

**MINUTES OF THE PATERSON BOARD OF EDUCATION
SPECIAL MEETING**

June 10, 2024 – 6:15 p.m.
Central Office (First Floor)

Presiding: Comm. Manuel Martinez, President

Present:

Dr. Laurie W. Newell, Superintendent of Schools
Dr. Rodney Henderson, Deputy Superintendent
Khalifah Shabazz-Charles, Esq., General Counsel

Comm. Valerie Freeman
Comm. Eddie Gonzalez
Comm. Della McCall

Comm. Mohammed Rashid
Comm. Nakima Redmon
Comm. Kenneth Simmons, Vice President

Absent:

Comm. Oshin Castillo-Cruz
Comm. Joel Ramirez

The Salute to the Flag was led by Comm. Martinez.

Comm. Martinez read the Open Public Meetings Act:

The New Jersey Open Public Meetings Act was enacted to insure the right of the public to have advance notice of, and to attend the meetings of the Paterson Public School District, as well as other public bodies at which any business affecting the interest of the public is discussed or acted upon.

In accordance with the provisions of this law, the Paterson Public School District has caused adequate and electronic notice of this meeting:

**Board Facilities Retreat
June 10, 2024 at 6:00 p.m.
90 Delaware Avenue
Paterson, New Jersey**

to be published by having the date, time and place posted in the office of the City Clerk of the City of Paterson, at the entrance of the Paterson Public School offices, on the district's website, and by sending notice of the meeting to the Arab Voice, El Diario, the Italian Voice, the North Jersey Herald & News, and The Record.

PRESENTATION OF THE LONG-RANGE FACILITIES PLAN

Mr. Richard Matthews: Good evening, everybody. Tonight, we're going to talk a little bit about facilities. Mr. Neil Mapp, the Chief Officer of Facilities and Custodial Services for Paterson Public Schools, will be presenting the long-range facilities plan tonight. It's a process that helps organizations align their short and long-term facility plans with their business plans. He will also go through the middle school model. He will speak about

buildings in the district - Temple Emmanuel, 200 Sheridan Avenue, Eastside High School science labs, Church Street, 90 Delaware, School No. 3, NRC, and P-Tech.

Mr. Neil Mapp: Good afternoon, Commissioners. My name is Neil Mapp, Chief Officer of Facilities and Custodial Services. Today, I'm going to present an overview of the long-range facilities plan that was presented. In August 2021, the NJDOE accepted the long-range facilities plan for the district. The long-range facilities plan also has a couple of parts to it. Not only does it have enrollment information, but also planning information for capital projects. It contains a projects list. The plan also shows that the district agreed to redistrict elementary schools a number of years ago and it shows the district moving to a middle school model. The plan also showed building capacities relative to student enrollment at the various grade levels. This plan was done in 2020-2021 using the data from those fiscal years. The approved plan also acknowledged the need for approximately 1,200 students at the high school level. It showed that we had excess capacity at the elementary school level. At the high school level, it showed that we needed 1,200 more seats for high school students. As part of the plan, we requested a new building, and we are now in the conceptual stages of designing a new high school in the back of the old Paterson Catholic building. That plan has been presented to the Board previously. To give you a sense of the number and age of the buildings we have, there are about three buildings that are approximately 125 -149 years old. We listed the buildings, the years they were built, and the square footage. We have a large number of buildings that are over 100 years old. That's what we have been dealing with, trying to maintain that aging infrastructure and facilities that are reaching their useful life. As part of the long-range facilities plan, we identified a number of capital projects that we'd like to pursue to resolve some of the aging infrastructure issues that we've been facing. I'll get back to the middle school model that was approved with the long-range facilities plan. We wanted to touch on some leasing issues for the buildings that we do lease. At one point in time, we had approximately seven buildings that we were leasing. We're now down to two buildings, which are 200 Sheridan and 90 Delaware. The 200 Sheridan lease is up this year and will go from \$367,992 to approximately \$672,000 beginning July 1. It will go up about 4% every year until we're able to either renegotiate a lease or move out of the building. The terms of the 90 Delaware lease will be presented to the Board shortly in another meeting. The BA's office is still in the throes of preparing a presentation for you. As part of our need for infrastructure and space we also presented the need for a new building for facilities, food service, and central stores. This was presented to the Board a number of meetings ago. We looked at an area behind School No. 1 where we would possibly build a two or three-story building that would support the relocation of those departments. At this point in time, we are exceeding the capacity of the existing building that we're in at 200 Sheridan. The lease is very costly, as you can see. We're with an architect now to revisit the program for all three departments and see if we can come up with a conceptual plan that we can present to you shortly relative to a new building being constructed in the back of School No. 1. Mr. Matthews will also be looking at the financing options going forward that we will also present to you at a later date. I'm going to switch to the middle school model, which was part of the long-range facilities plan approval. I just wanted to go over what the middle school model is. We presented this on a number of occasions over the last couple of years, but we have new Board members. For some Board members, it will be a refresher. For others it will be a new look at what the middle school model means. What is the middle school model? It creates a cohort of students from 6-8 who move together as the years go on. It sets up a space and environment that is cohesive and is geared towards their learning and needs. The teachers are experts. They're concentrated in one area. The needs of the middle school students for the various parts of the curriculum will be centralized in one location. Right now as a district, the majority of our elementary schools that have middle school components have English and

science middle school teachers scattered throughout those particular elementary schools. We're looking to consolidate that middle school program in one location in an area and have sending elementary schools that feed that one middle school. We have developed a plan to create areas within the district that are anchored by a middle school. The middle school components in each elementary school will be taken out of there and the elementary school program will be placed in one school. The middle school model was approved by the DOE in 2015. The long-range facilities plan was submitted. It was approved by the Board and submitted to the DOE in 2015. As a result, the DOE approved the new Roberto Clemente construction. It used to be pre-k-8 and we converted that building to a middle school. It also approved the replacement of the old Don Bosco School that was on Union Avenue where we built the new Joseph A. Taub Middle School. As a result of the approval by the DOE to redistrict our elementary schools to a middle school, those two buildings came out of that effort. In 2021, we initiated a framework to continue the process of moving the various areas to that middle school model, creating areas within the district to identify a middle school for each one of those areas. We hired a demographer and architect who worked on geocoding every student in the district at the elementary school level. That means they identified the students' addresses relative to the neighborhood they live in and the closest school to them. Using that data, we developed a group of students around the particular elementary school and showed that's the neighborhood school for those students. In doing that, we were able to define those areas within the district and create eight areas. I'll be able to show you that graphically shortly. We didn't do this in a vacuum. It wasn't just facilities. We created a team to look at the entire process and what the need is to get us to redistricting all our middle schools. We reviewed long-range facilities plans from 2010 to 2014 and 2015 to 2020. Those were the previous two plans that were approved by the DOE. We analyzed elementary school enrollment data trends to determine if those goals were achieved by those two previous submissions. For the outstanding goals that were not met, we reevaluated the merit under which those facilities conditions were. We performed existing condition surveys of each elementary school building to determine the true capacity of those buildings. We have a lot of elementary schools where we were using classroom space differently than they were designed. If it was a classroom, it now is an office. We looked at how that impacts the capacity of the school. We've begun to right-size the data that we initially had relative to the capacity of each school. We created an advisory team of administrators for their input on current needs and challenges for providing educational services within the current elementary school program. The former Deputy Superintendent, Joanna Tsimpedes, Assistant Superintendent, Cheryl Coy, Assistant Superintendent for Special Education, Lisa Vainieri, Director of Central Registration, were all part of the team that looked at the previous plans and this plan to see how we would potentially move to a middle school model. Using the district's enrollment data from 2020, every student in the district was geocoded. All general education and special education students from 1-8 and kindergarten general education, not SPED, were assigned to an attendance area. We looked at that data and created attendance areas for those students. General education and pre-k were not counted in the assignment. Self-contained pre-k was counted, but not assigned. We will get back to the need for that self-contained group and spaces later. Charter school students were also not assigned but counted. As part of the long-range facilities plan, we have to count charter school students and parochial school students. If any of those institutions fail, we have to be able to absorb those students into our programs. We have to show the DOE that we have the capacity to do that if any of those institutions fail. Calculations were based on capacity and available classroom space. The student data used in this presentation was collected in March 2022. Recommendations were data-driven and not influenced by specialized programming. Some of the educational benefits of the middle school model – it creates a unified academic program allowing for consistent course offerings, fine and

performing arts, robotics, and Maker Spaces. It's about building parity across the district. Every school will have the same resources and facilities across the district. It decreases the need for in-district transportation because students will now be going to their neighborhood schools, as opposed to going across town. That's been an issue with our district where students will be sent across town because their parents prefer them to be at another school and they would be attending outside their neighborhood school. In order for the middle school model to work, we really would need students to stay in their area from pre-k through fifth grade and then attend middle school in the same area from sixth through eighth grade. The middle school model will also reduce class sizes to meet educational adequacy standards. It offers accessibility and flexibility in the district's special education and preschool programs. It creates neighborhood attendance areas for all schools, reducing absenteeism and better support social distancing when required. What we found when we did one area is that even though Joseph A. Taub was a new school, it has specific capacity. We identified a number of classrooms for each grade level for self-contained special education. That school has now exceeded that count for special education self-contained. That takes 24 students out of a classroom and puts them in other classrooms, which creates an overcrowding situation. That classroom is then used for self-contained special education, which is which about 15 students. The need for that special education population has been growing every year. That's one of the issues that have come out of the analysis of moving to a middle school model. We have to now create space for those special education students. When we take the middle school components out of the elementary schools, it opens up classrooms. Sixth, seventh, and eighth graders are now out of the elementary schools, and we can now better support self-contained special education. Specific implications for special education students, it limits the number of student moves throughout the pre-k school experience. They no longer have to go across town to elementary school and come back. The number of moves they make will be reduced because they will be going to school in their neighborhood area. Currently, SPED students risk being moved multiple times because they age out of a program housed in one location. The middle school cohort model will sustain a neighborhood environment for special education students even if they don't live in that existing neighborhood. This change could reduce the number of moves from elementary to middle school, providing more continuity for families. Standard busing routes within a neighborhood area can reduce the overall cost to the district. It also builds a cohesive network of support for families if you're staying within your neighborhood. It builds student capacity with the longevity of peer relationships. It supports continued relationships with administrative staff and child study teams. It fosters student familiarity with their surroundings. They don't have to be uprooted and get used to a new environment every year. There are some specific implications to special education also. It centralizes the resources and programs for the middle school cohort. It provides parity in specialized facilities in each neighborhood area. In each neighborhood area you will have facilities for sensory rooms, calming rooms, child study team rooms, and related services. What's happening now is that as we need space for special education students, the space isn't available. We are constantly building out specialty rooms at different elementary schools. That's going to reduce the need for that. We also worked with transportation and looked at busing. Some busing is required for School No. 7 students to Joseph A. Taub. When we moved to a middle school model that was an anomaly because at School No. 7, they had to traverse the river in order to get to their middle school so although the middle school model does reduce the need for busing in that area, we were not able to do that. We had to support the families by busing those students. It allowed for staffing transfers. When we redistricted the area around Joseph A. Taub, School No. 7, School No. 19, School No. 5, and School No. 27 and took the middle school component out of those elementary schools and put it into Joseph A. Taub, we had an excess amount of teaching staff that

was now reallocated to different schools. One of the major benefits of the middle school model is that we will see an increase in available staff after we take the middle school programs out of those elementary schools. It can offer bilingual management programs at School No. 5. We saw we can use those spaces for several things, such as bilingual, Gifted & Talented, and performing arts. With the excess space in those elementary schools, we can now provide additional programming at that level. In conclusion, the recommendation to continue to implement the middle school model will yield reduction in class sizes, balanced school enrollment throughout the district, reduce the need for busing, encourage community pride, keep siblings and families in the same attendance area from pre-k through 8, and consolidate pre-k to 5 school services. In an elementary school with pre-k through 8 there are two different meal services provided. Now you only have to provide one meal service and one meal service at the anchoring middle school. It saves money and time. It centralizes all middle school programs also. That was an overview of how we got to the middle school model. If you look at the light blue portion, that's Area 5 where Joseph A. Taub was built and that's the first area that we redistricted. We need to come up with a redistricting plan for the other areas. Some of the things that came out of the middle school model was that when we geocoded every student to their neighborhood school, we saw that the capacities had increased. When we looked at schools that were not educationally adequate, such as School No. 3, Dale Avenue, and Roberto Clemente, we were able to take those schools offline and find suitable space in the neighboring schools for those students. Some of the benefits of moving to the middle school model is increase in capacity. There are some buildings that can be repurposed now for other educational programs. We also found that we have a burgeoning population of SPED and bilingual students. Some of the issues that we're facing is that we're looking at creating hubs for those students throughout the city to support that population. We also have a bilingual high school at the Sage building and that enrollment continues to grow and that building can no longer support that program. We need to begin to think about where we relocate that program. If we were moving to a middle school model, we will probably begin to see space that opens up that we can potentially use for that program. Any questions before I move on?

Comm. Gonzalez: Thank you for the presentation so far. Hearing all this about the middle schools and separation between the various grades, you said you would mention a little bit more about special education and the needs for IEPs and things of that nature. In separating so many children, as it relates to staffing, when we have students separated and all of them needing IEPs, that requires more staff. Now you're dividing them into different buildings. We're already low in that particular area and that's a great need. I have a concern about what are we doing to address that issue. As we move forward and create middle schools, we don't consolidate these limited staff members we have to address both middle and elementary school students. Now that they're in separate buildings, we need more staffing. Is there a plan? Have you looked into or researched the need for the various students that need IEPs? You're talking about classrooms, which is great. We need that, but we don't have the staff currently to meet this, unless I'm wrong. I know that's one of the greatest things that we have in the school district. That would only require more staffing than what we currently have. I don't know if you have time to shed light on that.

Dr. Newell: Comm. Gonzalez, thank you for your question. What Mr. Mapp was explaining was exactly the opposite of the concern you raised. By doing this we're actually consolidating all of our resources. For these specialties, for example ELL and SPED, we would wind up sending more resources where they're needed than less. We're consolidating the resources, as opposed to how they are right now where they're more spread out. He gave an example of how he's having to build out different spaces and taking away from some other areas that could be needed in specific buildings. As

the needs arise, they build out a classroom. What he's recommending or stating is the exact opposite. If we consolidate, we actually have more resources and teachers that can be pulled to support these programs.

Comm. Gonzalez: Gotcha! That makes total sense. I'm glad to hear that. Thank you.

Mr. Mapp: I just want to focus now on a little financial stuff. We wanted to take a look at what's been happening with our budget over the last four or five years. Capital funding from 2021-2024 is developed by using projects from the approved long-range facilities plan list. That's how we plan what the next infrastructure projects are going to be. Just a look at some of the ranges in funding that we've received over the last couple of years. In 2021-2022, we got about \$1.2 million. This is right in the midst of COVID. In 2021-2022, the facilities department received about \$27 million from all the COVID relief funding. We were able to do a lot of infrastructure work along with trying to abate the virus throughout the district. In 2022-2023 when that funding was reduced, we had a budget of about \$3.7 million from local and grant funding, which came from federal and the NJSDA to do additional infrastructure work. In 2023-2024, the ESSER 3 federal funding will disappear in September, so we have about three months left of that funding to use and liquidate before September. That would be helpful, but we're not sure how much money we will be getting from the NJSDA this year in terms of grant funding to do major capital projects. In the last four years or so, we've put nearly \$40 million of work in place. In the next slide there's a listing of all the projects that are currently in progress. We're using that capital funding that has rolled over the last couple years to do the majority of these projects. Just to highlight a few of these, at School No. 9 we're going to be replacing every HVAC unit in every classroom. We just completed that activity at Rosa Parks. They used to have one HVAC unit servicing two classrooms. If a unit went down, both classrooms would go down. We've replaced every unit so each classroom has a brand new air conditioning and heating unit. We're doing the same at School No. 9. This summer alone we're looking to put in place about \$15 million worth of work in the next three months. It's a lot of work and activity taking place. It's part of our local budget funding. These are the projects that we have funded locally aside from the federal or state grant funding. Some of it includes flooring, building envelope repairs, brick, mortar, masonry, blacktop paving, fencing, an elevator at Dale Avenue, and auditorium seating. If we do get additional grant funding from the SDA, we have a list of projects that are ready to be bid. We'd certainly like the Board's input on what your priorities are relative to those projects that are ready to be bid if new grant funding comes in. This is a list of projects. You can review them. If you have insight or preferences to any of these projects, I'm sure you can let Cheryl know. If grant funding does come in, we will let you know how we're using the funding relative to your choices.

Comm. Martinez: If any Board members have any questions about the capital projects, send them to me and I can get them to Mr. Mapp.

Comm. Freeman: I do see School No. 10 so that's okay.

Mr. Mapp: We're not only looking at the building envelope, but their retaining walls are failing so there's a substantial amount of work. There's also the parking lot across the street. The design is completed and we're ready to roll with that project if funding does come available.

Comm. Rashid: At JFK, teachers complain to me they don't have air conditioning. Are there any plans for that?

Mr. Mapp: We have air conditioned 99.9% of our elementary school buildings. The effort was to do the little kids first, elementary schools, middle schools, and then high schools. We're at Eastside High School now. Those are window air conditioners. John F. Kennedy has a \$3 million project this summer to put in air conditioning in the gym. We did the gym and auditorium at Eastside. We did the air conditioning at Kennedy's auditorium. We will be doing it in the gym and later this summer doing all the classrooms. We have ESSER 3 funding to do that work. Another air conditioning project that came up recently was at New Roberto Clemente. The chiller is being replaced this summer. We chose to do it this summer because of the heavy equipment needed, cranes to lift the unit into the building. We had to take apart the façade of the building so there's a big hole in the wall now where we took out the old unit piece by piece. When we fly the new unit in, we can't have students in the area so that's why we chose to do it during the summer. We ask that you bear with us while progress is taking place. Hopefully, by September we will be cool again.

Comm. Redmon: Going back to projects that are ready to be bid, at School No. 28 the HVAC unit for the auditorium, gym, and cafeteria is a priority I'd like to see done.

Mr. Mapp: Yes.

Comm. Gonzalez: I know that NRC had a lot of complaints in reference to the heat. There have been fans and things of that nature put in the hallways. But you just answered about the chiller and the time. You're saying that hopefully by September we will have a new chiller and everything functioning at NRC, correct?

Mr. Mapp: Absolutely.

Comm. Gonzalez: Thank you. Appreciate it.

Mr. Mapp: You can see based on grant funding that we've received in 2023-2024 we were at \$74.8 million. Local was \$39 million and grant was \$35 million. This year our local budget is \$40 million. If we get additional grant funding, we will be able to do more work. I'm just showing you the huge disparity in numbers. Work will continue to take place, but not at the same speed and volume. Another item that's impacting our budget would be the custodial contract. This is not new, but just to keep in mind that those contracts increase annually. This is the last year of those contracts. We have set aside contracts for about six schools that a smaller group is facilitating for us and then the larger 41 schools are being done by another group. We found that the buildings look great. It's still a challenge to manage a larger group of schools with one contractor. We go out to bid next year. We will still have that set aside for then. It's still a challenge to have one company doing over 40 buildings.

Comm. McCall: You indicated about the grants to be determined. When does that information come to you so that you can better plan it out?

Mr. Mapp: Typically, we see it in December.

Comm. McCall: The money for 2024-2025 you'll see in December?

Mr. Mapp: It's a challenge. A lot of these projects are already designed. It's a matter of going out to bid. For those projects that need design, you're looking at a 3-6 month design period before we can go out to bid. We're attempting to use all that money as quickly as possible so next year the SDA will say we used all \$3 million they gave us. Here's another \$3 million. If we don't use all of it, they'll say we don't need \$3 million

and will give us \$2.5 million. We try to use the most cost-effective and fastest way to procure projects so we can use that money and encumber those funds before the end of the fiscal year. I'm going to talk about that shortly and some of our procurement efforts and methods through corporate contracting.

Comm. Gonzalez: I know we're talking about large scale capital improvement projects. I do wonder whether we have a plan for fixing up some of our exterior playgrounds at the schools. I know some of you may have seen some posting in reference to a damaged playground or basketball court at School No. 13. One of our vendors backed up their truck into it and damaged the court. I think the proposal was a \$3,500 item. I know it's a small item. Do we have a plan to fix these playgrounds, such as mulching? Is there funding for that? Specifically, I want to know what the plan is for School No. 13. The community is asking. I think the BA is aware of this. Is there a game plan for fixing this during the summer so that the kids can have their basketball court back, which was donated by Willie Peterson? I'd appreciate an update on that. Overall, what is the plan to maintain our playground sites and any equipment that needs repairing?

Mr. Mapp: Let me give you some context. In the last three or four years, we have installed about five or six playgrounds through a partnership with Alexandria Playgrounds. As a community school district those playgrounds have to be open to the public after hours. Playgrounds and gymnasiums are all school-based expenses. In most cases, schools don't budget for repair and maintenance of playgrounds. We do need mulch because of the fall distance and safety. We've incorporated that into our budget to make sure that we add mulch and going forward not use mulch. If you go to a playground at Dale Avenue that we just installed, we don't use mulch anymore because it's a very labor-intensive and high maintenance product. At School No. 8 someone set fire to the playground. It's about \$70,000 or \$80,000 to repair the playground. That's not within our budget and nor the school's budget. We're working with Alexandria Playground to see what relief we can get through that relationship to get that playground back up and operational because it's not worth tearing it down. To be more specific about your issue at School No. 13, we've been working with our legal department to get some compensation from that group that ran into our poles. We will be looking at replacing the pole. Because it was a donation that was Board approved, it should have been a monetary donation to the facilities department, and we install the playground. There was a group that came onto our site, installed it, and left. We're going to take on the rehab and reinstallation of that pole and backboard. Then we will seek relief through our legal department to be compensated for the monies we spent on the repairs. There's a plan to put that playground back in service.

Comm. Gonzalez: Is there a timeline for that?

Mr. Mapp: I can probably speak a little more about that in another week or so.

Comm. McCall: Let me be sure about what I just heard. The equipment was a donation. It was done with someone else putting it in I'm sure through our supervision. On that note, we should not take money away from our budget to fix that. I don't mean any harm to anybody that's listening, but we have bigger fish to fry than pulling money out of our budget for outside equipment. I would hope that we rethink this because I also believe I heard that we are going to take it on with the hopes of being reimbursed. I don't agree with that. With the scores and the levels of our children's education, every dollar and cent should be going into whatever reading or math program that will better our children. I understand that recreation is important. Maybe we need to reach out to the organization that first donated it to us. We need to focus on that. I would just hope that we rethink spending money unnecessarily. We didn't get fully compensated as

everyone says. We're not really where we should be financially. To take money away from education and learning, I have a concern about that. I do believe that our lawyers can go after whomever. That's what the man said. I'm only following up on what he said. He said that they're going to try to get some litigation on getting some of the money back from the company that ran into it. I can see us waiting on that, but to take money right now in the condition that our educational programs are in doesn't make sense to me. That's how I feel. I think that we need to stay focused. We need to stay on point. We have buildings here that are over 125 years old. Am I right or wrong? I think there are some things that we have to be more conscious of and we have to make better decisions. That's what I got elected to do. I want to make better decisions. I want to make the right decisions for our children. If they can't read, they can't go outside and play in a basketball court either because at the end of the day we're setting our kids up for failure. That's just how I feel.

Comm. Freeman: I just want to be clear. This basketball court was donated, correct? The organization that donated the basketball court, was it just their job to donate it and not maintain it? We have to be careful about who we allow to donate and what we allow to be donated. Here we are and they're looking for the district to pay of it. We're being blasted all over Facebook. They're saying it's a shame that this basketball court is still like this and it happened last year. Have we even reached out to the company that damaged it? We have. Where are we right now as far as getting it repaired? It's a simple fix, but to put \$3,500 out there again and fix it can't be our priority. We just can't. I'm not willing to say yes to that, Mr. Mapp or Mr. Matthews. We don't even know if the company is going to reimburse us. We'll be blasted about that. We have to be real careful what we do and how we do it. All good gestures are good, but we have to really think about it because then it becomes our problem. Right now a shattered basketball backboard is important, but it's not more important than trying to raise and showing concern about these reading and math grades. We have to focus as a community. It's not all about sports. Do they need to play? Yes, they do. There are several other parks around the area where they can go with adult supervision. It is important for them to exercise and do those things. The community complains about so much. Principals are getting their contract finally. Administration is getting their raises according to their contract. They make it seem like we're just wastefully spending money. That \$3,500 is unnecessary, but people have contracts that we have signed, and we cannot afford to be sued by anyone else because we're not following their contract. When you get on Facebook people and start saying things, research it first. If we go against anybody's contract in this district, we're liable for a lawsuit. That's what's important to me, test scores, reading, math, and the community knowing when to come at us. That's important. Before we continue to allow donations to come in for things of that nature, we have to make sure we understand our responsibility and if we're able monetarily to take it on. I love Facebook and I know I'm going to have another argument tonight, but it is what it is. If it looks like it's going to be a struggle, let it go.

Mr. Mapp: We will continue to pursue relief through our legal department.

Comm. Simmons: For matters like this, can we make sure that general counsel is aware? This has been going on for a year. I'm not sure when it was damaged. I think it's the only basketball court in the area. There aren't any basketball courts at Eastside and School No. 21. I agree with your and Comm. McCall's point. We can make sure general counsel is aware so that we can put a little more pressure on these companies – especially when they are at fault – so we can get this remedied faster. I can't think of another basketball court in the area.

Comm. Martinez: I think we all share the same sentiment in what we're trying to convey here.

Comm. McCall: When things are donated to us, does it come under our insurance? When you start adding things to buildings and playgrounds, do we then take on insurance over those things? That too could alleviate things being repaired. Something like that could go under an insurance claim. I'm just curious if that happens. If it doesn't happen, how do we get those things in place? At some point, whatever is being donated is going to have wear and tear. Do we just let it go until it goes? Do we take on some responsibility as far as insuring it or making it part of our equipment? I just don't know how it works, but I would like to have someone follow up on that for me. Donations are great. I don't knock anything that's going to give our children anything as far as recreation or education. But I want to make sure when we start taking on these things that we understand what liabilities we take with it.

Ms. Shabazz-Charles: Just to answer your question, I'm not familiar specifically with this donation. Generally speaking, with most if not all donations the property becomes yours. In a perfect world, the preference is always to get the money and that makes it much cleaner. If I give you money for something, you go out and buy it and it's yours. If someone donates property, it essentially becomes your property for you to ensure and maintain unless some other way written. 99% it just becomes our property that we didn't have to pay for but have to care for.

Mr. Mapp: From the facilities perspective it would be wonderful if someone were to donate equipment and materials to us that we know is happening. We knew after the fact. That way we can plan for the long-term care and stewardship of the equipment and we will move forward that way. Someone can donate a piano to a school. The piano arrives, we don't know about it, and the leg falls off and hurts someone. We just need to know what's happening, who's doing the work, are they insured while they're doing the work on our site, and all those types of things.

Comm. Simmons: Specifically, to this donation, all these questions were asked. I don't know if Mr. Mapp was part of the conversation. I know a question probably went to you and the answer came back to us. There was concern about who was going to maintain it because it wasn't just the goals. Long story short, the project was never completed. It was supposed to have rubberized matting, and we were concerned because we wanted to know who was going to maintain it. Hence, another request to donate came, which brought up some more questions again because there was another request this year to do the same thing at School No. 1. I asked the same questions. That's when I asked Cheryl to ask you, and you stated specifically what you said tonight. It's better to get the money and we will do the installation and make the purchases. I agree with that. We use the vendors that we are comfortable with. We want to make sure it's safe and then we have to worry about maintenance. We did ask those questions. I can't remember how it got through. I think part of the reason it got through was because that playground was also renamed around the same time. The district ended up doing the rest of the work that was supposed to be done.

Comm. Martinez: I think everybody is on the same page as far as the approach we should be taking. We have to also be mindful of what they say. They have a lot to say and we also have a responsibility to answer to them. But we also have a responsibility to not lose sight of the forest for the trees. Athletic outlets are very important, but not part of the greater focus.

Comm. Redmon: Mr. Mapp, you talked about the ESSER funds allotted to us since September. Do we have a goal to see where we can use that money to make sure we don't lose those funds?

Mr. Mapp: I can only speak for facilities. We have a list of projects that we are liquidating now, so what's left in other departments I couldn't tell you.

Comm. Redmon: I'm specifically talking about facilities. Is the money already earmarked for those specific projects?

Mr. Mapp: Absolutely, the list of projects that I showed you.

Comm. Redmon: My only concern is that the money is already earmarked so we don't lose it.

Mr. Mapp: We have to liquidate those funds before September. That means complete the project, bill out, and pay. That's what I'll be working on.

Comm. Redmon: That's my concern. I know the projects have to be completed before the money is actually returned. Can you give the Board an update on all those projects? You can go through the Board.

Mr. Mapp: Sure. Once they start on July 1 in earnest, we definitely can give you an update.

Comm. Redmon: I appreciate that. Thank you.

Mr. Mapp: It will be part of the update for the summer cleaning that we usually do. We will definitely be giving an update to the facilities committee on all those projects. Are there any further questions? I wanted to speak a little bit about cooperative contracts. This is a list of cooperatives that we use for different services, materials, and equipment. They send out specific criteria for bid packages for electrical work, plumbing work, HVAC work, and products for cleaning and janitorial supplies. They will bid those contracts for those services, equipment and material, but they have specific bid criteria that contractors must satisfy in order to place a bid. They get bid pricing, and they award a contract for a specific term, whether a year or two, underpricing that is fixed. We enjoy the efficiency of their bidding the product or service and we going and grabbing that vendor because that service was already bid and the price is already fixed. We save about three months in the bid process when we go directly to cooperative contracts. We go to cooperative contracts for a number of reasons, but what we have been seeing over the last couple years is that the cooperative contracts have been cheaper. The fees and rates have been less than when we go out to bid. Those prices come back, which reflect fluctuation in market to us and we're seeing significantly higher prices when we do bid. The majority of our contracts are bid. We go out every year for time and material contracts for plumbing, HVAC, roofing, environmental services and a number of other projects. Where we do go to cooperative contracts is to provide general contracting services. If we have a chimney that fell, we get a general contractor. That's an emergency that we have to attend to so we can go to a cooperative contractor to get a general contractor to do the work. We don't have to bid the work. The pricing is already fixed. We can go directly to them to get that work done. It saves us a lot of time and it's very efficient for us when we do that. We use cooperative contracts also for a number of other reasons. If the Board approved maximum value of the purchase order, if we bid an HVAC contract and we have a primary, secondary, and tertiary low bid, if the primary bidder exceeds the value of that

purchase order that the Board approved, let's say it's \$100,000 for the year, we can come back to the Board and ask for a 20% increase in that. Once we get that 20% increase, we cannot use that vendor any longer. We have to go out to bid in the middle of the year or find a cooperative to find that service. In the middle of the heating season, because we're such a large district, it takes about three different HVAC companies to service us on an annual basis. That's how much work we have. We would go to a cooperative contractor to solve a lot of these issues that we have pertaining to accessing that service via another procurement method other than sealed bids. Over the last couple years, I've been through five different roofing contractors. I had to get rid of one technically. They're not responding to our requests for services. The primary roofing contractor didn't respond. The secondary roofing contractor didn't respond. The tertiary roofing contractor did not respond. Our only relief to get roof repairs was to go to a cooperative contract and find a vendor. We have a proprietary elevator manufacturer at Joseph A. Taub so we cannot bid that service because no one else can work on that system. We try not to do proprietary systems in the district. We try to do open architecture so anyone can come in and maintain and repair, but that got past me. I take full responsibility for that. That's when we go to a cooperative contract to get that. Or we bypass vendors to go directly to the manufacturer. We have a lot of Trane equipment in the district. When we were doing the cosmetology lab at Eastside High School, we needed to put new HVAC systems specifically in for that project. We went directly to the manufacturer, Trane, and saved hundreds of thousands of dollars, as opposed to going to a general contractor who would mark it up and say it will be here in six weeks and twelve weeks later, we don't have our equipment. We went directly to the manufacturer and stored the equipment. When the general contractor was ready for it, Trane came in, installed it, the general contractor connected to it, and we moved on. It saves a lot of time for us and some money when we source HVAC equipment ourselves. That's what we did for School No. 9 and Rosa Parks. We purchased millions of dollars of HVAC units. It was \$1.6 million for Rosa Parks. If you could imagine a contractor marking that up 15% or 20%, we would have paid that if we went through a general contractor. It's the fastest means for procurement of contractors when state and federal funds must be liquidated in prescribed times. Comm. McCall, you mentioned that we will be getting funding in December. When that funding comes in, the fastest way to use it is go through a cooperative contract, reducing the 3-month bid period and getting the work done expeditiously. We're gearing up for summer cleaning and painting so we would need thousands of gallons of paint. We can bid it and have someone price it, but they may not want to hold on to it. They want to deliver all of it to us. We have no space to store hundreds of thousands of cans of paint. We go to a cooperative contract and buy 500 gallons of paint at a time that we can store. Then we go back for the summer to buy that product. It's not necessarily more expensive that way. Because we're buying in bulk and quantity, they give us special pricing. We eliminate design fees when we go to cooperative contracts, like the Dale Avenue elevator. We went to a cooperative contractor to replace the elevator there. If we do go out to bid, we have to do a design for it. Someone has to be responsible for the code requirements for installing a new elevator. We can't design it because we're not engineers and architects. Those code requirements have to be met by someone. If we had to go to an architect, have a design phase for the project, which is about 3-6 months, then it goes to the DOE for approval, and then go out to bid. We'd have to get a permit from the city, which is another story. Then we'd have to build out the project when we find a low bidder. That adds maybe 6-9 months to the project, and we can't afford to have that elevator down for that period of time. Using a cooperative contractor I eliminate the design phase. I go directly to the permitting phase and get pricing accordingly so we now can eliminate 6-9 months and only have a buildout and permitting period that we have to deal with. Even if it were higher, we still save in time and efficiency. I just wanted to make that clear. We recently bid the elevator service for

the district. We put it out to bid for annual service, every three-year service, and hourly rate. Only one bidder responded, Kencor. They were our cooperative contractor that we went to for service prior to going out to bid. The bids came back and there were variants between the bid price that we received and the cooperative pricing that was in place just for hourly rates for service repairs and non-preventative maintenance work. If I make an emergency call, they would send someone out. The bid price was \$355 an hour. The cooperative price is \$80 an hour. We presented to the facilities committee months ago that that's what we found when the elevator contractors were non-responsive. When we went to the cooperative contractor, he was significantly cheaper. We're trying to be fiscally responsible when do go out for a cooperative contract, but in most cases we do bid our work and we manage around sealed bids.

Dr. Newell: Point of clarification. You gave two numbers, \$85 an hour when it is within the cooperative contract versus \$355 an hour.

Mr. Mapp: \$355 an hour to come out and service our units.

Dr. Newell: The same exact company to do the same exact work?

Mr. Mapp: Yes, under the cooperative bid contract.

Comm. Redmon: I know when we discussed the elevators, I don't remember a price being quoted to us. I remember it was the cooperative contract versus us going out to bid, but there were no actual numbers presented to us because they were supposed to get back to us and let us know. We never got those figures. It was never presented to the committee. I just want to clarify that. It was presented to us in committee and you guys went with the bidding process.

Mr. Mapp: That was not the case.

Comm. Redmon: I just wanted to make sure. In the committee we asked specifically what the difference was between us going out to bid and the cooperative contract, but we never got figures.

Mr. Mapp: Let me clarify. Months ago, we were having problems getting an elevator contractor to do service. We did what we had to do to remove them from our bidding process and went to a cooperative contract to get that service. We identified that those non-responsive vendors who never showed up were charging us hourly rates that were inordinately more than what the cooperative contract rate was. We showed that. This is a different issue where we went out to bid. We go out to bid every year. We just did that earlier this month. We went out to bid and we went to get pricing and only one person bid on it.

Comm. Redmon: I just wanted to make sure I was hearing correctly. In committee I know we didn't get it.

Mr. Mapp: Although they were the only bidder, they were bidding as though other people would be bidding on it also. That's an industry rate when you do bid work.

Dr. Newell: I think that raises another concern I have. When we find such large discrepancies, we really need to have some serious conversations with whichever vendor. If something like this comes up, there should be questions. I can understand if they go through the cooperative contracting process that they have a set fee. That's fine. I think if they also know they have been working with this district, they should know

what they set the cooperative contract fee for. For example, in this case they wouldn't go four times higher. I think that should be a follow-up conversation with the company.

Mr. Mapp: The cooperative contract was bid under different conditions and environment. The time and material bid that the district put out was in an open environment where anyone could have bid on the project. If they knew other contractors were bidding on the project, they would then adjust their pricing based on what the market can bear. That's what they did. They knew that other companies may be bidding on it and that's the rate they would be bidding. They are out to make money. The other thing that cooperative contracts do is they eliminate the mom-and-pop operations. Only those contractors that are able to do the volume of work are bidding on the project. We have a number of contractors who are the low bid on our T&M contracts but can't do the work. We had a company who was doing water testing. In the middle of it all they said they can't continue doing it. They couldn't come in at 6:00 a.m. and go to each water fountain in every school.

Comm. Redmon: How can we avoid those issues, when we are putting out those bid specs and we realize these companies can't meet them? How can we avoid those situations?

Mr. Mapp: I don't think we can avoid it because we don't know what the capacity of the company is that's bidding on the specs. Our specs are tight. Every company wants to do business with us. I'm going to bid low so I can get your business. Once I bid low, whatever it takes to do the work I'm going to try to do that.

Comm. Redmon: What are we doing when we realize that companies are the lowest responsible bid, are awarded the contract, but are not able to do the work? Are we going after them?

Mr. Mapp: We can go after their performance bond in most cases. We have to demonstrate that we suffered some loss, but it's very difficult to do that. In most cases we terminate them. We have email strings that show where we asked for work, and they were non-responsive. We then take them off the bid list so they don't bid again.

Comm. Redmon: I want the public to understand that once we go out for bid and companies cannot perform the work, are we definitely going after them for non-performance? When they bid on our contracts, we want to make sure they're able to handle the work and not string the district along.

Mr. Mapp: There ends my presentation.

DISCUSSION ON PATERSON PUBLIC SCHOOL DISTRICT FACILITIES

Comm. Martinez: After today I think we all got a bird's-eye view of the interconnectedness of everything that goes on in the district. Mr. Mapp, thank you. That was very comprehensive and well-presented. We appreciate you, Mr. Mapp. Thank you. If there are any items we didn't touch on during the presentation, maybe we can circle back to them. I know we were talking about some of the areas that perhaps we should be a little bit delicate in navigating.

Ms. Shabazz-Charles: I know some of these may be lease agreements. I don't know if we're in negotiations. I think they've been handled in-house. We should try to keep our conversations very brief and limited as to not void our executive privilege.

Comm. Martinez: Perhaps we take this approach, as opposed to just going through the list. I know some of the items on the list we have already touched on in the presentation. If any Commissioners have any broad-brush, generic questions pertaining to anything on this list, perhaps we can present them. If not, we can move on with the agenda.

Mr. Mapp: Or we can follow up with committee.

Comm. Martinez: ...which is always a safer bet.

Dr. Newell: It's on the agenda only because it has come up again. I wanted to let the Board know that this has been brought to my attention. I'm not aware of the history, but I wanted to bring it to the Board. There was an offer that it's for sale again. The question to me and the Deputy was, are we interested? I said I need to let the Board know. That's it.

Comm. Redmon: Every time this building gets a new owner, it's brought back to the school district. Unfortunately, it doesn't meet the specs for us. We have been in that building several times. It has been presented through committee several times by different owners. We would be spending way too much money to try to bring that building up to code for Paterson Public School students. At this time, I don't know if you want to tell the committee that we're not interested in the building and please don't bring it back to Paterson Public Schools.

Dr. Newell: Thank you.

Comm. Martinez: The parking is terrible.

Comm. Rashid: Is 90 Delaware district-owned?

Dr. Newell: It's leased.

Comm. Martinez: Anything else on this list we will discuss in committee and then we will bring back to share with the greater group.

PUBLIC COMMENTS

It was moved by Comm. McCall, seconded by Comm. Redmon that the Public Comments portion of the meeting be opened. On roll call all members voted in the affirmative. The motion carried.

Ms. Rosie Grant: Good evening, Commissioners, Madam Superintendent, Mr. Deputy, staff, and community. I wanted to encourage you to use the language of Full-Service Community Schools or other community schools as we revamp and redistrict. I neglected to say thank you Mr. Mapp for your presentation. We need spaces to allow for and take advantage of community resources that are available. They're just looking for a way to deliver their service to students and families, and we have quite a bit available in our non-profit business and government sectors. Please do include that in your deliberations. I wanted to speak to state grant funds. I know that it's the SDA language to call what they give us grants. They're actually mandatory as ordered by the Supreme Court under the Abbott decision. I want to acknowledge that and hope that you will also acknowledge and fight for it. We don't get it until we fight for it. I know some folks in the district, including Mr. Matthews, have been going to the SDA meetings. Do not be dissuaded by this term of grants. We are entitled to it under the

court mandate. I know we also missed out on some reimbursement in years past because we didn't apply for the emergent program. I do want to remind us of that so that we are getting our hands on all the money that we're entitled to under the State Supreme Court mandate. Along with that, I'd like us to update our language from 'if' to 'when' and continue to fight for the things that we have coming to us and that are due to our students. Regarding accepting donations, please don't turn your back on donations. There's a lot out there that we can get a hold of. We have a risk management department. You can certainly filter your donations, but once we own it, it's ours. So let's make sure that it's insured. Let's go through the motion to protect it. Yes, we'd rather have cash, but the things that we're getting are as good as cash and then we can apply the cash somewhere else where we can't get any donations. Those are my comments this evening. Thank you so much for the opportunity.

It was moved by Comm. Redmon, seconded by Comm. Freeman that the Public Comments portion of the meeting be closed. On roll call all members voted in the affirmative. The motion carried.

ADJOURNMENT

It was moved by Comm. Redmon, seconded by Comm. McCall that the meeting be adjourned. On roll call all members voted in the affirmative. The motion carried.

The meeting was adjourned at 7:44 p.m.



Mr. Richard Matthews
Business Administrator/Board Secretary