

MINUTES OF THE SPECIAL PUBLIC BOARD MEETING  
HELD MONDAY, JULY 15, 2013 AT 7:00 P.M.  
100 CHESTNUT STREET, MONTCLAIR, NEW JERSEY

A. RESOLUTION FOR EXECUTIVE SESSION

At **7:00 p.m.** *Ms. Coke* moved the following resolution:

WHEREAS, the open Public Meetings Act, N.J.S.A.10:4-12, permits the Board of Education to meet in closed session to discuss certain matters,

NOW, THEREFORE, BE IT RESOLVED, the Board of Education adjourns to closed session to discuss:

Student Matters, Attorney Client, and Personnel Matters

AND BE IT FURTHER RESOLVED, the minutes of this closed session be made public when the need for confidentiality no longer exists.

Seconded by *Mr. Rosenblum* and approved by a vote of 6-0.

B. EXECUTIVE SESSION

C. RETURN TO OPEN SESSION

D. STATEMENTS

The meeting reconvened at **8:30 p.m.**

Let the minutes reflect that adequate notice of this meeting has been approved in the following manner:

1. On Tuesday, July 9, 2013 notice of this meeting was faxed to the Montclair Times, the Herald News and the Star-Ledger. The time, date and location of this meeting were accurately set forth therein.
2. On this same date a copy of said notice was filed with the Township Clerk and was posted at the public bulletin board in the first floor main hall of the Board of Education building, 22 Valley Road.

“Please be advised that this meeting is considered a public meeting under the law and may be taped, broadcast, used or reproduced in ways and in mediums beyond the control of the Board of Education. Individual statements and opinions expressed are solely those of the speakers and do not necessarily represent the Montclair Board of Education.

Please keep in mind that if you directly disclose personally identifiable information or personally sensitive data regarding yourself or others during this public meeting, this information may be collected and used by others. Accordingly, the Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding students and employees of the Board are discouraged. Students and employees have specific legal rights afforded to

them by the laws of New Jersey. The Board bears no responsibility and will not be liable for any comments made by members of the public. Speakers should therefore carefully evaluate their statements for individual consequences under the law, and should obtain any appropriate professional advice prior to speaking.”

E. THE PLEDGE OF THE ALLEGIANCE

The Pledge of Allegiance occurred at *8:32p.m.*

F. ROLL CALL

	PRESENT	ABSENT
Tanya Coke	<u>    x    </u>	<u>        </u>
David Cummings	<u>    x    </u>	<u>        </u>
David Deutsch	<u>        </u>	<u>    x    </u>
Robin Kulwin	<u>    x    </u>	<u>        </u>
Leslie Larson	<u>    x    </u>	<u>        </u>
Shelly Lombard	<u>    x    </u>	<u>        </u>
Norman Rosenblum	<u>    x    </u>	<u>        </u>
Staff Members	<u>    15    </u>	
Members of the Public	<u>    20    </u>	
Members of the Press	<u>    4    </u>	

G. MINUTES

*Mrs. Lombard* moved to approve the following:

1. Public Board Meeting held on Monday, June 3, 2013
2. Workshop Public Board Meeting held on Monday, June 10, 2013

Seconded by *Mr. Rosenblum* and approved by a vote of 6-0 with 0 abstentions

H. SUPERINTENDENT’S REPORT

1. Common Core State Standards

*Dr. MacCormack* presented information to the Board about the Common Core State Standards.

2. New Hire – Glenfield Principal

*Dr. MacCormack* presented her recommendations to the Board for a Principal at Glenfield School.

- a. Resolution to Appoint a Principal at Glenfield School

*Mrs. Lombard* moved to approve the following resolution:

BE IT RESOLVED that the Montclair Board of Education hereby appoints Joseph Putrino as Principal at Glenfield Middle School in accordance with the terms outlined in a contract of employment effective July 16, 2013.

Seconded by *Mr. Rosenblum* and approved by a roll call vote:

	AYE	NAY	ABSTAIN	ABSENT
Tanya Coke	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
David Cummings	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
David Deutsch	<u>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>
Robin Kulwin	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Leslie Larson	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Shelly Lombard	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Norman Rosenblum	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

I. BOARD OF EDUCATION REPORTS

1. The Board had the Second Reading on the following policy:

P-5117 School Placement Request (School Selection and Assignment)

J. COMMENTS FROM THE PUBLIC – AGENDA ITEMS AND NON-AGENDA ITEMS

The Board allowed time for the public to comment on agenda items.

At *10:55 pm* *Ms. Larson* moved to approve that the Board returns to executive session to discuss personnel matters; seconded by *Mrs. Lombard* and approved by a vote of 6-0 with 0 abstentions.

At *11:10 pm* the Board reconvened in public session.

K. GENERAL RESOLUTIONS

*Mrs. Lombard* moved to approve the following resolutions:

1. Resolution re: Adoption of Board policy #5117 School Placement Request (School Selection and Assignment)

WHEREAS, the Board of Education is required to annually adopt employment calendars for the staff, and

BE IT RESOLVED, that the Montclair Board of Education adopt the following recommended calendars; Twelve Month Employment Calendar, and Aide-Employment Calendar for 2013-2014 School Year

2. Resolution re: Adoption of the Twelve Month Employment Calendar, the Ten Month Employment Calendar, and Aide-Employment Calendar for the 2013-2014 School Year

WHEREAS, the Board of Education is required to annually adopt employment calendars for the staff, and

BE IT RESOLVED; that the Montclair Board of Education adopt the following recommended calendars; Twelve Month Employment Calendar, Ten Month Employment Calendar and Aide Employee Calendar for the 2013-2014 school year.

3. Resolution re: Adoption of the Revised School Calendar for 2013-2014 School Year

WHEREAS, the Board of Education is required to annually adopt the school calendar for the staff, and

WHEREAS, the school calendar for 2013-2014 has been previously submitted to the board and public for input and was approved, now therefore,

BE IT RESOLVED; that the Montclair Board of Education adopt the Revised School Calendar for the 2013-2014 school year

4. Resolution re: Contract with Therapy Source to Provide Occupational and Physical Therapy Services

WHEREAS, N.J.S.A. 18A:18A-5 states in part "Any purchase, contract or agreement ...may be made, negotiated or awarded by the Board of Education by resolution at a public meeting without public advertising for bids...", and

WHEREAS, the nature of these contract awards generally relate to the provision of professional services, and

WHEREAS, the Montclair Board of Education is in need of services to recruit, manage, and compensate independent contractors for therapy services, and

WHEREAS, Therapy Services will provide the following services for one year effective July 11, 2013:

\$93.00 per hour for direct and indirect time for Occupational and Physical Therapy Services  
\$90.00 per hour for direct and indirect time for Speech-Language Therapy Services

NOW, THEREFORE, BE IT RESOLVED that the Montclair School District approves the contract with Therapy Source.

5. Resolution re: New Jersey Department of Education School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act (ABR)

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education approves the attached submission of the School Self-Assessment for Determining Grades under the ABR.

6. Resolution re: Approval of School Field Trips

WHEREAS, The new jersey department of education accountability regulations require approval of all school related field trips by the board of education and,

WHEREAS, the field trip must be directly related to instruction and class work,

NOW, THEREFORE, BE IT ESOLVED that the following field trips are approved:

SCHOOL FIELD TRIPS						
DATE OF TRIP	SCHOOL	GRD	TEACHER	DESTINATION	COST	PURPOSE
7-11-13	Mt. Hebron	6-8	Gandhi	Franklin Institute, Philadelphia, PA.	0	Students will visit various science and engineering related exhibits that involve bioscience, earth science, machines, space and electricity. They will gain a deeper understanding of content through hands on activities.
8-14-13	Nishuane	k-2	Mussa	Liberty Science Ctr.	\$5	For students to experience hands on exhibits related to science and technology.
7-18-13	Mt. Hebron	7-8	Gandhi	Sony Warder/Moma Museum	0	Students will experience an interactive technology faculty that involves entertainment/broadcasting using hands on methodology.
7-25-13	Mt. Hebron	7-8	Gandhi	Dorney Park, PA	0	Students will visit the park and apply Newton's 3 laws of motion, force, velocity, speed and circular motion to compare the aspects of various attractions.

BE IT FINALLY RESOLVED that the field trips are approved in accordance with the New Jersey Department of education accountability regulations.

Seconded by *Mr. Rosenblum* and approved by a roll call vote:

	AYE	NAY	ABSTAIN	ABSENT
Tanya Coke	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>

David Cummings	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
David Deutsch	<u>          </u>	<u>          </u>	<u>          </u>	<u>    x    </u>
Robin Kulwin	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Leslie Larson	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Shelly Lombard	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Norman Rosenblum	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>

*Ms. Coke* moved to approve the following resolutions:

7. Resolution re: Approval of HIB Investigation Report and Addendum Resolution

BE IT RESOLVED that the Board hereby affirms the Superintendent's decision in HIB Investigation involving SID No. 012283 reported on 6/21/2013 for the reasons set forth in the Superintendent's Report to the Board and directs the Board Secretary/School Business Administrator to transmit a copy of the Board's decision to the affected student's parents forthwith.

7 A. BE IT RESOLVED that the Boar hereby affirms the Superintendent's recommendations to find the HIB report #006739 to be unsubstantiated.

Seconded by *Mr. Rosenblum* and approved by a roll call vote:

	AYE	NAY	ABSTAIN	ABSENT
Tanya Coke	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
David Cummings	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
David Deutsch	<u>          </u>	<u>          </u>	<u>          </u>	<u>    x    </u>
Robin Kulwin	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Leslie Larson	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Shelly Lombard	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Norman Rosenblum	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>

*Mrs. Lombard* moved to approve the following resolution:

8. Resolution re: Approval of Resolutions of the Montclair Board of Education Superintendent's Evaluation and Completion of Superintendent's Merit Goals

1. Superintendent Evaluation

Motion to adopt the following resolution:

BE IT RESOLVED, that the Montclair Board of Education accepts and approves the Superintendent's annual summative evaluation for the 2012-2013 school year as set forth in the document provided to the Board and on file with the Board Secretary.

2. Approval of the Completion of the Superintendent’s Merit Goals.

Motion to adopt the following resolution:

WHEREAS, in accordance with N.J.S.A. 18A:17-20.3 and N.J.A.C. 6A:10-2.1, the Board has reviewed and approved the Superintendent’s annual summative evaluation for the 2012-2013 school year; and

WHEREAS, the Board has determined that the following Merit Goals established in the employment contract for the Superintendent (and approved by the Essex County Executive Superintendent by letter dated March 14, 2013) have been satisfied and were achieved during the 2012-2013 school year:

1. Transformation of Central Office to better support schools with a strong focus on the school leader as the instructional leader.
2. Creation of a three-year district strategic plan with district goal[s] aligned to measurable objectives with defined strategies.

NOW THEREFORE BE IT RESOLVED that the Board hereby certifies that the merit criterion as set forth above have been satisfied; and

BE IT FURTHER RESOLVED that the Board Secretary shall forward a certified copy of this resolution to the Essex County Executive County Superintendent in accordance with N.J.A.C. 6A:23A-3.1(e)(10)(iv); and

BE IT FURTHER RESOLVED that upon receipt of the confirmation of satisfaction of the above goals from the Essex County Executive County Superintendent that the Business Office shall take the necessary steps to effectuate payment of the Superintendent’s Merit Bonus in the amount of \$8,875.00 subject to the regular and customary payroll deductions.

Seconded by *Ms. Larson* and approved by a roll call vote:

	AYE	NAY	ABSTAIN	ABSENT
Tanya Coke	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
David Cummings	<u>      </u>	<u>      </u>	<u>  x  </u>	<u>      </u>
David Deutsch	<u>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>
Robin Kulwin	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Leslie Larson	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Shelly Lombard	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Norman Rosenblum	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

## L. BUSINESS

*Mrs. Lombard* moved to approve the following resolutions:

## 1. Appointments

## a. Resolution re: Revised Appointment of Board Secretary and Assistant Board Secretary

RESOLVED, that Brian Fleischer is hereby appointed Board Secretary to the Board of Education effective July 1, 2013, and Penny MacCormack is Assistant Board Secretary to the Board of Education as appointed on May 16, 2013, to serve in such office until the next organizational meeting of the Board and until their respective successors are duly appointed and qualified. This appointment is made in accordance with N.J.S.A. 18A:16-1.

## b. Resolution re: Revised Appointment of Custodian of School Records

WHEREAS, the New Jersey Open Public Records Act (OPRA) (N.J.S.A. 47:1A-1) states that government records must be readily accessible for inspection, copying, or examination by its citizens, with certain exception, for the protection of the public, and

WHEREAS, the OPRA requires the Board of Education to designate an official to serve as the custodian of district records,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education appoints Brian Fleischer, Business Administrator/Board Secretary, as the Custodian of Records effective July 1, 2013, and Penny MacCormack, Superintendent of Schools, was appointed as the Custodian of Records on May 16, 2013, and

BE IT FINALLY RESOLVED that the Montclair Board of Education authorizes the Custodian of Records to charge fees for copies in accordance with statutes as follows:

Letter Sized Pages	.05 per page
Legal Sized Pages	.07 per page

## c. Resolution re: Revised Appointment of Public Agency Compliance Officer (P.A.C.O.)

RESOLVED, that Brian Fleischer is hereby appointed Public Agency Compliance Officer (P.A.C.O.) for the Montclair Board of Education effective July 1, 2013, to serve in such office until the next organizational meeting of the Board and until his respective successor is duly appointed and qualified. This appointment is made in accordance with N.J.A.C. 17:27-11.

## d. Resolution re: Increasing Bid Threshold and Appointing a Temporary Purchasing Agent in a Board of Education Subject to the Provisions of N.J.S.A. 40A:11-9(g)

WHEREAS, 40A:11-9(g) permits a board of education to authorize a temporary purchasing agent for a one-year term to award contracts that do not exceed in a contract year the annual limit as established by the Governor, and



WHEREAS, local boards of education have been advised by the Local Finance Board through (LFN 2010-13) that the Governor has authorized the following bid and quotation thresholds effective July 1, 2010,

	<b>Bid Threshold</b>	<b>Quotation Threshold</b>
Base Amount	\$26,000	\$3,900
With Temporary Purchasing Agent	\$36,000	\$5,400

WHEREAS, the Montclair Board of Education desires to increase its bid and quotation thresholds as provided in N.J.S.A. 18A:18A-3,

NOW THEREFORE BE IT RESOLVED, that the governing body of the Montclair Board of Education, in the County of Essex, in the State of New Jersey, hereby increases its bid threshold to \$36,000 and its quotation threshold to \$5,400, and

BE IT FURTHER RESOLVED, that the governing body hereby appoints Brian Fleischer as the Temporary Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-9(g), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the Board of Education effective July 1, 2013, and

BE IT FINALLY RESOLVED, that Brian Fleischer, Secretary of the Montclair Board of Education, in the County of Essex, State of New Jersey, does hereby certify that the foregoing is a true and correct copy of this Resolution adopted by the governing body of the Montclair Board of Education, County of Essex, State of New Jersey, at its meeting of said governing body held on July 15, 2013.

2. Resolution re: Supplemental Bills and Claims list dated June 28, 2013

RESOLVED that pursuant to N.J.A.C.6A:23-2.11<sup>3</sup>, the Montclair Board of Education certifies that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C.6A:23-2.11(a), and that pursuant to N.J.A.C.6A:23-2-11(c)<sup>4</sup>, after review of the board secretary's monthly financial reports, in the minutes of the Board each month, the Montclair Board of Education certifies that no major account or fund has been overexpended in violation of N.J.A.C.6A:23-2.11(b), and

BE IT FURTHER RESOLVED that the Montclair Board of Education approves the attached Bills and Claims dated June 28, 2013 in the amount of \$2,939,135.61,

3. Resolutions

a. Resolutions re: Revised Schedule of Meetings for 2013-2014

WHEREAS, the open public meeting act requires that all board meetings be advertised in advance,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education approves the attached revised schedule of meetings for the 2013-2014 school year, and

BE IT FURTHER RESOLVED that the Montclair Board of Education authorizes the board secretary to advertise these meetings.

b. Resolution re: Extra Compensation Positions

WHEREAS, the Superintendent of Schools has determined that the District is in need of Curriculum Development and Interim/Common Assessment Development for the 2013/14 school year, and

WHEREAS, the Superintendent of Schools recommends utilizing the Board's teaching staff to perform the curriculum writing and assessment work, according to the Personnel Postings of May 29, 2013 and June 10, 2013 (attached),

NOW THEREFORE BE IT RESOLVED that the Board of Education hereby approves the assignment of staff and payments for services rendered as set forth on the attached Tab 1 and authorizes the administration to take appropriate actions to effectuate the intent of the Postings and this resolution.

c. Resolution re: Revised Approval of the Montclair Adult School 2013-2104 School Year Fall List of Classes

WHEREAS, the Montclair Board of Education has traditionally entered into a special rental agreement with the Montclair Adult School, and

WHEREAS, the Montclair Adult School is a self-contained component of the Montclair Board of Education, and

WHEREAS, the Adult School is insured under the Board's liability insurance, and

WHEREAS, a list of classes that will be offered in the Fall for the 2013-2014 school year, on and off school premises, was previously approved on June 17, 2013, and

WHEREAS, the list has been revised to include more classes,

NOW THEREFORE BE IT RESOLVED that the Board approves the attached revised list of classes that will be offered by the Adult School for the 2013-2014 school year.

d. Resolution re: Rejection of Bids for HVAC System Repairs for 2013-2014 School Year

WHEREAS, supplies, equipment and services anticipated to be in excess of \$36,000 are subject to the bidding requirements of New Jersey Statutes 18A:18A-4 or are to be purchased under a State of New Jersey contract through the provisions of N.J.S. 18A:18A-10, and

WHEREAS, in accordance with Public School Contract Law, specifications were prepared, advertised, and sealed bids received on May 22, 2013, for HVAC System Repairs for the 2013-2014 school year. Ten (10) companies received copies of the bid and five (5) bids were received, and



GTT-Design and Modeling	8/12/13 ~ 9/16/13	Daniel Gerdes	Hill.	\$1,859.00	This training is necessary for all teachers of the "Project Lead the Way" curriculum and will allow fulfilling new role in the district with a solid foundation and the necessary confidence to be effective.	Easthampton, NJ
NCTM 2013 Grades 9-12 Institute	8/1/13-8/3/13	Katherine Martinez	DOI	\$1,678.28	This institute will enhance my understanding on mathematical practices as specified in the CCSS.	Washington, DC

BE IT FINALLY RESOLVED that reimbursement will be made for expenses that are in accordance with Board of Education policy and for which original receipts are submitted to the Business Office.

4. Contract Awards

- a. Resolution re: Award of One (1) Temporary Quoted Route to the First Student Bus Company for Unanticipated In-District Transportation for Special Needs Pupils to Attend the Extended School Year Program at Mt. Hebron and Northeast School for the 2013-2014 School Year

Topic: New Jersey Administrative Code 6A:27-9.12 states that quotations may be sought after the opening of school for unanticipated transportation services.

Background Information: In accordance with Public School Contract Law, temporary transportation quotes were solicited for students attending the extended school year program at the Mt. Hebron School. Requests for temporary quotes were solicited by a minimum of three bus companies and awarded to the bus company who provided the lowest quote. (SEE BELOW)

Superintendent's Recommendations: It is my recommendation that the Montclair Board of Education awards the following temporary contract to the Trans Ed Bus Company. Quote tabulation for the contract, period of up to (16) sixteen days with an estimated amount of \$3,248.00.

ROUTE	FIRST STUDENT	STA	TRANS ED
-------	---------------	-----	----------

	<b>153.00 RTE</b>	<b>216.00 RTE</b>	
<b>QSNM1</b>	<b>50.00 AIDE</b>	<b>48.00 AIDE</b>	<b>NO QUOTE</b>
<b>TOTAL PER DIEM COST</b>	<b>**203.00 PER DIEM</b>	<b>264.00 PER DIEM</b>	<b>NO QUOTE</b>

\*\*lowest bidder

- b. Resolution re: Award of Two (2) Temporary Quoted Routes to the Trans Ed Bus company for Unanticipated In-District Transportation for a Title 1 Extended School Year Program at Mt. Hebron School for the 2013-2014 School Year

Topic: New Jersey Administrative Code 6A:27-9.12 states that quotations may be sought after the opening of school for unanticipated transportation services.

Background Information: In accordance with Public School Contract Law, temporary transportation quotes were solicited for students attending the extended school year program at the Mt. Hebron School. Requests for temporary quotes were solicited by a minimum of three bus companies and awarded to the bus company who provided the lowest quote. (SEE BELOW)

Superintendent's Recommendations: It is my recommendation that the Montclair Board of Education awards the following temporary contract to the Trans Ed Bus Company. Quote tabulation for the contract, period of up to twenty days with an estimated amount of \$ 7,040.00:

<b>ROUTE</b>	<b>FIRST STUDENT</b>	<b>JORDAN</b>	<b>TRANS ED</b>
SMHB1	NO QUOTE	NO QUOTE	\$136.00 RTE \$ 40.00 AIDE
<b>TOTAL PER DIEM COST</b>			<b>\$176.00 PER DIEM</b>
SMHB2	NO QUOTE	NO QUOTE	\$136.00 RTE \$ 40.00 AIDE
<b>TOTAL PER DIEM COST</b>			<b>\$176.00 PER DIEM</b>

- c. Resolution re: Award of Contract for Professional Services – Nursing Services 2013-2104 School Year

WHEREAS, N.J.S.A. 18A:18A-5 states in part "Any purchase, contract or agreement...may be made, negotiated or awarded by the Board of Education by resolution at a public meeting without public advertising for bids...", and

WHEREAS, the nature of these contract awards generally relate to the provision of professional services, and

WHEREAS, the Montclair Board of Education is in need of professional services for nursing services for in-district and out-of-district special education students,

WHEREAS, BAYADA Home Health Care, Inc., will provide the following services for a period effective July 1, 2013, through June 30, 2014:

\$52.00 per hour for RN Services  
\$45.00 per hour for LPN Services

NOW THEREFORE BE IT RESOLVED that the Montclair School District approves the contract with BAYADA Home Health Care, Inc.

- d. Resolution re: Award of Contract for Technology Consultant

WHEREAS, New Jersey Statutes 18A:18A-4 require that supplies, equipment and services anticipated to be in excess of \$36,000 be awarded after advertisement and receipt of sealed bids, and

WHEREAS, in accordance with Public School Contract Law, specifications were prepared, advertised and proposals were received by the Montclair Board of Education on May 23, 2013, for Technology Consultant,

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education awards a contract for Technology Consultant to Marinus Partners, 170 East Ridgewood Avenue, Ridgewood, New Jersey, 07450, in the total amount of \$22,500.

- e. Resolution re: Award of Contract for the Following Supplies: General Classroom, Athletic, Audio Visual, copy Duplicator, Custodial, Elementary Science, Family/consumer Science, Fine Art, Health and Trainer, Math, Office/Computer, Physical Education, Science, Special Needs, Teaching Aids, and Technology for the 2013-2014 School Year.

Topic: School supplies are subject to the bidding requirements of New Jersey Statutes 18A:18A-4 or are to be purchased under a State of New Jersey contract through the provisions of N.J.S. 18A:18A-10.

Background Information: In accordance with the provisions of N.J.S. 18A:18A-4, specifications were developed for supplies listed below by the firm of Educational Data Services, Inc. for the Educational Cooperative Pricing System. Sealed, competitive public bids for these supplies were advertised and

subsequently received by the Educational Services Commission of Morris County, host for Essex/Hudson/Passaic Cooperative Bid as indicated below. The bids were analyzed by Educational Data.

Superintendent's Recommendations: In accordance with the recommendations of the firm of Educational Data Services, I recommend that the Montclair Board of Education awards a contract to the vendors kept on file in the Business Office for the following categories:

General Classroom Supplies	\$ 28,732.17
Athletic Supplies	998.62
Audio Visual Supplies	76.41
Copy Duplicator Supplies	19,665.50
Custodial Supplies	56,089.18
Elementary Science Supplies	95.97
Family/Consumer Science	24.81
Fine Arts Supplies	4,202.24
Health And Trainer Supplies	9,124.43
Math Supplies	244.98
Office/Computer Supplies	4,199.93
Physical Education Supplies	628.73
Science Supplies	8,593.60
Special Needs Supplies	291.03
Teaching Aids Supplies	216.57
Technology Supplies	749.69

f. Resolution re: Renewal of Contract for Food Service 2013-2014 School Year

WHEREAS, supplies, equipment and services anticipated to be in excess of \$36,000 are subject to the bidding requirements of New Jersey Statutes 18A:18A-4 or are to be purchased under a State of New Jersey contract through the provisions of N.J.S. 18A:18A-10, and

WHEREAS, pursuant to 18A:18A-5, contracts for food services provided by a food management company pursuant to procedures established by the New Jersey Department of Agriculture are exempt from the bidding requirements, and

WHEREAS, in accordance with Public School Contract Law, requests for proposals were prepared, advertised, and sealed proposals received on May 10, 2012, for Food Service for the 2012-2013 School Year and the contract was awarded to Chartwells Division, and

WHEREAS, Chartwells and the Local Education Agency wish to extend the term of the Food Service Agreement entered into as of the 1st day of July 2012 (the "Agreement").

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the mutual agreements set forth below and other good and valuable consideration, acknowledged by each of the parties to be satisfactory and adequate, Chartwells and the Local Education Agency agree as follows:

#### A. DURATION OF ADDENDUM

This addendum begins on 7/1/13 and ends on 6/30/14.

#### B. MANAGEMENT FEE(S) / GUARANTEES

##### 1) FEES

Management Fee. Chartwells shall charge the Local Education Agency a Management Fee of twenty three cents (\$.2300) per meal served and meal equivalents.

Computing Meals. Total meals are calculated by adding reimbursable meal pattern meals (breakfast, lunch and after school snacks) served and meal equivalents. Cash receipts, including vending machine revenue, other than from Sales of National School Lunch Program, School Breakfast Program and After School Snack Program meals served to children, shall be divided by \$2.00 to arrive at an equivalent meal count.

The per meal Management Fee of \$.2300 will be multiplied by total meals.

##### 2) GUARANTEE

Conditional Guaranteed Subsidy. Chartwells guarantees that the bottom line of the operational financial report for the school year will reflect a loss no greater than \$115,000.00. If the actual bottom line is a loss greater than this amount, Chartwells will reduce its Management Fee by the difference between the actual and the guaranteed amount, but in no event shall the reimbursement obligation exceed the amount of Chartwells' Management Fee, as set forth above. The Guaranteed Subsidy is based on the following conditions and assumptions remaining in effect for the school year.



### 3) CONDITIONS

- (a) Reimbursement rates for the Child Nutrition Program meals will not be less than the rates estimated in Chartwells' budget.
- (b) The value of USDA donated foods will not be less than the value of USDA donated foods received during the prior agreement year.
- (c) The number of days meals are served during the school year will not be less than:
- | School Category    | Breakfast (if applicable) | Lunch    |
|--------------------|---------------------------|----------|
| Elementary Schools | 180 days                  | 180 days |
| Middle Schools     | 180 days                  | 180 days |
| High Schools       | 180 days                  | 180 days |
- (d) The number of serving periods, locations, serving times and types of service will not change materially.
- (e) The student enrollment for the current year will not be less than 6,690 students.
- (f) The level of wages, salaries and fringe benefits will not exceed those included in Chartwells' budget.
- (g) The selling prices of Menu Pattern Meals and a la carte selections will not be less than those included in the budget.
- (h) Service will not be interrupted as a result of fire, work stoppage, strike or school closing.
- (i) The District and its representatives including but not limited to, school principals, teachers and District employees shall fully cooperate with Chartwells in the implementation of the Food Service Program. The District shall fully cooperate with Chartwells to limit the expansion of competitive food sales in order to maximize the gross receipts and other non-cash sales of the Food Service Program.
- (j) The LEA shall have timely submitted all documentation for reimbursement claims, except where such failure is due to an act or omission of Chartwells.
- (k) The number of students eligible for free and reduced price meals will be no less than that estimated in Chartwells' budget.
- (l) The following variable District expenses charged to the Food Service budget by the District must be identified and capped so as not to exceed the following amounts:
- a. The high school is exempt from the additional requirements in the contract which exceed the U.S.D.A. requirements for the National Lunch and Breakfast program.
  - b. Annual Point-Of-Sale System service and system maintenance fees of \$4,580.00.

(m) The cost of providing alternate and standard humanitarian meals at no cost to students shall be excluded from the calculation of financial results for purposes of determining achievement of the financial guarantee. Humanitarian meals shall mean alternate meals provided at no cost to students who are unable to pay the full or reduced price for a reimbursable meal, provided such student informs FSMC staff of this prior to sale. Such alternate meals may consist of items such as cold sandwiches or other comparable substitutes, the cost of which shall be billed to and paid for by the LEA.

Should the student not inform FSMC staff of his or her inability to pay beforehand and presents a reimbursable meal for purchase, The FSMC shall allow the student to retain such meal (per LEA policy), and the standard meal price will be charged to and paid for by the LEA.

(n) If meals are to be provided to charter schools or any other outside entity, the number of such meals ordered shall not fall below n/a.

In the event the foregoing conditions are not met during the school year, Chartwells' guarantee obligation shall be reduced by an amount equivalent to any increased cost or loss of revenue attributable to the changes in such conditions.

BE IT FURTHER RESOLVED that this contract award is made pursuant to the terms and conditions of the specifications as advertised and in accordance with pertinent Federal and State regulations, which meets all of the requirements of the Bureau of Child Nutrition Programs, as required by Federal regulations and that this contract shall take effect on July 1, 2013.

5. Change Orders

Resolution re: Change Order for Proprietary Software for 2013-2014 School Year

WHEREAS, N.J.S.A. 18A:18A-5 states in part "Any purchase, contract or agreement...may be made, negotiated and awarded by the Board of Education by resolution at a public meeting without public advertising for bids...", and

WHEREAS, the nature of these contract awards generally relate to the provision of proprietary software, and

WHEREAS, the Montclair Board of Education awarded a contract to Skyward, Inc., for a Proprietary Software Program for Student Database System on June 18, 2012, which includes an Annual License Fee of \$40,451.00, and

WHEREAS, the Montclair Board of Education is in need of additional services for their Proprietary Software Program as follows:

One-Time Expenses

- Conversion – Office Visits \$17,290.00
- Conversion – Discipline Detail 7,049.00
- Skylert/School Messenger Interface Installation 870.00

Total One-Time Expenses	\$25,209.00
 <u>Additional Annual License Fee</u>	
• Skylert/School Messenger Interface Software License	<u>2,673.00</u>
Total Change Order	\$27,882.00

NOW THEREFORE BE IT RESOLVED that the Montclair Board of Education, does hereby approve the change order.

6. Resolution re: Approval of the Personnel Report and Addendum

WHEREAS, the Superintendent has recommended that the Board approves the actions contained in the attached Personnel Report and Addendum.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the Personnel Report and Addendum of July 15, 2013, including the indicated individuals who have been hired under the Emergent Hiring Procedures as required by law.

7. Resolution re: Approval of Out-of-District Placements

WHEREAS, the Superintendent recommends that the Board approves the actions contained in the attached Out-of-District Placements.

BE IT RESOLVED that the Board approves the actions attached in the Out-of-District Placements of July 15, 2013.

8. Resolution re: Resolve 005238 Educational Program

WHEREAS, there exists a settlement agreement approved on March 18, 2013, and

WHEREAS, the attorney for the Board of Education has forwarded an Addendum #1 to Settlement Agreement regarding the matter of 005238.

NOW, THEREFORE, BE IT RESOLVED that the Board Secretary is authorized to execute this Agreement on behalf of the Board of Education.

9. Approval of the Suspension Report

Seconded by *Mr. Rosenblum* and approved by a roll call vote:

	AYE	NAY	ABSTAIN	ABSENT
Tanya Coke	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
David Cummings	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

David Deutsch	_____	_____	_____	_____ <b>x</b> _____
Robin Kulwin	_____ <b>x</b> _____	_____	_____	_____
Leslie Larson	_____ <b>x</b> _____	_____	_____	_____
Shelly Lombard	_____ <b>x</b> _____	_____	_____	_____
Norman Rosenblum	_____ <b>x</b> _____	_____	_____	_____

M. COMMENTS FROM MEMBERS OF THE BOARD

*Mrs. Lombard* reiterated comments of *Ms. Larson* regarding the superintendent hiring process.

At *11:30 pm* *Ms. Coke* moved that the Board return to executive session to discuss further personnel matters.

N. ANNOUNCEMENT OF FUTURE MEETING DATES

The next public meeting of the Board of Education will be held on Monday, August 26, 2013 and will open at 7:00 p.m. in public but will go immediately into executive session. The meeting will reconvene in public session at 7:30 p.m. This meeting will be held in the Auditorium at Montclair High School, 100 Chestnut Street.

O. ADJOURNMENT

At *11:55 pm* *Mrs. Lombard* moved to adjourn the meeting; seconded by *Mrs. Rosenblum* and approved by a vote of 6-0.

Respectfully submitted,

Nicholas Puleio  
Interim Board Secretary