and every place else, with all due respect, and that is the problem that we have. Even if this commission was bold enough to say that we are going to overturn the tax cap, who is going to fund the political advertising and all that? I'm not going to get too much involved into that right now. You understand what I am saying.

Commissioner D'Allesandro stated Robin, thank you very much for coming. I appreciate it. As the person who has to sell greater Manchester, what is the key question that a business or people who want to come to our city that is posed to you?

Ms. Comstock replied Lou, I have to tell you that it sounds so absurd for me to answer that particular question, but as you well know, I have been in three chambers of commerce in 25 years, 12 of them here, and in every one of those chambers including this one, the first question is tell me about the schools, show me the schools. The reason being, for those who may not know this, if businesses are thinking of coming to the area they are also thinking of recruiting their workforce. One of the issues in Manchester now is the issue around growing the young professional network and young business owners locating in Manchester. These are people of child bearing years who are looking at schools as their primary investment, their children are their primary investment. It is the first question that is asked. I will tell you that another piece of that, most often, businesses that are considering moving to a community first send scouts out to the community or they come and vacation. They look at the community, they experience the arts, they experience the culture, they talk to people, they dine in restaurants and they go

to the schools as visitors and that is where we see them at the Chamber of Commerce. The short answer to your question, the first question, no matter how large or how small; how sophisticated, how unsophisticated, the first question is always where am I going to send my kids, where are my employees going to send their kids to school?

Commissioner D'Allesandro stated if indeed there is a negative perception, what happens to that business and to that labor force that we want in the city?

Ms. Comstock replied Mike hinted at it. They will live in surrounding communities. I have board members at the age of having young children who are born and raised in Manchester, making those decisions now about their own children and they will just go to other communities. The larger question is if their business follow to that community, do it or does it not have that infrastructure? Often what happens is you see the development of the business within the central business district or the development district of the community and then perhaps the family is living outside. Then you lose the investment into the public education system so it becomes a complicated web.

Commissioner D'Allesandro stated it has a spin effect.

Ms. Comstock stated the implications become more complicated than they might appear on the surface, whether it is how many parents are sitting in on the parent teacher groups, what kind of socioeconomic stratospheres, is it s diversified community, are children of all ages, all cultural, social and economic backgrounds. It is quite a complicated implication.

Commissioner D'Allesandro stated as a result of that we have a thought process that says if the public entity isn't doing the job shouldn't we be supporting an alternative and shouldn't that alternative get a tax credit and what does that do? What is the damaging aspect of that?

Ms. Comstock replied I can't speak to that professionally, but I would have coffee with you and share my opinion. Let me answer the question a little indirectly and just say that the business community and the Chamber's board of directors, specifically, believes very strongly that the framework of a sound community is its public education system. That belief prevails.

Commissioner D'Allesandro stated in Manchester we have the oldest public high school in the state; the first public high school founded in the State of New Hampshire was founded in Manchester.

Ms. Comstock stated we have a history of education.

Commissioner D'Allesandro stated we had the first kindergarten in the state from the 1920s. I hate to use this word because I know it offends Commissioner Ashooh, but we had some bold, innovative, revolutionary things that took place right here in Manchester.

Ms. Comstock stated Mr. Chairman, could I just add that the subject of bold could be defined by how each unique commissioner defines it, I suppose, but it is very true that this city has a long history and a current practice of bold actions and we see it all around us, whether it is refurbishing this beautiful city hall, building an arena, building a stadium or other urban renewal efforts, the City can be bold and often is. I think what I am here tonight to say is that you have an opportunity. The City of Manchester needs you to come to consensus on bold decisions that favorably impact the public education system of the City of Manchester.

Commissioner Girard stated it is ironic, Robin, that you brought up the refurbishment of this building and the civic center because that was something that those of us who fought to implement were soundly criticized for by the school lobby because we were

neglecting schools by doing this. That is an aside. My question is for Vice Chairman Gelinis. Dave, you spoke about the tax cap. Several people spoke about the tax cap, but you are the political figure so I'm going to ask you. It does contain an override provision. Is that not correct?

Mr. Gelinis replied that's correct.

Commissioner Girard stated so the technicalities of the tax cap aside, and I may agree, by the way, that there could be some adjustments to it, isn't it really a political problem? If people in the city believe that the aldermen are acting irresponsibly by not overriding the tax cap will they not contact their alderman and if that alderman is not responsive will they not challenge them at the next election? Isn't that part of the political process?

Mr. Gelinis replied I think all of our problems are because of politics actually, but I think the tax cap just weakens the structure of the aldermanic board. It allows them to use it as an excuse to not take that very difficult decision on whether or not to raise taxes to a certain percentage or to make certain expense cuts or expense additions. I just think it weakens the structure of the Board of Mayor and Aldermen and it takes from them the very authority or the very power that they have as an elected official and it puts this umbrella or this restriction over them not to do the full job that they are capable of doing and then going back to the voters and defend their actions or their votes to the public. They now can use this as an excuse.

Commissioner Girard stated but they do have the ability to vote to override the tax cap.

Mr. Gelinis stated yes, they do have that ability.

Commissioner Girard stated I guess the point I'm trying to make is that if their constituents disagree with their holding the line and not overriding the cap, does that problem not get solved at the next election?

Mr. Gelin replied Manchester has a history of reelected its officials on a regular basis. Excuses or no excuses, tax cap or no tax cap, I just think that the tax cap infringes on their ability to do the total job that everyone who is elected to this chamber is capable of doing and doesn't need an artificial excuse or an artificial barrier to prevent them from doing their full job.

Commissioner Girard stated David, you and I have both been around the political scene for a while. Some of the current criticism of the Board of School Committee is that there have been policy decisions over the years, redistricting among others, that the School Board has not made because they are not pleasant decisions to make and that a number of decisions that the School Board has recently made, they were forced into because of the tax cap. Is there, in your mind, any merit to the idea or the argument that says you know we are making changes now and we are starting to look at how to do things differently, whether it is virtual learning, blended learning, looking at redistricting, allowing businesses, finally, after how many years, to sponsor sports teams or advertise at athletics facilities or in the buildings, a number of the changes that have been made are still in the process, would those discussions be taking place now if they weren't financially necessary given that they have been put off?

Mr. Gelin replied I think a lot of the discussion that we have had in the past six months has been because the superintendent has brought those forward, because he has been given an opportunity to actually be a superintendent rather than just someone who provides to us or presents to us a budget. We spent six months talking about a budget and as soon as we are done the budget, we are starting to think about the next budget. All we are doing is talking about numbers, talking about budgets and we spend very little time

actually talking about policy or new programs or new ideas on what to do educationally. The member from the Chamber of Commerce indicated that we should take some bold actions. I remember in the mid 1980s when my father was an alderman and he chaired the committee on downtown redevelopment and the Center of New Hampshire, across from the Verizon, is there today because of that committee. That was a bold action. I think we need some redevelopment in the educational system in Manchester and that is going to start with this commission, I think.

Commissioner Girard asked would you favor a biennial budget?

Mr. Gelinas replied we used to have it.

Commissioner Girard asked biennial? Every other year?

Mr. Gelinas replied we used to have a budget where the board of Mayor and Aldermen made a decision for two years.

Commissioner Girard asked when was that?

Mr. Gelinas replied I think it goes back to the late 1970s. It was very early in the 1980s where billing was sent out on an... I'm sorry; I'm getting it confused with semiannual tax bills.

Commissioner Girard asked would you favor a two year, biennial, budget?

Mr. Gelinas replied no. Concord used to do that and I was in the legislature when we did that.

Commissioner Girard stated they still do that.

Mr. Gelin stated we would meet in the legislature once a year. The second year would be for special legislation or a problem with the budget, but the budget was derived in that first year. Now, because they meet every year, they talk about the budget in the second year. We have a hard enough time now talking about and getting a budget out for one year and to try to do it two years in advance, I think it would be difficult. I know there are people who believe that we should do it because it would allow us to discuss education more, rather than always talking about the budgets, but I would leave it to the experts to give you their opinion on that. I don't think I'm equipped to answer that.

Dr. Brennan stated I just wanted to respond to Commissioner D'Allesandro's comment about the oldest high school in the state and also kindergarten. I would ask you to reflect upon why that was so and where the funding came from. I know it is always a risk for a flatlander to talk about history in New Hampshire, but my understanding and reading, it came from the Amoskeag Mills—businesses. Businesses found the value in education and funded it. That as we started to transition from that in the City of Manchester, we went through the parochial schools that started to support, but as those entities and intuitions went by the wayside, it then fell upon the public and at that time, I think you saw a decline in the value of education. I just wanted to point that out, that it was the businesses, I believe, that made that happen because they saw the value in it and we need to bring that spirit and value assessment back.

Mr. Jim O'Connell, President of Citizens for Manchester Schools, stated I know it has been a long night already so I will be very brief. I just wanted to follow up on something that was in our package that will be given to each of you at the end of these remarks. A couple of things: we basically have four recommendations and as the meeting began tonight it turned out that three of those followed along the conversation that you have already been having about not making this a City department, about the budget timeline issue, which has been well dealt with tonight, the third issue which had also been covered

by the time we spoke, which was the role of the mayor within the School Board and how we felt that it was better that the mayor's role not be what it is today and that the School Board have their own chair person. The fourth item I want to address again, that new charter language be added or a new entry into the charter be added. I think that the conversation about the tax cap and other things, I think all those things are valid and need to be looked at. I think if we can place into the charter a mandate that says that the City of Manchester shall provide an adequate education to students it will put an obligation on the City, just like other obligations. I think it is an opportunity to have a balance against the effects of a tax cap or other considerations. If it is mandated in the charter that the City shall provide an adequate education, and in response to Commissioner Infantine's question, our proposal, when you read it here, is not to follow directly the definition of the State of New Hampshire, we would make a declarative statement within the charter saying that the City shall provide an adequate education to the students of the School District and then we would say that that could not be interpreted to be something less than the state minimum, but we wouldn't be tying the City requirement to the State minimum because that may vary over time. We would be making a separate and distinct statement saying that the minimum that it could possibly be is that, but we would require an adequate education. The last thing I would say is that it is very wonderful meeting, to have an educational meeting and have all the familiar faces who are often seen in other venues and there isn't the opportunity for people to have the kind of conversations that we have had tonight so this is a very good thing for the City and I welcome it to see all these people here and listening to all the important thing they have to say. The most important thing that I heard tonight was from Dr. Brennan. I will part with this. It is something that we hardly ever hear in the City of Manchester and that is that the right way to go about education and funding education in the City of Manchester and that is to establish that which an adequate or proper education for the children of Manchester requires and then inquire into how much that would cost and find a way to fund it. In Manchester turn that on its head. There are never the conversations we have had here tonight because they always have to do with the cost, as was said by Mr. Gelinas and

many others. I think Dr. Brennan hit it on the head. I don't know what the charter might be able to do about that, but I think it is very important functionally that the City begin to look at the fact that an adequate education is a cornerstone to the future and vibrancy of the city. We start deciding what that should look like and then as a community, find the way, however imaginative it might be, to pay for it.

Ms. Comstock stated just two quick comments. I don't want to leave you with the impression that I am here tonight to say to be bold for bold's sake. I am here tonight to say to be visionary and if that requires being bold then be bold, but be visionary about the essence of public education as an investment versus an expense. I would like to leave with those two thoughts.

Commissioner Pappas stated for the Chamber to touch base on Dr. Brennan's statement about businesses in the City and Manchester that used to help pay for the school system and the education. I know this might be a little off subject, but do you see anything on this charter that we could do to assist businesses coming into the City? It might be tough for us, but do you see something?

Ms. Comstock replied I think if you set the foundation so that the school system can thrive and be positive and productive and provide one of the best educations equal to the best in the state of New Hampshire then you are giving us the tools to go out and market this community in a way that makes sense to business people. I would see your role as giving us the framework that would be centered around the public education systems in a very positive, productive and visionary way. I think that would be very helpful.

Commissioner Lopez stated the words 'adequate education', I have heard it three or four times tonight. I believe State law tells you that. I just don't know what it is going to do because everyone in this room, every politician, believes that we should have all the necessary funds to have an adequate education. It is just not there, number one. I would

ask Dr. Brennan, do you think the students in the city of Manchester are getting an adequate education today?

Dr. Brennan replied I believe they are to the extent that we have the resources to make it work. I guess the vision or the boldness is that it is well short of where it should be.

Chairman Duval stated before we adjourn, I want to thank very much Dr. Brennan and Assistant Superintendent Burkush, Assistant Superintendent Tursi, Finance Director DeFrancis and HR Director, Paula. Did you have any comments, Paula, before we adjourn?

Ms. Paula Wakefield, Human Resources Director, stated I would just ask that the commissioners to put away preconceived notions and try to keep as open a mind as possible to the suggestions and recommendations of representatives of our educational community.

Chairman Duval vice chairman of the School Committee Gelinis, thank you very much for agreeing to participate tonight and be the designee on behalf of the School Board and School Committee members who took time from their schedules tonight. I feel very grateful for your attendance and your enthusiastic response to the request to join us tonight. I think it has been a really good input session and I am very pleased and honored as chairman of the commission to have you with us. I appreciate your time. I know you have a lot of meetings to go to, personal and business, relating to government and school matters and taking the extra time tonight is most appreciated.

5. New business to come before the commission.

Chairman Duval stated a couple of house keeping things before we adjourn. I would ask the commission to accept the public hearing on education to take place two weeks from tonight. That will give ample opportunity to get the notices out to those interested in coming before the Charter Commission during a public hearing on the matter of education as it relates to the City of Manchester and the city charter. Is that is agreeable to the commission, I don't think we need a vote per say, but if there is any objection please speak up. We will schedule it two weeks from tonight and that is the public hearing on education for those listening at home.

Commissioner Martin asked at 6:00 p.m.?

Chairman Duval replied yes, 6:00 p.m. in these chambers.

Commissioner Girard stated I would recommend 7:00 p.m., Mr. Chairman.

Chairman Duval stated we have a recommendation from Commissioner Girard for a 7:00 p.m. start.

Commissioner Girard stated if you want people to show up you should go with 7:00 p.m. We did a public hearing at 6:00 p.m. and three people showed up.

Chairman Duval stated that was a different month and at the start of the process. I'm good with 6:00 p.m., but that is only one person. Commissioner Clayton, any comment?

Commissioner Clayton replied I agree; before the holidays I think we were victims of circumstance with the holiday shopping, but I think 6:00 p.m. the next time out, on the 23rd, would be fine.

Commissioner Lopez stated I had a conversation with you, Mr. Chairman, so we are not going through the paperwork, I am looking at the pay structure for the mayor and I will provide the commissioners with all the information so we can make a decision as we move forward.

Chairman Duval stated thank you for reminding me. Commissioner Lopez called me last week and informed me that he was conducting some due diligence, some homework, with regard to the salary of the mayor and such and he is going to proceed with that. I told him to make sure he notified us so we weren't duplicating efforts. He will be reporting his findings to us at the appropriate time when we bring up the topic of that issue. We appreciate your efforts. Thank you very much, Commissioner Lopez.

Commissioner D'Allesandro stated I would like to publicly thank the superintendent for his candor and for his remarks that I think play a vital role in the decision making process and to all of his staff for coming. I think, Ms. DeFrancis, when I want to see the numbers, that is something that I would like to see in the future. I have called your office about that a few times and I really want to see those numbers on the progression, but thanks so much to all of you. Robin Comstock, thank you so much for coming. School Board members, thank you. I think it is so important that those who really know the process and who participate in the process come and speak to us about the process. It is a vital thing for the City and Robin, you put it more succinctly: we are all in this together, we all believe in the City of Manchester, we have staked our lives here in the City of Manchester, our families and so forth and we want our kids to come back. None of my kids have come back to the city of Manchester. They have gone to Bow, Salem, but no one has come back to Manchester. As John so eloquently pointed out, wouldn't it be

great to say that all of my kids are coming back to Manchester because we have this great educational system? We have a commitment and we all want to make the city better.

Chairman Duval stated before we leave, is it the desire of the commission to meet next week in work session on this topic and keep the process going or pick another topic off our list? If there is a suggestion as to what that next topic would be, I'm open to suggestion. We could move along to election reform if you like.

Commissioner Lopez stated we talked about your lawyer and our lawyer. Is it possible, and you can talk about it, Dr. Brennan, for both lawyers with the finance officer to sit down, since there is a division here, and figure out how we are going to solve this problem for the Board of Mayor and Aldermen on the tax cap? Is the School District obligated under the City? I think it is, from the information I said, but I'm not the lawyer. How are we going to solve it when we have two different opinions and we only have one City lawyer? I think that is a major question for the School Board to answer to the Board of Mayor and Aldermen.

Dr. Brennan stated my response is, who is going to pay for it because that is the question they are going to ask me. I think that would be very appropriate if we could arrange that and probably bring in a third lawyer to give the answer, but I think that would be something to talk about.

Commissioner D'Allesandro stated for the record, we have our own legal counsel and we have two contrary opinions, one from the City and one from your legal counsel. Both of those should be made available to us and we should inquiry him and get counsel from him as to what is going to happen. There is a pending party looking at the situation and the research can be done.

Chairman Duval asked Dr. Brennan, could we get a copy of that opinion?

Dr. Brennan replied it is in your packet.

Chairman Duval stated those packets will be given to us tonight.

Commissioner Girard stated just one final note on this legal counsel and I will look it up, but if memory serves me, the city solicitor is in fact the final arbiter under the city charter of what the rules are and if someone wants to challenge him, of course they can take it to court. The School District is still subject to the city charter and therefore, his ruling on the tax cap, if I am not mistaken, is in fact the final ruling. Just a point for the commission.

Commissioner Martin stated the topic for next week, I have the list that we discussed. Shall we discuss campaigns and elections next week? Is that enough time?

Chairman Duval replied I think that is okay. Commissioner Girard had another recommendation. My concern is that we only have a short time to get presenters in to give testimony. Let's mull it over for the evening. I will communicate with commissioners by the end of business tomorrow. I'm thinking that either is fine with me; I just want a chance to recoup.

Commissioner Girard stated we could also continue the discussion that we have started on education without necessarily have to have presenters come in.

Chairman Duval stated that is why I want to take the evening to think about it. Let's think about it and communicate tomorrow. Again, thank you very much for joining us.

*There being no further business, on motion of **Commissioner Martin**, duly seconded by **Commissioner Ashooh**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Chad Martin". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Secretary of the Commission