

**Regular Meeting Minutes  
Fairfield BoE, May 7, 2015**

**NOTICE: A full meeting recording can be obtained from Fairfield Public Schools. Please call 203-255-8371 for more information and/or see the FPS website (under Board Meeting Minutes) for a link to FAIRTV.**

*Call to Order of the Regular Meeting of the Board of Education and Roll Call*

Chairman Philip Dwyer called the Regular meeting to order at 7:38PM. Present were members Eileen Liu-McCormack (arrived 7:46 PM), John Convertito (left the meeting at 11:05 PM), Donna Karnal, Jessica Gerber (arrived 8:25 PM), Philip Dwyer, Paul Fattibene, Jennifer Maxon-Kennelly, Marc Patten and John Llewellyn. Others present were Mrs. Karen Parks, members of the Central Office Leadership Team, student representatives Max Kutsch, and Tyler Shuster, and approximately 100 members of the public.

Mr. Dwyer took a moment of personal privilege to acknowledge that Deputy Superintendent Mrs. Parks was seated in lieu of Dr. Title, who is recovering from donating his kidney to his son. The audience broke in to applause, and Mr. Dwyer wished Dr. Title a full and speedy recovery.

*Recognition of Student Academic Achievement*

Mr. Hatzis recognized the high achieving students at Fairfield Ludlowe High School for the 2015 Junior Achievement Business Challenge, the National Chemistry Olympiad, the National Latin Exam, the National Merit Scholar, the CT Student Writers' Magazine, and the Voter Registration Project. Mr. Coyne recognized the high achieving students at Fairfield Warde High School for the FCCLA CT State Culinary Competition, the Fairfield Rotary Club Speech Contest, and the National Latin Exam. The Board congratulated all the students for their outstanding achievements.

*Student Reports*

Mr. Shuster reported for FWHS: AP testing is ongoing, SBAC testing begins May 19, the Junior Prom is May 16, the Senior Prom is May 30, the annual Fashion show is on May 14, the annual talent show was a huge success - funds were raised for *Doctors Without Borders*, and 400 students are participating in spring sports.

Mr. Kutsch reported for FLHS: The co-op rugby team is currently 4-0, Girls Lacrosse beat Wilton, Boys Tennis beat Warde, Girls Tennis is 13-0, AP exams are underway, the Junior and Senior Proms are taking place in the next few weeks, the FLHS democrats had a voting drive that produced new voters, the Red Cross spring blood drive was successful, the GSA Club is sponsoring speakers, and the senior superlative night was held.

Mr. Fattibene asked how the seniors felt about the college process and was told that most students were generally very happy and are attending either their first or second choice schools.

*Public Comment*

None.

*Old Business*

*Approval of Policy #4220 – Personnel –Rights, Responsibilities and Duties– Smoking by School Employees Policy*  
Mrs. Maxon-Kennelly moved, Ms. Karnal seconded that the Board of Education approve Policy #4220 – Personnel – Rights, Responsibilities and Duties –Smoking by School Employees.

Mrs. Maxon-Kennelly presented the policy and said she did not receive any questions on it.

**Motion Passed: 8-0**

*Approval of Policy #5314 – Students –Code of Behavior– Smoking*

Mrs. Maxon-Kenelly moved/Ms. Karnal seconded the recommended motion “that the Board of Education approve Policy #5314 – Students –Code of Behavior –Smoking”

Mrs. Maxon-Kennelly presented the policy and said it should look nearly identical to the previous one.

**Motion Passed: 8-0**

*New Business*

*Approval of Plans and Specifications for Riverfield Project 051 -125 EA Phase 2 of 2, FF&E*

Mrs. Maxon-Kennelly moved, Mr. Patten seconded that the Board of Education approve the plans and specifications for the Riverfield Project 051 0125 EA Phase 2 of 2, FF&E as enclosed.

Mr. Dwyer said FF&E stands for Furniture, Fixtures, and Equipment, and said this is a motion the Board is required to vote on for state reimbursement. Mr. Morabito added that the review is required for the state reimbursement process to get approval to bid the project out. Once OSF approves the plans for bid, the building committee makes the decision on awarding various packages; it is a normal part of the process.

Mr. Convertito asked whether every chair in the gym will be replaced and how the classroom furniture is accounted for. Mr. Morabito said chair replacement is at the discretion of the building committee; the gym chairs are at least 25 years old. Mr. Cullen stressed that no existing furniture has left Riverfield. Mr. Dwyer said furniture within the Riverfield portables will all get reassigned. Mr. Convertito asked about the schematic of classrooms and Mr. Morabito said the drawings show new furniture to be purchased.

Mrs. Maxon-Kennelly asked about cafeteria tables and the courtyard. Mr. Morabito said there is an option to buy 3 cafeteria tables; lunch shifts overlap. Nothing from the project is going into the courtyard, but the PTA may choose to disburse funds for this purpose.

Mr. Llewellyn asked about first grade tables, the laundry room, the change in the FF&E dollar amount, thresholds for phases, and seating in the gymnasium. Mr. Morabito said more tables will be purchased, the laundry room is actually a kitchen staff locker room with mop sink and washer and dryer; washer/dryers exist for all the schools. The FF&E conceptual budget is a placeholder until an inventory is done; the FF&E dollar amount was impacted by a change in scope due to a discovery, and was not over-budget. Mr. Brian Stone of Ken Boronson Architects, continued by explaining the phases of the project, and said contingencies will be taken into consideration for each phase. Seating for the gymnasium is staggered in the 2<sup>nd</sup> and 3<sup>rd</sup> phases and is dependent on whether money is still available.

Mr. Patten asked about the approval process, and the dollar amount the state approves. Mr. Stone responded that after the Board’s review tonight, a formal review is done by the state after which bids go out. When the bids return, the building committee decides what to act on. Mr. Morabito explained the eligible and ineligible costs, and also said OSF is updated with an actual number after bids come in. Each project is unique.

**Motion Passed: 8-0-1**

Favor: Mrs. Liu-McCormack, Mr. Patten, Ms. Karnal, Mr. Dwyer, Mr. Convertito, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

Abstain: Mrs. Gerber

*Approval of Plans and Specifications for the Dwight Roof Replacement Project TMP 051 -GTLZ*

Mr. Convertito moved, Mrs. Gerber seconded that the Board of Education approve the plans and specifications for the Dwight Roof Replacement Project TMP 051-GTLZ as enclosed.

Mr. Cullen said this is a non-recurring project that has been approved and is also reimbursable as the roof warranty has expired.

Mr. Convertito asked about the date on the bid document of April 27 and was told that was a placeholder that will be updated after approval is received to go to bid.

Mr. Patten questioned whether it would be 2ply and if solar panels would be installed. Mr. Silver, Silver/Petrucelli Architects, said it would be 2ply. Mr. Cullen said photovoltaic panels would be installed.

Ms. Karnal asked about the timing of the project and Mr. Morabito said it would start and finish over the summer.

Mrs. Liu-McCormack asked about reimbursement and warranty. Mr. Morabito responded that the project will be reimbursed for approximately 26% of installed costs, and explained that the solar project is separate. The Town has entered in to an agreement to use the panels and receive energy at a reduced cost; approximately 60-70% of electricity would be supplied by the panels.

Mr. Convertito asked whether the solar panel installation was coordinated with the roof manufacturer and was told it was.

#### *Public Comment*

Suzanne Miska, 123 Ryegate Road: Concerns about roof membrane consistency district-wide.

Mr. Llewellyn asked for a comment on single vs. double, and what would the cost have been to use 2ply at FLHS? Mr. Morabito explained the amount of solar panel coverage and other variables, including building height, account for its use; the same warranty applies. Mr. Silver said foot traffic on the roof is also taken into consideration. Mr. Morabito said using 2ply at FLHS could have added \$300K, but other variables, including the number of cranes needed, might account for that cost.

#### **Motion Passed: 9-0**

#### *Long Range Facilities Plan*

Mr. Dwyer said the enclosure for this topic shows Holland Hill as the first school to be renovated. He invited Board members to attend a tour of the school on May 15. Mr. Cullen spoke to the history of the Waterfall and the Long Range Facilities Plan to where it is today, using reduced enrollment numbers. He understood that it was the Board's intention to do Holland Hill first, and he reviewed the revised Waterfall chart. Mr. Dwyer added that this is scheduled for a vote at a May or June meeting; this plan represents the most recent decision of a Board of Education. This also has to be added to the Town's Waterfall and the Town has to bless it. Mr. Cullen said that after approval, he will be able to update the Long-Range Facilities Plan.

Mrs. Liu-McCormack asked for clarification of the green sheet, the 504 enrollment, and square footage. Mr. Cullen responded that in addition to classroom square footage, there is common space including the APR.

Mrs. Maxon-Kennelly asked if Stratfield has received final acceptance. Mr. Cullen said that the First Selectman is working with the Building Committee Chair on this; there is some money left over but not enough to take care of the outstanding issues.

Mr. Llewellyn asked how declining enrollment was being accounted for and said he felt that no vote should take place until the ramifications of redistricting are known. Mr. Cullen said enrollment is factored in, but the age of the building, fire code issues, and new requirements for fresh air require attention. Mr. Llewellyn said he is not challenging renovations, only additions.

Mrs. Liu-McCormack asked for a cost of renovations and Mr. Cullen said he could provide that.

Mr. Llewellyn asked that the waterfall legend be added to each page.

Mr. Fattibene asked for a color code. Mr. Cullen said the colors correspond to multi-year projects.

Mr. Dwyer said the purpose of this discussion is to set a direction for the district and is not about project approval.

Mr. Patten asked if other projects would have to move if a decision was made to swap Holland Hill and Mill Hill and was told that was a possibility.

Mr. Convertito suggested the Chair ask for a sense of the body in getting a team to study redistricting.

Mr. Llewellyn said the 2 schools may be able to be done simultaneously if the projects did not have big additions; money may also be saved in transportation.

Mrs. Liu-McCormack said the cost breakdown is needed to understand the numbers better.

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Ms. Karnal asked about security and safety reimbursements. Mr. Cullen said those are not included here. Ms. Karnal asked if the FLHS bathroom renovation could be done during the ongoing construction and Mr. Cullen said no.

Mrs. Gerber mentioned that if space were not added to Holland Hill, the capacity remains at 315 without portables, and mentioned that many of the portables at Holland Hill and Mill Hill are old. Mr. Cullen said that the original capacity of these buildings needs to be kept in mind.

Mrs. Maxon-Kennelly asked if a portable had been purchased in the last few months. Mr. Cullen said no, but explained portables need to be maintained for the duration of their existence; it will be another 10 years before some projects are finished.

Ms. Karnal asked how many portables are currently in place now and was told 15.

Mr. Llewellyn confirmed the capacity at Mill Hill of 378 and Holland Hill with 315, brick and mortar. Mr. Cullen confirmed that extra capacity will exist in 4 schools in September.

*Public Comment:*

Suzanne Miska, Ryegate Road: Concerns about FLHS windows, Holland Hill area is expanding.

Mr. Dwyer said this will be back on the agenda in late May or early June.

*Presentation and Possible action on Superintendent's Recommended Budget Adjustments for 2015-2016.*

Mr. Patten moved, Mrs. Gerber seconded the recommended motion "Whereas at the March 31, 2015 meeting of the Fairfield Board of Selectman, the Board of Selectman voted to increase the Board of Education's proposed budget by \$367,579 with recommendation that it be allocated for health insurance; and Whereas at the April 2, 2015 meeting of the Fairfield Board of Finance, the Board of Finance voted to approve the recommendations of the Board of Selectmen; and Whereas at the May 4, 2015 meeting of the RTM, the RTM voted to approve the recommendation of the Board of Finance.

Resolved, that the Board of Education amend the 2015-2016 Board of Education Budget by adding \$367,579 to the Health Insurance Account for a final 2015-2016 Budget Amount of \$161,215,640."

Mr. Dwyer said the Board of Finance has added money to keep apace based on February experience.

Mr. Fattibene expressed concern about the downward trend in the medical retention fund and said the current budget may need to be revisited in the event there is a need to transfer funds.

Mr. Dwyer said Dr. Title is committed to building this fund, and any excess funds would be applied here. Mrs. Munsell stated that the March numbers also show updated revenue; the net difference between February and March is \$125K as revenue did go up.

Mr. Fattibene said the concerning trend may have to be revisited sooner rather than later.

Mrs. Liu-McCormack asked if a plan were in place to address the downward trend and didn't want this to impact student learning. Mrs. Munsell said the Town has made a commitment; they are not requiring us to make up the difference all at once, and there are three months to go yet; any savings will be added here.

Mr. Llewellyn asked for a review of the quarterly update to help understand the medical retention fund deterioration; the net balance difference in column 10 and 14 for the current year is over 1 million. Mrs. Munsell said the largest revenue increase was for prescription rebates.

Ms. Karnal asked where additional funds might be coming from, and asked about the unexpected \$95K legal fees. Mr. Dwyer said the arbitration comes out of the 14-15 budget. Mrs. Munsell said the \$95K in legal fees was covered by a savings in projected maintenance of \$150K where the bid came in too high and the project was not able to be done; we are currently on budget other than what has been earmarked; any savings will be applied to medical retention. The medical retention fund is different than the general fund and is the part of the Town's comprehensive fund; it will not be updated again until November.

Mr. Dwyer recommended that the Medical Retention Fund be discussed separately, and asked the Board to focus on the motion.

Ms. Karnal asked if staff were looking for savings that could be applied to students. Mrs. Parks added that savings may come from projections that come in lower, such as paper and postage and salary turnover. Textbooks and substitute

staffing would never be cut in order to save money. Mrs. Munsell explained the process of how principals have full discretion to transfer money from one account to another within their building to cover expenses; safety and students come first. Mrs. Parks clarified that textbooks are initially purchased with district money but principals may use their discretion to purchase replacement texts with their building budget.

Mr. Patten said unforeseen events happen; the idea is to look for actual savings to cover disasters such as the Ludlowe roof, not to create a slush fund.

Mrs. Liu-McCormack said money couldn't be found for student programs but it was found for a legal fee.

Mr. Convertito made a point of order to stay on the motion and Mr. Dwyer reminded the Board to do so.

*Public comment:*

Suzanne Miska, Ryegate Road: Medical retention fund plan.

Mrs. Maxon-Kennelly clarified that the district has committed surplus funds be applied to the medical retention fund. Mr. Dwyer said the surplus goes back to the Town; the Town has already agreed this year to apply any BOE surplus to the Medical Retention Fund.

Mr. Llewellyn asked for a point of clarification on whether the Board could transfer money to the medical retention fund right now. Mr. Dwyer said the vote to transfer funds could take place during the end of year reconciliation.

Mr. Fattibene said his concern is not this fiscal year but next; he feels the budget should be revisited within the next few months to address the medical retention fund.

Mr. Dwyer said Dr. Title will address if needed.

Mr. Llewellyn asked that the budget be placed on the next agenda to address Mr. Fattibene's comment. Mrs. Munsell said a budget transfer can be done at any time. Mr. Llewellyn clarified that he is not referring to a surplus, but rather a budget cut in one area. Mrs. Munsell said that would be better addressed in September, and Mr. Llewellyn disagreed saying staff would have been hired by then.

Mrs. Liu-McCormack agreed with Mr. Llewellyn.

**Motion Passed: 9-0**

Mr. Dwyer thanked the Boards of Education, Finance and Selectmen, and the RTM.

*First Reading of Policy 4118.5 Personnel – Acceptable Use Policy*

Mrs. Maxon-Kennelly introduced the policy and asked the Board to send any questions in advance of the next meeting.

Mr. Fattibene asked if the policy contained CABA language. Mrs. Parks said no, CABA does not write policy until there is a legal test; attorneys crafted this language. It is similar to an existing regulation.

Mr. Llewellyn asked about the legal requirements for data retention and legal recovery and their inclusion in this policy. Mrs. Parks said federal and state mandates exist and a new set of regulations is being prepared at the state level; a link can be provided on our website.

Mr. Convertito said this policy is a notice to personnel about the use of a personal device.

*Discussion of the BOE Handbook*

Mr. Dwyer requested Board comments on the updated handbook.

Mr. Fattibene requested different language for page 9, item F, to remove the word 'must' as this indicates the Board needs to act. Mr. Convertito suggested 'informed on issues that come before the Board.' Mr. Fattibene also suggested that page 17, item E, beginning with 'members', should re-state what is in the By-laws and other language in that paragraph should be shortened. Mr. Dwyer requested that change in writing, just to be clear.

Ms. Karnal requested clarification on page 10 item J. Mr. Dwyer said that documents what currently happens. Ms. Karnal felt that page 14, item VB, interfered with her freedom of Speech. Mr. Dwyer said Board members are free to speak as individuals.

Mr. Fattibene reviewed the disclaimer statement and said the BOE handbook is a guide.

Mr. Llewellyn referred to pages 7 and 8 and suggested a return to 2 meetings per month; 1 Business and 1 Educational.

Mr. Dwyer said the Handbook will be put on for one more discussion at the next meeting, inclusive of changes.

Mrs. Liu-McCormack felt concerned that people may rely on the handbook rather than the actual policies and Mr. Dwyer again referenced the disclaimer statement.

Mrs. Maxon-Kennelly referenced page 9 as discussed previously, and suggested a change to “issues that come before the Board.” Mr. Fattibene agreed.

Mr. Fattibene suggested the handbook be renamed a ‘A Guide to the Fairfield Public Schools by the Board of Education.’

<i>Approval of Minutes</i>
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*Approval of Minutes of the February 24, 2015 Regular Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Regular Meeting of February 24, 2015.

**Motion Passed: 5-3-1**

Favor: Mr. Patten, Mrs. Gerber, Mr. Dwyer, Mr. Convertito, Mrs. Maxon-Kennelly

Oppose: Mrs. Liu-McCormack, Ms. Karnal, Mr. Fattibene

Abstain: Mr. Llewellyn

*Approval of Minutes of the February 28, 2015 Special Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Special Meeting of February 28, 2015.

**Motion Passed: 6-1-2**

Favor: Mr. Patten, Mrs. Gerber, Mr. Dwyer, Mr. Convertito, Mr. Fattibene, Mrs. Maxon-Kennelly

Oppose: Mr. Llewellyn

Abstain: Ms. Karnal, Mrs. Liu-McCormack

*Approval of Minutes of the March 10, 2015 Regular Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Regular Meeting of March 10, 2015.

**Motion Passed: 7-2**

Favor: Mr. Patten, Ms. Karnal, Mrs. Gerber, Mr. Dwyer, Mr. Convertito, Mr. Fattibene, Mrs. Maxon-Kennelly

Oppose: Mrs. Liu-McCormack, Mr. Llewellyn

*Approval of Minutes of the April 7, 2015 Special Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Special Meeting of April 7, 2015.

**Motion Passed: 6-1-2**

Favor: Mr. Patten, Ms. Karnal, Mrs. Gerber, Mr. Dwyer, Mr. Fattibene, Mrs. Maxon-Kennelly

Oppose: Mr. Llewellyn

Abstain: Mrs. Liu-McCormack, Mr. Convertito

*Approval of Minutes of the April 7, 2015 Regular Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Regular Meeting of April 7, 2015.

Mr. Llewellyn requested to check the statement on page 6 related to Mrs. Munsell. He will provide language at a later time.

Mr. Llewellyn moved, Mrs. Liu-McCormack seconded to postpone approval of the minutes to the next regular meeting.

**Motion Passed: 7-2**

Favor: Mrs. Liu-McCormack, Mr. Patten, Ms. Karnal, Mr. Convertito, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

Oppose: Mrs. Gerber, Mr. Dwyer

*Approval of Minutes of the April 21, 2015 Special Meeting*

Mrs. Gerber moved, Mrs. Maxon-Kennelly seconded that the Board of Education approve the Minutes of the Special Meeting of April 21, 2015.

Mr. Llewellyn referenced page 2 and said he also asked for a copy of the business plan that supports the Walter Fitzgerald Campus.

Mr. Convertito asked that the term education plan be used instead of business plan.

Mrs. Liu-McCormack said the first page should also indicate her question on statistics being presented by school, and should include other language regarding measuring the change.

Mr. Dwyer said he will vote against the postponement as he has consistently asked Board members to provide any changes to the minutes ahead of time.

Mrs. Maxon-Kennelly said this is the last time she will vote to postpone minutes out of consideration to the secretary.

Mr. Convertito said the motion to postpone should include specific direction for the secretary. Mr. Dwyer said the secretary records what was said at the April 21 meeting, as opposed to comments made at this meeting.

Mrs. Liu-McCormack moved, Mr. Llewellyn seconded to postpone approval of the minutes to the next regular meeting.

**Motion Passed: 7-2**

Favor: Mrs. Liu-McCormack, Mr. Patten, Ms. Karnal, Mr. Convertito, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

Oppose: Mrs. Gerber, Mr. Dwyer

Ms. Karnal moved, Mr. Llewellyn seconded to suspend the rules and extend the meeting to 11:30PM

**Motion Passed 7-2**

Favor: Mrs. Liu-McCormack, Mr. Patten, Ms. Karnal, Mrs. Gerber, Mr. Fattibene, Mrs. Maxon-Kennelly, Mr. Llewellyn

Oppose: Mr. Dwyer, Mr. Convertito

<i>Superintendent's Report</i>
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Mrs. Munsell reviewed the 3<sup>rd</sup> Quarter Report, and is projecting total expenses to be within budget at year-end.

Mrs. Liu-McCormack asked for the net expenditures of the Pre-K program, excluding ECC. Mr. Dwyer said the Pre-K program also addresses the racial imbalance issue and the state would have to be consulted prior to any change.

Mr. Llewellyn asked about utility costs and line 329 on page 1 of 2. Ms. Munsell said there was a change in utility contracts as of March 1, and excess cost has been set at \$3.5M.

Ms. Karnal asked about teacher retirements and Mr. Dwyer explained the process of how this is budgeted for. Ms. Karnal requested confirmation that the legal bill of \$95K was taken from Maintenance, as it had a negative balance.

Mrs. Munsell explained that there was a swing of \$150K in Maintenance.

Mr. Llewellyn requested clarification on transfers between major categories and whether the BOE had to approve those. Mr. Dwyer said that staff is allowed to transfer funds. Ms. Munsell said policy allows transfers between categories up to

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\$10K. The transfers that appear to be higher than \$10K are most likely a combination of multiple transfers; she will provide a breakdown of those transfers and a copy of the transfer policy.

*Committee Reports*

Mrs. Gerber reported on Osborn Hill. The covered walkway plan is being developed and the gym should be ready before the end of the school year; the windows and walkway should be done this summer.

Mrs. Maxon-Kennelly mentioned the PTA Council Awards Ceremony on June 8.

Mr. Dwyer noted the CT Interscholastic Conference decision that stated Thanksgiving Day football games will no longer be played. More details can be obtained from Mr. Schultz.

Mrs. Parks reported that the hawk from last year has returned and was recently spotted at TMS.

*Open Board Comment*

None.

*Adjournment*

Mrs. Gerber moved, Ms. Karnal seconded that this Regular Meeting of the Board of Education adjourn.

**Motion Passed 8-0**

*(Mr. Convertito was no longer present.)*

Meeting adjourned 11:28PM.

Respectfully Submitted  
*Jessica Gerber*  
*Fairfield Board of Education*  
*Secretary*

*JG/mb*