

Wednesday, June 13, 2018

MINUTES OF THE SPECIAL MEETING OF THE BRIDGEPORT BOARD OF EDUCATION, held June 13, 2018, at Bridgeport City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

The meeting was called to order at 6:00 p.m. Present were Chair Ben Walker, Vice President Hernan Illingworth, Secretary Jessica Martinez, Sybil Allen, Dennis Bradley, Maria Pereira, Chris Taylor, Joseph Sokolovic and Ben Walker.

Supt. Dr. Aresta L. Johnson was present.

Mr. Walker moved "*that item 2 be moved to the top.*" The motion was seconded by Mr. Sokolovic and unanimously approved.

Deputy City Attorney John Bohannon reported he visited the Berchem & Moses law firm this morning to discuss the items requested by board members to be included in a contract.

Atty. Bohannon said the paralegal rate was negotiated down to \$150 an hour, which is an industry standard, from \$175.

Atty. Bohannon said he emphasized to Berchem & Moses that with rare exception only one attorney should handle matters. He said a special education matter in litigation might involve Attorney Moses and Attorney Buturla. He said the firm agreed to provide a partner and only one partner to address the board's concerns. If they believe more than one partner is needed, they will call in advance.

Atty. Bohannon said Berchem & Moses would provide itemized bills with regard to each particular matter it handles on a monthly basis. The bills will be submitted within ten days of the prior month ending. The statements will itemize the services rendered.

Atty. Bohannon said Berchem & Moses proposed a one percent interest charge on bills that are not paid within thirty days. He said he did not agree because the public sector often needs a little time to

pay bills. He said he indicated the board should have ninety days to pay the bills before increases occur and Berchem & Moses agreed.

Atty. Bohannon said Berchem & Moses agreed not to bill travel costs between Milford and Bridgeport. Ordinary travel charges are going to apply to other destinations.

Atty. Bohannon said he asked Berchem & Moses to reconsider their unwillingness to provide attorneys at meetings free of charge. They responded that they promised competitive rates and conscientious billing, and they did not want to tell the board that something is free if it's not free. He said he believed that was fair.

Atty. Bohannon said Berchem & Moses was not familiar with the board's foundation. They indicated they were not competent to render legal services in the area of taxes, but indicated they would render pro bono legal services to the 501(c)(3). There would have to be a discussion about the type of services and the hours involved.

Mr. Taylor said he asked for the firm to consider either pro bono work or cash contributions.

Atty. Bohannon said Berchem & Moses indicated they have established scholarships for boards of education.

Atty. Bohannon said seminars on FOI, sexual harassment and discrimination; the CHRO process; and employee discipline and documentation would take place. He said Berchem & Moses was happy to provide free training to employees because it will cause less need for legal services and make the district a happier client.

Atty. Bohannon said he did not discuss parliamentary procedures or Robert's Rules, but he would ask them to provide training on that.

Dr. Johnson said special education workshops were needed as well. Atty. Bohannon said that is included in its annual roundtable – a full one-day seminar attended by representatives from boards throughout the state. That would be provided free of charge as well.

Ms. Pereira said she believed the district's special education staff needs training due to escalating costs. Atty. Bohannon said he will push that issue and indicated he was optimistic they would provide such training.

Atty. Bohannon said he was sure Atty. Moses could talk to the superintendent and work out a good plan for training. Dr. Johnson said the Student Support Office staff would come up with topics with her.

Atty. Bohannon said he had started to draft the contract to secure the board's rights. He said he would go back and discuss the remaining issues with Berchem & Moses. He said he would try to get the contract done by Friday at 5:00 o'clock and then circulate it to all board members.

In response to a question, Atty. Bohannon said Berchem & Moses is aware the board has to immediately engage in BCAS negotiations.

Mr. Bradley said a Google search indicated there were only two African-American attorneys and one Hispanic-American attorney at Berchem & Moses. He noted the prior law firm was very diverse.

Atty. Bohannon said Berchem & Moses has two African-American partners and two Spanish-speaking Hispanic lawyers practicing in the employment area.

He said the principals at the firm took great pride in the minority representation in their firm.

In response to a question, Atty. Bohannon said Chris Hodgson was the only attorney at the firm who used to be with Durant, Nichols.

Mr. Illingworth said Atty. Hodgson worked on the Carmen Dixon hearing. Atty. Bohannon said Atty. Hodgson inherited the case from Atty. Steve Sedor. Mr. Illingworth and Ms. Pereira said they liked Atty. Sedor.

Atty. Bohannon said he would send the draft to Mr. Weldon for dissemination. Ms. Pereira said individual board members could

respond to Atty. Bohannon but it would be an illegal meeting if the board members were on e-mails together.

Ms. Pereira said she believed it was important the public be able to participate in any meeting relating to the final budget gap. She said the legal service contract was worth over \$1 million. She said if there is a special meeting the public should have an opportunity to speak about cuts.

Mr. Weldon asked if members were available Monday or Tuesday. He noted the district had to start collective bargaining on June 19th. Dr. Johnson said that date was according to state statute. The first step would be to establish dates for negotiations.

Ms. Pereira said it was important before the board starts BCAS negotiations that all members get a copy of the contract to provide suggestions. She noted the provisions that administrators collect their full salary for a year after they are moved out of a position.

Ms. Pereira moved *"to enter executive session to discuss proposed settlement of pending litigation, Barbara Jahn vs. BBOE, docket number 314-CV-01484RNC."* Invited to participate will be the superintendent and Attorney Dan Schwartz.

The motion was seconded by Mr. Illingworth and unanimously approved.

The executive session began at 6:20 p.m.

The board reconvened in public session at 6:45 p.m.

Ms. Allen moved *"to accept the recommended settlement in this matter as recommended by counsel."* Mr. Sokolovic seconded the motion.

The motion was approved by a 7-2 vote. Voting in favor were members Weldon, Martinez, Walker, Taylor, Bradley, Sokolovic and Allen. Voting in opposition were members Pereira and Illingworth.

Ms. Allen moved the meeting be adjourned. The motion was seconded by Mr. Taylor and unanimously approved.

The meeting was adjourned at 6:46 p.m.

Respectfully submitted,

John McLeod

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