

APPROVED
Bd. Mtg. 9-19-13

BOARD OF EDUCATION
(Official)

August 15, 2013
Elizabeth, New Jersey

The regular meeting of the Board of Education was called on August 15, 2013 at 7:00 p.m., in the MultiPurpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board President Tony Monteiro presented the following statement at 7:40 p.m.

“Ladies and Gentlemen, good evening. This is a regularly scheduled 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 Thursday, August 8, 2013. 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 and to our television viewers to this August 15, 2013 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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Absent: Mr. Perreira – 1

Superintendent of Schools Pablo Muñoz, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Family and Community Outreach Jerome Dunn, Assistant Superintendent for Teaching and Learning Olga Hugelmeyer, Assistant Board Secretary Donald Goncalves, Comptroller William Greene, Interim Board Counsel Marvin Lehman, and members of the public were in attendance.

Mr. Francisco González gave the invocation.

Mr. Monteiro spoke of the devastating loss this past week of our team member Johnny Adams, Truck Driver at our Robert J. Delaney Warehouse and called for a moment of silence.

Pledge of Allegiance
National Anthem
Pledge of Ethics

Mr. Monteiro introduced a video presentation of the Core Beliefs and Commitments.

Mr. Trujillo commented that we need to do a better job of having enough copies of the agenda for everyone here. Mr. Trujillo stated that the Star Spangled Banner should be played without any problems. Mr. Trujillo stated that he is not a veteran but knows many veterans and there are people around the world serving to support that flag and the least we can do is honor this country properly when we play the Star Spangled Banner. Mr. Trujillo stated that normally we have a child or someone come here and perform for us which is great. Mr. Trujillo commented that he is embarrassed for a district of this size with so many professionals here that we can't get it right and he hopes that it is the last time. Mr. Trujillo stated that if we are going to have a recorded version of the Star Spangled Banner it should be on time and on cue with all due respect to every veteran present, past, and future.

A motion was made by Mr. Gonzalez, seconded by Mrs. Castillo-Ospina, that the minutes of the meeting of July 18, 2013 be accepted.

Ms. Bathelus stated that she had asked a question at the last Board meeting in regards to our former attorney and she doesn't see that question or the explanation explained but everything else that was asked or discussed that meeting was all explained in the minutes. Ms. Bathelus stated that she is requesting that we amend the minutes before we approve them.

Mr. Kennedy responded that it reflects that she asked a question about the status of the Board Counsel and then he explained the status.

Ms. Bathelus stated that every time we asked a question throughout the entire meeting it was stated inside the minutes, everything stated X, Y, and Z and this was the only question that was asked at the last Board meeting that was not reflected in the minutes.

Mr. Kennedy stated that he could go back and listen to the tape and expand the explanation.

Ms. Bathelus asked if it would be provided at the next meeting.

Mr. Kennedy responded yes.

Ms. Bathelus stated that she asked if we could amend the minutes so that it could be corrected and it could reflect at the next meeting.

Mr. Monteiro asked if there was a motion to amend the minutes.

Mr. Kennedy explained that Ms. Bathelus wants different wording on page 13.

Ms. Bathelus stated that she wants Mr. Kennedy to explain exactly every time someone asks a question.

Mr. Kennedy stated that these are not word for word and the minutes are not transcripts. Mr. Kennedy stated that they are a summary of what people have said.

Ms. Bathelus stated that there is no summary, there is no question, it doesn't state anything that she asked, and it doesn't state anything that she asked that day or his response.

Mr. Kennedy stated that it reflects that a question was asked and he explained the status.

Ms. Bathelus asked that this be amended so that we can put it in the minutes.

Mr. Monteiro stated that he believes Ms. Bathelus is asking for an amendment to the minutes and asked Interim Board Counsel Marvin Lehman for clarification.

Mr. Lehman stated that the minutes are to reflect what occurred at the last meeting and if the minutes are accurate they are accurate. Mr. Lehman stated that if something was inadvertently left out of the minutes a Board member could make a motion to include that.

Mr. Kennedy stated that he has a motion and a second to approve the minutes that are before the Board.

Ms. Bathelus stated that she made a motion to amend the minutes.

Mr. Lehman stated that the Board perhaps may want to wait until the next meeting to approve these minutes after Mr. Kennedy has had an opportunity to listen to the tape.

Mr. Trujillo asked Ms. Bathelus if verbiage was missing. Mr. Trujillo stated that in his experience here it is never word for word and they would need a stenographer to sit here and type everything and it has never been word for word. Mr. Trujillo asked Ms. Bathelus if that is what she wants.

Ms. Bathelus responded no that she doesn't expect it to be word for word but she expects it to reflect what was said or a synopsis of what was said and it is not there at all.

Mr. Monteiro asked Mr. González to withdraw his motion and then have Mr. Kennedy listen to the tape.

Mr. González withdrew his motion that the minutes of the meeting of July 18, 2013 be accepted and Mrs. Castillo-Ospina withdrew her second.

Secretary and Treasurer's Report for the Month of June 2013

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Personnel Report – Leaves of Absence, etc.

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

Ms. Bathelus asked if the reappointments are people who were called back.

Mr. Muñoz responded yes.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus (abstain- J.R., B.S., J.U., J.A., E.A., M.B., L.B., P.C., N. C., R.C., M.C., A.E., E.F., R.F., T.F., E.H., T.H., E.H., E.H., D.L., R.L., J.L., S.L., S.M., M.M., L.O., J.P., A.P., G.R., K.S., N.S., M.T., S.V., L.V., K.L., A.D., K.A., F.A., A.A., B.A.), Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Trujillo, Monteiro – 7

Abstain: Mr. Padlo – 1

Negative: None

Mr. Trujillo asked if the appointments on pages 13, 14, 15, 16, 17, 18, and 19 are the appointment of teachers.

Mr. Muñoz responded yes they are classroom teachers for the most part, at the top of page 13 are classroom teachers and on page 19 a secretary and teachers.

Mr. Trujillo stated that he wants to hire teachers.

Supplemental Personnel Report – Reappointments, etc.

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

Ms. Bathelus stated that her only objection is that we had so many RIFs before and now we are hiring more than 40 new teachers rather than calling back the majority of ones who still qualify and are able to be qualified teachers and that is the only reason.

Mr. Muñoz stated that last time he explained that the teachers that we can bring back if there is a vacancy that match their certificate we are bringing them back or are planning to bring them back if there is a vacancy. Mr. Muñoz stated that a lot of the teachers that are being appointed are bilingual or ESL teachers there are vacancies that need to be filled so that those children get those services. Mr. Muñoz stated that, as he said last time, at the budget presentation when he showed the drivers of the budgets we put in the budget over 60 brand new teachers so those are the people that we are hiring. Mr. Muñoz stated that if someone was RIFed and they were a teacher and as he explained last time we had a RIFed on world language teachers and those assignments don't exist. Mr. Muñoz stated that as the assignments come up we can recall and we have already recalled at least one world language teacher. Mr. Muñoz stated that when reduction in force happens it is based on positions and teaching certificates and if an individual doesn't hold that certificate they cannot hold an assignment. Mr. Muñoz stated that if there is a vacancy in the math department and we let go a world language teacher, we can't hire the world language teacher because we have to hire a math teacher. Mr. Muñoz stated that we are hiring new people because there are vacancies and those jobs exist and the ones that were RIF because of budgetary reasons if they hold the right certificate and if the assignment is vacant we are calling them back. Mr. Muñoz stated that there is a group of teachers, as he explained last time, who we are hiring back but their provisional teaching certificate had expired and they are waiting for the State to reissue their new provisional so they can continue to work with a valid certificate and those assignments are waiting for them once the State issues the new certificates.

Mr. Trujillo thanked Mr. Muñoz for explaining because he doesn't want the perception to be that we are not hiring teachers or calling them back. Mr. Trujillo stated that on the contrary and he remembers in 2007 that we had a large RIF of over 300 people and we were able to call all those people back despite the budgetary cuts that we had. Mr. Trujillo stated that we are creating about 60 new positions.

Mr. Muñoz stated that he remembers the budgetary presentation of about 43 new teachers and then 18 high school teachers, new teachers for School No. 8 and the new teachers for School No. 21 so 60 is a ball park number and it could be as high as 80.

Mr. Trujillo stated that it is more than 50 and these are new positions and we have always made the classroom first and we have always invested in the classroom first. Mr. Trujillo stated that when we have had to cut it always pains us to cut anywhere but the classroom is the last place we cut. Mr. Trujillo stated that he doesn't see any difference in this budget than he has in the previous budgets and he has been here since 2007 and it comes with experience to know. Mr. Trujillo stated that he definitely supports hiring more teachers and he would never abstain on hiring more teachers.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus (abstain- C.O., J.C., P.G., C.G., D.H., M.L., D.M., S. M., K.S., M.V., D.V., B.L.), Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Tuition Report

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Superintendent's Report – Considerations

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Superintendent's Report – Use of Facilities

A motion was made by Mr. Nazco, seconded by Mr. Padlo, that the requests be approved with a waiver of fees.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo (negative- three requests from Councilman Carlos Cedeno), Monteiro – 8

Negative: None

Mr. Monteiro stated that he would like to meet with the Directors of the Eastwyck Saints who are requesting use of Williams Field.

Supplemental Superintendent's Report – Use of Facilities

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Superintendent's Report – Field Trips

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Authorizations Report – Authorization to Enter Into Partnership, etc.

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

Mr. Trujillo stated that he wants to bring to the attention of his colleagues and the public the Authorization to Approve the Application with the Parking Authority of the City of Elizabeth for 120 monthly parking permits at the Jefferson and Dickinson Garage No. 6 for the period of September 1, 2013 to June 30, 2014 at a cost of \$100.00 each per month. Mr. Trujillo stated that the cost is per space. Mr. Trujillo stated that in the previous tab he voted against the use of our schools by our City Councilman Cedenio who he does support but at the last meeting he refused to give the facility to Mr. Gonzalez and he would like to explain. Mr. Trujillo stated that here we are being asked to spend over \$100,000. a year in parking so our teachers can park in this garage the City owns and they obviously have the space. Mr. Trujillo stated that they hold us at gun point and they should be giving us this space, they like to use our spaces but when it comes to our teachers parking in their garage they prefer for us to pay. Mr. Trujillo stated that, to use a term that is often used at City Council, is unconscionable. Mr. Trujillo stated that anytime the City doesn't want to work with us it hurts our City and as a point he will not support the use by City Council people to use our facilities for political purposes as that is what they are. Mr. Trujillo stated that it is usually the same five or six people from the neighborhood and it's a cheering squad and nothing really comes of it or gets resolved. Mr. Trujillo stated that now here we are going into another school year and we've been able to procure another school, a new high school, for the City of Elizabeth and more jobs will be created and what does the City do, they have a parking garage that they just built that is empty and another one that is half empty because obviously if they can give us 120 spots they have room. Mr. Trujillo stated that he doesn't understand why we should be held to have to pay for those. Mr. Trujillo stated that he hopes Ms. Bathelus will agree because she was a proponent of giving City Council access to our facilities and waiving the fees so he hopes that she would support him in this effort and ask that City Council waive their fees and give us the parking so our teachers can park at this garage.

Mr. Trujillo stated that he knows we asked to use City Hall to have a meeting and discussion about the tax situation and the budget. Mr. Trujillo asked Mr. Kennedy if we have heard back from them yet.

Mr. Kennedy responded no we have not.

Mr. Trujillo stated that he doesn't think we will and he doesn't think that they are going to allow us to go to City Hall and have a public forum about taxes because that is something they don't want to talk about. Mr. Trujillo is asking his colleagues to not support this because this is a bad idea to have to pay for parking. Mr. Trujillo stated that he would like to send a letter to City Hall asking for a waiver of all fees for parking for teachers.

Mr. Monteiro stated that maybe we should table this for tonight. Mr. Monteiro stated that Thomas Jefferson Arts Academy had the parking lot next door but now the State is going to build a new state-of-the-art high school for the City of Elizabeth at no cost to the taxpayers of the City of Elizabeth. Mr. Monteiro stated that next to Jefferson there was a lot where the teachers used to

park but now since the State of New Jersey is going to provide the City of Elizabeth a new state-of-the-art high school at no cost to the taxpayers of the City of Elizabeth they have now fenced in the lot which means the teachers have no place to park. Mr. Monteiro stated that the City is willing to lease parking space across the street at their parking deck during the day which they don't get much use for and they are going to charge the Board of Education \$100. per parking space for a total of 120 monthly parking permits which comes to \$12,000. per month and \$120,000. for the school year.

Mr. Monteiro stated that Mr. Trujillo was speaking about hiring more teachers and employing more people here at the Elizabeth Board of Education. Mr. Monteiro stated that the City of Elizabeth knowing very well that we are going to have a new high school built here won't even consider allowing our high school teachers to park there and waive their fees. Mr. Monteiro stated that they want to charge the taxpayers here in the City of Elizabeth by charging the Elizabeth Board of Education. Mr. Monteiro stated that he would like to suggest so the people home watching understand and the teachers and administrators of Thomas Jefferson Arts Academy understand that we are not against them having this parking and actually encourage that they support us in this movement and possibly join us in going to Elizabeth City Council and petition the City of Elizabeth to waive their fees of this parking deck. Mr. Monteiro stated that we waive the fees for Councilmen Gonzalez, Cedeno, and Mazza and furthermore we waive the fees for the use of our facilities by the City of Elizabeth S.O.A.R. programs for the youth of our City. Mr. Monteiro stated that we extend our facilities to the City of Elizabeth at no cost. Mr. Monteiro stated that he is asking his colleagues to hold off on this while we petition the City of Elizabeth and send a letter to City Council and the Mayor to waive the fees.

Ms. Bathelus asked Mr. Kennedy if a letter was sent to the City of Elizabeth requesting that we have the 120 spots with a waiver of fees prior to this.

Mr. Kennedy explained that we entered into a lease last year when the construction started and the outcome was that the Parking Authority was precluded from giving away spots without generating revenue so we rented 90 and now we need 120.

Ms. Bathelus stated that we never requested a waiver of fees.

Mr. Kennedy responded not this year.

Mr. Monteiro stated that it would be disgraceful for the City of Elizabeth not to waive the fees for teachers and administration from Thomas Jefferson Arts Academy to park in this parking garage. Mr. Monteiro stated that it is \$120,000. and we're not asking just because we want to use the parking garage, the State is building us a new state-of-the-art high school here in the City of Elizabeth. Mr. Monteiro stated that he is willing to petition the City Council to waive the fees as we do here.

Mr. Nazco stated that last year we did send that letter asking for the waiver and they declined so we had to enter into a lease to park at the parking garage. Mr. Nazco stated that the issue with Jefferson, being that the new high school is being built on what was the parking lot, is that the surrounding area around Jefferson is all metered parking. Mr. Nazco stated that if the teachers had to park on the street they would have to go out every hour to put money in the meter and that is not productive for us or them. Mr. Nazco stated that we looked into different venues where we could have teachers park in a remote location and bus teachers and the best option was to have them park at that garage and unfortunately it cost us a lot of money. Mr. Nazco stated that this year it is going to cost us even more. Mr. Nazco stated that in Tab 2 – Personnel we just brought back 40 teachers but we are going to be paying \$120,000. for parking spaces and that is not impacting the classroom. Mr. Nazco stated that we need to work together with the City to make sure we get these opportunities to help benefit the education in the classroom. Mr. Nazco

stated that unfortunately they are not working with us. Mr. Nazco stated that as Mr. Monteiro and Mr. Trujillo commented maybe it is important that we do make that effort to go to City Council again and propose that they waive the fees for those spots.

Mr. Trujillo withdrew his motion to accept the Authorizations Report. Mr. Trujillo stated that he would like to make a motion to table the item for further discussion.

Mr. Trujillo stated that there has to be a resolution as Mr. Nazco mentioned last year during his presidency this arrived and this is a long term problem. Mr. Trujillo stated that we have to find a way that the City works with us on this because it is metered and he can't imagine teachers being ticketed while at work or having to worry about tickets during the instructional hours. Mr. Trujillo stated that it is just another example of how the City refuses to work with us. Mr. Trujillo stated that they knew they had us in a box last year because they knew we were eager to open that new school and now that the ground is broken they need to help us with this. Mr. Trujillo stated that if they care anything about the teachers in this City they would step up to the plate and work with us on this. Mr. Trujillo stated that he does intend to go to City Hall and rally support for the teachers at Jefferson and hopes he can bring this to resolution because \$120,000. is money being taken out of the classroom to pay for parking and is Peter paying for Paul's debt.

Mr. Monteiro stated that he strongly suggests that Mr. Michael Ojeda, Principal of Thomas Jefferson Arts Academy, share with his faculty that the Board of Education is incredibly disturbed by the action that the City of Elizabeth has taken by not waiving their fees. Mr. Monteiro stated that the cost is insensitive and outrageous that they want to charge us \$120,000. while the teachers at Jefferson would become displaced with no parking thereby affecting the residents of the neighborhood.

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the report be accepted with the exception of the Authorization to Approve the Application with the Parking Authority of the City of Elizabeth

Mr. Trujillo stated that he remembers years ago that there was a possibility at one time for the City of Elizabeth and the Board to partner with the City and the Parking Authority to build a parking garage across from Elizabeth High School on the corner and they were very uncooperative in that process. Mr. Trujillo stated that parking is always limited in the City and it is going to get worse with all the development in this town. Mr. Trujillo stated that we can only hope that they hear us and do the right thing.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

A motion was made by Mr. Trujillo, seconded by Mr. Padlo, to send a letter to City Council to waive all fees for 120 monthly parking permits at the Jefferson and Dickinson Garage No. 6 for the period of September 1, 2013 to June 30, 2014.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers

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

Ms. Bathelus asked about the vote on Tab 5 Authorizations and whether you said yes with exception or yes does that count as the same thing.

Mr. Monteiro responded yes it is the same.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo – 6

Abstain: Messrs. Trujillo, Monteiro – 2

Negative: None

Supplemental Finance and Accounting Report – Transfer of Funds

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Award of Contracts Report – Award of Contracts, etc.

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Supplemental Award of Contracts Report – Award of Contracts, etc.

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Miscellaneous Communication

None.

Claims List

A motion was made by Mr. Nazco, seconded by Mr. Padlo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo – 7

Abstain: Mr. Monteiro – 1

Negative: None

Resolution – National Hispanic Heritage Month

Mr. González read the resolution.

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Five Year Curriculum Plan (2013-2018)

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Curriculum Guides 2013-2014 School Year

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Programs of Study 2013-2014 School Year

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Textbooks in Use for the 2013-2014 School Year

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Essex Regional Educational Services Commission Home Instruction Services 2013-2014 School Year

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – India’s Independence Day

Mrs. Castillo-Ospina read the resolution.

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Mrs. Castillo-Ospina wished those in the Indian community a happy Independence Day.

The first reading of the revised School Activity Funds Policy File Code No. 3453 and Safety Regulation File Code No. 3516 was done.

Board President Monteiro 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.”

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

Mr. Monteiro made an announcement with great sadness and sorrow that our wonderful Assistant Superintendent Jennifer Barrett who is not here with us tonight officially submitted her retirement effective September 1, 2013 after an illustrative career with the Elizabeth Board of Education of over 40 years.

A motion was made by Mr. Monteiro, seconded by Mr. Trujillo, to accept the retirement of Assistant Superintendent for Schools Jennifer Barrett.

Mr. Trujillo commented that he has had the pleasure of knowing Mrs. Barrett for many years and once rented an apartment from her mother. Mr. Trujillo stated that the whole family was dedicated to education in this great City. Mr. Trujillo stated that she will be dearly missed, she was respected by her peers, and she touched a lot of lives in the 40 years she was here. Mr. Trujillo stated that he can’t imagine the endless amount of children who she touched in that time. Mr. Trujillo stated that he wishes her the best and hopes she can enjoy her retirement in good health with her family. Mr. Trujillo stated that he is sure that we will see her again as she is a resident of the City and we’ll see her in a different light as the retired Mrs. Barrett and wished her a lot of luck. Mr. Trujillo stated that the City of Elizabeth is indebted to her for all her years of service and hard work.

Mr. González stated that he had the pleasure of working closely with Mrs. Barrett with the Panasonic Foundation, NJQSAC, and other endeavors. Mr. González stated that she has done a tremendous job in putting the NJQSAC documentation together that is required for this

humongous endeavor. Mr. González thanked her for all her years of service and said she will be missed and wished her the best. Mr. González stated that she became a grandmother again today and that he is very happy for her.

Mr. Nazco stated that he is very happy that she has decided to retire and live the rest of her life with her family and new grandchild who was born today. Mr. Nazco stated that she will be missed and thanked her for her years of service and, as Mr. Trujillo stated, she touched a lot of lives here throughout her long and illustrative career. Mr. Nazco stated that she was a key part of this organization and thanked her for her dedication and all her hard work and wished her only the best in the future.

Mr. Monteiro commented that he has had the pleasure of knowing Mrs. Barrett for the past twelve years and it is a great loss for the Elizabeth School District. Mr. Monteiro stated that Mrs. Barrett spent 40 years here for the children of the City of Elizabeth and is a lifelong resident of the City. Mr. Monteiro stated that she is decent, kind, and gracious and she will surely be missed. Mr. Monteiro wished her well in her years of retirement and with her new grandchild.

Superintendent Muñoz thanked Mrs. Barrett for being the Assistant Superintendent with him the last eight years and stated that she was crucially important in our growth and success in becoming the district that we are today. Mr. Muñoz wished her all the very best in her retirement and enjoying her grandchildren.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

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 C.K., and administrative vacancy; designation of attorney; Harassment, Intimidation, and Bullying results and Workers' Compensation Claims, specifically, B.P., J.R., E.G., L.S., L.W., S.G., and S.A. The Board will reconvene in public to take formal action.

A motion was made by Mr. Trujillo, seconded by Mr. Padlo, to go into private session at 8:45 p.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

The Board reconvened in public at 9:55 p.m. to continue with the meeting and take formal action.

Superintendent's Report – Harassment, Intimidation, and Bullying (HIB) Investigative Results

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Settlement of Workers’ Compensation Claim No. 2011-33281 – B.P.

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Settlement of Workers’ Compensation Claim Nos. 2005-5257, 2005-25652, and 2006-5341 – J.R.

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Confidential Settlement Agreement between EBOE and C.K.

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, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Trujillo, Monteiro – 8

Negative: None

Resolution – Designation of Jasinski, P.C. as Attorney under the Board’s Indemnification Policy

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

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Monteiro – 7

Negative: Mr. Trujillo – 1

Mr. Monteiro asked if there was any old business to discuss. Since there was no old business to discuss Mr. Monteiro asked if there was any new business to discuss.

Mr. González stated that he would like to read a resolution in lieu of our Superintendent Munoz who is moving on and our need for someone to replace him.

Resolution – Designation of Interim Superintendent of Schools – Olga Hugelmeyer effective October 23, 2013

Mr. González read the resolution.

A motion was made by Mr. González, seconded by Mr. Nazco, that the resolution be adopted.

Mr. González stated that he is very happy and very proud that we are naming Mrs. Hugelmeyer as Interim Superintendent. Mr. González stated that he has worked with Mrs. Hugelmeyer for many years and knows her dedication, passion, and knowledge of education and our school district. Mr. González stated that it is the right path to continue with the vision we have set forth working with Superintendent Muñoz. Mr. González stated that she will have success and support from him and his colleagues.

Mrs. Castillo-Ospina stated that she is very pleased that Mrs. Hugelmeyer has been chosen as Interim Superintendent and believes she is going to follow the lead that Superintendent Muñoz has shown for many years. Mrs. Castillo-Ospina stated that Mrs. Hugelmeyer has participated in all of the training workshops with the Broad Foundation and the Panasonic Foundation. Mrs. Castillo-Ospina stated that Mrs. Hugelmeyer has the same vision as the Board and the district will have a very good Interim Superintendent.

Mr. Trujillo stated that he is supporting this resolution and Mrs. Hugelmeyer is an excellent choice to continue the hard work of this Board and will be a great partner to this Board. Mr. Trujillo stated that she has been here for several years now and shown and demonstrated her ability to be a leader in the district. Mr. Trujillo stated that Mrs. Hugelmeyer shares our vision and has been part of the process and one of the architects of our vision working closely with the Superintendent. Mr. Trujillo stated that it is very important when we make a choice of this magnitude that is going to affect a district of our size that we send the right message to the citizens of Elizabeth that the Elizabeth Board of Education is heading in the right direction and will continue to head in the right direction. Mr. Trujillo stated that Mrs. Hugelmeyer will give continuity that the district not only seeks but deserves and it sends a strong message to the educational community here in Elizabeth. Mr. Trujillo stated that he is a big promoter of giving people opportunity and empowering people and Mrs. Hugelmeyer has earned this and has worked very hard and it's finally her time to shine and he looks forward to working with Mrs. Hugelmeyer.

Mr. Monteiro commented that he is excited about the nominee for the Interim Superintendent and stated that Mrs. Hugelmeyer was born and raised here in the City of Elizabeth and a product of the Elizabeth school system and graduated from Elizabeth High School. Mr. Monteiro stated that when you look at these banners and you see under the leadership of the Board of Education achievement is up and clearly it's up in part because of people like Mrs. Hugelmeyer, Mr. Dunn, Mrs. Barrett, and Superintendent Muñoz who have worked very hard over the years with their entire team and staff, teachers, and administrators throughout the district. Mr. Monteiro stated that this entire Board has deliberated and discussed this appointment over the last few weeks since the surprise announcement of our Superintendent. Mr. Monteiro stated that he knows Mrs. Hugelmeyer will continue this mission. Mr. Monteiro stated that we are now the Number One Urban School District in the State of New Jersey but in a short time we are going to be the Number One School District in the State of New Jersey. Mr. Monteiro stated that he and his colleagues look forward to working with Mrs. Hugelmeyer.

Superintendent Muñoz stated that he believes the Board has made a fine choice tonight. Mr. Muñoz stated that Mrs. Hugelmeyer has been in this community for most of her life and has worked in the Elizabeth Public Schools for almost twenty years as a teacher, supervisor, director, and assistant superintendent. Mr. Muñoz stated that, as what has been said earlier by Mr. Trujillo, Mrs. Hugelmeyer has been at the center of the transformational design of our instructional program and at the center of the numerous increases in academic performance, National Blue Ribbon Schools, and nationally recognized high schools. Mr. Muñoz stated that Mrs. Hugelmeyer is well respected by the staff here and puts in countless hours sitting with parents discussing their issues and trying to resolve them. Mr. Muñoz wished Mrs. Hugelmeyer the very best and good luck.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Trujillo, Monteiro – 6

Abstain: Messrs. Nazco, Padlo – 2

Negative: None

Mrs. Hugelmeyer stated that she is both honored and humbled by the decision of the Board to appoint her as Interim Superintendent of Schools. Mrs. Hugelmeyer thanked the Board and the Superintendent who has served as a mentor for many years. Mrs. Hugelmeyer stated that she has served in this district for close to twenty years and is very proud to be a product of this school district and proud graduate of Elizabeth High School. Mrs. Hugelmeyer stated that she is committed to being able to continue the work to be able to fulfill this Board's vision and to ensure that we continue to increase both in terms of excellence in our district with regard to our results but more importantly to be able to ensure that we create a culture that is based on caring and sharing and that we continue to strive to be the best and that we are able to achieve our goal which is to become the nation's best. Mrs. Hugelmeyer thanked the Board for their confidence and belief in her and she ensures that we will continue to move forward.

Mr. Monteiro thanked Mrs. Hugelmeyer.

Mr. Monteiro stated that there will be a Board meeting on Tuesday, September 3, 2013 at 7:00 p.m. at Donald Stewart Center for Early Childhood Education.

Mr. Monteiro asked Assistant Board Secretary Donald Goncalves if there were any events coming up in the next several weeks.

Mr. Goncalves stated that all of the schools will be conducting their own open houses and we will be providing a list to the Board as we know that the Board will want to be there to speak to the parents about the new school year. Mr. Goncalves stated that two new schools will be opening in September, iPrep Academy School No. 8 and Victor Mravlag School No. 21. Mr. Goncalves stated that those two principals are working feverishly to get the schools open and ready for the first week in September.

Mr. Monteiro asked if a date has been set for OneFest.

Mr. Goncalves responded that they will be finalizing the date within the next week. Mr. Goncalves stated that we had a conflict because we didn't want to have it on the same day that our football team is playing on Williams Field and with that in mind we are looking at other dates and want to make sure we don't have any conflict with the Athletic Department.

Mr. Monteiro stated that the official inauguration of Victor Mravlag School No. 21 may take place in late September or early October.

Mr. Lehman stated that this week we received a decision in an ethics matter involving Assistant Superintendent Jerome Dunn and Coordinator of Network and Computer Services Alberto Marsal. Mr. Lehman stated that over two years ago ethics charges were filed by a former employee of the Board Sue Mettlen alleging that Mr. Dunn in cahoots with Mr. Marsal accessed and downloaded information on employees and parents which was then used in an appropriate way. Mr. Lehman stated that the Board stood behind Mr. Dunn and Mr. Marsal and vigorously defended those charges which were sent from the State Ethics Commission to the Office of Administrative Law for hearings. Mr. Lehman stated that after numerous hearings which concluded this spring Administrative Law Judge Celentano issued her decision this past week and recommended dismissal of all charges against Mr. Dunn and Mr. Marsal. Mr. Lehman stated that in the findings of fact by the Judge, the Judge found that not only did the State who was prosecuting the matter not have sufficient evidence, the State had no evidence of any wrongdoing and in addition the Judge found that Ms. Mettlen was wholly unbelievable and in fact that she had manufactured the evidence that she presented to the State which resulted in the charges. Mr. Lehman stated that he believes it is a resounding victory for not only Mr. Dunn and Mr. Marsal but for the integrity of the district.

Mr. Lehman stated that the decision of the Administrative Law Judge is a recommendation back to the agency which originally forwarded it to the Office of Administrative Law which in this situation is the School Ethics Commission. Mr. Lehman stated that they take this decision and they then render a final decision. Mr. Lehman stated that is what we are awaiting at this point.

Mr. Trujillo excused himself from the meeting at 10:20 p.m.

Mr. Monteiro stated that with regard to this case that was dismissed what was disturbing about this case was that two very good men, Mr. Jerome Dunn and Mr. Alberto Marsal, were put through this for the past two years, their families and their reputations were dragged into a frivolous, baseless, ethics complaint. Mr. Monteiro stated that Michelle Cetta, an ally of the Mayor, brought this frivolous action ethics complaint and Ms. Mettlen, a former employee of the Elizabeth Board of Education, was a witness in the case. Mr. Monteiro stated that what is disturbing about this case is that they had no problem whatsoever having the Elizabeth Board of Education spend thousands of dollars in legal fees to defend this frivolous and disturbing case that dragged two very good men through the ringer and mud. Mr. Monteiro stated that constantly they are filing bogus ethics complaints against members of this Board of Education and against people who work for the Board of Education and he hopes that the good men like Mr. Dunn and Mr. Marsal fight back. Mr. Monteiro stated that what is disturbing is that Ms. Mettlen used false evidence, she created fictitious evidence, against these men and it has all come out in court and obviously the court saw fit to dismiss the entire thing. Mr. Monteiro stated that he has a problem with this case because it was brought out in testimony that Ms. Mettlen went into someone's account here at the Board of Education, changed the individual's password, signed on again as that individual, purported to be that individual while falsifying all this to the courts as though it was that individual who was taking records for the Elizabeth Board of Education. Mr. Monteiro stated that he thinks it is criminal although he is not a lawyer and asked the legal counsel to forward the Judge's finding regarding the evidence of Mettlen's manufactured evidence to the U.S. Attorney, New Jersey State Attorney General, and as well as to Union County College where she currently works. Mr. Monteiro stated that he thinks action should be taken that this individual broke into someone's computer unlawfully and that should be investigated. Mr. Monteiro stated that they forged documents and all that was laid out in court by all the expert witnesses and testimony that was received in court. Mr. Monteiro stated that Michelle Cetta who originally filed this complaint did not hide the fact that she was an ally of the Mayor and that she works with him and for him on his campaign and puts up lawn signs for him and went as far as lying about a nonsense robo call that she claimed to have received and that Mr. Dunn had used his title which is not the case and was proven in Court and the recording was played back of that announcement. Mr. Monteiro asked legal counsel to forward the decision of the Judge to the U.S. Attorney. Mr. Monteiro stated that he wants the people to understand what the Elizabeth Board of Education is up against when you take on these political bosses of Lesniak and Bollwage and they throw all this nonsense and ethics complaints against the Board that continues to come. Mr. Monteiro stated that he hopes the U.S. Attorney and the New Jersey State Attorney General will take this matter very seriously and that they will investigate this thoroughly.

On a motion by Mr. Nazco, seconded by Mrs. Castillo-Ospina, the meeting was adjourned at 10:25 p.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mr. Calella, Mrs. Castillo-Ospina, Messrs. González, Nazco, Padlo, Monteiro – 7

Negative: None

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