

WILLINGTON BOARD OF EDUCATION

Tuesday, December 10, 2019

Minutes

Town Office Building, Lower Level Meeting Room

7:00 p.m.

Audio Recording: Yes

Notes Taken: Yes

Members Present

Michelle Doucette Cunningham

Herb Arico

Elena Testa

Ann Grosjean

Tracey Anderson

Donna Cook

Members Absent

Also Present

Superintendent of Schools Phil Stevens

First Selectwoman Erika Wiecenski

Members of the public

Meeting was called to order at 7:00pm.

Selectwoman Wiecenski made a motion to move agenda item 4B “CAPSS Superintendent/Student Recognition Award” to the beginning of the agenda. M. Cunningham seconded the motion.

Vote:	Yes	No	Abstain	Absent
T. Anderson	X			
H. Arico	X			
D. Cook	X			
M. Cunningham	X			

A. Grosjean	X			
E. Testa	X			

Motion passes.

Selectwoman Wiecenski made a motion to move agenda item 6A “Nomination and election of Board of Education Chair and Officers” to the second item on the agenda.

A. Grosjean seconded the motion.

Discussion was held regarding Selectwoman Wiecenski’s role at this meeting. As Chief Elected Official, she is a member ex officio she can make motions and run meetings, but not vote, on town boards and departments. She is doing so in this instance because new board positions have not yet been elected. H. Arico stated that he thought that the Willington Board of Education is a separate entity answering to the State of Connecticut Board of Education and therefore different from the rest of the town boards and departments. Selectwoman Wiecenski replied that was not her understanding and that she is only running this meeting until the positions are elected, which is why she made a motion to move that to the second item on the agenda.

Vote:	Yes	No	Abstain	Absent
T. Anderson	X			
H. Arico		X		
D. Cook	X			
M. Cunningham	X			
A. Grosjean	X			
E. Testa		X		

Motion passes.

CAPSS Superintendent/Student Recognition Award

Superintendent Stevens introduced this year’s Willington recipients for the Connecticut Association of Public School Superintendent’s Award. Heather Luchon and Dimitri Gounaris have distinguished themselves as exemplary Willington students who are kind, bring out the best in others, and are involved in sports and music. They and their families joined Superintendent Stevens to be recognized at the Superintendents’ Award Dinner on November 14.

The board acknowledged and congratulated the students and their parents and thanked the students for being role models to other students.

Nomination and Election of Board of Education Chair and Officers

Selectwoman Wiecenski reminded the board that per the state statute and this board of education’s bylaws, no later than 1 month after the date at which the newly elected members take office, they shall elect a Chairman, Vice Chair, and Secretary for 2-year terms. Discussion was held on the procedures of voting on the Board of Education.

Nominations were opened.

A. Grosjean nominated M. Cunningham for the position of chairman.

D. Cook nominated H. Arico for the position of chairman.

Nominations were closed.

Vote:	M. Cunningham	H. Arico	Abstain	Absent
T. Anderson	X			
H. Arico		X		
D. Cook		X		
M. Cunningham	X			
A. Grosjean	X			
E. Testa		X		

Selectwoman Wiecenski informed those in attendance that if the Board of Education does not elect a chairperson within 30 days of taking office, then it goes to the Board of Selectmen to make a decision. E. Testa disagreed. Selectwoman Wiecenski read the Connecticut state statute [Chapter 170, Section 10-218] and the Willington Board of Education bylaws regarding the issue.

[Chapter 170, Section 10-218]

“Each board of education shall, not later than one month after the date on which the newly elected members take office, elect from its number a chairperson and elect a secretary of such board and may prescribe their duties. The votes of each member of such board cast in such election shall be reduced to writing and made available for public inspection within forty-eight hours, excluding Saturday, Sunday or legal holidays, and shall also be recorded in the minutes of the meeting at which taken, which minutes shall

be available for public inspection at all reasonable times. If such officers are not chosen after one month because of a tie vote of the members, the town council or, if there is no town council, the selectmen of the town shall choose such officers from the membership of the board.”

Willington Board of Education bylaws (policy 9121)

“The Board of Education (Board) shall, no later than one month after the date of which the newly elected members take office, elect a chair, vice-chair, and secretary for two years. Election of officers shall be in writing and the vote of each member shall be made available for public inspection within forty-eight (48) hours and recorded in the minutes of the meeting. If a chair and/or secretary are not chosen within one month, the Board of Selectmen shall choose such officers from the membership of the Board.”

Discussion was held. Reference was made to the seventh elected member of the Board of Education who has not been sworn in or taken office.

E. Testa referenced the number of votes on election day in the direction of Republican candidates to argue for Republican leadership on the board. She felt that would be the most honest way to respect the will of the town. T. Anderson replied that the Board of Education decides its own chair, not the town. She stated that she has heard from many voters that the layout of the November ballot was misunderstood and confusing. D. Cook pointed out that H. Arico has the most experience and knowledge on the Board of Education. She said that the chairperson role is really that of steering the conversation; their vote does not count more than any other member, and as H. Arico is referred to often during meetings for his knowledge, it would save the board time to have him in the chair position.

A. Grosjean stated that she was disappointed that there are only six members at the table when, by design, the Board of Education has seven members to avoid this type of situation. She questioned why someone would run for a position and win but choose not to take office and that a chair would've been successfully elected already had that seventh person been in attendance. E. Testa replied that the seventh member is unable to perform the role and that no-one can guarantee their health. H. Arico stated that the town voted for four Republicans and three Democrats. He continued that anyone on the board could probably chair it pretty well, but that another thing to consider is that the position of chair should be shared and that the Democrats have held the position and not done that for some time. He encouraged them to concede. He suggested alternatives to voting such as picking a name out of a hat or tossing a coin. Selectwoman Wicewski referenced the process outlined in the state statute and bylaws which requires that members vote and those votes be made public.

E. Testa asked M. Cunningham why she thinks she is more fitting for the position of chair than H. Arico. M. Cunningham replied that the chairman needs to be involved in and abreast of many issues in town which H. Arico has done for many years, making them equally skilled in that area. She continued that it requires time and energy to set agendas and follow up on issues; that she has been the chair for the past two years and won re-election for the next four years, was interested in serving in the position again, and that it would maintain continuity from the last two years. She stated that she believes that in her time as chair she has been fair and open in allowing discussion, although admits she has been impatient once or twice, listens well to people of the other party, and admits when she is wrong. She continued that one of the strengths of this board is that it hasn't been partisan and often voting has gone all one way or across party lines. She concluded that she believes it is unnecessary to tie the chair position to partisan politics, that she believes she has done a good job and deserves to continue.

E. Testa replied that everything M. Cunningham said about herself applies to H. Arico, that he is diligent in whatever he does, honestly considers every question regardless of opinion of political points, and she recommends him because he is a politics-free person. She continued that it would respect the will of the town's election results and show kindness from Democrats to concede the position, since they have held it for a long time, and allow the other party to have the chair. She made the point that if the seventh member of the board were healthy, the position would belong to the Republicans. She expressed the opinion that sending the position to the Board of Selectmen to choose would be stealing on the part of the Selectmen. Selectwoman Wicewski referenced the state statute and Board of Education bylaws that outline the process if the Board of Education does not come to its own decision.

Nominations were opened.

A. Grosjean nominated M. Cunningham for the position of chairman.

D. Cook nominated H. Arico for the position of chairman.

Nominations were closed.

Vote:	M. Cunningham	H. Arico	Abstain	Absent
T. Anderson	X			
H. Arico		X		
D. Cook		X		
M. Cunningham	X			
A. Grosjean	X			

E. Testa		X		
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D. Cook inquired about naming a temporary Chair. Selectwoman Wiecenski referenced the state statute and Board of Education bylaws, clarifying that a permanent Chair shall be elected within one month of the board taking office, which was on November 19, 2019, or the decision goes to the Board of Selectmen.

D. Cook wondered whether there was anyone else, besides M. Cunningham or H. Arico, who was interested in the Chair position.

E. Testa nominated herself for the position of Chairman.

E. Testa suggested pulling a name out of a hat. Selectwoman Wiecenski referenced the procedure outlined in the state statute and board bylaws which requires that members vote and those votes be made public.

M. Cunningham recommended a vote for secretary, tabling the vice chair vote until the next regular meeting in January with the understanding that the Board of Selectmen don't choose the vice chair. She clarified that once the Board of Selectmen have elected a chairman, the Board of Education can select their own vice chair from the remaining members.

M. Cunningham made a motion to table the vote for vice chair to the next regular meeting on January 14th, 2020.

T. Anderson seconded the motion.

Discussion was held about the timeline of the decision to go to the Board of Selectmen. The first Board of Selectmen meeting after the one month expires is on Monday, January 6, 2020.

E. Testa suggested electing a vice chair from members who aren't interested in the chair position to take over running the current meeting. A. Grosjean replied that the best scenario for leadership on the board is to have H. Arico and M. Cunningham working together in some configuration of the two positions, so to elect someone else to the vice chair position would eliminate that possibility. T. Anderson expressed that in her opinion, it makes sense to wait to vote, as electing someone to the vice chair position takes away the opportunity for them to possibly be elected to the chair position, and the person elected to the chair position will affect the voting for the vice chair position. She continued that she thought the meeting should move on from this circular conversation.

Vote:	Yes	No	Abstain	Absent
T. Anderson	X			
H. Arico		X		
D. Cook			X	
M. Cunningham	X			
A. Grosjean	X			
E. Testa		X		

Motion passes.

Present to Speak

Peter Latincsics congratulated those elected to the board and thanked them for serving the town. He expressed strong disappointment regarding this first meeting. He believes it is inappropriate for the First Selectman to usurp authority in this way and leverage obscure statutes and bylaws to run a Board of Education meeting and determine who the chair is, as the Board of Education should do that. He stated that the townspeople clearly expressed a desire for change and that the leadership of the board should embrace and reflect that change and he urges them to do so.

John Blessington stated that he did not vote for the First Selectman to run the Board of Education and will have to check the statutes. He thinks that a person once elected as a chairman retains that position until the next election of officers and agreed with Peter that this is a usurpation of authority.

Sarah Smith stated that the statutes are clear for anyone who wishes to read them and that she appreciates when the town follows the rules. She stated that she does not understand why the other person elected has not accepted their position and wondered what the next steps are toward resolving this issue, as a tie vote is not unexpected in this situation and it blocks the progression of work for the kids in town.

Selectwoman Wicewski replied that the seat is taken by the person who is duly elected until they resign the position and that the board and the town have recourse to resolve the issue. E. Testa clarified that the person is not well. Sarah Smith replied that even when quite ill, one would think a person would be able to resign or accept. E. Testa expressed hope that the person in question would be in attendance at the next meeting.

H. Arico questioned Selectwoman Wiecenski's appearance as chairman at this meeting and her ex officio member status specifically regarding the Board of Education, as this board answers to a state agency. Selectwoman Wiecenski replied that the town attorney would disagree based on state statutes and that she hoped the board would elect a chair so that she could step away from running the meeting. T. Anderson wondered whether there was harm in a member of the town officials running the meeting so the board can get a full agenda of business dealt with in a timely fashion for the kids, rather than fighting about state statutes and partisan issues. She reminded the Board that their jobs are all about the kids.

Nomination and Election of Board of Education Chair and Officer

H. Arico restated that the Democrats have been in the chair position for a long time and that in the spirit of sharing, they should concede to allow a Republican to have that position.

M. Cunningham made a motion to table the discussion about the nomination and election of the chair and officers to an undetermined future meeting date.

A. Grosjean seconded the motion.

H. Arico argued that if the discussion was tabled to a future meeting, no selections will be made, as that meeting will take place after the Board of Selectmen have appointed a chair. The specifics of the word "shall" within the state statute and board bylaws and other details were discussed.

A brief recess took place as a member was taken with a coughing fit and left the room. Board members supplied cough drops and fetched cold water. Selectwoman Wiecenski received a phone call from the town attorney.

Selectwoman Wiecenski stated that the Town Attorney made it abundantly clear during his phone call that the meeting must adjourn if the board does not pick a permanent chairman. She restated that the board can choose their own chair before December 19, 2019, or the decision will go to the Board of Selectmen.

E. Testa made a motion to hold a special meeting before December 19 with the goal of electing a permanent chair.

The motion cannot go forward, as the only business conducted at this meeting is the election of new officers. Special meetings must be called outside of a regular meeting.

E. Testa suggested voting H. Arico as the chair and M. Cunningham as the vice chair and moving on with the meeting, as that will reflect the desire of the town, make everyone happy,

and meet the kids' interests. M. Cunningham argued that in her opinion, it best serves the town and children's interest to have continuity of leadership.

E. Testa inquired about the procedure for setting a special meeting. Selectwoman Wiczenski referred her to consult the Board of Education policies, which are available to members of the board and the public online.

Nominations were opened.

D. Cook nominated H. Arico for the position of chairman.

A. Grosjean nominated M. Cunningham for the position of chairman.

Nominations were closed.

Vote:	H. Arico	M. Cunningham	Abstain	Absent
T. Anderson		X		
H. Arico	X			
D. Cook	X			
M. Cunningham		X		
A. Grosjean		X		
E. Testa	X			

E. Testa asked for time for the board to consult the policies regarding setting a special meeting.

Superintendent Stevens told the board that there were items on the agenda that needed to be addressed at this meeting. Selectwoman Wiczenski reiterated that it would be best for the board to pick its own chair, but that the statutes are clear on what happens if that is not done within 30 days of their taking office.

E. Testa asked Superintendent Stevens to consult the Board of Education policies and tell the board how to set a special meeting.

Selectwoman Wiczenski reminded the board that the only business to be done at this meeting was to elect a chair, that other items could not be discussed and that the policies are available for board members to consult. She summarized that the conversation has been very circular, but that the board can continue to repeat voting with the possibility that one side concedes, or that the meeting must adjourn.

E. Testa stated that she thinks voting should continue in the hopes that kindness would win. M. Cunningham replied that she takes offense to the insinuation that it is unkind to put herself forward and that it is a mischaracterizations of her personality, everything she believes in, and how she lives her life. E. Testa clarified that she directs her comments toward members of the board who, on a regular basis, move forward with their particular agenda, and that she was a minority on the board for 2 years.

A. Grosjean stated that her reason for not voting for H. Arico is that he is retired and travels a lot and is not present at quite a few meetings. H. Arico stated that he has no travel on his agenda; it's his job to be here as a member of the board.

Discussion was held on whether or not voting should continue.

Nominations were opened.

E. Testa nominated herself for the position of chairman.

A. Grosjean nominated M. Cunningham for the position of chairman.

Nominations were closed.

Vote:	E. Testa	M. Cunningham	Abstain	Absent
T. Anderson		X		
H. Arico	X			
D. Cook	X			
M. Cunningham		X		
A. Grosjean		X		
E. Testa	X			

E. Testa restated how H. Arico is neutral, never takes sides, always represents the interest of children, and is the best candidate.

Nominations were opened.

E. Testa nominated H. Arico for the position of chairman.

A. Grosjean nominated M. Cunningham for the position of chairman.

Nominations were closed.

Vote:	H. Arico	M. Cunningham	Abstain	Absent
T. Anderson		X		
H. Arico	X			
D. Cook	X			
M. Cunningham		X		
A. Grosjean		X		
E. Testa	X			

E. Testa inquired whether Superintendent Stevens had gathered information from the policies regarding setting a special meeting. Superintendent Stevens replied that if a special meeting was held before December 19th, with the same 6 people as are at the meeting today, the result of the vote will be the same. He continued that calling a special meeting requires three members of the Board of Education, but that a quorum of at least four members is required to vote and do business.

E. Testa restated that she believes a special meeting should be scheduled to address this question. Selectwoman Wiczenski restated that a special meeting cannot be scheduled at a regular meeting and that the only business to be discussed at this meeting is voting for a chair or adjourning. E. Testa asked for clarification on how to schedule a special meeting, and was directed to consult the Board of Education policies. Discussion continued. M. Cunningham clarified that when special meetings happened in the last two years, something came up, the chair requested the meeting, then Brenda Weber checked everyone’s schedules and set the time and date after appropriate notification of the public. She added that at a special meeting, only the items on the agenda can be discussed, and it cannot be adjusted. She continued that she has not been in the situation of holding a special meeting without a chair, so she is not sure how that works.

E. Testa stated that she would like to hold a special meeting and asked how to make a motion to that end. The board reminded her that a special meeting cannot be set at a regular meeting and that no motion needs to be made. E. Testa continued to ask for information. Selectwoman Wiczenski reminded the board that a special meeting cannot be discussed at a regular meeting but that the board policies will be clear on how to go about setting one.

H. Arico thanked Selectwoman Wiczenski for dealing with this meeting.

Selectwoman Wiczenski made a motion to adjourn the meeting at 8:27pm.