

**BEDFORD SCHOOL COMMITTEE**  
*September 13, 2016*  
*Bedford High School - Large Group Instruction Room*

**1. Call to Order**

At 7:40p.m., Mr. McAllister called to order the meeting of the Bedford School Committee. Other members present included Ms. Guay, Mr. Brosgol, Mr. Pierce and Ms. Santiago.

**2. Comments from Public**

Mr. Williams of 6 Springs Road in Bedford addressed the School Committee regarding a house he built on 607 Springs Road – a lot that is in Billerica and Bedford. He explained to the School Committee he built this new home based on a letter he received from the Bedford Public Schools stating that since the home has a Bedford address, the residents of the home would be allowed to attend Bedford Public Schools. Mr. Williams explained that this is his first experience with building a new home and he has invested his life savings into this project. He shared an outline of the costs associated with the home with School Committee members.

Over the last few months, Mr. Williams has not been able to move forward with selling the home because Bedford Public Schools has since learned that the home is entirely located in Billerica but it has a Bedford address. Therefore, Bedford only receives a small amount of property tax and Billerica receives the majority. The School Department has been trying to resolve this issue.

Mr. Williams spoke about the financially devastating effects this delay has caused him. He also noted that there are two other houses on Springs Road in the same predicament and that school-aged children living there have been attending Bedford schools.

He is asking the School Committee to honor the letter they gave him and allow any future residents of 607 Springs Road to attend Bedford Public Schools.

Mr. McAllister thanked Mr. Williams for the information he shared with the School Committee and his comments. He explained that the School Committee meeting would continue and that this topic would be discussed later on in the evening.

**3. Personnel Report**

Mr. Sills announced the following:

Resignations:

Sue Rozen	Reading Teacher	High School
Shannon Babu	Education Assistant	Pre-School

Leave of Absence:

Angela Venezia	Physical Education Teacher	Davis
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Appointments:

Kathryn Zolla	Educational Assistant	Pre-School
Shannon Babu	Teaching Assistant/Behaviorist	Davis
Kenneth Yanofsky	Physical Education Teacher- Long Term Sub	Davis
Zuzka Blasi	Academic Achievement Math Teacher	High School

#### **4. Discussion of 607 Springs Road**

Mr. McAllister summarized that after the two summer School Committee meetings held on this topic the School Committee has the following options to consider:

- Allow residents to attend Bedford schools (this was, in fact, defeated by a vote of 3-2 at an earlier meeting)
- To pursue an agreement with Billerica Public Schools to pay Bedford Public Schools the difference (this was approved by the School Committee but Billerica has since said that they are not interested in creating such agreement)

In light of the comments and information shared with School Committee tonight, Mr. McAllister said that the School Committee can vote to come up with a private agreement with Mr. Williams or revote on allowing the children of the residents of 607 Springs Road attend the schools in Bedford.

Mr. Sills clarified that issue is that Mr. Williams build a new property with a Bedford address based upon the School Department's opinion that future residents could attend Bedford schools. The School Department has since learned that this is incorrect and that the law is that children go to school wherever the house sits – not the address. The letter contradicts the law. However, the builder invested a lot of money into this property with the expectation residents would attend Bedford schools. Tonight, he demonstrated the hardship he has endured while we grapple with a solution.

Mr. Sills said he has a fiduciary responsibility to the citizens of Bedford but also has to address the responsibility we have by writing the letter.

Mr. Pierce drew a diagram outlining the potential cost to the town if we were to allow the residents to attend Bedford schools. He estimated it would be \$407,000. He also noted that the School Committee has to determine the amount of damages we caused the builder by writing the letter and then compare the two.

Mr. Brosgol said he feels that the Schools do not have a responsibility to teach the children of 607 Springs Road but he does feel that School Committee needs to make Mr. Williams financially whole.

Ms. Guay said that she does not believe that the law is clear cut. "The builder asked us and we made a mistake." She feels that we should do the right thing which is to allow the residents to attend Bedford schools. She thinks this is a better option than trying to determine a dollar amount that would make the builder whole.

Mr. McAllister said that he thinks it would be very time consuming to figure out an amount of damages that would make the builder whole. He said that Mr. Williams has been waiting since July to resolve this. He said he did not think that the School Committee could figure out a dollar amount tonight. He said that schools are engaged in helping students. He acknowledges that it

was a mistake made by the School department. The builder asked the right people at the School Department and unfortunately, the School Department made a mistake and now has to fix it.

Mr. Sills added that the School Committee has looked at several options including payment in lieu of taxes, which is not allowable. He also said that if the schools are sued, there is a cap of \$100,000 on damages. He believes that if we look to pay a settlement, the money can come from Chapter 70 funds. However it may have to go in front of the Finance Committee for a reserve fund transfer or even possibly a Town Meeting vote. He does not believe that there is the ability to cover a \$200-300,000 settlement from the current year school budget.

Mr. McAllister asked the School Committee to vote on whether to accept the students from 607 Springs Road or to vote on finding funds to pay damages in the range of \$200-300,000 to Mr. Williams.

Ms. Santiago said that after listening and considering the arguments made tonight as well as knowing that there are no other properties like this in town, she feels that the right thing to do is to take a vote on one of these options.

Mr. Pierce said that the School Committee needs an expert to determine the right amount of damages and that this could not be done tonight. He is not even sure that the Schools could pay damages. However, allowing residents of this property to attend Bedford Schools is a lifetime issue. He thinks we need more time to figure out the real cost of damages.

Mr. Brosgol said that the School Committee needs to settle on a range of damages tonight and that the Committee is responsible to Mr. Williams and not the residents of the property.

Ms. Guay said she has not changed her mind. She believes that the Schools created the situation and that too much time will be spent figuring out the appropriate amount of damages. She is not even convinced that the Schools have the authority to pay damages.

Mr. McAllister agreed that it will take a lot of time to come up with the right amount.

Mr. Brosgol asked Mr. Sills about his thoughts on whether the Schools have the ability to pay damages. Mr. Sills said that the schools do control Chapter 70 funds but this is based on conversations he had with Town Counsel.

Mr. McAllister asked for a motion.

Ms. Guay made the following motion:

**MOVED: That the School Committee allow any children residing at 607 Springs Road to attend the Bedford Public Schools.**

**MOTION SECONDED by Mr. McAllister**

**MOTION APPROVED: 3-2-0 ("No" votes by Mr. Pierce and Mr. Brosgol)**

**5. Adjournment**

Ms. Guay made the following motion:

**MOVED: Motion to adjourn at 8:20 p.m., not to reopen.**

**MOTION SECONDED by Ms. Santiago**

**MOTION APPROVED 5-0**

**Roll Call Vote:**

<b>Mr. McAllister</b>	<b>Yes</b>
<b>Ms. Guay</b>	<b>Yes</b>
<b>Mr. Brosgol</b>	<b>Yes</b>
<b>Mr. Pierce</b>	<b>Yes</b>
<b>Ms. Santiago</b>	<b>Yes</b>

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School Committee Secretary

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Date

**BEDFORD SCHOOL COMMITTEE**  
**September 13, 2016**  
**Exhibits/Documents**