

BOARD OF EDUCATION
(Official)

August 25, 2016
Elizabeth, New Jersey

A special meeting of the Board of Education was called on August 25, 2016 at 6:00 p.m., in the Multi Purpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board Member Stanley Neron stated that Board President Charlene Bathelus had laryngitis and was unable to speak. Mr. Neron presented the following statement at 6:45 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, August 22, 2016 and amended on Tuesday, August 23, 2016. 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 August 25, 2016 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 prior to the commencement of public participation so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Mrs. Amin, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo (arr. 7:03 p.m.), Ms. Bathelus – 8

Absent: Mrs. Carvalho – 1

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Schools Rafael Cortes, Interim Assistant Superintendent for Human Resources Francisco Cuesta, Comptroller Rajeev Malhotra, Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP, and members of the public were in attendance.

Pledge of Allegiance
Pledge of Ethics
Core Beliefs Video

Mr. Neron 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 to address the Board, Mr. Neron declared this portion of the public meeting closed.

Mr. Neron introduced Director of Plant, Property, and Equipment Luis Couto for a special report.

Director of Plant, Property, and Equipment Luis Couto presented a report on the water quality testing that has been done in the district recently. Mr. Couto stated that typically the lead in plumbing including the solder that was used to put the pipes together and the fixtures were made out of brass and have a lead content and they are the contributors to the lead in water. Mr. Couto stated that especially if the water is a little more corrosive then it creates a chemical reaction with the lead in the fixtures and that is how the lead enters into the water stream. Mr. Couto stated that the EPA, state, and local governments control the quality of the water from the suppliers and have to periodic testing and report once a year to the government and the users. Mr. Couto stated that mostly water that comes from the street is safe water. Mr. Couto stated that when it comes to buildings it starts into contact with the plumbing and then the lead starts leeching into the water.

Mr. Couto stated that the Elizabeth Public Schools has been very proactive in testing the water. Mr. Couto stated that we did testing about three years ago and we embarked in a new testing program even when there was no requirement to do so. Mr. Couto stated that the Board is concerned with the safety of the students and pushed us to be diligent in procuring a new set of testing and therefore we had no regulations and no protocol. Mr. Couto stated that we did a lot of research and a lot of inquiries so we could develop specifications so we could go out as required by the procurement laws to obtain a request for proposal which is a type of public bid. Mr. Couto stated that was published and the deadline for submission was Friday, June 10 and we received six proposals from six different companies. Mr. Couto stated the proposals were reviewed, the recommendation was made to the Board, and the Board awarded the contract to PARS Environmental on Thursday, June 16, 2016 to sample and test water. Mr. Couto stated that as the company prepared and mobilized they started the water sampling on July 13, 2016 at all the public schools and all the administrative buildings. Mr. Couto stated that the testing took a little time because the schools were having summer programs and the testing cannot be done unless the water is not used for eight hours. Mr. Couto stated that we could only do the testing 5:00 a.m. until 7:00 a.m. and 4:00 a.m. until 7:30 a.m. and that is how the testing proceeded. Mr. Couto stated that 2,905 water points were sampled and tested. Mr. Couto stated that the sampling was completed on August 4, 2016 and the results were received yesterday, August 24, 2016. Mr. Couto stated that the number of water outlets exceeding the actual level were 41 points of consumable water outlets and another 117 water points of the 2,905 exceeded the actual level of 15 ppb. Mr. Couto stated that the types of water outlets that we sampled were water fountains which are drinking fountains and water coolers, food prep which are faucets that are used to obtain cooking water, and other classroom sinks, bathroom sinks, dishwashing sinks, etc. Mr. Couto explained a table showing a summary of the results by school, the water fountains, food prep, and other faucets that exceeded 15 ppb limit. Mr. Couto stated that there really is no pattern except some of the bigger schools may have a few more points than others, some schools have zero, and others have one. Mr. Couto stated that there are 31 water fountains, 10 food prep, and 117 of the others. Mr. Couto stated that the remedial actions that we are taking is that the drinking water outlets and food prep outlets which are the consumable water will have plumbing

components replaced and water filters installed. Mr. Couto stated that the plumbing below the bubblers or faucets can be replaced with flex stainless steel that has no lead and a filter and replace the valve. Mr. Couto stated that all of that we intend to have completed by September 6, 2016. Mr. Couto stated that since safety is the most important thing we must have that done before school starts. Mr. Couto stated that the remedial action for the other water outlets that exceed the limit such as sinks will be shut down until we can do the remediation just in case we cannot get it done before September 6. Mr. Couto stated that if the sink must remain available for the classroom we will have a sign, "Do not drink. Safe for handwashing only." until we can get to it. Mr. Couto stated that of course we will prioritize those sinks that must remain available. Mr. Couto stated that safety is the most important part.

Mr. Couto stated that on July 19, 2016 we were notified that new regulations were adopted and made effective on July 13, 2016. Mr. Couto stated that the new regulations required that within 365 days we must test all the water. Mr. Couto stated that all the districts were notified and directed to a lead sampling plan and an analysis of the drinking water. Mr. Couto stated that actually we did a jump ahead and started this process more than a month before the regulations went into place. Mr. Couto stated that we took a very proactive action to do the water testing by doing some inquiries and finding out what the protocol should be. Mr. Couto stated that the regulations also require notification. Mr. Couto stated that the districts must make all the test results available at the school facility and post it on the website and notification to the DOE and to the parents whenever the limit is exceeded. Mr. Couto stated that we are doing this presentation to communicate the results today, only 24 hours after we received them. Mr. Couto stated that we will have all the results, every school and every faucet, posted on the website. Mr. Couto stated that the regulations allow for reimbursement and since all of our testing and the way we performed it and the selection of the points meet the regulations. Mr. Couto stated that we are qualified for reimbursement and we will compile and submit all of our documentation to seek reimbursement for testing. Mr. Couto stated that as soon as the DOE website is open we will initiate an application. Mr. Couto stated that completes his report.

Mr. Neron thanked Mr. Couto for his report. Mr. Neron introduced Elizabeth City Health Officer Mark Colicchio.

Health Officer of the City of Elizabeth Mark Colicchio stated that it was an excellent report by Mr. Couto. Mr. Colicchio stated that as always our Health Department works very well with the Elizabeth Board of Education. Mr. Colicchio stated that in all the years he has been the Health Officer and has been with the City of Elizabeth not one case of childhood lead poisoning has crossed his desk linked to any water systems in the school system. Mr. Colicchio stated that he understands that people are nervous and are fearful but he can confidently say that we have not had any cases of childhood lead poisoning resulting from our City's schools' water systems.

Mr. Neron thanked Mr. Colicchio.

Mr. Rodriguez thanked Mr. Couto and Mr. Colicchio for their reports. Mr. Rodriguez stated that it is safe to say that we are the only district that has tested the water for lead twice in the last three years. Mr. Rodriguez thanked the old Board who tested in 2013 and to this new Board now that agreed and who tested every outlet this year also to make sure our students are not drinking lead and we are in the forefront of making sure that safety is first. Mr. Rodriguez recognized Councilman Carlos Torres and Councilwoman Patricia Perkins-Auguste who were in attendance.

Personnel Report – Retirements, etc.

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

The motion was carried by the following vote:

Affirmative: Mrs. Amin, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus (negative- J.R., K.S., D.S., E.S., S.S., T.S., D.T., Y.T.) – 8

Negative: None

Supplemental Personnel Report – Retirements, etc.

A motion was made by Mr. Nina, seconded by Mr. Rodriguez, to table the transfer of D.N.

The motion to table the transfer of D.N. was carried by the following vote:

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

Negative: None

A motion was made by Mr. Perreira, seconded by Mrs. Amin, that the amended report (without the transfer of D.N. which was tabled) be accepted.

Mr. Trujillo stated that it is great that we are hiring security guards and questioned the same address for two security guards on the previous Personnel Report.

Mrs. Hugelmeyer explained.

The motion was carried by the following vote:

Affirmative: Mrs. Amin, Miss Goncalves, Messrs. Neron (abstain- C.T.), Nina, Perreira (abstain- M.P.), Rodriguez, Ms. Bathelus – 7

Abstain: Mr. Trujillo – 1

Negative: None

2nd Supplemental Personnel Report – Appointments, etc.

A motion was made by Miss Goncalves, seconded by Mr. Rodriguez, that the report be accepted.

The motion was carried by the following vote:

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

Abstain: Mr. Trujillo – 1

Negative: None

Authorizations Report – Authorization to Make Application, etc.

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, that the report be accepted.

The motion was carried by the following vote:

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

Negative: None

Award of Contracts Report

A motion was made by Mr. Rodriguez, seconded by Miss Goncalves, that the report be accepted.

The motion was carried by the following vote:

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

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Resolution – Approving Form of Contract – K&D Contractors, LLC

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

The motion was carried by the following vote:

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

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

Negative: None

Resolution – Five Year Curriculum Plan for 2016-2021

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Curriculum Guides for 2016-2017 School Year

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Programs of Study for 2016-2017 School Year

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Textbooks in Use for 2016-2017 School Year

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Approving Form of Second Amendment to Agreement for Professional Services between Elizabeth Board of Education and Lerch, Vinci & Higgins, LLP Expanding Scope

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

Mr. Trujillo stated that this is now the 3rd installment of this. Mr. Trujillo stated that this started with a forensic auditor contract of not to exceed \$25,000. at the reorganization meeting in January. Mr. Trujillo asked Mr. Kennedy if that is correct.

Mr. Kennedy responded it is.

Mr. Trujillo stated that now we are extending it up to \$250,000. eight months later. Mr. Trujillo stated that to this point we have not seen a report nor have we seen anything other than a dog and pony show. Mr. Trujillo stated that the auditor comes here and alleges that he found or he thinks that he found this and found that and they are going to go to the prosecutor's office with this and that. Mr. Trujillo stated that all that they are really doing is stealing from the children. Mr. Trujillo stated that \$250,000. is excessive and asked what are they going to be doing now. Mr. Trujillo stated that we are going to pay them tonight, if this passes, another \$37,905. and they continue to exceed their cap. Mr. Trujillo asked how many times more can they come back. Mr. Trujillo stated that we have four more months so he guesses they can come back a few more times and keep going. Mr. Trujillo asked what are they doing for this.

Mr. Kennedy stated that the third paragraph states the additional services that are over and above the original resolution and the second resolution.

Mr. Trujillo stated that this is the second time that they continue to do work and just assume that we are going to pay them. Mr. Trujillo stated that what they are basically doing is that they continue to do the work and come to the Board for approval to be paid for their work. Mr. Trujillo asked what are they actually doing.

Mr. Kennedy stated that they are moving forward to assist us with those items primarily for labor negotiations and grievances. Mr. Kennedy stated that we are going into union negotiations so they are assisting us with that. Mr. Kennedy stated that they are analyzing our fringe benefits as part of that negotiations and reviewing the Chapter 78 employee contributions.

Mr. Trujillo stated that we can actually expect this to be north of \$250,000. and they just haven't gotten there yet. Mr. Trujillo stated that sounds like something that they are not going to do relatively quickly. Mr. Trujillo stated that negotiating a contract with a large union as the EEA is with nearly 4,600 members is something that he doesn't think they are going to do overnight.

Mr. Williams stated that there are a number of issues raised that he would like to attempt to address. Mr. Williams stated that with respect to the forensic audit services those are ongoing and the forensic audit has resulted in savings which are quantifiable in terms of the cost of medical insurance and in certain other areas. Mr. Williams stated that the savings outweigh the cost associated with the forensic audit. Mr. Williams stated that if Mr. Trujillo would like they could sit down and go through all of the savings both as to the health insurance matters that were discovered as well as some of the other things that are in progress for recovery. Mr. Williams stated that there is no doubt on the forensic audit alone that the savings that have been achieved exceed the cost of the audit. Mr. Williams stated that is not really what we have learned through this process and that the real thing that we should be talking about and focusing on tonight involved all of the things that you know about, no tax increase and the budget held even, largely resulted from the efforts of this firm working with Mr. Kennedy and the finance committee to get the budget done. Mr. Williams stated that the cost associated for the accountants in that process is far exceeded in terms of what we are able to achieve from when the budget was first introduced

and where it ended up. Mr. Williams stated that it was that firm that produced the services which resulted in the final budget showing an additional savings in excess of seven figures. Mr. Williams stated that with respect to the other work that they are going to do, the one year look back at settlements that we have done with at least two of the unions and we are working on the remainder of them were done with the assistance of Mr. Kennedy. Mr. Williams stated that he will confirm for you that Lerch Vinci & Higgins and the way they went about analyzing certain aspects of the labor negotiations resulted in the ability to solve those contracts. Mr. Williams stated that those services will be rendered again in the future as we try to negotiate longer term agreements with all of our unions that are fair to the district, the teachers, and other district employees. Mr. Williams stated that this firm has done more than any other to deliver results to the district and he includes himself in that description. Mr. Williams stated that the amount of money that you are spending for their services is miniscule.

Mr. Trujillo stated that Mr. Williams is being repetitive now and he appreciates his answer but he sounds like a politician. Mr. Trujillo stated that the truth is that Mr. Williams is not an elected official but is an attorney for this Board. Mr. Trujillo stated that he finds it appalling that Mr. Williams continues to answer these questions in a way to try to sell the public that this is a good deal. Mr. Trujillo stated that this is not a good deal. Mr. Trujillo stated that we all recall at the March meeting when they came and presented their first findings and that is when they came and uncovered that there was a possibility of some employees actually receiving benefits. Mr. Trujillo stated that they got their headline and stated that we were paying people who didn't work here. Mr. Trujillo stated that they didn't charge us \$250,000. and at that point it was a bargain. Mr. Trujillo stated that now they continue to charge us and ask us for money for things they haven't done. Mr. Trujillo stated that Mr. Williams hasn't been here long enough to understand that before Mr. Williams was here we were able to actually secure and negotiate the two previous contracts with the EEA without any outside help as far as a forensic auditor. Mr. Trujillo stated that he doesn't think a forensic auditor is the person who should be negotiating with the teachers' union. Mr. Trujillo stated that he thinks that is exactly what is wrong with what is going on here. Mr. Trujillo stated that it is this Board. Mr. Trujillo stated that we are elected to represent the people of the City and not hire some third party to come in and rape us for the money and that it is our job to do. Mr. Trujillo stated that it is our job to do and we are not doing it and that is the problem. Mr. Trujillo stated that we haven't met with negotiations, we aren't meeting with the EEA, and we are not talking with them. Mr. Trujillo stated that all we are doing is perpetuating the payments to these people to potentially meet with them. Mr. Trujillo stated that meanwhile we have thousands of our employees who we treated very well over the years and for the last six years they have seen increases in salaries because we believed that to have the best you have to pay the best. Mr. Trujillo stated that he hopes that is what we still believe here because that is not what we are showing the people. Mr. Trujillo stated that if we are not going to be serious about this contract then all we are really concerned about is making our friends at this firm look good and that is concerning to him. Mr. Trujillo stated that these people are raping the citizens of the City of Elizabeth of a quarter of a million dollars. Mr. Trujillo stated that they have not provided one report. Mr. Trujillo asked for one report to be shown to him, something in writing, and something that quantifies \$250,000. Mr. Trujillo stated that is outrageous. Mr. Trujillo stated that his colleagues on this Board are sitting here and not questioning this and are letting the attorney answer all the questions and it is sad and we are failing. Mr. Trujillo asked how do you justify voting for this and this is absurd. Mr. Trujillo stated that this is going to continue and they are going to come back next month and the month after that and ask for more money and tell us how great they are and how great of a job they did and how much money they are saving us. Mr. Trujillo stated that believe it or not we ran a district way before they were around. Mr. Trujillo stated that this can't continue and there is no justification for this. Mr. Trujillo stated that although Mr. Williams gives a good soundbite it is not the truth and they are not worth the money we are paying them. Mr. Trujillo stated that is what matters because he is the elected official in this City. Mr. Trujillo stated that he hates to continue to remind Mr. Williams that he is an employee of this Board. Mr. Trujillo stated that

when he finds that Mr. Williams gives these opinions that are partisan and gives these soundbites it is confusing to the public and they hear this and actually think it is true.

Mr. Williams stated that he is an employee and an appointee of the Board. Mr. Williams stated that he is an attorney and he represents the Board with respect to many of the matters that we are discussing on this particular resolution. Mr. Williams stated that he is involved in the labor negotiations.

Mr. Trujillo asked what negotiations and when have you negotiated and that is the key.

Mr. Williams stated that we already have voted on two contracts. Mr. Williams stated that the thing that Mr. Trujillo is ignoring is the results that have been delivered and the hundreds and hundreds of thousands of dollars that have been identified. Mr. Williams stated that Mr. Trujillo talked about the way that the old Board ran the district and yet this audit and this process has resulted in identification of hundreds and hundreds of thousands of dollars.

Mr. Trujillo asked where is the report. Mr. Trujillo asked for the report in writing and for it to be shown to him in writing and if it is available in writing. Mr. Trujillo asked the Superintendent if she has received the report from this firm in writing and has she seen anything in writing.

Mrs. Hugelmeyer responded no.

Mr. Williams asked Mr. Trujillo if he is debating the results that were announced with respect to the expenditure of that law firm.

Mr. Trujillo stated that he wants to see it in writing. Mr. Trujillo stated that is the problem and that the work does not exist.

Mr. Neron stated that Mr. Trujillo can request a report and a report can be sent.

Mr. Trujillo responded that there isn't one. Mr. Trujillo stated that there isn't a report, \$250,000. and we have nothing in writing. Mr. Trujillo asked Mr. Neron if he sits on the Finance Committee and if he has seen a report.

Mr. Neron responded that he sits on the Finance Committee and there have been several reports.

Mr. Trujillo stated that he has a right to see the reports and asked where are the reports.

Mr. Williams stated that Mr. Trujillo sat right here and heard the reports.

Mr. Neron responded yes and you can get a copy of the report.

Mr. Trujillo asked how come we haven't seen them. Mr. Trujillo asked Mr. Rodriguez if he has seen a copy of the reports.

Mr. Rodriguez responded yes.

Mr. Trujillo asked Mr. Perreira if he has seen the reports.

Mr. Perreira responded no.

Mr. Trujillo asked why can't they see the reports. Mr. Trujillo stated that is the problem.

Mr. Rodriguez stated that some members on this Board sometimes have amnesia and forget. Mr. Rodriguez stated that in the past we had a firm here called Simon Kelso Edelstein who literally had a blank check to the funds that the City and the State provide us. Mr. Rodriguez stated that just last year that firm billed us over \$2 million and at no point had that firm ever had a cap on how much they were allowed to spend nor did they ever come and ask.

Mr. Trujillo stated that in January we hired twelve law firms.

Mr. Rodriguez stated that at no point did they ever come and ask for more money. Mr. Rodriguez stated that for the last two years the EEA was working without a new contract for over two years. Mr. Rodriguez stated that we had a memorandum of agreement to settle one year of that contract underneath these new firms. Mr. Rodriguez stated that when you tell me the EEA hasn't been met with and there haven't been some type of meeting that is a lie because obviously there has been some type of meeting if we had some type of memorandum where they actually did get a raise. Mr. Rodriguez stated that we got a report from this firm, one of many, one specifically outlined the employees that we were paying health benefits to, we took them off roll, at a cost savings of \$353,000.

Mr. Trujillo stated that we just spent it.

Mr. Rodriguez stated that from this report they are asking to go up to \$250,000. and the savings is there already. Mr. Rodriguez stated that on top of that the savings that we will get from canceling the contract with Trujillo Construction, any future contracts with Bayway Lumber, and other places that have been shown to allegedly rape the district of money. Mr. Rodriguez stated that when Mr. Trujillo attacks and makes these false statements to please remember don't have amnesia. Mr. Rodriguez stated that in the last few years we have settled the contract that the old Board was unable to do with a third party outside firm which was Edelstein. Mr. Rodriguez stated that they dragged their feet for two years and billed this Board of Education for nothing.

Mr. Trujillo stated he is giving a history lesson of the last eight months. Mr. Trujillo stated that for the last eight months that Mr. Rodriguez has been in the majority and Mr. Rodriguez has been here this is what they have done, absolutely nothing to move the agenda of this district forward. Mr. Trujillo stated that nothing educationally, nothing at all. Mr. Trujillo stated that what they did is hire twelve different law firms all of them which are conflicted with Mr. Rodriguez. Mr. Trujillo stated that they had to hire a thirteenth law firm to represent Mr. Rodriguez because ethics charges were filed against Mr. Rodriguez which is his right to be represented. Mr. Trujillo stated that we had to hire a thirteenth law firm because the other twelve law firms are conflicted with Mr. Rodriguez.

The motion was carried by the following vote:

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

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

Resolution – Amending Contract – Keyport Army and Navy

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

The motion was carried by the following vote:

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

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Resolution – Appointing a Specialized Moving Company to Relocate the Board’s Kardex Lektriever Automated Filing Systems to New Locations within the District.

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

The motion was carried by the following vote:

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

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

Negative: None

Resolution – Appointing Portuguese Auto Repair to Service District Small to Midsized Trucks and Other Vehicles

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

The motion was carried by the following vote:

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

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Resolution – Appointing Portuguese Auto Repair to Service District Large Trucks and Other Vehicles

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

The motion was carried by the following vote:

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

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Resolution – Lease Addendum for Rental of Property – Pillar Properties, LLC

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

Mr. Rodriguez asked if this was for the Imperial Building.

Mr. Kennedy responded yes and stated that it is for a one-month extension.

The motion was carried by the following vote:

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

Negative: Mr. Trujillo – 1

Resolution – Amending Scope of Work Regarding Repair of Dr. Albert Einstein Academy School No. 29 Gymnasium Floor, Approving New Contract with Mathusek Inc.

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

The motion was carried by the following vote:

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

Abstain: Mrs. Amin, Mr. Trujillo – 2

Negative: None

Resolution – Amending Scope of Work Regarding Repair of Terence C. Reilly School No. 7 Gymnasium Floor, Approving New Contract with Mathusek Inc.

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

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo,

Ms. Bathelus – 7

Abstain: Mrs. Amin – 1

Negative: None

Resolution – Appointing Varsity Spirit Fashions to Provide Cheerleading Athletic Equipment and Supplies

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

The motion was carried by the following vote:

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

Negative: None

Mr. Rodriguez excused himself from the meeting at 7:40 p.m.

Resolution – Appointing Metuchen Center, Inc.; BSN Sports, LLC; MFAC, LLC; and Triple Crown Sports, Inc. to Provide Athletic Equipment and Supplies

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

The motion was carried by the following vote:

Affirmative: Mrs. Amin, Miss Goncalves, Messrs. Neron, Nina, Perreira,

Ms. Bathelus – 6

Abstain: Mr. Trujillo – 1

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers

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

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Ms. Bathelus – 4

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

The President requests a motion 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, School Board's Professional Development Improvement Plan, and for discussion of personnel, specifically job descriptions, Donaldson hearings; legal matters, specifically, settlement agreement prescription benefits, and memorandum of agreement for Parking Authority. The Board will reconvene in public to take formal action.

A motion was made by Mr. Trujillo, seconded by Miss Goncalves, to go into private session at 7:43 p.m.

The motion was carried by the following vote:

Affirmative: Mrs. Amin, Miss Goncalves, Messrs. Neron, Nina, Perreira, Trujillo,

Ms. Bathelus – 7

Negative: None

Mr. Rodriguez returned to the meeting at 7:45 p.m.

Mr. Trujillo excused himself from the meeting at 8:00 p.m.

Mrs. Amin excused herself from the meeting at 8:30 p.m.

Mr. Perreira excused himself from the meeting at 8:55 p.m.

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, to reconvene in public session at 9:15 p.m.

The motion was carried by the following vote:

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

Negative: None

Ms. Bathelus amended her vote on the Personnel Report – Retirements, etc. to negative for J.R., K.S., D.S., E.S., S.S., T.S., D.T., Y.T. The amended vote is reflected in the Personnel Report – Retirements, etc.

Resolution – Extension of Appointment of Acting Director of Security/Lead Investigator

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Extension of Appointment of Acting Director of Transportation

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

The motion was carried by the following vote:

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

Negative: None

Resolution – Extension of Appointment of Acting Coordinator of Transportation

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

The motion was carried by the following vote:

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

Negative: None

A motion was made by Mr. Rodriguez, seconded by Miss Goncalves, to untable the appointment of bus driver/utility person J.J.

The motion to untable the appointment was carried by the following vote:

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

Negative: None

3rd Supplemental Personnel Report – Appointment of Bus Driver/Utility Person

A motion was made by Mr. Rodriguez, seconded by Miss Goncalves, that the report be accepted.

The motion was carried by the following vote:

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

Negative: None

Mr. Rodriguez wished everyone a good opening to the new 16-17 school year.

On a motion by Miss Goncalves, seconded by Mr. Nina, the meeting was adjourned at 9:20 p.m.

The motion was carried by the following vote:

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

Negative: None

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