

Reorganizational Meeting
South Orange-Maplewood
Board of Education
May 11, 2023

A Reorganizational Meeting of the Board of Education of South Orange-Maplewood was held in the District Meeting Room at the Administration Building, 525 Academy Street, Maplewood, New Jersey as well as utilizing the online video conference platform on May 11, 2023.

Board President Kaitlin Wittleder called the meeting to order at 6:30 p.m.

ROLL CALL

Present: Board Member Duvall Wilson, Board Member Eckert,
Board Member Malespina, Board Member Vadlamani,
Board Member Winkfield, Board President Wittleder

Absent: Board Member Gifford, Board Member Telesford,
Board Member Wright

SIX VOTING MEMBERS PRESENT

NOTICE OF THE MEETING

Please take notice that adequate notice of this meeting has been provided in the following manner:

- A. That written notice was sent from the Office of the Secretary of the Board at 2:30 p.m. on January 6, 2023.
- B. That said notice was sent via email to Maplewood and South Orange Township Clerks and the Editors of the News Record, Star Ledger, and the Village Green.

Pledge of Allegiance

Board President Wittleder made the following motions, seconded by Board Member Malespina:

SOUTH ORANGE-MAPLEWOOD BOARD OF EDUCATION RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the "Sen. Byron M. Baer Open Public Meetings Act" (N.J.S.A. 10:4-6 et seq.) requires all meetings of the South Orange Maplewood Board of Education to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," without the public being permitted to attend, and

WHEREAS, the Board has determined that one (1) issue is permitted by N.J.S.A 10:4 - 12 (b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on Thursday, May 11, 2023 at 6:30 PM, and

WHEREAS, the nine (9) exceptions to open the public meetings set forth in N.J.S.A 10:2-4(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is attorney/client privilege.

"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matters, described as specifically as possible without undermining the need for confidentiality are:

"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body."

"(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(6) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(7) Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are: **Renewals and Nonrenewals for the 2023/24 SY**

"(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

WHEREAS, the length of the Executive Session is estimated to be seventy five(75) minutes after which the public meeting of the Board shall (select one) reconvene and immediately adjourn or **reconvene and proceed with business where formal action will be taken.**

NOW, THEREFORE, BE IT RESOLVED that the South Orange Maplewood Board of Education will go into Executive Session for the above stated reasons only; and

BE IT FURTHER RESOLVED that the Board hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest is disclosure is greater than any privacy or governmental interest being protected from disclosure.

Motions unanimously approved.

Board Members adjourned to Executive Session at 6:32 p.m.
Board Members reconvened at 8:40 p.m.
Board Members Gifford, Telesford, Wright and Student Rep. Morros present
NINE VOTING MEMBERS AND ONE STUDENT REPRESENTATIVE PRESENT

BOARD PRESIDENT'S STATEMENT

The School Board meeting is a business meeting in public not a meeting with the public. Oftentimes it may appear to members of our audience that the Board of Education takes action with very little comment and in many cases a unanimous vote. Before a matter is placed on the agenda at a public meeting, the Administration has thoroughly reviewed the matter with the Superintendent of Schools/Chief School Administrator (CSA). If the Superintendent of Schools/Chief School Administrator is satisfied that the matter is ready to be presented to the Board of Education, it is then referred to the appropriate Board Committee. The Members of the Board Committee work with Administration and the Superintendent to assure that the members fully understand the matter. After the committee discusses the matter, it is presented to the full Board for discussion before any action is taken. Only then, is it placed on the agenda for action at a public meeting.

HEARING OF INDIVIDUALS AND DELEGATIONS

Thank you for coming in-person and dialing-in by phone this evening. The South Orange - Maplewood Board of Education certainly respects that you've taken the time out of your busy day to address the Board at tonight's meeting. We value public involvement in our school district, and we are eager to hear what you have to say. The board does have time limits by policy, and it will be enforcing those to enable as many people to speak as possible this evening. Each individual will be given three minutes to speak, please do your best to stay within the time afforded to you. The first public comment period is usually limited to one hour and the second public comment period may be limited to thirty minutes. All input shared with the Board of Education is taken very seriously, and will inform future deliberations and work by the Board of Education and its committees.

Student Representative Update - Noah Morros

Student Representative Morros spoke in support of Columbia High School Principal Frank Sanchez.

HEARING OF INDIVIDUALS AND DELEGATIONS

The following community members spoke during the hearing of Individuals and Delegations: Lilly Eiansevich, Raymond Brown, Mary Grace Rumley, Sabrina Mannion, Rowan Wechsler, Molly Mendoza, Lucy Mahoney, Benjamin Wood, Jordan Kline, Susan Brody, Jesse Hein, Rosemary Connell, Felicia George, Suzanne Ryan, Maxwell Kravitz, Gabrielle Tarrow, Katie Costello, Yves Hart, Naomi Robinson, Sarah Iozzio, Jay Cooper, Laura Wallis, Ronni Schwartz, Jocelyn Ryan, Veda Truesdale, Nat Bradburd, Bruce Hartley, Shira Lincoln, Dan Gosselink, Natalie Moore, Kandice Point Du Jour, Shannon Cuttle, Eric Meyer, Leslie Kerner, Frank McGehee, Anna Rulnick, Julie Campbell, Liz Gordon, Pat Hurley, Asia Marchen, Jordan Klein, Tia Swanson, Dean Dafis, Katie Simpson, Vicky Bond, Stacey Thomas, James Davis and Laila Gold.

Dr. Taylor responded to comments made during the Hearing of Individuals and Delegations.

Board Member Winkfield made a statement.

ITEMS FOR ACTION

Motion made by Dr. Taylor, seconded by Board Member Malespina to move the following resolutions for discussion and voting 4455A-B, 4456 and 4457 excluding severed resolutions 4456A (lines 12 Bean-folks, 16 Bodnar & 171 Sanchez).

4455A. RESIGNATION

NAME	EFFECTIVE DATE
Employee #4560	6/30/23

4455B. APPOINTMENTS

NAME	ASSIGNMENT	EFFECTIVE DATE	ACTUAL SALARY
Butler, Melissa	Acting Principal SB - 1.0 FTE	5/15/23 6/30/23	\$143,652
Cicenia, Anthony	Acting Asst. Principal SB - 1.0 FTE	5/15/23 6/30/23	\$118,685

4456A. APPROVE REAPPOINTMENT OF NON-TENURED STAFF FOR THE 2023-24 SCHOOL YEAR excluding lines 12, 16 & 171 (See attached list LIST #1 - Reappointment of Non-Tenured Staff).

4456B. APPROVE REAPPOINTMENT OF ALL OTHER STAFF FOR THE 2023-24 SCHOOL YEAR (See attached LIST #2 - Reappointment of All Other Staff)

4457. Approves the following Organizational Appointments for the 2023-2024 School Year:

1. Approve Thomas Giglio as the District Health and Safety Officer.
2. Approve Thomas Giglio as the Integrated Pest Management Coordinator, AHERA Coordinator and Asbestos Management Officer.
3. Approve Thomas Giglio as the Right to Know Officer.
4. Approve Thomas Giglio as the Indoor Air Quality Officer.
5. Appoint Eric Burnside as Board Secretary and authorize him to sign checks, notes, drafts, bills of exchange, acceptance, undertakings or other orders for payment of money.
6. Appoint Eric Burnside as the Qualified Purchasing Agent and authorize him to negotiate and award contracts pursuant to NJSA 18A:18A-3.
7. Appoint Eric Burnside as the Custodian of Records for the school district.
8. Appoint Andrea Del Guercio as Assistant Board Secretary and authorize her to sign checks, notes, drafts, bills of exchange, acceptance, undertakings or other orders for the payment of money in the absence of the Board Secretary.

9. Approve Eric Burnside as the Public Agency Compliance Officer for the school district.
10. Approve Dr. Kevin Gilbert as the Affirmative Action Officer for the school district.
11. Approve Susie Budine as District Liaison for the Education of Homeless Children (per N.J.A.C. 6A:17-2.5).
12. Approve Susie Budine as the Liaison to the Department of Children and Families Division of Child Protection and Permanency.
13. Approve Susie Budine as the District ADA/504 Compliance Committee Coordinator for students.
14. Approve Tunde Adedoyin as the District ADA/504 Compliance Committee Coordinator for employees.
15. Appoint Dr. Kevin Gilbert as the Anti-Bullying Coordinator for the school district.
16. Appoint Dr. Kevin Gilbert as the District Title IX Coordinator.
17. Approve Ann Bodnar or Designee to implement the district's approved vocational and technical education safety and health programs (per N.J.A.C. 6A:19-10.2(b)).
18. Appoint Dana Sullivan as Treasurer for the school district.
19. Appoint Dr. Michael Kelly of West Orange, New Jersey as School Physician at an annual fee of \$37,100.
20. Appoint the firm of PFK O'Connor Davies, LLP as the independent statutory auditor for the school district at an annual fee of \$68,000.
21. Appoint Lenox Law Firm as General Counsel for the District at the following rates: Partner \$180.00/hour, Associate \$165/hour, Paralegal \$95/hour, plus the cost of filing fees, investigation costs, transcripts costs, expert fees, witness fees, service charges and the like, Federal Express (overnight) and messenger charges where the use of a messenger is necessary to meet a client's requirements and copying services for projects in excess of 100 pages.
22. Appoint David B. Rubin, Esq. of David B. Rubin, PC and Busch Law Group as Special Counsel to the Board of Education at a rate of \$185 per hour, plus reimbursement of all costs, disbursements and expenses reasonably and necessarily incurred in connection with this agreement.
23. Appoint Busch Law Group as Special Education Counsel for the District at the following rates: Attorneys \$170 per hour, Paralegal \$85 per hour, plus the cost of direct expenses.
24. Appoint the law firm of Wilentz Attorneys at Law as the Bond Counsel firm to provide specialized legal services necessary in connection with the authorization and the issuance of bonds or notes by the Board of Education; fees are determined per agreement on file in Board Secretary's Office.
25. Appoint the firm of Phoenix Advisors, Inc. as the Continuing Disclosure Agent, Municipal Advisor of Record and to provide annual Financial Advisory Services necessary by the Board of Education; fees are determined per agreement on file in Board Secretary's Office
26. Appoint Willis of New Jersey, Inc. as insurance broker of record.

27. Appoint Gallagher Benefit Services, Inc. as insurance agent for School District Employee Benefits.
28. Appoint the firm of Spiezle Architectural Group as the school district's architect; fees are determined per agreements on file in Board Secretary's Office.
29. Approve the following depositories for school monies:
 - Bank of America
 - NJ ARM
 - PNC Bank
 - Chase Manhattan Bank
 - Wells Fargo Bank
30. Adopt the following approved District secondary school, middle school and elementary school curricular programs as presently written for the 2023-2024 school year, with new/revised curricula brought forward for adoption as they are completed and prior to their implementation: [curriculum on file in the office of the Assistant Superintendent for Curriculum and Instruction]:
 - Art K-12
 - Career & Technical Education 9-12
 - Counseling 6-12
 - Educational Media & Technology K-12
 - English as a Second Language K-12
 - English/Language Arts K-12
 - Health/Family Life K-12
 - Mathematics K-12
 - Music K-12
 - Physical Education K-12
 - Science K-12
 - Social Studies K-12
 - World Languages 4-12
 - Pre-K [Tools of the Mind]
31. Accept the existing master agreements with the following units:
 - a. South Orange-Maplewood Education Association (SOMEA); and
 - b. Association of Supervisors, Coordinators and Administrators (ASCA)
32. Adopt the following newspapers for legal advertisements for the 2023-2024 school year: The Star Ledger, News Record, TAPintoSOMA.net, villagegreennj.com or the New York Times.
33. Authorize the Board Secretary to purchase the following types of securities for the purpose of investment on a short-term basis:
 - a. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; or
 - b. Bonds of any Federal Intermediate Credit Bank, Federal Home Loan Bank, Federal Land Bank, Federal national Mortgage Associates or of any United States Band for Cooperatives which have a maturity date not greater than twelve months from the date of purchase; or
 - c. Bonds or other obligations for other school districts.
(18A:20-37)
34. Authorize the Superintendent or designee, to approve such line item budget transfers as are necessary between Board of Education meetings, and that such transfers shall be reported to

- the Board of Education, ratified and duly recorded in the minutes of the next regular meeting.
35. Authorize the Board Secretary to establish the following imprest petty cash fund accounts for the period July 1st through June 30th during the next fiscal year in accordance with N.J.S.A.18A:19-13. Business Administrator' office, amount of fund to be set at \$1,000. Assistant Business Administrator's office, amount of fund to be set at \$100.
 36. Authorize the Business Administrator to issue bids on behalf of the Board of Education, as necessary.
 37. Approve continued membership in the New Jersey Interscholastic Athletic Association and agree to be governed by the Constitution, By-laws and Rules and Regulations of the Association, including all rules governing student athlete eligibility, for the 2023-2024 school year.
 38. Approve continued membership in New Jersey School Boards Association, Minority Student Achievement Network and Garden State Coalition of Schools for the 2023-2024 school year.
 39. Establish a photo copy fee of \$0.05 (\$0.10 color copy) per letter size page or smaller and \$0.07 (\$0.12) per legal size page or larger of official Board Minutes and other public documents. A special service fee may be added for irregular size copies or requests that require an extraordinary amount of time or effort to accommodate the request.
 40. Approve procurement of goods and services through state agencies and Mercer County Special Services Cooperative Pricing System ("MCSSSD"), Morris County Cooperative Pricing Council, Educational Services Commission of New Jersey Cooperative (Middlesex Regional), New Jersey Cooperative Purchasing Alliance (Bergen County), The Educational Services Commission of Morris County Cooperative, Educational Data Services, Inc., Union County Cooperative Pricing Agreement, Hunterdon County Educational Services Commission Cooperative and 1 Government Procurement Alliance (1GPA).
 41. Approve the attendance and related travel expenses for regular district business as caused by or subject to contractual provisions, other statutory requirements or federal requirements and approve the reimbursement for such regular district travel expenses not to exceed \$1,500 per employee.
 42. Adopt Code of Student Conduct through June 30, 2024.
 43. Approve the Emergency Management Plan and the Bio-security Plan as recommended by the Superintendent of Schools.
 44. Approve the Business Office Purchasing Manual and Business Office Standard Operating Procedures Manual as recommended by the Superintendent of Schools.
 45. R & L Data Centers, Inc. Payroll Company.
 46. Adopt the 403(b) and 457(b) Plan Documents for Public Education Organizations.
 47. Approve 403B Tax Shelter Annuity Brokers
 - a. Ameriprise Financial Services
 - b. AXA Equitable
 - c. Great American Life
 - d. The Legend Group

- e. MetLife
 - f. AIG Retirement-VALIC
48. Adopt the Board Policy Manual for the 2023-2024 School Year

ROLL CALL: Motion 4455A-B, 4456A excluding (lines 12, 16 & 171) 4456B and 4457. PASSED YES: Duvall Wilson, Eckert, Gifford, Malespina, Telesford, Vadlamani, Winkfield, Wittleder, Wright
NO: None

An impassioned discussion amongst Board Members took place regarding the following appointments.

Motion made by Dr. Taylor, seconded by Board President Wittleder to move resolution 4456A (line 12 Bean Folkes) for discussion and voting. Motion passed unanimously.

ROLL CALL: Motion 4456A (line 12 Bean Folkes) FAILED YES: Gifford, Telesford, Vadlamani, Winkfield, NO: Wittleder, Duvall Wilson, Eckert, Malespina, Wright

Motion made by Dr. Taylor, seconded by Board President Wittleder to move resolution 4456A (line 16 Bodnar) for discussion and voting. Motion passed unanimously.

Board Member Vadlamani made a motion, seconded by Board Member Winkfield to overrule the chair. Motion failed

ROLL CALL: Motion 4456A (line 16 Bodnar) PASSED YES: Duvall Wilson, Eckert, Gifford, Telesford, Vadlamani, Winkfield, NO: Wittleder, Wright

Motion made by Dr. Taylor, seconded by Board Member Duvall Wilson to move resolution 4456A (line 171 Sanchez) for discussion and voting. Motion passed unanimously.

ROLL CALL: Motion 4456A (line 171 Sanchez) PASSED YES: Duvall Wilson, Eckert, Telesford, Vadlamani, Winkfield, Wittleder, Wright
NO: None ABSTAIN: Gifford

Board Member Wright asked for clarification regarding the roll call votes and requested to change her vote to yes for resolution 4456A (line 12 Beane Folkes).

Motion made by Dr. Taylor, seconded by Board President Wittleder to reconsider the vote for resolution 4456A (line 12 Bean Folkes).

ROLL CALL: Motion 4456A (line 12 Bean Folkes) PASSED YES: Gifford, Telesford, Vadlamani, Winkfield, Wright NO: DuVall Wilson, Eckert, Malespina, Wittleder

Motion made by Board Member Eckert, seconded by Board President Wittleder to approve the following:

4458A. Denies the Level IV grievance filed on behalf SOMEA members

regarding payroll.

4458B. Denies the Level IV grievance filed on behalf Maplewood Middle SOMEA members regarding scheduling.

ROLL CALL: Motion 4458A-B PASSED YES: Duvall Wilson, Eckert, Gifford, Vadlamani, Winkfield, Wittleder NO: None ABSTAIN: Malespina, Telesford Wright

Future Meetings

Board President Wittleder made the following Motion seconded by Board Member Eckert:

The Board of Education will meet in Public Session on Thursday, May 25, 2023 at 6:30 pm in the District Meeting Room, 525 Academy Street, Maplewood, NJ. Immediately following the opening of Public Session, the board will move to go into a Closed Session in the Superintendent's Office, 525 Academy Street, Maplewood, NJ, as well as using an online video conference platform to discuss personnel, matters within the attorney-client privilege, legal, negotiations, and other matters that may arise and require discussion, to be announced at a later date. Immediately following the Closed Session, the Board of Education will meet in **Public Session** (estimated to be 7:30 pm) in the District Meeting Room, 525 Academy Street, Maplewood, NJ in person, utilizing an online video conference platform which will include Hearing of Individuals. The community can view the meeting by following the steps which will be listed on the agenda. If there are members of the community who would like to attend the meeting in person, please note that masks and social distancing are optional in accordance with the guidance received from the local DOH and the CDC. Action will be taken.

MOTION made by Board President Joshua seconded by Board Member Eckert that the Board of Education adjourn. Motion approved unanimously on Friday, May 12, 2023 at 12:08 a.m.

Eric Burnside, Board Secretary