


ARLINGTON SPECIAL TOWN MEETING

Article 6 – Substitute Motion

VOTED: That the Town of Arlington, pursuant to G.L. c. 71 Section 16(d) hereby disapproves of and rejects the Minuteman Vocational Regional School District's ("District") \$144, 922, 478 debt authorized by vote of the District School Committee on or about March 15, 2016 for the purpose of paying costs of designing, constructing and originally equipping a new District school, to be located at 758 Marrett Road, Lexington Massachusetts, and for the payment of all other costs incidental and related thereto.

COMMENT: In order to ensure Arlington is not forced to incur debt on the new Minuteman High School Project, it must vote to disapprove of the debt authorized by the Minuteman School Committee within sixty (60) days pursuant to G.L. c. 71 c. 71 §16(d) and Section IV (I) of the Regional Agreement (as revised on March 11, 2016). On March 15, 2016, the Minuteman School Committee voted to authorize borrowing for a \$144, 922, 478 Project, for which Arlington would have to pay its representative share.

Submitted by,



Charles T. Foskett
Town Meeting Member
Precinct 8, Date: May 9, 2016

Why We Must Veto Minuteman STM Article 6



TOWN MEETING SHOULD VOTE NO ON MINUTEMAN STM ARTICLE 6

By C. Foskett, Precinct 8

May 8, 2016

Cost, Risk and Fairness Point to No

Cost:

- At \$144.5 million the project is too expensive for 628 students, only 458 of which, at best, will be from Member Towns.
- If the Bond is not vetoed, Arlington is committed to about \$33 million or more of capital expense. This year there are only 120 Arlington students at Minuteman.
- Minuteman is already the most expensive vocational school in the state, this project will add an annual capital cost of \$10,000 per student to Arlington's assessment.

Risk:

- Minuteman enrollment is in a ten-year decline. Six towns are exiting. Enrollment in the remaining ten towns has declined 19% in the last ten years.
- Arlington's enrollment is down by 13%. But the enrollment in the other nine towns is down by 22%, and we are supposed to rely on them to share the cost burden.
- DESE changes will make it harder to recruit Out-of-District (OOD) ninth graders to the district. An additional \$8,500 or more capital charge will further reduce OOD students. We can't rely on enrollment growth.

Fairness:

- Arlington has to expand its Middle School, increase capacity in the elementary schools and rebuild Arlington H.S. The Minuteman capital expense is \$275,000 per student.
- Recent estimates of Arlington's middle school expansion indicate a cost of \$40,000 per student. A rebuilt Arlington HS might cost in the range of \$68,000 to \$70,000 per student.
- The Minuteman projects puts other Arlington projects at risk of taxpayer fatigue, potentially denying critical benefits to a larger number of students.

The Alternative:

- THE MINUTEMAN DISTRICT PROJECTS THAT A SMALLER RENOVATION WILL COST \$100 MILLION.
- MINUTEMAN'S EVALUATION OF THESE COSTS WAS BASED ON BROAD AVERAGES AND A HIGHLY EXAGGERATED 6% ANNUAL INFLATION COST.
- MINUTEMAN'S LACK OF DUE DILIGENCE IN THIS REGARD IS SHOCKING. THEIR REPORT IS JUST ANOTHER PROMOTION FOR THE FULL REBUILD PROJECT.
- THE ALTERNATIVE PROVIDES FUTURE FLEXIBILITY, NOT A FIXED AND UNESCAPABLE CAPITAL BURDEN

Enrollment Decline at Minuteman

In this century, MM enrollment peaked around 2005, more than ten years ago. The MM plan calls for 458 member Town students. This year, after six towns exit, there will be only 335 Member Town students.

Planning an increase of 28% enrollment from nine towns

that have had a ten year decrease of -22% is planning on a triumph of hope over experience.

The likely outcome is continued shortfall from Member Towns, a sharp drop in OOD enrollment and ever higher capital assessments for Arlington taxpayers.

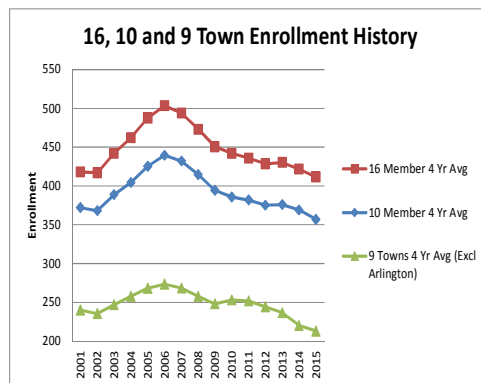


Figure 1. Ten Year Enrollment Decline

A Summary for NO

- The cost is too high for the benefits.
- Minuteman will not meet its enrollment goals:
- Member enrollment decline
- New DESE barriers for ninth grader OOD enrollment
- Higher capital charge for OOD towns
- Extra capacity in adjacent Vocational Districts
- Minuteman has not diligently examined the alternatives
- Missed enrollment targets will drive Arlington's capital burden ever higher

Why We Must Veto Minuteman STM Article 6

The Law Says:

- ⇒ Minuteman must notify Towns within 7 days of the vote to borrow money
- ⇒ Towns have 60 days to veto the action by the Minuteman School Committee
- ⇒ There is no provision for a conditional approval or conditional veto
- ⇒ There is no authority given to Town Counsel or to Bond Counsel

M.G.L Chapter 71 Section 16d: Why a Veto is Necessary

[A regional district has the power...]

To incur debt for the purpose of acquiring land and constructing, reconstructing, adding to and equipping a school building or for the purpose of remodeling and making extraordinary repairs to a school building relating to any of the above purposes; provided, however, that written notice of the amount of the debt and of the general purposes for which it

was authorized shall be given to the board of selectmen in each of the towns comprising the district not later than 7 days after the date on which the debt was authorized by the district committee; provided further, **that no debt may be incurred until the expiration of 60 days after the date on which the debt was authorized; and provided further, that before the expiration of this period any member town of the**

regional school district may hold a town meeting for the purpose of expressing disapproval of the amount of debt authorized by the district committee, and if at that meeting a majority of the voters present and voting express disapproval of the amount authorized by the district committee, the debt shall not be incurred and

MINUTEMAN SCHOOL COMMITTEE APPROVED A BOND AUTHORIZATION ON MARCH 15. ARLINGTON 'S DEBT EXCLUSION REFERENDUM IS ON JUNE 14.

The BoS Failed to Call a Timely Debt Exclusion Vote

In the MGL Chapter 71, Section 16d above, there is no mention of "contingent approval" or the "opinion of Town Counsel or Bond Counsel." The law says that if the Bond request is not vetoed within 60 days, it may go forward.

Arlington's Board of Selectmen failed to call for a debt exclusion within the 60 day

window.

If Arlington's contingent veto is beyond the 60 days ("because a debt exclusion had failed"), another town that had voted affirmatively could challenge the Minuteman District in court that Arlington's veto was invalid. The decision would belong to a judge, not to Bond Counsel or Town Counsel.

A finding against Arlington would expose Arlington to 30 years of debt service payments of \$1.2 million to \$2 million per year inside the limits of Proposition 2½, wreaking havoc on our operating budgets or forcing another override.

We have no choice but to veto the Minuteman Bond.

Article 6 is an unjustified mega expense for a small population that threatens our Elementary, Middle and High School expansion programs, and could crash our operating budget.

Please Vote for my substitute motion on STM Article 6.

The Minuteman HS Project Article is Flawed: Vote to Veto

The proposed Minuteman HS project is a \$100 million burden for Member Town for only 357 students.

Member Town enrollment is declining, not growing and Towns are fleeing the District.

DESE barriers and high capital costs will prevent growth in Out-of-District enrollment.

Minuteman has not diligently and responsibly investigated lower cost alternatives.

Even Minuteman's superintendent does not rank the facilities in the top three reasons why students don't come to Minuteman.

Arlington's BoS did not call a timely debt exclusion refer-

endum. We have no choice but to Veto the Minuteman School Committee bond request.

Please Vote for my substitute motion on STM Article 6.