



**Hamilton - Wenham Regional School Committee  
Executive Session Meeting (Zoom Virtual Meeting)  
Wednesday, June 10, 2020; 6:00 PM**

**Present:**

David Polito, Chairperson  
Gene Lee, Assistant Secretary  
Michelle Bailey, Vice Chairperson  
Michelle Horgan, Secretary  
Peter Wolczik  
Stacey Metternick  
Tai Pryjma

**Also Present:**

Julie Kukenberger, Interim Superintendent  
Vincent Leone, Assistant Superintendent to Finance & Administration  
Mahala Lettvin, Recording Secretary  
Mary Beth Banios, Incoming District Superintendent  
Johanna Mills, Senior Claims Representative, *MIAA Property & Casualty*  
Stephen Pfaff, Attorney from *Louison, Costello, Condon & Pfaff, LLP*

*Executive Session meeting is in session from 6:07 PM - 8:16 PM.*

**DISCUSS STRATEGY WITH RESPECT TO ALL COLLECTIVE BARGAINING GROUPS AND LITIGATION**

Attorney Stephen Pfaff, *Louison, Costello, Condon & Pfaff, LLP*, provides an update regarding pending litigation involving a former Hamilton - Wenham district employee and her complaint surrounding termination of her employment. Mr. Pfaff provides an overview of the case including jurisdiction/ filing of suit; events and concerns surrounding the termination; witness statements/testimony; complaints made against the district; likelihood of favorable jury decision; anticipated response from a jury; etc. Mr. Pfaff notes that the discovery process, including all necessary depositions, is complete.

Johanna Mills, *Insurance Adjustor*, explains that regardless of how the district chooses to proceed, there will be no out-of-pocket expenses because the district has met the \$7,500 deductible. Ms. Mills will further research how a settlement may impact the insurance premium, and will report back to the district on her findings.

**I MOVE THAT THE HAMILTON - WENHAM REGIONAL SCHOOL COMMITTEE GRANT PERMISSION TO ATTORNEY STEPHEN PFAFF TO NEGOTIATE THIS CASE ON THE DISTRICT'S BEHALF; AND TO POTENTIALLY SETTLE WITHOUT TRIAL IF DOING SO IS DETERMINED TO BE IN THE BEST INTEREST OF THE DISTRICT.**

**MOTION by Michelle Horgan; SECONDED by Michelle Bailey.**

Michelle Bailey      YES;

Stacey Metternick YES;  
Peter Wolczik YES;  
Michelle Horgan YES;  
Tai Pryjma YES;  
Gene Lee YES;  
David Polito NO.

**MOTION PASSES by majority roll call vote (6:1) of seven (7) members present.**

**CONDUCT STRATEGY SESSIONS IN PREPARATION FOR NEGOTIATIONS WITH  
NONUNION PERSONNEL OR TO CONDUCT COLLECTIVE BARGAINING SESSIONS OR  
CONTRACT NEGOTIATIONS WITH NONUNION PERSONNEL**

Discussion regarding ongoing negotiations with both the Custodial Union and Hamilton - Wenham Education Association Union.

The School Committee reaches consensus that until further discussion with the HWEA, the School Committee will *take no action* on the Custodial Union agreement.

Review of HWEA proposed agreement, with a lengthy discussion regarding the potential impact on the district and the FY21 budget. The School Committee members revise the proposed agreement: eliminating certain bullet points and revising language to more accurately reflect actions the district is willing to take.

Dr. Kukenberger clarifies the district's decision making process; actions taken; and the timeline and strategy of communications surrounding potential staffing cuts. Discussion regarding community and HW staff response to perceived staffing cuts, including the negative impact this has on students, families, and the larger community. Ms. Bailey states that any schedule and/or curriculum changes resulting from staffing changes requires the School Committee's approval.

Ms. Horgan will consult with Naomi Stomberg, district's legal counsel, regarding changes made to the Agreement, as discussed in the meeting. The *Negotiations Subcommittee* will meet with HWEA Union President John Koch next Wednesday, 06/17/2020 at 4:00 PM.

**I MOVE THAT THE HAMILTON - WENHAM REGIONAL SCHOOL COMMITTEE ADJOURN  
THE 06/10/2020 EXECUTIVE SESSION MEETING AT 8:16 PM.**

**MOTION by Michelle Horgan; SECONDED by Stacey Metternick.**

Stacey Metternick YES;  
Michelle Bailey YES;  
Michelle Horgan YES;  
Gene Lee YES;  
Tai Pryjma YES;  
Peter Wolczik YES;  
David Polito YES.

**MOTION PASSES unanimously through roll call vote of seven (7) members present.**

*Respectfully submitted November 22nd, 2020 by Mahala Lettvin, Recording Secretary.*