



LOWELL SCHOOL COMMITTEE

REGULAR MEETING MINUTES

Date:	February 6, 2023
Time:	6:30PM
Location:	Zoom https://lowell-k12-ma-us.zoom.us/j/88543446853?pwd=dEE1S2RydkpkS1k5K1VJSm5lV2lkdz09 Meeting ID: 885 4344 6853 Passcode: 357348

Members of the public may view the meeting via LTC and those wishing to speak regarding a specific agenda item shall register to speak in advance of the meeting by sending an email to the Superintendent indicating the agenda item, a phone number and email address so we can provide a zoom link to access the meeting. Email address is mpalazzo@lowell.k12.ma.us. If no access to email you may contact us at 978-674-4324. All requests must be submitted before 2:00 p.m. on the day of the meeting.

1. SALUTE TO FLAG

2. ROLL CALL

On a roll call at 6:35 p.m., members present were, namely: Mayor Chau, Ms. Delrossi, Ms. Doherty, Ms. Martin and Ms. Thompson. Ms. Chhoun and Mr. Lay arrived at 6:37 p.m.

3. SPECIAL ORDER OF BUSINESS

3.1. This Meeting Is Being Held Remotely in Accordance with the Governor of Massachusetts' March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. C. 30A, Section 20

Ms. Thompson made a motion to adopt remote meeting; seconded by Ms. Martin. 7 yeas APPROVED

4. MOTIONS

4.1. [By Connie Martin and Jackie Doherty]: Request to have Recording Secretary, Mary Sheehan email the approved Scope of Services to the following attorneys: Gwen King of King and Nolan, Douglas McGarrah of Foley Hoag, and Michael Stefanilo of BHPK and request that they respond, in writing, with their statement of interest, their hourly rates, and their relevant experience in conducting similar investigations by Friday, February 10, 2023. As per statutory authority, the School Committee will plan to select the attorney to conduct the investigation at the next scheduled School Committee meeting on Wednesday, February 15, 2023.

Ms. Martin made a motion to approve; seconded by Ms. Doherty. 7 yeas APPROVED



5. NEW BUSINESS

5.1. UTL: Consideration of Proposed MOA for Supplemental Pay for March 1, 2020 to February 28, 2022

Ms. Turner, Chief Financial Officer informed the Committee that the cost to pay the supplemental pay will be approximately \$5 million dollars and is coming from vacancy/salary savings, health insurance savings, out of district tuition savings, and fall reconciliation-unused savings.

Ms. Doherty made a motion to bundle and approve items # 5.1 through item # 5.4 (MOA's for supplemental pay); seconded Ms. Martin. 7 yeas APPROVED

5.2. LSAA: Consideration of Proposed MOA for Supplemental Pay for March 1, 2020 to February 28, 2022

Ms. Turner, Chief Financial Officer informed the Committee that the cost to pay the supplemental pay will be approximately \$5 million dollars and is coming from vacancy/salary savings, health insurance savings, out of district tuition savings, and fall reconciliation-unused savings.

Ms. Doherty made a motion to bundle and approve items # 5.1 through item # 5.4 (MOA's for supplemental pay); seconded Ms. Martin. 7 yeas APPROVED

5.3. SEIU: Consideration of Proposed MOA for Supplemental Pay for March 1, 2020 to February 28, 2022

Ms. Turner, Chief Financial Officer informed the Committee that the cost to pay the supplemental pay will be approximately \$5 million dollars and is coming from vacancy/salary savings, health insurance savings, out of district tuition savings, and fall reconciliation-unused savings.

Ms. Doherty made a motion to bundle and approve items # 5.1 through item # 5.4 (MOA's for supplemental pay); seconded Ms. Martin. 7 yeas APPROVED

5.4. Approval of Supplemental Pay for Unaffiliated Personnel and School Principals March 1, 2020 to February 28, 2022

Ms. Turner, Chief Financial Officer informed the Committee that the cost to pay the supplemental pay will be approximately \$5 million dollars and is coming from vacancy/salary savings, health insurance savings, out of district tuition savings, and fall reconciliation-unused savings.

Ms. Doherty made a motion to bundle and approve items # 5.1 through item # 5.4 (MOA's for supplemental pay); seconded Ms. Martin. 7 yeas APPROVED



5.5. Discussion, Consideration and Selection of Outside Counsel to Conduct the Previously Approved Internal Complaints Investigation.

Mayor Chau asked the City Solicitor to address the Committee. The City Solicitor stated that she had two (2) meetings (Friday and Today) regarding this matter and the recommendation is to pump the brakes on this. She stated that if you know the individuals involved have them contact the law department. She stated right now they have nothing to go on. She stated that she sent Ms. Doherty a list of law firms and unless you have something written down she believes you're setting yourself up.

Ms. Thompson stated that she is shocked. She asked if the conversations were with Attorney Anderson or Attorney O'Connor, and asked if not having the information was due to the fact that it's under the Whistleblower Act. She stated that we don't know the names. She stated that as a Committee we are not suing anyone and that we are doing an investigation and that is important to be cleared for the record.

The City Solicitor stated that she spoke with the former City Solicitor and she provided no names or incidents. She again stated to have the people contact the law department.

Ms. Doherty stated that the plan is to move forward with outside counsel with the recommendations from the law department and stated that we need to move forward and that it's within the Committee's purview.

Mr. Lay stated that we have no information going forward.

Ms. Martin stated that we already voted on this.

The City Solicitor stated that she understands, but they have nothing to go by.

Mayor Chau stated that we took a unanimous vote and we are still moving forward to get the proposals. He stated to the Solicitor that her communication was verbal and asked if she could get something in writing and find out what can be disclosed.

The City Solicitor stated that she would be happy to do that and that she will reach out to Attorney Anderson.

Mr. Lay stated that we should have the complaints.

Ms. Doherty stated that we already voted on this and that we do have something in writing from the former Solicitor. She stated that Attorney Anderson already addressed the Committee and she stated at that time that she will not disclose the information. Ms. Doherty stated that Attorneys were recommended by the former Solicitor and Attorney McKenna and if we don't do something it sends a very cold message to our employees. She stated that it is our job to protect the district and we should move forward and once the Committee selects a firm they can speak to Attorney O'Connor and Attorney Anderson.



Ms. Delrossi stated that these are major concerns and that this is a huge thing. She asked why we wouldn't want the Solicitor's office involved. She stated that these concerns are not new and that we need to have a division in the Law Department regarding this. She stated that we need to start fresh and find out what's going on and that we need to give the Solicitor a chance.

Ms. Martin stated that the very recognition that these problems exist and to state that, as well as the fact that they made them all the way to the Solicitor's office tell us that we need to address them. She stated that the employees have done what they were supposed to do and now it's up to us and it's our responsibility to look into this and our motion was a sign of that moving forward. She stated that by not moving forward we are not doing our job.

Mayor Chau asked Dr. Hall what should be done.

Dr. Hall stated that he agrees that the Committee that they can hire general counsel. He stated that other than that he can't say more than the Solicitor said.

Mayor Chau asked the Solicitor what her time frame would be.

The Solicitor stated a month or two (2) if the folks came to the Law Department.

Mayor Chau asked what will you do to provide information to the Committee.

The Solicitor stated that she will speak to Attorney Anderson.

Mayor Chau stated that he understands that there is a transition in the Law Department's office and stated this his compromise would be to wait two (2) weeks to get more information. He stated that he doesn't have information, but stated that two (2) months is too long.

Ms. Thompson stated that she doesn't know how many times we've gone around this. She stated that a vote has taken place. She stated that Attorney McKenna made it clear that the Law Department couldn't do it. She stated that she believes that she would be remised if this was put into the Law Department. She stated that we are doing an investigation and after we do that we can include the Law Department. She stated that the Law Department needs to be built and that personally and professionally she has a hard time not doing anything. She stated that we need to do this and get the information we need to then decide what we are going to do. She also stated that even if nothing is found to be inappropriate we still did our job.

Mr. Lay asked Ms. Doherty if she has seen the complaint.

Ms. Doherty stated no.

Mr. Lay made a motion to accept the recommendation for the City Solicitor to pump the brakes on this investigation for two (2) weeks; seconded by Mr. Delrossi.

Mr. Martin stated that Mr. Lay's motion is conflicting with the motion on the agenda that was already approved.



Mr. Lay stated that he didn't vote for it and if the record shows he voted for it he wants to change his vote to no.

Dr. Hall stated that he can do a reconsideration of his vote if he is on the prevailing side and that needs to be done within twenty-four (24) hours in writing to the Superintendent.

Mayor Chau asked the Solicitor about the motion and she stated that it appears to be conflicting. Mayor Chau did not move forward due to the conflict.

6. ADJOURNMENT

Ms. Delrossi made a motion to adjourn at 7:30 p.m.; seconded by Ms. Thompson. 6 yeas, 1 nay (Mr. Lay) APPROVED

Respectfully submitted,

**Joel D. Boyd, Ed.D., Superintendent and
Secretary to the Lowell School Committee**

JDB/mes