

PUBLIC MEETING NOTICE FROM THE SUPERINTENDENT

In response to the COVID-19 public health emergency and the emergency orders and directives at the federal, state and local levels, this meeting of the Edison Township Board of Education will be held remotely using video conferencing technology. Instructions on how to access the meeting and make comments during the public participation sessions of the meeting have been posted on the Board’s website at <https://www.edison.k12.nj.us>.

I. CALL TO ORDER/FLAG SALUTE

The June 24, 2020 Special Public Meeting of the Edison Board of Education was called to order by Board President, Mr. Ralph Errico, at 6:00 P.M.

II. ROLL CALL

Mr. Michaud took the roll, and the following members were present:

Mr. Ralph Errico, President, Mr. Jingwei (Jerry) Shi, Mrs. Beth Moroney, Dr. Yunxia (Yuna) Chen, Mrs. Carol Bodofsky and Mrs. Shivi Madhukar. Mrs. Falguni Patel, Vice President, entered the meeting at 6:17 P.M., Mrs. Shannon Peng entered the meeting at 6:16 P.M. and Mrs. Elizabeth Conway was absent, due to a conflict of interest.

Also in attendance were Bernard F. Bragen, Jr., Ed.D., Superintendent, Mr. Daniel P. Michaud, Business Administrator/Board Secretary, Mr. Ralph Barca, Director of IT, Mr. Patrick MacDonald, Videographer, and Ms. Hope Blackburn, Board Attorney,

III. OPENING STATEMENT

Mr. Errico read the following opening statement:

“The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of, and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon.

In accordance with the provisions of this act, the Edison Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted in the Board of Education Administrative Offices. Copies of these notices were sent to the Home News and Tribune and the Star Ledger on June 17, 2020.

The Public may participate at regular meetings in accordance with the By-Laws and the applicable State regulations.”

IV. ADJOURN TO PRIVILEGED SESSION

Mr. Michaud read the following resolution:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 PL 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE,

BE IT RESOLVED: by the Board of Education of the Township of Edison, County of Middlesex, State of New Jersey, as follows:

The public shall be excluded from discussion of and action upon the hereinafter-specified subject matters.

The general nature of the subject matter to be discussed is as follows:

- Superintendent’s Evaluation
- Update on Negotiations
- Former Student Matters
- Insurance Settlement

It is anticipated at this time that the above-stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

This Resolution shall take effect immediately.

Mr. Errico asked for a motion to approve the privileged session resolution at 6:05 P.M. Mr. Shi made the motion, seconded by Mrs. Moroney. Mr. Michaud took a roll call vote, and the result was as follows:

AYES: Mrs. Madhukar, Mrs. Bodofsky, Dr. Chen,
Mrs. Moroney, Mr. Shi, Mr. Errico

NAYS: None

The motion was carried.

V. RECONVENE TO OPEN SESSION

There being no further questions or comments forthcoming, Mr. Errico asked for a motion to reconvene this June 24, 2020 Public Meeting of the Edison Board of Education to open session at 7:08 P.M. Mr. Shi made the motion, seconded by Mrs. Bodofsky. Mr. Michaud took a roll call vote, and the result was as follows:

AYES: Mrs. Madhukar, Mrs. Bodofsky, Dr. Chen, Mrs. Peng,
Mrs. Moroney, Mr. Shi, Mrs. Patel, Mr. Errico

NAYS: None

The motion was carried.

VI. RESOLUTIONS

Mr. Michaud discussed the following resolution prior to the Board vote.

VII. PUBLIC COMMENTS (RESOLUTIONS ONLY)

There were no public comments at this time.

VIII. RESOLUTIONS

Addendum to Transportation Services Agreement Between ETBOE & Road to Success, LLC

WHEREAS, the Board of Education of the Township of Edison (the “Board”) and Road to Success, LLC (“the Contractor”) are parties to a Transportation Services Agreement for the 2019-2020 school year (“Agreement”); and

- WHEREAS, the Board is responsible for the transportation of students residing within the boundaries of the Edison Township Public School District; and
- WHEREAS, the Board entered into an Agreement with the Contractor for transportation services, which provides that the Contractor shall be paid only for transportation services performed; and
- WHEREAS, due to COVID-19, the Township of Edison Public Schools have been closed as of March 16, 2020; and
- WHEREAS, as a result, the Contractor’s transportation services have since discontinued; and
- WHEREAS, to ensure that transportation services will be available when schools reopen, the Board agrees to continue payment in accordance with the terms and conditions set forth herein; and
- WHEREAS, on April 14 2020, Governor Philip D. Murphy signed into law P.L. 2020, c. 27, which includes a provision for payments to contracted service providers during the current state of emergency; and
- WHEREAS, pursuant to the above-referenced law, the Board is to make payments for “benefits, compensation, and emoluments” and is not to pay for service provider’s indirect costs such as fuel and tolls; and
- WHEREAS, the Contractor is obligated to use renegotiated payments to meet its payroll and fixed cost obligations; and
- WHEREAS, by this Agreement, the Board will have fulfilled its obligations pursuant to law P.L. 2020, c. 27; and
- WHEREAS, the Agreement terminates on June 30, 2020 and the Board will no longer be subject to the obligations imposed by P.L. 2020, c. 27 in regards to the Contractor; and
- WHEREAS, N.J.S.A. 18A:19-3 requires that demands for compensation under the Agreement must be accompanied by an affidavit verifying that compensation is limited to services rendered; and
- WHEREAS, in order to ensure operations/service continuity following the end of the Closure Period and to provide for transportation services when in-person instruction resumes; and
- WHEREAS, the parties are desirous of amending the terms of the Agreement to memorialize and clarify the respective responsibilities and obligations of the parties as set forth above;

NOW, THEREFORE,
THE PARTIES AGREE as follows:

1. The Agreement is hereby amended as follows:
 - A. During the period that the Township of Edison Public School District remains closed without the need for transportation services as a result of COVID-19, the Agreement shall remain in full force and effect at the Board shall continue its payment obligations, but at the reduced rate of sixty percent (60%) of the estimated total cost per route(s), as identified in the Agreement.
 - i. The parties acknowledge that the reduction in rate is solely for the period of school closure as a result of COVID-19 as the Contractor is not incurring certain operational costs, such as, but not limited to, those related to fuel and vehicle maintenance.
 - B. The Contractor acknowledges that payment in accordance with this Addendum is contingent upon the Contractor’s certification as to the existence or non-existence of business interruption insurance or similar insurance policy, and if in existence, provision of same.
2. All other terms and conditions of the Agreement not addressed herein shall remain in full force and effect.
3. The Board may unilaterally terminate this Addendum and any and all payment obligations to the contractor with or without cause upon ten (10) days’ notice to the contractor.
4. This Addendum is contingent upon approval by the Board of Education of the Township of Edison.

Mr. Errico asked for a motion to approve the Addendum to Transportation Services Agreement Between ETBOE & Road to Success, LLC resolution. Mr. Shi made the motion, seconded by Mrs. Moroney. Mr. Michaud took a roll call vote, and the result was as follows:

AYES: Mrs. Madhukar, Mrs. Bodofsky, Dr. Chen, Mrs. Peng,
Mrs. Moroney, Mr. Shi, Mrs. Patel, Mr. Errico

NAYS: None

The motion was carried.

IX. BOARD MEMBER COMMENTS

Mr. Shi discussed graduation, summer programs and access to the libraries.

Mr. Errico asked if the bid for the Woodrow Wilson Middle School modular façade could be bid before the next meeting.

Mr. Shi questioned the Edison High School turf baseball field.

X. PUBLIC COMMENTS

Mr. Ernest Kregeloh, resident, questioned the status of the summer sports.

XI. ADJOURNMENT

There being no further questions or comments forthcoming, Mr. Errico asked for a motion to adjourn this June 24, 2020 special public meeting of the Edison Board of Education at 7:24 P.M. Mr. Shi made the motion, seconded by Mrs. Bodofsky and approved by all members present.

Respectfully submitted,



Daniel P. Michaud
Board Secretary
DPM:jmc