

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

July 24, 2019 – 5:06 p.m.
Administrative Offices

Presiding: Comm. Oshin Castillo, President

Present:

Ms. Eileen F. Shafer, Superintendent of Schools
Ms. Susana Peron, Deputy Superintendent
Robert Murray, Esq., General Counsel+

Comm. Emanuel Capers
Comm. Jonathan Hodges
Comm. Manuel Martinez
*Comm. Joel Ramirez

Comm. Nakima Redmon, Vice President
Comm. Robinson Rondon
Comm. Kenneth Simmons

Absent:

Comm. Eddy Olivares

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

Comm. Redmon 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 notice of this meeting:

**Special Meeting
July 24, 2019 at 5:00 p.m.
Administrative Offices
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.

Comm. Castillo: Thank you all for coming today and being available. If it's okay with everyone, I'm going to move public comments to the front before we go into executive session.

PUBLIC COMMENTS

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

Mr. Charles Ferrer: Good evening, Charles Ferrer. I'm just here on a few issues of some concern. I know about the tightness of money and everything, but I have this job description for the Supervisor of Student Assistance position. They report to the Director of Guidance, the Assistant Superintendent and/or designee. A supervisory position is supposed to have supervisory certificate and this one doesn't. When I raised this question before, they said they're only going to be dealing with students and stuff like that. They're not going to be dealing with the staff. When I'm reading the job description, it says responsibilities include staff development, curriculum development, counseling intervention/treatment services, coordination of community school programs and services, as well as policies and procedures review. The person that you put into this position, if they are non-certificated, how are they creating curriculum and doing staff development? That's a problem. There are several people that interviewed. It also says here they need at least five years of experience as a student awareness coordinator and hold a master's degree from a credited college or university. They must have at least five years of experience as a teacher, counselor, and/or supervisor/administrative preferred. If somebody that applied has a supervisor's or administrator's certificate, it should be given to somebody who doesn't have any? If you don't have any, you got training in creating curriculum and doing staff development? The people that have come to me feel that this was a way of circumventing the process because the person that's supposed to be in this position had the least amount of years in as a SAC. It's disturbing to some people because there are a lot of people that would like to move up. If we're going to do a process, we have to do the process the correct way. If you're going to change a job description, you need to do it right where you don't leave in things. There has to be a certificate. You can't create staff development if you don't have those credentials. When the job description was sent to me, I don't even know if this went to the Board for approval. Normally it says on it that it's been approved by the Board. This is job description 1758, if you can look into that and get back to me. The other concern people are having is I know we're in a money shortage, but people are bringing to my attention that there are positions being created for people that were supervisors that may not necessarily have the years. They're putting them into schools as intervention people. If someone left the district and came back, whatever tenure they had before they left they lost. I tell people this all the time. You can be 14 years in, but if you leave and come back, you start over. If somebody comes back and they became a teacher and then they moved into a VP position, they have tenure in neither position. To give them a position as an intervention person...? I'm not going to say the name yet. I'm going to wait until September. I'm just letting you know I've been made aware.

*Comm. Ramirez enters the meeting at 5:11 p.m.

Mr. Ferrer: People are coming to me and bringing Board minutes and all kinds of stuff. The other thing that we need to look at is we're in a shortage for money, but I can show you where some people have jumped anywhere from \$20,000 to \$50,000 in salary. Other staff members from secretaries on up are working two and three jobs trying to make it work. What's good for one is good for all. I'm just letting you know I'm compiling all this for the next negotiation. If I can get a \$925 raise at the top of my guide, which is \$46.25 and then somebody can get a \$15,000 raise above what they were getting, which is \$625 a paycheck, there's something wrong with that scale. No

matter where you work with this district, they're all supposed to be about the children. We all need to start getting treated the same way. We're taking care of some people that are already sitting and working on their second and third pension. I come from corporate. I understand working on a shoestring budget. I understand making it work and cutting half of your staff and telling them to make it work. When we get this money back, I think we need to be very mindful of how we decide to start sending people back. Let's bear in mind that the class sizes are a priority. We don't need to just start throwing supervisors and vice principals back into their positions. What we need to do, as I said to Comm. Capers, is we need to see how the current administrators that are in the schools run. Maybe somebody has been doing the work for them and they were just sitting there getting credit. Let's see what they can do. Let's give the opportunity to have some reasonable class sizes and that will help you weed out some people that maybe shouldn't be administrators. Not everybody is supposed to be an administrator. As I told people, I can count them on both of my hands. We probably have about 10 good ones in the district. You have a lot of them sitting that have been applying and haven't been given the opportunity for whatever the reason might be. Let's let them work and let's see how they do. Just like teachers have to do all things shorthanded, let them feel that pain. Let's let the children enjoy smaller classrooms because we have enough staff in all the classroom positions. I know I'm over, but I appreciate your time. These are the concerns that are starting to come to me and we're not even through July. I'm just letting you know. Thank you.

Ms. Shafer: Charles, maybe we can get together because I need some additional information.

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

Comm. Castillo: You're going to get together with Mr. Ferrer. I think we're all especially interested in what in the world is going on. Was that on the website? Is that the job description that Mr. Ferrer read?

Mr. Ferrer: That was the job description that I read from.

Comm. Capers: Which school?

Mr. Ferrer: This person is going to be here at 90 Delaware.

Ms. Shafer: They took Kathy Lepore's spot. She retired.

Comm. Capers: That's the drug and alcohol...

Ms. Shafer: Yes.

Comm. Castillo: Are you going to give us more information as far as the job description? I don't necessarily remember off the top of my head. I have no idea who the person is. Is the job description matching what they're doing? We can have this discussion in personnel, but it's definitely the details that I want returned back to the Board.

Comm. Redmon: Mr. Ferrer asked the question that it wasn't brought before the Board. Can we verify by pulling the minutes to make sure that we either did or didn't vote on it? The Board might not have seen it and it might have been an administrative change.

Comm. Capers: He said there were some people that just jumped up. I don't know if you guys can get exactly who he is talking about or what department.

Ms. Shafer: I'm going to meet with him and get all the information before I can respond. If people got a \$20,000 or \$50,000 raise, I don't know about that. I need to find out from him about that.

Comm. Castillo: After they meet, the Superintendent will give us a report of what's going on, the sooner the better.

MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS LITIGATION

It was moved by Comm. Ramirez, seconded by Comm. Redmon that the Board goes into executive session to discuss litigation. On roll call all members voted in the affirmative. The motion carried.

The Board went into executive session at 5:21 p.m.

It was moved by Comm. Redmon, seconded by Comm. Capers that the Board reconvenes the meeting. On roll call all members voted in the affirmative. The motion carried.

The Board reconvened the meeting at 5:44 p.m.

RESOLUTION FOR A VOTE:

Resolution No. 1

WHEREAS, the Paterson Board of Education ("Board") and employee T.S have negotiated a Settlement Agreement and General Release ("Agreement") (collectively "Parties") in connection with the Petition of Appeal filed by T.S before the Commissioner of Education, OAL Dkt. No. EDU 04413-2018N; Agency Ref. No. 51-3\18; and

WHEREAS, the Parties have agreed, by way of this Agreement, to resolve the above-referenced litigation and the pending municipal matters referenced in the Agreement; and

WHEREAS, the Board has reviewed the Agreement and determined that it is in its best interest for cost efficiency to settle this matter without further litigation;

BE IT RESOLVED, that the Board hereby approves the attached Agreement, a copy of which will be kept on file by the Board; and

BE IT FURTHER RESOLVED, that the Board authorizes the settlement of \$337,816.00 minus usual and customary withholdings, including FICA, State and Federal taxes, union membership fee contributions, credit for unemployment benefits, and other legally required deductions, for the time period between the date of petitioner's indictment\suspension without through to the conclusion of the 2018-2019 school year, and the Board will pay \$169,000.00 for Petitioner's legal cost and fees to Ricci and Fava, LLC, the sum as set forth in the Agreement and assents to T.S's irrevocable resignation effective at the end of the day on July 31, 2019; and

BE IT FURTHER RESOLVED, that the Board authorizes the Board President and the Business Administrator\Board Secretary to execute the Agreement on behalf of the Board; and to take such further steps as may be necessary to effectuate the within Agreement and carry out this action of the Board.

It was moved by Comm. Redmon, seconded by Comm. Ramirez that Resolution No. 1 be adopted. On roll call all members voted in the affirmative. The motion carried.

Paterson Board of Education Standing Abstentions

Comm. Capers

- Self
- 4th and Inches
- Westside Park Group
- Florio Management Company (ACES Program receives donations)

Comm. Castillo

- Self
- Passaic County
- Scholastic/Jordan (Transportation)

Comm. Hodges

- Self
- Jumpstart
- City of Paterson

Comm. Martinez

- Self
- New Jersey Community Development Corporation (NJCDC)

Comm. Olivares

- Self

Comm. Ramirez

- Self
- Berkeley College

Comm. Redmon

- Self
- Historic Preservation of the City of Paterson
- County of Passaic

Comm. Rondon

- Self

Comm. Simmons

- Self
- Family

Comm. Castillo: I want to thank everyone before we adjourn for taking the time and making sure we got through this. It was definitely very important.

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

The meeting was adjourned at 5:45 p.m.