

Regular Meeting
KILLINGLY BOARD OF EDUCATION
Wednesday, February 14, 2024
7:00 PM
Killingly Town Hall, 172 Main St.
2nd Floor, Community Mtg. Room

MINUTES (Revised)

Present: Laura Dombkowski, Meredith Giambattista, Susan Lannon, Laura Lawrence, Kelly Martin, Kevin Marcoux, Misty Murdock, Kyle Napierata, Danny Rovero. Student Board Member, Anya Oliverson.

Others Present: Superintendent Dr. Susan Nash, Assistant Superintendent, Jeffrey Guiot, Recording Secretary, Keely Doyle, Recording Secretary

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:00 p.m.

2. ROLL CALL- See above

3. BOARD SHOUT-OUTS

Kevin Marcoux gave a shout-out to Kurt Michon, head custodian at KHS. Mr. Marcoux went on to say that Kurt goes above and beyond every day with a pleasant disposition. He takes pride in his work and provides a great working environment for students and staff. There is no task too big, or too small. Kurt is respected by everyone at the high school and is adored by all his co-workers.

4. REPORT BY STUDENT BOARD MEMBER

Anya Oliverson shared news about events that have taken place in the district.

GECC: For Purposeful Play, classrooms recently visited Stop & Shop and Lowe's and students will create their own supermarket and home improvement stores.

KCS: Kindergarten students took a field trip to Logee's Greenhouse. The guide shared that the children were the best group they have ever had due to the students' good manners and ability to listen to and follow directions.

No report for KMS.

KIS: The 8th grade popcorn fundraiser that was approved by the Board of Education had a very good outcome and \$5,616 was raised.

KHS: The Agricultural Education Program hosted an AgEd Pop-Up Shop on February 14th. Students sold items from their businesses.

KHS Wrestling won the ECC champions and KHS will host the Class S State Wrestling Tournament on February 16th and 17th. The KHS National Honor Society held a blood drive last week. 9th -11th grade students will be participating in course selection for next school year

5. PUBLIC COMMENT-

Michelle Murphy, 325 Breakneck Hill Rd., Dayville

Ms. Murphy was speaking as a taxpayer. She was disturbed last week seeing a new letter of engagement or contract with legal services between the Board of Education and Shipman & Goodwin without all Board members given the time to read over the financial terms. Whether it was new or renewed contract does not matter.

Ms. Murphy commented as an individual Town Council member saying there is a lot to learn upon taking on an elected position. All Board members should look at all Killingly School system finances including new or renewed contracts, letters of engagement or agreement, etc. This expectation falls on each Town Council member and it also falls on each Board of Education member. Taxpayers expect and deserve knowing that we are looking at all financials, all the time.

6. TOWN COUNCIL LIAISON REPORT

Michelle Murphy shared with the Board that last night's Town Council meeting was cancelled due to the snow. The Town is hoping to receive approval from the Army Corps of Engineers to begin dredging the pond at Owen Bell Park this summer. The material from dredging will be deposited on the soccer field and will be removed in the fall. The soccer playing field will be out of service for 1 year. Presentation was given by Jill St. Clair regarding how the process for funding brownfields work. Improvements to the baseball's infield and irrigation will cost between 35,000-\$45,000. There is an identified donor for partial funding but there will still be a gap for the total cost. She shared information regarding liaison appointments.

Assesments have dramatically increased and this is a concern of the Town Council in relation to budgeting. Mr. Napierata asked about town-wide trash pick-up services and if that service will be changing, as it is in Putnam. This falls under waste mangement but she will look into this. Mr. Rovero asked what the percentage of increase is of the total grand list. Ms. Murphy did not know at this time, but this will be disussed in upcoming Town Council budget meetings. Dates of meetings will be announced soon.

7. KMS BUILDING UPDATE/PRESENTATION BY REPRESENTATIVES OF DOWNES CONSTRUCTION COMPANY

Frank Tomcak, project executive and Doug Triba, project manager for Downes Construction gave a brief synopsis of the temporary heating system at KMS and explained how it works and why there were some heating issues. COVID remains to have an impact on receiving mechanical equipment in a timely manner, therefore a temporary heating unit needed to be installed at the new KMS addition. The temporary heating system was accepted by the design team and final inspections took place in December. The temporary unit was installed with involvement from both, the fire marshall and building department official. The heating unit met all building codes.

It is very common to experience a period of adjustment in initial start-ups of a new heating system. Staff adjusting thermostats and doors left open, impact regulated temperatures. At this time, temperature and humidity levels are where they should be. Temperatures will continue to be monitored until the mechanicals for the permanent heating system are delivered and installed, sometime in April.

8. BOARD CHAIR AND COMMITTEE & LIAISON UPDATES

- A. Curriculum Committee-no update
- B. Facilities Committee

1. Discussion and Possible Action to Approve the 2024/25 through 2028/29 Capital Improvement Plan

Dr. Nash shared that the Capital Improvement plan has been trimmed down a bit from past years. The new greenhouse roof at ag-ed and a new parking lot at Goodyear have been completed. Dr. Nash's priorities at this time are projects that are most pivotal in terms of safety. There are two capital improvement projects she has prioritized.

A new access road to the lower field at KHS needs widening. The access road is not wide enough for emergency vehicles, especially fire trucks. In 2021 there was a fire in the lower field and emergency vehicles had a difficult time accessing the area. The Fire Marshall requested in writing, that the road be widened or a new access road be made. Dr. Nash would like to have an engineer do a study and seek a cost estimate. Once an estimate is determined, Dr. Nash will come back to the board to discuss the best options.

The second area of concern is vestibule area KIS. The public enter through the front doors and if they don't go directly to the main office, they can enter multiple hallways, leading to classrooms. Dr. Nash would like to see a teller type window system installed to prevent visitors entering those areas.

**MOTION: Kevin Marcoux, seconded by Danny Rovero to approve the Capital Improvement Plan as presented.
Yes- 9, Unanimous, Motion Carries.**

2. Discussion and Possible Action Regarding the Use of the Non-Lapsing Account to Fund New Bathroom Doors at KHS.

Dr. Nash shared that KHS the project for new bathroom doors went out to bid to state vendors. At a recent Facility committee meeting, committee members reviewed the contractor's proposal from BMP Construction Inc. The work could be performed during April break. The proposal is \$99,520.45 and a 10% contingency was added for any unforeseen issues, raising the amount to \$109,472.50. Closing down the large bathrooms during class time is having a positive impact on student discipline incidents. There has been a 8% decrease in student vaping incidents and class cuts are down by 11%. Kurt Michon, lead KHS custodian told Dr. Nash that the amount of vandalism has decreased in the bathrooms since closing them off during class time. Ms. Martin asked if there was enough money in the non-lapsing account now, without the transfer and Dr. Nash answered that yes.

**MOTION: Kevin Marcoux, seconded by Misty Murdock to approve using \$109,472.50 from the non-lapsing account to fund the new bathroom doors at Killingly High School.
Yes, 9 Unanimous, Motion Carries.**

- C. Fiscal Committee- Ms. Lannon reminded the Board that the first budget workshop will be held next Wednesday, at 6:15 at Central Office.
- D. Personnel Committee
Misty Murdock, Policy Committee Chairperson shared that the committee met on January 30. They met with the lawyer to learn about procedures regarding negotiations. Negotiations for paraprofessionals and nurses were discussed. Per diem comparable rates for nurses are being looked into.

1. EXECUTIVE SESSION FOR DISCUSSION REGARDING PROPOSED APPOINTMENT OF KIS PRINCIPAL, EFFECTIVE JULY 1, 2024

MOTION: by Misty Murdock, seconded by Meredith Giambattista to enter

into executive session to discuss appointment of KIS principal effective July 1, 2024

Yes- 9 Unanimous, Motion Carries.

Amended Motion to invite Dr. Nash and Mr. Guiot into Executive Session.

Motion Yes- 9 Unanimous, Motion Carries.

The Board entered executive session at 7:37 p.m

The Board came out of executive session and resumed the Board meeting at 7:41 p.m.

2. Possible Action to Appoint KIS Principal, effective July 1, 2024

MOTION: by Kelly Martin, seconded by Laura Lawrence to appoint Bryant Sheldon as KIS Principal effective July 1, 2024.

Yes-9 Unanimous, Motion Carries

3. Discussion and Possible Action to Establish the Position of Athletic Director as a Full-Time, 12-Month Position, Effective July 1, 2024.

MOTION: by Kevin Marcoux, seconded by Laura Lawrence to establish the position of Athletic Director to full-time, 12-month position, effective July 1, 2024.

Yes-9 Unanimous, Motion Carries

E. Policy Committee- No updates

9. REVIEW AND POSSIBLE ACTION REGARDING MONTHLY CHECK AUTHORIZATIONS

- A. December 2023 Check Authorizations from 2022-23 Fiscal Year
- B. December 2023 Check Authorizations
- C. January 2024 Check Authorizations

MOTION: by Misty Murdock, seconded Kelly Martin to approve checks as presented.

Yes- 9, Unanimous, Motion Carries.

10. SUPERINTENDENT'S UPDATE

- A. Preliminary Budget 2-14-24

Dr. Nash gave a presentation of her preliminary FY 2024-25 budget.

Many districts, including Killingly will be losing ESSER funds. The Killingly district has relied heavily on ESSER funds, or COVID Relief Funds. To date, almost 1M has supported many position's salaries and benefits. The status of State and Federal grants is unknown at this time.

A zero-based budgeting approach will be looked at for Supplies and Communications. During the budget process, administrators were asked to itemize and justify supplies. In Communications, there were many pandemic-remnant subscriptions that were reviewed. At department level budget meetings, administrators were asked to determine how significantly it would impact programming and student learning if some were eliminated. Dr. Nash said that even though it appears that there is an increase in these accounts, that in actuality, there is not due to last year's pre-spending for these accounts. Dr. Nash presentation included past historical views of a Superintendent's proposed budget, the Board's proposed budget, and actual adopted budgets.

The main driver in the budget continues to be Salaries and Benefits. Dr. Nash made initial reductions and adjustments.

Currently, the Superintendent's proposed budget for the 2024-25 school year is \$49,115,026.90 which equates to a 4.94% increase.

Dr. Nash explained that there will be more details discussed at the upcoming budget workshops. The Board will have time to review proposed, prioritized decision packages and discuss and review all departmental proposed budgets and make revisions.

Mr. Marcoux asked how revenues, such as tuition will impact the budget. The amount of all revenues will be calculated by Mrs. Clark during the budget process.

11. **CONSENT AGENDA**

- A. January 24, 2024 Board Meeting Minutes
- B. February 1, 2024 Student Enrollment
- C. Employee of the Month Nominee

Kelly Martin asked to pull item 10.A, January 24, 2024 Board Meeting Minutes

**MOTION: by Kelly Martin seconded by Misty Murdock to approve Consent items 10.B & 10.C
Yes-9, Unanimous. Motion Carries.**

Kelly Martin noted that it was important to add comments made by her at the January 24 meeting. She requested to add that there was a discussion with Attorney Mills surrounding some members of the BOE who were concerned that the Letter of Engagement from Shipman & Goodwin was not attached to the agenda and that they didn't have time to review it before the vote. Ms. Martin shared that it is common practice to see a Letter of Engagement or a contract of any kind prior to voting on it, the majority voted to engage the services without seeing the contract.

**MOTION: by Kelly Martin, seconded by Kyle Napierata to amend the January 24, 2024 minutes.
Yes-9, Unanimous. Motion Carries.**

**MOTION: by Kelly Martin, seconded by Laura Lawrence to approve the amended January 24, 2024 minutes.
Yes-9, Unanimous. Motion Carries.**

12. **DISCUSSION WITH RICH MILLS OF SHIPMAN & GOODWIN REGARDING BOE BY-LAWS AND PROCUREMENT POLICIES, INCLUDING THE POTENTIAL RAMIFICATIONS OF BY-LAW VIOLATIONS AND PROCUREMENT POLICY BREACHES**

This item was added to the agenda at the request of four Board members. Ms. Lannon read Bylaw #9125. The Bylaw contained much detail regarding how the Board is to utilize legal council and how to properly obtain legal advice.

Ms. Martin asked Attorney Mills how it was allowed to waive a partial by-law to pass a 2/3 majority vote at the January special board meeting or at any time. Ms. Martin asked where she can find this information and she would appreciate it if the Board could get that information in writing from Attorney Mills.

Attorney Mills responded by saying that there are three ways for a district to request legal advisement or strategy and it is in the Board of Education Bylaw.

The first would be to have the Officers of the Board request legal opinion. The second would be to have the whole Board take a vote to get legal opinion. The third is to have the Superintendent or their designee request legal opinion. Attorney Mills shared that at this time, he has not been asked through any of those three avenues, for legal advice regarding Ms. Martin's concerns on this issue. Attorney Mills reminded her of the By-laws and reiterated the three avenues of requesting legal opinion. He added he is to advise the Board as a whole and not individual Board members. Ms. Martin requested to add to tonight's agenda discussion and action to get a legal opinion regarding this issue. Ms. Lannon said there would need to be a 2/3 vote to add this to the agenda.

MOTION: by Kelly Martin, seconded by by Laura Dombkowski to amend the agenda to add discussion and action regarding this specific issue.

Roll Call Vote

No-5, Meredith Giambattista, Kevin Marcoux, Misty Murdock, Danny Rovero, and Susan Lannon.

Yes-4, Laura Dombkowski, Laura Lawrence, Kelly Martin, and Kyle Napierata

Motion Fails

Ms. Lannon asked Attorney Mills if it would be proper protocol for Ms. Martin to put a request in writing requesting legal opinion on this issue. Attorney Mills said that Ms. Martin could put this request in writing as long as one on three avenues as stated in the Board's Bylaw was followed. He added that the Bylaw is to also ensure that the Board does not incur any unnecessary legal costs. Ms. Martin said she feels another By-Law has been broken but will not pursue it tonight because no-one wants to hear the answer and the votes will be no. Ms. Martin will seek answers elsewhere and she will attempt to put her requests in writing.

13. EXECUTIVE SESSION TO DISCUSS STRATEGY REGARDING PENDING CLAIMS AND LITIGATION:

1) Claim Filed by Killingly Board of Education with the Office of Claims Commissioner of the State of Connecticut, File No. 26997

2) Complaint Filed by Killingly Board of Education with the Connecticut Freedom of Information Commission, Case No FIC 2023-0563

MOTION: by Kevin Marcoux, seconded by Misty Murdock to enter executive session with invite to Dr. Nash and Attorney Mills.

Roll Call Vote

Yes-9, Laura Dombkowski, Meredith Giambattista, Laura Lawrence, Kelly Martin, Kevin Marcoux, Misty Murdock, Kyle Napierata, Danny Rovero, and Susan Lannon.

Motion Carries

The Board entered Executive Session at 8:25 p.m.

The Board came out of Executive Session and resumed the meeting at 9:05 p.m.

14. DISCUSSION AND POSSIBLE ACTION REGARDING CLAIM FILED BY KILLINGLY BOARD OF EDUCATION WITH THE OFFICE OF THE CLAIMS COMMISSIONER OF THE STATE OF CONNECTICUT, FILE NO. 26997

MOTION: by Kevin Marcoux, seconded by Meredith Giambattista, to authorize the Board's Legal Council Shipman & Goodwin, LLP to withdraw the claim filed by Killingly Board of Education with the office of the Claims Commissioner of the State of Connecticut, file No. 26997.

Roll Call Vote

Yes-5 Meredith Giambattista, Kevin Marcoux, Misty Murdock, Danny Rovero, and Susan Lannon.

No-4, Laura Dombkowski, Laura Lawrence, Kelly Martin, and Kyle Napierata.

Motion Carries

15. DISCUSSION AND POSSIBLE ACTION REGARDING COMPLAINT FILED BY KILLINGLY BOARD OF EDUCATION WITH THE CONNECTICUT FREEDOM OF INFORMATION COMMISSION, CASE NO. FIC 2023-0563

MOTION: by Meredith Giambattista, seconded by Kevin Marcoux to have Legal Council Shipman & Goodwin, LLP withdraw the complaint filed by Killingly Board of Education with the Connecticut Freedom of Information Commission, Case No. FIC 2023-0563.

Roll Call Vote

Yes-5 Meredith Giambattista, Kevin Marcoux, Misty Murdock, Danny Rovero, and Susan Lanno.

No-4, Laura Dombkowski, Laura Lawrence, Kelly Martin, and Kyle Napierata.

Motion Carries

16. ADJOURNMENT

MOTION: by Danny Rovero, seconded by Kevin Marcoux to adjourn at 9:07 p.m.
Unanimous
Motion Carries

Respectfully submitted by,
Keely Doyle
Recording Secretary