

**Westport School Committee  
Executive Session  
DATE: Tuesday, March 14, 2023  
Time: 5:00 pm**

**PLACE: Westport Middle-High School Career Center Conference Room 2nd Floor**

**MINUTES**

**Members Present:** Gloria Cabral, Michelle Orlando, Melissa Pacheco, Nancy Stanton Cross, Antonio Viveiros

**Also Present:** Superintendent Thomas Aubin, Kristin McDaniel Human Resource Coordinator (virtual), Michelle Rapoza School Business Manager, William Shinoff Attorney (virtual)

**I. Call to Order** – Chair Stanton Cross called the School Committee Executive Session to order at 5:15 pm. with a quorum of the members present.

**II.** A motion was made to adjourn to Executive Session.

**Adjourn to Executive Session pursuant to MGL c. 30A, § 21(a)(3) To discuss strategy with respect to the JUUL litigation, collective bargaining (AFSCME Negotiations) and (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel if an open meeting may have a detrimental effect on the litigating or bargaining position of the public body and the chair so declares. Members will return to open session.**

Motion by Orlando, seconded by Cabral 5/0/0

Roll call vote:

Cabral	Yes	Orlando	Yes	Pacheco	Yes	Stanton Cross	Yes	Viveiros	Yes
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A motion was made to invite Thomas Aubin, Kristin McDaniel, Michelle Rapoza and William Shinoff to the table.

Motion by Orlando, seconded by Cabral 5/0/0

Roll call vote:

Cabral	Yes	Orlando	Yes	Pacheco	Yes	Stanton Cross	Yes	Viveiros	Yes
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**2. JUUL Litigation** - *(taken out of order)* Attorney Shinoff gave an update on the JUUL vaping litigation. They have been litigating for 3 years. JUUL made a proposed settlement to resolve claims.

Altria, the parent company of Philip Morris has not settled at this time and is preparing to go to trial on April 24, 2023.

The FDA has banned flavor vape products.

Attorney Shinoff updated on the financial aspect. JUUL is on shaky financial ground especially with the restrictions by the FDA. There is a likelihood they could file bankruptcy.

Only entries will receive funds. Main factors looked at were how large is the population of students, how many buildings does the district have and when did the district join the suit. Westport will receive \$8,325. The district will receive a lower amount due to joining later.

Westport will not be considered a late filer if the company Altria has a future law suit.

The funds are considered unrestricted and can be used as the district wishes. The monies will be dispersed according to the following timeline: 50% in Fall, 12.5 % every December. In 2024, 2 payments will be made, then December 2025 and December 2026.

Chair Stanton Cross asked how will the checks be made payable? Attorney Shinoff explained funds will be sent to the settlement administrator, then they will cut checks directly to the district.

Chair Stanton Cross asked Attorney Shinoff if the Superintendent should sign both of the information packets that were sent. The Attorney confirmed yes.

Chair Stanton Cross asked if there is a superfund for buying vape monitors? Attorney Shinoff responded this will be up to the Attorney General and could eventually trickle down to school districts. It was verified that the Attorney General is involved with this.

Chair Stanton Cross mentioned this means there may be future funding through the Attorney General's office.

Discussion took place on steps to take for future documentation.

Attorney Shinoff suggested to keep records moving forward. The district should have good record keeping on the number of students caught vaping, discipline used and the type of vape that was used. This will be helpful in furthering the litigation.

Chair Stanton Cross asked if there were any questions? There were none.

*(Attorney Shinoff left here at 5:32 pm.)*

3. Update on AFSCME Negotiations - [REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 1. Approval of Minutes of Thursday, December 15, 2022 - (taken out of order)  
A motion was made to approve the Minutes of Thursday, December 15, 2022.

Motion by Orlando, seconded by Pacheco 5/0/0  
Roll call vote:  
Cabral Yes Orlando Yes Pacheco Yes Stanton Cross Yes Viveiros Yes

**III. Adjourn** - A motion was made to adjourn the Executive Session.

Motion by Orlando, seconded by Pacheco 5/0/0  
Roll call vote:  
Cabral Yes Orlando Yes Pacheco Yes Stanton Cross Yes Viveiros Yes

The School Committee Executive Session ended at 6:39 pm.

Respectfully submitted: S. Pinho  
Date Approved: 3-22-23  
Date Declassified: 7-17-24