

MINUTES

BOARD MEMBERS PRESENT: Chairman Tom Hurley, Mr. John Belfonti, Ms. Robyn Berke, Mr. Christopher Browe (arrived 7:00 p.m.), Ms. Shannan Carlson (departed 6:45 p.m.), Ms. Patricia Cardozo, Ms. Paula Cofrancesco, Ms. Sue Cohen, Mr. Steven DeMaio (arrived 6:12 p.m.), Ms. Amy Esposito, Ms. Sheila McCreven, and Ms. Jennifer Turner.

BOARD MEMBERS ABSENT: Ms. Diane Urbano.

Staff members present: Dr. Charles Dumais, Ms. Theresa Lumas, and Mr. Scott Cleary.

Also present: Other members of the public.

A special meeting of the Amity Regional Board of Education (BOE) was held on Monday, September 05, 2017 at 6:00 p.m. in the Presentation Room at the District Offices, 25 Newton Road, Woodbridge, CT.

1. Call to Order: Chairman Tom Hurley called the meeting to order at 6:06 p.m.

2. Discussion of Bylaw 9132.6

Mr. Hurley gave a history of the current policy as it was discussed and approved in 2003. The bylaw is currently suspended until the end of 2017, so as not to interfere with the budget process. There are several items in the policy to be considered: (1) language change, "shall" versus "may;" (2) notices in the newspaper/media and their possible consideration as advocacy; (3) possible change in the composition of the personnel of the Amity Finance Committee (AFC), i.e., is the current composition legal?; (4) possible language changes per the edits submitted by Ms. Russo (former BOE member).

Mr. Hurley opened the floor for discussion regarding language, "shall" versus "may."

Motion by Ms. McCreven, 2nd by Ms. Cohen, that Attorney Dugas attend the next Board meeting to clarify the legality of the current composition of the personnel on the Finance Committee.

There was discussion regarding whether a written opinion from Attorney Dugas would suffice or whether he should be asked to attend a future meeting. An opinion could also be requested from CABA. Further discussion ensued.

Vote in favor, 4, Ms. Berke, Ms. Cohen, Ms. McCreven and Ms. Turner

Vote opposed, 6, Mr. Belfonti, Ms. Cardozo, Ms. Carlson, Ms. Cofrancesco, Mr. DeMaio and Ms. Esposito

Motion defeated

Further discussion followed.

Motion by Ms. Esposito, 2nd by Ms. Cohen, to request that Attorney Dugas render a written legal opinion regarding any questions that arise regarding bylaw 9132.6 as a result of this meeting.

Discussion.

Amendment to the motion by Ms. Cofrancesco, 2nd by Mr. Belfonti, to also request a written opinion from CABA.

Discussion followed regarding the amendment and the original motion.

Vote on the amendment:

In favor, 9, Mr. Belfonti, Ms. Berke, Ms. Cardozo, Ms. Carlson, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito and Ms. Turner

Opposed, 1, Ms. McCreven

Motion carried

Vote on the amended motion:

In favor, 10-0 Mr. Belfonti, Ms. Berke, Ms. Cardozo, Ms. Carlson, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, Ms. McCreven and Ms. Turner

Motion carried

It was decided to keep a running list of questions during the meeting to be transcribed in the minutes and forwarded to Attorney Dugas and to the CABE attorney.

Discussion returned to the language of “shall” versus “may” as used throughout the bylaw. There was discussion regarding other proposed language changes, particularly regarding department head presentations (page b, 5th paragraph).

Motion by Ms. Cohen, 2nd by Mr. DeMaio to change “will include” to “may include” on page b, paragraph 5.

Discussion followed.

Motion to amend by Ms. Esposito, 2nd by Ms. Turner, to change the language in page b, paragraph 5 to all of the proposed new language.

Further discussion.

Vote on amendment:

In favor, 8, Mr. Belfonti, Ms. Berke, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito and Ms. Turner.

Opposed, 1, Ms. McCreven

Motion carried**Vote on original motion:**

In favor, 8, Mr. Belfonti, Ms. Berke, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito and Ms. Turner.

Opposed, 1, Ms. McCreven

Motion carried

Motion by Ms. Cofrancesco, 2nd by Mr. DeMaio, to correct the title of Direction of Finance and Administration throughout the bylaw document.

Vote in favor, 8, Mr. Belfonti, Ms. Berke, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito and Ms. Turner.

Vote opposed, 1, Ms. McCreven

Motion carried

Discussion was held regarding the language “new budget policies” on page b, paragraph 3.

Motion by Ms. McCreven to ask the attorneys if these changes being made at the meeting this evening need to go back to the AFC for their consideration and recommendation to the full BOE.

There was discussion.

Ms. McCreven withdrew the motion.

The BOE will follow bylaw 9123.6 as is currently in place; proposed changes that come out of the meeting this evening will be included in the packet for the AFC’s meeting next Monday, September 11, 2017.

Discussion began regarding explanatory text that is approved by the Board and whether it’s considered “advocacy” (page c, paragraph 1), in the event that the AFC and the BOE fail to agree on the budget. Lengthy discussion followed regarding the advocacy question.

Motion by Ms. McCreven, 2nd by Mr. Browe, to ask the attorneys to specifically look at what can be included in explanatory text and if it is considered advocacy; for example, can statements of fact be included in the explanatory text, such as the vote on the budget by the Board.

Vote in favor, 10, Mr. Belfonti, Ms. Berke, Mr. Browe, Ms. Cardozo, Ms. Carlson, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, Ms. McCreven and Ms. Turner

Vote Opposed, 0

Motion carried

Further discussion followed regarding advocacy and its definition for purposes of the bylaw.

Motion by Mr. DeMaio, 2nd by Ms. McCreven, to authorize Dr. Dumais and Chairman Hurley to represent the BOE in dialogue with the attorneys in order to effectively communicate the Board's intent via the questions posed.

Amendment by Ms. McCreven, that the Board Secretary (Ms. McCreven) be also included as a representative and in the discussion. Mr. DeMaio does not support the amendment; amendment 2nd by Mr. Browe.

There was lengthy discussion regarding the motion and the amendment.

Motion by Ms. Cohen to call the question.

Vote on the amendment:

In favor, 3, Ms. Berke, Mr. Browe, Ms. McCreven

Opposed, 6, Mr. Belfonti, Ms. Cardozo, Ms. Cofrancesco, Ms. Cohen, Mr. DeMaio and Ms. Esposito

Abstain, 1, Ms. Turner

Motion defeated

Vote on original motion:

In favor, 9, Mr. Belfonti, Ms. Berke, Mr. Browe, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, and Ms. Turner

Opposed, 1, Ms. McCreven

Motion carried

Discussion was opened regarding the current personnel composition of the AFC and whether changes should be considered.

Motion by Ms. Cohen, 2nd by Ms. Cofrancesco, that the composition of the AFC be left as it is stated in the bylaw, noting that the composition of the BOE is weighted by member town contribution.

There was further lengthy discussion.

Motion by Mr. Browe to call the question.

Vote in favor, 10, Mr. Belfonti, Ms. Berke, Mr. Browe, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, Ms. McCreven and Ms. Turner

Opposed, 0

Motion carried

The Board then considered the edits to the bylaw suggested by former BOE member Ms. Russo; Mr. Hurley asked the Board whether or not they wanted to consider these "clean-up" changes at this meeting. Discussion followed.

Motion by Ms. McCreven, 2nd by Ms. Cohen, that these changes not be considered at this meeting.

Further discussion followed.

Motion by Ms. Cohen to call the question.

Vote in favor, 9, Mr. Belfonti, Mr. Browe, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, Ms. McCreven and Ms. Turner

Abstain, 1, Ms. Berke

Motion carried

Further discussion followed including any further questions that should be included for submission to the attorneys.

Discussion was held regarding moving Policy 9123.6 to the full Board for a 1st read with the changes made this evening.

Questions posed by the Board regarding Bylaw 9132.6 for submission to Attorney Dugas and to CABA are as follows:

1. Is it legal to have non-Board of Education members on the Amity Finance Committee? (legality of composition of Amity Finance Committee)
2. Page B, 3rd paragraph – Should we be considering if any of these changes that we are making should go back to Amity Finance Committee for their opinion? Do we need Amity Finance Committee approval to change financial policies? (Amity Finance Committee can make recommendations.)
3. Is there a distinction between a bylaw and a policy?
4. “Amity Finance Committee voted against this.” Can that be added as a statement of fact to the explanatory text as a method of informing the public that there was an Amity Finance Committee vote, and the vote failed? Is this considered to be advocacy?
5. Page B, 2nd paragraph – emergency line item transfer – The Director of Finance with the approval of the Superintendent has the authority to make an emergency line item transfer without prior approval of the Board of Education or Amity Finance Committee – would like to check with attorney about this.

3. Discussion and possible action on Community Meeting to address bylaw 9132.6.

A meeting is currently scheduled for September 25th.

4. Adjournment

Motion by Mr. DeMaio, 2nd by Ms. Berke to adjourn at 8:20 pm.

Vote in favor, 10, Mr. Belfonti, Ms. Berke, Mr. Browe, Ms. Cardozo, Ms. Cohen, Ms. Cofrancesco, Mr. DeMaio, Ms. Esposito, Ms. McCreven, and Ms. Turner

Opposed, 0

Motion carried

Respectfully submitted,

Ruth E. Natzel, Recording Clerk

Sheila McCreven, Secretary