

BOARD OF EDUCATION
(Official)

June 18, 2015
Elizabeth, New Jersey

A special meeting of the Board of Education was called on June 18, 2015 at 5:00 p.m., in the MultiPurpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board President Ana Maria Amin presented the following statement at 5:10 p.m.

“Ladies and Gentlemen, good evening. This is a special 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 The Star Ledger and Cablevision of Elizabeth on Monday, June 15, 2015. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth.”

“I wish to extend a warm welcome to everyone present to this June 18, 2015 meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The Superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.”

“This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. I also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, I may have to ask for order periodically should noise begin to interfere with our recording capabilities. I am pleased that you have taken time this evening to join us. Thank you for your interest in the Elizabeth Public Schools.”

“There will be a public portion for citizens to address the Board. Participants for the public portion must sign in one hour prior to the advertised start of the meeting 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: Ms. Bathelus (arr. 5:40 p.m.), Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Neron (arr. 5:28 p.m.), Perreira, Rodriguez, Trujillo, Mrs. Amin – 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 Cedenno, Assistant Board Secretary Donald Goncalves, Comptroller William Greene, Supervising General Counsel/Board Attorney Marvin Lehman, and members of the public were in attendance.

Pledge of Allegiance
Pledge of Ethics
Core Beliefs and Commitments

The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, specifically, A.N., E.C., E.M., E.M., increment and salary adjustments, position renewals, reorganization/job

descriptions; renewal of insurance coverage for prescription and excess workers' compensation, Corrective Action Plan State Assessments; legal matters, specifically settlements B.M., R.B., M.P., K.S., I.M., Claim K.K. and C.S., C.S.; Doctrine of Necessity; and workers' compensation claims, specifically, A.G., D.G., T.M., J.G., M.B., G.D., C.S., A.L., D.R., and J.O. The Board will reconvene in public to take formal action.

A motion was made by Mr. Perreira, seconded by Mr. Monteiro, to go into private session at 5:15 p.m.

Mr. Rodriguez asked Mr. Lehman if tonight is a special meeting that we had under the Open Public Meetings Act and when we put notice in for tonight's meeting he believes it being a special meeting we could only talk about and do items that were posted. Mr. Rodriguez stated that according to the posting there was nothing about any of these matters in private and asked can we still talk about those or would it be illegal under that act.

Mr. Lehman stated that the items coming before the Board tonight were published as part of the special meeting and are either personnel matters, authorizations or one other but he doesn't have the notice in front of him. Mr. Lehman stated that they fall within those categories.

Mr. Rodriguez stated that he thought the notice would have to be specific and couldn't be so general.

Mr. Lehman stated that it could be personnel matters which is most of what we are dealing with tonight.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo,
Mrs. Amin – 5

Negative: Mrs. Carvalho, Mr. Rodriguez – 2

Mrs. Carvalho voted no because she thinks we should have public speaking first.

The Board reconvened in public at 6:38 p.m. to continue with the meeting and take formal action.

Personnel Report – Leaves of Absence, etc.

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the report be accepted.

Mr. Rodriguez stated that he thought this meeting was going to be about what was on the agenda and some other specific items so therefore he can't really vote on the following items.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho, Messrs. Neron, Rodriguez – 4

Negative: None

Supplementary Personnel Report – Retirement, etc.

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the report be accepted.

Mr. Neron stated that similar to Mr. Rodriguez one of his biggest concerns and he would like the attorney to clarify is that we are meeting on an agenda that was supposed to happen on June 11, then June 15. Mr. Neron stated the public has gotten notice that these are the agenda items for the original meeting but no clarification as to whether we are to take action today. Mr. Neron asked if the attorney could let the public know and asked for clarification because he is in disagreement that this is a legal meeting.

Mr. Lehman explained that the notice of a special meeting indicated that certain items were going to be placed on the agenda at the special meeting. Mr. Lehman stated that when you place items on the agenda they are there for action.

Mr. Neron asked if it specifically says that action is being taken.

Mr. Lehman stated that it doesn't have to.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo,
Mrs. Amin – 5
Abstain: Ms. Bathelus, Mrs. Carvalho, Messrs. Neron, Rodriguez – 4
Negative: None

Ms. Bathelus stated that she is abstaining because she just received this packet.

Superintendent's Report – Authorization for Considerations

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the requests be approved.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7
Abstain: Messrs. Neron, Rodriguez – 2
Negative: None

Superintendent's Report – Authorization for Use of Facilities

A motion was made by Mr. Rodriguez, seconded by Ms. Bathelus, that the request for City of Elizabeth S.O.A.R. Summer Program be approved with a waiver of facility fees and the remainder requests be approved with a waiver of fees.

The amended motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo – 6
Abstain: Messrs. Neron, Rodriguez, Mrs. Amin – 3
Negative: None

Supplemental Superintendent's Report – Authorization for Use of Facilities

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the requests be approved as recommended.

Mr. Rodriguez asked if the Facilities Committee could look at how much we charge. Mr. Rodriguez stated that he doesn't know from past years if the rate has gone up and perhaps we could raise the rate because everything goes up from year to year especially for the use of facilities. Mr. Rodriguez stated that it is not in terms of turning a profit but just trying to stay even.

Mrs. Carvalho asked why Jersey Express Soccer from Springfield is requesting to use Williams Field.

Mr. Kennedy explained that they made the request and that is why we are charging them full fees.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez – 2

Negative: None

Authorization for Superintendent's Report – Field Trips

A motion was made by Ms. Bathelus, seconded by Mr. Perreira, that the requests be approved.

Mr. Trujillo stated that at the last meeting the field trip situation was brought up and we brought it back to committee. Mr. Trujillo stated that Mr. Neron can attest to that and we had a very good discussion in reference to how this is handled. Mr. Trujillo stated that we are going to continue to discuss this to further clarify how this is done and in his opinion we find a better way.

Mr. Neron stated that clearly in our discussion and he knows some of the citizens who are concerned about that issue there was no clarity as to whether all students get field trips. Mr. Neron stated that we do see the discrepancy and we are doing an assessment to find out how many schools actually go on trips, how many classes actually go on trips and see what the possibilities are of actually making that a realization for all students to actually go on trips. Mr. Neron stated that there was a lot of discussion for it and in July we will be able to report with a more concrete answer to give a definitive as to the status on that. Mr. Neron stated that the concerns that were brought to the Board were referring to specific classes. Mr. Neron stated that one of the findings was that every class and every school does it differently so it is not done the same across the board. Mr. Neron stated that he thinks the understanding that the public had was that all students go on field trips which actually isn't the case. Mr. Neron stated that we are doing an assessment to find out how we can actually make it fair throughout the district where the possibility will be there for all students to go on field trips. Mr. Neron stated that the two concerns are whether all students get trips and the cost of trips because there is a fee.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez – 2

Negative: None

Authorizations Report – Authorization to Make Application, etc.

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the report be accepted.

Ms. Bathelus asked what the amount is for the contract with the City of Hillside.

Mr. Kennedy stated the amount is \$38,500.

Ms. Bathelus asked what the amount is for the contract with the City of Elizabeth.

Mr. Kennedy stated the amount is \$333,375.

Ms. Bathelus asked if the early dismissal is for June 23rd also.

Mrs. Hugelmeyer stated that the early dismissal for high school students is for June 19, 22, and 23. Mrs. Hugelmeyer stated that they initially wanted to provide a full day before the conclusion of the school year however a request was made by the high school principals that we take into consideration the high school graduation practice, dismissal, and 6:00 start time for the graduation in order to accommodate all the families.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez – 2

Negative: None

Supplemental Authorizations Report – Authorization to Make Application, etc.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho, Messrs. Neron, Rodriguez – 4

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

Ms. Bathelus asked what year is the authorizations to transfer funds to the workers' compensation account and athletic account.

Mr. Kennedy explained that it is for this year.

Ms. Bathelus requested the year be included in the report.

Mr. Rodriguez stated that with the legal bills this month hovering over \$400,000. he is still waiting for the Legal Committee to perhaps draw up a plan or give a recommendation on how this district could lower some of those bills.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group LLC; MARC Attorneys at Law; Nirenberg & Varano, LLP; Pashman Stein; Scarinci & Hollenbeck LLC; Schwartz Simon Edelstein & Celso, LLC), Mrs. Carvalho (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group LLC; MARC Attorneys at Law; Nirenberg & Varano, LLP; Pashman Stein; Scarinci & Hollenbeck LLC; Schwartz Simon

Edelstein & Celso, LLC), Mrs. Castillo-Ospina, Messrs. Monteiro (abstain- DMR Architects), Perreira (abstain- DMR Architects), Trujillo (abstain- DMR Architects), Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group LLC; MARC Attorneys at Law; Nirenberg & Varano, LLP; Pashman Stein; Scarinci & Hollenbeck LLC; Schwartz Simon Edelstein & Celso, LLC) – 2

Negative: None

Supplemental Finance and Accounting Report – Authorization for Transfer of Funds

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez – 2

Negative: None

Authorization for Award of Contracts Report

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

Ms. Bathelus stated that we are entering a contract to pay \$30,000. for parking and asked if it is the first time or is this something we do annually.

Mr. Kennedy explained that it is the parking lot on Westminster Avenue and we have been leasing the lot for many years. Mr. Kennedy stated that there are ninety spots.

Ms. Bathelus stated that a few months ago we talked about Jefferson High School not having parking and maybe partnering with the City of Elizabeth to pay for parking spots at the parking lot on Dickenson. Ms. Bathelus asked why we are not doing the same thing and paying for them to have parking just like we are paying for the Mitchell Building employees to have parking.

Mr. Kennedy stated that we tried to partner with the City Parking Authority and they wouldn't give us any break on the rate so it was basically whatever they charge.

Ms. Bathelus asked if Mr. Kennedy remembers approximately how much that was.

Mr. Kennedy responded that he doesn't.

Mr. Trujillo stated that he remembers it being about \$10,000. a month.

Mr. Monteiro stated that it was about \$100. per space.

Ms. Bathelus asked if this is \$30,000. for the entire year or is this per month.

Mr. Kennedy explained that it is for six months.

Ms. Bathelus stated that it is \$60,000. for the entire year.

Mr. Rodriguez stated that it is \$620. a spot for the year.

Ms. Bathelus stated that it is a lot of money to her and if you are doing it for your administrators then you should also do it for your teachers, too so they can get to class on time because it is a big issue with the principal there. Ms. Bathelus stated that she doesn't know which

committee needs to address this. Ms. Bathelus stated she also thinks we need to look into parking somewhere for the teachers at Jefferson but also at the new high school that is going to open.

Mr. Kennedy responded he is in agreement and we need to follow up with that in the Properties Committee.

Mr. Trujillo stated that he is in total agreement and it is a point he brought up prior to the school being built when we were told we weren't going to be able to park there. Mr. Trujillo stated that he remembers prior to the construction and breaking of the ground the committee asked Mr. Kennedy to go back and negotiate. Mr. Trujillo stated that then the City decided to put parking meters all around the area where there weren't any before and they expanded their paid parking which put even more of a stress on the employees there. Mr. Trujillo stated that if we don't pay for parking which he is inclined not to pay for because \$30,000. is a lot of money he thinks it is going to be an incredible stress to the public who lives around these buildings because these folks are going to take up all the parking on the street. Mr. Trujillo stated that if we can get a guarantee from the City that they would suspend the parking regulations around the building that would be great because then the teachers won't be getting fined because that is what they are getting now and they are getting ticketed. Mr. Trujillo stated that he is in total agreement if we can get this done and it would be a homerun for the City and for us and be great for the staff. Mr. Trujillo stated that he doesn't know how we can get it done because he knows we have tried. Mr. Trujillo stated that perhaps Ms. Bathelus has a new idea and he would be more than glad to support it.

Mr. Kennedy stated that the wording is not correct because it also covers the parking for the staff at the Imperial Building and School No. 23 which also uses that parking lot. Mr. Kennedy stated that it is up to the Board if they want to provide the parking or not provide the parking.

Mr. Monteiro stated that when he was President he sat on a negotiations committee with regard to this specific issue at Jefferson. Mr. Monteiro stated that the lot next to Jefferson is where the faculty and staff used to park until the State awarded us millions of dollars to build the new high school. Mr. Monteiro stated that we went into negotiations with the City of Elizabeth to see if they would provide us the parking garage on Dickenson. Mr. Monteiro stated that the way he saw it was that they were holding the Board of Education hostage because they wanted the \$100. and we did it for a year and obviously due to budgetary reasons we couldn't provide the parking in the budget. Mr. Monteiro stated that we even went as far as offering to meet the City of Elizabeth halfway meaning that we would pay half of the parking space if they City would pay the other half and they turned that down. Mr. Monteiro stated that we went as far as offering that to the staff of the Jefferson to see if we could work out that the staff would pay a portion, we would pay a portion and the City would pay a portion and the City of Elizabeth also turned that down. Mr. Monteiro stated that he doesn't know the answer and doesn't know if politics was being played. Mr. Monteiro stated that then they put meters around the entire park and the facility and everybody loses. Mr. Monteiro stated that was brought up and the Board of Education made an attempt to pay for parking spaces. Mr. Monteiro stated that we sat down many times with Principal Michael Ojeda and the faculty to see if we could find alternatives and there were none. Mr. Monteiro stated that we met a dead end at City Hall and they did not want to sit down and didn't want to meet us halfway or some part of the way and they turned us down.

Mr. Rodriguez asked how much it was for the spot.

Mr. Monteiro stated that he remembers it being either \$90. or \$100. per spot per month and it was about 100 spots.

Mrs. Carvalho stated that it was the Parking Authority.

Mr. Monteiro stated that is correct and the Parking Authority is an agency overseen by the City of Elizabeth. Mr. Monteiro stated that we were trying to find some way to have all collective bodies including the faculty and staff which was the last alternative to find some middle ground. Mr. Monteiro stated that he would more be than happy to revisit that and he thinks we all would more than happy to sit down at the table and see if we can work something out.

Mrs. Carvalho stated that she still doesn't understand how we build a high school with no parking.

Mr. Monteiro asked if the alternative is to not build and not get a high school.

Mrs. Carvalho stated that there are ways to build with parking.

Mr. Perreira stated that he sat on the Properties Committee and since the Schools Development Authority (SDA) has been in the loop as to controlling what schools get built and where. Mr. Perreira stated that they are the approving body and the financing body in two of the schools that we had parking already defined within the actual design of the school and they deleted it because they said they are not in the business of building parking lots they are in the business of building schools. Mr. Perreira stated that the SDA said it is either an option of us telling them that we don't want the school or we want the school as they are going to build it. Mr. Perreira stated that they don't give you an option. Mr. Perreira stated that they just do it.

Mrs. Carvalho stated that out of courtesy all of the plans do come to the Planning Board and we are allowed to speak to the State and give them our opinions and they never came back. Mrs. Carvalho stated that to build a high school of that magnitude and not think that we are not going to have parking problems. Mrs. Carvalho stated that it is what it is and we have an issue and we have to resolve it.

Mr. Monteiro stated that they are fair points and to be all fair there are two properties that we had the former Gunnite site on Trumbull and the former New Jersey Transit property. Mr. Monteiro stated that we litigated both with us and the City and when that property was looked at it was a five acre property and we would have been able to build an incredible high school with facilities and parking.

Mrs. Carvalho stated that has nothing to do with the high school we are building now.

Mr. Monteiro stated that is where we originally wanted to build the high school.

Mrs. Carvalho stated that the high school we are building now is being built without any parking.

Mr. Monteiro stated that is correct but what he is saying is that the two properties was the original site that the Elizabeth Board of Education had chosen and the two five acre properties are still there and there would have been ample parking for an incredible high school with facilities, fields, and parking and it would have been the perfect location. Mr. Monteiro stated that instead we battled with the City and we reached some dead ends. Mr. Monteiro stated that is the best we could do and it wasn't by choice because the SDA knows the State controls where the money is going to be spent. Mr. Monteiro stated that he agrees that he doesn't think it is great to have a school with no parking or facilities. Mr. Monteiro stated that the Trumbull Street property is still there and the Gunnite property is still there. Mr. Monteiro stated that we lost out to a developer who wanted to build 28 two family homes and today nothing was built and it is still sitting there. Mr. Monteiro stated that the children once again lost out to the special interests.

Mr. Trujillo amended his motion to remove the contract with Chadon Development, LLC and send it back to the committee. Mr. Trujillo stated that maybe we can negotiate with the City and it is a perfect time to negotiate in the summer months when there will be less staff at some of these buildings. Mr. Trujillo stated that this can be sent to the Properties Committee and perhaps they can talk to the Parking Authority because there are two parking garages in the area. Mr. Trujillo stated that we there was talk at one time of even perhaps providing a shuttle. Mr. Trujillo stated that the new parking garage near the college campus may have some spaces and at one point they were contracting with the county employees and the county college to park there. Mr. Trujillo stated that perhaps they could give us some spots there. Mr. Trujillo stated that he knows there are other lots in the area near the county garage that the City owns and perhaps that may be a possibility. Mr. Trujillo stated that this could all be discussed at the committee and perhaps we can find a resolution to at least alleviate some parking wherever possible. Mr. Trujillo stated that you have to remember that it is not just for the employees and staff it is for the residents who live in the area that feel the pressure of all the parking being taken away.

An amended motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted with the removal of Chadon Development LLC.

Mr. Rodriguez asked if that committee has met this year.

Mrs. Carvalho stated that she sits on the Properties Committee and spoke with the Superintendent this week because she wants to bring up all of the contracts so that we could look at the contracts we have for our leased buildings and properties and see if we can renegotiate when they come up.

Mr. Kennedy stated that Mr. Trujillo is the chairperson of the Properties Committee and Mr. Monteiro and Mrs. Carvalho are on the committee.

Mr. Trujillo stated that he would like the committee to meet as soon as possible.

Ms. Bathelus asked why we are getting school products from Tampa, Florida.

Mr. Kennedy explained that the contract is for janitorial supplies and we can't discriminate so anyone in the country can bid on it.

Ms. Bathelus stated that we are going to have personalizing learning plans for all of the high school students for \$25,000. and asked if we did that last year.

Mrs. Hugelmeyer explained that it is a continuation of service and we brought Naviance on three years ago. Mrs. Hugelmeyer stated that it serves as the plan for the students for college and career readiness and it actually links the student's interest with the colleges and universities that would best serve that student's interest and tracks all the courses that they are taking.

Ms. Bathelus asked if all the students have this. Ms. Bathelus stated that if she goes to a high school she can ask a student if they have a success plan for their college preparedness.

Mrs. Hugelmeyer responded yes and it is part of Naviance. Mrs. Hugelmeyer stated that we can have a special session for the Board to be able to walk them through the program.

Mr. Neron asked if this has anything to do with the laptops that the students get.

Mrs. Hugelmeyer explained that they can access Naviance from their laptops.

Mr. Neron stated that there is a concern with a lot of complaints that he has gotten from parents that students were supposed to get protective covers for their laptops and they did not get

them. Mr. Neron stated that some of the laptops are damaged as a result of that and there is an \$80. fee being charged. Mr. Neron stated that he is concerned why we are charging them a fee for a damaged laptop if they didn't get the protective cover that was promised.

Mrs. Hugelmeyer stated that she is not familiar with that particular issue and she will look into it.

Mrs. Carvalho stated that the new laptops did not have covers this year.

Mrs. Hugelmeyer stated that is correct. Mrs. Hugelmeyer stated that in the past the iPads had covers. Mrs. Hugelmeyer stated that her understanding is that the laptops did not have covers.

Mr. Neron stated that as a result some of the laptops are damaged and there is a fee being charged of \$80. Mr. Neron stated that he thinks we would have insurance on them if something happened to them.

Mrs. Hugelmeyer stated that she will look into that.

The amended motion (with the removal of Chadon Development, LLC) was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Messrs. Neron, Rodriguez – 2

Negative: None

Mr. Rodriguez excused himself from the meeting at 7:28 p.m.

Authorization for Claims List

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho (abstain- D.G.; negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group LLC; MARC Attorneys at Law; Nirenberg & Varano, LLP; Pashman Stein; Scarinci & Hollenbeck LLC; Source4Teachers), Mrs. Castillo-Ospina, Messrs. Monteiro (abstain- DMR Architects), Perreira (abstain- Candelario Trujillo, DMR Architects), Trujillo (abstain- DMR Architects), Mrs. Amin – 6

Abstain: Mr. Neron – 1

Negative: Ms. Bathelus – 1

Ms. Bathelus asked why Source4Teachers is not listed on the Finance and Accounting Report.

Mr. Kennedy explained that it is not something that needs to be reported as an authorized voucher.

Resolution – Authorization for Union County Educational Services Commission Coordinated Transportation Services for 2015-2016

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: None

Resolution – Authorization for Temporary Short Term Loan

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Trujillo, that the resolution be adopted.

Ms. Bathelus asked why we are applying for a loan.

Mr. Kennedy explained that across the State of New Jersey the State withholds the last state aid payment in June and they allow the districts to enter into a borrowing situation with a bank to bridge the funding needed because of the lack of that last state aid payment. Mr. Kennedy stated that the State sends that last state aid payment on July 7th so they allow the districts to enter into a loan and the State pays the interest on the loan. Mr. Kennedy stated that there is an application process where you have to show the State that if you don't get this loan you won't be able to meet your operating needs in June. Mr. Kennedy stated that without the loan our payroll that is due on the last day of school where everyone gets paid through the end of the month there wouldn't be enough funding to cover those payroll checks.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: Ms. Bathelus – 1

Resolution – Authorization for Membership in the N.J.S.I.A.A.

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

Mr. Neron stated that he again would like to clarify that throughout the duration of the meeting he has been abstaining and abstaining for the simple reason that he disagrees that the matters that are taking place here are not legal action. Mr. Neron stated that he is putting this out there so that we are clear and we can stay out of harm's way with the laws of the State of New Jersey when it comes to the actions that the Board of Education takes. Mr. Neron stated that he clearly asked a question earlier to our Board attorney who stated that we do not have to specify that we are taking action. Mr. Neron stated that he wants to be very clear so folks don't think that he is up here playing games or that he is taking a political position. Mr. Neron stated that it is not a political position it is a position of making sure that we are doing things in our legal right. Mr. Neron stated he feels right now that his attorney is failing him with the advice that he is giving him and he will take that up with him later.

Mr. Trujillo excused himself from the meeting at 7:35 p.m.

John Geppert, Jr. Esq., Schwartz Simon Edelstein & Celso, LLC, stated that we will confirm again as he said before that the notice was very clear, it was publicly disseminated, it stated that the agenda would include a number of items including personnel and authorizations (at which time he was interrupted).

Mr. Neron asked if it specifically stated that we are taking action.

Mr. Geppert stated that by saying that those items are on the agenda that is the legal meaning.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 4

Abstain: Ms. Bathelus, Mrs. Carvalho, Mr. Neron – 3

Negative: None

Resolution – Authorization for Requisition for Taxes

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 5

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: None

Resolution – Authorization for Middlesex Regional Educational Services Commission Coordinated Transportation Services for 2015-2016 School Year

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 6

Abstain: Mr. Neron – 1

Negative: None

Resolution – Authorization for Union County Educational Services Commission for Non-Public Textbooks for 2015-2016 School Year

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 6

Abstain: Mr. Neron – 1

Negative: None

Resolution – Authorization for Union County Educational Services Commission Non-Public Technology Initiative Program for 2015-2016 School Year

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Resolution – Authorization for Union County Educational Services Commission Services for Chapters 192-193 for 2015-2016 School Year

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

Mrs. Carvalho stated that she wanted to say that she agrees that this meeting should not be held and we should not be going through this packet. Mrs. Carvalho stated that what happened on Monday and knowing that there were things in this packet that needed to be passed like food services, summer programs, teachers that is why she voted yes on some things, abstained on some things and no on other things. Mrs. Carvalho stated that she doesn't want what happened on Monday to happen again next week or the week after and our school system not be able to move forward.

Mr. Neron stated that this is why he recommended along with Mr. Rodriguez that we reschedule another meeting. Mr. Neron stated that he wanted to apologize to the public and he doesn't know if it was done earlier because he was late. Mr. Neron stated that he apologizes for his tardiness. Mr. Neron stated that everybody's time is valuable including the staff, superintendent and everybody and on behalf of himself and as a Board member he wants to apologize to everyone for the meeting that was cancelled because it was a last minute cancellation. Mr. Neron stated that he knows everybody had to rearrange their schedules to be here and really with the staff and the public that take their time out to hear their concerns on what is going on in the education system. Mr. Neron stated that he wanted to formally apologize for the mishaps of us not having the necessary quorum.

Ms. Bathelus stated that she agrees as well that the meeting should not be happening but she wanted to make sure that we voted on things that we needed for the summer to ensure that our students have their proper education. Ms. Bathelus stated that we don't need our students to be affected by what happens here at the Board of Education with adults so we shouldn't be allowing them to be in the crossfires. Ms. Bathelus stated that because of that there were certain things that she also voted yes and no and abstained on.

Mr. Monteiro stated that with regard to the comments made by Mr. Neron on the meeting that was to take place on Monday but didn't that all of our time is valuable and that is true but so are our lives. Mr. Monteiro stated that he personally was caught up in a flood event on the Parkway as many others were who were trying to get to this meeting. Mr. Monteiro stated that because of the torrential downpours and flooding conditions he thinks safety and lives matter. Mr. Monteiro stated that let's call it for what it is to sit here and make a show and use it as a political grandstanding is all that it is. Mr. Monteiro stated that lives matter.

Mr. Neron stated that clearly this is not personal and he is referring to the public and to the last minute cancellation that took place. Mr. Neron stated that everybody had their own reasons with all due respect to what Mr. Monteiro's personal reasons were and that is fine. Mr. Neron stated that we totally understand what your reasons may have been and what happened and he doesn't think Mr. Monteiro planned to not be here. Mr. Neron stated that he doesn't think that is his point nor is he politically grandstanding but he thinks the public needs an apology from their leadership here.

Mrs. Carvalho stated that she was here and is not apologizing.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 6

Abstain: Mr. Neron – 1

Negative: None

Resolution – Authorization for Prescription Insurance Coverage

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Mr. Trujillo returned to the meeting at 7:43 p.m.

Mr. Monteiro excused himself from the meeting at 7:43 p.m.

Resolution – Authorization for Excess Workers' Compensation Insurance Coverage

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Perreira, Trujillo, Mrs. Amin – 4

Abstain: Ms. Bathelus, Mrs. Carvalho, Mr. Neron – 3

Negative: None

Mr. Monteiro returned to the meeting at 7:47 p.m.

Resolution – 2015-2016 Increment and Salary Adjustment Withholding

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho, Mr. Neron – 3

Negative: None

Resolution – Administrative Leave of Absence with Pay and Non-Renewal – E.M.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Trujillo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Resolution – Administrative Leave of Absence with Pay and Non-Renewal – E.Y.M.

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho, Mr. Neron – 3

Negative: None

Resolution – Termination effective June 30, 2015 – A.N.

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: None

Resolution – Termination effective May 21, 2015 – E.C.

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Mr. Neron – 1

Negative: None

Resolution – Authorization for Reorganization – Job Descriptions

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho Mr. Neron – 3

Negative: None

Mr. Trujillo stated that he wants to be clear that this is the reorganization of the two positions and asked if it includes the special education piece.

Mrs. Hugelmeyer explained that this is part of the restructuring and rather than the language arts instructional coaches the recommendation is to post for learning disability teacher consultants for our schools for a total of eight positions.

Mr. Trujillo asked Superintendent Hugelmeyer to elaborate on the positions.

Mrs. Hugelmeyer stated that at this present time we have several positions that serve as a support for our teachers in all of our schools. Mrs. Hugelmeyer stated that they are instructional coaches whether it is in language arts or mathematics. Mrs. Hugelmeyer stated that in an attempt to be able to better able to support our classrooms we want to make a recommendation to post for a learning disabilities teacher consultant. Mrs. Hugelmeyer stated that this is a person that must possess a special education certification and the intent is to be able to provide a broad range of strategies to our teachers specifically in the lower grades. Mrs. Hugelmeyer stated that we targeted grades K, 1, and 2 in order to ensure that we have the appropriate interventions in place to ensure our students are successful in literacy and also in mathematics.

Mr. Trujillo stated that he is voting yes to hire new teachers.

Mr. Neron excused himself from the meeting at 7:55 p.m.

Resolution – Settlement Agreement – M.P.

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho – 2

Negative: None

Resolution – Settlement Agreement – K.S.

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho – 2

Negative: None

Resolution – Settlement of Workers’ Compensation Claim No. 2002-30520 – T.M.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Monteiro, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho – 2

Negative: None

Resolution – Settlement of Workers’ Compensation Claim No. 2012-30581 – J.G.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus, Mrs. Carvalho – 2

Negative: None

Resolution – Settlement of Workers’ Compensation Claim No. 2012-26217 – D.G.

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

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus – 1

Negative: None

Mr. Neron returned to the meeting at 8:00 p.m.

Resolution – Settlement of Workers’ Compensation Claim No. 2014-7157 – A.G.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Resolution – Confidential Settlement Agreement – B.M.

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

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Resolution – Confidential Settlement Agreement – I.M.

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

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Resolution – Employee Separation Agreement – R.B.

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

The motion was carried by the following vote:

Affirmative: Mmes. Carvalho, Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Ms. Bathelus, Mr. Neron – 2

Negative: None

Ms. Bathelus stated that the reason she is abstaining is because she missed that part of the meeting that started at 5:00 p.m. and she was still at work.

Resolution – Authorization for Corrective Action Plan – State Assessments

The Corrective Action Plan inclusive of comments and actions to be implemented was read and reviewed.

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: None

Mr. Kennedy read the Authorization for the Doctrine of Necessity for the Successor to the 2012-2015 Collective Negotiations Agreement between the Elizabeth Board of Education and the Elizabeth Education Association.

Resolution – Authorization for the Doctrine of Necessity

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

Mr. Neron asked if this document is to have the four Board members sit with the negotiations committee.

Mr. Kennedy stated that the negotiations committee is comprised of non-conflicted members.

Mr. Neron asked if the action taken tonight must be notified to the State of New Jersey.

Mr. Kennedy explained that this allows the Board to vote in full once the collective bargaining agreement with the Elizabeth Education Association is settled and ready to be voted upon. Mr. Kennedy stated that without invoking this Doctrine of Necessity the Board would not have a quorum of five because of the conflicts he just read. Mr. Kennedy stated that thirty days from now if the bargaining unit was ready to be settled and signed then the full Board would be able to vote on the contract as a result of invoking this Doctrine of Necessity.

Mr. Neron stated that it was mentioned earlier about notifying the State.

Mr. Kennedy stated that in order for this to become effective within thirty days he has to send this resolution to the Department of Education Ethics Department and they review it. Mr. Kennedy stated that if there is no comment back within thirty days and it is posted publicly for thirty days then the full Board can vote on the collective bargaining agreement.

Mr. Neron stated that this ties into his concern of this being a legal meeting because you have to give the State notification. Mr. Neron stated that he wants to put that on record.

Mr. Kennedy stated that it is an authorization to invoke the Doctrine of Necessity.

Mr. Neron asked if it is an action taken by the Board.

Mr. Kennedy stated that if we vote upon it.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Castillo-Ospina, Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 6

Abstain: Mrs. Carvalho, Mr. Neron – 2

Negative: None

Mrs. Castillo-Ospina and Mr. Trujillo excused themselves from the meeting at 8:10 p.m.

Board President Amin presented the following public participation statement.

“At this time, the microphones are open for public comment to those who have signed in prior to this session. 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.”

Mrs. Amin called upon the first public participant, Carole Cascio, to address the Board.

Carole Cascio, 175 Shelly Avenue, spoke about the etiquette of the American flag.

Mrs. Amin thanked her for her comments and called upon the next public participant, Joy DeSouza, to address the Board.

Joy DeSouza, 155 Race Street, spoke about education.

Mrs. Amin thanked her for her comments. Mrs. Amin called upon the next public participant, Robin Kieff-Koch, to address the Board.

Robin Kieff-Koch, Latin teacher, spoke about the elimination of the Latin program.

Mrs. Amin thanked her for her comments. Mrs. Amin called upon the next public participant, Patricia Gallante, to address the Board.

Patricia Gallante, 750 Grier Avenue, spoke about the required number of high school credits.

Mrs. Amin thanked her for her comments. Mrs. Amin called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira, 805 Gebhardt Avenue, spoke about rescheduled Board meetings and flag etiquette.

Mrs. Amin thanked her for her comments. Mrs. Amin called upon the next public participant, Maria Lorenz, to address the Board.

Maria Lorenz, 103 Murray Street, spoke about special education and no air conditioning in schools and busses.

Mrs. Amin thanked her for her comments. Mrs. Amin called upon the next public participant, James Carey, to address the Board.

James Carey, 212 Inslee Place, spoke about the attorney and OPRA.

Mrs. Amin thanked him for his comments. Mrs. Amin called three times upon the next public participant, Lorraine Narivelik, to address the Board. Since there were no other citizens signed in to address the Board, Mrs. Amin declared this portion of the public meeting closed.

The President requests a motion to adjourn the Public Portion of the meeting and to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for the Superintendent's Evaluation, Superintendent of Schools Annual Performance Report, Board Member Self Evaluation, and School Board's Professional Development Plan.

A motion was made by Mr. Perreira, seconded by Mr. Monteiro, to adjourn the Public Portion of the meeting and go into private session at 8:30 p.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira,
Mrs. Amin – 6

Negative: None

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