

## Meeting #12

Lyndhurst, NJ  
October 22, 2020

The Lyndhurst Board of Education held a Public meeting on October 22, 2020 at 5:30 p.m.

**CALL TO ORDER**

President Erin Keefe called the meeting to order at 5:30 p.m. and requested all those present to stand for the Pledge of Allegiance.

**ROLL CALL**

The following Board members answered roll call:

- (9) Joseph Abruscato, Richard Pizzuti, Elaine Stella, Chris Andrinopoulos, James Donovan, James Vuono, Anthony Dell'Aquila, Frank Ferrandino and Erin Keefe

Also present: Anthony Grieco, Superintendent, Joseph DeCorso, Assistant Superintendent, Scott T. Bisig, School Business Administrator/Board Secretary, Thomas Egan, State Monitor and Dennis McKeever, Board Attorney.

**OPEN PUBLIC MEETING ACT**

President Erin Keefe announced that adequate notice of this meeting was provided, in writing, to each Board member, The Record, the Township Clerk, and posted in the lobby of the Town Hall and the Board Office.

**SUPERINTENDENT'S REPORT**

Mr. Grieco reviewed the reopening of the grammar schools this week and stated the response has been great. The high school should open in November and Roosevelt is still ongoing with the pending mold review from the water damage. Dealing with the COVID-19 pandemic is a new aspect for everyone involved and the entire community is doing their best to move the district forward under these unique circumstances.

Pending opening: Middle School (October 26, 2020), Roosevelt School (November 2, 2020)

Mr. Grieco reviewed the current PPE configurations throughout the district.

**STATE MONITOR'S REPORT**

None

## BOARD MEMBER COMMENTS

Elaine Stella: Before I cast my vote, I have the following comments:

- After months of requests I just received the final version of the Middle School Transfer Agreement and the middle school traffic study today, on the same day as the vote;
- The traffic study I received today...a three year old November 29, 2017 traffic study...it shows the Page Avenue Middle School entrance, with no other emergency exit onto Ridge Road will have to handle 5 buses and 235 cars in 15 to 20 minutes on Page Avenue each school morning and each school afternoon. Let me repeat that: The traffic study I asked for last spring was just provided to me today and it says 5 buses and 235 cars will be at the new middle school within 15 to 20 minutes, TWO TIMES A DAY. This is a serious accident in the making and has not been prepared for to my satisfaction;
- Traffic congestion is one of the reasons I demanded a legal Ridge Road fire emergency exit for years. The Township says they cannot make it a legal emergency exit because they need 408 Ridge Road for the Township OEM. If that is true, why does Section 7 Item D of tonight's proposed transfer agreement talk about Township OEM police radio equipment in the new Middle School, and control of the Middle School by the police for their use?
- FINALLY, the Township is holding the Middle School hostage, demanding that the Board of Education spend another \$2.8 million on High School improvements before they fully turn the school over to the BOE, after years of them promising this Middle School deal would not cost the Board of Education a cent. For these reasons I vote NO for this secretly prepared transfer agreement that was not shared with the entire Board of Education until the last minute.

Anthony Dell'Aquila: I like to make some comments before I vote. I have some issues with this vote tonight on this Transfer Agreement. There was a resolution passed in August 2017, but it was never formalized in a signed detailed contract explaining terms from the start. Tonight I find this very questionable. Tonight this Transfer Agreement which was negotiated privately by the Board of Education's general legal counsel and the Board President along with the Township Officials privately, has been given to us as trustees at the last minute, again. This latest version of the Agreement contains demands by the Board of Commissioners that the Board of Education spend another \$2.8 million on improvements to the high school. This is added at the last minute and places the Board of Education in a position of having to pay back both the \$4.5 million deficit loan over the next ten years and on top of that now pay another \$2.8 million over the next ten years at the direction of the Board of Commissioners. This has not been carefully studied and I don't think we could afford this. The state monitor promised us in January that this Middle School transfer would not cost us anything. I question if the State Monitor even knows about this enough to be giving us good advice and direction. I have concerns including that the Board of Commissioners demand control of the Lyndhurst Public Schools curriculum decisions for years to come. The Township Commissioners were not elected to run the schools, and they have no legal authority to run the Lyndhurst Public Schools. I called earlier this month the hiring of an expert legal counsel to review this agreement for this board. A 5 to 4 majority of this board refused to have a clean and independent legal review of this transfer agreement. I do not believe we as a Board have been fairly informed or included in talks conducted by our Board Attorney and our Board President, who is also an attorney. This process is legally flawed in my opinion, but I'm not a lawyer, including the Board President and Vice President cutting a ribbon to accept the Middle School based on an informal vote. I am voting **NO** for this Transfer Agreement for these reasons and because I plan to formally request, a review by the New

Jersey Attorney General's Office of this entire transaction Transfer Agreement which was handled in a manner that caused more questions for me then it has answers.

Erin Keefe: Mr. Dell'Aquila and Ms. Stella's voiced their opinions and it is their opinion and not the full opinion of the Board. The Agreement will be public tomorrow morning so people can see the Agreement and see what we voted on.

#### **MOTION TO GO INTO EXECUTIVE CAUCUS**

Motion by Frank Ferrandino second by Richard Pizzuti and unanimously carried, the Board went into Executive Caucus at 5:38 p.m. for the purpose of anticipated litigation.

Roll Call For: (9) Joseph Abruscato, Richard Pizzuti, Elaine Stella, Chris Andrinopoulos, James Donovan, James Vuono, Anthony Dell'Aquila, Frank Ferrandino and Erin Keefe

#### **MOTION TO OPEN MEETING TO PUBLIC**

Motion by Joseph Abruscato second by James Donovan and unanimously carried, the Board opened the meeting to the public at 6:30 p.m.

Roll Call For: (9) Joseph Abruscato, Richard Pizzuti, Elaine Stella, Chris Andrinopoulos, James Donovan, James Vuono, Anthony Dell'Aquila, Frank Ferrandino and Erin Keefe

#### **PUBLIC COMMENTS**

None



### **New Business**

Any Board member who takes exception to any of the following listed actions under the category of New Business may so indicate now and a separate motion for each of the excepted actions will be entertained.

Motion made by Joseph Abruscato second by James Donovan that the following New Business actions of the Board numbered 1 exception actions be adopted.

Roll Call For: (7) Joseph Abruscato, Richard Pizzuti, Chris Andrinopoulos, James Donovan, James Vuono, Frank Ferrandino and Erin Keefe

AGAINST: (2) Elaine Stella, Anthony Dell'Aquila

1. BE IT RESOLVED, the Lyndhurst Board of Education approves the Property Transfer Agreement with the Township of Lyndhurst regarding the New Lyndhurst Middle School for the terms and conditions specified.

### **MOTION TO ADJOURN MEETING**

Motion made by Joseph Abruscato and seconded by James Donovan and unanimously carried, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Scott T. Bisig  
School Business Administrator  
Board Secretary