

APPROVED

FAIRFIELD BOARD OF EDUCATION
MINUTES OF THE MEETING OF THE BOARD OF EDUCATION
Tuesday, March 29, 2011

ENCLOSURE NO. 1

MAY 10 2011

Minutes of the Executive Session and the Special Meeting of the Board of Education held Tuesday, March 29, 2011, at 501 Kings Highway East, 2nd Floor Board Conference Room.

1. Chairman Mr. John Mitola called the meeting to order at 7:09 p.m. Other Board members present were: Mrs. Catherine Albin, Mrs. Sue Brand (left 7:11 p.m.), Mrs. Sue Dow, Mr. Paul Fattibene, Mr. Perry Liu (left 7:11 p.m.), Ms. Stacey Zahn, and Mrs. Pamela Iacono (arrived 7:12 p.m.). Mr. Tim Kery was absent. Also in attendance was Attorney Stephen Sedor.

2. Mrs. Albin moved, seconded by Ms. Zahn that the Board of Education convene to Executive Session for the purpose of discussing Board interpersonal relationships with Attorney Stephen Sedor.

Motion carried: 4:3:0. Mrs. Brand, Mrs. Dow and Mr. Liu voted in opposition.

3. Ms. Zahn moved, seconded by Mrs. Albin to adjourn the Executive Session at 7:34 p.m.

Motion carried: 6:0:0.

4. Chairman Mr. John Mitola called the Special Meeting to order at 7:45 p.m. Other Board members present were: Mrs. Catherine Albin, Mrs. Sue Brand, Mrs. Sue Dow, Mr. Paul Fattibene, Mrs. Pamela Iacono, Mr. Perry Liu, Ms. Stacey Zahn and Mr. Tim Kery (arrived 7:48 p.m.). Also in attendance were Superintendent Dr. David Title and members of the administrative staff. Approximately 30 people comprised the remainder of the audience.

5. Mr. Mitola led the Board and audience in the Pledge of Allegiance.

6. Business Items

A. Ms. Zahn moved, seconded by Mr. Fattibene that the Board of Education approve the Minutes of the Regular Meeting of February 8, 2011 and the Regular Meeting of March 8, 2011.

Mr. Liu moved, seconded by Mrs. Brand to amend the March 8, 2011 Minutes to reflect that Board member, Perry Liu, commented that he felt the administration did not make it abundantly clear that 1.9 million dollars from the Medical Retention Fund would be used as part of our proposed operational budget for the 2011/2012 year. This should be inserted at the end of the Superintendent's Report-Board of Finance Meeting Recap.

Board discussion followed regarding going back to the tape for the exact language so the Minutes accurately reflect what was said at the meeting.

Mr. Fattibene called a Point of Order and asked to send the Minutes back to make sure they accurately reflect the record with respect to this item and suggested a motion of that order be put on the floor. Mr. Mitola stated that there is a pending motion on the floor to amend the minutes, and the Board needs to vote on it, or if the mover wants to withdraw the motion subject to another motion to send the minutes back and have the secretary review the tape to see if the statement as set forth in this amendment is accurate.

Vote on amendment failed: 4:5:0. Mr. Liu, Mrs. Brand, Mrs. Dow and Mr. Fattibene voted in favor.

Mr. Fattibene made a motion to send this back to the secretary to review the tape of the March 8th meeting and that Mr. Liu's comments of that evening be paraphrased accurately according to the record and placed in the Minutes for subsequent approval by this body at another meeting.

Mrs. Albin called a Point of Order and stated that the original motion on the floor needs to be separated. The Board needs to vote on the February 8, 2011 Minutes and then deal with the March 8, 2011 Minutes.

Ms. Zahn moved, seconded by Mrs. Brand that the Board of Education approve the Minutes of the Regular Meeting of February 8, 2011.

Motion carried: 8:0:1. Mrs. Dow abstained.

Ms. Zahn moved, seconded by Mrs. Iacono that the Board of Education approve the Minutes of the Regular Meeting of March 8, 2011.

Mr. Fattibene moved, seconded by Mrs. Iacono that the Minutes of the Meeting of March 8, 2011 be referred back to the secretary for the purpose of putting therein Mr. Liu's comments of that meeting.

Board discussion followed regarding process and procedure, what needs to be included in Board Minutes and including all Board comments from the March 8th meeting, verbatim or summarized.

Mrs. Brand asked to also have her comments included in the Minutes.

Board discussion followed. Mr. Fattibene stated that he would not be opposed to a friendly amendment to include Mrs. Brand's comments but would like her to be more specific and indicate which comments she is referring to.

Mrs. Brand clarified that she is requesting her comments when she said she is gravely concerned about the AAA bond rating and the three sentences following that.

Board discussion followed on including the entire Board's comments on this particular issue.

Ms. Zahn called the question, seconded by Mr. Kery.

Motion carried: 9:0:0.

Vote on Mr. Fattibene's motion to send the Minutes back to reflect the comments of Mr. Liu and Mrs. Brand.

Motion carried: 7:2:0. Ms. Zahn and Mr. Kery voted in opposition.

- B. Mrs. Iacono moved, seconded by Ms. Zahn that the Board of Education approve the Elementary Health Curriculum, Grades K-5.

Motion carried: 8:1:0. Mr. Kery voted in opposition.

- C. Discussion of Enrollment Projections with MGT of America (Conference Call)

A conference call was placed with MGT of America. On the conference call from MGT were Dodds Cromwell; Joe Clark and Lynda Fender.

Mr. Mitola stated that the purpose of this item is to have a discussion with MGT of America on the enrollment projections. Board questions and comments followed regarding using the two year cohort model for 2011-12, the one year transition model for 2012-13 and a seven year weighted

model from 2013 to 2020-21; using a linear regression model with the seven year weighted model; concern that MGT did not take into account sufficiently the decline in live births; getting the census data and incorporating that and the impact of the census data on enrollment projections; the NESDC enrollment projections, what basic facts MGT used to start formulating projections and were these facts accurate; the reliability of trend overall and trend for each school; the difference in projections between NESDC and MGT; how MGT determined each school's projections.

The conference call ended and Board discussion continued on the enrollment projections, the methods used for projecting enrollment, and getting an update when the census data comes out.

Mrs. Iacono asked if the Board is comfortable using the information from the demographers going forward so that when standing in front of other town bodies with the Long Term Facilities Plan we are comfortable that the numbers are reliable and we understand them. Board comments and discussion followed on this.

- D. Mrs. Iacono moved, seconded by Ms. Zahn that the Board of Education approve the Long-Range Facilities Plan.

Dr. Title briefly reviewed the document, which lays out the four year plan that is already out of date based on the actions of the RTM. The total gross number is in the \$58 million range. Dr. Title stated that this is a blueprint, knowing that realistically it is way over what the First Selectman's financial plan was.

Board questions and comments followed.

Mrs. Iacono reviewed the plan line by line and made the following suggestions/comments about each project: move the Dwight boilers to 2012-13; budget another \$125,000 plus 5% escalation to finish the Jennings bathroom project in 2012-13; and McKinley will get \$50,000 to investigate something there.

Mr. Cullen expressed concern that the consultant, Hoffman Architects, runs about \$30,000 to do a study, and when the study comes back and shows exactly what is wrong with the building, it could be more than the \$100,000 we are asking for, plus the \$30,000 spent on the investigation.

Mrs. Iacono stated that \$50,000 was approved, it will cost \$30,000 to find out what the problem is and it will cost more than the \$20,000 that is left to fix the repair. She recommended that \$80,000 be budgeted for the following year. Mr. Cullen stated that what was approved was seed money for a consultant. Money is still needed to do a repair. Mrs. Iacono suggested for planning purposes to leave it with the \$100,000.

Mrs. Brand stated that she thought when something is put out to bid, you are supposed to have the appropriate funding to pay for it and asked how something can be put out to bid if we are not fully prepared to pay for all of it.

Mr. Cullen stated that at this point we do not have approval to go out to bid. We only have approval for seed money to hire a consultant to investigate the building. His team investigated McKinley and estimated the work to be about \$100,000.

Dr. Title stated that this project was sent to the TFC for review. Mr. Cullen stated that there was a site visit to the McKinley roof and one of the TFC members didn't agree with the roofing PM consultant's proposed recommendation that would fix the leaks coming into the building and wanted a study done with a firm like Hoffman Architects that strictly investigates buildings with problems. The TFC agreed to ask the Board of Selectmen for seed money to hire Hoffman.

Board questions and comments continued. Mr. Fattibene stated that it is his understanding that for 2011-12 the proposed facilities plan is somewhat inaccurate based on the RTM's recent actions and suggested sending this back to committee to reflect the RTM's actions and revisit this at a future meeting.

Mrs. Iacono continued with her suggested recommendations and comments: North Stratfield major roof warranty has already been approved, Osborn Hill major roof warranty has already been approved, it is probably best not to bring Riverfield forward until we know who the First Selectman is and who we are sending a letter to; Sherman has already been approved; Roger Ludlowe MS project is not happening, Tomlinson MS went forward at the Board of Selectmen, the Early Childhood Center playground was approved, we are working toward Fairfield Warde HS and there needs to be a discussion on the Mill Hill project. She stated that the reason she went through this line by line was to have an understanding of what the Board is looking at for 2012-13. Realistically, some of these projects need to get bumped out a year. She recommended bumping Holland Hill out a year and bumping out either Dwight or Mill Hill, whichever is the bigger priority and the other one be moved into the next four year set of requests.

Board discussion continued.

Mrs. Iacono suggested using the word "estimate" in the heading at the top of page 17 instead of "cost." Other places in the document where it says cost should also be changed to estimate. It needs to be very clear that these are estimates.

Board questions and comments continued regarding portable classrooms, Jennings bathrooms, prioritizing the top 3-4 projects, sending the plan back to committee to come up with a priority list that would address the financial, enrollment and educational issues and then start to have a matrix of why these projects are being brought forward.

Mrs. Brand moved, seconded by Mr. Liu that the Long-Range Facilities Plan be referred back to the subcommittee for the purpose of the subcommittee coming back to the Board with a priority list of projects for the next four years, knowing that we have limited funds, including the maintenance as well, with a matrix to show how these projects got there.

Board comments followed regarding prioritizing within the year with respect to which projects may be more critical, what the administration believes are the priorities within that year and which ones can be moved out.

Mr. Fattibene suggested that Mill Hill not be pushed out that far because of the large number of portables at that school.

Mrs. Albin called a Point of Order that the main motion to approve the Long-Range Facilities Plan was moved and this would need to be an amendment to the motion. Mr. Fattibene stated that this was not an amendment; it was another motion to refer back to committee which may take precedence over the main motion.

Mrs. Albin stated that the Board would have to vote on the main motion first. Mr. Fattibene stated that procedurally the Board would have a subsidiary motion of referring back to committee which takes precedence over the main motion, which means if that motion passes it doesn't get to the main motion.

Dr. Title stated that if the Board wants to accurately reflect what the RTM is doing and know the bottom line for 2011-12, it might be better to wait and take this up in May. He asked the Board to be as clear as possible about what the expectations are so the next time this comes back the Board will be ready to approve it.

Board discussion followed.

Mrs. Iacono Called the Question, seconded by Mr. Kery.

Motion carried: 7:2:0. Mrs. Albin and Mrs. Fattibene voted in opposition.

Motion failed: 4:5:0. Mrs. Brand, Mr. Liu, Mrs. Dow and Mr. Fattibene voted in favor.

Back to Main Motion: "that the Board of Education approve the Long-Range Facilities Plan"

Board discussion followed regarding revisions to the Plan, voting on the Plan at the next Board meeting, approving the Plan less page 17, and having the subcommittee review the Plan at their next meeting and bring it back to the full Board for a vote at the May 10 meeting.

Ms. Zahn suggested approving the Long-Range Facilities Plan less page 17 and that the administration revise page 17.

Board discussion followed.

Mrs. Albin moved, seconded by Mrs. Iacono that the Board postpone this to a date certain, May 10, 2011, and that the administration bring back to the Board an updated document that reflects the discussion at the table this evening.

Board discussion followed regarding what the top priorities are over the next several years, condensing the list from \$46 million over the next several years into the top priorities that will fall into the limit of \$27 million, incorporating some of Mrs. Iacono's suggestions to push some of the projects out, to prioritize within a particular year what the administration believes is critical and to bring the plan back for a vote at the May 10 Board meeting.

Ms. Zahn called a Point of Order stating that Mrs. Iacono needs to withdraw the main motion.

Mrs. Iacono withdrew the main motion.

Mr. Fattibene called a Point of Order stating that the main motion was to approve the Long-Range Facilities Plan, and then there was a motion to postpone to a date certain, which would take precedence over the main motion. He is not sure the main motion needs to be withdrawn.

Back to motion: "that the Board postpone this to a date certain, May 10, 2011, and that the administration bring back to the Board an updated document that reflects the discussion at the table this evening"

Board discussion followed on giving clear direction to the administration, prioritizing by year, incorporating the RTM's actions into the Plan, incorporating Mrs. Iacono's suggestions to move some of the projects out, and having the administration indicate which projects in a given year are more critical and what the top priorities are. Mr. Fattibene suggested that the prioritization list could be a backup document to the one the Board approves, separate the priorities out as informational and have that as a guide.

Mrs. Albin clarified the motion, seconded by Mrs. Iacono that the Board postpone this to a date certain, May 10, 2011, and that the administration update the document to move individual projects forward from the year they may be in to reflect the recommendations made by Mrs. Iacono.

Mr. Fattibene proposed an amendment to the motion to also reflect what was recently passed by the RTM in a dollar figure in the column.

That was accepted as a friendly amendment.

Mr. Fattibene proposed another amendment, seconded by Mrs. Brand to identify in a support document the prioritization of each item within the year for at least the next two years.

Board discussion followed on the amendment to the amendment.

Public Comment-

Dorene Herron, Forest Avenue, commented against prioritizing within a year.

Vote on amendment failed: 4:5:0. Mr. Liu, Mrs. Brand, Mrs. Dow, and Mr. Fattibene voted in favor. Mr. Kery, Mrs. Albin, Mrs. Iacono, Mr. Mitola and Ms. Zahn voted in opposition.

Motion: "to postpone to a date certain, May 10, 2011, and that the administration update the document to move individual projects forward from the year they may be in to reflect the recommendations made by Mrs. Iacono"

Mr. Fattibene commented that it is important to reflect the RTM's actions at their April 25th meeting in the new proposal.

Motion carried: 7:2:0. Mr. Fattibene, Mr. Kery, Mrs. Albin, Mrs. Iacono, Mr. Mitola, Ms. Zahn, and Mrs. Dow voted in favor. Mrs. Brand and Mr. Liu voted in opposition.

- E. Mrs. Iacono moved, seconded by Ms. Zahn: Resolved that if the Town of Fairfield bonds \$450,000 of technology capital projects in the Board of Education's 2011-2012 operating budget, then the Board commits to making an additional contribution of \$450,000 to the health insurance fund in the 2011-2012 fiscal year.

Dr. Title commented on the Board of Finance discussion of the Board of Education's capital budget and a recommendation from the Board of Selectmen to the Board of Finance that the Town add to the capital improvement bond \$450,000 for our network switch project. This was not in the Board of Ed's capital plan, this came from the Board of Selectmen. The idea was that if they bond this, it frees up \$450,000 in our operating budget, and in exchange the Board of Ed would commit to not just spending the \$450,000 on anything but would commit to add an additional \$450,000 to our existing contribution to the health insurance fund for next year. Dr. Title stated that he reviewed this today with the Board's attorney who believes that this is in keeping with and does not violate the Memorandum of Agreement. The one risk is that the Board contributes an extra \$450,000 to the health insurance fund and at the end of 2012 if that money is sitting there, under the current MOU the First Selectman can take the money. We are adding \$450,000 more to the health insurance fund next year, but essentially will get access to the switches because the Town will bond them.

Mrs. Iacono stated that she was at the Board of Selectmen meeting this afternoon and was asked to relay a message to the Board that they would like us to support this as a gesture of goodwill, and they will stand up and support this in front of the other Town bodies in an effort of collaboration and trying to help remedy the internal service fund. Dr. Title stated that he spoke to the Chair of the Board of Finance just minutes before this meeting and he confirmed that this is a one year, 2011-12, operating budget issue only and not something they plan to do on an annual basis.

Mr. Mitola offered a friendly amendment to add language to the last sentence: then the Board commits to making an additional contribution of \$450,000 to the health insurance fund **only for** 2011-2012 fiscal year. This was accepted by the mover and second.

Mrs. Albin asked Dr. Title or the Chairman to check with legal counsel if the Memo of Understanding is still in force given that one of the signatures on the Memo no longer works for the district and after April 29 both signatures on this Memo will no longer be associated with employment or elected office in Fairfield. Another memo needs to be drafted after April 29.

Board questions and comments followed regarding including language that the Town of Fairfield bonds and/or funds \$450,000.

Mrs. Brand offered a friendly amendment to include the language **only for** and then strike the beginning and have it read: the Board commits to an additional contribution of \$450,000 to the health insurance fund only for the 2011-2012 year.

Board comments continued on changing the wording in the motion.

Mr. Fattibene moved, seconded by Mrs. Brand to amend the motion to include the following wording: bond and/or provide additional funds over those recommended by the First Selectmen.

Discussion followed on this amendment.

Public Comment-

Ken Lee, 71 Rhoda Avenue, commented that at every meeting he has attended there has been discussion of the internal service fund. Some Board of Finance members were not thrilled with the idea to bond technology but said we all have a common problem and the Board of Finance is reaching out to the Board of Ed. Hopefully, this Board will support it.

Vote on amendment failed: 1:8:0. Mr. Fattibene voted in favor.

Vote on motion with friendly amendment carried: 9:0:0.

7. Mrs. Iacono moved, seconded by Ms. Zahn that this regular meeting of the Board of Education adjourn at 10:38 p.m.

Motion carried: 9:0:0.

Stacey Zahn
Secretary