

**TORRINGTON BOARD OF EDUCATION  
SPECIAL MEETING  
Wednesday, October 16, 2013  
Torrington High School Media Center  
Major Besse Drive  
Addition to Minutes-Last Paragraph-Last Sentence**

**CALL TO ORDER:** The meeting was called to order at 7:04 P.M.

**ROLL CALL:**

**Present:** Mr. Brady, Mrs. Cappabianca, Mr. Cavagnero, Mrs. Hoehne, Mr. Kissko, Mr. Merola, Mr. Nargi, Mr. Rovero, Mr. Thibault, Mr. Traub, Mr. Campolieta, Mrs. Klozcko

**Absent:** Acting Mayor Zordan

Mr. Traub stated Mr. Rich Mills, the Board's legal advisor was in attendance.

**RECEIPT AND DISCUSSION OF INVESTIGATION OF A BOE MEMBER**

Mr. D. Charles Stohler of Carmody & Torrance LLP presented.

Mr. Traub stated what the Board has to decide on, and reminded the Board members they may have to have a hearing and to be mindful of the questions they ask the investigator.

Mr. Kissko asked Mr. Stohler why he included recommendations in his report.

Mrs. Cappabianca made a motion to accept to recommendations with the removal of item number two (2). Mr. Rovero seconded the motion.

Mr. Cavagnero asked, because this is a public meeting, does he have the right to defend himself at this point. He stated that these allegations are close to being defamatory against his family name and he would like the opportunity to address these allegations. He stated he takes "great offense" to the language used against him and explained his frustrations.

Mr. Traub said this meeting is not a hearing; they are only here to receive the results of an investigation to make a determination if a hearing is needed.

Mr. Kissko stated the motion on the table is out of order because it does not follow the agenda and is based on recommendations that were not asked for.

At 7:38 p.m. the motion was ruled out of order and the Board returned to discussion.

Mr. Merola asked if Mr. Cavagnero would require his own independent counsel during a hearing.

Mr. Cavagnero stated he had counsel present during his interview because he had no idea what the allegations against him were and he was unaware of his rights. He then reminded the Board members that whatever action they decide to take they will be setting a precedent.

Mr. Merola said his only concern was if the attorney was paid for by the District.

Mr. Traub stated, unless Mr. Cavagnero's behavior is deemed "willful or intentionally negligent" the District is paying for the attorney.

The Board attorney, Mr. Mills, reiterated the State Statute that covers the cost of an attorney.

Mr. Kissko asked if the Board accepts this report, are they then responsible for the costs of legal counsel.

Mr. Nargi asked if there was ever a written complaint made. He also asked if the people making the complaints were acting within the scope of Administrators because the grievance process was not followed. Mr. Nargi asked what the legal "relationship" is between Administrators and Board members. He read aloud from the Superintendents Contract. He asked when the Superintendent had received authorization from the Board to have these Administrators attend that meeting in her place. Mr. Nargi voiced concerns regarding members of the Public bringing allegations against any Board member.

Mr. Traub stated the conduct at the meeting was what was being investigated. The Superintendent's attendance was not being investigated.

Mr. Cavagnero stated his frustrations regarding the meeting in question and the way information is communicated. He asked the Board members present if they remembered him specifically telling the Administrators present at the School Improvement Committee meeting in question that he was not directing his comments against them.

Mrs. Hoehne said she remembered.

Mr. Thibault said he remembered Mr. Cavagnero making that statement.

Mr. Kissko commented on the "subjective language" in the report. He also questioned the recommendations regarding training for all Board members.

Mr. Traub asked Mr. Stohler for clarification on whether or not he believes harassment occurred.

Mr. Merola stated he shared Mr. Nargi's frustration with the Superintendent's contract. He said inappropriate or unwarranted behavior is not okay in any situation. He asked if Mr. Cavagnero contested that he was inappropriate and unprofessional.

Mr. Traub told Mr. Merola that he could not ask Mr. Cavagnero that question at this meeting, without moving into a hearing phase.

Mr. Nargi asked if the words used by the Administrators in the report are the words actually used by the Administrators. He said those words have legal connotations and the Board cannot overlook this issue; allegations have to be substantiated.

### **POSSIBLE ACTION ON INVESTIGATION OF CONDUCT OF A BOE MEMBER**

Mrs. Cappabianca made a motion to accept the findings of the report and consider the recommendations with the exception of recommendation number two (2). Mr. Rovero seconded the motion.

Mr. Kissko asked if they could separate the vote. One to accept the report and another to accept the recommendations.

At 8:22 P.M. Mrs. Cappabianca withdrew her motion.

At 8:24 P.M. with the understanding that he does not necessarily agree with the findings, Mr. Kissko made a motion to accept the report minus the recommendations. Mr. Thibault seconded the motion. The vote passed with two (2) opposed, Mr. Nargi and Mr. Merola and two (2) abstentions, Mr. Traub and Mr. Cavagnero.

Mrs. Hoehne asked for clarification on whether Mr. Kissko wanted to take further action than accepting the report.

Mr. Nargi asked if by receipt of the report they are not necessarily agreeing with it.

At 8:28 P.M. Mrs. Cappabianca made a motion to accept the recommendations with the exception of recommendation number two (2). She stated she is making a motion to request the action of the recommendations, with the exception of recommendation number two (2), be taken. Mr. Rovero seconded the motion. The vote passed with two (2) opposed, Mr. Kissko and Mr. Nargi and two (2) abstained, Mr. Traub and Mr. Cavagnero.

Mr. Cavagnero stated if the Board adopts specific recommendations, it makes others redundant.

Mr. Traub stated his interpretation of the recommendations.

Mr. Nargi said he would vote against this because the allegations are severe and the money spent with this issue is excessive. He said allegations need to be substantiated and procedures need to be followed.

Mr. Kissko said he would vote against this because he believes the entire Board does not need training and they are all elected members that are re-elected by the public. He stated he believes this is a witch hunt.

Mr. Cavagnero asked what the result of the vote specifically means for him.

Mr. Kissko asked why he heard about tonight's meeting the day before he was notified by Mr. Traub. Mr. Traub's response was that he had to be sure certain people were available before he sent out the general notice.

## **ADJOURNMENT**

At 8:34 P.M. Mr. Merola made a motion to adjourn the meeting. Mr. Brady seconded the motion. The vote was unanimous.