

**EAST RUTHERFORD BOARD OF EDUCATION  
PUBLIC MEETING AGENDA  
A.S. Faust School Gymnasium  
December 21, 2017  
6:00 PM**

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

**CALL TO ORDER** - *By President Vartan at 6:06 pm*

**OPENING STATEMENT** – *President Vartan*

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](http://www.erboe.net)

**SALUTE TO FLAG & MOMENT OF SILENCE**

**ROLL CALL**

Mr. Daniel Alvarez – *Present*

Mr. Jason Bulger – *Present*

Mrs. Maria Caruso – *Present*

Mr. Carlo Maucione - *Present*

Mrs. Kathleen Winston - *Present*

Mrs. Debra Zoller - *Present*

Mr. Richard Vartan – *Present*

Also Present: Mr. Giovanni Giancaspro, Superintendent; Mr. Mark Kramer, School Business Administrator;  
Mr. Thomas Kobin, Board Counsel

**ANNOUNCEMENT OF FIRE EXIT LOCATIONS** - *President Vartan announced locations.*

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.*

**OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY**

**President Vartan Opens the Hearing of Citizens:**

Opening public comments on agenda items only. State your name and address for the record. Each person wishing to speak will have three (3) minutes each. After the board completes the business portion of the meeting, there will be a second public comment section which anyone wishing to speak will be given the opportunity to do so.

- *No members of the public wished to be heard.*

**President Vartan Closes the Hearing of Citizens:**

**CORRESPONDENCE TO MEMBERS OF THE BOARD OF EDUCATION**

- Bergen County Christian Academy
- Lilliane Speer – Enrichment Teacher McKenzie School

**REPORTS TO THE BOARD**

- School Business Administrator’s Report – *Mr. Mark Kramer stated the following;*
  - *The Finance and Physical Facilities Committees reviewed the resolutions that are being presented tonight and supports these resolutions to the full board.*
  - *Minutes to the Committees have been provided to all of the Board Members.*
  - *Mr. Giancaspro and Mr. Vartan presented a Service Award to Kathleen Winston for her many years as a Board Member.*
- Superintendent’s Report – *Mr. Giovanni Giancaspro reported the following;*
- **Student Enrollment To-Date**
  - *McKenzie School: 473 (-2)*
  - *Faust School: 343 (+2)*
  - *Total: 816 (0)*
- **Fire Drill/Security Drills**
  - *A fire drill and security drill was completed for the month of December.*
- **Harassment, Intimidation, & Bullying December Report**
  - *2 HIB Investigations were reported for the month of December.*
- **Building Reports**
  - *McKenzie School*
- *McKenzie School’s 1<sup>st</sup> and 2<sup>nd</sup> grade classes presented their Winter Concert on December 6<sup>th</sup> to community members and family/friends.*
- *4<sup>th</sup> Grade Enrichment classes went on a field trip to the Newark Museum on December 7<sup>th</sup> and on December 8<sup>th</sup> they went to the Meadowlands Environmental Center.*

- *Each of McKenzie School's 1<sup>st</sup> grade classes are taking trips to the ER Memorial Library. Special thanks to Mrs. Errico, Mrs. Machado, Mrs. Traverso to their ongoing commitment to our students.*
- *Special Thanks to our PTA for sponsoring its annual Holiday Bazaar for the students of McKenzie and Faust School in which our students had an opportunity to shop for gifts for the Holiday season.*
- *On December 21<sup>st</sup> the PTA will be sponsoring a Winter Laser Show assembly for all students at McKenzie School.*

- ***Faust School***

- *Faculty Meeting-Faculty met with Principal & Supervisor for current educational updates and procedures.*
- *SBJC Bridge Building Competition took place in South Hackensack. Our students in our robotics club had the opportunity to compete with other schools in a bridge building competition.*
- *On December 19<sup>th</sup> Faust School will be holding its Band/Chorus Winter Concert at Becton in which our students will perform for parents, family and friends by putting everyone in the spirit of the season. Special Thanks to Mr. Jeff & Mrs. Diane Schweikardt and staff for all of their amazing work with our students.*
- *On December 21<sup>st</sup> Faust School will hold its 8<sup>th</sup> Grade ring ceremony at a special breakfast. We are six months from our 8<sup>th</sup> grade commencement. Congratulations!*
- *East Rutherford schools are having a one-session day on Friday, December 22<sup>nd</sup> and schools will be closed for Winter Break from December 25<sup>th</sup> through January 2<sup>nd</sup>. Schools will reopen on Wednesday, January 3<sup>rd</sup>.*

- ***Professional Development Day***

- ***McKenzie & Faust School***

- *January 26<sup>th</sup>*
  - *ELL Administration Presentation ~ District Staff*
  - *Genesis ~ Secretarial Staff*

- ***Student Services Monthly Report***

- *Total Special Education Enrollment: 149 (+0)*
  - *In District: 123 (+0)*
  - *Out-of-District: 26 (+0)*

**School Safety Meetings:**

*School safety meetings were held for both Faust and McKenzie schools. New HIB laws which will become effective July 1, 2018 were discussed. The need to conduct a school self-assessment was also discussed. Both schools will be conducting a school culture and climate survey for students and teachers in Spring of 2018. The need to implement a social emotional curriculum was also discussed and will be further explored in the near future.*

**Bench Mark Assessments and Pacing Guides:**

*Benchmark assessments and pacing guides were reviewed in preparation for upcoming QSAC monitoring.*

**Title I Comparative Report:**

*The Title I Comparative was completed and submitted. This Report is due January 8, 2018.*

**Title I Performance Report:**

*Title I performance Report was completed and submitted.*

**ESSA Application Amendment:**

*The ESSA application was amended and submitted to the county office for approval. The amendment is to approve the use of carryover funds from the 2016-2017 school year.*

- ***Scheduled School Renovations & Expansion Project***

- *Although the Bond Referendum did not pass, the East Rutherford School District is grateful to those who worked so hard on behalf of our students.*
- *Students, Parents, Teachers, Staff, Administration, Referendum Committee, & Committee Stakeholders. Thank you for your hard work, dedication, and commitment*
  - *We have a lot of work ahead of us.*
  - *I have informed Mr. Kramer to obtain the voter registration to identify the community members that voted during the election.*
  - *Analyze results with administrative and referendum committee.*
  - *Reflection on the Scope of the Expansion of Facilities & Renovations Plan*
  - *Reflect on Social Media Postings, Comments made at our presentations, feedback from the community.*
  - *We will be in contact with our demographer to follow-up again with new construction and pending construction projects.*
  - *Keep in mind: Without new construction & the potential for more students we are still above the projected numbers for the 2017-2018 school year.*
  - *Board of Education will determine when they will be going out to the public on another School Bond Referendum Vote.*
  - *We do know that our facilities are in desperate need of repairs and our classroom remain crowded especially in Kindergarten.*
  - *The East Rutherford School District will continue to relay the message, that our students deserve facilities that are conducive to learning, secure and embraces the 21<sup>st</sup> century learning which will afford them the opportunities that other students received in other Bergen County Districts.*

### **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: Introduced by:** Debbie Zoller **Seconded by:** Maria Caruso

**Roll Call Vote:** : Unanimous Motion Adopted

- *November 30, 2017 Public Meeting Minutes*
- *November 30, 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) Resolution Affirming the Superintendent’s Decision Relating to an Alleged Harassment, Intimidation and Bullying Incident (Report Dated October 31, 2017), Pursuant to N.J.S.A. 18A:37-15(b)(6)(e); S5) Resolution Affirming the Superintendent’s Decision Relating to an Alleged Harassment, Intimidation and Bullying Incident (Report Dated November 1, 2017), Pursuant to N.J.S.A. 18A:37-15(b)(6)(e);**

**Motions S1 through S5: Introduced by:** Debbie Zoller **Seconded by:** Jason Bulger  
**Roll Call Vote:** : Unanimous **Motions Adopted**

**S1. APPROVAL OF FIRE AND EMERGENCY DRILL REPORT**

SCHOOL	TYPE OF DRILL	DATE	TIME
Faust School	Fire Drill	12/1/17	1:30 p.m.
Faust School	Lockdown Drill	12/11/17	1:24 p.m.
McKenzie School	Fire Drill	12/1/17	1:51 p.m.
McKenzie School	Stay-Put Drill	12/13/17	2:00 p.m.

**S2. APPROVAL OF ENROLLMENT REPORT**

SCHOOL	TOTAL ENROLLMENT
Faust	343
McKenzie	473
Special Services – In District	123
Special Services – Out of District	26
Tuition Students	0
Home Instruction	2

**S3. APPROVAL OF HARASSMENT, INTIMIDATION AND BULLYING MONTHLY REPORT**

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

**S4. RESOLUTION AFFIRMING THE SUPERINTENDENT’S DECISION RELATING TO AN ALLEGED HARASSMENT, INTIMIDATION AND BULLYING INCIDENT (REPORT DATED OCTOBER 31, 2017), PURSUANT TO N.J.S.A. 18A:37-15(b)(6)(e)**

**WHEREAS**, on October 31, 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 November 30, 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 October 31, 2017 report of HIB is hereby affirmed.

**S5. RESOLUTION AFFIRMING THE SUPERINTENDENT'S DECISION RELATING TO AN ALLEGED HARASSMENT, INTIMIDATION AND BULLYING INCIDENT (REPORT DATED NOVEMBER 1, 2017), PURSUANT TO N.J.S.A. 18A:37-15(b)(6)(e)**

**WHEREAS**, on November 1, 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 November 30, 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 November 1, 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 motions: **C1) Approval of Student Services; C2) Approval of Field Trip Requests; C3) Authorization to Submit the Title I Comparability Report:**

**Motions C1 through C3: Introduced by:** Maria Caruso    **Seconded by:** Debbie Zoller

**Roll Call Vote:** : Unanimous    Motions Adopted

**C1. APPROVAL OF STUDENT SERVICES**

Motion to approve, upon the recommendation of the Superintendent in consultation with the Supervisor of Student Services, the following contracts, related services and transportation provided to Special Education 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)
C1.1	on file	\$1,000,000.00 Umbrella Policy for parent/legal guardian to transport their own child Out of District	Parent	July 2017 – June 2018	Pending county approval  \$398.00 annual policy \$20.00 per day reimbursement

**C2. APPROVAL OF FIELD TRIP REQUESTS**

No New Business

**C3. AUTHORIZATION TO SUBMIT THE TITLE I COMPARABILITY REPORT**

**WHEREAS**, the East Rutherford Board of Education is required to demonstrate Title I comparability and to conduct comparability calculations annually; and

**WHEREAS**, in accordance with the Elementary and Secondary Education Act of 1965, as amended, East Rutherford Board of Education is required to perform the calculations every year to demonstrate that each of their Title I schools is equivalent among schools in teachers, administrators, and other staff, and evaluate among schools in the provision of curricular materials and instructional supplies; and

**NOW THEREFORE BE RESOLVED**, the East Rutherford Board of Education authorizes the submission of the Title I Comparability Report.

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

**BE IT RESOLVED**, upon the recommendation of the Superintendent, the Board hereby approves motions: **P1) Leave of Absence; P2) Personnel Actions; P3) Travel Expenditures; P4) Source 4 Teachers Substitute List; P5) Acceptance of Resignation for George Gagis; P6) Resolution Awarding a Contract to Bayada Home Care, Inc. For the Provision of Substitute Nursing Services; P7) Approval to Create a Part-Time Bookkeeper/Accountant Position and Approve the Job Description for Bookkeeper/Accountant:**

**Motions P1 through P5: Introduced by: Maria Caruso    Seconded by: Debbie Zoller**

**Roll Call Vote: Unanimous    Motions Adopted**

**P1. 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
P1.1	#0221	Extended Maternity Leave	Teacher	McKenzie	1/26/18	6/30/18	N/A	1/26/18 Unpaid Leave	9/1/18

**P2. APPROVE FOLLOWING PERSONNEL ACTIONS**

Code	Name	Action	Position	Step	Stipend/ Salary	Effective Date	Discussion/ Account Code
P2.1	Michael Streifer	Acknowledgement	Clinical Affiliation	N/A	N/A	2/12/18 – 5/11/18	12 weeks Cooperating Physical Therapist Michelle Baker
P2.2	Jamie Credico	Appointment	Replacement Pre-K Teacher	MA, Step 1	\$61,527 Pro-rated	1/27/18 – 6/20/18	(Extended Maternity Leave) 11-105-100-101-000-00-982

**P3. APPROVAL OF TRAVEL EXPENDITURES**

Code	Date	Employee	Workshop/Location	Total Cost to Board	Sub
P3.1	2/28/18	Giovanni Giancaspro	Mental Health in Schools: A Hidden Crisis Lyndhurst, N.J.	\$0.00	No
P3.2	2/28/18	Sharon King-Dobson	Mental Health in Schools: A Hidden Crisis Lyndhurst, N.J.	\$0.00	No
P3.3	2/28/18	Renee Romaglia	Mental Health in Schools: A Hidden Crisis Lyndhurst, N.J.	\$0.00	No
P3.4	2/28/18	Helene Herman-Puig	2018 PARCC Mandatory District Test Coordinator Training Whippany, N.J.	\$15.69	No
P3.5	1/24/18	Giovanni Giancaspro	Bergen County Assoc. of School Security Professionals Paramus, N.J.	\$0.00	No

**P4. APPROVAL OF SOURCE 4 TEACHERS SUBSTITUTE TEACHER LIST**

Motion to approve, upon the recommendation of the Superintendent, to approve the Source 4 Teachers substitute teacher list as on file in the Superintendent’s Office for **December 2017**.

**P5. ACCEPTANCE OF RESIGNATION NOTIFICATION – G. GAGIS**

Motion to accept, with regret, the resignation notification from George Gagis, effective December 19, 2017.

**Motion P6: Introduced by:** Maria Caruso    **Seconded by:** Debbie Zoller    To Lay on the Table  
**Roll Call Vote:** : Unanimous

**P6. RESOLUTION AWARDING A CONTRACT TO BAYADA HOME HEALTH CARE, INC. FOR THE PROVISION OF SUBSTITUTE NURSING SERVICES**

**WHEREAS**, the East Rutherford Board of Education (“Board”) periodically requires the services of nurses when a school nurse is absent, and Bayada Home Health Care, Inc. (“Bayada”) has a staff of nurses who are qualified to serve as substitute school nurses; and

**WHEREAS**, Bayada’s rate for nursing services is \$54 per hour; and

**WHEREAS**, a proposed agreement between the Board and Bayada, dated December 6, 2017, and having a term through June 30, 2018, is on file in the Superintendent’s Office; and



**WHEREAS**, the anticipated total amount of this contract is not to exceed \$5,000; and

**WHEREAS**, a contract for said services may be awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 18A:18A-2(h) and 18A:18A-5(a)(i) of the Public School Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. A contract is hereby awarded to Bayada for the provision of substitute nursing services at the above referenced rate.
3. The agreement on file in the Superintendent’s Office is hereby approved, with such changes as the Superintendent and Board Counsel deem necessary to effectuate the purposes of this Resolution.
4. 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 final agreement.
5. The Board Secretary, or his designee, shall publish notice of this action as required by N.J.S.A. 18A:18A-5(a)(1).

**Motion P7: Introduced by:** Maria Caruso **Seconded by:** Debbie Zoller to amend to read as follows;  
**Roll Call Vote:** Unanimous Motion Adopted

**P7. APPROVAL TO CREATE A BOOKKEEPER/ACCOUNTANT POSITION AND APPROVE THE JOB DESCRIPTION FOR THE PART-TIME BOOKKEEPER/ACCOUNTANT**

Motion to approve, upon the recommendation of the Superintendent, a part-time Bookkeeper/Accountant position and approve the job description for the part-time Bookkeeper/Accountant.

**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) Approval of Use of District Facility:**

**Motion PF1: Introduced by:** Kathy Winston **Seconded by:** Debbie Zoller

**Roll Call Vote:** Jason Bulger Abstained Carlo Maucione Abstained Motion Adopted

**PF1. APPROVAL OF USE OF DISTRICT FACILITY**

Code	Application Number	Requested by/ Organization	Location Requested	Purpose	Open to the Public	Date of Event	Time Allotment	Discussion/ Fee to BOE
PF1.1	57	East Rutherford Recreation Department	McKenzie Gymnasium	Little League Practices	N/A	Wednesday & Fridays 1/17-3/30/18	6:30-9:00 p.m.	Special Police Officer paid for by Borough of ER

*Board Policy #7510 facilities available 6:30 – 9:00pm.*

**AD-HOC COMMITTEE** (*Chairperson; Richard Vartan, Debbie Zoller, Maria Caruso*)

**BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approve motion:**

**No New Business**

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

**BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves motion: CR1) Second Reading – Bylaws, Policies and Regulations:**

**Motion CR1: Introduced by:** Jason Bulger **Seconded by:** Maria Caruso

**Roll Call Vote:** Jason Bulger abstained Carlo Maucione abstained Kathy Winston naye Motion Adopted

**CR1. 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 & Regulation #7510 – Use of School Facilities (Revised)

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

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

**No New Business**

**NEGOTIATIONS COMMITTEE**

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

*Mr. Bulger stated that the next I.O.U.E. meeting will be scheduled very soon.*

*Mr. Alvarez stated that the E.R.E.A has recently received information from the board that they have requested.*

**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) Acceptance of Monthly Financial Reports; F3) Approval of Transfers; F4) Approval of Prudent Use of Legal Services; F5) Approval of Tax Shelter Annuity Companies and Brokers:**

**Motions F1 through F5: Introduced by:** Debbie Zoller    **Seconded by:** Jason Bulger

**Roll Call Vote:** Unanimous    Motions Adopted

**F1. APPROVAL OF BILL LISTS**

**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 **November 29, 2017 – December 20, 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 **\$328,450.50**; 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 June and July bills if it is determined that a need arises prior to the next board meeting in accordance with Board Policy #6470 – Payment of Claims.

<b>General Account</b>	<b>\$282,887.45</b>
<b>Food Service Account</b>	<b>\$44,679.55</b>
<b>Special Activity Account</b>	<b>\$883.50</b>
<b>TOTAL</b>	<b>\$328,450.50</b>

**F2. 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 **October 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 **October 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.

**F3. 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 **August & September** within the 2017-2018 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

**F4. APPROVAL OF PRUDENT USE OF LEGAL SERVICES**

**WHEREAS**, all contracts for legal services must comply with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1 as follows:

- A. Advance payments for legal services are prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for billing period; and
- D. Payment shall only be for services actually provided.

**WHEREAS**, if at any time the district's legal costs exceed 130 percent of the Statewide average per student amount, the procedures set forth in N.J.A.C. 8A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

**WHEREAS**, the district's legal costs has exceeded the 130 percent of the statewide average of \$42 per student amount by spending \$56 per student, \$14 per student above the statewide average and therefore, the following procedures set forth in N.J.A.C. 8A:23A-5.2(a)3 will be implemented:

- A. Limit and designate the persons with the authority to request services or advice from contracted legal counsel;
- B. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies;
- C. Requests for legal advice shall be made in writing; and
- D. Contract logs and records shall be kept and reviewed to determine that the requests for legal advice are necessary.

**NOW, THEREFORE, BE IT RESOLVED** by the East Rutherford Board of Education to approve the Prudent Use of Legal Services as set forth above.

**F5. APPROVAL OF TAX SHELTER ANNUITY COMPANIES AND BROKERS**

**BE IT RESOLVED**, that the Board of Education of the East Rutherford School District adds an additional Tax Shelter Annuity Company to the approved list of companies bring the total of companies to five which is the maximum allowed per Policy #6520 – Payroll Deductions:

- NEA Retirement Program through Security Benefit

**BE IT FURTHER RESOLVED**, that the Board of Education of the East Rutherford School District restricts any other Tax Shelter Annuity Companies from entering the District without this board's consent and board action.

**NEW BUSINESS**

None

**OLD BUSINESS**

None

**OPEN TO THE PUBLIC**

**President Vartan Opens the Hearing of Citizens:**

Opening this portion of the meeting to public comments on school related issues. State your name and address for the record. Each person wishing to speak will have three (3) minutes each to do so.

*The following Members of the public had questions on the referendum;*

- Orval Drummon – Concerns about referendum defeat and class sizes.
- Mike Homaychak – Thanked Kathy Winston for her service, discussed referendum issues.
- Jerry Winston – Stated the following “it will be a loss not having Kathy Winston as a Board Member”.
- Larry Bongiovanni – Thanked Kathy Winston for her service.

**President Vartan Closes the Hearing of Citizens:**

**Motion: Introduced by:** Maria Caruso    **Seconded by:** Jason Bulger  
**Time:** 6:44 p.m.

**ADJOURN TO EXECUTIVE SESSION (IF NECESSARY)**

**WHEREAS**, the Open Public Meetings Act and the East Rutherford Board of Education policy reserves 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 to discuss matters pertaining to H.I.B. and contractual matter regarding to Bayada Home Health Care, attorney client privileged. Formal action will be taken

**BE IT RESOLVED**, that the East Rutherford Board of Education recess into Executive Session

**BE IT FURTHER RESOLVED**, that the Public will be informed

1. when the Board reconvenes to the regular business portion of the meeting this evening  
OR
2. at a later date undetermined at this time Motion to pass the board's standard resolution for the board to enter into executive session.

**Motion: Introduced by:** Daniel Alvarez    **Seconded by:** Jason Bulger  
**Time:** 7:00 p.m.

**MOTION TO ADJOURN THE EXECUTIVE SESSION AND RETURN TO THE REGULAR ORDER OF BUSINESS**

**Motion P6: Introduced by:** Maria Caruso    **Seconded by:** Daniel Alvarez  
**Roll Call Vote:** : Unanimous

**P6. RESOLUTION AWARDING A CONTRACT TO BAYADA HOME HEALTH CARE, INC. FOR THE PROVISION OF SUBSTITUTE NURSING SERVICES**

**WHEREAS**, the East Rutherford Board of Education ("Board") periodically requires the services of nurses when a school nurse is absent, and Bayada Home Health Care, Inc. ("Bayada") has a staff of nurses who are qualified to serve as substitute school nurses; and

**WHEREAS**, Bayada's rate for nursing services is \$54 per hour; and

**WHEREAS**, a proposed agreement between the Board and Bayada, dated December 6, 2017, and having a term through June 30, 2018, is on file in the Superintendent's Office; and

**WHEREAS**, the anticipated total amount of this contract is not to exceed \$5,000; and

**WHEREAS**, a contract for said services may be awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 18A:18A-2(h) and 18A:18A-5(a)(i) of the Public School Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. A contract is hereby awarded to Bayada for the provision of substitute nursing services at the above referenced rate.
3. The agreement on file in the Superintendent's Office is hereby approved, with such changes as the Superintendent and Board Counsel deem necessary to effectuate the purposes of this Resolution.
4. 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 final agreement.
5. The Board Secretary, or his designee, shall publish notice of this action as required by N.J.S.A. 18A:18A-5(a)(1).

**Motion: Introduced by:** Debbie Zoller    **Seconded by:** Maria Caruso

**Time:** 7:02 p.m.

**ADJOURNMENT**

RESOLVED, that the East Rutherford Board of Education adjourns its Public Meeting of December 21, 2017.

*MINUTES ARE NOT VERBATIM*; The foregoing minutes were prepared by the Board Secretary, Mr. Mark Kramer/lb.

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Mark Kramer, S.B.A

**NEXT MEETING:  
Public Meeting  
A.S. Faust School Gymnasium  
January 04, 2018  
Organization Meeting  
6:00 P.M.**