

Chariho School Committee Meeting
November 27, 2007
Executive Session - Negotiations (Part 2)
Minutes to remain sealed until a contract is ratified.

Committee Members present: Chair Bill Day, Vice Chair Andrew Polouski, George Abbott, Giancarlo Cicchetti, Holly Eaves, Bill Felkner, Deborah Jennings (arrived at 6:25 PM), Andrew McQuaide, Bob Petit, Andrew Polouski, Ronald Preuhs and Terri Serra (arrived at 6:23 PM).

Administrators present: Superintendent Barry Ricci, Assistant Superintendent Phil Thornton, Director of Administration and Finance Brian Stanley and Human Resource Director Susan Rogers. Also in attendance: School Committee Clerk Donna Sieczkiewicz.

Chair Day and Andrew McQuaide were informed of where the Committee was in regards to approval of the contract. Holly Eaves stated that Andrew Polouski has requested that the Committee not take any action until we get a legal opinion about the effect withdrawal would have on this contract.

Bill Felkner felt that this had nothing to do with the contract as this is a Chariho Act issue. There is a motion on the floor which was repeated for the benefit of Mr. Day and Mr. McQuaide.

Bill Felkner made a motion to table approval of the contract pending ratification by NEA and make the contract public. George Abbott had seconded the motion. Andrew Polouski stated that to disclose information before the contract is ratified is against what the Committee and Union set as guidelines. Holly Eaves added, based on the guidelines established, the Committee would be in violation and this could expose us to another Unfair Labor Practice.

Andrew McQuaide questioned if this motion passes, would that unseal all the minutes as well to which Bill Felkner responded that the minutes have been sealed until the contract is ratified so they cannot be opened until such time.

Bob Petit stated he would have to agree that it would not be wise to make the contract public at this time to which Bill Felkner replied that if this is the best we can do and we are spending their money, we should tell them and not keep it secret. Andrew Polouski replied that this has nothing to do with secrecy. We made an agreement with the Union at the beginning of negotiations and we cannot go back on that agreement.

Deborah Jennings made a motion, seconded by Terri Serra and it was VOTED: To move the question. In favor: Abbott, Cicchetti, Day, Eaves, Felkner, Jennings, McQuaide, Petit, Preuhs and Serra. Abstained: Polouski. The motion carried by a vote of 10 in favor with 1 abstention.

Bill Felkner made a motion, seconded by George Abbott and it was VOTED: To table approval of the contract pending ratification by NEA and make the contract public. In favor: Abbott and Felkner. Opposed: Cicchetti, Eaves, Jennings, Petit, Preuhs and Serra. Abstained: Day, McQuaide and Polouski. The motion failed by a vote of 2 in favor, with 6 opposed and 3 abstentions.

Superintendent Ricci stated that he will ask legal council to review Mr. Polouski's concern. The Union has scheduled a ratification vote for December 11th prior to the School Committee meeting and this item will be on the next School Committee agenda.

The Superintendent then addressed the issue of the Unfair Labor Practice that has been filed by the Union against the School Committee. The Committee has been instructed by its attorney to check with NEA to see if they are planning on dropping this as it is still being held in abeyance. The Committee will need to decide its next move: either deal with it, submit it to legal counsel or leave it alone. Bill Felkner stated that the charges were filed because NEA stated he was communicating with members trying to sway their vote. He has tried to avoid involving an attorney to save money and was hoping to be able to handle this on his own. He felt another option the Committee could consider is to let him continue to push it himself and keep the attorney out. Andrew Polouski felt because the charge is against the entire Committee, Mr. Felkner is out of line handling it on his own. In all fairness, we should hold it in abeyance until after the contract is ratified and if it is still there, deal with it then.

Andrew McQuaide made a motion to leave the Unfair Labor Practice charge in abeyance until such time as the contract is ratified. Bob Petit seconded the motion.

Bill Felkner replied that the Committee can do whatever it wants but he is named as an individual and will continue to act as an individual to fight this. He has a letter he is planning to send. Andrew Polouski thought Mr. Felkner was out of line. Deborah Jennings questioned if the Committee could send the same letter that Mr. Felkner is going to send to which Chair Day replied that this request has nothing to do with the motion on the floor. Holly Eaves asked if it was possible for NEA to drop the charge after the contract is ratified to which it was replied that they could drop it then. Ron Preuhs felt that Deb Jennings's question should be answered. Again it was noted that her question was not related to the motion that was on the floor.

Andrew McQuaide made a motion, seconded by Bob Petit and it was VOTED: To leave the Unfair Labor Practice charge in abeyance until such time as the contract is ratified. In favor: Abbott, Cicchetti, Day, Eaves, McQuaide, Petit, Polouski, Preuhs and Serra. Opposed: Jennings. Abstained: Felkner. The motion passed by a vote of 9 in favor with 1 opposed and 1 abstention.

The Committee moved on to discussion pertaining to litigation.

Donna J. Sieczkiewicz, Clerk