



**CITY OF DOVER**

## JOINT ADEQUACY FUNDING COMMITTEE - MINUTES

Meeting Type: Joint Adequacy Funding Committee Meeting  
Meeting Location: Superintendent's Conference Room, McConnell Center  
Meeting Date: **Thursday, April 11, 2013**  
Meeting Time: **6:00 PM**

### 1. CALL TO ORDER

Mr. D'Andrea called the meeting to order at 6:05 p.m.

### 2. ROLL CALL

Present: City Manager Joyal, Mayor Trefethen (arrived at 6:20 pm), Councilor Weston, Superintendent Briggs Badger, School Board Chairperson D'Andrea (left at 7:00 pm), In addition, State Representative Verschueren, Senator David Watters, Carolyn Mebert, Robin LaFleur, public citizen

Chairperson D'Andrea asked Ms. Russell to Chair the meeting since he would need to leave the meeting early.

### 3. APPROVAL OF MINUTES

Rocky D'Andrea moved, Karen Weston seconded allowing Representative Verschueren to request a change to meeting minutes of March 13<sup>th</sup> meeting. An oral **VOTE PASSED 4/0**. Rep. Verschueren asked that his comment on page two of the minutes be changed to say that it would not be to Dover's advantage if wealthier towns were included in the coalition. Many towns would not want them to have increased adequacy aid since they do not need it as much as others.

Minutes were approved unanimously.

### 4. OLD BUSINESS

Discussion of Recording and Televising Committee Meetings

Rocky D'Andrea moved, Mike Joyal seconded for discussion not to record or televise joint adequacy funding.

Mr. D'Andrea stated that he would recommend not televising these meetings because typically other sub committees are not televised and he would prefer not to spend taxpayers money on it.

Ms. Briggs Badger added that an update could be given at Joint Fiscal Committee meetings which are televised.

Mr. Joyal stated that Councilors requested that these meetings be recorded and placed on Channel 22 and the City website. In most cases, councilors prefer that meetings are televised. Mr. Joyal added that he is torn as to whether they should be televised since he would like to provide as much access as possible, but this committee deals with information that could go to the legislature and there are communities who would be opposed to Dover's position. He would



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like this committee to be successful and the effort to benefit the community and this may be more difficult if they are televised.

Ms. Weston commented that some members of the committee and council have already been contacted by other communities to try and find out what Dover is planning. She added that if litigation is discussed, meetings should not be televised. If there is just general discussion, they should be televised, or recorded at the very least.

Mr. D'Andrea commented that if the committee is ready for some sort of action, other involved communities should be invited. He added that he agrees with Mr. Joyal that if there is litigation plans, meetings should not be televised.

Mr. Joyal offered a compromise of posting an audio recording online with the meeting minutes.

Ms. Weston stated that many people who were sent a preliminary email have been contacting councilors regarding this issue. There seems to be large interest in the subject. She continued to say they have been contacting counsel to determine their best plan of action.

Ms. Briggs Badger suggested sending a letter to superintendent's inviting them to an informational meeting.

Rocky D'Andrea moved, Mike Joyal seconded to amend the original motion to allow audio taping of the meetings to be posted online with meeting minutes. An oral **VOTE PASSED 4/0**.

### **5. NEW BUSINESS**

#### **Legislative Update—Rep. Verschueren/Sen. Watters**

#### **Seeking Legal Opinion**

#### **Discuss Action Plan (Next Steps to be taken)**

Senator Watters stated that he and Representative Verschueren sent a letter to the finance committee and met on April 10<sup>th</sup> with Molly Connors from the Governor's office. They explained the history and current situation to her.

Senator Watters stated he doesn't want to go into a meeting with Senator Morse unless there is a clearer plan and the support from the Governor's office.

Representative Verschueren stated that if they only look at underfunded towns with growing enrollment, the cost would be approximately \$2 million. The strategy is to create limited criteria that would help Dover. Dover is third highest in growth behind Bedford and Windham. It is clear that the other two communities would most likely not receive aid since they have more resources.

Dr. Mebert added that if free and reduced lunch numbers are included, the search becomes even narrower. Ms. Russell agrees that this would be logical third criteria.



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Senator Watters added that it is difficult to know what is a reasonable strategy. He continued to say that when litigation is discussed, people tend to listen more. His recommendation would be to create a coalition and explore a possible litigation and then go to the Governor.

Rep. Verschueren stated that he spoke with Rep. Neal Kirk who is a member of the Finance Committee and requested more information on the problems with the adequacy funding. He could help to make the situation more palatable in the next biennium.

Rep. Verschueren commented that Senator D'Allesandro from Manchester may be able to help since he was instrumental in determining the formula. He was told that the formula is very beneficial to Manchester so he is unsure as to how open he would be with to meeting on this, but it is something that should be determined. Ms. Briggs Badger offered her assistance in scheduling a meeting with Senator D'Allesandro.

Dr. Mebert stated that whoever is meeting with the senators should keep in mind that before 2010, there were things written into the formula that dealt with poorer communities. She believes this is how Manchester received \$12 million over the straight formula.

Rep. Verschueren added that it became clear that this has been an unplanned consequence and not a planned result. The District needs to be careful how it speaks about other communities.

Mr. Joyal stated that the City is not addressing overfunding, just wants to correct Dover's shortfall.

Ms. Weston added that smaller communities would prefer that a percentage is used as opposed to a dollar amount. Larger cities are not the only ones who are losing money. On a proportional basis, smaller communities are losing as well.

Mr. Trefethen reiterated that the criteria need to be narrowed so that Dover is placed in a favorable position.

Ms. Russell stated that just receiving the \$287,000 is significant. It would allow for retaining several teachers. Senator Watters added that the time period in discussion is the second year of the state budget.

Senators Watters commented that figures should be produced by the State. If this is done, legislators are more apt to take them seriously. It would be a better option than if Dover were to generate the figures.

Ms. Russell stated concern that if too many criteria are added, the only result would be Dover, which she feels would be difficult in a coalition type setting.



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Mr. Joyal recommended using the Legislative Budget Assistance office as a resource for reviewing statistics and criteria. He also added checking enrollment numbers used for accuracy.

Mr. Joyal asked if Dover has a good chance of success in the 2<sup>nd</sup> year of a two year budget.

Senator Watters responded that there would be a minimal chance of getting funding, which is why they should try and make a case for this budget.

Rep. Verschueren added that even if a policy bill was passed next year, the next legislature could suspend it, saying there is no funding.

Ms. Briggs Badger asked if Senator Watters or Representative Verschueren know of Senator Stiles plans for introducing the amendment.

Senator Watters responded these types of amendments have failed in the past.

Mr. Trefethen added that even if it passed the legislature, it wouldn't go to voters until 2014 and then ultimately 2016. His recommendation would be to stay out of the constitutional amendment. It's not a likely scenario and could harm Dover as easily as help. He added that battles need to be picked carefully and go for what we think we can get.

Mr. Joyal asked what the city can do to help at this point. Senator Watters stated he would start talking privately with senators next week to see if they are receptive. At that point, Dover residents could start contacting senators and the Governor's office. Dover should also move forward with the coalition.

Rep. Verschueren added that legal counsel should also be considered so that Dover is ready when needed. He asked to be made aware of towns that are responding so he has an opportunity to speak with them. Ms. Weston stated that the towns asked to remain anonymous until they speak with their legal counsel.

Ms. Briggs Badger asked if the Senators had talked with anyone regarding the letter that she sent out last month. Neither had heard anything from it.

Dr. Mebert added that the total amount it would cost the state to provide just for the free and reduced lunch students would be less than the total, and would be for \$1 million for 13 communities.

Ms. Briggs Badger commented that this would be more palatable since the funding would be tied to poverty and to growth. This should politically make more sense.



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Ms. Russell stated that the School Board did discuss the possibility of a legal option at the most recent meeting and they decided that it would be worthwhile to pursue since Attorney Volinsky would provide a meeting at no cost.

Ms. Russell added that if there is litigation it should come from the School portion of the city. Mr. Joyal added that the School department is a department of the City and doesn't need to go to the City Council.

Mr. Trefethen stated that the committee can make a recommendation to get counsel and will probably not incur a large initial charge.

Senator Watters stated that the questions below may be key questions to ask:

1. Under Claremont I and II, does funding formula fulfill requirements of the Supreme Court?
2. Are there grounds to argue for Dover?

Mr. Trefethen noted that the "cap" is what is causing the real problems. It was agreed that everything is based on the cap.

Mr. Joyal commented that the legal opinion is usually written based on questions asked. He asked the legislators if it would be helpful for them to have something in writing.

Senator Watters responded that all that needs to be said is that there seems to be some grounds for a legal suit.

Ms. Russell stated that Attorney Volinsky would most likely be the reasonable choice since he is familiar with the Claremont case. Dr. Mebert added that there are other decisions found online.

Ms. Weston asked if Mr. Volinsky would speak with the council. Mr. Joyal recommended that he meet with the Joint Adequacy Committee since it would be more intimate than the entire Board and Council. Ms. Briggs Badger stated that she would ask to invite him to the meeting, but added that he mentioned he would speak with the "School Board" at no cost in a public meeting.

Mr. Joyal noted that he most likely wouldn't provide too much information on a complimentary basis. There will probably be minimal depth and details, but would be a good way to determine if Dover would like to take a legal route.

Ms. Briggs Badger will contact Attorney Volinsky to invite him to the next Joint Adequacy Committee meeting.

Ms. Joyal suggested organizing a coalition if Senator Watters and Rep. Verschueren are going to be able to refine the target group that meets the criteria.

Ms. Briggs Badger asked for clarification on who should be included in the coalition.



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Mr. Joyal stated that the legislative budget office can help to determine who would be in the coalition.

Senator Watters added that the coalition members should consist of districts who don't believe the formula is working.

He added that the coalition should be formed at this point for informational purposes.

Ms. Weston asked how they should make information available before the June 30 deadline.

Representative Verschueren responded that they aren't looking for a structural change right now, but trying to address FY15 budget.

After speaking with Senator D'Allesandro, there may be a better idea as to how large the coalition should be.

Senator Watters suggested that the District gets figures in various forms and send out general information sometime next week.

Ms. Briggs Badger asked if this should be sent to towns that are still growing.

Mr. Joyal added that the 13 communities should be narrowed further with other criteria. This should be the focus group.

Senator Watters stressed that legislators prefer to have options with different rationales.

It was decided that Ms. Briggs Badger should not contact anyone until numbers identifying communities that are underfunded, growing, and with poverty are received.

Dr. Mebert noted that she has quite a bit of data that will help to determine these criteria.

Mr. Trefethen agreed that this would help, but we should wait to receive state generated numbers (requested by Rep. Verschueren).

Dr. Mebert added that in FY14 there are 29 underfunded communities. These communities would be the best place to start.

At the next meeting, there should be a narrow band of communities with whom to reach out in late May.

Mr. Trefethen asked Ms. Briggs Badger if there is any indication that other communities will go to their state representatives to press the case.



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Ms. Briggs Badger responded that there has not been a lot of interest yet, but has heard from Hampton and is starting to see some interest.

Mr. Trefethen added that it's most important that legislators are speaking with other legislators. Senator Watters added that if Senator Stiles was involved, she would be very influential.

Ms. Briggs Badger will invite Attorney Volinsky to the May 2<sup>nd</sup> Joint Adequacy Committee meeting.

The next meeting is scheduled for Thursday, May 2 at 6:00 pm at the SAU Conference Room.

**CITIZEN'S FORUM: None**

### **6. ADJOURN**

The meeting was adjourned at 7:32 p.m. An oral **VOTE PASSED**.