

New Milford Board of Education
 Special Meeting
 May 12, 2007
 SNIS Library Media Center

Present:	Mrs. Wendy Faulenbach, Chairman
	Mr. Joseph Failla
	Mr. David Lawson
	Mrs. Dian Traisci-Marandola
	Mr. William McLachlan
	Mr. Thomas McSherry
	Mr. Robin Ruggiero
	Mrs. Julie Turk
	Mr. Joseph Vita
Absent:	Dr. Lisa Diamond
	Dr. Lawrence Stillman

Also Present:	Dr. Paddyfote, Superintendent of Schools
	Mr. Mulvihill, Assistant Superintendent
	Mr. Corbett, Director of Operations
	Mr. Turk, Director of Fiscal Services
	Mr. Elmore, Director of Technology

1.	The special meeting of the New Milford Board of Education was called to order at 3:01 p.m. and the Pledge of Allegiance was recited.	Call to order Pledge of Allegiance
2.	<p>Mrs. Faulenbach opened by thanking the public in attendance. She then gave a brief statement regarding the bus strike. She expressed her full understanding of the inconvenience and hardship of the strike on parents. She stated that she would like to begin the meeting by reviewing the district response and current status of the strike and asked Dr. Paddyfote to provide an administrative overview and breakdown of the strike.</p> <p>Dr. Paddyfote thanked all the parties involved for their unprecedented cooperation and flexibility. She then gave a day by day chronology of the strike:</p> <ul style="list-style-type: none"> • May 4, 2007 <ul style="list-style-type: none"> ○ Mr. Dufour called her at 4:30 p.m. to say that he had just gotten out of 5 hours of negotiations and that a vote would take place on Monday, May 7th. Negotiations would continue over the weekend; he was optimistic. Dr. Paddyfote e-mailed that information to the BOE Friday evening. ○ Between 4:30 and 4:45 p.m. Dr. Paddyfote was informed by Mr. Mulvihill and Mr. Corbett that they were fielding calls from parents whose children were warned by bus drivers of a possible strike. Mr. Mulvihill also reported a call from Denise Smith, PTO president, that drivers were telling parents they may go on strike, no date specified. ○ A Central Office Administrative meeting was called and 	Discussion and Possible Action

	<p>attended by Dr. Paddyfote, Mr. Corbett, Mr. Mulvihill, Mr. Elmore and Mr. Calhoun to begin a contingency plan should a bus strike occur. This planning continued informally over the weekend, and included Mr. Turk.</p> <ul style="list-style-type: none">• May 7, 2007<ul style="list-style-type: none">○ At 10:15 a.m. Central Office administration met with the school principals. It was decided that school would be closed on Tuesday should a strike occur Monday night to allow for additional planning. A parent letter was prepared for distribution to all schools for Monday. It was agreed that the principals would work out individual plans for their sites re traffic flow etc. and meet back at Central Office on Tuesday morning should a strike occur.○ Dr. Paddyfote worked Monday afternoon on how to notify the media, as the weather notification system was no longer active.○ At 7:00 p.m. Dr. Paddyfote received unofficial notification of the strike. At 7:35 p.m. she was officially notified. She called the Board chair at 7:38 p.m. Mrs. Faulenbach was at a meeting with the mayor and others at that time. At 7:40 p.m. the process of canceling school was started. At 7:50 p.m. Mr. Corbett called the New Milford Police Dept. At 7:55 p.m. Dr. Paddyfote e-mailed the Board, and began calling the media outlets. Channel 30 did a live report from the high school. At 9:00 p.m. the LCD sign at the high school was programmed and Mr. Elmore put a message on Channel 17.• May 8, 2007<ul style="list-style-type: none">○ At 9:30 a.m. Central Office administration met with the building principals and New Milford police regarding how to open schools safely on Wednesday. Suggestions were made to change open/close times at elementary schools where parent ID is required for dismissal of students. SNIS was a major concern due to the one driveway. Dr. Paddyfote expressed gratitude to Chief McCormick, Deputy Chief Lillis and Captain Mrazik for their insightful suggestions. The police recommended using officers to manually control 5 traffic lights in town.○ Discussion turned to how to get information out to the town and it was decided to use the school website. Any parents that called who said they did not have access were told to call back for updates as needed.○ Dr. Paddyfote spoke to Mayor Murphy that afternoon. She also e-mailed assistant Marla Scribner the contingency plans at approx. 2:30 p.m. and sent those same plans to the News Times. The letter was faxed and mailed to Dufour and sent to the Board.○ Mr. Turk described the traffic flow patterns used for student safety. These were detailed with administration, facilities and maintenance personnel, safety vests were purchased to outfit additional personnel. The high school added security people.	
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	<p>Mr. Turk reported that the plans worked very, very well.</p> <ul style="list-style-type: none">○ Mr. Corbett spent Tuesday contacting staff, the local bus terminal and the CT Dept of Labor. He had a lengthy conversation with the labor mediator there, and gave her contact people at the bus company. Mr. Corbett was told that this particular situation was under the jurisdiction of the National Labor Relations Board as it is between a contractor and its employees. Mr. Corbett spoke to the chief legal officer for the CT State Dept of Education and to Atty. Ron Harris who handles transportation issues there. They said it was a very interesting situation but there was nothing the State Dept of Education could do for New Milford. Mr. Corbett tried to contact the state Attorney General's office, who did not call back until May 10th. <ul style="list-style-type: none">● May 9, 2007<ul style="list-style-type: none">○ Traffic plan worked very smoothly, even better than hoped. Central Office administrators made visits to various schools, attended scheduled strategic planning, and fielded numerous calls from parents about individual situations.○ Mr. Corbett continued to pressure Richard Dufour of All Star to do whatever it took to get more drivers in New Milford.○ Mr. Corbett was notified that the bus drivers had filed a desertification request with the NLRB.○ Dr. Paddyfote attempted unsuccessfully to reach Mr. John Dufour, owner of All Star Transportation, throughout the day. An update was posted on the website.● May 10, 2007<ul style="list-style-type: none">○ Central Office continued to refine the contingency plan: posted updates on the website, monitored attendance, which was close to normal, & talked to Mr. John Dufour about available drivers.○ All-Star indicated that there would be some drivers available Friday. The decision was made to begin service for ODP students and those in district in wheelchairs.○ Dufour indicated that additional drivers would be available beginning Monday so plans began as to how those drivers would be best utilized. Priority would be placed on extending the school day of the elementary schools and addressing the needs of parents with no service.○ An update of progress was prepared for the website.● May 11, 2007<ul style="list-style-type: none">○ Plans continued on how to best utilize drivers expected to return on Monday. At 11:20 a.m. Dr. Paddyfote was notified by her administrative assistant that the mayor was calling a press conference about the strike.○ Atty McKeon spoke to the Attorney General's office, the special litigation department, who told him that the state had no authority to enforce the contract.○ A special meeting of the Board of Ed was announced.	
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- Mr. Corbett summarized that he spent the week trying to involve Congressman Murphy and the federal mediation service. He talked to the Mayor's Office several times during the week and the Mayor also stopped by the Central Office on Wednesday, May 9th. He spoke to Mr. Richard Dufour many times to push for additional drivers. Dr. Paddyfote sent a letter to All Star, putting them on notice that unless transportation services are provided, the district would seek other contractors. Mr. Corbett was cautioned that he needed to be careful how he proceeded as to avoid a charge of an unfair labor practice if he was to become involved in the wrong way in a dispute between two private parties. Central Office administration was also concerned about providing information that might be considered confidential in nature, as well as protecting drivers and equipment that would be returning.

A discussion followed between the New Milford Board of Education members and the Superintendent along with her administrative staff:

Mr. Failla stated that he heard positive comments about the effectiveness of the district's plan. He asked if there was any talk of using central locations in town for student pick-up. Has the administration been in touch with the Governor's Office to declare a state of emergency so that we might move beyond the state for other drivers? Have the state police been asked for assistance with the New Milford police? He agreed that we need to watch what we do with the bus drivers regarding crossing the picket line vis a vis NLRB and as it relates to compensation as well. He asked if all special needs students in district were being provided transportation and if other contractors in town could be asked for help.

- Dr. Paddyfote responded that in district students requiring wheelchair vans are being transported; Friday's conversations revolved around geographical pickups, abbreviated schedules etc.
- Mr. Failla asked about how student absences were being listed for the record as he was hearing rumors about inconsistency. Dr. Paddyfote stated that all the principals were told not to count tardies, and to excuse absences due to transportation issues. Mr. Mulvihill stated that principals had been asked to find staff to stay late as needed with students. Mr. Failla asked if it was possible for the schools to set up after school activities for those students who needed to stay. Staff would be compensated.
- Mr. Lawson commended the superb job done by all, a great example of the community working together. He asked if any thought had been given to involving a federal or state judge to issue an injunction due to traffic safety issues and loss of wages by families.
- Mr. McLachlan asked if there had been any issues at the high school on Wednesday with people handing out leaflets in the parking lot. Mr. Corbett said this was an issue at all the schools. He first heard from NES. The people were told to leave school grounds. This was addressed by the SRO at the high school. Mr. McLachlan asked for clarification on what the superintendent meant regarding concern for the safety of

	<p>returning drivers and vehicles. Dr. Paddyfote stated that she meant that she didn't think they should publicize in detail what buses were coming back ahead of time. She stated that she might have been overly cautious. Mr. McLachlan asked if the local authorities were alerted with specific hot spots ahead of time. Mr. Corbett spoke to Captain Mrazik late Thursday with that information for Friday. Mr. McLachlan asked if there was anything else that could be done to help Dufour with drivers? Mr. Corbett stated that this was difficult as the endorsement for a school bus driver is very specific. Mr. McLachlan said he would like the administration to focus on getting the elementary schools back to a normal schedule so that older children would be available to baby-sit. Dr. Paddyfote said that was in place for Monday, with the exception of SNIS which would dismiss at 20 minute intervals beginning at 1:40 p.m. The importance of keeping a running ledger of costs associated with the strike was discussed.</p> <ul style="list-style-type: none">• Mr. Ruggiero also commended all involved. He asked if there was a contingency plan in place for this issue before the strike occurred. Dr. Paddyfote replied that there is a crisis procedure plan led by John Turk. She has never seen a plan from any other district that included a bus strike, with the exception of Shelton, who had a two week notice of a bus strike. Once the strike was imminent, specific planning began and Shelton was contacted as well.• Mrs. Marandola stated that the Policy Committee has been looking into safety and emergency response and had determined that an All Hazard Response should be the framework and basis for the plan and any responses. She stated that a key component of the plan was "who you talk to when a crisis is occurring" and that the administration spoke to the police chief, as was appropriate in the case of a transportation issue, to enable a quick response. Mrs. Marandola stated that some things have been learned from this crisis that should be added to future plans. Mr. Turk stated that they are looking at emergency plans for all the schools in conjunction with the police. The importance of updating plans on an ongoing basis was discussed as well as the need to hold drills each year to keep fluid personnel informed.• Mr. McSherry stated that he appreciated the adaptability of all involved, but said that the longer the strike drags on, the more difficult adapting with become. He asked about what legal action could be started against Dufour. Mr. Lawson concurred, asking what the current solution is to resolve this strike.• Mrs. Turk asked what can be done to help working parents with transportation issues, who are finding the staggered schedules a hardship. Dr. Paddyfote stated that was the primary focus beginning Monday, with the return to a more normal schedule. Mr. Mulvihill said the district was also trying to make sure it distributes instruction equitably while working on scheduling for parents.• Mr. Ruggiero asked the board chair to review what she had been doing prior to and during the strike. Mrs. Faulenbach reported that she received a call from Dr. Paddyfote at about 7:15 p.m. Monday evening	
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	<p>confirming the strike. At the time of the call, Mrs. Faulenbach was in a meeting with the mayor and others and informed them. Tuesday Mrs. Faulenbach was in contact with both the superintendent and the mayor and attended the BOE meeting Tuesday evening, at which time it was noted that one should view the district's web site for the strike contingency plan and periodic updates. Wednesday was spent at strategic planning, while taking time away from that to visit three schools. That continued on Thursday. Wednesday also included handling a parent concern that the mayor's office received and informing the mayor's office that it had been handled. Mrs. Faulenbach also was in contact with the mayor's office regarding the number of calls they were receiving regarding the strike.</p> <ul style="list-style-type: none">• Mr. Failla asked that the board receive a strike status report from the superintendent each day by 4:00 p.m. going forward, so that the board can be informed and present a unified voice to the community. The superintendent agreed. He reiterated that the board owed a debt of gratitude to the parents for getting their children to school, many times in a creative fashion, and thanked them for adapting.• Mr. Lawson expanded that thanks to the teachers and staff who have spent many extra hours at the school both before and after session, and to the police and administration.• Mrs. Faulenbach stated that she had personal experience dropping children off at more than one school. She added that any opportunities for improving response plans will be made by the appropriate individuals.• Mr. McLachlan commented that you see a community's true colors in a crisis and New Milford did a great job, helping neighbors, teammates, etc.• Mrs. Marandola stated that, as secretary, she thought it was important that a communication be sent out to the community thanking them for their support. She suggested that the board write a letter and all sign. She offered to put together a summary statement to send out to the public on Monday or Tuesday.• Mr. McKeon, the board attorney, reported that he had been following up with state agencies and All Star's attorney. The attorney reported as recently as Saturday morning that he was hoping to have 25 or more drivers back by mid-week. He also spoke to Mark Stapleton, the chief legal officer at the State Dept of Education who reiterated that the agency had no authority to intervene. Ron Harris, from the commissioner's office, stated to Mr. McKeon that the commissioner was looking for the board to provide a proposal or plan as to what the board will do if the strike drags on. He felt obligated to report a suggestion from the commissioner's office, not a recommendation, that the board consider extending the 2007-2008 school year and ending school early this year. He reminded the board that this would create an issue with the 10 month employees whose number of days per year are set by contract. Mr. Lawson asked if that was their only recommendation. Mr. McKeon said yes, except for contacting with	
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	<p>other carriers. He reported that the State Dept of Ed has heard from parents.</p> <ul style="list-style-type: none">• Mr. McSherry asked Mr. McKeon about the board's legal actions. Mrs. Faulenbach said that would be discussed in Executive Session.• Mr. McLachlan asked if there was anyway to expedite the red tape for driver licensing so that there would be a bigger pool to pull from. Mr. McSherry mentioned that companies are always looking for more drivers and it is not easy. Mr. McKeon said the time of year was also not ideal, as May is prime time for field trips.• Mr. McKeon said he is hearing secondhand that there is a potential for decertification by the union, that the actual strike vote was very complex. Many drivers did not vote to accept the contract because they didn't want to be members of the Teamsters, but then were forced to strike basically. There will be an NLRB hearing on May 18th. It was noted that several drivers are not happy with the union.• Mrs. Turk stated that she thought more work could have been done in preparation for a strike, referencing an e-mail in March that negotiations were not going well. Dr. Paddyfote stated that the March e-mail said that the contract had not been ratified, but that the bus company was monitoring developments and that negotiations were continuing. Nowhere did the company mention the possibility of a strike. Mrs. Turk said she was concerned about the administration's level of communication during the strike with the board and the mayor's office, and that a daily update should have been automatic. She requested that an ad-hoc committee be formed to address reports that the board gets etc. Mrs. Marandola stated that the communication plan had been fully implemented according to our emergency response plans. She also noted that the superintendent's evaluation adopted by the BOE on Tuesday 5-8 commended the Superintendent as a communicator by all but 2 members. Clearly, she said there is a difference among board members regarding the level of communication with which they are comfortable, and only serves to divide the board and its support of current response strategies.• Mr. McLachlan asked Mr. McKeon to clarify that he understood the two choices that the bus drivers had prior to striking: to accept the contract and keep the union for five years or to vote against the contract and then be forced to strike per the teamsters' agreement? When confirmed by Mr. McKeon, Mr. McLachlan stated that it wasn't a real choice at all and that he hoped the NLRB would realize that.• Mr. Lawson stated that he was more than satisfied with the Central Office communication level and e-mails and suggested if board members had additional questions they should pick up the phone and call as he has done in the past.• Mrs. Faulenbach stated that all board members were handed a statement by All Star Transportation that was received at 2:30 p.m. today. She thanked the public for coming and stated that it was the board's intention to move in to Executive Session.	
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<p>3.</p>	<p>Motion by Mr. McSherry: Move that the Board of Education enter into Executive Session and invite the Superintendent and board counsel for the purpose of discussing pending/possible litigation related to current bus strike and bus contractor's failure to perform under transportation contract and for the purpose of discussing legal written opinion regarding Board rights and responsibilities related to or arising from current school bus strike, bus contractor's failure to perform under transportation contract, and Town's proposed appropriation of funds related to same. Seconded by: Mr. McLachlan</p> <p>Mr. Failla asked for a point of clarification: what board members would be invited? Mr. Vita recused himself from the session and the vote.</p> <p>Aye: Mrs. Faulenbach, Mr. Failla, Mr. Lawson, Mrs. Marandola, Mr. McLachlan, Mr. McSherry, Mr. Ruggiero, Mrs. Turk</p> <p>Motion passed: 8-0</p> <p>Mr. Vita left the meeting at 4:46 p.m. The Board entered into Executive Session at 4:48 p.m. Robin Ruggiero left at 4:48 P.M. Julie Turk left at 5:02 P.M.</p>	<p>Motion Made and approved to move into Executive Session and invite the Superintendent and the board counsel for the purpose of discussing pending/possible litigation related to current bus strike & bus contractor's failure to perform under transp. contract & for the purpose of discussing legal written opinion regarding BOE's rights & responsibilities related to or arising from current bus strike, bus contractor's failure to perform under transportation contract, & Town's proposed appropriation of funds related to same.</p>
<p>4.</p>	<p>The Board reconvened into Public Session at 5:34 p.m.</p> <p>Motion by Mr. McLachlan: Move that the Board authorize the Superintendent of Schools to provide notice no sooner than May 13, 2007 to All-Star Transportation, LLC that the Board is considering its right to terminate the Contract for Pupil Transportation Services between the Board and All-Star Transportation in accordance with the provisions of that contract. Seconded by Mrs. Marandola</p> <p>Aye: Mrs. Faulenbach, Mr Failla, Mr. Lawson, Mrs. Marandola, Mr. McLachlan, Mr. McSherry</p> <p>Motion passed: 6-0</p>	<p>Motion Made and Approved that the Board authorize the Superintendent of Schools to provide notice no sooner than May 13, 2007 to All-Star Transportation, that the Board is considering its right to terminate the contract for pupil transportation services Between the BOE and All-Star Transportation in accordance with the provisions of the contract.</p>
	<p>Motion by Mr. Lawson: Move that the New Milford Board of Education authorize its attorney to commence litigation against All-Star Transportation, LLC and the Teamsters for the purpose of compelling them to restore bus transportation to the New Milford Public Schools.</p>	<p>Motion Made and Approved that the NMBOE authorize its attorney to commence litigation against All-Star</p>

<p>Seconded by Mrs. Marandola Aye: Mrs. Faulenbach, Mr. Failla, Mr. Lawson, Mrs. Marandola, Mr. McLachlan, Mr. McSherry</p> <p>Motion Passes: 6-0</p>	<p>Transportation and the Teamsters for the purpose of compelling them to restore bus transportation to the NMPS.</p>
<p>Motion by Mrs. Marandola: Move that the Board authorize the Board Chair to provide the State of Connecticut Commissioner of Education with the Board's plan with respect to the provision of transportation for New Milford Public School students for the remainder of the 2006-2007 school year. Seconded by Mr. McLachlan</p> <p>Aye: Mrs. Faulenbach, Mr. Failla, Mr. Lawson, Mrs. Marandola, Mr. McLachlan, Mr. McSherry</p> <p>Motion passed: 6-0</p>	<p>Motion Made and Approved that the Board authorize the Board Chair to provide the State of Connecticut Commissioner of Education with the Board's plan with respect to the provision of transportation for the NMPS students for the remainder of the 2006-2007 school year.</p>
<p>Motion by Mr. McLachlan: Move that the NMBOE adjourn special meeting. Seconded by Mr. Failla</p> <p>Aye: Mrs. Faulenbach, Mr. Failla, Mr. Lawson, Mrs. Marandola, Mr. McLachlan, Mr. McSherry.</p> <p>Motion Passed: 6-0</p> <p>Meeting adjourned: 5:50 PM</p> <p>Documents for Distribution: Contract for Pupil Transportation Services Letter: from Mr. Dufor re: Bus Driver's Strike: May 8, 2007 Letter from All-Star Transportation LLC: May 12, 2007</p>	<p>Motion Made and Approved to Adjourn the Special Meeting</p> <p>Adjournment</p>

Respectfully submitted,

Dian Traisci-Marandola
 Secretary