

**TOWN OF EAST HAVEN, CT
EAST HAVEN PUBLIC SCHOOLS
BOARD OF EDUCATION
REGULAR BOARD MEETING MINUTES
35 WHEELBARROW LANE, EAST HAVEN, CT
06513
TUESDAY, DECEMBER 8, 2009
7:00 P.M.**

**PRESENT: MR. DENUZZO, MRS. DEPALMA, MR.
HENNESSEY,
MRS. KLUTH, MRS. MAISANO, MR. PALLADINO,
MR. POMPANO, MR. SCALESE and MRS.
VINEYARD**

**ALSO PRESENT: MR. ANTHONY SERIO, SUPERINTENDENT
MR. FRANK MEOLI, ASSISTANT SUPT.
MRS. ERICA FORTI, ASST. SUPT. OF
CURRICULUM & INSTRUCTION
MR. JOSEPH TRAVAGLINO, DIRECTOR OF
BLDGS. & GROUNDS
MRS. MARY ACQUARULO, DIRECTOR OF
PUPIL SERVICES
MR. JASON LATHROP, BUSINESS
ADMINISTRATOR**

1. CALL TO ORDER

Chairman Palladino called the regular Board of Education meeting to order at 7:00 p.m. in the Boardroom at the High School.

2. MINUTES

Mr. Palladino asked for a motion for the approval of the minutes for the Regular Board meeting of November 24, 2009.

Motion was made by Mrs. Vineyard and seconded by Mr. Pompano.

Any discussion on the motion? There was none. There were no objections or abstentions made to the motion. Motion carries. The minutes were approved.

3. CORRESPONDENCE

- **Chairperson, Nicholas Palladino**

Mr. Palladino stated he had no correspondence.

- **Superintendent, Mr. Anthony Serio**

Mr. Serio would discuss any items under reports.

4. SUBCOMMITTEE REPORTS

Mr. Palladino set the chairs for the subcommittees and would allow the chairs of those subcommittees to set up their own committees. The chairs were set as follows:

- **Athletic Oversight, Raymond Pompano**
- **Buildings & Grounds, Raymond Pompano**
- **Curriculum & Instruction/Negotiations, Tia DePalma**
- **Finance/Grants, Christine Maisano**
- **Legal/Ronald DeNuzzo**
- **Policies and Bylaws, Charles Scalesse**
- **Personnel, Laura Kluth**
- **Food Service & PTA/PTO Advisory Committee, Kristin Vineyard**

There was discussion on how subcommittees were set up. The Board members were instructed to contact Janice Ball when wanting to set up a meeting.

5. REPORTS/COMMUNICATION

- **Student Representative**

Albert DeCaprio and Gabby Caruso did not attend this evening's meeting. The Board did have a small gift for the student representatives which they would get to them.

- **Superintendent and Central Office Administration**

Mr. Serio asked Mr. Marone to talk about the meet and greet with the coaches that was held last evening. Mr. Marone explained that there were about 200 people that attended and they discussed three items. They discussed the alcohol and drug policy, the expectations and results of the chronic offender rule, and eligibility.

The chronic offender rule was not for suspensions but for referrals. By the third referral, he would contact the parents and let them know that by the fourth referral, that athlete would be removed from the team for the season. This had worked out well and the students seemed to get the message in the fall.

They discussed eligibility in which athletes had to comply with the CIAC expectations and pass four subjects, but they also had to adhere to East Haven's rule to pass four, but not fail two subjects. If this happens, they have as an incentive until the mid-term progress reports come out, to get one of those two failing grades up to a passing grade and return to the team.

Mr. Palladino felt it was a great policy and it gave the students an incentive to get their grades up. Mr. Pompano thought it was great as well but asked what they do at the end of the first marking period, if they were passing four CIAC but failing two subjects and progress reports were not out yet. Could they still try out for the winter sports? Mr. Marone explained they could work out with the team but could not participate in a game until they become eligible.

Mr. Serio explained the second event last evening was for 8th grade students and their parents to attend and listen to the reasons students should opt to come to East Haven High School versus going to private or to other high schools. Mrs. Reale spoke about the event and only wished they had a better showing like last

year. There were approximately 100 people that attended. There was discussion on when this should be held whether earlier or later. Percentage of students attending other schools was discussed. Mrs. Reale stated she could get that information for them. There were fluctuations in enrollment from month to month. Mr. Serio informed the Board that they lose more students to Lyman Hall, Sound School and Platt Tech than the other surrounding towns in their area.

Mr. Palladino suggested that they look down the road to converting the old high school site to a vocational school. Mr. Serio stated they had a very transient population in East Haven. Enrollment changes were due to students going to Adult Ed, Pathways, and some move out of town or leave for a variety of other reasons.

6. COMMUNICATION FROM PUBLIC

Andrea DaCorte, 47 Leigh Drive, spoke about an item on their agenda to discuss the November 9th meeting. She wanted them to make a decision based on the students of the Town of East Haven. Curriculum was a huge part of what they were here for and voted in for. Maybe it was not done the right way, but it was the right thing to do.

James Martens, 145 Morgan Avenue, spoke about pending litigation that the Board may or may not be aware of which was Martens vs. the Board of Education. This was pending before the CHRO. He wanted to know if the Board had been informed in a timely fashion. Mr. DeNuzzo asked him to tell them what it was about. Mr. Martens stated it was a hostile work environment case. Mrs. Maisano asked when it was filed and it was filed in July of this past year.

Any other comments? There were none.

7. SPECIAL RECOGNITIONS/PRESENTATIONS – None.

8. OLD BUSINESS

8.1 Any questions or comments on the Board Briefs (11-24-09)

There were no questions or comments on the Board Briefs.

9. NEW BUSINESS

9.1 Ratification of Appointments

- **Freshman Boy's Basketball Coach**

Mr. Serio requested the Board ratify the appointment of Robert Manghnani as the freshman boy's basketball coach.

Motion was made by Mr. DeNuzzo and seconded by Mr. Pompano.

Any discussion on the motion?

There were questions on there being no references listed and Mr. Marone explained that the head coach usually recommended the person he wanted and he would also meet with the individual and find out where he went to college, etc. Mr. DeNuzzo stated he had coached this person in Bidy Basketball and could recommend him for this position. Regarding the references, Mr. Marone could certainly do this if the Board so desired. There was discussion on certifications that were pending and whether the person began before or after those certifications were received. Mr. Marone explained the process and how it took some time to receive the cards from the State though the coaches had completed the course for CPR & First Aid. Mr. DeNuzzo stated that Marc Aceto was available on a daily basis, correct? Yes.

Any further discussion? There was none.

There were no abstentions or objections to the motion. Motion carries.

- **JMMS Cheerleading (2)**

Mr. Serio requested the Board ratify the co-coaching cheerleading appointments of Daniela Arduini and Lauren Kras.

Motion was made by Mrs. Vineyard and seconded by Mr. Pompano.

Any discussion on the motion?

Mrs. Kluth asked why there were two of them and it was explained that they would be splitting the stipend.

Any further discussion? There was none.

There were no abstentions or objections to the motion. Motion carries.

9.2 Request for Approval of the Payment of Invoices:

- **Dated December 9, 2009 for Fiscal Year 2009-10 in the Amount of \$1,248,876.84**

Mr. Serio requested the Board approve the payment of invoices dated December 9, 2009 for Fiscal Year 2009-10 in the amount of \$1,248,876.84.

Motion was made by Mrs. Vineyard and seconded by Mr. Pompano.

Any discussion on the motion?

The Board members had questions on the following invoices:

ACES – This was a bill for a number of students for out-of-district tuition at ACES.

ATT – There were two bills the Board would see during the month. The first bill was for phone service and the second bill was for point-to-point connecting of all the buildings together. This was bid on annually. The State of Connecticut provides internet access to the district.

Comp-U-Wise – This contract was not approved until after the school year had begun. There was some question as to the total number of hours of service. This was around \$4,000 per month and it was a 1099 vendor who provided service to the school. This provided 1,500 hours of technical support to the district. With the level of expertise, it was a pretty good deal.

New Haven Public Schools – This was payment for the 25 students who attended Sound School.

Facility Support Services – Every three years, by law, they were required to do an asbestos planning renewal. A private company comes and walks their schools. There was a copy of the renewal placed in each school.

Goody's Hardware – How was this tracked? This was done by a PO that was set out at the beginning of the year and as repairs needed to be done at any particular time. This was an open purchase order. There were four people who could purchase on this particular purchase order. The invoices identify the employees and were handed in the next day. There were no discrepancies in the past that Mr. Travaglino could think of. Mr. Lathrop added that the only discrepancies were regarding Town vs. Board bills.

Mazzucco, Ben – **The Board would like a monthly report regarding the checking of new students or investigation requests from principals.** Mr. Meoli stated they could share the report with them at the next meeting. This person was paid at an hourly rate of \$30 an hour.

Ikon Office Solution – There were two different leases and the Board of Education also pays them a maintenance fee.

Reliable Detection – This was for security. They won the bid for video and DVD. This particular bill was for DVD for Ferrara school that needed service. They had a \$30,000 encumbered purchase order with them for repairs as needed.

Town of East Haven – This was the Board of Education’s medical self-insurance payment -- \$36,000 was for Worker’s Comp.

Mr. Serio suggested that perhaps the Board members could call ahead of time and they could get them this information. This could also be done in subcommittee.

Any further discussion? There was none.

There were no abstentions or objections made to the motion. Motion carries. The bills were paid.

9.3 Discussion of Action Taken by Board at November 9, 2009 Board of Education Meeting

Mr. Palladino stated a few Board members had some questions they would like to ask the attorney regarding the November 9, 2009 meeting. He would like them answered so this could be cleared up and put to bed.

Attorney Brochu stated he had reviewed the minutes of November 9th and 24th as well as the 9000 Series of their bylaws. He had also reviewed the opinion of Attorney CoFrancesco.

There was discussion on the changing of the dates for the meeting and the Board having authorization to call a meeting under their bylaws. The issue of materials not being made available and given to all Board members prior to the meeting was brought up. Attorney Brochu referred to their Bylaw 9320, and if a Board motion was being considered and Board members felt a bylaw was being violated, they had the right to bring a point of order to the Chair. The only reference to a

point of order was at the very end of the meeting and someone made a point of order about the previous regular meeting being cancelled and a special meeting being scheduled. The Board was entitled to cancel or call its meetings.

There was further discussion on point of order and how their bylaws follow Robert's Rules of Order. A Chair rules whether or not the point of order was valid or not. If the Board member felt the Chair rule was improper, he could appeal it only if they have a second on it, then it would go to the body membership at large to debate it and make a decision. Violations of the bylaws and procedures need to be done at the moment.

There was discussion on job descriptions and contracts not being provided and the status of the budget at this time. Some felt it was not handled well. Attorney Brochu stated that in terms of their policy decisions, it was their decision to make, not his. His role was to advise them as to whether or not an action was proper under their bylaws. Someone has to raise that under point of order by Robert's Rules of Order.

Attorney Brochu talked about the two issues which were whether or not a procedure or bylaw was adhered to and the other issue had to do with the decision. He spoke about procedural violations, FOI, and their Town Charter regarding the possibility of rescinding something that had happened in a previous meeting. Board's can rescind prior action at any time but you cannot rescind something that could not be undone.

There was discussion on agenda items, public comment, and legal representation that was part of putting it together. Attorney Brochu explained the legalities of helping districts with wording on agendas and how FOI can order something changed which they do on occasion such as an improperly noticed meeting.

There was discussion on the meeting being changed on Friday from a Tuesday meeting to a Monday meeting. Attorney Brochu stated he was not consulted on the cancellation of that meeting nor was he consulted concerning that. Mrs. DePalma

raised a concern about things being done in an ethical manner. Attorney Brochu stated those concerns may be valid, but you don't want your attorney saying whether a decision was smart or good for the people of East Haven. He was not elected to do that. His role was, is it legal, and is it within the statutes and whether it is binding. Whether something was a good practice or political was inappropriate. Those were questions for the Board. It was not for him to tell them it was a good idea or a bad idea. They would be right to ask that attorney to remember their place and perhaps get another one.

Mr. Palladino asked Attorney Brochu if he could see anything that was illegally done at that meeting to make it null and void. Attorney Brochu answered if they were asking if the Board had authority, he sees that it did. He had not been asked to review those contracts, and he was presuming he was a witness to those. The Board was signing contracts with individual employees and asked if he would be willing to witness it. That's all he had done.

Mrs. Maisano asked who had brought the contracts. Attorney Brochu stated he did not draft the Assistant Superintendent's contract, but he did draft the one-page addendum extending the contracts from this date to this date. He had only emailed it. Who had drafted it? Mr. Serio stated it was replicated to the other Assistant Superintendent's contract that they had. There was some discussion on drafting of contracts and agenda items. Attorney Brochu indicated that they do not determine what goes on agendas; they only help with the wording on an agenda.

Mrs. Kluth asked whether the decision could or could not be rescinded. Attorney Brochu stated the question was did the Board have the authority to execute those contracts. They did. Simply raising a point of order does not stop a meeting. There was discussion on the bylaws and how if Board members feel things were being violated they had a point of order to raise it. There were limitations on rescission. The Board had a right to go back and rescind something but could not rescind something that had already happened. Otherwise, you would never be able to enter into a contract.

Mrs. Kluth asked whether the answer was, yes or no. Can it or can it not be? Attorney Brochu stated not by rescission no. No one made a point of order on the Robert's Rules of Order to stop the motion, therefore, it carries. You cannot rescind it. Procedural violation has nothing to do with rescission. Mr. Palladino stated you cannot undo the contracts. The Board cannot rescind its action that was taken.

Mrs. Maisano referred to the letter by Attorney CoFrancesco where it disagreed with 9324 and 9320. Mr. Palladino stated he would prefer that the attorney not address that because the other attorney was not present to defend herself.

Mrs. Vineyard stated she was one of the most vocal people that night. It was not the most financially responsible thing for us to do and it was done. She thought they needed to put it to bed.

Mr. Pompano talked about Mrs. Forti having to sit through this twice now. He stated he had the good fortune to do his educational leadership program with her. She was a leader amongst leaders and she was a diligent, hard worker. He felt they were lucky to have her and on behalf of the Board he wanted to congratulate her. The Town was better off having her. Mrs. Maisano also wanted to reiterate that on behalf of the Board this was not a personal issue at all. She was more than capable of doing the job. Their main concern came in with the legality of how it was presented to the public and also to the incoming Board. Mrs. Forti was highly qualified and well respected. Her concern was with the finances.

Attorney Brochu thanked the Board and the Board thanked him for coming. This item did not call for any action. Mr. Brochu left the meeting at 8:10 p.m.

9.4 Discussion of Security Issue at East Haven High School

Mr. Serio spoke about security being an issue that may jeopardize their security overall so he was recommending they make a motion to go into Executive Session.

Mr. Pompano made a motion to go into Executive Session and it was seconded by Mrs. Kluth.

Any further discussion? There was none.

There were no abstentions or objections made to the motion. Motion carries.

Adjourned the Regular Session at 8:12 p.m.
Convened Executive Session at 8:20 p.m.

Those involved in the meeting would be Mr. Meoli, Mr. Travaglino, Mr. Serio, and the principals of the high school.

9.5 Discussion and Possible Approval of Changing Security Companies at East Haven High School

Mr. Serio recommended the Board make a motion to discuss and possibly approve the changing of security companies at EHHS.

Motion was made by Mrs. Vineyard and seconded by Mrs. Kluth.

Any discussion on the motion?

There was discussion on the following issues:

- **Financial Analysis needed for additional cost of bringing Murphy Security on board as of June 30, 2009.**
- **Discussion of looking into U.S. Securities contract to determine what, if any, financial consequences result from getting out of that contract.**
- **Discussion regarding Murphy Security having a 30-day probationary period.**

- **Request for Murphy Security to develop a written proposal to be presented to the Board one (1) week before the January 12th meeting and also a request for a Murphy Security representative to make a presentation at the January 12th meeting.**

No action was taken on this item for approval.

Mr. Serio requested the Board add 9.6 Permission to Pay Bills.

Motion to add 9.6 was made by Mrs. Vineyard and seconded by Mrs. Kluth.

Any discussion on the motion? There was none.
There were no abstentions or objections made to the motion.
Motion carries.

9.6 Permission to Pay Bills

Mr. Serio requested the Board's permission to pay bills because there was no meeting scheduled for December 22nd. Copies to be sent to Board members prior to this date for any questions they may have before processing the invoices for payment.

Motion was made by Mrs. Vineyard and seconded by Mr. Pompano.

Any discussion on the motion? There was none.

There were no abstentions or objections made to the motion.
Motion carries.

10. INFORMATION ITEMS

Mr. Palladino asked if there were any questions on the informational items. There were none.

10.1 Correspondence

10.1.1 Resignations/Retirements - None

10.1.2 School Newsletters

10.1.3 School Enrollment – December 2009

10.1.4 List of Board of Educ. Meeting Dates for 2010

11. EXECUTIVE SESSION

11.1 Discussion of Security Issue at East Haven High School

There was discussion of security at East Haven High School.

Out of Executive Session at 9:13 p.m.

Into Regular Session at 9:13 p.m. (Went back to 9.5)

12. ESTABLISHMENT OF NEXT REGULAR MEETING

THE NEXT REGULARLY SCHEDULED MEETING OF THE BOARD OF EDUCATION – JANUARY 12, 2010 – EAST HAVEN HIGH SCHOOL, 35 WHEELBARROW LANE, EAST HAVEN, CT 06513, at 7:00 p.m.

13. ADJOURNMENT OF REGULAR MEETING

Mr. Pompano made a motion to adjourn the regular meeting and Mrs. Vineyard seconded the motion.

There was no discussion on the motion, no objections, and no abstentions. Motion carries.

Meeting adjourned at 9:22 p.m.

RESPECTFULLY SUBMITTED,

**MR. NICHOLAS PALLADINO, CHAIRMAN
EAST HAVEN BOARD OF EDUCATION**