

**MINUTES OF THE LOPATCONG TOWNSHIP  
BOARD OF EDUCATION**

President Krusman called the meeting to order on December 13, 2011 at 7:03 p.m. Mrs. Kutz read the following opening statement: "I would like to announce and have placed in the minutes that adequate notice of this regular meeting of the Lopatcong Township Board of Education has been provided in accordance with the Open Public Meetings Act by publication of the annual notice in the Express-Times. A copy of the agenda has been filed with the Township Clerk and posted at both school locations".

The Pledge of Allegiance was recited by all present.

**ROLL CALL**

Present: Robert Edinger (7:12), Ernie Gallant, Kurt Kessler, Ed Krusman, Bob McFarlane (7:07), Lee Rozycki, Terry Glennon and Bill Taggart and Wade Caccese

Others Present: Vicki J. Pede, Superintendent; Abigail E. Kutz, Interim Business Admin./Board Secretary; Kimberly A. Sukinik, Board Attorney and approximately 4 members of the public.

**READING OF THE MISSION STATEMENT**

Mrs. Pede recited the Mission Statement.

**CORRESPONDENCE**

Comegno Law Group Proposal for upcoming negotiations  
Green Brook Academy notice of possible greater than 10% increase in tuition  
USA Architect coy of Sub-Contractor Performance Review to State of NJ  
Adjustment to Pay Application No. 6 to CMG  
Estimate for water runoff issue at the elementary School  
E Rate Vendor Proposal

**INTRODUCTIONS**

Mr. Krusman introduced Nancy DeRiso, the new Business Administrator who was in the audience and will be starting in the district next Wednesday.

**PRESENTATION**

Mr. Colantano, School Auditor discussed the highlights of the CAFR Report and Audit Synopsis for the fiscal year ending June 30, 2011. He handed out a B-2 Exhibit that will be incorporated in the minute book. He detailed the available balances the board of education has on hand the limits of use that each balance brings with it. The balances available for board use at this time are Extraordinary Aid and Non-Public Transportation Aid from last year and the breakage from the current year's PERS liability. The other balances are restricted or need special permission to utilize. He also mentioned that the change in procedure for tuition reserve had a negative impact on our balances and the fact that the ARRA money was not going to be available going forward.

**Classroom Highlights by Jenn Larsen, LEA President**

Mrs. Larsen said the Holiday Bazaar was a success. They raised \$1,000 for a scholarship. Veteran's Day proved to be successful learning experience. The Winter Concert on December 8<sup>th</sup> was very enjoyable. Other events noted were the Paws Donations for needy families and the Pancake Breakfast.

**MINUTES of November 8, 2011 Minutes and Executive Session**

Motion by Mr. Gallant, and seconded by Mr. Edinger that the minutes of the November 8, 2011 Regular Meeting and Executive Session be approved and filed as presented. Motion carried on unanimous voice vote.

**SECRETARY/TREASURER REPORTS**

Motion by Mr. Gallant, seconded by Mr. Edinger that the Secretary/Treasurer's Reports submitted for the month ending October 31, 2011, which agree with each other and the bank, be approved and filed. Motion carried on unanimous voice vote.

**FINANCIAL REPORTS CERTIFICATION**

Motion by Mr. Gallant, seconded by Mr. Edinger, as follows: Pursuant to N.J.A.C. 6A:23A-13.3(c)3, the Board Secretary certifies that no line account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C. 6A:23A-16.10(a) and; pursuant to N.J.A.C. 6A:23A-13.3(c)4, we certify that as of October 31, 2011 after review of the monthly reports and upon consultation with the appropriate officials, to the best of our knowledge no major line account or fund has been over expended in violation of N.J.A.C. 6A:23A-16.10(b), and that sufficient funds are available to meet the district's financial obligations for the entire fiscal year. Motion carried on unanimous voice vote.

**BILL LISTS**

Motion by Mr. Edinger, second by Mr. Gallant that the bill lists submitted for the December 13, 2011 meeting for the Operating Funds from November 8, 2011 to December 13, 2011 in the amount of \$1,782,871.64 with the exception of Checks A26617, A26619 and A26620 and the November Food Service Account in the amount of \$25,218.30 is approved for payment.

Motion carried on unanimous voice vote.

**PUBLIC COMMENT ON AGENDA ITEMS**

Mrs. Zittis asked for clarification on Resolutions 163, 164, 167 & 168.

**NEW BUSINESS – ACTION ITEMS****a. Education****R-158-12****Maternity/Child Care Leave Request**

Motion by Mr. Caccese , second by Mr. Edinger ,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approve a maternity leave for Renee Fernandez commencing on or about Wednesday, March 28, 2012 using accumulated sick days (4 pre and 20 post delivery) and an unpaid child care leave under the Family Medical Leave Act and the





such emergency hires are subject to ratification and approval by the Board at its next regularly scheduled meeting on January 10, 2012.

Roll Call Vote: 9-0

**R-170-12** **Hire Home Instruction Staff**

Motion by Mr. Caccese , second by Mr. Edinger ,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves payment to Sahil Shah at a rate of \$38.00 to provide homebound instruction until Phillipsburg H.S. Student No. 1766599396 is allowed to return to classes.

Roll Call Vote: 9-0

**R-171-12** **Placement on Home Instruction**

Motion by Mr. Caccese , second by Mr. Edinger ,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves placement of Student No. 1766599396 on homebound instruction until a return to class is allowed.

Roll Call Vote: 9-0

**R-172-12** **Field Trips**

Motion by Mr. Caccese , second by Mr. Edinger ,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves the following field trips:

<u>Grade</u>	<u>Destination</u>	<u>Date</u>	<u>Company</u>	<u>Amount</u>
4 <sup>th</sup> (G&T)	Trinity Methodist Church	Dec 7 <sup>th</sup>	Shared	None
8 <sup>th</sup>	Warren Tech	Dec 13 <sup>th</sup>	None	
6 <sup>th</sup>	Philadelphia Zoo	Jan 23 <sup>rd</sup>	1 <sup>st</sup> Student	\$ 336.00
8 <sup>th</sup> (G&T)	State House	Jan 24 <sup>th</sup>	Dalrymple	295.00
Chorus	N.Y.C. Broadway	Mar 31 <sup>st</sup>	None	
6 <sup>th</sup>	Coca-Cola Park	April 25 <sup>th</sup>	Dalrymple	(3) 245.00
3 <sup>rd</sup>	Quiet Valley	June 1 <sup>st</sup>	Snyder	(2) 247.00
1 <sup>st</sup> &2 <sup>nd</sup> (G&T)	Evangelical Church	Jan 19 <sup>th</sup>	Shared	

Roll Call Vote: 9-0

**R-173-12** **Request for Day without Pay**

Motion by Mr. Caccese , second by Mr. Edinger ,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent to approve withholding pay for Friday, January 20, 2012 from teacher, Andrea K. Baker, per her request.

Roll Call Vote: 9-0

**R-174-12                      Substitutes for the 2011-12 School Year**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves the list of substitutes as provided for the 2011-12 school year.  
Roll Call Vote: 9-0

**R-175-12                      After School Homework Program Appointments**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves hiring the following candidates as scheduled for the After School Homework Program at a rate of \$43.85 per hour to be paid from IDEA funds:

- |                            |                               |
|----------------------------|-------------------------------|
| Amanda Dalrymple           | Maggie Warncke                |
| Noreen Stansberry          | Michelle Balogh               |
| Rosemary Azzalina          | Sonnie Hall                   |
| Susanna Ludlow             | Jennifer Pearson              |
| Marianne Burd              | Jessica Senk                  |
| Sue Chew                   | James Thompson – 1 day a week |
| JoAnn Scott                | Sara Green (Substitute)       |
| Marsha Torine (Substitute) | Marena Brons (Substitute)     |

Roll Call Vote: 9-0

**R-176-12                      Social/Study Skills Appointments**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves hiring the following candidates as scheduled for the Social/Study Skills Program at a rate of \$43.85 per hour to be paid from the South Warren Alliance funds:

- Stacy Conner and Joan Dziedzic

Roll Call Vote: 9-0

**R-177-12                      Specialized Reading Appointments**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves hiring the following candidates as scheduled for the Specialized Reading Program at a rate of \$43.85 per hour to be paid from the South Warren Alliance funds:    Jennifer Pearson

Roll Call Vote: 9-0

**R-178-12                      Targeted Instruction Appointments**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
 Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves hiring the following candidates as scheduled for the Targeted Instruction Program at a rate of \$43.85 per hour to be paid from IDEA funds: 9-0

- |                 |                   |
|-----------------|-------------------|
| Michelle Balogh | Noreen Stansberry |
| Joan Dziedzic   | Susanna Ludlow    |

Roll Call Vote: 9-0

**R-179-12                      Before School Tutor Appointments**

Motion by Mr. Caccese                      , second by Mr. Edinger                      ,  
 Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent approves hiring the following candidates as scheduled for Before School Tutoring at a rate of \$43.85 per hour to be paid from NCLB funds:

- |                          |                  |
|--------------------------|------------------|
| Maggie Warncke           | Heather Weidlick |
| Anne Bercaw              |                  |
| Steve Genzale            |                  |
| Gary Hank                |                  |
| Sonnie Hall              |                  |
| Lauren Spigner           |                  |
| Maria Barna              |                  |
| Joan Dziedzic            |                  |
| Sara Greene (Substitute) |                  |

Roll Call Vote: 9-0

**R-180-12                      Classroom Observation**

Motion by Mr. Caccese                      , second by Mr. Edinger,  
 Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves the college student observation for Megan Geisel of James Madison University to observe Stephanie Condon for one day between December 19<sup>th</sup> and 22<sup>nd</sup>, 2011 to meet her graduation requirements.  
 Roll Call Vote: 9-0

**b. Facilities and Technology**

**R-181-12                      Facility Use Requests**

Motion by Mr. Caccese                      , second by Mr. McFarlane,  
 Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves the facility use requests as follows:

**Middle School:**

<u>Organization</u>	<u>Date</u>	<u>School Area</u>
PTA	12-8-11	M.S. Community Rm.

**Elementary School:**

None

Roll Call Vote: 9-0

**R-182-12**

**Comprehensive Maintenance Plan**

Motion by Mr. Caccese , second by Mr. McFarlane,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves the Three Year Comprehensive Maintenance Plan and M-1 as attached.

Roll Call Vote: 9-0

**c. Finance**

**R-183-12**

**Budget Transfers**

Motion by Mr. Caccese , second by Mr. McFarlane,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approve the attached Budget Transfers from July 1, 2011 through December 13, 2011.

Roll Call Vote: 9-0

**R-184-12**

**USA Architects Fee Adjustment**

Motion by Mr. Caccese , second by Mr. McFarlane,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves a fee adjustment of \$5,000 for USA Architects in conjunction with the Elementary School Roof Project.

Roll Call Vote: 9-0

**R-185-12**

**Tuition Contract with Atlantic City - TABLED**

Motion by Mr. Caccese , second by Mr. McFarlane,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approve a tuition contract with the Atlantic City Board of Education at an annual cost of \$17,376 pro-rated from October 6, 2011 (\$17,087.10) for a Homeless Child in all day Kindergarten.

**Roll Call Vote: 9-0 to table this motion until more information is received to make a final determination that the child is a resident of Atlantic City.**

**R-186-12**

**Employee Travel and Expense Reimbursement**

Motion by Mr. Caccese , second by Mr. McFarlane,

Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves employee travel and expense reimbursement as attached.

Roll Call Vote: 9-0

**R-187-12                    Tuition Contract with Ewing Township**

Motion by Mr. Caccese                    , second by Mr. Edinger,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, approves a tuition contract with Ewing Township Board of Education at an annual cost of \$12,361 pro-rated from October 2, 2011 (\$11,330.55) for a 9<sup>th</sup> Grade DYFS placement.  
Roll Call Vote: 9-0

**R-188-12                    CAFR and Auditor’s Report of Administrative Findings, Financial Compliance and Performance**

Motion by Mr. Caccese                    , second by Mr. Edinger,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, accept the Comprehensive Annual Finance Report (CAFR) and the Report of Administrative Findings, Financial Compliance and Performance for the fiscal year ending June 30, 2011 as prepared by William Colantano, Jr., CPA and presented by the administration with no recommendations and a negative corrective action plan.  
Roll Call Vote: 9-0

**R-189-12                    Middlesex Cooperative Resolution and Agreement**

Motion by Mr. Caccese                    , second by Mr. Edinger,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, adopt the Cooperative Pricing Resolution and approve the Agreement with Middlesex Regional Educational Services Commission for the purpose of purchasing goods and services as attached.  
Roll Call Vote: 9-0

**R-190-12                    Budget Development Calendar**

Motion by Mr. Caccese                    , second by Mr. Edinger,  
Be it, RESOLVED, that the Board of Education, upon recommendation by the Superintendent, adopts the attached Budget Development Calendar for the 2012-13 school year budget.  
Roll Call Vote: 9-0

**R-191-12                    First Reading of Revised Policies and Regulations**

Motion by Mr. Edinger                    , second by Mr. McFarlane ,  
Be it, RESOLVED, that the Board of Education, upon the recommendation by the Superintendent and the Policy Committee, approve for first reading, the following revised policies and regulations:

<u>Policy Number</u>	<u>Title</u>
2430	Extra/Co-Curricular Activities
5410	Promotion and Retention

R5410 Promotion and Retention

R5600 Pupil Discipline/Code of Conduct

Roll Call Vote: 9-0

**R-192-12 First Reading of New Policy and Regulation**

Motion by Mr. Edinger , second by Mr. McFarlane ,

Be it, RESOLVED, that the Board of Education, upon the recommendation by the Superintendent and the Policy Committee, approve for first reading, the following policy and regulation:

<u>Policy Number</u>	<u>Title</u>
5519	Dating Violence at School
R5519	Dating Violence at School

Roll Call Vote: 9-0

**R-193-12 Doctrine of Necessity**

Motion by Mr. Edinger , second by Mr. McFarlane,

WHEREAS, the Lopatcong Township Board of Education ("Board") is required to adopt, by public resolution, the appointment of special counsel for negotiations; WHEREAS, the Board, upon the recommendation of the Superintendent, seeks to approve Comegno Law Group, as special counsel for negotiations; WHEREAS, the following five (5) current members of the Board cannot vote on the appointment of special counsel for negotiations due to conflicts of interest that prohibit them from voting on such an appointment due to the fact that spouses and/or immediate family members are employed by the District or have an affiliation with the NJEA in another school district: Mr. Ed Krusman, Mr. Ernie Gallant, Mr. Kurt Kessler, Ms. Lee Rozycki and Mr. Bill Taggart.

WHEREAS, since a quorum of the Board is prohibited from voting on the appointment of special counsel for negotiations, it is necessary for the Board to invoke the Doctrine of Necessity;

WHEREAS, notice of the Board's intent to invoke the Doctrine of Necessity was previously provided to the public during the Board's meeting on December 13, 2011; and

IT IS HEREBY RESOLVED, that the Doctrine of Necessity is hereby invoked for the Board's vote on the appointment of special counsel for negotiations;

IT IS FURTHER RESOLVED, that in accordance with the School Ethics Commission's Resolution on Invoking the Doctrine of Necessity this resolution has been read to the public prior to its adoption, shall be publicly posted for thirty (30) days at the main entrance of the Middle School , and shall be mailed to the School Ethics Commission by the Board Secretary;

IT IS FURTHER RESOLVED, that, upon the recommendation of the Superintendent, the Board approves the appointment of Comegno Law Group as special counsel for negotiations, as presented and attached to these minutes;

Roll Call Vote: 9-0



**Middle School:**

<u>Organization</u>	<u>Date</u>	<u>School Area</u>
LTA Adult Basketball Club	12-1-11 to 3-27-12	M.S. Gym

**Elementary School:**

<u>Organization</u>	<u>Date</u>	<u>School Area</u>
LTA Adult Basketball Club	12-1-11 to 3-27-12	E.S. Gym

Roll Call Vote: 9-0

**R-200-12****Payroll Training Personnel**

Motion by Mr. Edinger , second by Mr. McFarlane,  
Be it, RESOLVED, that the Board of Education, upon recommendation of the Superintendent approves Laura Hagerstrom to provide payroll training to the new payroll/bookkeeper at a rate of \$30.00 as needed.

Roll Call Vote: 9-0

**Administrator's Report**

1. CNN Contact – Mrs. Pede has been contacted by CNN regarding interviewing of our students in grades 1 and 8 for a research project they are doing entitled "Race in America through the Eyes of Children" this year. If the Board has no objections, she will follow through.
2. Zaner-Bloser Marketing Director Visit – The marketing director visited a number of elementary classrooms and also spoke to the principal and Mrs. Pede regarding some of the wonderful things that are happening in our elementary classrooms with regard to writing and classroom practices.
3. Writing Materials Selection – Mrs. Pede will be sending out a form for staff to volunteer for a committee to review and hopefully select for purchase writing materials for district K-8 classrooms.
4. National Writing Project – As shared with the Education Committee, the NWP postings will go out soon so that our partnership can continue this school year. The work will continue in the area of Writers Workshop across our classrooms.
5. Holiday Concerts and Activities – In addition to what Mrs. Larsen noted, please be aware of all of the happenings in our schools and remember that you are welcome to attend these fine performances of our children.
6. Santa Visits – Mrs. Pede contacted the county office and the decision to have Santa in the schools is a district decision. Mrs. Pede needs to know if the Board has an opinion one way or the other and if they object to Santa attending the schools. (Note that at this point Mr.

McFarlane noted his involvement and programs as Santa in the district this December.)

7. HIB Report: As required, follow-up letters were sent following the Oct. meeting

### **December Report**

Elementary School - 3 Reports, 0 confirmed HIB

Middle School - 5 Reports, 0 confirmed HIB

8. Criminal History Reminder – Mrs. Pede was asked to remind the BOE members, that per policy and state regulations, criminal history checks must be executed by December 31<sup>st</sup>. She asked the members to inform her of their status in the process.
9. Race to the Top Grant – Mrs. Pede just received a memo dated December 13<sup>th</sup> from the NJDOE regarding New Jersey's involvement in Phase Three of this grant opportunity. Please note that there are core building blocks noted in the grant that include academics, performance, talent and innovation.

### **Legislative Report**

Mrs. Rozycki said a vote taken at the recent Delegates Assembly was in favor of appealing criminal history reports to the Commissioner for board members denied due to prior arrests. There was also support for November election options. Other resolutions in review are opposing moving the hiring of teachers to the principal and eliminating the Superintendent and board members; opposition to the Opportunity Scholarship Act and tenure reform.

### **Information from Phillipsburg Board of Education Representative**

Michael Stocker, a student gave a report on his experience over the summer as a Page at the U.S. House of Representatives. Board members have been interviewed for the seat vacated by Mr. Patti but no one has been appointed.

### **Committee Reports**

#### Ad Hoc

Brainstormed and talked about their goals of supporting the administration and working on communication to the public. The idea of posting success stories of our alumni was discussed.

#### Facilities and Technology

A joint meeting was held with Finance. The Solar Project was put on hold. The committee would like to just do the abatement at Delaware Park for now. The Podcast is an administrative call. The committee thinks it should be projected in more simplified terms.

#### Education

Most of the items discussed were on the agenda. The upcoming topic will be the new evaluation models for teachers. This will be a budgeted expense in the upcoming budget year.

Finance

The committee is working on budget preparations and requests for information from the LEA in regard to negotiations.

Policy

The committee worked on the items presented on the agenda tonight. Mr. Taggart asked for a short committee meeting after adjournment.

**Other Items of Emergent Nature**

The members of the board discussed the need for the board attorney at the meetings. There were various opinions on how often.

**Other Public Comments**

Mrs. Zittis expressed concerns in regard to the supervision and questions that would be asked by CNN. These concerns are ones that have already been addressed by the Superintendent. Mr. McFarland said these are legitimate concerns and legal counsel should be involved. The board did not direct Mrs. Pede to contact the attorney.

**Executive Session**

Motion by Mr. Kessler, second by Mr. Edinger,  
WHEREAS, the Open Public Meetings Act authorizes Boards of Education to meet in executive session under certain circumstances  
WHEREAS, the Open Public Meetings Act requires the Board to adopt a resolution at a public meeting to go into private session; now therefore,  
Be it, RESOLVED, that the Lopatcong Township Board of Education, hereby recesses into executive session at 9:15 p.m. to discuss certain items involving:

1. Matters of student confidentiality
2. Matters involving anticipated or pending litigation, including matters of attorney-client privilege

Be it, FURTHER RESOLVED that any discussion held by the Board which need not remain confidential will be made public as soon as feasible. The minutes of the executive session will not be disclosed until the need for confidentiality no longer exists.

And be it, FURTHER RESOLVED that the Board of Education will return to open session to conduct business at the conclusion of the executive session.

Vote: 9-0

The board convened back into open session at 10:00 p.m.

**Adjournment**

Motion to adjourn by Mr. Taggart and seconded by Mr. Edinger at 10:20 p.m.

Respectfully submitted,

Abigail E. Kutz, Interim  
Bd. Secretary/B.A.

\_\_\_\_\_  
Mr. Edward Krusman, President