

APPROVED  
Bd. Mtg. 2-18-16

BOARD OF EDUCATION  
(Official)

January 7, 2016  
Elizabeth, New Jersey

Prior to the scheduled reorganization meeting of the Elizabeth Board of Education at 7:30 p.m. held at Juan Pablo Duarte-José Julián Martí School No. 28, 25 First Street, Elizabeth, New Jersey, Board member Jose Rodriguez welcomed everyone.

Colors were presented during the Flag Ceremony by members of the Admiral William F. Halsey, Jr. Health & Public Safety Academy Marine Corps Junior R.O.T.C. followed by the Pledge of Allegiance led by Martin Aziz, Bruna De Souza, and Juan Romero, eighth grade students at Juan Pablo Duarte-José Julián Martí School No. 28.

The *Star Spangled Banner* by Francis Scott Key was played.

The Pledge of Ethics was led by Martin Aziz, Bruna De Souza, and Juan Romero, eighth grade students at Juan Pablo Duarte-José Julián Martí School No. 28.

Mr. Rodriguez introduced kindergarten students from Juan Pablo Duarte-José Julián Martí School No. 28 who performed a dance routine to *Mambo No. 5* by Damaso Perez Prado. Mr. Rodriguez thanked the students for a wonderful performance.

Mrs. Amin introduced third, fourth, and fifth grade students from Juan Pablo Duarte-José Julián Martí School No. 28 who performed a dance routine to *Patacon Pisao* by Johnny Ventura. Mrs. Amin thanked them for a wonderful performance.

Mrs. Amin introduced students in the Juan Pablo Duarte-José Julián Martí School No. 28 Chorus who performed *Let There Be Peace* by Andy Beck. Mrs. Amin thanked them for a wonderful performance.

Board members elect Charlene Bathelus, Stephanie Goncalves, and Daniel Nina took the oath of office administered by Senator Raymond Lesniak.

School Business Administrator/Board Secretary Harold E. Kennedy, Jr. presented a Certificate of Election to newly sworn in Board members Charlene Bathelus, Stephanie Goncalves, and Daniel Nina.

The members of the Board of Education met for the purpose of reorganization on Thursday, January 7, 2016 at Juan Pablo Duarte-José Julián Martí School No. 28, 25 First Street, Elizabeth, New Jersey.

School Business Administrator/Board Secretary Harold E. Kennedy, Jr. presented the following statement at 7:45 p.m.

“Ladies and Gentlemen, good evening. This is the annual reorganization meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to Worrall Community Newspapers, The Star Ledger, and Cablevision of Elizabeth on December 23, 2015. In addition, this notice is posted on the bulletin board in the lobby of the Mitchell

Building, 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth.

There will be a public portion for citizens to address the Board. Participants for the public portion must sign in prior to the commencement of public participation so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Mrs. Amin, Ms. Bathelus, Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo – 9

Absent: None

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Schools Rafael Cortes, Assistant Superintendent for Schools Linda Seniszyn, Interim Assistant Superintendent for Teaching and Learning Jennifer Ceden, Comptroller William Greene, and members of the public were in attendance.

Mr. Kennedy stated that tonight the Board is meeting for the purpose of reorganization. Mr. Kennedy stated that the Education Act requires that at the organization meeting the Board shall elect from its members a President and a Vice President who shall serve for terms of one year. Nominations will be made from among the membership of the Board present. Elections shall be by the majority of the vote present and voting which means this is the majority of the quorum. When nominations are made they do not require a second, however, in order to close nominations there must be a motion to second and then a vote to close nominations for the office of President or Vice President.

Mr. Kennedy called for nominations for Board President.

Mr. Neron nominated Ms. Bathelus for President.

A motion was made by Mr. Rodriguez, seconded by Ms. Goncalves, that nominations be closed.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo – 8

Abstain: Mrs. Amin – 1

Negative: None

The following vote was taken on the election of President.

Affirmative: Ms. Bathelus, Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo – 7

Abstain: Mrs. Amin, Mr. Perreira – 2

Negative: None

Ms. Bathelus having received the required number of votes was declared President.

Ms. Bathelus gave honor to God for this wonderful opportunity and thanked her family, all elected officials, her beloved sorority, her alma mater Kean University, all her extended family and friends who have mentored her and given her support. Ms. Bathelus thanked her colleagues for their confidence in her to lead our district, administrators, teachers, staff, students, and families to provide the best educational experience for our children. Ms. Bathelus welcomed new Board members, Stephanie Goncalves and Daniel Nina and all of the current Board members. Ms. Bathelus stated that moving forward she plans to make the Elizabeth Board of Education one team with one dream by collaborating, coming to common ground, and making mutual agreements with the best interests of our entire district in mind. Ms. Bathelus stated that she has a message for our children who are afraid to dream big. Ms. Bathelus stated that, as you can see, one day you, too, can be the president of the largest urban school

district in New Jersey or any position that you want in life as long as you believe in yourself. Ms. Bathelus quoted Audrey Hepburn, "Nothing is impossible, the word itself says, 'I'm possible'!"

Ms. Bathelus stated that like many of you she was born and raised in Elizabeth and is a proud graduate of the Elizabeth Public Schools. Ms. Bathelus stated that she is a community advocate, mentor, educator, and a leader. Ms. Bathelus stated that she has worked tirelessly with church youth groups, troubled teens, and college students for the past several years. Ms. Bathelus stated that growing up her parents always reminded her of their culture's motto and stated that Haiti's motto is *L'Union Fait La Force*, is used to signify strength in uniting for the common good of all people. Ms. Bathelus stated that as a proud Haitian woman that is what she wants to do for all mankind, to unite. Ms. Bathelus stated that her desire is to see children succeed. Ms. Bathelus stated that she was re-elected to continue to represent all of the children and families in the City of Elizabeth. Ms. Bathelus stated that she accepts her responsibility to spark change, to be a model, respectful leader all while serving with passion and sensitivity to all. Ms. Bathelus stated that working in a district of this magnitude is no easy task. Ms. Bathelus stated that her priority will not be to make empty promises or set unachievable or unrealistic goals. Ms. Bathelus stated she will create diversity as shown through all ethnicities being represented in our district. Ms. Bathelus stated that our students here in Elizabeth are made up of Hispanic, Black, White, Asians, and others. Ms. Bathelus stated that in order to achieve high levels of student pride, confidence, and success our students need to see themselves represented in all facets of our district whether it is administrators, custodians, security guards, teachers, and others. Ms. Bathelus stated that as the President she will work endlessly with great pride and integrity day and night to fulfill all of her responsibilities and obligations as your Board President. Ms. Bathelus stated that she stands for equality for all children especially special needs. Ms. Bathelus stated that let's not forget the high rates of autism and multiple disabilities affecting our children and families right here in Elizabeth. Ms. Bathelus stated that under her leadership she wants parents and teachers to feel comfortable enough to address any concerns or recommendations directly to her. Ms. Bathelus stated that she will hold all administrators, directors, teachers, and all staff accountable to their respective job requirements. Ms. Bathelus stated that she will continue to work with the school district administration to ensure that every child has an opportunity to succeed and given the same advantages regardless of the school that they attend. Ms. Bathelus stated that she will ensure that resources will be available throughout the district so that learning is a constant in every classroom. Ms. Bathelus stated that under her direction, rest assured, we as a Board will strive for a fair and better tomorrow for all of our children. Ms. Bathelus stated that she is looking forward to making this year a rewarding and outstanding year like no other in recent history. Ms. Bathelus stated that she is thinking of this year as a 20 sweet 16 working hand in hand as she serves as your Board President.

Ms. Bathelus called for nominations for Vice President.

Mr. Rodriguez nominated Mrs. Carvalho for Vice President.

A motion was made by Mr. Neron, seconded by Mr. Rodriguez, that nominations be closed.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo,  
Ms. Bathelus – 8

Abstain: Mrs. Amin – 1

Negative: None

The following vote was taken on the election of Vice President.

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez,  
Trujillo, Ms. Bathelus – 9

Negative: None

Mrs. Carvalho having received the required number of votes was declared Vice President.

Mrs. Carvalho stated that a year ago in the presence of her family and friends she was sworn in to the Board of Education. Mrs. Carvalho stated that this last year she visited schools, attended soccer games, basketball games, swim meets, National Honor Society, Junior Honor Society, graduation ceremonies, sat in classrooms, read stories to children, met parents and sat in their dining rooms until endless hours of the night, and worked very closely with many of the teachers, staff, and principals in our district. Mrs. Carvalho stated that she did her best to be there for the children of our district as hard as it has been to work this past year. Mrs. Carvalho thanked the Superintendent, assistant superintendents, principals, teachers, and many team members for going above and beyond to make her feel welcomed in a very difficult situation. Mrs. Carvalho stated that in her speech last year she said there is a difference between fear and respect and that she also stated that she chose to earn your respect by showing you her dedication and service. Mrs. Carvalho stated that she hopes she has done that this year. Mrs. Carvalho stated that she continues to tell you that it is her conviction to have our children come first and that is why she is here. Mrs. Carvalho thanked everyone for believing in her and entrusting her with the privilege as serving as the Vice President for this year.

Ms. Bathelus thanked Mrs. Carvalho for her comments. Ms. Bathelus stated that there will be a few changes. Ms. Bathelus stated that one of the changes is that we are allowing you to sign up for public speaking until the time public speaking begins.

Ms. Bathelus recognized Senator Raymond Lesniak, Mayor J. Christian Bollwage, Assemblywoman Annette Quijano, Assemblyman Jamel Holley, Union County Freeholders Sergio Granados and Mohammad Jalloh, Elizabeth Council President Nelson Gonzalez, Elizabeth Councilmembers Patricia Perkins-Auguste, Manny Grova, Carlos Torres, and Kevin Kiniery, former Board member and former Freeholder Daniel Sullivan, former Board members Rafael Fajardo, Carole Cascio, and Oneida Duran, Rahway Mayor Samson Steinman, Union Board of Education member Steven Lee, Roselle Councilman Yves Aubourg, and Elizabeth Councilman-at-Large Frank Cuesta who were all in attendance.

Ms. Bathelus asked the new Board members to speak.

Mr. Nina stated that he is humbled and honored to have been elected Board member for the Elizabeth Board of Education. Mr. Nina stated that it is a double honor since this building carries the name of Juan Pablo Duarte who is one of the founding fathers of the Dominican Republic where his parents were born. Mr. Nina congratulated his running mates Charlene Bathelus and Stephanie Goncalves and stated that together they started this great effort and through dedication and hard work as a team they were able to win all three seats. Mr. Nina stated that this team walked, knocked on doors, and listened to the community who shared their concerns and challenges with them and the community has spoken. Mr. Nina thanked them for the vote of confidence and for giving him the opportunity to represent them and work for the future of our Elizabeth children. Mr. Nina thanked God and his family and friends for their continuous support. Mr. Nina stated that with heartfelt appreciation he thanked our City officials and County dignitaries including Senator Lesniak, Mayor Bollwage, Councilmembers Frank Cuesta, Manny Grova, Patricia Perkins-Auguste, Carlos Torres, Nelson Gonzalez, Kevin Kiniery, and William Gallman. Mr. Nina stated that without their unwavering support, advice, and guidance this victory would not have been possible. Mr. Nina acknowledged Assemblywoman Annette Quijano, Assemblyman Jamel Holley, Freeholders Sergio Granados, Mohammad Jalloh, the other members of the Union County Freeholders, and our team general manager Honorable Judge John Malone. Mr. Nina stated that he is very fortunate to be surrounded by an exceptional group of friends old and new and thanked his manager, treasurer, and volunteers who never lost faith in him. Mr. Nina stated that as an elected Board member there is much work to be done and his pledge is to work with the entire Board and our Superintendent, to represent all students, support the parents, educators and staff of the Elizabeth school district. Mr. Nina stated that he is here for you and will be your voice.

Miss Goncalves thanked each and every person for being here and taking the time to come tonight. Miss Goncalves thanked the voters of the City of Elizabeth for electing her to this position and also all the residents who helped support her throughout her journey. Miss Goncalves stated that she is here to work for the betterment of our children and that they will always come first. Miss Goncalves stated that she wants to make sure that there is open communication between our parents, our staff, and our Board of Education. Miss Goncalves stated that her goal is that they work together to better our school system and it will ultimately benefit our children. Miss Goncalves stated that she is open to suggestions and to make sure that we move in a positive direction and a direction where our children are the only focus. Miss Goncalves stated that she hopes we can all put aside our differences for the betterment of our students and our school district. Miss Goncalves stated that to our employees please know that you are valued and you do not need to be constantly worried or intimidated with your employment. Miss Goncalves stated that as long as you are here to work and give 100% to create a better school system and a better Elizabeth then we are here to support you 110%. Miss Goncalves stated that throughout her campaign many parents and employees spoke to her about intimidation in the school system. Miss Goncalves stated that she wants them to know that today is a brand new day here at the Board of Education in Elizabeth and that practice has come to an end starting today. Miss Goncalves stated that she has a strong passion for programs for kids with special needs. Miss Goncalves stated that this is one area that we need to work harder and focus our attention on. Miss Goncalves stated that we have a growing population of these kids here in our district and we need to make sure that we have the best services in place to support them. Miss Goncalves stated that she will strive for all of our schools in our district to be Number One Blue Ribbon Schools not just a few. Miss Goncalves thanked her family, friends, and supporters who have been by her side throughout this journey of helping our school system. Miss Goncalves stated this is the same school system that she attended and graduated from a few years ago. Miss Goncalves stated that she walked these halls as a student and now will walk them as a Board member. Miss Goncalves stated that there is room for improvement and she wants all of us to keep striving for our schools to be even better.

Ms. Bathelus asked if any Board members would like to make brief comments.

Mr. Trujillo thanked the staff of this wonderful school and stated that there are a lot of good things happening here. Mr. Trujillo stated that the administrators here are working diligently and really turned this school around. Mr. Trujillo stated that he remembers visiting this school as they were building it and it is great to finally see the magic is actually coming to School No. 28 and we are very proud of that. Mr. Trujillo congratulated Miss Goncalves and Mr. Nina and stated that he looks forward to working with them throughout the rest of the year and hopefully we can continue the progress.

Mr. Rodriguez quoted Nelson Mandela, "Education is the most powerful weapon which you can use to change the world." Mr. Rodriguez stated that tonight after twenty long years and since this Board of Education has become an elected body we have been able to win back the soul of our education system and the future of a great City. Mr. Rodriguez stated that like many of his colleagues have said he would be remiss if he didn't thank the thousands and thousands of countless people who have helped us along the way. Mr. Rodriguez stated that thank you is only two simple words but it is a deep feeling of thank you. Mr. Rodriguez stated that we know the people have spoken now the second year in a row and have entrusted us with their children's future, they have entrusted us with the future of Elizabeth, and they have entrusted us to always do what is right no matter the consequence. Mr. Rodriguez stated that it is also said that an eye for an eye will make this world blind so we want to make sure that we begin to mend fences and truly, finally let there be peace. Mr. Rodriguez stated that we must deliver an excellent education to over 27,000 students and we have no time to waste on retribution. Mr. Rodriguez stated that when he started this journey along with Mr. Neron and Ms. Bathelus over six years ago people laughed at him, laughed in his face and told him that he had no chance and no chance of changing anything and no chance of doing anything. Mr. Rodriguez stated that they still wished him luck with a pat on the back.

Mr. Rodriguez stated that he remembers that very vividly and he will always remember that. Mr. Rodriguez stated that this year they will be told that they are puppets, that they will fire everyone, and that they will ruin the education system and that it is nothing that they haven't heard before. Mr. Rodriguez stated that it is only going to make them stronger and motivate them to prove their critics wrong. Mr. Rodriguez stated that they will stay true to what they have always represented, accountability, the end to wasteful spending, and the end of corruption. Mr. Rodriguez stated that they have asked you to come with them on their journey and tonight is not the finish line and it is not even close. Mr. Rodriguez stated that it is a new beginning and we ask you to continue to support our schools and our children. Mr. Rodriguez stated that he knows we can do better, he knows that they will make a difference and he knows that you will help them.

#### Resolution – Termination of Employment of Supervising General Counsel/Board Attorney

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez,

Ms. Bathelus – 6

Negative: Mrs. Amin, Messrs. Perreira, Trujillo – 3

#### Resolution – Appointment of Co-General Counsel

A motion was made by Mr. Neron, seconded by Mrs. Carvalho, that the resolution be adopted.

Mr. Rodriguez stated that to let the public know the reason they are appointing Co-General Counsel, two different law firms, is that these two law firms have expertise in many different fields. Mr. Rodriguez stated that the school system has become a complicated system in the legal field and has to deal with personnel, privacy issues, contracts, and so on. Mr. Rodriguez stated that by appointing two Co-General Counsel it does not mean that we will be paying two different salaries. Mr. Rodriguez stated that these two different Co-General Counsels will only be paid when we ask them for their opinion or to be working on something unlike in the past when we had employees that we paid a salary and benefits. Mr. Rodriguez stated that we need to make sure that the public understands that and we are not hiring two different people to be up here at the same time. Mr. Rodriguez stated that in the past couple of years we have seen two or three lawyers at times up here. Mr. Rodriguez stated that they are very aware of the fiscal responsibility that needs to be had in this district.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez,

Ms. Bathelus – 6

Negative: Mrs. Amin, Messrs. Perreira, Trujillo – 3

Ms. Bathelus asked Mr. Jonathan Williams to take the stage as our new General Counsel.

#### Resolution – Introduction of Amendments to Rules of Governance for First Reading

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

Mr. Perreira asked what the changes are to the current.

Ms. Bathelus stated that there is another packet that came with the changes.

Mr. Perreira stated that the change for Bylaw 9120 states that they are removing the clause “unless the person holding that office is tenured” from the final sentence of the Bylaw and asked what the intent is of that change.

Co-General Counsel Jonathan Williams stated that the intent is to comply with existing state law as opposed to the language that exists in the current Elizabeth Board of Education bylaws. Mr. Williams stated that all of these changes are for the purpose of bringing the bylaws that have evolved over the years into compliance with School Board Association and New Jersey state law. Mr. Williams stated that when you have had a chance to look through them, and this is only a first reading and they will be on the agenda for the next Board of Education meeting, there will be a much more in-depth discussion and we'll be able to answer all your questions after you have had a chance to study them.

Ms. Bathelus stated that she will be appointing an ad hoc committee to review all of the bylaws and report back to the Board on whether we should keep them or change them. Ms. Bathelus stated that will be presented at the next Board meeting.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez,  
Ms. Bathelus – 6  
Abstain: Mr. Trujillo – 1  
Negative: Mrs. Amin, Mr. Perreira – 2

Mr. Perreira stated that he was voting no until he can read them.

Board President Bathelus presented the following public participation statement.

“At this time, the microphones are open for public comment to those who have signed in. I shall call individuals to the microphones based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to sixty minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participants shall apply: time limits will be strictly enforced, no personal attacks on individuals, no vulgar or indecent language, a person may address the Board no more than once during a single meeting, speakers should refrain from naming individuals, and comments or questions posed during public participation will not be debated. As a reminder, this is a meeting of the Board in public, not a meeting of the public.”

Ms. Bathelus called upon the first public participant, Maria Lorenz, to address the Board.

Maria Lorenz, 103 Murray Street, spoke about Special Education Parent Advisory Committee.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Patricia Gallante, to address the Board.

Patricia Gallante, 750 Grier Avenue, spoke about the election and independent thinking.

Ms. Bathelus thanked her for her comments and called upon the next public participant, James Carey, to address the Board.

James Carey, 212 Inslee Place, congratulated the new Board members.

Ms. Bathelus thanked him for his comments and called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira, 805 Gebhardt Avenue, stated that she is a member of Elizabeth Parents and Students Care Advocacy Group and spoke about the lack of a policy for children who refuse to take standardized tests.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Susette Negron, to address the Board.

Susette Negron, 130 Franklin Street, spoke about a problem with her son.

Ms. Bathelus thanked her for her comments and requested Susette Negron speak with Assistant Superintendent Linda Seniszyn.

Since there were no other citizens signed in to address the Board, Ms. Bathelus declared this portion of the public meeting closed.

Ms. Bathelus stated that she is deferring the appointment of standing committees and designation of representatives and will give the information at the following Board meeting.

#### Resolution – Official Results of the School Board Election

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

Mr. Rodriguez stated that we congratulated the two Board members at the December meeting that finished their term and he wanted to thank them again for their service and their tireless endless hours even though they were technically on the opposing side. Mr. Rodriguez stated that he does respect their work and what they have done for the district and thanked them for their tireless service to this district.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

#### Resolution – Directing Prior Special Counsel to Deliver Board of Education Files to Board Law Department

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 7

Negative: Mrs. Amin, Mr. Trujillo – 2

#### Resolution – Designation of Official Media Services

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None



Resolution – Designation of Depositories for School Funds

A motion was made by Mr. Neron, seconded by Mr. Rodriguez, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Mr. Rodriguez excused himself from the meeting at 8:40 p.m.

Resolution – Appointment of Special Counsel

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

Mr. Trujillo stated that this shows that we are hiring 12 different law firms and/or attorneys and the hourly rate is \$155. Mr. Trujillo asked Mr. Williams if that is all they can charge us or will there be additional fees that they can charge the district.

Mr. Williams stated that is a blended hourly rate and that is all they can charge for legal services rendered by an attorney to the Board.

Mr. Trujillo asked if that includes costs in relation to any paralegal services.

Mr. Williams stated that paralegal services, if rendered or required, will be at a greatly reduced rate far below \$155.

Mr. Trujillo asked if we know what that rate is.

Mr. Williams stated that will be on an individual professional services contract all of which will come back before the Board for subsequent approval.

Mr. Trujillo asked, so that he is clear, if Mr. Williams intends to go back to all of these law firms and enter into a contract which he will bring back to this Board for review.

Mr. Williams responded that is correct and it is required by law.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Ms. Bathelus – 5

Negative: Mrs. Amin, Messrs. Perreira, Trujillo – 3

Mr. Rodriguez returned to the meeting at 8:46 p.m.

Resolution – Appointment of Insurance Consultant

A motion was made by Mr. Neron, seconded by Mr. Nina, that the resolution be adopted.

Mr. Trujillo stated that it says it is an amount not to exceed \$42,000. Mr. Trujillo asked if this appointment is exempt from an RFP.

Mr. Williams responded yes it is.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 7

Negative: Mrs. Amin, Mr. Trujillo – 2

#### Resolution – Appointment of Auditor and Forensic Auditor

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

Mr. Trujillo stated that they just received this today so please bear with him. Mr. Trujillo stated that this resolution is to appoint 2 separate auditors, one is at a rate of \$125,000. plus reimbursements and asked what would reimbursements include and is there a contract.

Mr. Williams stated that there will be a contract for auditor services to provide the annual audit required by the State of New Jersey and that contract will come back before you for review and final approval. Mr. Williams stated that the fee that is being charged in that contract is less than has been previously charged for the annual audit.

Mr. Trujillo asked what the reason is for two.

Mr. Williams stated that the annual audit is required by the State of New Jersey and comes back before you for review and final approval. Mr. Williams stated that the second is something that these Board members felt was necessary in order to examine past practices.

Mr. Rodriguez stated that he wants the public to know that we are appointing two auditors. Mr. Rodriguez stated that one is a normal auditor at a cheaper rate than our previous auditor. Mr. Rodriguez stated that we feel, and he always felt personally, that there is a lot of wasteful spending over the years and this forensic auditor will hopefully be able to come in and take a look at where we can save money, money that we desperately need. Mr. Rodriguez stated that it doesn't matter how much money we can raise and we all know that as Board members it doesn't matter how much money we can raise with the tax levy or not. Mr. Rodriguez stated that every school district is starving for funds. Mr. Rodriguez stated that over the years, and he doesn't want to get into political grandstanding, but over the years the spending could have been smarter. Mr. Rodriguez stated that this forensic auditor will come back and make a report to the Board with everyone included and give recommendations on how we can save not just nickels and dimes but massive amounts of money. Mr. Rodriguez stated that as we know we have negotiations coming up still and the contracts haven't been settled. Mr. Rodriguez stated that we are in a little bit of a financial crisis and let's call it what it is. Mr. Rodriguez stated that we need to make sure that we can squeeze every single penny and nickel out of every single spot to make sure that all that money goes to what we all say the classrooms and to our students.

Mr. Williams stated that for further clarification between the two and because it is important for everyone to understand what is trying to be achieved here the regular annual audit required by law will be focusing on budgetary issues and last year's expenditures. Mr. Williams stated that the forensic audit is much different and will look back as far back as five years into practices and different aspects of the Board's operation over a much longer period of time. Mr. Williams stated that they will report back as to the spending practices, the contracting practices, and the procurement practices that the Board has followed over that five year period with the goal in mind of identifying areas where there were excessive expenditures or areas that we can either recoup, recapture, or reduce costs going forward.

Mr. Trujillo stated that Mr. Williams mentioned that the \$125,000. is a cost savings to the district which is welcome by everyone. Mr. Trujillo stated that it does say plus reimbursable expenses and that can actually leave it open to actually exceeding costs and asked if we are going to put a hard cap on this to

make sure that we are saving money. Mr. Trujillo stated that it leaves a door open to exceed the amount that we spent in the past.

Mr. Williams stated that it is a great question and his understanding from having looked at the expenditures for your auditor from last year is that they had a base price, much as we are identifying here.

Mr. Trujillo stated that it isn't unusual to do that and he understands that.

Mr. Williams responded that the base price is lower than last year and the reimbursables will be less than the reimbursable formulas that were used last year that resulted in expenditures in excess of a couple hundred thousand dollars. Mr. Williams stated that we want to reduce costs across the board and he is sure that Mr. Trujillo's participation in that would be welcome when we have the contract come back before the Board.

Mr. Trujillo requested a copy of the previous expenditures going back five years to the Mendonca firm so he can keep track of what the actual expense was and he can see what we are charging going forward so he can see what we are saving.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

#### Resolution – Appointment of Chief Medical Inspector

A motion was made by Mr. Neron, seconded by Mr. Rodriguez, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 7

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

#### Resolution – Appointment of Medical Inspectors

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 7

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

#### Resolution – Appointment of Treasurer of School Moneys

A motion was made by Mr. Neron, seconded by Mr. Nina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 7

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Union County Educational Services Commission Representative

A motion was made by Mr. Nina, seconded by Mr. Neron, that Mr. Rodriguez represent the Board on the Union County Educational Services Commission.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Resolution – Schedule of Board Meetings

A motion was made by Mr. Neron, seconded by Miss Goncalves, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 8

Abstain: Mr. Trujillo – 1

Negative: None

Ms. Bathelus asked if there was any new business to discuss.

Mr. Neron presented a resolution to the Elizabeth Board of Education abolishing the position of Assistant Board Secretary.

Resolution – Abolishing the Position of Assistant Board Secretary

Mr. Neron read the resolution.

A motion was made by Mr. Neron, seconded by Mr. Nina, that the resolution be adopted.

Mr. Trujillo asked by abolishing the position is it fair to assume that the person who currently holds the position no longer has a position to hold. Mr. Trujillo stated that the person currently has a contract and asked if this resolution affects that contract in any way.

Mr. Williams stated that it terminates it immediately.

Mr. Trujillo asked by terminating this contract immediately does the person continue to get paid.

Mr. Williams responded no.

Mr. Trujillo stated that we are going to eliminate a position for a person who is under contract who may or may not sue this Board for the remainder of their salary to June causing us to spend more money on attorneys. Mr. Trujillo stated that just so we are on the record that is the same thing that we all just said we weren't going to do. Mr. Trujillo stated that he is not naive and knows what is going on here. Mr. Trujillo stated that it is in the record.

Mr. Williams stated that as Mr. Trujillo said there may or may not be litigation arising out of a termination of a contract like this. Mr. Williams stated that the Board members should know before they cast a vote on this that the courts are quite clear on this. Mr. Williams stated that an elimination of a position when deemed to be unnecessary does terminate employment contracts without further liability to the Board. Mr. Williams stated that we certainly cannot predict with any degree of knowledge to what this person will do but he can assure you that the courts have already indicated that this is an appropriate action on the part of the Board when it has been deemed that the position is no longer necessary for the operation of the district.

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Ms. Bathelus – 5

Abstain: Mrs. Carvalho – 1

Negative: Mrs. Amin, Messrs. Perreira, Trujillo – 3

Superintendent of Schools Olga Hugelmeyer presented a resolution for the appointment of Acting Assistant Superintendent for Human Resources.

Resolution – Appointment of Acting Assistant Superintendent for Human Resources – Francisco Cuesta  
Mrs. Hugelmeyer read the resolution.

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the resolution be adopted.

Mr. Trujillo stated that he would like to see a copy of the resolution. Mr. Trujillo stated that he is very concerned on how we got here to reward Councilman Cuesta with a position of \$167,000. Mr. Trujillo asked the Superintendent how she came to this conclusion. Mr. Trujillo asked the Superintendent if she interviewed other candidates and did she consider other candidates within the district.

Mrs. Hugelmeyer stated that she would like to provide some historical context that is important. Mrs. Hugelmeyer stated that the Elizabeth Board of Education had historically operated with four assistant superintendents. Mrs. Hugelmeyer stated that approximately four years ago the Board reduced it to three as a result of budgetary implications. Mrs. Hugelmeyer stated that the impact of this reduction resulted in the assistant superintendents that we currently have taking on the supervision of twelve schools in addition to additional duties as well as responsibility for additional departments. Mrs. Hugelmeyer stated that as superintendent she has also taken on all instructional departments to ensure that the focus was on the needs of schools and our students. Mrs. Hugelmeyer stated that as we plan ahead for the 2016-2017 school year additional schools are projected to come on line. Mrs. Hugelmeyer stated that what this will do is result in the proper oversight of all thirty-seven schools. Mrs. Hugelmeyer stated that we currently have thirty-five schools for which we provide oversight and will be expanding by two additional schools. Mrs. Hugelmeyer stated that the proposed position will allow each of our current assistant superintendents to manage fewer schools and this also provides a personalized approach to needs of each individual school. Mrs. Hugelmeyer stated that the department responsibilities that currently are under the assistant superintendents will be shifted as well. Mrs. Hugelmeyer stated that overall it will ensure that it helps for us to be able to move forward to improve the outcomes for all of our students and for all of our schools.

Mr. Trujillo stated that he wants to enter this into the record. Mr. Trujillo stated that the Superintendent made clear to him that prior to her coming to this that she had meetings to set this agenda and she had met several times on several occasions with Mr. Williams and Judge Malone and these things were discussed. Mr. Trujillo asked the Superintendent if that was correct.

Mrs. Hugelmeyer responded that her meetings with Mr. Williams and Judge Malone related to the importance of establishing a transition ensuring that after tonight we would be able to operate in a very efficient manner. Mrs. Hugelmeyer stated that those meetings were concerning how our organization functions in terms of the various positions that we currently have in order to afford both Mr. Williams and Judge Malone a thorough understanding in terms of how we are currently structured. Mrs. Hugelmeyer stated that it was not with regard to this position in particular.

Mr. Trujillo stated that this position was discussed.

Mrs. Hugelmeyer stated that the position for the Assistant Superintendent for Human Resources came up during discussion only in terms of explaining all of the positions that currently exist on our table of organization.

Mr. Trujillo stated that just so we are clear and in all fairness to transparency because that's what we want so we are in full transparency here. Mr. Trujillo stated that Mr. Cuesta is ready to take this position effective today and that would lead him to understand that Mr. Cuesta was processed and that requires a fingerprinting process which takes various weeks. Mr. Trujillo stated that it is his understanding that he had an appointment on December 23<sup>rd</sup> and that is relatively fast. Mr. Trujillo stated that he doesn't know when he applied but he intends to find out when he applied. Mr. Trujillo stated that he thinks he was pushed through and he doesn't think we are being transparent with the public. Mr. Trujillo stated that this looks like political payback and this on the surface looks like a backroom political deal to repay Mr. Cuesta for his loyalty. Mr. Trujillo stated that is what it looks like on the surface. Mr. Trujillo stated that the fact that he is ready to take the position and was pushed through is very alarming. Mr. Trujillo asked if Mr. Williams was aware that this was the intention of the Superintendent to make this appointment today.

Mr. Williams responded yes he was aware of it because he should realize that state law requires approval of such a position by the County Superintendent of Schools. Mr. Williams stated that approval was secured as is required and the appropriate signatures, sign off, and review of that position by the County Superintendent was secured in advance of this meeting.

Mr. Trujillo stated that another concern is in what capacity do you have prior to being appointed tonight, you or Judge Malone, to actually consult and give advice to our Superintendent and discuss school board matters.

Mr. Williams stated that he didn't get a chance to say this before and he is really looking forward to being the legal representative for each of the members of this Board and representing the district as we go forward. Mr. Williams stated that he knows that Mr. Varady who is his Co-General Counsel shares in that sentiment. Mr. Williams stated that in every transition of government when there is a change in political control of a public body, something that he has done for forty years, there is always a transition, there is always a discussion and anyone who opposes a smooth transition and anyone who tries to set that aside doesn't have the interests of the district at heart. Mr. Williams stated that you need to understand what has occurred here, yes there were meetings and the meetings were appropriate. Mr. Williams stated that he can assure you because the Superintendent also met with him and other members of the Board with respect to the transition and all of these issues were discussed. Mr. Williams stated that yes the position for Mr. Cuesta was discussed as it should have been in order for the transition to take place and for these changes to be accomplished because that is what the election was all about.

Mr. Trujillo stated that he has to say that he disagrees that there is a transition process because we are elected as single individuals and we act as a whole together so there is no transition in boards of education. Mr. Trujillo stated that he finds it inappropriate at the least if not unethical that Mr. Williams, Judge Malone, the Superintendent, and whoever else was there, he believes the representative of Senator Lesniak was at these meetings as well, and he finds it highly toxic and everything but transparent. Mr. Trujillo stated that if you intend to represent all of us he asks that Mr. Williams try not to politically grandstand or embarrass any member of this Board especially himself. Mr. Trujillo stated that he will not sit here and accept it. Mr. Trujillo stated that we are asking for transparency and we are not being transparent.

Mr. Trujillo stated that we need to respect the process going forward and he thinks the process wasn't really followed. Mr. Trujillo stated that they made it up as they went along and it's really inappropriate.

Mr. Perreira stated that last year, as everyone remembers, this was similar in its tone and obviously things like this aren't going to go on. Mr. Perreira stated that everybody who spoke today while they were sworn in and in their Board member acceptance speech stated to be transparent and have the best interest of the Board at heart. Mr. Perreira stated that when we say things we have to take them for face value and be true to them and if not, then we are just politically grandstanding and essentially doing what voters mostly think of politicians that sit anywhere that they are always lying. Mr. Perreira stated that at the end of the day if we are saying that we just abolished a position because it was financially not sound which was a lesser salary than what we are about to fund. Mr. Perreira stated this is a position that wasn't funded and we didn't have the position because it wasn't funded. Mr. Perreira stated that means that the money wasn't there for it and we have to find the money for it. Mr. Perreira stated that let's be clear to the public. Mr. Perreira stated that he understands that he is in the minority in the room. Mr. Perreira stated that at the end of the day we have to be clear and understand that and don't grandstand and say we are not playing politics when that is exactly what they are doing.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Ms. Bathelus – 6

Negative: Mrs. Amin, Messrs. Perreira, Trujillo – 3

Mr. Neron congratulated the new Board members and stated that this is a long, arduous task that they must take on. Mr. Neron stated that more importantly he wants to congratulate Mr. Cuesta for coming on board. Mr. Neron congratulated the community and those here tonight and stated that this is their victory and your Board of Education and we represent you. Mr. Neron stated that understand that the task that lies ahead requires their support, requires their participation, and community involvement and engagement because we cannot continue to educate our youth without their support and the community's support. Mr. Neron stated that working with the Board members along with our superintendents we will do everything in our power to make sure that all of our children succeed and that we address equality amongst our employees and also the disparities that exist within education not only here but throughout the State of New Jersey. Mr. Neron thanked everyone for taking time out of their schedule to be here.

Ms. Bathelus thanked everyone for coming out to support not only the three Board members who were just elected but also to support everyone on this Board. Ms. Bathelus stated that they look forward to really working hand in hand throughout this upcoming year.

On a motion by Mr. Rodriguez, seconded by Miss Goncalves, the meeting was adjourned at 11:40 p.m.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Harold E. Kennedy, Jr.  
School Business Administrator/Board Secretary