

June 10, 2009

A regular meeting of the North Stonington Board of Education was held on Wednesday, June 10, 2009, at 7:30 p.m. in the Wheeler Gymnasium Music Room. Present were Dr. Robert, Mr. McCord, Mr. Testa, Mr. Briscoe, Mrs. Ricker, Mrs. Banker, Mrs. Dame, and Mr. Secchiaroli. Also present were Dr. Pukas, Mr. McCarthy, Mrs. Wilkison, Mrs. Costa, Mr. Susi, Mr. Sandford, and Attorney Littlefield.

Prior to the start of the meeting, Dr. Robert asked the administrators to give their reports. Mrs. Wilkison spoke of happenings at the elementary school including the grade five chorus concert, the upcoming Flag Day Ceremony, the upcoming grade 5 band concert, field day on June 16<sup>th</sup>, D.A.R.E. Graduation on June 18<sup>th</sup> and the fifth grade promotion ceremony. Mr. Susi spoke of happenings at the middle/high school including the concerts and art shows, Senior Projects being due, exams starting next week as well as Senior Week, the publicity on salvia, and getting ready for next year. Mr. Sandford spoke on the student handbook. Board members had questions and comments about the handbook changes. Mr. Susi thanked Christine Sylvia, the focus-monitoring group, the attorney, and Mr. Sandford for their time and effort putting this handbook together.

Dr. Robert called the meeting to order at 8:03 p.m. He said the meeting was being audio-taped barring any technical difficulties.

2. Public Comment – Mr. Shawn Murphy asked about the amendments to Dr. Pukas' contract. Dr. Robert explained the changes.

3. Community Relations – Additional articles were at the Board's places.

4. Presentations – None. Dr. Pukas asked to recognize and call on Mr. McCarthy. She said we received an award through Mr. McCarthy's efforts. On a motion by Mrs. Ricker, seconded by Mrs. Dame, the Board voted unanimously to add Recognition of Mr. McCarthy for CIRMA award to the agenda.

a. Recognition of Mr. McCarthy for CIRMA Award - Mr. McCarthy explained that the Risk Management Achievement Award received was for recognition for the RFP for contracted student transportation services. He elaborated. The Board congratulated Mr. McCarthy.

5. Administrators Reports – Covered before the meeting. Mrs. Banker thanked Mr. Sandford for his hours of work on the student handbook. There was comment.

6. Administrative - a. Approval of Minutes – May 6, 2009 Workshop – Dr. Robert asked for these to be tabled. On a motion by Mr. McCord, seconded by Mrs. Ricker, the Board voted six in favor and two abstentions to table the minutes of the May 6, 2009, workshop. Mr. Briscoe and Mr. Testa abstained.

May 27, 2009 – Mr. Briscoe made a motion that was seconded by Mr. Secchiaroli to accept the minutes of the May 27, 2009, meeting. Dr. Robert had comment on the minutes and said the bylaws of the Board of Education supersede Robert's Rules. He read the section of the bylaws. There was comment. Mr. Briscoe changed the motion and Mr. Secchiaroli seconded the change to accept the minutes of the May 27, 2009, meeting as amended. The motion passed unanimously.

b. Correspondence – Dr. Pukas reviewed items of correspondence. She pointed out the letter from the state regarding the technology plan and thanked Mr. Devine and the committee.

c. Personnel – Dr. Pukas explained the lateness of this recommendation. On a motion by Mrs. Banker, seconded by Mr. McCord, the Board voted unanimously to accept the recommendation to have Ben Buehler be the boys JV lacrosse coach for the season.

7. Reports - a. Superintendent – Programs were passed around for all the events Dr. Pukas had recently attended. She said the Superintendent's group is having a presentation on salvia this Friday and Mr. Susi and Mr. Sandford would be present.

b. BOE Chairperson – Dr. Robert said he had been asked to find out about the release and agreement of a certified staff member. He said it is a public document and can be made public.

c. Committee Chairs – Mr. Briscoe said all the Board members were present at the meeting so he did not need to report.

d. PSPBC Liaison – None. Dr. Robert said there was a meeting on June 22<sup>nd</sup> and elaborated.

e. Committee Action List – Mr. Briscoe added policy 6146, Graduation Requirements to reflect the handbook and Bylaw 9325.3 to review abstention from votes to the action list.

8. Financial – a. May 2009 Financial Statements - Mr. Secchiaroli made a motion that was seconded by Mr. Briscoe to accept general fund expenditures of \$883,217.45, grant expenditures of \$18,993.85 for a total of \$902,211.30 for the month of May 2009. Questions were asked and answered. The motion passed unanimously.

b. Transfer Request – Mr. Secchiaroli made a motion "with great regret" that was seconded by Mr. Briscoe to transfer \$18,000 from regular education teacher salaries account 213 to legal account 130 and to transfer \$50,000 from heating oil account 630 to legal account 130. There were questions asked and answered. The motion passed with six voting in favor, one opposed and one abstention. Mr. Testa opposed the motion and Mr. McCord abstained.

9. Old Business – a. Board of Education Minutes’ Format – Dr. Robert explained the review of the vote of the minutes and explained what action may be taken by the Policy Committee.

10. New Business – a. Board Policy 5145.5, Directory Information – Mr. Briscoe told of the policies being presented tonight. He elaborated. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to delete policy 5145(a) and (b). On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to approve new policy 5145(a) and (b).

b. Board Policy 6142.101, Student Wellness/Physical Activity – Mr. Briscoe explained the revisions. On a motion by Mr. Briscoe, seconded by Mrs. Ricker, the Board voted unanimously to cancel policy 6142.101 (a), (b), (c), and (d). On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to accept the revised policy.

c. Policy/Regulations 5125, Student Records; Confidentiality – Mr. Briscoe explained the policy. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to cancel existing policy 5125(a), (b), and (c). On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to accept revised policy 5125(a), (b), (c), and (d) and appendix a.

Mr. Briscoe explained the regulation. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to cancel existing regulation 5125(a) to (z). On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to accept revised regulation 5125 (a) to (z).

d. Policy/Regulations 4152.6, Personal Leaves, Family and Medical Leave Act – Mr. Briscoe explained. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to cancel policy 4152.6 (a) and (b). On a motion by Mr. Briscoe, seconded by Mrs. Ricker, the Board voted unanimously to accept policy 4152.6(a) and (b) as revised.

Mr. Briscoe explained the regulations. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to cancel existing regulation 4152.6. On a motion by Mr. Briscoe, seconded by Mr. McCord, the Board voted unanimously to adopt regulation 4152.6 as revised.

11. Calendar – Dr. Pukas recommended suspending meetings until August 26<sup>th</sup> and call special meetings if need be. She elaborated.

Dr. Robert asked to add an agenda item to talk about end-of-year spending.

On a motion by Mr. Secchiaroli, seconded by Mrs. Ricker, the Board voted unanimously to add Proposed Spending for the 08-09 Budget to the agenda.

a. Proposed Spending for the 08-09 Budget - Mr. McCarthy asked about a bottom line. He said it has been tradition to buy items that have been deleted from the budget. Mr. Briscoe said it was brought up by a community member to give some money towards the non-recurring items for maintenance. Mr. McCarthy said he brought it up a number of years ago but it never went anywhere; we give it to the Town and it goes into the general budget. There was further discussion on that. There was discussion of paying Dr. Pukas ahead for part of the amount due to her when she retires to be proactive. Questions were asked and answered on the May financial statement. There was explanation of the process of purchase orders. There were questions asked and answered. Mr. Secchiaroli made a motion that was seconded by Mr. Briscoe to return half of our leftover money to the Town and half be spent. Dr. Robert talked about an amendment. Mr. Secchiaroli had explanation. Mr. McCarthy had comment. There was further comment and questions. There was comment about the Town doing away with the capital nonrecurring line item. Mr. Murphy said they are not doing away with the capital nonrecurring line and explained. There was further comment by Board members. The motion was withdrawn. Mr. Secchiaroli made a motion to pay off the \$10,382 out of our surplus and take the difference and split it and return half of the surplus to the Town. There were suggestions. Mr. Secchiaroli amended his motion which was seconded by Mrs. Ricker to pay off the \$10,382 out of surplus, return a target of \$50,000 to the Town and ask the Board of Finance to earmark that money for repairs to the Gymatorium and direct the Superintendent to prioritize the spending of the remaining funds. Mr. Briscoe explained his objection due to the repairs needed at the Gymatorium. There was discussion. On a motion by Mr. Secchiaroli, seconded by Mr. McCord, the Board voted unanimously to move the question. The motion passed with six voting in favor and two opposed. Mr. Briscoe and Mr. Testa were opposed.

The Board revisited Item 11 – Calendar – On a motion by Mr. Secchiaroli, seconded by Mr. McCord, the Board voted unanimously not to meet again until August 26<sup>th</sup> unless a special meeting is required.

12. Discussion and Possible Action Concerning the Performance of a Public Official and Concerning the Business Manager (Robert Testa/Charles McCarthy) – Dr. Robert read a letter from Mr. McCarthy requesting this be held in open session. Mr. McCarthy read a statement regarding his job performance being mentioned in email messages. Dr. Robert asked for comment from Board members. Mr. Briscoe, Mrs. Banker, Mrs. Ricker, Mr. Secchiaroli, Mr. McCord, Mrs. Dame, and Dr. Robert had positive comments. Attorney Littlefield referred to Board Bylaw 9327 and pointed out that these items should not be discussed through email. Mr. McCord asked for suggestions on how to remedy this situation. Attorney Littlefield pointed out the Executive Session item.

13. Public Comment – Mr. Susi said they are in the process of a couple of things. He said there is a student wanting to build a platform at the field for scoring and the PSPBC and the Selectmen are helping on that. He said next Thursday there will be a ceremony to thank that student. Dr. Robert interjected and said that is why Monday's meeting is so important. He elaborated. Mr. Susi told the Board he attended the Ad Hoc Building Committee meeting and answered questions for them. There was further comment. There were questions and comments on the concession stand. Mr. Susi had further comment on the platform.

Attorney Littlefield explained how the Executive Sessions would work.

14. Proposed for Executive Session – a. Discussion Concerning Confidential Attorney/Client Privileged Written Communications - On a motion by Mr. Briscoe, seconded by Mrs Ricker, the Board voted unanimously to adjourn to Executive Session at 9:37 p.m. and to invite Dr. Pukas and Attorney Littlefield into such session.

The Board came out of Executive Session at 10:08 p.m.

On a motion by Mr. Secchiaroli, seconded by Mr. Briscoe, the Board voted unanimously to add item 14a.1, Response to Correspondence from Mr. Murphy to Dr. Robert Concerning the May 6, 2009 Workshop. On a motion by Mrs. Ricker, seconded by Mr. Briscoe, the Board voted unanimously to adjourn to Executive Session for the purpose of Item 14a, 1, Response to Correspondence from Mr. Murphy to Dr. Robert Concerning the May 6, 2009 Workshop.

The Board came out of Executive Session at 10:14 p.m. On a motion by Mrs. Ricker, seconded by Mr. Briscoe, the Board voted unanimously to authorize Dr. Robert to send a response to Mr. Murphy concerning his correspondence related to May 6, 2009.

The Board took a short recess. The Board resumed the meeting at 10:20 p.m. The Board was polled regarding Item 14b as to whether there would be an open session or Executive Session. The Board decided there would be no open session on this.

b. Discussion Concerning the Performance of Public Officials (Darren Robert, Cres Secchiaroli, and Robert Testa) - On a motion by Mr. Secchiaroli, seconded by Mr. Briscoe, the Board voted unanimously to adjourn to Executive Session for the Purpose of Item 14b, Discussion Concerning the Performance of Public Officials Darren Robert, Cres Secchiaroli, and Robert Testa and to invite Attorney Littlefield and Dr. Pukas into such session.

The Board came out of Executive Session at 11:12 p.m.

15. Possible Action Concerning Performance of a Public Official (Darren Robert) – Dr. Robert called for a motion and none was made.

16. Possible Action Concerning Performance of a Public Official (Cres Secchiaroli) – Dr. Robert called for a motion and none was made.

17. Possible Action Concerning Performance of a Public Official (Robert Testa) – Dr. Robert called for a motion and none was made.

On a motion by Mr. Briscoe, seconded by Mrs. Ricker, the Board voted unanimously to allow the Board of Education to take up new items for business after 10:30 p.m.

18. Proposed for Executive Session – a. Update on the Superintendent’s Contract – On a motion by Mr. Briscoe, seconded by Mrs. Banker, the Board voted unanimously to adjourn to Executive Session at 11:14 p.m. and to invite Attorney Littlefield and Dr. Pukas into such session.

The Board came out of Executive Session at 11:18 p.m. On a motion by Mr. Briscoe, seconded by Mrs. Banker, the Board voted unanimously to add Item 19, Update on Pending FOI Complaint by Mr. Testa FCI Docket #2009-021.

19. Attorney Littlefield reported that Mr. Testa had agreed to the postponement of the FOI Hearing scheduled for June 16<sup>th</sup>. Correspondence requesting a postponement had been sent and that a list of blackout dates for those attending would be sent to the Commission.

On a motion by Mr. Briscoe, seconded by Mrs. Banker, the Board voted unanimously to adjourn the meeting at 11:25 p.m.

Respectfully submitted,

Roberta T. McCarthy, Secretary to  
The Board of Education, and  
Natalie J. Pukas, Ph.D., Secretary Pro-Tem