



**NEW HAVEN PUBLIC SCHOOLS**  
**NEW HAVEN, CONNECTICUT**

**Minutes – Board of Education Special Meeting – September 16, 2020**

The meeting was called to order at 6:06 p.m. by Mrs. Yesenia Rivera, President. The meeting was held via Zoom.

**Present:** Mrs. Y. Rivera, President; Mr. M. Wilcox, Vice-President; Dr. E. Joyner, Secretary; Dr. T. Jackson- McArthur, Mr. L. Conaway, Mayor J. Elicker, Mr. D. Goldson, Dr. I. Tracey

**Absent:** Ms. L. Arouna, Mr. A. Fiore

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Mr. Conaway led the assembly in the Pledge of Allegiance.

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Mrs. Rivera announced that for Executive Session we are inviting Atty. Alexiades, Atty. Pinto, Mr. Penn, Dr. Tracey and Mr. Jackson.

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Mrs. Rivera stated that before we move into Executive Session she understands that we are all very opinionated and passionate and she would like to remind everyone to please observe meeting norms and decorum so that we are able to have a respectable meeting.

Mrs. Rivera also commented that she would call on Board members, as she normally does, in the order in which she sees their hand raised, however, she may also prioritize those who have not yet spoken so that everyone has a chance to speak. If she misses calling on someone, just raise your hand or say her name. Depending on how many people are on the screen, she may not have you all on the same screen. Also, she reminded them to speak only after they have been recognized by the Chair and to please mute yourself when you are not speaking so that we are not hearing your background.

**673-20**  
**Convene Executive**  
**@ 6:10p.m.**

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**On the motion by Mrs. Rivera, seconded by Dr. Joyner, it was voted by roll at to Convene Executive Session pursuant to Conn. Gen. Stat. § 1-200(6) and § 1-Session 210(b)(10) re: communications privileged by the attorney-client relationship concerning proposed amendment to school transportation agreement with First Student, Inc. for 2020-21 school year. Also invited: Atty. Elia Alexiades, Atty. Michael Pinto, Mr. Philip Penn, Dr. Ilene Tracey and Mr. Carl Jackson. Mr. Goldson, Mr. Wilcox, Dr. Jackson-McArthur, Mr. Conaway, Dr. Joyner, Mrs. Rivera, yes.**

**Reconvene Public**  
**Session @ 6:50p.m.**

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Mrs. Rivera commented we are out of Executive Session and no votes were taken.

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Mrs. Rivera asked Mr. Penn to give a broad overview of what was discussed in Executive Session.

Mr. Penn remarked the negotiating team has been working over the past couple of weeks with First Student on a second amendment to the contract pertaining to the 2020-2021 school year. As a result of that, we have negotiated an amendment that reduces the rates



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for buses during the period when their drivers are on furlough to 55% of what our base rate is. On days when buses are not running, those buses will be charged at 85% of the contractual rate and on days buses are running, those buses will be charged at 100% of the contractual rate.

First Student will be required to document for us their actual costs during the time period to ensure that they are not being unfairly enriched as a result of what we are doing, and that the estimated savings to the Board of Education, net of cost, to ensure that the buses are properly disinfected for COVID, is approximately \$2.15 million over the 2020-2021 year with the majority of that transpiring in this first fiscal quarter.

**674-20**  
**Approve**  
**Amendment #2,**  
**w/First Student, Inc.**

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**On the motion by Mrs. Rivera, seconded by Mr. Wilcox, it was voted by roll call to approve Amendment #2 to the contract for busing with First Student Inc., on the terms submitted and to recommend the City to approve a change order to the contract.**

Mr. Goldson initiated a discussion on matters discussed in Executive Session. He started with comparing financial reports from the Finance Director and expressed his confusion upon seeing that the contracts varied by \$3 million. Mr. Penn explained the reports to Mr. Goldson in detail. Mr. Goldson continued to ask questions of Mr. Penn regarding his financial reports.

Mr. Goldson next wanted to know how we came to the figure of paying the bus company 55% of the contracted amount when their employees were furloughed. Mr. Penn explained that the 30% differential reflects the estimated costs of their drivers that are on furlough and he explained in detail. Mr. Goldson continued to ask questions of Mr. Penn and wanted to know, for the record, if the bus company needs 55% of their contract in order to be able to keep their fleet running.

Atty. Alexiades commented that he doesn't think it is a question of viability. We think that that number is consistent with the terms of Executive Order 7R because it includes paying the employees as well as maintenance of the fleet. Atty. Alexiades explained in detail.

Mr. Goldson then asked about the disinfection piece and wanted to know why we are on the hook for disinfecting the buses. Atty. Pinto noted that as earlier discussed the contract includes and the bid documents include a provision that the buses be maintained as new in a clean and sanitary condition. Atty. Pinto explained in detail. Mr. Goldson asked more questions of Atty. Pinto who answered in detail.

Dr. Tracey wanted to know if these questions were not discussed in executive session and Mr. Goldson commented he wants it put on the record and he has the right to do that; he



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has a responsibility to do that. This discussion continued at length and Mr. Goldson continued to explain his position on this matter.

Atty. Alexiades explained in detail to Mr. Goldson that we are following an executive order that says we have to pay them. Mr. Goldson asked Atty. Pinto about other contracts that we negotiate and wanted to know if that clause will remain in the contract. He went on in detail. Atty. Pinto answered Mr. Goldson’s questions to the best of his ability.

Mayor Elicker responded to one thing that Mr. Goldson said because it seemed to be insinuated that Executive Session was meant not to be transparent. The purpose of Executive Session is so that when we are in the midst of a negotiation we don’t undermine our negotiation with the opposing party and by having this conversation in front of the party we can potentially undermine that negotiation which is a disservice to the taxpayers.

Mr. Goldson thanked the Mayor for that eloquent speech misrepresenting his position. His questions were real clear and they were not improper. They were meant to make sure that there was a public conversation about the private conversation that was held in Executive Session.

Mr. Wilcox thanked the negotiating team for pulling this all together. One of the things he likes about this is that it gives us flexibility. The thanked the team for that.

**674-1-20**  
**Approve**  
**Amendment #2,**  
**w/First Student, Inc.**

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**On the motion by Mrs. Rivera, seconded by Mr. Wilcox, it was voted by roll call to approve Amendment #2 to the contract for busing with First Student Inc., on the terms submitted and to recommend the City to approve a change order to the contract. Mr. Wilcox, yes; Dr. Jackson-McArthur, no; Mr. Conaway, yes; Mr. Goldson, no; Dr. Joyner, yes; Mayor Elicker, yes; Mrs. Rivera, yes. Motion passed.**

**675-20**  
**Adjournment**

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**On the motion by Mrs. Rivera, seconded by Mayor Elicker, it was voted by roll call to adjourn at 7:20 p.m. Mr. Goldson, yes; Mr. Wilcox, yes; Mr. Conaway, yes; Dr. Joyner, yes; Mayor Elicker, yes; Mrs. Rivera, yes. Motion passed.**

Respectfully submitted,

*Ginger McHugh*

Ginger McHugh  
BOE Recording Secretary

**“A video of this meeting is available on the NHPS website, NHPS.net, Public Meetings”**