

**Amherst-Pelham Regional  
Tuesday, May 23, 2017  
Library, Amherst Regional High School**

**IN ATTENDANCE**

Eric Nakajima  
Vira Douangmany-Cage  
Anastasia Ordonez  
Peter Demling  
Phoebe Hazzard  
Audra Goscenski  
Emily Marriott

Michael Morris, Superintendent  
Sean Mangano, Finance Director  
Press (Amherst Media)  
Debbie Westmoreland, Recorder

**ABSENT:**

Stephen Sullivan  
Ron Mannino

**1. Welcome and Call to Order**

**6:07 p.m.**

Mr. Nakajima called the Regional School Committee to order at 6:07 p.m. He noted that the sole purpose of the meeting is to go through a series of interviews for legal counsel. Mr. Mangano noted that each School Committee member has a folder with the set of interview questions, three ranking sheets and the resume of the lead attorney for each firm to be interviewed. Mr. Nakajima noted that each School Committee member and the Superintendent will ask a question in turn (indicated below). Interview questions included:

1. What legal issues are on the forefront of education today and what steps does your firm take to stay current with evolving legal matters? (Ms. Goscenski)
2. Describe your firm's capacity to address the wide spectrum of legal issues that schools face, including any particular strengths your firm may have. (Ms. Marriott)
3. Describe your firm's role as it relates to working with the school committee and the superintendent and explain what steps you will take, if any, to address a conflict between the school committee and the superintendent. (Mr. Demling)
4. What resources/expertise do you have specifically for multi town regional school districts? (Ms. Douangmany Cage)
5. Describe your firm's approach to union negotiations including any experience with interest based bargaining. (Mr. Nakajima)
6. Describe your approach to helping school committees stay compliant with open meeting law. (Ms. Ordonez)
7. How are able to respond in a timely manner to requests from the Superintendent and/or School Committee given the number of districts you represent? What is a reasonable response time for you when you are emailed a question? (Ms. Hazzard)
8. How would you advise a Superintendent/HR Director about the steps to take when concerns about an employee's job performance arises as a significant issue? (Dr. Morris)

**2. Legal Firm Interviews and Possible Selection**

**6:10 p.m.**

***DOCUMENTS: Mirick O'Connell Non-Price Proposal; Morgan, Brown & Joy Non-Price Proposal; Dupere Law Offices Non-Price Proposal; Interview Questions; Ranking Sheets***

The interviews began with the firm of Mirick O'Connell, which was represented by attorneys Marc Terry and Kimberly Rozak. After the interview, Mr. Mangano noted that Mirick O'Connell has received three very strong references, including from two Regional districts. The second firm to be interviewed, Morgan, Brown and Joy, was represented by Nathan Kaitz. After the interview, Mr. Mangano noted that references for Morgan, Brown and Joy were strong across the board. Because the first two interviews ended earlier than anticipated, Mr. Nakajima called a recess at 7:19 p.m. The committee reconvened at 7:58 p.m. for the interview of Dupere Law Offices, which was represented by Russell Dupere. Mr. Mangano reported that the references for Dupere Law Offices were also strong. Mr. Nakajima opened the floor to discussion of the firms by asking each member to share their thoughts. Ms. Goscenski noted that she felt Mirick O'Connell has a very collaborative approach; Morgan, Brown and Joy was very straightforward; and Dupere was very focused on schools. Ms. Marriott noted that all three firms seemed very capable, but her sense is that Mirick O'Connell would have the best response rate. Mr. Demling shared that he had a very positive reaction to Mirick O'Connell, noting their broad experience and depth in the firm and their approach of offering options to their clients instead of telling them what to do. He noted that he also reacted positively to Dupere Law Offices. Ms. Douangmany Cage noted that she felt Dupere rose to the occasion and seems very efficient. She also liked Mirick O'Connell though she feels Dupere may be more accessible due to being local. Ms. Douangmany Cage liked the billing method used by Dupere since it is predictable. Mr. Nakajima said that he thought he would advocate for Morgan, Brown and Joy if we were a district likely to go into receivership. He thought both Mirick O'Connell and Dupere

were good, but Amherst-Regional is a complicated district meaning that a firm such as Mirick O'Connell with additional expertise would be beneficial. Ms. Ordonez noted that she feels that Mirick O'Connell was well-versed in recent events in the district, which she appreciated. She also noted appreciation for their expressed dedication to responding within an hour when issues arise. Ms. Ordonez said she likes that Dupere is local, but she is concerned about how small the firm is. Ms. Hazzard said she found the accessibility and the breadth of legal knowledge in Mirick O'Connell appealing. Dr. Morris stated that he generally has a bias toward consultants who see their role as offering advice, which came up repeatedly in the Mirick O'Connell interview, and he also has a bias toward using collaborative teams which came through in their presentation. Dr. Morris also noted that he has concerns about Dupere having a long client list for a small firm. After initial sharing, there was consensus that Morgan, Brown and Joy will be dropped from consideration and discussion turned to ranking Mirick O'Connell and Dupere Law Offices. After brief discussion, Mr. Nakajima took a straw poll and all members named Mirick O'Connell as their first choice. Mr. Mangano then opened the price quotes from Mirick O'Connell and Dupere. Mirick O'Connell proposed a retainer of \$3,750 per month for 225 hours annually (with an hourly rate of \$220 per each hour over 225). The hourly rate proposal is \$220 per hour plus reimbursables. Dupere proposed a retainer rate of \$3,500 per month based on a 200 hour per year estimate. The hourly rate would be \$200. Based on the reading of the price proposals, the rank order did not change for any of the members. Ms. Marriott then moved to select Mirick O'Connell as the district legal counsel. Ms. Ordonez seconded and the motion was unanimously approved.

**7. Adjourn**

**9:12 p.m.**

Ms. Ordonez moved to adjourn at 9:12 p.m. Ms. Hazzard seconded and the motion was unanimously approved.

Respectfully Submitted,  
Debbie Westmoreland