

**WEST ORANGE BOARD OF EDUCATION
Special Board Meeting November 4, 2020
5:33 P.M. Public Session
Virtual**

Minutes

I. ROLL CALL OF THE MEMBERS

**Present: President Alper, Mrs. Trigg-Scales, Mrs. Merklinger, Mr. Rothstein, Mrs. Tunncliffe
(arrived at 5:36 p.m.)**

II. NOTICE OF MEETING: Please take notice that adequate notice of this meeting has been provided in the following manner:

- A. That a written notice was sent from the Office of the Secretary of the Board at 4:00 p.m. on October 19, 2020.
- B. That said notice was sent by regular mail to the West Orange Township Clerk and the Editors of the West Orange Chronicle and the Star-Ledger.
- C. That said notice was posted in the lobby of the Administration Building of the Board of Education.

III. WEST ORANGE 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 West Orange 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 four (4) issues are 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 Wednesday, November 4, 2020 at 5:34 P.M, and

WHEREAS, the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(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:
- "(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." The collective bargaining contract(s) discussed are between the Board and _____.

□ "(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: Employee #7636, #6378, #4411; Settlement Agreement Former Employee #8167.

□ "(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 thirty (30) 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 West Orange 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 in disclosure is greater than any privacy or governmental interest being protected from disclosure.

IV. PUBLIC SESSION AT 6:11 P.M.

V. PLEDGE OF ALLEGIANCE

VI. SUPERINTENDENT/ BOARD REPORTS

A. School Reopening Plans-Public Health and Medical Report

VII. QUESTIONS FROM THE PUBLIC ON AGENDA ITEMS / PETITIONS AND HEARINGS OF CITIZENS

VIII. REPORTS, DISCUSSIONS, AND RECOMMENDATIONS

A. PERSONNEL

1. Resignations / Retirements

- a. Superintendent recommends approval to the Board of Education for the following non-certificated staff resignation(s) / retirement(s):

Name	Location	Position	Reason	Effective Date
Nyomi McKenzie	Transportation	Bus Drive Part-time	Resignation	10/26/20
Rebecca Weinstein	WOHS	Paraprofessional	Resignation	11/6/20

2. Appointments

- a. Superintendent recommends approval to the Board of Education for the following certificated staff appointment(s). Step / Salary may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Replacement / New	Guide	Step	Salary	Account Code	Effective Dates
Keli Eason	Gregory	Kindergarten Special Education	Rotellini	MA	3	\$61,594 prorated amended	11.110.100.101.00.09.120	9/17/20 - 6/30/21
Kaitlin Higgins	WOHS	Culinary Arts	Donnelly	BA	3	\$57,681 prorated	11.140.100.101.00.35.050	1/4/21 - 6/30/21

Jenna Laszlo	St. Cloud	Kindergarten Long Term Replacement	Munoz	BA	N/A	\$288 per diem	11.110.100.101.00.14.170	11/23/20 - 12/11/20
Christine O'Neill	WOHS	Special Education Mathematics Long Term Replacement	DeRosa	MA	N/A	\$308 per diem	11.204.100.101.00.03.050	11/9/20 - TBD*

*until a replacement is found

- b.** Superintendent recommends approval to the Board of Education for the following non-certificated staff appointment(s). Step / Salary may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Replacement / New	Guide	Step	Salary	Account Code	Effective Dates
Honesty Gilliam	Kelly	Paraprofessional	Robinson	Non Degree	3	\$28,559 prorated	11.204.100.106.00.12.150	11/9/20* - 6/30/21 amended
Kianna Montplaisir	WOHS	Security Guard Leave Replacement	Casolaro	Security	6	\$45,958 prorated	11.000.266.110.00.03.050	7/10/20 - 1/3/21 amended

*pending Criminal History Record Check process

- c.** Superintendent recommends approval to the Board of Education for the following additional teaching assignment(s) Step / Salary may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Guide	Step	Salary / Rate of Pay	Account Code	Effective Dates
Kimberly Robinson	WOHS	Special Education Enrollment	MA+30	6	\$11,951	11.213.100.101.00.03.050	2020-2021
Heather Yates	WOHS	Resource Room Enrollment	MA+45	12	\$13,054	11.140.100.101.00.34.050	2020-2021

- d.** Superintendent recommends approval to the Board of Education for the following negotiated co-curricular/club advisor assignment(s). Stipends / Rates may be adjusted upon ratification of collective bargaining agreement. (Att. #1)
- e.** Superintendent recommends approval to the Board of Education for the following certificated and non-certificated staff additional assignment(s). Stipends/Rate of Pay may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Stipend / Rate of Pay	Account Code	Effective Dates
Joseph Postiglione	Mt. Pleasant	Classroom Facility Preparation	\$39.78 per hour not to exceed 6 hours	11.214.100.101.00.11.140	10/10/20
Nanci Silvestri	WOHS	Clerical Aide to provide Paraprofessional coverage	\$19.56 per hour not to exceed 5 hours per week	11.000.240.105.00.03.050	11/9/20 - TBD*
Kimberly Tawil	Mt. Pleasant	Classroom Facility Preparation	\$39.78 per hour not to exceed 6 hours	11.214.100.101.00.11.140	10/10/20
Tynia Thomassie	Central Office	Manage Zoom Meeting for BOE	\$400	11.000.221.176.00.40.000	11/4/20

*during in-person hybrid instruction

- f. Superintendent recommends approval to the Board of Education for the following certificated and non-certificated staff to serve as Proctors for the PSAT administered on October 17, 2020 at the rates indicated. Stipends/Rate of Pay may be adjusted upon ratification of collective bargaining agreement. (Att. #2)
- g. Superintendent recommends approval to the Board of Education for the following certificated staff to serve as School-based Affirmative Action Team Officers for the 2020-2021 school year. (Att. #3)

3. Leaves of Absence

- a. Superintendent recommends approval to the Board of Education for the following leaves of absence for certificated staff:

Name	Location / Position	Paid Leave	Unpaid Leave with Benefits	Unpaid Leave without Benefits	Anticipated Return Date
Christina Biddle Medical	WOHS English	11/9/20 - 12/18/20	N/A	N/A	12/21/20

- b. Superintendent recommends approval to the Board of Education for the following leaves of absence for certificated staff:

Name	Location / Position	Paid Leave	Unpaid Leave with Benefits	Unpaid Leave without Benefits	Anticipated Return Date
Paul Casolaro Medical	WOHS Security Guard	7/1/20 - 1/1/21 amended	N/A	N/A	1/4/21 amended
Luz Cubero Personal	WOHS Paraprofessional	11/9/20 - 11/13/20	N/A	11/16/20 - 1/8/21	1/11/21

Personnel - Items 1 through 3

MOTION: Mrs. Merklinger

SECOND: Mr. Rothstein

VOTE: 5-0 (RC)

Yes
Merklinger

Yes
Rothstein

Yes
Tunncliffe

Yes
Trigg-Scales

Yes
Alper

B. FINANCE

a.) Business Office

1. Recommend approval of Settlement Agreement between Former Employee #8167 and the West Orange Board of Education.
2. Recommend approval of the following resolution:

A RESOLUTION OF THE WEST ORANGE BOARD OF EDUCATION AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the West Orange Board of Education has determined to move forward with the EMEX Reverse Auction in order procure electricity; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156)

(the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the West Orange Board of Education will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act.

NOW THEREFORE BE IT RESOLVED, that the Business Administrator is authorized to execute on behalf of the West Orange Board of Education any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

3. Recommend acceptance of the following donations/awards:

Donor	Recipient	Donation
Joanne Pollara in memory of Katherine C. Pollara	Kelly School	\$100 for the purchase of library books
Joanne Pollara	NJPBSIS Program for Kelly School	\$500
Joanne Pollara	Kelly School	Picnic Table valued at \$1,384.46
St. Barnabas Medical Center	West Orange Public Schools	1,000 Disposable Isolation Gowns valued at \$3,020
Tito’s Handmade Vodka	West Orange Public Schools	Hand Sanitizer valued at \$6,400
Blackbaud Giving Fund	Washington School	\$300

Finance - Items 1 through 3

MOTION: Mrs. Trigg-Scales

SECOND: Mrs. Tunncliffe

VOTE: 5-0 (RC)

Yes
Merklinger

Yes
Rothstein

Yes
Tunncliffe

Yes
Trigg-Scales

Yes
Alper

IX. BOARD POLICY WORKSHOP

A. First Reading of the following Bylaw:

Remote Public Board Meetings During a Declared Emergency 0164.6 (Att. #4)

MOTION: Mrs. Trigg-Scales

SECOND: Mrs. Tunncliffe

VOTE: 5-0 (RC)

Yes
Merklinger

Yes
Rothstein

Yes
Tunncliffe

Yes
Trigg-Scales

Yes
Alper

- X. **NEXT BOARD MEETING to be held at 7:30 p.m. on November 16, 2020 virtually.**
- XI. **ADJOURNMENT at 11:12 p.m.**

Respectfully submitted,

John Calavano, Board Secretary