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**Portsmouth School Board  
Portsmouth, New Hampshire**

**Minutes of the July 1, 2008 Special School Board Meeting**

A special meeting of the Portsmouth School Board was held on Tuesday, July 1, 2008 in the Eileen Dondero Foley Council Chambers at Portsmouth City Hall.

*Attendance*

**PRESENT:** Dr. Mitchell Shuldman (Chair), Mr. Brendan Ristaino (Vice-Chair), Ms. Rebecca Emerson, Ms. Sheri Ham Garrity, Mr. Kent F. LaPage, Mr. Dexter Legg, Mrs. Lisa Sweet, and Mrs. Ann Walker

**ABSENT:** Mr. Stephen Zdravec (Assistant Superintendent), Mrs. Linda Briolat (Employee Representative) Mrs. Ann Mayer (SAU 50 Representative) and Ms. Abigail Rockefeller (Student Representative)

**PARTICIPATING:** Dr. Robert J. Lister (Superintendent of Schools) and Mr. Stephen T. Bartlett (Business Administrator)

*Call to Order*

Chair Shuldman called the special meeting of the Portsmouth School Board to order at 7:55 p.m. He stated that tonight's agenda would be limited, starting with a public commentary session, a vote on a preferred option site for the Middle School, a vote on the settlement of the teacher's contract, and to determine a date for the next worksession on the Middle School.

**PUBLIC COMMENTARY SESSION**

*Public Commentary Session*

Chair Shuldman reminded those that wanted to address the Board during the public commentary session that they limit their remarks to three minutes each.

*Middle School Site Options Left or Right*

Mrs. Patricia Gormley, 579 Sagamore Ave, Portsmouth. Mrs. Gormley asked the Board to keep in mind programs and size, while deliberating on the two options for the Middle School site. While keeping that in mind, which site could be downsized and what benefits that would pose. Mrs. Gormley stated her disappointment that there was a complete dismissal for not using the current footprint of the school without the need to encroach either left or right. She stated that there were concerns of building a "green" building that doesn't use as much of a footprint and would help on future energy costs. She was concerned that neither option had the related costs of moving left or right. Mrs. Gormley felt

that the use of modulars/trailers during construction would be better than the conditions of the current Middle School and hoped that during the selection of the design, the dismissal of the use of modulars/trailers didn't limit the options for the design.

Ms. Sara Hamel, 579 Sagamore Avenue, Portsmouth. She felt that by making the options of either going left or right, there is an assumption that the building would be 154, 000 square feet and would be taking up more space than the current building; thus, ignoring State reimbursement, the discussions of having an auditorium, and the limits of the land left or right. Mrs. Hamel feels that the master plan for Portsmouth is to keep and maintain all open space. She felt that costs involved moving the softball field needed to be considered and made clearer to the citizens of Portsmouth.

Mr. Jerry Stowe, 579 Sagamore Avenue, Portsmouth. Mr. Stowe stated that he was surprised that the size of the building was not discussed before the location was determined. He reminded the Board of what Mr. Murdough from the Department of Education stated when he saw the square footage of the proposed building and he thought that it was huge. As we reduce things perhaps we can gain some parking to alleviate some of the problems and lessen the burden on the taxpayers.

Mr. Pat Ellis, 235 McKinley Road, Portsmouth. Mr. Ellis stated that both plans seem to have a lot of problems. Going to the left impacts space in a negative way, as open space in downtown can never be replaced. He also stated that there is an impact on the library with an overburden on the parking lot with the discussions of busses in that area in the afternoon. Mr. Ellis further stated that by taking the land to the left might delay the process as he wants the Middle School process to move along. He hopes that exploring options to the right that JCJ develops more creative ideas to make that a more dynamic space.

Mr. Paul Elkins, 35 Rogers Street, Portsmouth. Mr. Elkins is opposed to the plan to the right for several reasons. He feels that it is too large and sprawling for the City, let alone his neighbor. He thought that we have stopped tearing down houses in this City and that the house to the right has two units in it. The Senior Center would be torn down, which was just renovated a few years ago. He stated when the library discussion took place five to six years ago, the decision to keep it downtown was for the seniors and now you want to move the seniors. You would be losing green space with the removal of eight trees by going to the right. Mr. Elkins does not feel there is enough area for a bus to go around the school and make a turn onto Rogers Street as there is just no room. He has seen busses get stuck and make four point turns to turn around. Mr. Elkins stated that his children could not remember

ever using the softball field while they were in school. He feels that the softball field is used very little, possibly three months out of the year and by mostly adults. He urges the Board to look at more than just the numbers and how it will fit in the City for years to come.

Mr. Carl Diemer, 337 Aldrich Road, Portsmouth. Mr. Diemer stated that he was on the original Middle School feasibility committee five years ago. The proposal from the first feasibility committee was not accepted and a second feasibility committee was formed. The second feasibility committee failed because they could not make a decision. Over time there has been a lot looked at over the past five years. One year ago, the Portsmouth Study Circles came to the decision to stay at the current site. However, we are no further ahead now than we were two years ago. We are at \$50 million dollars for the estimated cost of the renovation of the current school where we were at \$42 million dollars two years ago and to build a new building we were at \$38 million dollars. He felt that we would never be able to meet what a new school would have brought us by meeting State standards and being cost effective at a much lower price. The \$38 million included fields and parking. Currently, we are only taking over the recreational fields without creating any more green space. It will definitely be a loss of green space for downtown Portsmouth. He feels that \$50 million is excessive and that this number is before parking, which could bring it up to \$54 million, and that this number is before any acquisition of property to the right, or the legal costs involved with obtaining the Pierce land. He would like the Board to think about and consider building a brand new school at Portsmouth High School within the junior varsity fields. This could be built properly with all State standards met for State reimbursements. As Councilor Spears recommended, the fields could be placed on the Sagamore Creek area, which would be reimbursement qualified for the fields. The Board needs to make the right decision for the children, the citizens and the taxpayers of Portsmouth.

Mr. Eric Weinrieb, 9 Middle Road, Portsmouth. Mr. Weinrieb stated that he takes offense at the last speaker remarks on the second feasibility committee. He was on the second committee and they had come to the decision that both sites were viable. He does feel that going left and further encumbering the Pierce land, as it is already used for access, parking and building, would be a good use of the land. He feels that it would provide a good campus feeling between the library and the school, plus, we could keep the seniors on Parrot Avenue.

Mr. Chester Chellman, 430 Richards Avenue, Portsmouth. Mr. Chellman stated that, going back to what the Chairman stated at the beginning of the meeting, this is the opportunity to create a building that

is more than just a school. He stated this is a great opportunity to create a design that links the library and the Middle School together. Both proposals will place further deed restrictions on the Pierce land, not a Trust, not Pierce property, but City property. He further stated that access, parking and the softball field do not comply with the original restrictions. Things have changed since 1913 and the property is no longer a swamp as it was then. He feels that it is time to remove the restriction from that property. Mr. Chellman stated that you cannot ask people in a constrained condition, as everyone working in the Middle School, to ask them what they need. They will not have a rational response to that. The design team needs to be challenged as to the size consideration.

Ms. Kathryn Brandin, 495 Middle Road, Portsmouth. Ms. Brandin agrees with Mr. Diemer, but realizes a new school is off the books. She further stated that possibly, once we start looking at costs, we could look at a new school at that time. She would like to have clearer information brought forward to the public and not have decisions made prior to any public meetings. Ms. Brandin stated that the size does meet the State regulations and that the current footprint is very undersized. Ms. Brandin wanted to state that the teachers at the Middle School are rationale educators and can state what their needs are. She stated that we need to listen to the educators at the Middle School, the parents that drop-off and pick-up students. The field is used by field hockey, softball, the girl's high school varsity softball team, and the Middle School gym classes.

Ms. Sally Martin, 97 Deep Meadows, Exeter. Ms. Martin stated that she is a teacher at the Middle School. She feels as though she is a rationale person and wants to discuss the educational narrative process. She stated that options of design and options of things that could be included in the Middle School had to be brought to their attention. She stated that they were unaware of things that exist in schools across the State and as Mr. Stokel mentioned, "you don't know what you don't know". Ms. Martin further noted that they were probably more constrained in what they thought about as possibilities rather than extravagance. Indeed there was a lot of rationale thought that went into the educational narrative.

Mrs. Lee Roberts, 40 Howard Street, Portsmouth. Mrs. Roberts stated that from what she has learned, the building is far larger than other middle schools within the State. She stated that size does not always make for a better school. Sometimes a smaller school with great faculty makes the better school. Mrs. Roberts stated that she is a parent, a grandparent and has a daughter that is a teacher. She wanted to stress that funding and costs are the most important element that needs to be

thoroughly addressed.

Ms. Kathy Pearce, 876 Woodbury Avenue, Portsmouth. Ms. Pearce stated that she is the Portsmouth Middle School librarian. She has doubts about the option to the left and fears with the Pierce deed restrictions that legalities will delay the process and the progress. She also stated that she looks out over the softball field and stated that it is used all the time. Ms. Pearce stated that having fields near the school versus going elsewhere is very advantageous as the science class goes out to shoot rockets, the physical education classes meet in that field, eighth grade field day is held in that field, and eighth grade lunch is held there. Ms. Pearce stated that she also looks out over the parking lot shared with the City Library. She goes to the public library almost every day because of share books and resources, and she hears patrons stating that those teachers should not park in the library's parking lot. Ms. Pearce noted that the library's actual parking lot is very small and does not meet the needs of the patrons as the numbers have grown since the opening of the new building.

Chair Shuldman closed the public commentary at 8:30 p.m.

### **AGENDA**

***Motion on Preliminary  
Option for the Middle  
School site***

Chair Shuldman called for a motion regarding the preliminary option for the Middle School site.

Motion: Vice-Chair Ristaino moved, seconded by Mrs. Walker to send to City Council a preferred option of a building to the left of the current Middle School.

Ms. Emerson stated, that when the size discussion takes place, she believes that we will be using very little of the deed restricted land and is in favor of the motion.

Mr. Legg stated that he is in favor of the motion. He further stated that these are two terrific site options with strengths and weaknesses to either one. He stated that the general agreement over the four or five year process was that the City wanted to reuse this space, keeping with the historical character of the City and to keep the space at the Jones Avenue option as open space. Mr. Legg stated that this created challenges for the committee as well as for the architects. Mr. Legg feels that the left site option connects with the library, forms a campus-type environment, is sensitive to the neighborhood, has less impact on the resident areas, and provides us with flexibility for future growth.

Mr. LaPage is voting in opposition to the motion as he feels we will

have a very lengthy delay by going to the left. He stated that when the library was being built there were discussions for over a year and that the end result was “hands off” the Pierce property. He further stated that it is the third largest green space that we have downtown. He also stated that the same individuals that stated it was a conservational issue if we built on Sagamore/Jones Avenue site don’t think it’s a problem building on green space such as the Pierce land. He further noted that we have had three referendums in the last ten years and the City’s master plan states we should keep all green space open. Mr. LaPage stated that this land was designed to be open and allow green space in the City of Portsmouth and believes that the City will be in court for over two years with this issue.

Mrs. Walker stated that she supports the motion and hopes that we can remove the deed restriction and offer something positive to the Pierce family and work things out in a positive way.

Mrs. Sweet stated that she will be supporting the motion and does not want to see any delay by being hung up in court. She agrees with everything that Mr. Legg stated and likes the commons, which is the heart of the building, not offered in the building to the right. She also stated that she hopes that an agreement with the Pierce family can be worked out in a positive manner.

Vice-Chair Ristaino stated that we needed to move this process along and conversations with the Pierce family by the City starts this process. He further noted that everyone speaking tonight during the public commentary had valid points. He also mentioned that nothing is finalized, but does start the process and allows it to move along.

Chair Shuldman stated that there is definitely a need to build a new Middle School. He noted that the term used is renovation, but for the amount of work needed throughout the building it is considered new construction by the State, only the shell will remain. He stated that as we move forward with this option we need to work together with the City Council to help solve some of the issues with the decision.

A roll call vote was taken. The motion was approved, eight to one (Voting in favor of the motion: Vice-Chair Ristaino, Ms. Garrity, Ms. Emerson, Mrs. Walker, Mr. Legg, Mrs. Stevens, Mrs. Sweet, Chair Shuldman)  
(Voting against the motion: Mr. LaPage.)

***Vote on Teacher’s Contract***

Chair Shuldman wanted to publicly thank those who served with him on the administrative team for the teacher’s contract negotiations. Members included: Mr. LaPage, Mr. Legg, Dr. Lister, Mr. Zdravec,

Mr. Bartlett, Ms. Fogarty, City Human Resource Director and Mr. Flygare, City Negotiator. He further stated that at a meeting earlier with counsel, the details of the contract were discussed and a vote is needed tonight in order to pass it on to the City Council. He feels that this contract reflects a very progressive and innovative teacher's contract and that the City has achieved many of its objectives that they have asked the teams to consider. Chair Shuldman listed a few of the highlights.

1. Ten-year rolling COLA average. Next year (2008-2009) at 3.14%
2. Health Care Co-Pay 19% in 2008-2009 to 20% in 2010-2011
3. Salaries at 13 steps with 10-year COLA average beginning in 2008-2009 for five years of the contract.
4. Advanced Degree Schedule Steps 1-12: Increase by rolling 10-year average COLA each year for 5 years, except 2011-12 will be COLA plus \$300, in exchange for the Board's Professional Learning Projects proposal and one professional development day added in each 2008-09 (186 days) and 2011-12 (187 days).
5. Advance Degree Schedule Step 13: In exchange for the Board's Professional Learning Projects proposal and two additional work days (one in 2008-09 and one in 2011-12). Also for Advanced Degree Schedule – Step 13: Beginning 2008-09 through 2010 - Rolling 10-year average COLA plus 5% plus \$750; 2011-12 – Rolling 10-year average COLA plus \$300; and 2012-13 – Rolling 10-year average COLA.
6. Longevity: 2008-09 – More than 13 years: \$2,729; more than 16 years: \$3,276 and more than 20-year eliminated.  
Interdisciplinary Council – For teachers with more than 25 years of service in the District are eligible to join the Council. The Council will meet no more than quarterly during off-duty hours at the call of the Superintendent to provide input on curricular and instructional issues to the Curriculum Council. Attendance at meetings will be mandatory. Eligible teachers joining the Interdisciplinary Council will be eligible for a \$4,000 base rate adjustment in lieu of a longevity adjustment.

Chair Shuldman stated that this is a new way for teachers to move through the advanced degree schedule. As many of our faculty have their Master's Degree, this is a way to encourage faculty to engage with each other in very rigorous, action research projects that might impact what they do in their classrooms, student achievement, and grading. A process has been developed for teacher's to put together a proposal for submission to a team of three members of the teaching staff and three administrators. All projects would need to contribute to progress on district/building goals/initiatives including, but not limited to literacy, personalization, technology, power standards and assessment.

Chair Shuldman stated that a clearer explanation of all contract terms would be presented to the City Council.

Motion: Mr. Legg moved, Mrs. Walker seconded, to accept the contract as Dr. Shuldman has summarized and that Mr. Flygare has submitted in detail and that we submit that contract to the City Council for approval.

Mr. Legg stated that he wanted to compliment the teachers on their professionalism throughout the contract negotiations. He feels that this is a great program that will focus our professionals to develop their skill sets to help our children.

Mr. LaPage also wanted to thank the teachers and Mr. Flygare for their input during the teachers' negotiations. He further wanted to give credit to Mrs. Linda Briolat and Ms. Janet Lovering, as they were outstanding spokespersons throughout the process.

Chair Shuldman mentioned that the cost to the City in terms of what we are getting for the first year is less than one percent above the COLA of 3.14%, actually comes in at 3.9%. He stated that this is a win-win situation for all concerned.

Dr. Lister also wanted to thank all of those involved and that the creativity of this contract and the thinking "out of the box" was very appreciated. He further noted that there was sensitivity to the taxpayers in looking at continuing to recruit, train and retain the best teachers in Portsmouth for the children of Portsmouth. He further stated that he is very happy that the focus remained on teaching and learning.

A roll call vote was taken. The motion was unanimously approved.

***Worksession on the  
Middle School***

Chair Shuldman asked members of the Board to submit some dates in July to Dr. Lister for the worksession on the Middle School to discuss programs and size. Vice-Chair reminded the members to submit questions to Dr. Lister ahead of time. Mr. Legg wanted to be sure that Mr. Stokel and others from his staff are included to discuss programs. Ms. Garrity suggested a 6:30 p.m. start time and Ms. Emerson requested that the worksession be held at City Hall or be televised at a different location.

Mr. LaPage stated that possibly a trip to Weare Middle School could be arranged so that the members of the Board could see a building of approximately the same size as what we are looking at. Chair Shuldman felt that this could be arranged.

**NEXT MEETING**

***Next Regular Board Meeting, July 8, 2008***

The next regular meeting of the Board will be Tuesday, July 8, 2008 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers at Portsmouth City Hall.

**ADJOURNMENT**

***Adjournment***

There was no further business to come before the Board. On a motion by Ms. Garrity, seconded by Mrs. Walker, the Board unanimously voted to adjourn. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Dr. Robert J. Lister  
Executive Secretary

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