

**EAST RUTHERFORD BOARD OF EDUCATION
PUBLIC MEETING AGENDA
Alfred Faust School Gymnasium
May 25, 2017
7:00 PM**

NOTE: Be advised that the Board may recess into executive session at any time during the meeting.

CALL TO ORDER - President

OPENING STATEMENT - President

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon.

In accordance with the provisions of the Act, the East Rutherford Board of Education has caused notice of this meeting to be published by having the date, time and place thereof published in The Record and South Bergenite Newspapers and posted in the vestibule of the Borough Hall and Public Library.

Copies of agendas are available 48 hours prior to said meetings in the Board of Education office and are posted on the East Rutherford School website – www.erboe.net

SALUTE TO FLAG & MOMENT OF SILENCE

ROLL CALL

Mr. Daniel Alvarez
Mr. Jason Bulger
Mrs. Maria Caruso
Mr. Carlo Maucione
Mrs. Kathleen Winston
Mrs. Debra Zoller
Mr. Richard Vartan

ANNOUNCEMENT OF FIRE EXIT LOCATIONS - President

As a courtesy to all in attendance, please silence all cell phones and paging equipment during this meeting.

Mission Statement:

The East Rutherford Public Schools are committed to the achievement of individual academic excellence by achieving the New Jersey Student Learning Standards (NJSLS) through high quality teaching, learning and community involvement, which results in students being well prepared to meet future educational challenges and to contribute to society. Recognizing the needs of students, the East Rutherford school community strives to teach pupils how to learn effectively and attempt to motivate them to continuous learning throughout life. Students are encouraged to understand themselves, accept their worth, fulfill their potential, and become effective and responsible citizens in a democratic society and in a multicultural world.

MOTION TO SUSPEND THE REGULAR ORDER OF BUSINESS

EAST RUTHERFORD BOARD OF EDUCATION

IN RECOGNITION AND APPRECIATION FOR:

BEVERLY MALABRIGO

WHEREAS, *Beverly Malabrigo* has served as a teacher with the East Rutherford Board of Education from March 13, 1990 to June 30, 2017. During this time, she has committed herself and served to the education of the Children of the East Rutherford Public Schools; and

WHEREAS, *Beverly Malabrigo* has demonstrated outstanding instructional qualities throughout her career in education; and

WHEREAS, *Beverly Malabrigo* has eagerly met the challenges to ensure educational excellence for children and to serve for the well-being of the East Rutherford Public School Community; and

WHEREAS, *Beverly Malabrigo* has served the East Rutherford Public School District and our community with distinction and dedication; and

WHEREAS, the Members of the Board of Education and the community appreciate and hereby recognize her commitment to the East Rutherford Board of Education; the East Rutherford School District and to the children of the community;

NOW THEREFORE BE IT RESOLVED, that the East Rutherford Board of Education acknowledges the efforts and commitment of *Beverly Malabrigo*, for her dedication to the children of the East Rutherford Public Schools throughout her twenty-seven years of teaching; and

BE IT FURTHER RESOLVED, that with the enactment of this resolution, *Beverly Malabrigo's* recognition shall be so noted in the minutes and become a part of the permanent record of the District; and

BE IT FINALLY RESOLVED, that the East Rutherford Board of Education wishes *Beverly Malabrigo* every success in the future.

This resolution shall take effect immediately
Adopted this 25th day of May, 2017

Richard Vartan, Board of Education President

EAST RUTHERFORD BOARD OF EDUCATION

IN RECOGNITION AND APPRECIATION FOR:

PHYLLIS ALBERTA

WHEREAS, *Phyllis Alberta* has served as a teacher aide and Principal's Secretary with the East Rutherford Board of Education from February 27, 1992 to August 8, 2017. During this time, she has committed herself and served to the operation of the East Rutherford Public Schools and for the well being of the Children of East Rutherford; and

WHEREAS, *Phyllis Alberta* has demonstrated outstanding secretarial and organizational qualities throughout her career; has worked selflessly and conscientiously during her tenure; has been an asset to ensure the efficient operation of the East Rutherford public schools; and

WHEREAS, *Phyllis Alberta* has eagerly met the challenges to ensure the needs and safety for all children and to serve for the well-being of the East Rutherford Public Schools' Community; and

WHEREAS, *Phyllis Alberta* has served the East Rutherford Public School District and our community with distinction and dedication; and

WHEREAS, the Members of the Board of Education and the community appreciate and hereby recognize her commitment to the East Rutherford Board of Education, the East Rutherford School District and to the children of the community;

NOW THEREFORE BE IT RESOLVED, that the East Rutherford Board of Education acknowledges the efforts of *Phyllis Alberta* as Principal's Secretary in the East Rutherford Public Schools; and

BE IT FURTHER RESOLVED, that with the enactment of this resolution, *Phyllis Alberta's* recognition shall be so noted in the minutes and become a part of the permanent record of the District; and

BE IT FINALLY RESOLVED, that the East Rutherford Board of Education wishes *Phyllis Alberta* every success in the future.

This resolution shall take effect immediately
Adopted this 25th day of May, 2017

Richard Vartan, Board of Education President

OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY

President Vartan Opens the Hearing of Citizens:

In accordance with the Bylaw 0167-Public Participation in Board Meeting, any citizen present who wishes to be heard on agenda items only, should raise his/her hand to be recognized, state name and address. Each statement made by a participant shall be limited to the discretion of the Board President. Any citizen wishing to be heard on non-agenda items may do so after new business. The hearing of citizens shall be limited to sixty minutes.

President Vartan Closes the Hearing of Citizens:

CORRESPONDENCE TO MEMBERS OF THE BOARD OF EDUCATION

None

REPORTS TO THE BOARD

- School Business Administrator’s Report – Mr. Mark Kramer
- Superintendent’s Report – Mr. Giovanni Giancaspro
 - Presentation of the Teacher of the Year Awards to Christine Bayeux (Faust) and Elyse Iavarone (McKenzie)

ADOPTION OF PRIOR BOARD MEETING MINUTES

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves the minutes of the following meeting dates as per copies were distributed to each board member:

Motion:

Second:

Vote:

- April 27, 2017 Public Meeting Minutes
- April 27, 2017 Executive Meeting Minutes

SUPERINTENDENT’S REPORT

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions: S1) Fire and Emergency Drill Report; S2) Enrollment Report; S3) Harassment, Intimidation and Bullying Report; S4) Field Trip/Transportation Requests; S5 through S7) Resolution Affirming the Superintendent’s Decision Relating to an Alleged Harassment, Intimidation and Bullying Incident Report:

Motion S1 - S7:

Second:

Vote:

S1. APPROVAL OF FIRE AND EMERGENCY DRILL REPORT

SCHOOL	TYPE OF DRILL	DATE	TIME
Faust School	Fire Drill	5/8/17	9:10 AM
Faust School	Shelter-in-Place	5/17/17	9:45 AM
McKenzie School	Fire Drill	5/17/17	9:35 AM
McKenzie School	Lockdown	TBD	

S2. APPROVAL OF ENROLLMENT REPORT

SCHOOL	TOTAL ENROLLMENT
Faust	341
McKenzie	474
Special Services – In District	131
Special Services – Out of District	24
Tuition Students	0
Home Instruction	0

S3. APPROVAL OF HARRASSMENT, INTIMIDATION AND BULLYING MONTHLY REPORT

SCHOOL	NUMBER OF ALLEGED INCIDENTS	NUMBER OF VERIFIED INCIDENTS
Faust	1	0
McKenzie	0	0

S4. APPROVAL OF FIELD TRIP AND TRANSPORTATION REQUESTS

Code	School	Grade	Requested by	Destination	# of Vehicles	Cost to Parent/BOE	Purpose/ Goal
S4.1	N/A	N/A	John Hansen E.R. Recreation	Darlington County Park Mahwah, N.J.	3 buses	Fuel/Drivers – cost to Boro of ER	Recreation Trip

S5. RESOLUTION AFFIRMING THE SUPERINTENDENT’S DECISION RELATING TO AN ALLEGED HARASSMENT, INTIMIDATION AND BULLYING INCIDENT (REPORT DATED MARCH 16, 2017), PURSUANT TO N.J.S.A. 18A:37-15(b)(6)(e)

WHEREAS, on March 16, 2017, there was a report of harassment, intimidation and bullying (“HIB”); and

WHEREAS, the East Rutherford School District (“District”) conducted an investigation of the alleged incidents pursuant to the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-13.2, et seq., and Board Policy 5512; and

WHEREAS, at the East Rutherford Board of Education (“Board”) meeting on April 27, 2017, the Superintendent reported the results of the investigation, services provided and discipline imposed, if any; and

WHEREAS, within 5 school days after the results of the investigation were reported to the Board, information about the investigation was provided to the parents/custodians of the students involved; and

WHEREAS, no parent/custodian requested a hearing before the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Superintendent’s decision concerning the February 16, 2017 report of HIB is hereby affirmed.

S6. RESOLUTION AFFIRMING THE SUPERINTENDENT’S DECISION RELATING TO AN ALLEGED HARASSMENT, INTIMIDATION AND BULLYING INCIDENT (REPORT DATED MARCH 21, 2017), PURSUANT TO N.J.S.A. 18A:37-15(b)(6)(e)

WHEREAS, on March 21, 2017, there was a report of harassment, intimidation and bullying (“HIB”); and

WHEREAS, the East Rutherford School District (“District”) conducted an investigation of the alleged incidents pursuant to the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-13.2, et seq., and Board Policy 5512; and

WHEREAS, at the East Rutherford Board of Education (“Board”) meeting on April 27, 2017, the Superintendent reported the results of the investigation, services provided and discipline imposed, if any; and

WHEREAS, within 5 school days after the results of the investigation were reported to the Board, information about the investigation was provided to the parents/custodians of the students involved; and

WHEREAS, no parent/custodian requested a hearing before the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Superintendent’s decision concerning the February 16, 2017 report of HIB is hereby affirmed.

S7. RESOLUTION AFFIRMING THE SUPERINTENDENT’S DECISION RELATING TO AN ALLEGED HARASSMENT, INTIMIDATION AND BULLYING INCIDENT (REPORT DATED MARCH 8, 2017), PURSUANT TO N.J.S.A. 18A:37-15(b)(6)(e)

WHEREAS, on March 8, 2017, there was a report of harassment, intimidation and bullying (“HIB”); and

WHEREAS, the East Rutherford School District (“District”) conducted an investigation of the alleged incidents pursuant to the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-13.2, et seq., and Board Policy 5512; and

WHEREAS, at the East Rutherford Board of Education (“Board”) meeting on April 27, 2017, the Superintendent reported the results of the investigation, services provided and discipline imposed, if any; and

WHEREAS, within 5 school days after the results of the investigation were reported to the Board, information about the investigation was provided to the parents/custodians of the students involved; and

WHEREAS, no parent/custodian requested a hearing before the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Superintendent’s decision concerning the February 16, 2017 report of HIB is hereby affirmed.

CURRICULUM COMMITTEE (*Chairperson; Carlo Maucione, Maria Caruso, Debbie Zoller*)

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motion C1) Approval of the 2016-2017 NJQSAC District Improvement Plan; C2) Approval of Contracted Services with the South Bergen Jointure Commission:

Motion C1 – C2:

Second:

Vote:

C1. APPROVAL OF THE 2016-2017 NJQSAC DISTRICT IMPROVEMENT PLAN

BE IT RESOLVED, that the Board of Education upon the recommendation of the Superintendent of Schools, approve the NJQSAC District Improvement Plan for 2016-2017 and authorize its submission to the New Jersey Department of Education by the deadline of July 1, 2017.

C2. APPROVAL OF CONTRACTED SERVICES WITH THE SOUTH BERGEN JOINTURE COMMISSION FOR 2017 - 2018 SCHOOL YEAR

WHEREAS, upon the recommendation of the Superintendent, that the East Rutherford Board of Education does hereby approve an agreement with the South Bergen Jointure Commission, to the extent possible and assuming 1.) the availability of the services, 2.) the continuing need for the services and 3.) that the services continue to be cost effective, the East Rutherford School District agrees that it will make a good faith effort to continue to renew these services annually at or before the beginning of each school year.

BE IT RESOLVED, the cost of each service shall be based on the SBJC Board of Education’s established charges developed by charging salaries, benefits, and expenses of the employees’ and a 5% administrative fee. ** Transportation administration fee is 3%. The formula for reimbursement shall ensure that the SBJC will not incur any district related

expense when providing services, including, the training of an individual. The district also agrees not to employ personnel assigned to their district as their own employee for a period of one year after the present contract expires.

BE IT FURTHER RESOLVED, that the East Rutherford Board of Education agrees to abide by the Contracted Services Agreement as published by the South Bergen Jointure Commission.

PERSONNEL COMMITTEE (*Chairperson; Maria Caruso, Daniel Alvarez, Richard Vartan*)

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions: **P1) Personnel Actions; P2) Travel Expenditures; P3) Source 4 Teachers Substitute List; P4) Leave of Absence; P5) Appointment of Tenured Employees for 2017-2018 school year; P6) Appointment of Non-Tenured Employees for 2017-2018 school year; P7) Appointment of Non-Certificated Employees for 2017-2018 school year; P8) Approval of Employee Salaries; P9) Appointment to Hire Summer Custodial and Technology Helpers; P10) Settlement Agreement:**

Motion P1 - P10:
 Second:
 Vote:

P1. APPROVE FOLLOWING PERSONNEL ACTIONS

Code	Name	Action	Position	Step	Stipend/ Salary	Effective Date	Discussion/ Account Code
P1.1	Danielle Esposito	Appointment	CST – Up to 5 days as assigned	MA+15, Step 14	\$258.39/day	TBD	11-000-219-104-00-000
P1.2	Jamie Lee	Appointment	CST – Up to 5 days assigned	MA+60, Step 14	\$277.61/day	TBD	11-000-219-104-00-000
P1.3	Donna Liloia	Appointment	CST – Up to 5 days assigned	MA, Step 14	\$250.37/day	TBD	11-000-219-104-00-000
P1.4	Renee Romaglia	Appointment	CST – Up to 5 days assigned	BA+30, Step 14	\$242.85/day	TBD	11-000-219-104-00-000
P1.5	Susan Guhl	Appointment	Speech Therapist – Up to 2 days as assigned	MA, Step 14	\$250.37/day	TBD	11-000-216-100-00-000
P1.6	Mable Thomas	Appointment	Speech Therapist – Up to 2 days as assigned	MA+15, Step 5	\$177.70/day	TBD	11-000-216-100-00-000
P1.7	Ellen Bender	Appointment	ESY Teacher for Spec. Ed. program	MA+30, Step 14	\$269.35/day	7/5/17-7/28/17	4 hrs/day 18 days total 11-213-100-101-00-000
P1.8	Danielle Esposito	Appointment	ESY – Teacher for Spec. Ed. program	MA+15 Step 14	\$258.39/day	7/5/17-7/28/17	11-000-219-104-00-000
P1.9	Susan Guhl	Appointment	ESY – Speech Teacher for Spec. Ed. program	MA, Step 14	\$250.37/day	7/5/17-7/28/17	2 days/wk Total 8 days 11-000-216-100-00-000
P1.10	Erica Moreno	Appointment	ESY – Teacher for Spec Ed. program	MA+30, Step 14	\$269.35/day	7/5/17-7/28/17	4 hrs/day 18 days total 11-216-100-101-00-000
P1.11	Cory Scelsa	Appointment	ESY Teacher for Spec. Ed. program	MA+30, Step 8	\$195.50/day	7/5/17-7/28/17	4 hrs/day 18 days total 11-120-100-101-00-000
P1.12	Alice Roscitt	Appointment	ESY – Aide for Spec. Ed. program	Step 11 Certified Aide	\$25.39/hour = \$101.56/day	7/5/17-7/28/17	4 hrs/day 18 days = 72 hrs 11-213-100-106-00-000

Code	Name	Action	Position	Step	Stipend/ Salary	Effective Date	Discussion/ Account Code
P1.14	Yosstina Gadalla	Appointment	ESY – Aide for Spec. Ed. program	Step 3 Certified Aide	\$21.53/hour = \$86.12/day	7/5/17-7/28/17	4 hrs/day 18 days = 72 hrs 11-216-100-106-00-000
P1.15	Nancy McEntee	Appointment	ESY – Aide for Spec. Ed. program	Step 10 Certified Aide	\$24.58/hour = \$98.32/day	7/5/17-7/28/17	4 hrs/day 18 days = 72 hrs 11-216-100-106-00-000
P1.16	Constance Isola	Appointment	ESY – Aide for Spec. Ed. program	Step 11 Certified Aide	\$25.39/hour = \$101.56/day	7/5/17-7/28/17	4 hrs/day 18 days = 72 hrs 11-212-100-106-00-000
P1.17	Teresa Kuprat	Appointment	ESY – Aide for Spec. Ed. program	Step 11 H.Q. Guide	\$23.53/hour = \$94.12	7/5/17-7/28/17	4 hrs/day 18 days = 72 hrs 11-215-100-106-00-000
P1.18	Theresa O’Fallon*	Appointment	ESY – Bus Driver for Spec. Ed. Program	N/A	\$23.83/hour = \$119.15	7/5/16 – 7/31/16	Up to 5 hrs per day/18days 11-000-270-161-00-000
P1.19	Kathleen New	Appointment	ESY – Bus Aide for Spec. Ed. Program	N/A	\$13.25/hour = \$66.25/day	7/5/16 – 7/31/16	Up to 5 hrs per day/18days 11-000-270-107-00-000
P1.20	Diane Kattas-Van Winkle	Appointment	Substitute Teacher for summer programs	MA+30, Step 14	\$67.34 hour = \$269.35 a day	As needed	11-213-100-101-00-000
P1.21	Natalia Casciola	Appointment	Substitute Teacher for summer programs	BA, Step 3	\$36.30 hourly \$145.20 a day	As needed	11-120-100-101-00-000
P1.22	Robin Offreda	Appointment	Substitute Aide for summer programs	Step 11 Highly Qualified	\$23.53/hour	As needed	11-000-217-100-00-000
P1.23	Shannon DeKoyer	Appointment	School Nurse for Summer Programs	N/A	\$180/day	7/5/17 – 7/14/17	4 hrs/day 10 days total 11-000-213-100-00-000
P1.24	Kristen Webb	Appointment	School Nurse for Summer Programs	N/A	\$180/day	7/17/17 – 7/28/17	4 hrs/day 10 days total 11-000-213-100-00-000
P1.25	Kristin Wilhelm	Increase in daily hours	Teacher	BA, Step 2	From: \$29,160 to \$39,254	9/1/17-6/20/18	Currently working 4 ½ hours a day Additional ½ hour a day Total 5hrs/day

*All IUOE members are subject to adjustment upon successful completion of negotiations.

P2. APPROVAL OF TRAVEL EXPENDITURES

Code	Date	Employee	Workshop/Location	Total Cost to Board	Sub
P2.1	10/23-26/17	Giovanni Giancaspro	NJSBA Annual Workshop	\$1,970.00 (Lump Sum \$1.400)	No
P2.2	10/23-26/17	Mark Kramer	NJSBA Annual Workshop	\$570.00	No
P2.3	10/23-26/17	Daniel Alvarez	NJSBA Annual Workshop	\$570.00	No
P2.4	10/23-26/17	Jason Bulger	NJSBA Annual Workshop	\$570.00	No
P2.5	10/23-26/17	Maria Caruso	NJSBA Annual Workshop	\$570.00	No
P2.6	10/23-26/17	Carlos Maucione	NJSBA Annual Workshop	\$570.00	No
P2.7	10/23-26/17	Richard Vartan	NJSBA Annual Workshop	\$570.00	No
P2.8	10/23-26/17	Kathleen Winston	NJSBA Annual Workshop	\$570.00	No
P2.9	10/23-26/17	Debra Zoller	NJSBA Annual Workshop	\$570.00	No
P2.10	6/2/17	Karen Dolinsky	Educational Policy & School Law Seminar Lincroft, N.J.	\$0.00	No
P2.11	6/2/17	Giovanni Giancaspro	Educational Policy & School Law Seminar Lincroft, N.J.	\$0.00	No

Code	Date	Employee	Workshop/Location	Total Cost to Board	Sub
P2.12	6/7-9/17	Mark Kramer	2017 New Jersey Association of School Business Officials Annual Conference Atlantic City, N.J.	\$810.00	No
P2.13	9/21-25/17	Mark Kramer	2017 Annual ASBO Meeting & Expo Denver, CO	\$2,549.21	No

P3. APPROVAL OF SOURCE 4 TEACHERS SUBSTITUTE TEACHER LIST

Approve the Source 4 Teachers substitute teacher list as on file in the Superintendent’s Office for **May 2017**.

P4. LEAVE OF ABSENCE

Code	Employee	Reason	Position	School	Start Date	End Date	Accumulated Sick Days being Utilized	Unpaid Family Leave Start Date	Return Date/ Discussion
P4.1	#0207	Maternity Leave	Teacher	Faust	6/5/17	11/8/17	57 sick days		11/8/17
P4.2	#0568	Maternity Leave	Teacher	McKenzie	9/5/17	10/20/17	40 sick days	10/31/17 FMLA begins followed by NJFLA leave	1/3/18

P5. REVISION TO APPOINTMENT OF TENURED EMPLOYEES FOR 2017-2018 SCHOOL YEAR

Motion to approve the recommendation of the Superintendent, the renewal of tenured district employees as listed on Appendix A for the 2017-2018 school year.

P6. REVISION TO APPOINTMENT OF NON-TENURED EMPLOYEES FOR 2017-2018 SCHOOL YEAR

Motion to approve the recommendation of the Superintendent, the renewal of non-tenured district employees as listed on Appendix B for the 2017-2018 school year.

P7. REVISION TO APPOINTMENT OF NON-CERTIFICATED EMPLOYEES FOR 2017-2018 SCHOOL YEAR

Motion to approve the recommendation of the Superintendent, the renewal of non-certificated district employees as listed on Appendix C for the 2017-2018 school year.

P8. APPROVAL OF EMPLOYEE SALARIES FOR 2017-2018

Motion to approve the annual salaries for employee salary list for the 2017-2018 school year, as on file in the Superintendent’s office.

P9. APPROVAL TO HIRE SUMMER CUSTODIAL AND TECHNOLOGY HELPERS 2017

The Superintendent in conjunction with the Personnel Committee recommend that the following temporary workers be hired for the summer of 2017, commencing on June 19, 2017 and ending August 31, 2017. (pending receipt fingerprint, medical clearance and working papers):

NAME	HOURLY SALARY
Vincent Kuprat – Custodian Assistant – Summer Help	\$8.50

P10. SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is entered into between the International Union of Operating Engineers, Local 68 (the “Union”) and the East Rutherford Board of Education (“Board”).

WHEREAS, the Union and the Board are parties to a collective negotiations agreement (“CNA”) covering the time period of January 1, 2014 through December 31, 2017;

WHEREAS, it came to the attention of the Union that the Board had implemented on its own a policy wherein the Board would round-up or round-down an employee’s daily hours and corresponding earned wages depending on the time an employee punched in;

WHEREAS, as a result of this rounding-off policy, the member-employees were at times not paid for time worked;

WHEREAS, the Union filed an unfair labor practice charge against the Board with the New Jersey Public Employment Relations Commission (“PERC”), Docket No. CO-2016-253, in connection with this practice (the “Charge”); and

WHEREAS, the parties attended a case management conference on September 13, 2016 at PERC before Staffing Agent Michal Oppici, Esq. to determine whether the Employer violated the parties CNA by, *inter alia*, failing to pay the correct wages to the employee-members as result of its rounding-off policy;

WHEREAS, the Board rescinded the rounding-off policy while the Union’s Charge was pending and the parties agreed to negotiate the terms of the back pay owed by the Board to the member-employees, if any;

WHEREAS, in connection therewith the Union requested the Employer to provide the Union with all member-employees time cards for the relevant time period, as well as their pay stubs for the time period of December 1, 2015 through April 28, 2016 in order to evaluate the back pay owed to each member-employee as a result of the Board’s rounding-off policy;

WHEREAS, in reviewing the time cards provided by the Board, a secondary issue came to light and was then raised by the Union, that is, that the Board may not have been paying the member-employees the correct amount of overtime under the parties’ CNA;

WHEREAS, Article 7, Section A, of the CNA requires the Employer to pay overtime for “additional time at the end of an employee's regular schedule” and requires any such time to “be computed as overtime in increments of 15 minutes”;

WHEREAS, the time cards provided by Employer indicated that at times employees were clocking-out one to two minutes beyond the end of their regular shift schedule time and were not being paid overtime at a 15-minute increment;

WHEREAS, Employer's asserted position remains that it is only required to pay contractual overtime to employees for having actually worked beyond the regular shift schedule and not for having merely punched-out one or two minutes late;

WHEREAS, Employer has further contended that the intent of the agreement (the CNA) is for overtime only to be paid for actual time and hours worked, and relies upon the language of the preceding sentence in Article 7, Section A of the CNA that states that “all work in excess of forty (40) hours in any one week shall be considered overtime, payable at time and one-half (1-1/2) of the employee’s normal rate of pay;

WHEREAS, Employer has already paid the effected employees for any time owed to each as a result of the Employer’s now rescinded rounding-off policy;

WHEREAS, with respect to the secondary issue of whether the Board is required to pay additional overtime to employees who have at times punched-out late, the Union the member-employees have not contended or otherwise claimed that they were not paid their correct overtime rate; and,

WHEREAS, since no Union member-employee has claimed that they were not paid the overtime they worked, and since all effected Union member-employees were paid as a result of the Board’s rounding-off policy, the Union has agreed to withdraw its Charge against the Board:

NOW THEREFORE, in consideration of the foregoing the burden and expense of further litigation, the Parties have agreed to settle the matter on the following terms:

1. Upon the full execution of this Settlement Agreement and approval of same by the Board, the Union will withdraw its unfair labor practice charge with PERC under Docket No.: C0-2016-253.
2. Nothing contained in this Agreement shall constitute an admission of wrongdoing by any Party.
3. The Parties acknowledge that this settlement agreement is non-precedential in nature and shall not be utilized in any future matters.
4. This Agreement constitutes the entire agreement between the Parties and constitutes full and final settlement as identified herein. The terms of this Agreement shall be interpreted in accordance with the laws of the State of New Jersey.
5. The Parties each affirm and represent that they had the opportunity to discuss the terms of this Agreement with counsel, that they understand its contents and they are entering into this Agreement voluntarily, free of any duress, coercion, other promises and with full understanding of its meaning.
6. This Agreement is subject to the approval by the Board. This Agreement will be submitted to the Board for consideration and approval at the Board’s next regular monthly meeting.

PHYSICAL FACILITIES COMMITTEE (*Chairperson; Kathy Winston, Jason Bulger, Maria Caruso*)

**BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approve motion PF1)
Amend Long-Range Facility Plan:**

Motion PF1:

Second:

Vote

PF1. APPROVAL TO AMEND LONG-RANGE FACILITY PLAN

WHEREAS, The Board of Education of East Rutherford in the County of Bergen, New Jersey (the “Board”), desires to proceed with a school facilities project consisting generally of facility upgrades at Faust School:

- Asbestos removal
- Steam pipe replacements

WHEREAS, the Board now seeks to take the initial steps in order to proceed with above project;

NOW, THEREFORE, BE IT RESOLVED; the Board of Education of East Rutherford in the County of Bergen, New Jersey, as follows:

- Section 1. The Board hereby authorizes the amendment to its Long-Range Facilities Plan in order to reflect the proposed project consisting generally of facility upgrades at Faust School:
 - Asbestos removal
 - Steam pipe replacements.
- Section 2. This resolution shall take effect immediately.

COMMUNITY RELATIONS COMMITTEE (*Chairperson; Jason Bulger, Carlo Maucione, Debbie Zoller*)

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions: CR1) First Reading – Bylaws, Policies and Regulations; CR2) Second Reading – Bylaws, Policies and Regulations; CR3) Approval of the Summer 2017 contract between Apollo After School and East Rutherford Board of Education for Summer Camp at McKenzie School:

Motion CR1 - CR3:

Second:

Vote:

CR1. APPROVE FIRST READING OF REVISED BYLAWS, POLICIES AND REGULATIONS

Approve the first reading of the following mandated/revised bylaws, policies and regulations of the East Rutherford Board of Education:

- Policy 6520 – Payroll Deductions
- Policy 6621 – Money in District Offices or School Buildings

CR2. APPROVE SECOND READING OF REVISED BYLAWS, POLICIES AND REGULATIONS

Approve the second reading of the following mandated/revised bylaws, policies and regulations of the East Rutherford Board of Education:

- Policy 0000.02 – Introduction (M) (Revised)
- Policy 2320 – Independent Study Programs (Abolished)
- Policy 2415.06 – Unsafe School Choice Option (M) (Revised)
- Policy & Regulation 2460 – Special Education (M) (Revised)
- Regulation 2460.1 – Special Education – Location, Identification, and Referral (M) (Revised)
- Regulation 2460.8 – Special Education – Free and Appropriate Public Education (M) (Revised)
- Regulation 2460.09 – Special Education – Transition From Early Intervention Programs to Preschool Programs (M) (Revised)
- Regulation 2460.15 – Special Education – In-Service Training Needs for Professional and Paraprofessional Staff (M) (New)
- Policy 2460.16 – Special Education – Instructional Material to Blind or Print-Disabled Students (M) (No Revision Required/Readopt)
- Policy 2464 – Gifted and Talented Students (M) (Revised)
- Policy 2467 – Surrogate Parents and Foster Parents (M) (Revised)
- Policy 2622 – Student Assessment (M) (Revised)
- Policy & Regulation 3160 – Physical Examination (M) (Revised)
- Policy & Regulation 4160 – Physical Examination (M) (Revised)
- Policy & Regulation 5116 – Education of Homeless Children (M) (Revised)
- Policy 5460 – High School Graduation (M) (Revised)
- Policy 5465 – Early Graduation (M) (Abolished)
- Policy 7446 – School Security Program (New)
- Policy 8350 – Records Retention (New)

CR3. APPROVAL OF THE SUMMER 2017 CONTRACT BETWEEN APOLLO AND EAST RUTHERFORD BOARD EDUCATION FOR SUMMER CAMP AT MCKENZIE SCHOOL

Motion to approve the contract between Apollo After School and the East Rutherford Board of Education for Summer Camp at McKenzie School, June 19, 2017 through August 18, 2017. The program shall operate between 7:30 am and 6:00 pm.

TECHNOLOGY COMMITTEE (*Chairperson; Daniel Alvarez, Jason Bulger, Carlo Maucione*)

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions:

No New Business

NEGOTIATIONS COMMITTEE

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions:

- E.R.A.A. - status – Mr. Alvarez
- I.O.U.E. - status – Mr. Bulger

FINANCE COMMITTEE (*Chairperson; Debbie Zoller, Richard Vartan, Kathy Winston*)

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motions: F1) Approval of Bill Lists; F2) Approval of Transfer of Funds; F3) Acceptance of Monthly Financial Reports; F4) Approval of Student Services; F5) Approval of Removal of Stale Checks; F6) Resolution Authorizing and Approving Settlement Agreement; F7) Approval of Federal School Breakfast/Lunch Pricing; F8) Approval of Net Cash Resources for CNP; F9) Establish 2017-2018 School Tuition Rates; F10) Approval of Vendors for 2017-2018 School Year; F11) Establish Tax Requisition Schedule:

F1. APPROVAL OF BILL LISTS

Motion F1 – F11:

Second:

Vote:

WHEREAS, N.J.S.A. 18A:19, Expenditure of Funds; Audit and Payment of Claims, provides Board of Educations to make payments on claims for goods received and services rendered payable to the order of the person entitled to receive the amount after approval by the board; or in accordance with payrolls duly certified; or debt service or when provided by resolution approval by a person designated by the board, and

WHEREAS, a list of bills dated **April 27, 2017 - May 22, 2017** is being presented to the board with the recommendation that it be ratified and paid,

WHEREAS, each claim or demand has been fully itemized, verified and audited as required by law in accordance with N.J.S.A. 18A:19-2.

NOW THEREFORE BE IT RESOLVED, that the East Rutherford Board of Education approves the list of bills for payment in the grand sum of **\$333,326.91**; and

BE IT FURTHER RESOLVED, the list of bills are on file in the Office of the School Business Administrator, and

BE IT FURTHER RESOLVED, that the East Rutherford Board of Education authorizes the School Business Administrator to pay March and April bills if it is determined that a need arises prior to the next board meeting in accordance with Board Policy 6470 – Payment of Claims.

General Account	\$301,409.03
Food Service Account	\$26,386.36
Special Activity Account	\$5,531.52
TOTAL	\$333,326.91

F2. APPROVAL OF TRANSFERS

WHEREAS, N.J.A.C. 6A:23A-16.10-(c)1 states that a report shall be presented to the Board showing all transfers between line item accounts for each line item account shown on the budget prepared in accordance with N.J.S.A. 18A:22-8, and

WHEREAS, Board Policy 6422 designates the Superintendent of Schools to approve transfers as necessary between meetings of the Board and be reported to the Board, ratified and duly recorded in the minutes at a subsequent Board meeting, and

WHEREAS, transfers in the reports “Transfers Before/After” for the month were necessary to maintain the needs of the district and are on file in the Office of the School Business Administrator,

NOW THEREFORE BE IT RESOLVED, that the East Rutherford School District ratifies and approves the transfers in the reports “Transfers Before/After” for the month of **April and May** within the 2016-2017 school year budget, approved by the Superintendent, so that no budgetary line item account has been over-expended and that sufficient funds would be available to meet the district’s financial obligations, as requested by various district

F3. ACCEPTANCE OF THE FINANCIAL REPORTS

WHEREAS, N.J.A.C. 6A:23A-16.10 requires the Board Secretary and the Board of Education of the East Rutherford School District to certify that no budgetary line item account has been over-expended and that the sufficient funds are available to meet the District’s financial obligation, and

WHEREAS, N.J.A.C. 6A:23A-16.10 further requires the Board of Education of the East Rutherford School District receive and accept the monthly financial statement, the Board Secretary’s and Treasurer’s Reports; and

WHEREAS, the Board Secretary’s and Treasurer’s Reports for the month ending **March 31, 2017** are presented for the Board to accept and are on file in the Office of the School Business Administrator;

NOW THEREFORE BE IT RESOLVED, the Board of Education of the East Rutherford School District acknowledges receipt of and accepts the Board Secretary’s and Treasurer’s Reports for the month ending **March 31, 2017**; and

BE IT FURTHER RESOLVED, that the Board Secretary and the Board of Education certifies that no budgetary line item account has been over-expended and that there are sufficient funds available to meet the District’s financial obligation.

F4. APPROVAL OF TUITIONS/RELATED SERVICES/TRANSPORTATION FOR SPECIAL EDUCATION

Approve the following Out-of-District contracts for service provided to student’s currently enrolled in programs operated by the East Rutherford Board of Education.

CODE	STUDENT I.D.#	SERVICE(s) REQUESTED	PROVIDER	DATE	COST(s)
F4.1	on file	Annual Extended School Year Tuition	Garfield Board of Education	July 05, 2017 - July 28, 2017	\$4,431.00
F4.2	on file	Annual School Tuition	Garfield Board of Education	September 06, 2017 - June 25, 2018	\$44,400.00
F4.3	on file	Annual School Tuition	Garfield Board of Education	January 30, 2017 - June 23, 2017	\$45,867.00 pro-rated
F4.4	on file	Annual School Tuition	South Bergen Jointure Comm.	May 01, 2017 – June 26, 2017	\$64,940.00 pro-rated
F4.5	on file	Annual School Tuition	Windsor Learning Center	May 09, 2017, - June 2017	\$64,050.00 pro-rated
F4.6	on file	Annual School Tuition and Extraordinary Services	David Gregory School	July 05 2017 - June 2018	\$56,088.90 tuition \$38,220.00 1:1 Aide
F4.7	on file	Annual Contract for Services	Bergen County Special Services	2017-2018 school year	Not to exceed \$940.00
F4.8	on file	Annual School Tuition	The Phoenix Center	July 05, 2017 – June 2018	\$70,583.04
F4.9	on file	Annual School Tuition	The Phoenix Center	July 05, 2017 – June 2018	\$70,583.04

F5. APPROVAL FOR THE REMOVAL OF STALE CHECKS

WHEREAS, the East Rutherford Board of Education has the authority to remove stale dated checks from the district’s bank reconciliation outstanding check list through a board resolution;

WHEREAS, the auditors has identified multiple checks that continue to be listed outstanding on several of the bank account reconciliations from various district checking account; and

WHEREAS, administration has determined that the following checks from the following accounts are aged more than six (6) months and recommending to the board to have said checks removed from the outstanding check list:
General Bank Account:

<u>Check #</u>	<u>Amount</u>	<u>Month Year</u>
12619	171.95	11/2015
12642	30.00	12/2015
13057	150.00	04/2016
13538	435.00	09/2016

NOW THEREFORE BE IT RESOLVED, that the stale checks listed above be removed immediately from the outstanding check lists from the district’s checking accounts.

F6. RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT BETWEEN EAST RUTHERFORD BOARD OF EDUCATION, EMPLOYEE ID# 0122, AND THE EAST RUTHERFORD EDUCATION ASSOCIATION

WHEREAS, a dispute has arisen concerning payroll entries for employee ID# 0122; and

WHEREAS, the East Rutherford Board of Education (“Board”), the East Rutherford Education Association (“EREA”), and employee ID# 0122 have determined to settle the dispute pursuant to the terms of Settlement Agreement, dated May 26, 2017, a copy of which is on file in the Board Secretary’s office.

NOW, THEREFORE, BE IT RESOLVED by the Board, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Settlement Agreement, dated May 26, 2017, is authorized and approved.
3. The Board President, Superintendent, Business Administrator/Board Secretary and Board Counsel be and they are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution, including the execution of the Settlement Agreement.
4. This Resolution shall be effective immediately.

F7. APPROVAL OF FEDERAL SCHOOL BREAKFAST/LUNCH PRICING 2017-2018

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the East Rutherford Board of Education hereby approves the following pricing schedule for the school breakfast/lunch program in accordance with State and Federal guidelines.

School - Breakfast	Paid-Student	Reduced Price-Student	Adult
McKenzie Elementary	\$1.75	.30	\$1.90
A.S. Faust School	\$1.75	.30	\$1.90

School - Lunch	Paid-Student	Reduced Price-Student	Adult
McKenzie Elementary	\$3.00	.40	\$3.75
A.S. Faust School	\$3.25	.40	\$3.75

F8. ESTABLISH 2017-2018 TUITION RATES

BE IT RESOLVED, that the East Rutherford Board of Education established the following regular and special education tuition rates for students received in the 2017-2018 school year:

Regular Education:		Special Education:	
Kindergarten	\$12,878	Learning/Language Disabled	\$20,283
Grades 1-5	\$14,779	Multiple Disabled	\$25,425
Grades 6-8	\$18,141	Preschool Disabled - FT	\$34,313
		Preschool Disabled - PT	\$20,313

F9. APPROVAL OF NET CASH RESOURCES FOR CHILD NUTRITION PROGRAM

WHEREAS, the Faust school does not have a working kitchen and has its lunches delivered from the McKenzie school on a daily basis; and

WHEREAS, the East Rutherford Board of Education desires to have a working kitchen at the Faust school to provide more options to the students and provide a higher level of food quality by cooking its food at the Faust location; and

WHEREAS, the East Rutherford Board of Education will build a working kitchen with approximately 700 ft.² at a cost of a \$850 a square foot with an estimated total cost for the kitchen of \$595,000; and

WHEREAS, the East Rutherford Board of Education will build a working kitchen with approximately \$105,000 of new equipment to be installed; and

WHEREAS, the Child Nutrition Program has net cash resources exceeding in the amount of approximately \$41,600 at June 30, 2016 and is anticipating an additional \$20,000 profit in the 2017 fiscal year; and

WHEREAS, the East Rutherford Board of Education would like to use the excess net cash resources to pay for the new kitchen equipment and wishes to designate net cash resources in an amount not to exceed \$65,000 at June 30, 2017 for the purchase of new kitchen equipment;

NOW THEREFORE BE IT RESOLVED, the East Rutherford Board of Education directs administration to designate the net cash resource in the food service fund for the purchase of new kitchen equipment in the amount not to exceed \$85,000 at June 30, 2017.

F10. APPROVAL OF VENDORS FOR ANTICIPATED CONTRACTS 2017-2018

BE IT RESOLVED, the East Rutherford Board of Education is presented below with a list of vendors that would be required to be approved by the Board of Education subject to the requirements of N.J.S.A. 18A:18A for anticipated contracts to be renewed, awarded, or to expire during the 2017-2018 school year.

“Pursuant to PL 2015, Chapter 47 the East Rutherford School District intends to renew, award, or permit to expire the following contracts below previously awarded by the board of education. These contracts are, have been, and will continue to be in full compliance with all state and federal statutes and regulations; in particular, New Jersey Title 18A:18. et. Seq, NJAC Chapter 23, and Federal Uniform Administrative Requirements 2CFR, Part200.”

American Paper Towel Co., LLC
Bergen County Special Services
Bergen County Technical Schools
Bergen Municipal Employee Benefit Fund
Broadview Networks
Chasan, Leyner and Lamparello
David Gregory School, Inc.
Dell Financial Services
JP Morgan Chase Bank
Maywood Board of Education
N.E.S.B.I.G.
NJ Dept of Treasury Distribution Center
North Jersey Elks Developmental Disability Center
Phoenix Center Inc.
PSE&G Co.
Ridgefield Board of Education
S4Teachers LLC
South Bergen Jointure Commission
Spectrum 360
The Children's Institute
Washington Academy
Westbridge Academy Inc.

F11. ESTABLISH TAX REQUISITION SCHEDULE FOR FISCAL YEAR 2017-2018

BE IT RESOLVED, to establish the requisition of taxes from the Borough of East Rutherford for the tax levy for General Fund and Debt Services purposes to be scheduled in twenty-four (24) payments to be requisitioned from the Borough of East Rutherford as needed for the 2017-2018 fiscal year.

Due Date	Total	General Fund	Debt Service Fund
Thursday, July 13, 2017	\$657,339.96	\$0.00	\$657,339.96
Thursday, July 27, 2017	\$657,339.96	\$639,996.92	\$17,343.04
Monday, August 14, 2017	\$657,339.96	\$657,339.96	\$0.00
Tuesday, August 29, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, September 14, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, September 28, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, October 12, 2017	\$657,339.96	\$657,339.96	\$0.00
Friday, October 27, 2017	\$657,339.96	\$657,339.96	\$0.00
Tuesday, November 14, 2017	\$657,339.96	\$657,339.96	\$0.00
Wednesday, November 29, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, December 14, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, December 21, 2017	\$657,339.96	\$657,339.96	\$0.00
Thursday, January 11, 2018	\$657,339.96	\$598,350.96	\$58,989.00
Monday, January 29, 2018	\$657,339.96	\$657,339.96	\$0.00
Wednesday, February 14, 2018	\$657,339.96	\$657,339.96	\$0.00
Tuesday, February 27, 2018	\$657,339.96	\$657,339.96	\$0.00
Wednesday, March 14, 2018	\$657,339.96	\$657,339.96	\$0.00
Wednesday, March 28, 2018	\$657,339.96	\$657,339.96	\$0.00
Thursday, April 12, 2018	\$657,339.96	\$657,339.96	\$0.00
Thursday, April 26, 2018	\$657,339.96	\$657,339.96	\$0.00
Monday, May 14, 2018	\$657,339.96	\$657,339.96	\$0.00
Tuesday, May 29, 2018	\$657,339.96	\$657,339.96	\$0.00
Thursday, June 14, 2018	\$657,339.96	\$657,339.96	\$0.00
Tuesday, June 19, 2018	\$657,339.92	\$657,339.92	\$0.00
	\$15,776,159.00	\$15,042,487.00	\$733,672.00

NEW BUSINESS

OLD BUSINESS

OPEN TO THE PUBLIC

President Vartan Opens the Hearing of Citizens:

In accordance with the Bylaws 0167-Public Participation in Board Meeting, any citizen present who wishes to be heard should raise his/her hand to be recognized, state name and address and limit remarks to five minutes in accordance with board policy. Matters of a personal nature must first be exhausted through the proper channels. The hearing of citizens shall be limited to sixty minutes.

President Vartan Closes the Hearing of Citizens:

ADJOURN TO EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act and the East Rutherford Board of Education reserve the right within the constraints of State Law to sit in Executive Session; and

WHEREAS, there now exists a need for this Board to meet in Executive Session; now therefore

BE IT RESOLVED, that the East Rutherford Board of Education recess into Executive Session to discuss legal; attorney client privilege information; contractual and personnel matters.

BE IT FURTHER RESOLVED, that the minutes of the Executive Session will be made available upon a determination by the Board that the disclosure of the minutes will not detrimentally affect any right or interest of the Board; and

BE IT FURTHER RESOLVED, that the public will be informed:

1. When the Board reconvenes to the regular business portion of this meeting this evening; or
2. At a later date, undetermined at this time.

RECONVENE PUBLIC SESSION

Motion:
Second:
Vote:

ADJOURNMENT

Motion:
Second:
Vote:

**NEXT MEETING:
Public Meeting
June 22 2017, 6:00 P.M.
McKenzie School
125 Carlton Avenue, East Rutherford, New Jersey**