

TOWNSHIP OF UNION BOARD OF EDUCATION
REGULAR MEETING MINUTES – SEPTEMBER 18, 2018

NOTICE OF MEETING:

TO ALL BOARD OF EDUCATION MEMBERS:

The regular meeting of the Board of Education of the Township of Union was held on Tuesday, September 18, 2018 at 7:00 p.m. at the Union High School Library, 2350 North Third Street, Union, New Jersey pursuant to notice sent to each member.

Mrs. Minneci called the meeting to order at 7:06 p.m.

PRESENT AT ROLL CALL:

Mr. David Arminio, Dr. Guy Francis, Mrs. Sherry Higgins, Mrs. Nancy Minneci, Mr. Jeffrey Monge, Mrs. Nellis Regis-Darby, Mrs. Linda Richardson, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

Mr. Vito Nufrio (arrived at 7:30 p.m.)

ADMINISTRATORS PRESENT:

Mr. Gregory Tatum, Mrs. Annie Moses, Mr. Gerry Benaquista, Mr. Gregory Brennan, Mr. Barry Loessel, Mrs. Sandra Paul, Mrs. Anne Hart, Kim Conti

ALSO PRESENT:

Mr. Paul Griggs, Esq.

Mr. Francis led the Board and audience members in the Pledge of Allegiance.

Mr. Brennan read the statement required under the “Open Public Meetings Act”, a copy of which is on file in the office of the Board Secretary.

Mrs. Minneci read the District’s mission statement.

COMMENTS FROM PUBLIC ON RESOLUTIONS:

None

APPROVAL OF THE MINUTES:

Moved by Mr. Arminio, seconded by Mrs. Williams, that the following minutes be approved:

1. May 8, 2018 – worksession
2. May 15, 2018 – regular meeting and executive session

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Williams

NAY: None

ABSTAIN: Mr. Monge (May 15th minutes only)

MOTION CARRIED

COMMUNICATIONS:

LETTER FROM LEAGUE OF WOMEN VOTERS

Letter from League of Women Voters requesting the use of Union High School Library from 7 p.m. to 10 p.m. on Monday, October 22, 2018 for the Union Board of Education Candidates Night Forum and Debate.

LETTER OF RESIGNATION – PAOLELLO

Letter of resignation from Kristen Paoello, teacher's aide-Washington Elementary School, effective August 29, 2018.

REQUEST FOR CHANGE IN RETURN DATE – DENNING

Request for change in return date from Noa Denning, speech correction/language specialist-Hannah Caldwell Elementary School, new return date September 1, 2018.

LETTER OF RESIGNATION – ELIE

Letter of resignation from Samantha Elie, math teacher-Union High School, effective November 12, 2018 (60 days' notice); however, if District can release sooner date may change.

REQUEST FOR LEAVE – KELLY

Request for paid medical leave from Eileen Kelly, kindergarten teach-Connecticut Farms Elementary School, September 1, 2018 and with a return date to be determined.

REQUEST FOR EXTENSION OF LEAVE – MARINO

Request for extension of paid medical leave followed by unpaid FMLA/NJFLA (concurrently) from Lindsay Marino, teacher-Jefferson School, new return date January 2, 2019.

REQUEST FOR EXTENSION OF LEAVE – MENDES

Request for extension of unpaid child rearing leave non FMLA/non NJFLA from Jessica Mendes, new return date September 2, 2019.

REQUEST FOR INTERMITTENT LEAVE – SIBILIA

Request for intermittent FMLA/NJFLA (concurrently) from Carolina Sibilias, English teacher-Burnet Middle School, from September 1, 2018 to June 26, 2019.

REQUEST FOR EXTENSION OF INTERMITTENT LEAVE – RAPKE

Request for extension of current intermittent FMLA/NJFLA (concurrently) from Angela Rapke, 10-month secretary-Burnet Middle School, now through June 30, 2019.

REQUEST FOR LEAVE – WEISSBERG

Request for paid child rearing leave followed by unpaid FMLA/NJFLA (concurrently) and unpaid non FMLA/NJFLA from Lauren Weissberg, school counselor-Union High School, from December 10, 2018 through June 30, 2019.

LETTER OF RESIGNATION – ORFANIDIS

Letter of resignation from Sophia Orfanidis, classroom assistant-Franklin Elementary School, effective September 14, 2018.

SUPERINTENDENT’S REPORT:

Mr. Tatum stated we will start with a presentation for our History Club by one of our Board members, Mr. Arminio, and that will be followed by myself with the Vandalism and Violence Report, Summer Bridge Program by Chris Carew and then legal presentations.

Mr. Arminio stated as a representative of the Union Township Historical Society it is my honor to represent Barbara Lamorte, the President, to confer this resolution from the New Jersey State Senate and General Assembly to the Union High School History Club. I would like to call up Mr. Erdman who is the advisor to the History Club. It is a joint resolution by Senator Cryan, Assemblywoman Quijano and Assemblyman Holly. Just to quote a part of it because it is very long, “Be it resolved that this legislative body commends the members of the Union High School History Club and the members of the Union Township Historical Society upon the auspicious occasion of Hannah Caldwell Day and solutes the steadfast contributions in commemorating her heroism during this critical training point in the history of our new nation and extends sincere best wishes for an informative and enjoyable event.” Congratulations.

Mr. Erdman stated thank you, I didn’t do anything, I was sitting around my classroom one afternoon and some of my students from the AP class stopped by, we chatted, we talked about current events, talked about history, and one of them said we should have a History Club – it wasn’t my idea, it’s their idea. I said I’ll do that, I’ll hang out but they took the bull by the horns and ran. In pure honesty this is their award. I would like to introduce three young ladies – the president of the history club – Emily Nunez, Jane Oyem, Ayoknumi Oluwakuyide. We also have to thank the Union Township Historical Society. They did plaques on the history of Union and if you have the opportunity to go over there – you owe it to yourself – Union High School, about the rock, about how we desegregated – it is really good stuff.

On Four Centuries Weekend – their work will be displayed – come on by. Thank you.

Mr. Arminio stated I know Mr. Tatum won’t mind if I do something else. During the summer, some of you may know, Union Library runs a summer reading club and the Friends of the Union Library said that they would give a monetary reward to the school with the most number of students that participated in the summer reading. There were a total of 514 children that participated in the summer reading program at the library with 1,215 hours of reading by those students and the elementary school with the most number of students was Hannah Caldwell – we have the principal of the school, Mrs. DiGiovanni and some of the students that participated – 54 students. I will give the plaque to your principal and it says “The Friends of Union Public Library congratulate Hannah Caldwell Elementary School for having the most participants in the

summer program of Union Public Library.” Mrs. DiGiovanni accepted the check for the school. Mrs. DiGiovanni stated thank you to the parents, you really instill the importance of reading. Our teachers do, but it is what you do at home.

Mr. Arminio stated the Burnet Middle School had the most participants for middle school. Mr. Harrell accepted the plaque and check. Student stated we accept this award on behalf of Burnet Middle School, thank you Union Public Library. Mr. Arminio stated congratulations and keep reading.

Mr. Tatum stated I’m sorry I have to follow that presentation – I’m here to talk about the second period of Violence and Vandalism after they are talking about the great books that they read over the summer.

Last month we had the opportunity to present the information about the first period for the 2017-2018 school term; now I’m going to report period two. Report appended to minutes.

Union High School – 58 incidences that met the criteria; Burnet Middle School - 11; Kawameeh Middle School - 3; Battle Hill Elementary School – 0; Hannah Caldwell Elementary School – 1; Jefferson School – 2; Connecticut Farms Elementary School – 1; Franklin, Livingston and Washington Elementary Schools – 0.

I will give you a total for both periods: Union High School – 84; Burnet Middle School – 25; Kawameeh Middle School – 6; Battle Hill Elementary – 0; Hannah Caldwell Elementary School – 1; Jefferson School – 3; Connecticut Farms Elementary School – 1; Franklin Elementary School -0; Livingston Elementary School – 0; Washington Elementary School -0.

The total for the District that actually met the criteria that has been certified by the State – 120.

There is no report tonight on student and staff attendance – that will begin next month.

Just a few highlights - each building had a successful start of the school year. The Township of Union Public Schools opened our doors to welcome approximately 7137 students on September 6th. We anticipate a successful school year for all.

9/11 Observances – In recognition of the tragic events that took place on September 11, 2001, all the schools had a moment of silence during morning announcements. Some elementary schools made an announcement giving some explanation as to why this day is so important to our nation.

Events - Back to School Nights - Battle Hill, the high school, Hannah Caldwell and Franklin have all successfully completed their Back to School nights. Tonight, Burnet is having their Open House. Livingston and Washington will have theirs on Thursday, Connecticut Farms will be September 24th, Jefferson September 25th and Kawameeh on September 27th. There may be changes so I would recommend that you double check with your individual schools.

I will bring up our summer bridge program coordinator, Christopher Carew – he is going to give you a presentation on some of the things that happened over the summer time. This program was instituted about a year ago and this is the end of our second season.

Christopher Carew stated I'm a Connecticut Farms teacher and I'm here to present the summer bridge learning camp. This takes place from July 9th through July 31st at Hannah Caldwell School – grades 1-5 and Monday – Thursday for four hours each day. It was a great program.

Goals of the program – allow students to engage in 21st century and hands on learning activities - they use Chromebooks throughout the course of the program.; improvement social-emotional development – teaching them how to proper way to interact with each other, respect and care; build grade level skills; prepare students for the next grade level and ease the transition.

Curriculum – project based learning; STEM activities; math and ELA skill building activities; blended learning – Chromebooks, paper and pencil; social emotional learning activities.

Resources – Chromebooks for all grade levels – teachers did a great job sharing and we made up a schedule so that students would have equal opportunity to use those Chromebooks; smartboards in each classroom.

In terms of online resources – one of the students' favorites was prodigy math, it is more like a video game to them – they were learning math at the same time; iReady is an in-district program; raz-kids; G Suite for Education for grades 4-5 – we were able to use Google accounts for various activities like writing.

Just some facts about the program – it is based out of Hannah Caldwell School. It was for students entering Grades 1-5; about 194 students; attendance was about 90%; 12 teachers and 5 teacher aides; July 19th – July 31st – Mondays-Thursday; 8 a.m. to 12 noon with a 40 minute lunch and 40 minute recess – which is fantastic for their social and emotional learning.

I want to highlight the staff members – they did a fantastic job. There was great collaboration amongst the teachers.

5th Grade – Gina Metta, Ian Penny, Isaiah Harris

4th Grade – Karen Freitas, Anthony Manderichio, Mary Ellen Patricco, Theresa Wong

3rd Grade – Edward Nelson, Gwendolyn Platt, Stephanie Branco

2nd Grade – Samantha Formica, Ashley Swick, Jonathan Massa

1st Grade – Nicole Jacinto, Kelly Kitzman, Stephanie Loessel, Yanick Joseph

The parents were very happy and said that the students were really excited to come back the next day and I credit that to the teachers.

STEM activities – dino STEM, Lego blueprint, dream bedroom, sand castle, story time STEM, saving Fred gummy worm, spaghetti marshmallow structure and building a robot, bucket tower, amusement park rides, balloon powered car, making slime, catapult, gumdrop structures.

Project based learning – 1st, 2nd and 3rd grade – I did a genius hour – we discussed what a genius is and how one becomes a genius by the work of wonder, curiosity and research. It is slow in the beginning but they got to pick a topic to research throughout the course of the program and the genius hour allows students to explore their passions and encourages creativity and the last day we had parent day where the parents came in and viewed their presentations and they got to show off all the hard work they had done.

Student research – they used their Chromebooks to conduct their research.

A piece for the social emotional development – teaching students how to react with one another day-to-day – solving programs, learning how to deal with problems with help from their peers or some of their teachers.

One of the 4th grade activities was song of the day and reflection. They would listen to a song each morning and write a reflection about what the song meant to them and how it made them feel. It is a great social emotional activity for them and it was current music.

In regards to recess they were given 40 minutes for lunch and a 40 minute recess to give students time to interact and socialize with their classmates. They utilized the playground equipment at Hannah Caldwell and they also got to visit Rabkin Park.

Another part of the social/emotional was the morning meetings. They were given an opportunity each morning to discuss their weekends, hobbies and other topics selected by both the teachers and students. It gave the students a chance to relate to one another and to learn more about each other. It was designed to build collaboration, listening and social skills and improve their social emotional development.

The final day of the program we had parent day – the parents or guardians were invited on the last day to come and see some of the presentations and displays that their children had made. We had a great turnout. We had over 200 people who came for that presentation. The parents were very happy to see all the hard work that the children had done.

Summer bridge program presentation appended to minutes.

Mr. Nufrio arrived at 7:39 p.m.

Mr. Tatum stated this is the second year that we have had this program and it has grown and I will tell you that a lot of credit has to go to Mrs. Moses for coordinating and putting together an idea I was talking about one day. It is also nice to have activities for students over the summer time.

Mr. Brennan stated the first law firm to present to the Board is from Florio Perrucci et al and that is Lester Taylor.

Mr. Taylor stated good evening Mr. President, Vice President, Board Members and Administration. On behalf of the law firm of Florio Perrucci Steinhardt & Cappelli, it is my honor and privilege to be here this evening and present our qualifications to serve as counsel to the Board of Education.

I chair our board of education practice group. We have offices in New Jersey – one in Rochelle Park, Phillipsburg and Cherry Hill. We just opened an office in Trenton and we have an office in Pennsylvania. I have practiced law for 20 years. We represent a number of school districts across the State of New Jersey from large urban districts as well as suburban school districts. We currently represent districts, including but not limited to the Elizabeth school district, special counsel to Roselle, contract with West New York, Jersey City, Newark, Paterson, Camden, Willingboro, Trenton, two special services school districts – one in Gloucester County and Warren County and Warren County Technical School. We also represent municipalities, state colleges, county colleges in a variety of areas – general counsel, labor, employment negotiations, litigation, special education, etc.

We are a full service law firm. We have about 45 lawyers. We are able to competently and intelligently represent our clients' interest because of our various practice areas makes us better able to service all the needs of our education clients.

I am happy to say that when I joined this firm about 11 years ago, I spearheaded our entry into the education practice field. I had a number of years of experience at a smaller firm in New Jersey. Since then we have grown from our client list into one of the largest competitors in this field. It is also very humbling from a standpoint of listening to the presentation from the district – the gentleman referencing desegregation of various institutions in this Town. Looking across this room, the diversity of this Board, of your administrative leadership – equally, respectfully and more importantly the community that you serve. Myself being the first African American being hired at the law firm and we have since grown and hired a number of diverse attorneys at our firm and be able to service a number of school districts and this district, as I have observed tonight, spearheading and tackling an issue that is affecting the State of New Jersey which was referenced in a recent article that I was reminded in a study from a professor at Rutgers University that talked about the diversity or lack thereof in the State of New Jersey and one of the most segregated states in the country – economically as well as rationally. Just seeing this district seeing the positivity in the education that is going on and I commend you for the great job you are doing.

Mr. Nufrio stated my apologies everyone. Family emergency came up – my reason for being late. Thank you sir for your presentation at this time.

Mr. Arminio asked will we as the Board have a dedicated attorney to service our needs at meetings and when the Superintendent has a need to call the law firm, would we have one dedicated person who would then learn our District. Mr. Taylor stated the answer is yes. We pride ourselves on accountability, responsiveness to our clients and typically we assign one

attorney to be lead attorney for our respective clients. Looking at your list of public meetings for the rest of the year, with the exception of one meeting due to a prior scheduled and October is crazy with the school board conference, so I will be assigning myself as chair of the education and practice group to be your main point of contact and lead attorney for this District. We have 8-9 other attorneys in my firm that specialize in education law – anywhere from 75%-100% of their time so we have a team working with me – in addition to the other 40+ lawyers. I would be the main point of contact. All of our attorneys have these fancy iPhones and computers and much to my wife and family's chagrin – accessible 24/7 – I have clients calling me at all hours of the night, weekends etc. and or texting which is the preferred method and then I can get right back to you.

Dr. Francis stated will your firm be able to finish out all outstanding issues, litigations that have not been completed by the previous Board attorney? Mr. Taylor stated without knowing the status of those matters are, I can't truthfully and honestly answer that for you. In the economic business standpoint, happy to assume responsibility for all files but from an ethical standpoint and a responsible standpoint, it may not be wise to transfer a file at this stage pending on the state of litigation and depending upon the complexity of the issues are – if you have a trial scheduled tomorrow or next month, it wouldn't make sense. If it is in 6 months than of course we could speak. It would be a case-by-case basis. We pride ourselves in professionalism. We would suggest a meeting with your administration, your outgoing attorney and perhaps the Board President and/or committee of the Board to review the status of litigation matters and make an assessment and recommendation because you are the client – as to what matters should be transferred and/or has to stay.

Mr. Monge stated just to piggy back off of what Mr. Arminio was saying. Are you saying you are going to be our permanent Board Attorney - you said in a couple of months you may change? Mr. Taylor stated I am saying I would be but looking at your schedule of meetings for the balance of the year – through your reorganization meeting – there are no conflicts in my schedule that would prohibit me from being here.

Mr. Monge stated as it pertains to what Dr. Francis was saying – your first step, I'm assuming, would be to review what we have on the table. We are saying we would like you to go over and you will tell us that you could do this in this period of time or it is just not wise for you to take it over. Mr. Taylor stated correct.

Mr. Monge stated at the end of our RFP's/RFQ's – this is something that was new and it wasn't part of the RFP's, we talked about a section as it pertains to political contributions. While we obviously love the Town of Union, the big issue in the Town of Union is political campaigns that come in to fuel board of education elections and while the standards for pay-to-play are very clear that you can't take a contribution if you are contractor, even though it has happened in this District – now that there are folks looking, if it still comes through PACs and the likes. Looking at your share of contributions, you guys have partners and the like – at least what you guys submitted, have shown a lot of political contributions both republican and democratic – so how do we feel as a community that at least \$75,000 a year spent on three volunteer positions. How do we make sure that the firm like yourselves aren't coming in here influenced by politics and obviously being biased in decisions when it comes to our school district.

Mr. Taylor stated great question – it is a fair and appropriate question – I would first say that you all are sitting there through the politic process and that you had put your name on a ballot to be a candidate for elected office. I think the first part of your statement/question shows the integrity of which our firm operates which is we disclosed whatever contributions we may have contributed to any candidate within this County. Off the top of my head I don't know if we contributed to any candidates within this school district, but if we did, it was done in accordance with the Election Law Enforcement Commission's Rules and Regulations. We pride ourselves on the highest level of ethical and legal responsibility and accountability from Governor Florio down to myself and everyone else in between and on the side in the law firm. Participating financially in the political process is a First Amendment right, freedom of speech, in this State and in this Country as long as it is done in the legal and responsible way – there is no problem with it.

One of the other characteristics that I think that sets our firm apart, many of our attorneys have or are also public servants. I'm serving in local communities as school board members, as Governors, as Mayors – I was the Mayor of my town, East Orange, New Jersey. So we are very familiar with the process but also the ethics that go along with the financial component of any campaign. The reality is that I have never received and/or given a dollar with the expectation of anything being done in return for that and that is how we operate. Mr. Monge stated I hope he gets the question. Mr. Taylor stated the question was would there be any conflicts; the answer is no. Mr. Monge stated the thing is because you follow the rules doesn't make it right because ultimately at the end of the day outside special interests are fueling board of education election and affecting the outcomes that affect our kids including my own children in the District. I hear what you are saying but just because it is legal doesn't necessarily make it right in a sense. Mr. Taylor stated that is a philosophical position. From the submission, I don't know if my firm contributed any individual candidate on the dais or any outside group that you would be eluding to or referencing. If we did, it was done in accordance with the law and said contributions have not ever, currently do not, and will not interfere with or influence the legal advice that we give to your administration and to you as the Board of Education.

Mr. Monge stated thank you and the last question that I have. Has anybody from this Board, this Administration or any elected official from the Township of Union contacted your firm as it pertains to that opportunity of representing this Board of Education? Mr. Taylor stated not to my knowledge.

Mrs. Richardson stated in the area of cases that are currently in process, you said you would go through them and determine which way you would go with it – better for the attorney that is handling it now to continue – would you be the lead attorney on that and make the decision whether or not you would keep it? How would that work and how would you determine which cases would remain with the current attorney and which ones you would take over. Mr. Taylor stated yes, I will be the lead attorney representing my firm in that decision making process. The decision is yours as the client. I can simply give you my advice and recommendation. For example, you may have a special education due process petition pending before the Office of Administrative Law, scheduled for a hearing next week – presuming and keeping fingers crossed and vote tonight to appoint my firm to be your legal counsel effective

tomorrow, I would likely say it may be more beneficial for your outgoing counsel to handle that matter because I may not be able to get up to speed in a week for a matter that has been pending for a year. You may have thousands of pages of documents – IEPs, witnesses, there are a lot of issues that go into it. Quite frankly it would be malpractice on my part to take the case – it would be irresponsible. So that is why I say there would have to be an assessment of the matters that you have in the pipeline so that we can make a responsible decision and recommendation as to how we can ethically and responsibly handle the transition. Mrs. Richardson stated so we would have two attorneys or one attorney. Mr. Taylor stated in that instance you might have two attorneys but you would have another firm handling that one particular matter. You can pass a resolution authorizing that firm to tie up those loose ends on A, B, C matters. It happens frequently with school districts, municipalities, etc. – you would have one attorney designated as your Board Counsel/General Counsel, in order of areas; it would be that other firm could handle those separate litigation matters. Your counsel is here and there may be no matters pending but if there is something in the next week or two, I'm trying to be transparent, honest, in this room full of people and it is against my financial best interest that it may not make sense to be chasing a dollar – at the expense of my client. I want a long-term relationship and we want success versus making irresponsible decisions.

Mrs. Richardson stated I'm looking at the legal costs. Mr. Taylor stated it could cost you more quite frankly if you have eight people doing something. Mrs. Richardson stated Mr. Monge's question – when you are representing a school district, do you eliminate yourself from making any contributions to any political group in that community? Mr. Taylor stated the general proposition, no we do not eliminate ourselves per say, if there are any local ordinances and/or regulations or policies that prohibit it, of course we comply with the law and regulations. But to say as a general proposition, my firm represents dozens if not hundreds of public entities, state level, county level, municipal level, housing authorities, universities, every single county in this State. To say that we do not make political contributions to candidates would be a lie and quite frankly isn't something that is required but we do it ethically, responsibly and it has not, does not currently, and will not interfere, or taint or bias the ethical responsibility that we have as lawyers, first and foremost, to represent our clients as officers of the court. It is often said that I have a solid suit on tonight but I'm a pretty handsome guy, I think, I always said I look good in pinstripes, but not jail stripes. I'm not going there for you all. I love my wife, I love my children and I love my reputation and I spent a long time developing and I'm not going to compromise it.

Mr. Nufrio stated the comment you made that it is not unusual to have dual representation because of certain circumstances and I believe you said that it is possibly far more costly to try to shift everything over at the eleventh hour or even at the ninth hour, can you please expound on that and the fact that dual representation is not an unusual circumstance, as you said certain districts have that situation and I'm familiar with that myself. Please expound on that.

Mr. Taylor stated forgive me if I repeat myself. My preference if selected would be to be assigned everything – that would be our preference. From accountability, ethical standpoint, responsible standpoint – it would make sense to behoove this Board of Education and administration if you haven't already, to request a status of any pending litigation matters from the current/outgoing counsel and it would be important to have a meeting as soon as possible to review that status report. If there is a matter in court next week, it might not be possible and/or it

would be irresponsible to assign it to me. Not scared of losing, I love being in court – litigate, that is what I do for a living. I respectfully and humbly say I'm one of the best lawyers in the State of New Jersey and I'm sure my competition would agree with me. But they would also agree that it would probably be irresponsible to say give me the file and not even had the opportunity to interview witnesses and put them on the stand that wouldn't be something I would do. Again, it is a case-by-case analysis and from an economic standpoint, in some litigation matters, special ed or civil litigation, etc. – sometimes it takes months or years to develop and it may not be possible to digest all that in a week or two. The preference would be to reassign any matters with the exception of those outliers.

Mr. Nufrio stated as you suggested, a meeting would be the possible best course of action. I believe you said a meeting between the attorneys and possibly myself and the Superintendent, and possibly a committee of Board members to properly handle the confidentiality of all those aspects, it may come down to both the attorney firms deciding which is which as opposed to disclosing the matters that may not be disclosed. Mr. Taylor stated that is not what I'm recommending. You are the client – myself and counsel cannot have the right or authority to make those decisions. We can make recommendations to you and depending on how you choose to govern yourself, if you want to have a body collectively vest the authority in that committee to make that judgement call as to which way the cases go and/or you can do it by resolution to allow the outgoing firm to keep certain files and that would probably be the preferred course at your next meeting. If there is going to be a file or two that stays with that firm to allow that firm and there are probably going to be some dollars that are encumbered with the contract of that firm. If they are not selected ones for this process, we would be awarded the contract and in accordance with the public school contracts law, professional service, not subject to bidding, we would be awarded for one year contract or to finish up the rest of this current year and appoint new counsel in January at the reorganization meeting and you would essentially appoint a second resolution perhaps not to exceed a certain dollar figure and/or specifics for certain matter until the matter is resolved – it happens all the time. Thank you again for the opportunity to present our qualifications and we believe that we are qualified to meet your legal needs and adequately represent your interests.

Mr. Brennan stated thank you very much Mr. Taylor for your presentation. We are going to have the firm of Cleary et al and we are going to have Francis Fedres, Gregory Franklin, and Danielle Pantaleo – welcome.

Gregory Franklin stated we are from the law firm of Cleary Giacobbe Alfieri & Jacobs. We are here to present to the Board our various practices. I am in the area of labor and employment, Francis and Danielle will explain their expertise.

Mr. Franklin stated we are privileged and honored to be here tonight to present to the Board our qualifications to be your legal counsel. We have 40 attorneys in two offices – one in Oakland, New Jersey in Bergen County and the other Matawan, New Jersey. In the area of labor and employment – I personally have been an attorney since 1985. I worked for the City of Newark for 20 years at the bargaining table as chief negotiator for the City. I then went to the State and became a mediator for the State for PERC where I spent seven years and I have been with this firm since 2015.

We represent 60 or so school districts around the State and we handle various areas and we are a full-service firm. In the labor area we handle from negotiations to grievance arbitrations. We do grievance responses for you when you get grievances from the association we make sure we analyze the contracts and get the grievance response back to you in a very responsive manner.

We also handle practical things like unfair practice charges at PERC, union clarification matters and we also handle all areas of labor and negotiations. I want to say that the benefit of having our firm and what makes our firm stand out is that we give you practical advice and we use the bank of knowledge that we have to give you the benefit of all the experience that we have gathered over the years. That will also lessen the costs of your legal fees when we give you that advice.

Francis Fedres stated I am also part of the education practice group. The three of us came today because it gives you an understanding on how our education practice is built. We all work in the area of education, we also focus in on different aspects of that. We are honing in our skill and knowledge of this area. I work with school administrators and provide a lot of work concerning personnel and students, governance, open public meetings act, OPRA, Danielle will explain more on special education. The benefit of that is we really get to understand the key issues of those areas and able to get a sense of what your district needs and be able to personalize that counsel to make sure we are addressing your community which is unique. We represent many districts around the State, we have a bank of knowledge. We are able to quickly assess an issue and spot what the areas of law that really need to be researched and addressed and how we are going to tailor that to meet your particular needs. We have memoranda and client alerts that we send out regularly to clients.

Additionally we are very responsive and we work closely with the administration as well so that you can reach us day or night, email, cell phone and we also build those relationships with administration so we have an understanding of what is happening in the schools and we can use that information to quickly help and provide assistance when needed. We also try to improve or enhance certain practices. We try to make your job as easy as possible. We know what has to be performed or provided. If you have a benefits matter regarding personnel, we will help you with certain interactive process letters for instance to make sure that you are doing your due diligence under the law and the employees are also protected too so the Board is sound.

Danielle Pantaleo stated I do practice primarily special education law which as Board members and administrators know it is a huge area of litigation, contention – always time for us to educate our staff. I work directly with the Director of Special Services and the Child Study Team Case Managers. Something that we do are trainings on a how to write a legally defensible IEP; how to communicate appropriately with a parent; how to make sure the child is placed in the most appropriate and least restrictive environment and how to individualize and specialize their programs and placements. We come out to a lot of our school districts and Boards about litigation because that is always a question. There is always a cost benefit of an analysis when it comes to due process. As you may or may not know, the Board has the burden of proof, the burden of production and it is very costly so we try to be very expeditious in assessing the

legalities of the case – figure out the case strengths and weaknesses and what our recommendations are. A speedy resolution is usually the most cost effective resolution for the Board and the school community. As well as training the child study team members, I participate in IEP meetings, HIB investigations, I conduct Board hearings for discipline for general education and special education students which have a whole host of special circumstances and procedural protections for the special education student. As a Board attorney I do consider myself a child advocate. We are here and I see this Board is involved in supporting the young students of the community and we pride ourselves on that as well.

Mr. Franklin stated I would also like to say that on the onset we look at your contract and we analyze it to make sure that you are not negotiating causes that you don't have to negotiate and that manifested in a case that we just won in the Appellate Division in a Morris County School Board – there was a clause in the contract that required a school to start on September 1st and we saw that it was in conflict with a statute and with the managerial prerogative of the Board and it was removed from the contract by PERC and the association appealed it but we prevailed.

Mr. Arminio stated same question as the other firm, I don't know which one of you three would be our lead attorney and be here at our Board meetings and worksessions so that we can develop a relationship. Is that how your firm also works? Ms. Fedres stated we generally do have one attorney that will be available for the Board meetings and the person that the Superintendent would contact if there is ever an issue. What ends up happening what we find that is most affective and provides the quickest response is the different directors and different administrators will start reaching out to different attorneys on their own because the superintendent can't be everywhere at once so the director of special ed will reach out to Danielle, director of human resources will reach out to me and if it is a pressing issue they already have authority from the superintendent to contact our office. We will assess several issues at once but to answer your question on who will be here – you wouldn't have a rotating list of attorneys here and we communicate very often, we are always on the phone with each so that if we had to and just say that Mr. Giacobbe would be the lead attorney for the Board of Ed and he is not available, we are quickly brought up to speed and as we are already involved with the schools, with the district, because we are cooperatively representing the Board, we are familiar with the issues and the administrators so that we can easily say, what is happening and what should we be aware of, to get up to speed as well but that will be that main person for the meeting but we are also available because we work as a team.

Dr. Francis stated same question as I asked the other gentleman – would your firm be able to handle the outstanding litigations or outstanding items that have not been completed by our current Board attorney? Mr. Franklin stated yes, we would be able to handle those outstanding cases. However, we would want to review them on a case-by-case basis. If in fact the Board is of the opinion that the cases are ready to be handed over to us, we are ready and quite capable of handling all of those cases as you see fit.

Ms. Pantaleo stated there are also some procedural mechanisms within the courts for example due process – you can request an extension of time, a continuance and there are many different things that you can do when one attorney takes over for another firm. If there is something scheduled for next week, a request for an extension of time to adjourn the hearing

date – something that may be able to be done. Mr. Nufrio stated but that could be proved to be quite costly. Ms. Pantaleo stated it depends on the specifics of the case.

Mr. Monge stated you talked about representing districts it is important for the public to hear what districts in the area that you all represent. Mr. Franklin stated we represent Morris Union Jointure, Union County College, West Morris Regional High School Board of Ed, many districts in Bergen County and we represent municipalities, like the City of Newark, Township of Wayne, and other municipalities in the area.

Mr. Monge stated same question as it pertains to political contributions – a comment as it pertains to your firm as republicans and I know this is a Board of Ed and it should be non-partisan – it doesn't matter if you are a democrat or republican, but can you speak to your firm's contributions that you all make. In my opinion, it negatively influences board of educations and the district with the political dollars coming in and swaying voters. I want you to respond to that. Mr. Franklin stated we do make political contributions and those contributions are of course made in accordance with law and there is nothing in our firm's DNA, philosophy that would influence any of our practices, opinions toward our clients, even though we do make political contributions. We are officers of the court – first and foremost. You are our client. We treasure and honor that attorney-client relationship. Political contributions, yes they are made, but we are first attorneys and we represent you – if you select us, we will represent the Union Township Board of Education with the highest degree of integrity.

Ms. Fedres stated we are a very diverse firm as well. Just in our experiences and background but also our political affiliations. In our practice group we bring our experiences but first and foremost we are here to protect the Board and make sure that you adhere to the law and regulations and to ensure your practices are defensible. If we see that there is any error or non-compliance, inadvertent or overlooked, we will bring it to your attention and we will review your policies. This is our recommendations, this is my concern with this language, I'm concerned that this may exclude certain group of students – we take our jobs very seriously. Our goal is really to make sure that you are operating a very successful school district so that our work and our counsel is to enable you to focus on the administration of this school.

Mr. Monge asked do you guys have any direct contact with any Board member, elected official as it pertains to this opportunity. Mr. Franklin stated no, we have not.

Mr. Monge stated with IEP's, when you are changing an IEP, what is your thought about changing an IEP from one year to the next as it pertains to a legal document and redlining, tracking the changes – have you ever seen that in your practice? Ms. Pantaleo stated you are talking about an annual review IEP, which you call a meeting with the parents and the child study team. Mr. Monge stated changes from one year to the next and track changes. Mrs. Pantaleo stated we usually don't compare this one version – the prior year to the next. An IEP should not look the same, the child's objectives should be changing, the teacher comments will be changing, the students' levels will be changing – track changes it would be completely redlined and you don't want cookie cutter IEP's. They are very specialized and individualized so I have not seen it like that. As you know the IEP is like the Exhibit A – it is a legal document that controls that student's educational placement.

Ms. Fredres stated it is the IEP team that creates the IEP document not our office. We may look and ask a question whether or not the statements are detailed enough and we can give our legal opinions that way – are the goals and objectives specific. That is the type of counsel that we can provide but the IEP team who are the ones that know the student, building that document – we are not redlining it because we are not altering it – we are just reviewing it to make sure it is done in accordance with the law.

Mrs. Richardson stated you said you could pick up a case in a week, a current case that we are dealing with, there would definitely be a cost factor involved and that concerns me that we would be paying previous fees for a case and then you would have to start from the beginning and we would have to be paying for it again – so that concerns me. My only concern that I have is the lead person – each one of you is an expert in a certain field but would that lead person be able to advise us during the time of our executive session if a question comes up or do we have to wait to get the answer from the expert in that area. Also costing us additional fund. Mr. Franklin stated there would be a lead attorney. One of the attorneys that we don't have with us tonight is Matthew Giacobbe who is well versed in not only the daily matters but general counsel matters and open public meeting acts issues. He would be the attorney that would be the lead attorney for Union. A question asked in any area, Matt would be the one handling that kind of question for you. He is the lead partner in that area.

As far as taking over cases, if the Board feels that it is not cost affective for our firm to handle an ongoing case, if selected, then it certainly would be the Board's call to either keep that case with the previous attorney or allow us to review it. Mrs. Richardson stated I didn't get that impression when it was first said. Mr. Franklin stated I'm sorry if I wasn't clear on that.

Mr. Nufrio stated I want to go back to the contributions. It was definitely an affirmation. You certainly make contributions since it is something that has to be reported. I thank you for your transparency and the other firm also acknowledged that too as long as it is legal. I have a question pertaining to policies. When you take on a district, correct me if I'm wrong, you indicated that you have 40 attorneys and you represent 60 districts, unless my math is wrong – 60 into 40 doesn't go but having said that I'm sure it is rotation at times and all districts don't meet at the same time but we have a month which consists of two meetings – a worksession and a regular meeting – so I'm a little concerned with that. When you take on a district, you indicated that you look at the contracts. We have just completed two major contracts in this District and most of it is standard but not all, excluding one particular, are included in those contracts. How can you possibly attempt to make changes in language without the cooperation and consent of the other party? Basically an MOA is an MOA – a memorandum of agreement once it is signed, it is contracted and those can't be altered or any way modified unless you go through an extensive process which is costly as well. What would prompt you to look at something in those contracts that you would deem not being current possibly but never the less current or not it was agreed upon and as you know as attorneys, you agreed on it and it is a done deal, unless it is illegal or violated certain statutes of law but moving forward I don't quite understand why you would look into that area when day-by-day there are so many issues that every district is confronted with and Mr. Tatum will attest to that – that require your immediate attention. Maybe you can give me a better understanding of that.

Mr. Franklin stated first of all, since you do have and I wasn't aware that you just entered into two contracts – I was talking from the standpoint of negotiating a successor agreement. If we were in a position and your district was in a position where we were negotiating a new contract, a successor agreement, we would first look at the contract to make sure that there were no non-negotiable clauses in the contract and that was my point. I had no knowledge that you just entered into those two contracts and my previous comments would not apply.

Mr. Nufrio stated when you approach a successor agreement before entering into negotiations, the language that is in there is fixed and that continues until it is agreed upon to change by both parties – they can't unless something in there is illegal. With that you would agree that is not easily done either until you start the process which of course is negotiations.

The 60 districts that you represent, if we approve you we would obviously be the 61st. How familiar are you with our policies? The policies that relate to legal representation, most of the process that goes on in the District – have you done any research on it already? Ms. Fedres stated as we work the district, we know there are a lot of policies and before meetings we bring bylaws with us. Any time there is an issue we just don't look at the law, we look at your policies we look at your regulations. If it is a student discipline issue, we ask what policies are in place, what internal memorandum and rules are being followed. It is not just what the case law and the law requires, but what are the Board's governing policies and regulations. We do become very familiar with your policies because we are going to work with them all the time. As we are reviewing them day-to-day, through the inquiries, we are going to look and see what can be improved and enhanced with our recommendations. We are not going to scour your policies and bill you for that time unnecessarily; we are going to look at the policies as they become relevant through our counsel. Let me answer you about the 40 attorneys/60 districts – how can we represent all at once. A lot of our school districts do not require us to attend meetings every month, it is Board's request if they want legal counsel. A lot of our school districts will call us on the phone if they have a question during or before. It is a contentious meeting they will ask us to come but if it is a return meeting they won't ask; it is a way to limit their legal sums as well and that is why we are able to attend meetings of those that want us to attend regularly.

Mr. Nufrio stated my final comment is on special education – I think you responded to that in a favorable manner at least in my estimation. IEP's are designed, prepared and finalized in cooperation with the parents and the child and the child study team – these are the professionals that are delegated that duty and that is what they get paid for. I find it a little difficult to understand that and I think you border line answered it, that it would require a legal review because that would only be entertained if it became a legal issue which usually is presented by parents because they feel that the child is not getting what they should be getting and of course then you would be engaged as the legal representative of the district to assess whether or not it is something that is missing or perhaps should be altered but only as an advice to the child study team. Ms. Pantaleo stated yes of course. The child study team – they are the experts. I give the legal advice, I don't get the placement or the substantive special education policies and placement of the child. The child study team does that. The first part is about me reviewing, I don't review the IEP's as a matter of practice. Nine times out of 10 the child study team and the director of special services – things are going smoothly, there are annual reviews,

there are progress reports, there are teacher meetings – I only get involved when there is a problem and when a parent either files mediation and calls a contentious meeting and brings an attorney, I come or files a sub-complaint investigation and that's when I say I review it, I take a look at it and say are the goals objectives specific enough, is there an appropriate transition plan starting at age 14 for this child, what are their post-graduation goals? As an attorney, red flags stick out at us all the time when we look at something and say, how did you not do an assessment. Mr. Nufrio stated the procedural. Ms. Pantaleo stated the procedural things, right, but as far as the substance, we look to the child study team report, independent reports, the parents may give a private report and I will give from a legal prospective, I don't interpret that and that is where I work very collaboratively with the case managers, the school psychologist and I put the onus on them – you interpret this, you tell me if this is the appropriate placement or is an out-of-district placement required. I'm there to give the legal guidance to make sure that they are following the laws but they are the experts. Mr. Nufrio stated that would be borderline micromanaging and we don't need additional micromanagers.

Mr. Franklin stated let me address one other point that you made – even if the contract is settled, there may be instances that you may be confronted with a grievance and as I said before, we will provide responses at your discretion. However, in some instances there may be grievances on a clause in the contract where we had an occasion to look at it and we may say, this is non-negotiable and that will then trigger a conversation between us where we would perhaps recommend that the Board try to remove that clause from the contract because it is a non-negotiable item. Mr. Nufrio stated but in the area of grievances itself. You will concur that grievances have certain levels and first level is to try to resolve the issue – whether internally or in that building or directed to Mr. Tatum and he is the final central office arbiter and then it goes to the Board and possibly that is when you would be engaged if there is a question by a Board member that requires your legal expertise. Mr. Franklin stated absolutely.

Dr. Francis stated thank you for coming. Mr. Franklin stated that you for the opportunity.

Mr. Tatum stated that concludes my report.

EDUCATION/STUDENT DISCIPLINE COMMITTEE RESOLUTIONS:

Moved by Mrs. Regis-Darby, seconded by Mrs. Minneci, that the following resolutions be approved:

E-1. ACCEPT VANDALISM AND VIOLENCE REPORT

Accept Vandalism and Violence Report for the second period of the 2018-2019 school year, in accordance with the information appended to the minutes.

E-2. APPROVE DISTRICT MENTORING PLAN

Approve Township of Union Public Schools 2018-2019 District Mentoring Plan, in accordance with the information appended to the minutes.

E-3. APPROVE CURRICULUM GUIDE

Approve the following Curriculum Guides (2018-2019): (a) UHS Algebra Lab.

E-4. APPROVE AMENDED PARENT/PUPIL TRANSPORTATION CONTRACT

Approve amended parent/pupil transportation contract for special education student attending NJEDDA High School at the revised rate of \$43.06 per day per attendance (210 day maximum) for the 2018-2019 school year, in accordance with the non-public information appended to the minutes.

E-5. APPROVE COMMUNITY-BASED INSTRUCTION SITE

Approve the following Community-Based Instruction (CBI) site for the 2018-2019 school year: Embassy Suites Hilton, 250 Connell Drive, Berkeley Heights, New Jersey 07922.

DISCUSSION:

None

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

FISCAL AND PLANNING COMMITTEE RESOLUTIONS:

Moved by Mr. Monge, seconded by Mrs. Regis-Darby, that the following resolutions be adopted:

F-1. TREASURER’S REPORT

That the (a) final Cycle 13 Treasurer’s Report dated June 30, 2018* and (b) Treasurer’s Report dated August 31, 2018 be accepted.

F-2. SECRETARY’S REPORT

That the (a) final Cycle 13 Secretary’s Report dated June 30, 2018* and (b) Secretary’s Report dated August 31, 2018 be accepted.

F-3. CERTIFY TREASURER’S AND SECRETARY’S REPORT

Pursuant to N.J.A.C. 6A:23-2.11(a), I certify that as of August 31, 2018 no budgetary line item account has obligations and payments (contractual orders) which in total exceed the amount appropriated by the district Board of education pursuant to N.J.S.A. 18A:22-8 and 18:22-8.1.

/s/ Gregory E. Brennan
Gregory E. Brennan, Board Secretary

Dated

Pursuant to N.J.A.C.6A:23-2.2(h), we certify that as of August 31, 2018 after review of the secretary’s monthly financial report (appropriations section) and upon consultation with the appropriate district officials that to the best of our knowledge no major account or fund has been over-expended in violation of N.J.A.C. 6A:23-2.2(d)3 and that sufficient funds are available to

meet the district's financial obligations for the remainder of the fiscal year. This certification is solely based on the information provided by the School Business Administrator and Board Secretary and is assumed by the Board to be correct. **Subject to auditor adjustment.*

F-4. APPROVE APPROPRIATION TRANSFERS

Approve appropriation transfers in accordance with the information appended to the minutes.

F-5. APPROVE LIST OF CONTRACTS/PURCHASE ORDERS

Approve the attached list of contracts and/or purchase orders pursuant to the requirements of N.J.S.A. 18A:18A-5 (bid exceptions to requirement for advertising) and 18A:18A-10(a) (purchase through State agency; procedure), in accordance with the information appended to the minutes.

F-6. APPROVE DISTRICT WIDE TRAVEL AND RELATED EXPENSES

Approve district wide travel and related expenses pursuant to the requirements of N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7 and Board Policy File Code 6471 and in accordance with the information appended to the minutes.

F-7. PRE-APPROVE DISTRICTWIDE STUDENT FIELD TRIPS

Pre-approve districtwide student field trip destinations and purposes pursuant to N.J.A.C. 6A:23A-5.8 in accordance with the information appended to the minutes.

F-8. APPROVE LIST OF 2018-2019 STATE CONTRACT VENDORS

Approve the amended list of the 2018-2019 State Contract Vendors pursuant to N.J.S.A. 18A:18A-10(a) (purchase through State agency; procedure) to facilitate schools' purchasing, in accordance with the information appended to the minutes.

F-9. APPROVED LIST OF CONTRACTS/PURCHASES (STUDENT ACTIVITY)

Approve the attached list of contracts and/or purchases pursuant to the requirements of N.J.S.A. 18A:18A-5(21) (paid by funds raised by or collected by students), in accordance with the information appended to the minutes:

School	Account/Department	Vendor/Description	Amount
Union High School	2045/Music	All American Music Festival – spring band competition deposit	\$8,800.00
Union High School	2033/Music	Pine Forest Camp – student marching band camp 2018	\$12,040.00
Union High School	3220/Athletics-student trainer account	Collins – estimate of drinks to be sold at field house	\$3,000.00
Union High School	3380/Athletics-wrestling	NJSIAA – estimate ticket sales-State or Sectional wrestling matches	\$12,000.00
Union High School	2100/Athletics -football	NJSIAA – estimate ticket sales – State or Sectional playoff game	\$4,000.00
Union High School	3380/Athletics-UCIAC	UCIAC – estimate ticket sales-wrestling tournament	\$4,000.00

Union High School	2053/Student Council	Victoria Menjivar – reimbursement for Homecoming game/dance décor/concessions	\$1,300 (not to exceed)
-------------------	----------------------	---	-------------------------

F-10. APPROVE 2018-2019 OUT-OF-DISTRICT STUDENT PLACEMENT LIST

Approval be given to amend the 2018-2019 out-of-district student placement list, in accordance with the information appended to the minutes.

F-11. APPROVE FUNDRAISERS

Approve the following fundraisers, in accordance with the information appended to the minutes:

Event Name	Date	Purpose
Dining to Donate at Tiff's/Stage House/ Applebee's Grocery Bagging at ShopRite Clothing Drive Super 50/50 raffle Car washes PJ's fresh fruit sale Gertrude Hawk chocolate catalog Joe Corbi's catalog – pizza kits Mrs. Fields cookies Snap Fundraising Ashley Farms Cherrydale Farms Poppin Popcorn	2018-2019 school year	UHSPAC Band/Choir/Color Guard Fundraising 2018-2019 – to raise funds for Disney 2019 Spring Trip competition and general marching band
Skate Party	10/18/2018	UHS/Cheerleading and Dance Club - to raise funds for new uniforms and other cheer and dance items.
Homecoming Dance Fundraiser	October 2018	UHS/Student Council – to raise funds for next homecoming and for upcoming events
Homecoming Game Fundraiser	October 2018	UHS/Student Council – to raise funds for next homecoming dance and for upcoming events
Candy Sale Fundraiser	9/30/18-12/31/18	UHS/Girls Volleyball – to raise funds for activities for team, summer league and events during season
Candy/Chip/Water/Gatorade Fundraiser	9/20/18-10/15/18	UHS/Freshman Girls Volleyball – to raise funds for team apparel and t-shirts
Trick or Treat for UNICEF	October 1-December 1, 2018	UHS/Key Club – to raise funds for UNICEF
Coffee Fundraiser	October 1-April 1, 2019	UHS/Key Club – to raise funds to help with District Key Club Convention costs
Candy Cane Grams Fundraiser	December 10-21, 2018	UHS/Key Club – to raise funds to help with District Key Club Convention costs
Pep Rally Dress Down Fundraiser	September 20, 2018	UHS/Cheerleading Club – to raise funds for DJ for pep rally and project graduation

F-12. APPROVE COUNSELING CENTERS FOR HUMAN DEVELOPMENT

Approve Counseling Centers for Human Development for mental health screening (#90791-initial diagnostic interview) at a rate of \$200 per screening (not to exceed \$1,000.00) for the 2018-2019 school year.

F-13. APPROVE ESTABLISHMENT OF PETTY CASH ACCOUNTS

Approve the establishment of Petty Cash Accounts for costs associated with students' IEP driven Community Based Instruction (CBI) for the 2018-2019 school year at the following schools: (a) Burnet Middle School - \$1,200; (b) Kawameeh Middle School - \$1,200 and (c) Union High School - \$2,400.

F-14. *For informational purposes only – vote not required.* List of legal services for the 2018-2019 school year, in accordance with the information appended to the minutes.

F-17. APPROVE RESOLUTION AUTHORIZING PURCHASE OF NATURAL GAS SUPPLY SERVICES – ONLINE AUCTION

Approve a resolution authorizing the purchase of natural gas supply services for public use on an online auction website, in accordance with the information appended to the minutes.

DISCUSSION:

Mr. Benaquista stated that F-15 and F-16 be voted on after executive session.

Mr. Monge stated F-17 – is that the same process as last time? Mr. Brennan stated that is correct, it is a reverse auction.

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: Mrs. Minneci (Vendor 85992 only)

MOTION CARRIED

GRIEVANCE/NEGOTIATIONS COMMITTEE:

Moved by Mr. Arminio, seconded by Mrs. Williams, that the following resolution be adopted:

G-1. APPROVE MEMORANDUM OF AGREEMENT WITH UTASA

Approve Memorandum of Agreement between the Union Township Board of Education and the Union Township Association of School Administrators, in accordance with the information appended to the minutes.

DISCUSSION:

Mr. Nufrio stated Mr. Griggs, as to conflicted members. Mr. Griggs stated you should abstain. (All conflicted Board members are to abstain.)

AYE: Mr. Arminio, Dr. Francis, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams

NAY: None

ABSTAIN: Mrs. Higgins, Mrs. Minneci, Mr. Nufrio

MOTION CARRIED

OPERATIONS COMMITTEE RESOLUTIONS:

Moved by Mrs. Richardson, seconded by Mrs. Minneci, that the following resolutions be adopted:

O-1. APPROVE AGREEMENT WITH BOYS & GIRLS CLUB OF UNION COUNTY
Approve agreement with the Boys & Girls Club of Union County for the 2018-2019 winter swim season, in accordance with the information appended to the minutes.

O-2. *Agenda item tabled at regular meeting to October 2018 meeting (rental fee schedule)*

O-3. APPROVE ANNUAL INTEGRATED PEST MANAGEMENT NOTICE
Approve Annual Integrated Pest Management Notice for the 2018-2019 school year, in accordance with the information appended to the minutes.

O-4. APPROVE REQUEST FROM UNION HIGH SCHOOL PTA
Approve request from Union High School PTA requesting (a) the use of the track and grounds for the Union High School PTA Color Run and (b) waiver of fees (Athletic Department will provide security) on October 6, 2018 from 1:30 p.m. to 3:30 p.m. (with a rain date of October 7, 2018). Certificate of Insurance will be provided prior to event.

O-5. APPROVE REQUEST FROM LEAGUE OF WOMEN VOTERS
Approve request from the League of Women Voters requesting the use of Union High School Library from 7 p.m. to 10 p.m. on Monday, October 22, 2018 for the Union Board of Education Candidates Night Forum and Debate (Certificate of Insurance provided).

DISCUSSION:

Due to rental fee schedule and information not being updated, O-2 was tabled until October meeting.

Mr. Nufrio stated O-2 has been removed until more modified and additional data to be presented to the Board concerning the rental fee schedule which will help us understand in a much clearer manner how the schedule is arrived at and which categories fit which groups.

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

Mr. Nufrio stated the worksession last week was not televised and I extended my compliments to the League of Women Voters for remaining true to their promise that they would

be scheduling the events which is extremely important to the community of Union to be able to view in person or by television thereafter. In the past it conflicted with the School Board's convention and many of the Board members at the convention would not be able to attend so thank you again to the voters for being cognoscente to that.

PERSONNEL COMMITTEE RESOLUTIONS:

Moved by Mrs. Minneci, seconded by Mrs. Williams, that the following resolutions be adopted:

P-1. *Agenda item approved at September 11, 2018 worksession (personnel actions)*

P-1A. PERSONNEL ACTIONS

Personnel Actions be approved in accordance with the information appended to the minutes.

P-2. *Agenda item approved at September 11, 2018 worksession (substitute lists)*

P-3. ACCEPT LETTERS OF RESIGNATION/RETIREMENT

Accept letters of resignation/retirement from the following staff:

Resignations

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Eff. Date</u>	<u>Reason</u>	<u>Notes/ Corrections</u>
Paolello, Kristen	Classroom Assistant	Wash	8/29/18	Resignation	
Elie, Samantha	Teacher of Mathematics	UHS	11/12/18 (see rational)	Resignation	Requesting an earlier release if the district can accommodate before 11/12/18.
Orfanidis, Sophia	Classroom Assistant	Frank	9/14/18	Resignation	

P-4. APPROVE LEAVES

Approve leaves for the following staff:

Leave of Absences

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Leave Dates</u>	<u>Leave Type</u> Regarding updated info only.	<u>Notes/ Corrections:</u> All tentative approvals are pending required documentation.
Denning, Noa	Speech Correction/Language Specialist	HC	Update to return date 9/1/18		Update Only

Kelly, Eileen	Kindergarten Teacher	CF	9/1/18-TBD	Paid Medical Leave	End date will be determined at a later date. TBD.
Marino, Lindsay	Elementary Teacher	Jeff	Extension through 1/1/19	Extension of Paid Medical Leave followed by Unpaid Child Rearing Leave under FMLA/NJFLA (Concurrently)	
Medes, Jessica	Elementary Teacher	HC	Extension through 6/30/19 Return 9/2/19	Extension of Unpaid Child Rearing Leave NON FMLA/NON NJFLA	FMLA/NJFLA Entitlement not to exceed 12 weeks. FMLA/NJFLA entitlement time will be exhausted after org. return date of 12/5/18.
Rapke, Angela	10 Month Secretary	BMS	Extension through 6/30/19	Extension of Intermittent Leave FMLA/NJFLA (concurrently)	FMLA/NJFLA Entitlement not to exceed 12 weeks.
Sibilia, Carolina	Teacher of English	BMS	9/1/18-6/26/19	Intermittent FMLA/NJFLA (Concurrently)	FMLA/NJFLA Entitlement not to exceed 12 weeks.
Weissberg, Lauren	School Counselor	UHS	12/10/18-6/30/19	Paid Child Rearing Leave followed by Unpaid FMLA/NJFLA Leave(Concurrently)followed by Unpaid NON FMLA NON NJFLA (after entitlement time)	FMLA/NJFLA Entitlement not to exceed 12 weeks.

P-5. APPROVE PRINCIPAL AND SUPERVISOR SALARIES

Approve principals and supervisor 2017-2018 salaries for the period September 1, 2018 until 2018-2019 salaries are settled.

P-6. APPROVE CHANGE OF SALARY CLASS

Approve Change of Salary Class, effective September 1, 2018, in accordance with the information appended to the minutes.

P-7. APPROVE ADDITIONAL EMPLOYEES FOR REAPPOINTMENT - 2018-2019

Approve additional employees to be reappointed for the 2018-2019 school year, in accordance with the information appended to the minutes.

DISCUSSION:

Mr. Nufrio asked if there were any changes since posting. Mr. Benaquista stated you have a hard copy of our extra pay because it wasn't prepared in time and we are trying to give you copies so that it is less confusing. Mr. Nufrio stated I'm concerned that this needs to be

viewable by the public. Mr. Griggs stated it is available to the public you don't have to distribute it. They can get it through an OPRA request. Mr. Benaquista stated it will be uploaded tomorrow. Mr. Griggs stated that is absolutely fine. We can vote on it after executive session so it can be reviewed. Mr. Nufrio stated but will we be able to have time to review.

Mr. Monge stated can I make a suggestion, Mr. Benaquista his suggestion was to abstain from whichever one you have a conflict with. Mr. Benaquista stated the only comment I have is a lot of this is 6th grade stipends, a lot of contractual things and with payroll it puts us further behind – more retro, more work in the business office so we can only do it once we have the schedules completed and administrators can put on this document who is getting 6th period stipends, cafeteria duty, it is a lot of opening of school stuff for payroll. It would help if we can get it approved, even if we need time in executive session to review it. To put it off it would be more time that the business office has to spend going through. Mr. Nufrio stated I wasn't contemplating that I was simply addressing that maybe there is a conflict that we are not aware of. If we vote, ignorance isn't an excuse. Mr. Benaquista stated that is why I mentioned reviewing it during executive session. Mr. Nufrio stated we can proceed with the vote and the non-conflicted Board members would probably not have a problem with this resolution.

Since the extra pay portion of P-1A was handed out at start of meeting, conflicted Board members were asked to either abstain to P-1A or abstain on specific employee number.

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: Mrs. Higgins (P-1A, P-5 only), Mrs. Minneci (anything with employee #8933 only)
Mr. Nufrio (P-1A, P-5 only) MOTION CARRIED

POLICY COMMITTEE:

Moved by Mrs. Richardson, seconded by Mrs. Minneci, that the following policies be adopted:

POL-1.APPROVE POLICY 5141.4 – CHILD ABUSE AND NEGLECT

Approve Policy 5141.4 – Child Abuse and Neglect, in accordance with the information appended to the minutes.

POL-2.APPROVE POLICY 6111 – SCHOOL CALENDAR

Approve Policy 6111 – School Calendar, in accordance with the information appended to the minutes.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

RESIDENCY COMMITTEE RESOLUTIONS:

Moved by Mrs. Williams, seconded by Mrs. Minneci, that the following resolutions be adopted:

R-1. APPROVE LIST OF STUDENTS REMOVED FROM ROLLS

Approve the list of students removed from the rolls [two (2) students exited (1 from secondary and 1 from high school) or a total of two (2) students for the 2018-2019 school year] who are not domiciled in this school district, in accordance with the non-public information appended to the minutes.

R-2. APPROVE TO REMOVE STUDENT

Approval to remove student #248227 from the attendance rolls as the student has been determined to be ineligible to attend the Township of Union Public Schools as a resident student.

R-3. APPROVE TO REMOVE STUDENT

Approval to remove student #216531 from the attendance rolls as the student has been determined to be ineligible to attend the Township of Union Public Schools as a resident student.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

TECHNOLOGY COMMITTEE:

Mrs. Higgins stated there is currently an inquiry going on for a districtwide telephone system that would not only be telephone but also security and making sure that system will be compatible with the security system that we ultimately adopt in the future.

The District received a reimbursement for almost \$208,000 from E-Rate and it being used for elementary school infrastructure – paying 60% of installing the Wi-Fi and as of today I believe all the Chromebooks have been distributed to the students.

Mr. Nufrio stated the update on transition to Gmail – I do have personal concerns and I expressed a couple of weeks ago and I reached out to Mr. Brennan and he handed it off to Mrs. Cappiello who reached out to Mrs. Paul as to the accessibility of email – private emails. Mrs. Paul I will speak with you directly and I will give you a call tomorrow. Mrs. Minneci stated I met with Mrs. Paul and she did a great job – thank you.

APPROVAL OF BILLS:

Moved by Mr. Monge, seconded by Mr. Arminio, that the Board concur with the bills listed in the permanent bound register appended to the minutes and be ordered for payment.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: Mrs. Minneci (vendor #85992 only)

MOTION CARRIED

UNFINISHED BUSINESS:

Mrs. Regis-Darby stated just a quick update on Bus #75 at the Union High School. Mr. Brennan stated I believe Mrs. Calderone took care of that and I need to get the details on that. I can report back to the Board tomorrow morning.

Mr. Tatum stated I think there were a couple of cases that came up this week regarding that particular route. Mr. Brennan stated there is no sidewalk apparently and Mrs. Calderone was working on maybe changing the pick-up and the drop off for that particular route. I just have to get the details to get back to the Board.

Mr. Monge stated on Huguenot Avenue – they blocked off the sidewalks so I know there was a mix up and we had multiple locations and there was a big mix up there. I think we have to take a look at and coordinate with whoever is doing that work. Mr. Brennan stated can you shoot me a quick email with the street you just mentioned.

Mrs. Regis-Darby stated any update to the digital ID. Mr. Benaquista stated I think Ms. Regis-Darby is talking about so the kids can utilize their cell phone for ID's. We hadn't had a chance to get administrators together to talk about it. We have to get to the table and talk about it and there are some concerns but we will have to investigate that further. The main thing is the lanyards which a lot of people don't realize and a lot of districts are going to is specific lanyards because a lot of times you can't see the picture on that ID but that lanyard means so much and we will have different lanyards depending on the employee type so we can identify from faraway that is an employee of our District. There are things we have to discuss. I'm still trying to figure out where their digital ID will help them to some degree.

Mr. Arminio stated some upcoming events – the Mayor's Day 5K Race – September 23rd. It is our 8th annual. The softball rumble between Burnet and Kawameeh alumni is September 22nd at Biertuempfel Park. The alumni from Burnet and Kawameeh play each other and they raise money for the Education Foundation. Union's Got Talent is October 6th at Union High School and that supports scholarships for our students at Union High School.

For informational purposes Mark DiIono is a journalist for the Star Ledger and author and has written a book entitled "God's of Wood and Stone" and I'm mentioning it because the setting is in Union, New Jersey.

Our football team is doing well. They are 2-1 and the next home game is October 5th against Westfield, right here at Cooke Memorial Field. The boys' soccer team is undefeated for the fall 4-0; the girls' soccer team has played a really tough schedule so far and they are 5-1 and they are playing some very good teams and coming out on top; our volleyball team is 7-1 – doing extremely well. Just today, the field hockey team won their first game of the season.

Dr. Francis stated when we finalized the agreement with the teacher's union, they were talking about clubs and stuff – I know that stuff was outstanding. Can you give us an update on the situation? What clubs were approved? Mr. Tatum stated we sat and approved a list of clubs that were jointly for both middle schools. We have spoken to principals and they are allowed to determine which clubs they want to offer in each building. Where we had the issue before, one school had a particular club and the other school didn't so now we paired that down and we also went through all the clubs in the high school and those lists are pretty much finalized.

Mr. Monge stated the Connecticut Farms traffic study – I was at the PTA meeting yesterday and I'm extremely concerned because it has been over a year and they have seen no progress and the only presentation that was made was more a listening session than a talking session. I would hope that we have not made a final payment as it pertains to that study because there hasn't been any product that has been presented to the parents and the principal. I wanted to try to get an update on that. Mr. Tatum stated Mr. Brennan can you give an update.

Mr. Brennan stated we did have a meeting that was set up in late August and we had to cancel it because of the administrators and new staff coming back prior to the week of school. We are supposed to get another meeting together with Perrette Somjen, the architect; however, the consultant is saying they haven't received a check yet for their services so they are holding up the report. We need to rectify that.

Mr. Monge stated we haven't seen anything and it has been over a year. I would just make it public and to let you know Mr. Tatum, that is not a payment that should be part of any request for payment. I think we need to be diligent and make sure we get a product. The idea was that they would present a draft to the parents and principal so they can review it together before it was finalized. Mr. Brennan stated Mr. Griggs is telling me as well we need to look at the contract and what the specifications were in the contract – i.e. a draft copy to be presented prior to us paying the vendor. I will follow up with that. Mr. Monge asked to send that contract to all Board members. I would love to be able to take a look at it as well. Mr. Brennan stated sure.

Mr. Monge stated I'm excited next month we are going to get an overview on the facility plan and financing strategy – just to let you know - baited breath. Mr. Brennan stated o.k.

Mr. Monge stated we can wait until next month as well – the Shared Services Agreement. The last time we talked about it we said look if we are not going to do anything here, then let's just say we are not doing anything because I keep repeating myself as it pertains to that and if we are not going to follow the letter of that agreement the way that we had talked about in the past, on the Township side, we have to draw the line somewhere and I'll take it off my list.

I wanted to try to get an update Mr. Brennan on the RFP/RFQ process that was drafted and sent to you and you were supposed to offer edits/comments, if any, and then to Mr. Tatum and eventually the Board. I want to know if that has been done. Mr. Brennan stated we discussed it at the worksession that it was going to be done for next year. Mr. Monge stated no. Mr. Brennan stated that is what we discussed – the process coming out of committee would be for RFP's next year not the current ones. Mr. Monge stated but we talked about the process actually being agreed upon and work on it now in preparation for next year. Mr. Brennan stated right, that will happen. As you know, we have had many meetings bringing in banks and looking at other RFP's so that will be addressed – so you know. Mr. Monge stated it's drafted. Mr. Brennan stated I know it's drafted, I saw that. Mr. Monge stated it isn't a hard read. Mr. Brennan stated it is not. It is basically what we used to do. Mr. Monge stated it ends up just being something that comes back and comes to the Board that is something that we reviewed and you are on board so that we can agree on a process because we have to do a better job with that process like we did the last time.

Mr. Nufrio stated with regards to the traffic study, I don't recall if I was present at that meeting, I don't recall whether there was purpose stated for that meeting for that particular proposal because that is an expense that in my opinion because the construction is going to happen and there is nothing we can do about it. Give me an understanding on why we would have to spend that kind of money, whatever it is. Mr. Brennan stated I will give you my answer – there was concern about the students' safety, the children's safety with the traffic around Connecticut Farms and therefore the Finance Committee and Operation Committee both recommended to the Board that this study be done so that is how it came about last year.

Mr. Nufrio stated obviously to understand what the traffic pattern would be. Mr. Brennan stated correct. Mr. Nufrio stated isn't some of that, if not all of it, left up to the other agencies/officials to determine how the traffic would be redirected and we would simply have to comply.

Mr. Monge stated I'm the Board of Education liaison for the PTA and I understand the issue more than Mr. Brennan and you were part of both of those committees when we approved that. Mr. Nufrio stated I don't recall. Mr. Monge stated you were. The issue is beyond and you are absolutely correct when it pertains to the bridge and traffic that is going to end up happening. Even prior to that you had situations where you had crosswalks and multiple ways to try to get the kids to the school and you have people that are parking where you shouldn't be parking and you have folks that are trying to cut across when 22 has traffic and they zoom through right where the kids are being let out of Connecticut Farms. It is very much like when we dealt with a couple of years back with Hannah Caldwell and we understand that it is a temporary bump. Some of the things may be temporary solutions but some of it will be permanent solutions because you have people running stop signs over there and we are waiting for an issue to happen and the parents have been talking about it for years and the principal has been talking about it for years and we have been talking about it for years and we have engaged someone to do a job and do it right. Mr. Nufrio asked Mr. Brennan anything to add? Mr. Brennan stated no I don't.

NEW BUSINESS:

Dr. Francis stated this question is for Mr. Brennan. Has there been cuts in the Athletic Department? Mr. Brennan stated cuts? Dr. Francis stated financial and the only reason I ask is because my son plays football for the middle school and I looked at the uniforms that they give and it seems like they get a lot of hand-me-downs from the upper grades and I just want to know – the budget has been given to the Athletic Department - has there been any cuts? Mr. Brennan stated I don't believe so – and that affect uniforms.

Dr. Francis stated those schools should not be left out for getting new uniforms. My older son, he's at the high school, and he got a new uniform for cross country and I think that is a good thing and I don't think uniforms cost a lot of money and the equipment should be up to par and that should include the apparel that they are wearing and they represent us in this District.

Mr. Monge stated we had the banking services RFP go out for the second time, a little over 60 days ago, we had discussed last week it was going to be part of the agenda for this week. We agreed that we were going to put together a Q&A for the three finalists. We had that Q&A, the result ultimately ended up with three banks and we had Valley National that had the best economic presentation, followed by Investors and our current bank ConnectOne – we allowed them to be part of the process because of the customer service and the like that they had – they landed fifth on the economic side. One of the things that is new news is last time when we asked the question about what the average balance was – that was a question Mr. Arminio was given some information on – we had about \$6 million and that was the calculation that we were working off of to see what the spread was. Mr. Brennan stated plus the ins and outs of the tax levy and the State aide which equates to about \$11 million – so you are around \$16-\$17 million.

Mr. Monge stated the ConnectOne rep actually said that the average was \$20 million and he had different calculations prior to the meeting. Mr. Brennan stated adding in scholarship funds and student activity and the like.

Mr. Monge stated based on that over two-year RFP period that we are talking about, it would be about \$180,000 more than we are receiving today and as it pertains to comparison to our current situation with ConnectOne and their offer, it would be about \$120-130,000 difference. I don't understand how that type of material difference doesn't warrant us to actually have something with the top respondent on the agenda. We have an RFP, it is the second time we put it out. If we don't vote on this, technically because of the 60 days, we would have to go out for a third time. I don't know Mr. Tatum what you can do with an extra \$180,000 but I just wanted to try to get some feedback on why Valley National in this case, wouldn't be on the agenda for banking services for approval.

Mr. Griggs stated I will contribute one comment here. Mr. Brennan asked that I look at the specifications on Friday with regard to compliance specification. I previously had seen those specifications about a year or two ago but in terms of compliance with the specifications, not the creation of specifications, my only concern is when you award the contract that you follow all the specifications in terms of the evaluation criteria which is set forth and that is absolutely clear in terms of services and things of that nature; that would be my only concern relative to the award of the contract.

Mr. Monge stated you didn't recall. Mr. Griggs stated I wasn't involved in the process of reviewing the specifications/RFP's, I believe the Finance Committee was ones that reviewed them. I had no involvement whatsoever in the actual review. What I'm saying is I just want to make sure the specifications are followed specifically in terms of whoever you award it to because that is what everyone expects to be followed who put in the proposal.

Mr. Monge stated it is not uncommon that you would accept an offer contingent on what you are saying. I know Mr. Brennan said the last time. Mr. Griggs stated what do you mean accepting an offer? Mr. Monge stated I'm saying select someone with the contingency that their offer is what it is and that it meets our specifications. We did something similar the last time around. Again, I don't know why this is any different from anything that we did. This is the same RFP that we sent out two years ago that you helped develop. Mr. Griggs stated with all due respect, it is not about me, but I'm just saying to you and you are talking about two years ago and I'm just saying that there are two parts to this – one services to be required which I believe you implied or you said that be awarded and you expect to receive the services and the second part is making sure that you follow the evaluative criteria that you used. If you recall 2-3 years ago we had a situation with health benefits and I want to make sure that there are no issues with respect to any of the vendors and that is a cautionary opinion and nothing more. Mr. Monge stated again that shouldn't stop it from being on the agenda and us voting on who came up on top instead of going out and redoing this a third time. Every month that we wait and I did a calculation on \$6,000 a month it is costing us based on the difference in rate. We started this in April and here we are.

Mr. Brennan stated just for clarity for the public. We did go out and have RFP's due on April 24th. We got three respondents and it was deemed that wasn't enough and that was your suggestion Mr. Monge. Mr. Monge stated it was not. Mr. Brennan stated excuse me can I make a point. Mr. Nufrio stated Mr. Brennan has the floor please respect that.

Mr. Brennan stated with that being said, here at a Board meeting we rejected those proposals and then we went out and RFP once again and we contacted all, which we don't have to do, respondents to our previous RFP back in 2016 prior to my arrival here and solicited their proposals as well – so we got eight banks so we got a very competitive return and that was August 7th. We paired it down to three banks and I had you sit in on those meetings Thursday with Mr. Vieira and myself. We went over and you asked whatever questions – it was an open floor. We had a proposal that came in from our current bank that wowed us. It was an addendum to that proposal. I ran that by Mr. Griggs because we were very happy with that proposal but is it within the guidelines of the New Jersey procurement procedures. I did not want my certification on the line for that so I went to Mr. Griggs. That is when he sent me an email at five to three when Mrs. Cappiello was ready to upload the agenda and said pull the banking from the agenda because we weren't sure if that was legal to go forward with because it was unfair to the two other banks and that is why it wasn't on the agenda. I just want everyone out there to know that it wasn't on the agenda. Mr. Nufrio stated so it is a matter of compliance.

Mr. Monge stated I was just trying to correct and we actually voted on it and there was a tie and we didn't have enough votes. Mr. Brennan stated that is correct. Mr. Monge stated that's why we had to reissue it. I did complain about the lack of competition don't get me wrong and

this is what happens when you have competition. With that I would like to make a motion to accept Valley National. Mr. Nufrio stated I think you are out of order right now because it is a matter of compliance. You are suggesting that you want to make a motion to put that person and the attorney and possibly the entire District at risk.

I also want to publicly object to how you are sounding like an agent for Valley National because you said why isn't Valley National on the agenda to be approved. I didn't think this was supposed to be an agenda type of process. Mr. Monge stated I didn't say that. Mr. Nufrio stated you did say that. Mr. Nufrio stated so Mr. Brennan what is your recommendation. Mr. Monge stated hold on. Mr. Nufrio stated you hold on you are out of order. Mr. Griggs stated the president has the floor. Mr. Nufrio stated it is frustrating because you still don't understand policy. Mr. Brennan what is your recommendation because that is what we pay you for? Mr. Brennan stated my recommendation has been ConnectOne all along. Mr. Nufrio stated I don't mean that - your recommendation as to how to proceed. Mr. Brennan stated to proceed we should extend the 60 days and that is my recommendation to this Board.

Mr. Monge asked can I have the floor please? Mr. Nufrio stated are you going to repeat everything that you just said? Mr. Monge stated I just want to correct what you said because you are mistaken. What they were talking about as far as the addendum as far as the offer that came in during the interviews was from ConnectOne and it wasn't from Valley National. Mr. Brennan stated that is right. I didn't say that. Mr. Monge stated he said that. Mr. Nufrio stated I said you said why isn't Valley National on as resolution to be approved. Mr. Monge stated I started by saying. Mr. Nufrio stated I would ask to bring back the minutes but. Mr. Monge stated please do. I said why isn't the banking services RFP on there because that is what we agreed to. I didn't say Valley National in fact when I came here I thought Investors Bank had the best proposal until Mr. Brennan corrected me on the rates. I wasn't coming here as an agent and I'm offended by that. Mr. Nufrio stated it is my opinion.

Mr. Monge stated so Mr. Griggs, why can't I have the right during new business to make a motion to approve to accept \$180,000 difference in financial opportunities for the District. Mr. Griggs stated you can make a motion with the caveat that there is a recommendation on the floor by the Business Administrator for the Board's consideration.

Dr. Francis stated I have a question before you make that recommendation. I don't understand how ConnectOne can come back and make another offer. I think there was a problem before when Mr. Monge had mentioned why can't we ask for a best and final and we were told that it was illegal by counsel. But yet they came back to make another offer well after they accepted the three bids. I don't understand that.

Mr. Brennan stated Dr. Francis will all due respect that was not solicited by the Business Office at all like the prior time that it was in 2016. We did not solicit anything from ConnectOne. Dr. Francis stated but we are still allowing them. Mr. Brennan stated we are not allowing them because he told me we can't. Mr. Griggs stated I told him you cannot accept that.

Mrs. Minneci stated I think I said it at one meeting that my understanding is that the Business Administrator makes a recommendation and then we vote. Mr. Nufrio stated Mr.

Griggs I somewhat disagree that even though the resolution can be presented, but as you said there is a recommendation by the Business Administrator to repost? What are you suggesting? Mr. Brennan stated not to repost, we can ask for an extension on the 60 days. Mr. Nufrio asked will that be able to afford the contestants to submit different numbers. Mr. Griggs stated no. The proposals are the proposals. Mr. Nufrio stated the only way to reset the clock would be. Mr. Griggs stated I'm of the opinion that the Board cannot legally reject all of these bids at this point based upon the criteria set forth in the statute.

Where I was going initially was I want to be assured that all this evaluated criteria was specifically followed and I don't mean like they complied, I mean when you do competitive contracting and in some situations where you didn't do this and this RFP and you have a value points, 20 points here, 19 points there and that is how you do it and I believe you did it with the paraprofessional specifications. I think we did it with health benefits. Having said that, I want to be assured that the evaluated criteria for each person to put in a proposal is followed so that they can be evaluated failure, not just the lower number, it is not about the numbers, it is also about service, calling third parties, calling other school districts, municipalities – what do you think about this bank and their service, what do you think about payroll – any difficulties with them? That type of thing. I just want to make sure. There is two parts to these specs – the required services they have to provide – so they put a proposal in and they say they can provide it and if they can't provide it and that is what you are going to judge them on but you didn't work with them so you don't know the services but short of reaching out to another agency. The second part – the evaluated criteria; typically there is an answer to each one of these numbers – for example financial strengths – prior experience, ability to service customer needs – these are questions to be asked of the banks. Schools, municipalities and counties are a bit different than conventional private clients – different controls, different security. My only concern was and it had nothing to do with the format of the specs, it had to do with making sure the criteria was followed, there was an answer to each one of these questions as to what the result so when the recommendation was made, it was based upon all the criteria and not just the bottom line and that is where I was coming from. Again we have been down this road a few years back and I want to make sure that this Board is protected and comply with the law.

Mr. Nufrio stated in saying that, I understand it a little bit better myself now, in order to not be found out of compliance your recommendation as the legal counsel. Mr. Griggs stated my recommendation to the Business Office is to talk to each and every one of the entities that put in this proposal; go down the criteria; report what they get for a result; come up with the answer and that includes the monetary aspect of it too. I'm not trying to change anything.

Mr. Nufrio stated if we did not adhere to the compliance regulations what could happen? Mr. Griggs stated it could be challenged on the award – it could be similar on what happened 2-3 years ago on health benefits. Mr. Nufrio stated it would be a cost to the District. Mr. Griggs stated of course.

Mr. Nufrio stated do you want to make that recommendation, reiterate it, modify it? Mrs. Regis-Darby stated can I ask a question? Mr. Nufrio stated I still have the floor. Mrs. Regis-Darby stated go ahead Mr. President. Mr. Nufrio stated thank you Mrs. Darby. Mrs. Regis-Darby state you are welcome.

Mr. Nufrio stated Mr. Brennan. Mr. Brennan stated would you like my recommendation to extend the time line until we can perform what Mr. Griggs just laid out. Mr. Nufrio asked how much time do you need? Mr. Brennan stated I would think by the worksession. Mr. Griggs stated easily 30 days. Mr. Nufrio stated 30 days from today you should complete all that Mr. Griggs has delineated. Mr. Griggs stated the Business Office should be able to provide this Board of Education with the results of their evaluation of each and every one of these criteria. I don't think you have that in writing any place. To my knowledge there is nothing in the file. It talks about each and every one of these criteria.

Mr. Monge stated we have had this since April and with all due respect and I asked you this Mr. Brennan, as the BA your office, my assumption, above and beyond the sit down that you guys asked some very detailed questions, you have had these RFP's in your office and you are telling me that you did no due diligence. Mr. Brennan stated that is not true. Mr. Monge stated I know it is not true. So Mr. Griggs what you are saying is two different things. One is know what the criteria is and did they take that into consideration and come up with their finalist – that is one and I get that and Mr. Brennan said he did his job as he should and this is what he came out with. Beyond what you are saying you should give 10 points for this and that is process and that is very different. I agree that if you want to have a vote contingent on making sure that we have a deal that we are assuming that we have and that the criteria was followed – o.k. fine. I'm in agreement with that but to go and say we should add 10 points here and 20 points here, that is process and that is taking the job of the BA and his office out of his hands because he did a job and on top of that we had interviews and we asked more questions and here we are. So that is more due diligence that we have had through any of this. Mr. Griggs stated there is no points in this spec.

Mr. Monge stated I would like to make a motion. Mr. Griggs stated so make a motion. Mr. Nufrio stated that is not what I'm saying would you reiterate what you said it should be a motion with a stipulation. Mr. Monge stated if you would let me finish. Mr. Nufrio stated I will but I'm still recalling the Board attorney to clarify what he said before. The motion should stipulate that there is a motion or recommendation by the Business Administrator on the floor.

Mr. Griggs stated two things should occur, one is the Board should take into consideration the recommendation of the Business Administration. The second part would be making a motion. Just as an aside to me the motion is either aye or nay it is not conditioned upon – are you making a motion with conditions? Mr. Monge stated my motion would be contingent upon us getting the deal that we were told we were getting. We talked about their offer. Mr. Griggs asked what do you mean a deal? Mr. Monge stated they made an offer. Mr. Griggs stated who? Mr. Monge stated they made a financial offer for banking services. Mr. Griggs asked what vendor are you talking about? Mr. Monge stated Valley National. All I'm saying is contingent on them being a qualified candidate and a qualified candidate to me ends up being that we have stipulations on or benchmarks on what we expect all of these banks to carry. There were certain criteria that we had a special threshold requirements. That is what my motion would be.

Mr. Griggs stated if you are awarding this contract based upon the specifications, then you don't have to qualify in terms of what you expect to get because it is based upon the specifications. If you don't get it they have not complied with. His motion is that we are to award the contract contingent upon them complying with the services which you are requiring here and that is not necessary. You can just make that motion.

Mr. Monge stated you should have told me in the beginning instead of going through all this because ultimately at the end of the day ConnectOne who we were ready to walk away with – ConnectOne their secondary offer has been thrown out and we can't accept that. So what we have is four other offers that are greater than theirs and one in particular that is \$180,000 more from a very reputable bank. I would like to make a motion to accept Valley National as the bank for banking services. Nothing is going to change economically in 30-60 days. We are going to have the same offer in front of us.

Moved by Mr. Monge, seconded by Dr. Francis, that the following resolution be adopted:

APPROVE PROPOSAL FOR BANKING SERVICES

Approve proposal from Valley National Bank for banking services for the 2018-2019 school year.

DISCUSSION:

Dr. Francis stated if we are saving that amount of money, to me it is a no brainer, but it sounds like some members may be, as you said, agents for other banks but like I said it is a savings and how much are we losing a month? Mr. Monge stated about \$6,000 – all I did Mr. Brennan was to take the average down. Dr. Francis stated I'm here for the District, I'm not here for the banks, I'm here for the kids and the District and that is one thing I'm going to stand up.

Mrs. Minneci stated Mr. Brennan can you explain the benefit of not changing banks at this point? Mr. Brennan stated obviously it is not the financial part. I'm looking at 1200 employees, many wires into their direct deposit bank accounts from ConnectOne, we have had a long relationship with ConnectOne. We also have many wires that are set up into their tax shelters and annuities. The business staff has a very good relationship with the customer service representatives at ConnectOne, they are a local bank – they do things like a debt service payment was due a couple of weeks ago and it needed to be signed off either by myself or the Treasurer of school moneys. I was out that day; I would have come down here to sign off on it; however, Antonio from the bank went to Deb Cyburt's home, she was home sick, and got that signed off. Things like that but there is much more to it – tip of the iceberg here. They are a local bank – we have had a great relationship with them. They did come in and according to Mr. Griggs we can't entertain this but they came in above both of those banks and Mr. Monge will tell you this – they came in at 2.16% and they had a floor rate 2.16% and we would have never gone below 2.16% and they didn't have anything tied to the federal funds rate that would subtract like the other banks have. Investors has a -25 basis points based on the fed funds rate. So we start at 2.1% but the fed funds rate which is two, goes to 2.25% but we are still at 2.1% - the fed would have to go to 2.5% in order for us to get the 2.25% because they have a -25 basis points and Valley National was 15 points. Mr. Monge stated Valley National was actually +10 basis points. Mr. Brennan stated so it is 2.1% and if it went to 2.25% it would go to 2.35%.

Mrs. Minneci stated the point is, all of the extra work that your staff has to go through. Mr. Brennan stated you are talking – we could spend \$50-\$60,000 – another position plus health benefits – would be about \$84,000 to have somebody to make sure that those things are transferred over properly and things of that nature. I'm just throwing that out as possible costs. I was asked a question; I'm only answering it. Those are the possibilities.

Mr. Nufrio stated Dr. Francis, I don't understand how you transitioned what I said, it is clearly on the record, to suggesting that there are Board members; I take personal front in that and I will explain why. I have no ties to any of those banks other than Bank of America. I sat in Mr. Tatum's office with Mr. Griggs and Mr. Brennan and I said when those eight finalists were proposed and set forth, I specifically identified that I would not be able to vote for Bank of America – not because I have accounts there – that is not a conflict; it is because I own stock in Bank of America and that would be a conflict. I would challenge this Board right now, I would push for Valley National but maybe there are situations that we are not aware of if so you need to be as forthcoming as I just did. I would not be able to vote for Bank of America nor am I inclined to suggest Bank of America, ConnectOne, Investors or Valley National. Whichever is the one I believe is the one that the Business Administrator who is being paid a salary to make the recommendation. According to what he just stipulated that the transition would not just be open one door or close one door and open another.

Mr. Brennan if you had to evaluate the transition what would that cost as opposed to waiting 30 days and at the risk of losing \$6,000 – what would that cost the business office if you had to put a price on it and could you conceivably get it all done within 30 days.

Mr. Brennan stated I don't have a crystal ball but it would be more than \$6,000 – what we were told was we would have both banks running side by side for over a month to make sure that everything is seamless and that is not guaranteed of course. There would be a cost.

Mr. Nufrio stated to finalize my comment about agents, secret agents, unknown agents. I still challenge this Board, each and every one of us, to be transparent as to whether or not we may have possible relationship with any of those banks. I heard Valley National more than once – that Board member should be forthcoming and be as transparent as I was. I don't want the people out there that Mr. Nufrio owns stock in Bank of America. I have stock in other companies that aren't making any money; that is not the point, the point is as Board members we need to be as transparent as possible and identify if we have some special relationship whether a business relationship or otherwise and that is all I'm going to say on that.

Dr. Francis stated be ethical too. Mr. Nufrio stated I'm not going to reply on that.

Mr. Arminio stated I'm a bit confused. All these numbers being thrown out and this and Mr. Griggs I listen very carefully and I'm still not sure of what you said. I think I understand but I probably cannot repeat and that is my way of knowing whether I understand it or not – if I can repeat what you said in my own words. I'm also confused that we had the health benefit people come in and give a presentation. We had the lawyers come in and give a presentation and we heard it with our own ears and we could ask questions. I did not see the banks – top 2-3 – to

make presentations and I think that might help if they come here as they did several years ago and made a presentation. This is what we are offering you. I don't know anything about getting things up to speed and whether one bank can do something or not do something. I would assume all banks could do the same thing. They are all the same to me. The only difference to me one gives you a little bit different interest rate. I think, I'm not sure – you know I don't know the first thing about finance. But I'm really confused on how we can do it one way with certain groups and not do it that way and we don't get to hear it and I don't see anything in writing to put my hands on and I see this and I see this. I'm a visual learner and I need things in front of me.

Mr. Nufrio stated it sounds like your suggestion is coinciding with what Mr. Brennan is asking for and that is a 30-day period to be sure that we are in total compliance.

Mr. Monge stated the committee was supposed to be part of that meeting and I know Mrs. Richardson tried but was not able to and assuming that Mrs. Williams and Mrs. Higgins were not able to be part of that meeting. The takeaway that we have from the banks from that conversation was that they would provide the service, the technical assistance to help you go through that process and it is a process and no one is disputing that but never did I ever hear about hiring someone at \$50,000 and benefits to help you go through a process. Mr. Brennan stated I didn't say that was definite Mr. Monge. Mrs. Minneci asked me a question and the possibility that we would have to pay somebody overtime, I don't know if this is going to go smoothly, I don't have a guarantee. Mr. Monge stated you would hire a full-time person to help you even with the assistance from the bank to help you with the transition. I'm just asking the question.

Mr. Griggs stated I'm going to jump in here procedurally. You are entitled to make a comment on a pending motion. You should make a comment, it is not a give and take. Mr. Monge stated it is related. Mr. Griggs stated you are entitled to make a comment on the motion. The motion was made, seconded, comment and the vote and any Board member is entitled to make whatever comment they want to make but going back and forth with the Business Administrator is not a comment. Mr. Monge stated I just asked a question. Mr. Griggs stated it's not the comment that is how the procedural works.

Mr. Nufrio stated I just heard something that was a little bit, gives me a pause for concern. You alluded to a meeting that you had with the Finance Committee that you indicated that was a committee of one. Is that correct? Mr. Monge stated because I showed up. Mr. Nufrio stated it was a committee of one. Mr. Monge stated Mr. Brennan and Mr. Vieira – I'm just letting you know the details. Mr. Nufrio stated thank you, you repeated the same thing you said before that it was a committee of one. I don't see how a committee of one can dictate as a committee. Mr. Monge stated (inaudible). Mr. Nufrio stated I didn't ask for a response and that is my comment. Mr. Monge stated I said as a Board member, I never said the committee says. Mr. Nufrio stated you pointed out the Fiscal Committee met with Mr. Brennan. Mr. Monge stated there was a meeting and I clarified that I was the only one that showed up. Mr. Nufrio stated so in my estimation, that meeting should have been postponed until other members were available.

Mr. Nufrio stated the motion is the recommendation to install Valley National. Mr. Griggs stated you re voting on a motion to approve Valley National as your financial institution. Mr. Nufrio stated I concur with Mr. Arminio that I too would like additional, perhaps in person, feedback from any of the contestants.

AYE: Dr. Francis, Mr. Monge, Mrs. Regis-Darby

NAY: Mrs. Higgins, Mrs. Minneci, Mrs. Williams, Mr. Nufrio

ABSTAIN: Mr. Arminio, Mrs. Richardson

MOTION FAILED

Mr. Nufrio stated Mr. Brennan it is probably proper at this point to go with your recommendation and if you wish to adhere to another recommendation on the floor by Mr. Arminio, perhaps we can schedule the banks after you have done your due diligence more carefully to address the aspects that Mr. Griggs pointed out so that we have total compliance and we don't have lawsuits down the road.

Mr. Brennan stated the initial intention was to have presentations tonight; however, it was decided in the worksession to go through a committee, which we did and we were all in agreement when we came out of committee because of the proposal addendum given to us by ConnectOne. However since that doesn't fly now because it is not within the guidelines of procurement, we can't select that bank. I will have the banks come in and we will have presentations.

Mr. Nufrio stated it is my understanding, a committee is never a committee of one. Mr. Monge stated I take offense to that and if I show up and the other people don't, that is not my fault and it is not a committee of one it is about one person that decided to be there and if other people can't make it, I respect that, but don't disrespect me because I took time out of my business day to show up in the afternoon for the meeting.

Mrs. Richardson stated I would have been at that meeting but it was during my work time and I was having major renovations in my office and I could not leave my office because I had to direct contractors. It was short notice and I even asked if it could be at 5-5:30 p.m. Mrs. Higgins stated I work in group benefits and it is open enrollment so it is not easy for me to leave during the day.

Mrs. Regis-Darby stated I just want to make it clear that the rule also applies when we have regular session meetings and committee members are being pulled to other committees that rule should also apply.

COMENTS FROM PUBLIC:

Chasity Santana stated I have three things I want to talk to you guys about. My first one is – school started and currently I'm in three different schools. I received a robo call and in that robo call they told me that from hereon in, whenever I was to go to the building, that I had to pre-make an appointment with either the teacher, principal or custodian, I don't know who. I understand what it is to not want to ruin the school day, I understand security, but I'm going to tell you this – in my bag right there I have my passport, my birth certificate, all the kids birth certificates and my marriage certificate. If something happens and I want to go and I get that

itch in my right toe that something is going to happen, I'm showing up and I need the door answered. I will try all I can to make an appointment but I do not like non-open door policies. You should use reverse psychology with me – you should tell me “Chasity, I want you here all the time” – I won't be here but if you tell me “Chasity, I need you to make an appointment and do this and do that before I need you in the building” that is not going to work.

I'm showing up and ringing the doorbell. It is usually for business, something related to the school, but don't tell me I can't approach any building that my children are in because I will approach it, I will be documented and I will do everything that I have to do but that robo call was not appreciated.

My second thing – the squeaky wheel is the one that gets greased. My kindergarten aides – I no longer have a kindergartener – my youngest is now in first grade but I see all my kindergarten; my current elementary school is Washington so I'm going to speak specifically on Washington. It is over populated. I do believe it is the highest number of students in all of our elementary schools and we are missing our aides. I know kindergarten is not required in New Jersey, I know we just had budget cuts, I get it. I'm suffering when I see one teacher with so many little children that need so much assistance. So every time I come up here – I'm going to say “it's like kindergarten aides across the board”.

My third thing – today I had no idea the attorneys were coming today but luckily that I was here for it. The second group of attorneys that came in – they were able to touch on it and discuss special ed. You know that is my baby, my passion in my heart and I was extremely disappointed that nobody on the Board asked the first attorney anything about special ed, IEPs, not saying that the attorney is not well versed, I'm sure he is. But I would expect us to ask necessary questions to anybody that we are interviewing for specific positions. Ask about special ed because if you don't ask about special ed and I'll come up here and ask you why you aren't.

I had an epiphany today when I'm thinking about special ed – IEP – and I don't know if everybody knows but it is an “Individualized Education Plan” and the way of the future I think or I see and yes technically it is special ed but as we all do, we all learn differently. We are all individualized; we are all individuals in this. What I think that the way of the future is that everyone is going to be under some type of individualized education plan so please don't forget special education.

Mr. Nufrio stated the only reason I did ask the question was specifically because of how they were addressing the IEP and I wanted a better clarification. Mrs. Santana stated the second people did talk about IEPs but when the first attorney came up here, he didn't touch or say anything about special education, IEP's, 504 and so on and I was sitting there.

Mr. Tatum, you know I have a Jeffersonian right now – do you know that it is not national, it is worldwide. We are one of the selected schools in the world. Mr. Tatum stated thank you.

Mr. Nufrio stated I hope we never treat special education as the orphan child. I assure you myself that special education will not be treated as an orphan child.

Eva Vieira stated I sat here today and as a parent, a taxpayer, this is a complete embarrassment of what I saw today. I'm sorry to say in my experience for you to insinuate that the business office needs this extra amount of time to make changes and I'm very familiar with bank changes. They are supposed to do that kind of work that comes with a job description of the business office. To insinuate that you need to hire a new person full-time and pay benefits is absolutely ridiculous. You did insinuate that.

I think our District needs to go forward and this just slows it down; this constant 30 more days for this, 60 more days for that – having a committee of one is ridiculous and you as the president should not allow for that to happen. It is not originally a committee of one, there is only one person who is showing up and that is a problem and perhaps people on the committees should realize that if they have other commitments that prevents them from participating in the committees that they are assigned to, perhaps they should not serve on this Board. Votes are important perhaps those people should not be serving on the Board; I think something needs to be done. There is something fundamentally wrong with a Board full of people that are not able to vote because they have interests or they have conflicts, that is not right and that does not serve this community right and that needs to be fixed if it is fixable. But you as a president need to address that there should not be committees where they are not able to show up and be part of the committee. I vote in confidence and I put people here, my vote does and everybody else. They don't show up and I understand completely because there are situations that arise but then there should be a solution to that. There should be arrangements made or something but to have a committee and only one member shows up; I think that is wrong and if nobody sees that, there is a problem. As president, it is on your shoulders to see that and fix that problem.

Mr. Tatum there is a rumor that I would like to address and I would like to get clarification. I would like to know what the situation is with the principal for Union High School. Mr. Nufrio stated you can't make comments about personnel. Mr. Griggs am I correct? Mr. Griggs stated correct.

Ms. Vieira stated I would like to rephrase my question. Does Union High School currently have a principal? Mr. Tatum stated yes. Ms. Vieira stated they do have a principal. Am I able to know who the principal is? Mr. Tatum stated yes. Ms. Vieira stated who is that? Mr. Tatum stated Mr. Lowery that is who the principal happens to be. Ms. Vieira stated o.k. because there are a lot of parents that are concerned about that. He was not present at an important meeting. Mr. Nufrio stated speaking about attendance is not allowed. Mr. Tatum stated I will refrain from any comments. Ms. Vieira stated I just needed a clarification that we have principal. Mr. Tatum stated at the appropriate time. Mr. Nufrio stated he is the principal of record.

Ms. Vieira stated this is completely unacceptable for what happened today. This meeting has gone on for hours ridiculously and it did not need to go on for this long and this is embarrassing.

Tom Kemps stated I would just like to add what you just said. The original RFQ's went out in April and you got them back and then you narrowed it, expanded it, got new bids in August and I would assume that our Business Administrator did do the due diligence and we should be able to easily switch banks and the assumption that you need to hire someone full time to switch a bank – that is insanity. I don't understand what the connection is to ConnectOne but trying to get ConnectOne, I would be personally offended that ConnectOne had been my bank all along and you came in fifth place and that is how you showed your loyalty to a town. Our average balance is \$20 million and you come in fifth place. Their name shouldn't be mentioned in this room. Somebody should go tomorrow and empty our money out of the bank because that is offensive – fifth place. You say they are a local bank but so is Valley. You kept saying it. Mr. Nufrio stated I didn't say it. Mr. Kemp stated check the minutes, I guarantee you said ConnectOne is the local bank. Mr. Nufrio stated I believe that was a comment that was made by someone else. To answer your question, I think there is one branch of Valley National.

Mr. Kemp stated to save \$180,000 – like the comment Dr. Francis said – middle schools get the hand-me-downs. I was talking to the field hockey coach – we have too many girls and not enough uniforms. I will have to call Linda to see if I can get some donated from the high school team because they are getting new ones. That is embarrassing. Same with the baseball team, they have to buy their own pants? Where does the money go? And then you have the opportunity to save \$180,000, you can hire three teachers with that money. Where is the teacher's union on that? They should be in here arguing with you.

I have another matter and this got me all worked up and it is ridiculous and you dragged this thing on. I came here and I was very upset that in the May meeting Mr. Tatum said that the softball coach wouldn't be rehired until well into fall. He said "don't worry, it will be well into fall". Are you sure? "Yes Mr. Kemp I'm sure". O.k. I believe you and all of a sudden two weeks later in a non-televised meeting, she was approved. Why do you keep hiring her. Where does it say you can't talk about personnel? I'm a taxpayer and they are my employees.

Mr. Griggs stated you can't talk about personnel. Mr. Kemp stated I will hold off and then the next meeting you bring a copy. I'll give you my email and you show me the law. Mr. Griggs stated I don't work for you. I work for the Board of Education. Mr. Kemp stated they work for me. Who pays the taxes? Who do you think pays your bill? The taxpayers of Union. Mr. Griggs stated I'm concerned about you violating somebody's privacy rights. Mr. Kemp stated show me where it says that. Mr. Griggs stated you don't have the right to argue. You have the absolute right to make a public comment. Mr. Kemp stated I'm making a comment on personnel. Mr. Griggs stated no. Mr. Nufrio stated no. Mr. Kemp stated you said I can make a comment. Mr. Nufrio stated but not on personnel matters. If I permit you to continue, I would be violating it. Mr. Kemp stated show we the law. Tell me what the statute is. Mr. Griggs stated go to an attorney and get an interpretation. Mr. Kemp stated you are an attorney, you get paid by the Board. Can I ask a Board member to please show me. Mr. Nufrio stated please shut the mic off. You need to stop right now because I'm asking you to. Mr. Kemp stated fine. Mr. Nufrio stated you are out of order and you are insisting that you need to see something visually and I'm saying to you it is the law. We are not going to go back and forth with this. I'm going to ask security to remove him.

Kathleen stated I have three points. I would not want my children to be watching this meeting and I really want my children to understand that we need to have discourse and I think that is why we should have a worksession. I don't know the ins and outs of the Board but maybe at a worksession this would be some comments but at a public meeting that is televised where I would like my children to be watching so that they know what is going on in their school district because I have a deep love for this District and for working for this District and I'm a proud employee of this District and I want my children to feel that pride in this District also.

I just want to make note and I hope everyone who has a decision as far as a lawyer is concerned, that noticed and took note that the other second law team came and spoke and they are gone. The first lawyer came, spoke and he is still here. So if we are looking at hiring a company that is going to be here, I want you to take note. I saw the presentation, the same as you, but to me it speaks volumes that he is still at the meeting.

I would like to know and I spoke at the April or May meeting and I spoke about the policy for negative balances for students in the cafeteria. I would like to know if there is a policy, what it is and how we as a District are handling the negative balances of children who have a negative on their lunch account because we need every dollar that we can find in this District. We are losing staff, programs and all good things and we don't want to lose things. Is there a policy that I as an employee, taxpayer and parent can find out what is our policy and how we handle the hundreds of dollars that some people are in the negative in their lunch accounts. I can't imagine what it is districtwide when I know at the one school it is large. I can't imagine what it is across the District. Is there a way we can find out how we handle that?

Mr. Brennan stated we have addressed that with our principals at a principal's meeting and today I had a meeting with the district manager and regional manager of ARAMARK and we are going to set up a meeting with ARAMARK, Mr. Tatum, Mr. Benaquista, Mrs. Moses, Mr. Vieira to go about attacking this issue. One of the things that we discussed is the money that is in arrears is that we would possibly start clean and go after the people that owe that money, not the District but maybe a third-party help us collect that money because it has been years that it has been accumulating and to ask someone to pay \$700-\$800 right now it is like a mortgage payment. There is a process and we are going to meet about this and it is definitely an issue. The money that is in arrears effects a different account – it is called an enterprise fund and that is where all the food services run, all the profits that come back to the District are in that account. It doesn't affect the general budget, but it does affect putting back money into the schools' kitchens and new equipment because that is what that money is to be used for. We are going to address it and it is high priority.

Mr. Nufrio stated several months back, I indicated to Mr. Tatum. I received some emails from parents who had been notified that their children's accounts were delinquent. Kathleen asked are we currently notifying? Mr. Nufrio stated I'm just saying I received emails and I forwarded it to Mr. Tatum who consulted with Mr. Brennan. It is a process and thank you for being so honest because for the most part most people do not understand what the real process as to what the imagined process is.

Mr. Tatum stated Kathleen as you mentioned this is something that has been going on for a number of years. It is not that attempts have not been made over the years. There has been a plan before and that plan has been executed and then the procedure was changed again and up goes the bill. It is a catch 22 and some emotions as well. Some children come to school and they may not have lunch money and unfortunately it is not the school level, it can actually be the people in the cafeteria that will allow them to get lunch. One of the things that I mentioned before is we also need to find out what the circumstances are for the students. Maybe the lunch application has not been filed and maybe it needs to be filed and maybe it is a situation where the parent has not done that but if I remember regulations correctly, we at the school level can actually file an application on behalf of the student to get them lunch. As Mr. Brennan stated there are things we have to do to attack this problem again and that is one of the things that we will talk about when we get together in the very near future. I did see some of those emails that Mr. Nufrio was referring to and some of the numbers I had to take a second look because I thought maybe a decimal point was in the wrong place and there were too many zeros.

Man in audience stated he's here with his daughter today and as adults we need to be cordial. We are all here for the children and you should be able to bury your differences before you come to a meeting. We still need improvements. He stated he was in the high school and the elements are not conducive – plugs - one socket and the line is across the room and there could be an accident. If we want our children to perform well, we are to make the classroom conducive to them. It is cool here but in the classrooms it is hot. We should ask parents to donate air conditioners – many parents can. We need to work on safety and environment conducive for our children. He said that he wants to believe that this year will be a good year and don't allow anyone, including our children, we have rules, let's follow it – no matter what the situation is. Let's stand on our principles. Last year we lost teachers because of our budget. If you want to retain good teachers, as you have teachers retiring, who wants to come to our schools with an unstable budget. We need to cut our expenses.

Paul Casey stated first question, why didn't we vote on the attorneys in public session? Mrs. Minneci stated we will discuss it in executive session. Mr. Casey stated come back out after and vote. Thank you.

I wanted to talk about some positive things. Tonight we had a presentation about the summer program and my son my fortunate enough to participate. My kids have been in the District for years and it was by far the best summer program that we have been involved in. Mrs. Moses and the staff did a really outstanding job. I think often times we come to these meetings and we talk a lot about the negative and not enough of the positive. I think the staff and people around the district are doing a great job. I know in the next couple of months, in the Academy Program, that happens in the middle schools in the last few years will be up for discussion again and that was also an outstanding program. The program for debate of the policies with Mr. Harrell and my son participated and he went to Stockton and they were talking about other great things. I was fortunate to travel to Stockton with them and watch young people debate and we had one side talking about one issue and another group was talking about another side and you know what, they were all respectful. They talked to each other with utmost respect. They treated their teachers that were in attendance with them. We need to look at our children and see the example that they are setting for us and tonight to echo some previous people, it was really

embarrassing and the disrespect that was shown to numerous people is really sad. I think as a Board President Mr. Nufrio you need to do better in that area. Even the attorney you cut her off at one point and that is not how you lead a meeting. You give people the opportunity to speak and then you respond but the disrespect that is shown in these meetings is really sad and I think we need to get to the point where we are looking at the way that are children talk to one another and maybe we can figure out that is the way that we can talk to each other too because they are doing a much better job than you are.

Mr. Brennan stated can I make a correction, a clarification – when I said that it would require an additional position I was trying just to say that it would possibly create a more expense in the business office. If I got carried away and said it would be an additional position, that was not my attention. I got hammered here in the public about that. So I just want to put that out there for the record. Thank you.

Suehay Monge stated one is about the rubric – there is a new rubric that I received third marking period only because I requested it and it is new so it was never sent out to parents to say that this is the new criteria that we are using to determine whether or not the students are eligible for honors or AP courses. I was concerned about that because I don't know and my son doesn't know what they are working toward and what they need to achieve in that class so that was concerning to me so I just wanted to bring that to your attention. The other thing was and I don't know if it was under the elementary school, but in the high school I didn't receive it and when I got it I was surprised. The other thing is the determination on whether or not the students got into the honor class was made at the third marking period so if they were supposed to get a "B" and they got a "C+" they made that determination in third marking period when they still had an opportunity for a fourth marking period to get that "B". I am not in agreement with that because obviously the kid can turn it around the last marking period and why not, they earned the grade. I'm o.k. with giving them a warning and say "hey you didn't get in you have an opportunity one last marking period and this is the grade that you need to achieve" and ultimately we took the initiative to meet with supervisors and clarify that and request that my son be given the opportunity to make that grade. I did that. I don't know how many parents even knew about the rubric; probably not many and again if we want to give our kids a leg up so parents need to know. I know we want them to be independent and we want them to take responsibility and you know some parents will say if he doesn't want to do it than he doesn't want to do it so whatever but if he can do it he is going to do it in my house. So I just wanted to bring that to your attention.

Like Mr. Arminio I really don't understand the whole banking thing but there are two banks that you are considering. O.K. three and the difference in the one that is recommended is \$180,000 difference and is that what you are saying. Mr. Brennan stated that is what Mr. Monge is saying. Mrs. Monge stated is that correct? Mr. Brennan stated I trust Mr. Monge and his math. I am the Business Administrator but that is not on for a vote tonight and I think I explained why it wasn't on the vote. We just want to be in compliance. Mrs. Monge stated I'm just asking if that is the difference of \$180,000 – how many teacher's jobs is that? Mr. Brennan stated three.

Mrs. Monge stated just to clarify when Eva was up here she asked about the principal and I know we can't talk about personnel – she asked if the high school had a principal and you said yes and she asked you the same and Mr. Nufrio stated he is the principal on record. What does that mean? Mr. Nufrio stated I am simply confirming what he said.

Mr. Nufrio stated Mr. Brennan I'm feeling the same nausea when Mr. Arminio doesn't understand finances – can you explain the \$180,000 if you want to hold it for next time. Mr. Brennan stated why don't we save it until the presentations are made. I feel like I'm being put in the middle. This whole process and I don't appreciate it. Mr. Monge stated I can give it to you if you like. Mr. Nufrio stated I rather hear it from Mr. Brennan because he is the one who is going to explain it. Mr. Monge stated I gave him the calculations and he can offer it to the full Board.

Mary stated my concern is about the RFP's so originally they were in April and then again in August so now our concerns are to make sure that we are in compliance and did we follow the checklist. Is there a process in place? And now we want the banks to come in and give a presentation so is it different, do we have a policy? What is the process and why did we have such a long delay because now we are saying we don't know if we checked off everything. Like a profession, you have a rubric – there has been a huge delay. Why the concern now and why do you have to listen to banks now when they already looked at the proposals. Mr. Brennan stated the Board requested the presentations. Mary stated so what is the process? Mr. Brennan stated it is a 60-day process. With the banks we had responses in April 24th, the Board came to vote and they were 4-4 vote. It was then decided by the Board to reject all the bids and then we went out and RFP again because we wanted more competition. Excuse me that was the health brokers. One of them we rejected and I'm trying to remember which one. Anyway we went out again and we had eight responses and we have until October 7th to respond and come up with a decision. Mr. Monge stated we don't have a meeting.

Mary stated so now it is coming up tonight – why didn't we get a presentation like the other ones. Isn't there some process in place for RFPs that they should be presented? That is where I'm confused. Mrs. Regis-Darby stated we have been asking for a process for a long time. Mr. Brennan stated the process of the RFP – we don't always have presentations. Normally a Business Administrator can put the bank of choice, professional service, on the agenda and then it goes up for vote by the Board and if they approve it then it passes. If not, then we get somebody else. Mary stated now we have delayed time because now we are asking for presentations which we could have done back in April. Mr. Brennan stated we were going to do presentations tonight but the Board decided to go through committee and then the committee as you obviously heard, it was of one and we were all in agreement coming out of that; my assistant BA, myself and Mr. Monge – because ConnectOne came in at 2.16% which was in excess of the other banks but we can't use that because it was after August 7th. Mary stated there should be a process in place so it doesn't come this delayed. Mr. Brennan stated there is a process but this is an abnormal situation. I don't know how to describe it. It is abnormal.

Mr. Nufrio stated we are repeating the same thing over and over again and I do believe at this point to not to continue because we are rehashing something that has already been deliberated on and am I correct Mr. Griggs? Mr. Griggs stated yes.

MOTION FOR EXECUTIVE SESSION:

Moved by Mr. Arminio, seconded by Mr. Monge, that the Board go into Executive Session at 10:45 p.m. to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-2b.

- Pending or anticipated litigation, contract negotiation and matters falling under the attorney-client privilege.
- Matters involving employees and terms of their employment and contract.

The Board will disclose the discussion conducted during the executive session, with notice to the public, when the disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Board of Education and provided that such disclosure does not violate federal, state or local statutes and does not fall within the attorney/client privilege.

DISCUSSION:

Mr. Monge stated why are we going into executive session to talk about the Board of Education RFP when every RFP that we have done so far has been a committee of the whole and we had open conversations just like we had with the banks. Why does the Board of Education attorney differ?

Mr. Nufrio stated I don't have an answer, you guys made that decision. The agenda is made by the Superintendent and Business Administrator and myself. I had no part in deciding the executive aspect. Once again we are questioning an agenda that is on the record.

We will continue after executive session and return in public to take a vote.

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

The Board returned to public session at 11:35 p.m.

Moved by Mr. Arminio, seconded by Mr. Monge, that the following resolution be adopted:

APPROVE TO EXTEND LONG-TERM SUSPENSION

Approve to extend the long-term suspension of Student #190846 to the October 2018 regular Board of Education meeting.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Richardson,
Mrs. Williams

NAY: None

ABSTAIN: Mrs. Regis-Darby, Mr. Nufrio

MOTION CARRIED

Moved by Mrs. Regis-Darby, seconded by Mrs. Minneci, that the following resolution be adopted:

F-16. APPROVE ACCEPTANCE OF PROPOSALS – LEGAL INVESTIGATIVE SERVICES

Approve the law firms of David B. Rubin, P.C. and DiFrancesco Bateman Kunzman Davis Lehrei & Flaum, P.C. for legal investigative services for the 2018-2019 school year.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby, Mrs. Williams

NAY: None

ABSTAIN: Mrs. Higgins, Mrs. Richardson, Mr. Nufrio

MOTION CARRIED

Moved by Mrs. Minneci, seconded by Mrs. Williams, that the following resolution be approved:

F-15. APPROVE ACCEPTANCE OF PROPOSAL – BOARD ATTORNEY

Approve the law firm of Florio Perrucci Steinhardt & Cappelli LLC, as Board Attorney for the 2018-2019 school year.

DISCUSSION:

None

AYE: Mr. Arminio, Dr. Francis, Mrs. Higgins, Mrs. Minneci, Mr. Monge, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Williams, Mr. Nufrio

NAY: None

ABSTAIN: None

MOTION CARRIED

Mr. Nufrio stated was there a start date? Mrs. Cappiello stated it is for the 2018-2019 school year. Mr. Taylor stated the 2018-19 school year technically started July 1st. It is not retroactive so it is effective tomorrow through June 30, 2019.

Mr. Brennan, Mr. Benaquista and Mrs. Moses left meeting prior to start of executive session. Mr. Nufrio, Mrs. Higgins and Mrs. Minneci (conflicted Board members) left meeting prior to executive session.

MOTION FOR EXECUTIVE SESSION:

Moved by Mr. Arminio, seconded by Mrs. Richardson, that the Board go into Executive Session at 11:45 p.m. to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-2b.

- Matters involving employees and terms of their employment and contract.

The Board will disclose the discussion conducted during the executive session, with notice to the public, when the disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Board of Education and provided that such disclosure does not violate federal, state or local statutes and does not fall within the attorney/client privilege.

All present voting YES

MOTION CARRIED

MOTION TO ADJOURN:

There being no further business before the Board in public session it was moved by Mrs. Regis-Darby, seconded by Mrs. Williams, that the meeting be adjourned at 12:50 a.m. (September 19, 2018). All present voting YES MOTION CARRIED

RESPECTFULLY SUBMITTED,

GREGORY E. BRENNAN
BOARD SECRETARY