

FAIRFIELD BOARD OF EDUCATION  
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF EDUCATION  
Tuesday, August 28, 2012

APPROVED

By BOE  
9/11/12

Minutes of the Board of Education Special Meeting held Tuesday, August 28, 2012, at Fairfield Woods Middle School-Library, 1115 Fairfield Woods Road.

1. Vice-Chairman Mr. Philip Dwyer called the Meeting of the Board of Education to order at 6:39 p.m. Other Board members present were: Mrs. Sue Brand, Mr. Paul Fattibene, Mrs. Jessica Gerber, Mrs. Jennifer Maxon Kennelly, Mr. Tim Kery, Ms. Pamela Iacono (arrived 6:40 p.m.) and Mr. Perry Liu (arrived 6:42 p.m.). Mr. John Convertito was absent. Also in attendance was Superintendent Dr. David Title.
2. Mrs. Brand moved, seconded by Mr. Kery that the Board of Education convene into Executive Session for the purpose of discussing Superintendent Evaluation.

Motion carried: 6:0:0.

3. Convene to Special Meeting of the Board of Education.
4. Chairman Ms. Iacono called the Special Meeting of the Board of Education to order at 7:36 p.m. Other Board members present were: Mrs. Sue Brand, Mr. Paul Fattibene, Mrs. Jessica Gerber, Mr. Tim Kery, Mr. Perry Liu, Mrs. Jennifer Maxon Kennelly and Mr. John Convertito (arrived 7:53 p.m.). Also in attendance were Superintendent Dr. David Title and members of the administrative staff. Approximately 20 people comprised the remainder of the audience.
5. Ms. Iacono led the Board and audience in the Pledge of Allegiance.
6. A Moment of Silence was held for two Fairfield Woods Middle School teachers, Steve Lane and Maureen Minnick, who passed away over the summer.
7. Ms. Iacono took a Moment of Personal Privilege to recognize Mrs. Bev Dyer who will be retiring on Friday. She is the Administrative Assistant to the Superintendent and is also the Board's Administrative Assistant.
8. Business Items

- A. Mrs. Gerber moved, seconded by Mr. Dwyer that the Board of Education approve the Minutes of the Special Meeting of June 12, 2012, the Regular Meeting of June 12, 2012 and the Regular Meeting of June 26, 2012.

Mr. Kery offered a friendly motion to separate the Minutes. This was accepted by the mover and second.

Approval of the Minutes of the Special Meeting of June 12, 2012.  
Motion carried: 8:0:0.

Approval of the Minutes of the Regular Meeting of June 12, 2012.

Mr. Liu moved, seconded by Mr. Fattibene to amend the Minutes on page 5, 10-B second paragraph and insert the words "by Mrs. Fitzpatrick" at the end of the sentence: "Mr. Liu stated that he looked into some of her questions, and unfortunately, she was given the wrong information by Mrs. Fitzpatrick."

Board discussion followed on the proposed amendment.

Amendment failed: 2:6:0. Mr. Liu and Mr. Fattibene voted in favor. Mrs. Kennelly, Mrs. Gerber, Ms. Iacono, Mr. Dwyer, Mr. Kery and Mrs. Brand voted in opposition.

Vote on Main Motion carried: 7:1:0. Mr. Liu voted in opposition.

Approval of the Minutes of the Regular Meeting of June 26, 2012.

Motion carried: 7:0:1. Mr. Kery abstained.

#### B. First Read of Policy #3431.1 Business – Monthly Updates

Mrs. Kennelly stated that this was discussed at the August Policy Committee Meeting and the committee was not comfortable with eliminating a monthly report and relying only on quarterly reports in the interest of not being surprised by expenditures or anything that had a budget impact. The committee was comfortable with leaving it up to the discretion of the Superintendent in terms of what needed to be communicated to the Board on a monthly basis. This is a first read tonight with a vote at the next Board meeting.

Mrs. Brand asked what the thought was with the word “materially.” Mrs. Kennelly responded that the committee was very specific about avoiding a specific number. Several words were discussed and that was the one the committee felt worked best. The Board will still receive the quarterly written report. This helps streamline things but still keeps the Board informed.

Mrs. Brand asked materially, meaning substantive? What is being said is whether it is significant or not and leaving the significant part up to the discretion of the Superintendent.

#### C. Preliminary Discussion of the 2013-2014 Budget

Ms. Iacono reminded the Board that while suggestions can be made to the budget, it remains the Superintendent’s budget until finalized and sent to the Board.

Dr. Title reported that not all budget drivers are known at this point. We do have a settlement with two of the largest employee contracts in the 2% range. We have unsettled contracts with some of the non-certified. Two big impacts on the budget will be pension and health insurance. The Town had completed an experience study that worked in our favor in last year’s budget. There was a large spike in the Pension contribution for the Town BOE for the 13-14 budget year. If that comes to be, that could have a significant effect on cost for pension. Could be a percentage point or more. There is no projection yet on healthcare costs. There was a spike in usage during budget season last year which may translate to the need for additional funding. This year our budget was under 3% and was well received, but it was not left intact. Fixed costs gobble up quite a bit of room. We will need to add teachers due to increasing enrollment at the high schools. Another big unknown is the new federal budget term “sequestration”. When the federal government came to an impasse on the budget, a super committee was established to cut the budget. When the committee could not come to an agreement, automatic cuts ensued. If this were to happen this year, it may impact us with a \$200,000 (approximate) federal budget cut.

Mrs. Brand, with regard to OHS, asked if we are looking at the impact of possible remediation required elsewhere. Dr. Title stated that he expects most costs to fall on the capital side, not operational. We have to look at our other options, including the gym. If significant work is required in the gym, it most likely will be a Town Capital Request. Mrs. Brand asked if there was a need for further testing at other sites. Dr. Title responded that this is an unknown.

Mr. Liu understands the bleakness of the budget but would like to re-examine the World Language Program. When the grandfathering is over, how much will be saved? Dr. Title said the savings would be approximately \$350,000, however, bus contracts are out to bid. This may offset that savings. Mr. Liu added that after school busses are also important to the learning and well-

being of students and perhaps this could be re-visited. Mr. Liu stated that he thinks preliminary budget discussions are important and he would like more of them. Ms. Iacono stated that the next time the budget is discussed by the Board will be when the Board receives the final budget from the Superintendent. Mr. Liu stated that once that budget is received it is difficult to unwind, and he would prefer more preliminary discussions. Mrs. Brand added that she would also like another preliminary budget discussion and a restoration of World Language and after school busses.

Mr Fattibene asked if new teachers will be hired for the increasing high school enrollment, or if teachers will be reassigned due to decreasing elementary enrollment. Dr. Title said we always adjust based on our enrollment numbers.

Mr. Dwyer asked about the available space at the high schools, given the increase in enrollment. Dr. Title stated that this is a capital budget issue. The Board voted to send a letter to the First Selectman for the purposes of a building committee to expand Fairfield Ludlowe High School. This is still pending.

Mr. Dwyer is interested in knowing what alternatives are available when cutting the budget. Were there viable alternatives that could have been explored, other than World Language and after school busses? Dr. Title stated that with a 2.8 million dollar cut, each wide-ranging cut hurt somewhere. The Board always has the option to increase the budget and request alternatives.

Mr. Convertito asked if there were anything, such as building usage that might hamper budget decisions. For example, costs associated with outside party building usage are passed on to the Board of Education budget. In other words, we might have \$500,000 taken away from our programs in order to keep the buildings open on the weekends for programs such as Rec Basketball. Dr. Title stated that there are choices and competing priorities, but nothing in the Board's policies that prevents him from making budget decisions. Were we to collect from those entities that use the school buildings, that money would go to the Town. It is an understanding with the Town, but not a policy. We are always looking for ways to operate more efficiently and economize, but we are a labor intensive business. Roughly 75% of our budget is salary and benefits.

#### D. Osborn Hill School Update:

Dr. Title stated that Mr. Cullen did an excellent job of securing experts to give the best information possible to the public. The forums he arranged were well attended and can be viewed on FairTV. The entire staff worked very hard to plan for the worst case scenario. Osborn Hill School was cleared with support of the EPA and the CT DEEP. The work at OHS is continuing and test results will continue to be posted. The situation improves with each passing day. Dr. Title was in Osborn Hill School on August 27 and it looked great. The teachers are excited to be in their classrooms. We don't know the total costs, but the costs are currently under the operating budget. We spared no expense to meet health requirements and get the school opened. As it stands now, we expended \$108,000, with another \$100,000 in open purchase orders. We are not sure how much of this will be spent, as not all bills are in and there are ongoing costs. We need to secure a temporary spot for the gym and are looking into a gym portable or equivalent which may run from \$75,000-\$90,000 per year. We anticipate that the gym will not be available all year. The Board of Finance is asking for more detail on this as well.

Mr. Liu asked what kind of ongoing remediation testing and cleaning plan is in place. Dr. Title explained that there are environmental consultants that are performing periodic testing of the building according to a detailed plan. We have to file for a long term plan that must be approved by the EPA prior to implementation. This may include capital expenditures. Mr. Liu asked that when the approval, once obtained, be posted. Dr. Title said this would be done.

Mr. Liu asked about the Library Media Center (LMC). Dr. Title stated that we are working to bring the levels in the LMC under 300 in order to re-open it. This is nothing like the gym

situation. The library initially tested clean, but the levels went up after the ducts were cleaned. We don't view this as a long term closure. Mr. Liu asked if the books would stay in the LMC once it opened. Dr. Title explained that the books are all clean, have been tested, and will remain. Mr. Liu asked how can we be sure that the PCBs won't escape, especially with all the dust and the high level readings in the hallways. Mr. Cullen explained the specialized cleaning process. The area being cleaned is completely contained with plastic covering. Workers are covered in gowns. Once cleaning has taken place, the area is re-tested and the inner containment area is torn down. Duct work in the library had sound deadening insulation from years ago. All was removed. MR. Liu asked how the duct work contamination won't spread to other areas. Mr. Cullen responded that negative pressure air machines block the spread of contamination.

Mr. Liu asked if there might be a possibility of this happening in other schools. He would like to see a committee with parents, teachers, administrators, town officials and citizens to ensure this is being done correctly.

Mrs. Brand stated that a fire retardant was the source and asked if there might be other sources. Mr. Cullen responded that the PCB problem at Osborn Hill School was narrowed down to the 1968 addition that included the gym, a classroom, the stone floor, the roof deck and paint. Dwight is the only other school in the District with fire retardant spray in the gym. We are hiring an architect and an environmental consultant to help with this. The history of the building is important. Ms. Iacono asked if an outside consultant would be hired. Mr. Cullen responded yes. Mr. Cullen continued that we have to build a plan for the federal and state level. We are currently interviewing consultants now to create a building history and determine costs.

Mr. Liu asked how often the testing is done at Osborn Hill School. Mr. Cullen responded that the testing is required to be done quarterly. We have a preliminary plan in place now, but a more detailed plan is required by December. Mr. Liu asked if the next time Osborn Hill School would be tested is December. Mr. Cullen responded that testing in high level areas is currently being done. Tests on other areas will be done quarterly. In response to Mr. Liu's question, Mr. Cullen responded that high level areas are tested every 3 days, and that results will be posted as soon as possible.

Ms. Iacono thanked everyone involved in the process and thanked Jeff Steele for moderating the forum. Ms. Iacono wanted to state for the record that a federal agency opened Osborn Hill School, not the Board of Education. There was no rush to open the building. Ms. Iacono also noted that the test results are hard to read as a layman, and perhaps Sands Cleary, Tom Cullen and environmental representatives could attend a PTA meeting and answer questions about the report.

Mr. Convertito stated that he toured Osborn Hill School today and there was nothing intimidating about the sealed off areas. However, there is a big dumpster outside that has big PCB contamination signs on it. Mr. Convertito has received numerous calls and emails about this. Mr. Cullen stated that this dumpster is required to have this sign on it.

Mr. Dwyer asked if additional staff would be on hand to answer questions at Osborn Hill School on the first day of school. Dr. Title said this was not planned but a team could be mobilized at a moment's notice.

Mr. Kery thanked the team for all the work and stated the seminar was reassuring. Communication has been excellent. The first priority is the health and safety of students. The bigger issue is Mr. Liu's idea for a committee. Mr. Kery would look to engage the Board of Finance and the RTM as Town resources to help on this committee. The common sense question is, if the PCB problem was so big, why aren't other schools required to be tested by EPA? We should rapidly hire a subject matter expert to help us render good judgment and approach this prudently. The fire retardant was potentially a code requirement, was that because there were no sprinklers? Mr. Cullen responded that he is not sure if it was a state or local code that required the fire retardant. Mr. Kery asked that this question be researched with the state delegation to

ensure that those responsible for creating this problem should help us solve it. Is the PCB law only 3 years old? Mr. Cullen replied that the first letter regarding possible PCBs in electronic time pieces was received in 2007. The second letter mentioned PCBs in old fluorescent light bulbs. All of our old lights had already been replaced so we didn't have any of these bulbs to dispose of. In July 2010, PCB testing was required for any large renovation project. Mr. Kery stated that we need experts working with us on this.

Mr. Liu stated the committee should include town officials, citizens, parents, teachers, and administrators. We should look at this objectively and it shouldn't be political.

Mrs. Gerber thanked the Central Office team for all the work, and for the responses to all emails and concerns. The thorough replies have helped a lot and she encourages anyone with concerns to address them to Central Office.

- E. Grievance filed by Fairfield Custodians-Maintenance Local 1779 of Council #4, American Federation of State, County and Municipal Employees, AFL-CIO\*

Mr. Dwyer moved, seconded by Mrs. Gerber that the Board of Education move to enter into Executive Session for the following purposes: (1) for a discussion concerning the appointment, performance and employment of public employees of the Board of Education; and (2) to discuss strategy, negotiations, records, reports and/or statements relating to matters of collective bargaining.

Motion Carried 9:0:0.

9. The Board reconvened to public session at 9:57pm.

Mr. Kery moved, seconded by Mrs. Brand, the recommended motion that "The Board of Education hereby moves to deny the union's grievance. The Board further moves to delegate the chairperson the authority to execute a written decision concerning the same."

Motion carried 9:0:0.

10. Mr. Kery moved, seconded by Mrs. Gerber to adjourn the Special Meeting at 9:59pm.

Motion carried 9:0:0.

Jessica Gerber  
Secretary