

BOARD OF EDUCATION
(Official)

November 24, 2015
Elizabeth, New Jersey

The regular meeting of the Board of Education was called on November 24, 2015 at 7:00 p.m., in the MultiPurpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board President Ana Maria Amin presented the following statement at 7:40 p.m.

“Ladies and Gentlemen, good evening. This is a regularly scheduled meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to Worrall Community Newspapers, The Star Ledger and Cablevision of Elizabeth on Friday, November 13, 2015. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth.”

“I wish to extend a warm welcome to everyone present and to our television viewers to this November 24, 2015 meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The Superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.”

“This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. I also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, I may have to ask for order periodically should noise begin to interfere with our recording capabilities. I am pleased that you have taken time this evening to join us. Thank you for your interest in the Elizabeth Public Schools.”

“There will be a public portion for citizens to address the Board. Participants for the public portion must sign in one hour prior to the advertised start of the meeting so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Ms. Bathelus (arr. 8:05 p.m.), Mrs. Carvalho, Messrs. Monteiro (arr. 7:45 p.m.), Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Absent: Mrs. Castillo-Ospina – 1

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Schools Rafael Cortes, Assistant Superintendent for Schools Linda Seniszyn, Interim Assistant Superintendent for Teaching and Learning Jennifer Cedenro, Supervising General Counsel/Board Attorney Marvin Lehman, and members of the public were in attendance.

Colors were presented during the Flag Ceremony by members of the Admiral William F. Halsey, Jr. Health & Public Safety Academy Marine Corps Junior R.O.T.C. followed by the Pledge of Allegiance led by Gianna Genoa, fourth grade student at John Marshall School No. 20.

The *Star Spangled Banner* by Francis Scott Key was performed by saxophonist Michelle Sanchez, tenth grade student at Elizabeth High School.

The Pledge of Ethics was led by Jaiden Bell-Goodwin, fourth grade student at John Marshall School No. 20.

Mrs. Amin introduced a video presentation of the Core Beliefs and Commitments.

Mr. Monteiro stated that he would like to move Resolution – Establishing the Election of Members of the Elizabeth Board of Education as the Third Tuesday in April.

Mr. Rodriguez asked if he would have to suspend the rules.

A motion was made by Mr. Monteiro, seconded by Mr. Perreira, to suspend the rules.

Mrs. Carvalho asked if we can have the children first.

Mr. Neron stated that we should follow the agenda.

Mrs. Carvalho stated that she thinks the parents want to go home with these children.

Mrs. Amin explained that it is one resolution.

The motion to suspend the rules was carried by the following vote:

Affirmative: Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 4

Negative: Mrs. Carvalho, Messrs. Neron, Rodriguez – 3

Resolution – Establishing the Election of Members of the Elizabeth Board of Education as the Third Tuesday in April

A motion was made by Mr. Monteiro, seconded by Mr. Perreira, that the resolution be adopted.

A motion was made by Mr. Neron, seconded by Mr. Rodriguez, to table the resolution.

The motion to table was defeated by the following vote:

Affirmative: Mrs. Carvalho, Messrs. Neron, Rodriguez – 3

Negative: Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 4

Mr. Rodriguez stated that this is a resolution to move the election next year from November to April. Mr. Rodriguez stated that there was a law passed over four years ago where it allowed school boards across the State to be able to move the election from April to November. Mr. Rodriguez stated that at the same time when a school board does that they also have the ability to not put out their budget for a vote and have to keep their budget within a 2% cap. Mr. Rodriguez stated that he wanted to explain to the public so they know what it is about. Mr. Rodriguez stated that he doesn't think it is a good idea because moving the election to April will cost this school board money and that is money that we don't have. Mr. Rodriguez stated that as everyone knows we had to raise taxes this year by \$7.5 million and let go of 81 staff members. Mr. Rodriguez stated that we have been bare bones the whole year and we have been that way almost always and we never have enough here. Mr. Rodriguez stated that it will cost over \$80,000. or more to fund an election in April when there is no need to do something like that. Mr. Rodriguez stated that it also suppresses voters and voter turnout is definitely higher in November. Mr. Rodriguez stated that the majority members of this Board have no problem with that as they have shown year after year. Mr. Rodriguez stated that they continue to not care about wasteful spending and they don't care about how people vote. Mr. Rodriguez stated that we saw that in the beginning of January when we had a switch that was then later cancelled by the court. Mr. Rodriguez stated that he thinks it is a bad idea and hopes his fellow colleagues vote no on this.

Mrs. Carvalho stated that the last time this happened two Board members, Armando DaSilva and President Nazco who decided, voted, and are on record stating that it is a waste of taxpayers' money to have elections in April. Mrs. Carvalho stated that she doesn't understand how we can even have this proposed to us. Mrs. Carvalho stated that people come out to vote in November and that is when elections are supposed to be. Mrs. Carvalho stated that to blatantly sit here and try to tell the public that it is better to move elections, that it is better to spend money,

and that it is better to raise their taxes just because it is another Hail Mary to try to gain control of the Board is outrageous. Mrs. Carvalho stated that she thinks the fact that we are not following the agenda and the fact that there are children here and we are not respectful to them and the parents is outrageous. Mrs. Carvalho stated that she is not saying this because she wants them to vote for her because she is not up until 2017. Mrs. Carvalho stated that she is sitting here because this is ridiculous and what they are trying to do is wrong. Mrs. Carvalho stated that you as taxpayers have the right to tell them that you do not want this done. Mrs. Carvalho stated that it cost over \$30,000. to print the ballots and doesn't include what it costs for the Board of Elections to work that day. Mrs. Carvalho stated that let's not forget all the fundraising that has to be done all over again. Mrs. Carvalho stated that it is outrageous and wrong. Mrs. Carvalho stated that the children are getting their first front row lesson in politics because what they are seeing right now is politics. Mrs. Carvalho stated that it is wrong and they are last on the agenda.

Mr. Neron stated that first he wants to apologize for the meeting starting late because the public got here at 7:00 p.m. and they have been waiting all evening. Mr. Neron stated that we are here to celebrate the children and we are here to do the business for the children. Mr. Neron stated that the first item we need to discuss is the children and celebrating the achievements that they have made. Mr. Neron stated that we are here for them and to make sure they get celebrated and to uphold all the achievements that they have made this year. Mr. Neron stated that he implores the President to follow the agenda and go according to plan.

Mr. Trujillo stated that he wanted to clarify that this does not raise taxes. Mr. Trujillo stated that it gives the taxpayers the opportunity to actually vote on the budget and moving the election to November took that away from the taxpayers. Mr. Trujillo stated that the taxpayers can decide in April whether they accept or deny the budget and that is the difference. Mr. Trujillo stated that this does not disenfranchise anyone but this empowers the voter and it's their money and they decide, not the Board, how it is spent. Mr. Trujillo stated that they should not misinform the public unless you don't know how the process works. Mr. Trujillo stated that he has been here long enough to know how it works and in April and in November it is a different way. Mr. Trujillo stated that in April the taxpayers vote on the budget.

Ms. Bathelus requested that her comments be marked word for word. Ms. Bathelus stated that back on the day when you guys voted for that and she knows that the Board members that were on there they stated and she quoted "they wanted to commend the Board for taking this action to save taxpayer money and to allow more people in our City to get involved in the Board of Education election." Ms. Bathelus stated that Board member stated that it was said that the Board of Education election has low turnout compared to the general election and this year they will have more people involved to vote and to have their voice heard to make sure that they pick the Board member that they believe are doing the right thing for the community. Ms. Bathelus stated that Board member also said they were thinking about the taxpayers first and stated that we would save money by eliminating an election process and at the same time allowing the rest of the residents that normally do not come out to voice their opinion on the Board of Education. Ms. Bathelus stated that another Board member stated that in our efforts to provide excellent education experiences for our students that we need to meet the needs of the community on moving our election from April to the general election in November is going to save the taxpayer money and the State of New Jersey. Ms. Bathelus stated that Board member also said that they want the physical responsibility to make sure that we are providing the best services for the citizens of our City and also gives the opportunity for a greater majority of the people to come out and support the candidates of the Elizabeth Board of Education and therefore Elizabeth recognizes the job that the current Board members at that time were doing. Ms. Bathelus stated that so those two Board members were in favor of moving the election from April to November. Ms. Bathelus stated that those two Board members, Mrs. Carvalho asked, was Mr. Nazco and Mr. DaSilva.

Mr. Monteiro stated that for the sake of time and out of respect to the young students who are here tonight he would like to withdraw this motion and do this at the end of the meeting because of the Board members filibustering all night.

Mr. Monteiro withdrew his motion.

Ms. Bathelus stated that we have to vote.

Mrs. Carvalho asked if it is on the table don't we have to vote.

Ms. Bathelus stated then why did you do it now and didn't wait until the students finished performing and then bring it up.

John Geppert, Jr. Esq., Schwartz Simon Edelstein & Celso, LLC, stated that he is withdrawing his motion and you can proceed with the agenda.

Mrs. Amin introduced students from John Marshall School No. 20 who were chosen for the NJ PAC Disney's Musicals in Schools Program and performed *I Just Can't Wait to Be King* by Elton John. Mrs. Amin thanked them for a wonderful performance.

Mr. Perreira recognized students who participated in the Annual Shriver Cup Unified Soccer Tournament hosted by Special Olympics New Jersey as part of Project UNIFY at the Player's Development Academy in Somerset. Mr. Perreira stated that the following students displayed outstanding skill and sportsmanship in winning the silver medal including David Soulouque, Diego Figueroa, Jeimily Pena, and Joseph Tascon from Nicholas S. LaCorte-Peterstown School No. 3 and Pedro Hernandez from Juan Pablo Duarte-José Julián Martí School No. 28 and the following partners Brayan Castro from Nicholas S. LaCorte-Peterstown School No. 3 and Anthony Matute, Dany Castillo, Eric once, Jeffrey Ventura, Jessmar Bahian, Joao DeSouza, Jose Melgar, Kevin Hernandez, Devin Molina, Marlon Taytum, Roque Bahian, Rodrigueo Moreira, and Wilson Amaya from Juan Pablo Duarte- José Julián Martí School No. 28. Mr. Perreira introduced coaches Steven Lake and Oliver Jimenez; Jennifer Campel, Principal of Nicholas S. LaCorte-Peterstown School No. 3 and Sulisnet Jimenez, Principal of Juan Pablo Duarte-José Julián Martí School No. 28. Mr. Perreira and Board members congratulated the students, coaches and principals and presented each with a certificate of commemoration.

Mr. Neron recognized the Elizabeth Junior Varsity Soccer Team for winning the Union County Championship including student athletes Josser Amaya, Aime Amouzou, Dylon Carvhallo, Jonathan Ferreira, Manny Grova, Jr., Matheus Jaimes, Amilcar Jean Daniel Lecona, Bryan Martinez, Christopher Matherin, Max Mejia, Ricardo Munoz, Tyler Piedranita, Ismael Piriz, Ricardo Polanco, Michael Reyes, Miguel Reyes, Edgard Rivera, Christian Sanchez, Franco Tijona, Brian Vanegas, Sebastian Velez, Jason Villalta, Camilo Zuluega and coaches Louis Argondizza and Gustavo DellaCorte. Mr. Neron and Board members congratulated them and presented each with a certificate of commemoration.

Mrs. Carvalho recognized the Elizabeth Varsity Soccer Team for winning the NJSIAA North Jersey, Section 2 Group 4 State Sectional and being ranked No. 7 in the NJ.com Top 20 including student athletes Maximiliano Acosta, Van Aggy Adolphe, Matthew Almedia, Mykol Bello, Croyant Demosthene, Kevin Flores, Miguel Fuentes, Antoine Gbamou, Miguel Goncalves, Danny Guillen, Yosuke Hirashiki, Rodriguo Leites, Paulo Lopes, Sergio Martinez, Billi Mendoza, Juan Miranda, Bryan Moreno, Marlo Javier Munguia, Denilson Olivera, Kevin Patino, Diego Pellejero, Nahuel Pereyra, and Kevin Soares and coaches Joseph Cortico, Jaques Gonzales, Gustavo DellaCorte, Louis Argondizza, and Thomas Petit. Mrs. Carvalho and Board members congratulated them and presented each with a certificate of commemoration.

Mr. Trujillo recognized Vice Principal of Admiral William F. Halsey, Jr. Health and Public Safety Academy Kevin McCarthy, technology coach Giuliano Farina, and Pearson Education representatives Christina Everard and Laurie Lombard who were instrumental in the dedication of the newest iLeap Center. Mr. Trujillo stated that the iLeap Center at Admiral William F. Halsey, Jr. Health and Public Safety Academy was dedicated to honor the service people who sacrificed their lives to help preserve America's freedom. Mr. Trujillo and Board members congratulated them and presented each with a certificate of commemoration.

Mr. Trujillo recognized Dr. Joao Camacho for his commitment to excellence to the Elizabeth Public Schools and presented him with an award of excellence. Mr. Trujillo and Board members congratulated Dr. Joao Camacho and presented him with a plaque of commemoration.

Dr. Joao Camacho thanked the Board for the honor and stated that there is always time for education.

Ms. Bathelus recognized the Elizabeth High School Marching Band that competed in the Delaware Regional Bands of America Championships and finished ninth overall including student bandmembers Amy Centeno, Daniel Faldraga, and Jean Rosario, drum majors; Stevens Cruz, low brass captain; Bruna Esteves, front ensemble captain; Kevin Ferreira, clarinet captain; Monica Figueroa, drumline captain; Alexandra Grande, flute captain; Brandon Mercado, saxophone captain, Michelle Sanchez, saxophone lieutenant; Luis Torres, trumpet captain, Catherine Rojel color guard captain; and front ensemble tech David Finkelstein. Ms. Bathelus recognized assistant director Steve Almeida and band directors Ben Schwartz and Wayne Dillon. Ms. Bathelus and Board members congratulated them and presented each with a certificate of commemoration.

Mr. Rodriguez recognized Principal Theodore Panagopoulos, vice principals, and staff from Terence C. Reilly School No. 7 which has been selected as an Apple Distinguished School. Mr. Rodriguez stated that the Apple Distinguished School designation is awarded to schools that demonstrated the five best practices including visionary leadership, innovative learning and teaching, ongoing professional learning, compelling evidence of success, and a flexible learning environment. Mr. Rodriguez and Board members congratulated Terence C. Reilly School No. 7 and presented Principal Theodore Panagopoulos with a plaque of commemoration.

Mrs. Amin recognized Principal Michael Cummings, Vice Principal Thomas O'Donnell, staff and students from Elizabeth High School for being selected by the United States Department of Education as a National Blue Ribbon School and is one of 335 schools across the country selected for the National Blue Ribbon Schools designation this year. Mrs. Amin and Board members congratulated them and presented them with a plaque of commemoration and a banner for their school.

Mr. Rodriguez thanked all the elected officials and all the administrators and staff members who are present and stated that they look forward to working with them in the future.

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the minutes of the meetings of February 26, 2015 and October 15, 2015 be accepted.

Mrs. Carvalho asked if the revision was made.

Mr. Kennedy explained that he received the message and the best way is to vote to rescind the abstention and change the vote to no for the private session. Mr. Kennedy asked if Mrs. Carvalho and Ms. Bathelus would like to vote to rescind the abstention and change the vote to no.

Mr. Rodriguez asked if he needs to make an amended motion.

Mr. Kennedy explained.

An amended motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the minutes of the meetings of February 26, 2015 and October 15, 2015 be accepted with the private session minutes for the meeting of February 26, 2015 to reflect a rescission of the abstention on the votes of Ms. Bathelus and Mrs. Carvalho for Resolution – Substitute Staffing Services – Source4Teachers and the change of their votes to negative.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Secretary and Treasurer's Report for the Month of September 2015

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 4

Abstain: Ms. Bathelus – 1

Negative: Mrs. Carvalho, Messrs. Neron, Rodriguez – 3

Personnel Report – Leaves of Absence, etc.

A motion was made by Mr. Rodriguez, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Mr. Monteiro recognized Dr. Greene and Robert Jaspan who are retiring on April 1 and March 1 and thanked them for their dedication and years of service. Mr. Monteiro congratulated them and wished them a happy retirement.

Supplemental Personnel Report – Leaves of Absence, etc.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Tuition Report

A motion was made by Mr. Trujillo, seconded by Mr. Neron, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Supplemental Tuition Report

A motion was made by Mr. Rodriguez, seconded by Mr. Trujillo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Superintendent's Report – Considerations

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the requests be approved.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Superintendent's Report – Use of Facilities

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the requests be approved with a waiver of fees.

Mr. Trujillo asked if the PAL request is for a youth league.

Mr. Kennedy responded that his understanding is that it is for a youth league.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Supplemental Superintendent's Report – Use of Facilities

A motion was made by Mr. Perreira, seconded by Mr. Neron, that the requests be approved as recommended.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Superintendent's Report – Field Trips

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the requests be approved.

Mr. Trujillo stated that he wants to bring to the attention of the administration that he still has a concern on how we do the field trips. Mr. Trujillo stated that we met in committee several months ago and it has gone on unresolved and he would like a possibility to revisit that. Mr. Trujillo stated that he sees that some schools get to take more field trips than others. Mr. Trujillo stated that there has to be a better way that we can get everyone to have at least one field trip per year. Mr. Trujillo stated that he doesn't think it is fair that simply because someone is more organized within one school or another the children get left out. Mr. Trujillo stated that he would like to revisit that if possible and put it on the appropriate committee agenda.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Authorizations Report – Authorization to Participate, etc.

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Supplemental Authorizations Report – Authorization to Enter into Contract, etc.

A motion was made by Mr. Trujillo, seconded by Mr. Rodriguez, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Perreira, Rodriguez, Trujillo, Mrs. Amin – 7

Abstain: Mr. Neron – 1

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers, etc.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

Mr. Rodriguez stated that in this report we are paying lawyers \$1,267,141.15 and that this is one month's legal bill. Mr. Rodriguez stated that he has been asking the legal committee to try to come up with an idea and obviously they don't even respond. Mr. Rodriguez stated that we will try to take care of this on the other side of January. Mr. Rodriguez stated that he can't understand how one law firm can charge \$888,000. in one month. Mr. Rodriguez stated that it seems that they are literally trying to take as much money as they can before January.

Mr. Kennedy stated that it is for two months.

Mr. Rodriguez stated that is what he figured because one month it didn't pass so it doubled up. Mr. Rodriguez stated that either way it is atrocious, \$1.2 million for legal fees. Mr. Rodriguez stated that he knows there are a lot of issues and he can't wait to finally be involved and see what is going on. Mr. Rodriguez stated that he is not part of any of the decision making because he has been locked out and he has asked to be part of it. Mr. Rodriguez stated that he would have loved to be have worked on figuring out ways to lower these fees but everywhere he goes the door keeps getting closed. Mr. Rodriguez stated that this is absolute insanity and he is voting no.

The motion was carried by the following vote (except for Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Lenox, Socey, Formidoni, Giordano, Cooley, Lang & Casey; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Ricci, Fava & Bagley; Scarinci & Hollenbeck, LLC; Schwartz Simon Edeltstein & Celso, LLC which did not receive the required number of votes):

Affirmative: Ms. Bathelus (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Lenox, Socey, Formidoni, Giordano, Cooley, Lang & Casey; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Ricci, Fava & Bagley; Scarinci & Hollenbeck, LLC; Schwartz Simon Edeltstein & Celso, LLC), Mrs. Carvalho (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Lenox, Socey, Formidoni,

Giordano, Cooley, Lang & Casey; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Ricci, Fava & Bagley; Scarinci & Hollenbeck, LLC, Schwartz Simon Edeltstein & Celso, LLC), Messrs. Monteiro (negative- ASA & Zambrano Architects; DMR Architects; and USA Architects), Neron (abstain- Nuenergen, LLC; negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Lenox, Socey, Formidoni, Giordano, Cooley, Lang & Casey; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Ricci, Fava & Bagley; Scarinci & Hollenbeck, LLC, Schwartz Simon Edeltstein & Celso, LLC), Perreira, Rodriguez (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Lenox, Socey, Formidoni, Giordano, Cooley, Lang & Casey; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Ricci, Fava & Bagley; Scarinci & Hollenbeck; Schwartz Simon Edeltstein & Celso, LLC), Trujillo (negative- ASA & Zambrano Architects; DMR Architects; Pashman Stein; USA Architects), Mrs. Amin – 8

Negative: None

Supplemental Finance and Accounting Report – Transfer of Funds

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

Mrs. Carvalho asked about other retirement.

Mr. Kennedy explained that those are fees paid towards our contribution required for retirement benefits.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Award of Contracts Report

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

Mr. Rodriguez asked Superintendent Hugelmeyer to please direct our transportation department to contact all of our outside contracted bussing companies to retrain their staff on safety issues and especially to make sure they check the busses for any students at the end of each run.

Mrs. Hugelmeyer stated that it is part of their contractual requirement and safety training is required on an annual basis but we will be sure to communicate with all of the contracted providers.

Mr. Neron stated that he attended a NJSBA meeting where there is additional legislation for the companies that we sub-contract with to get mandatory training as per the Department of Education. Mr. Neron stated that was recently added on and amended in the legislation. Mr. Neron asked for them to please make sure they get a copy of that and he can share a copy of that.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus (abstain- Durham School Services), Mrs. Carvalho (negative- Durham School Services), Messrs. Monteiro, Neron (negative- Durham School Services), Perreira, Rodriguez (abstain- Durham School Services), Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Supplemental Award of Contracts

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Mr. Neron asked if this went to bid.

Mr. Kennedy explained that it was over the bid threshold and this is an approval of a change order.

Second Supplemental Award of Contracts

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 6

Abstain: Mrs. Carvalho, Mr. Trujillo – 2

Negative: None

Miscellaneous Communication

None.

Claims List

A motion was made by Mr. Trujillo, seconded by Mr. Rodriguez, that the report be accepted.

The motion was carried by the following vote (except for Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Scarinci & Hollenbeck, LLC which did not receive the required number of votes):

Affirmative: Ms. Bathelus (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Scarinci & Hollenbeck, LLC), Mrs. Carvalho (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Scarinci & Hollenbeck, LLC), Messrs. Monteiro, Neron (abstain- Nuenergen, LLC; negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Scarinci & Hollenbeck, LLC), Perreira, Rodriguez (negative- Adams Gutierrez & Lattiboudere, LLC; Glazer & Kamel Attorneys at Law; Jasinski; Machado Law Group, LLC; MARC Attorneys at Law; Methfessel & Werbel, Esq.; Pashman Stein; Piekarsky & Associates, LLC; Scarinci & Hollenbeck, LLC), Trujillo (negative- ASA & Zambrano Architects; DMR Architects; Pashman Stein; USA Architects), Mrs. Amin – 8

Negative: None

The second reading of the revised Nepotism Policy File Code No. 4112.8/4212.8 was done.

Resolution – Revised Nepotism Policy File Code No. 4112.8/4212.8 (TABLED)

A motion was made by Mr. Rodriguez, seconded by Mrs. Carvalho, to table the second reading and resolution.

The motion to table was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Payment for Unused Sick Days

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Resolution – Payment for Unused Vacation Days

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Mrs. Amin – 7

Abstain: Mr. Trujillo – 1

Negative: None

Resolution – Member Participation in a Cooperative Pricing System

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

Ms. Bathelus asked for an explanation of the cooperative pricing system.

Mr. Kennedy explained.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – New Jersey Quality Single Accountability Continuum (QSAC) Documents 2015-2016

A motion was made by Mr. Rodriguez, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Mr. Monteiro excused himself from the meeting at 9:10 p.m.

Resolution – Continuation of the Comprehensive General Liability Insurance Package 2015-2016

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Messrs. Neron, Perreira, Trujillo, Mrs. Amin – 5

Abstain: Ms. Bathelus – 1

Negative: Mr. Rodriguez – 1

Mr. Monteiro returned to the meeting at 9:15 p.m.

The first reading of the following revised exhibits was done:

5141.4(X)	Procedures – Division of Child Protection and Permanency (DCP&P)
6146(X)	Graduation Requirements

Resolution – Establishing the Election of Members of the Elizabeth Board of Education as the Third Tuesday in April

A motion was made by Mr. Rodriguez, seconded by Mrs. Carvalho, that the resolution be adopted.

The motion did not receive the required number of votes to pass:

Affirmative: Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 4

Negative: Ms. Bathelus, Mrs. Carvalho, Messrs. Neron, Rodriguez – 4

Mr. Rodriguez stated that he is making a motion to keep the school board election in November according to public law P.L. 2011,c.202 that authorizes a local board of education to move the election to November. Mr. Rodriguez read the public law.

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, to keep the school board election in November.

Mr. Trujillo stated that he read the law and asked for a legal opinion on it. Mr. Trujillo stated that it is his understanding that the law that Mr. Rodriguez is speaking to does not allow to extend the election. Mr. Trujillo stated that the original provision of the law was to move the election through the mechanics that Mr. Rodriguez explained by either this governing body, city council, or as a referendum on the ballot. Mr. Trujillo stated that you can go ahead and vote on it but it doesn't do anything and is redundant because the election is already in November. Mr. Trujillo stated that it doesn't allow you to keep it in November it only allows you to move it from November to April or from April to November and doesn't allow you to extend it.

Resolution – Keep School Board Election in November

The motion did not receive the required number of votes to pass:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Neron, Rodriguez – 4

Negative: Messrs. Monteiro, Perreira, Trujillo, Mrs. Amin – 4

Board President Amin presented the following public participation statement.

“At this time, the microphones are open for public comment to those who have signed in prior to this session. I shall call individuals to the microphones based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to sixty minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participants shall apply: time limits will be strictly enforced, no personal attacks on individuals, no vulgar or indecent language, a person may address the Board no more than once during a single meeting, speakers should refrain from naming individuals, and comments or questions posed during public participation will not be debated. As a reminder, this is a meeting of the Board in public, not a meeting of the public.”

Mrs. Amin called upon the first public participant, Wendy Reina, to address the Board.

Wendy Reina, 189 Keats Avenue, spoke about special education.

Mrs. Amin thanked her for her comments and called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira, 805 Gebhardt Avenue, congratulated the newly elected Board members and spoke about future changes to Board operations.

Mrs. Amin thanked her for her comments and called upon the next public participant, Maria Lorenz, to address the Board.

Maria Lorenz, 103 Murray Street, spoke about special education.

Mrs. Amin thanked her for her comments and called upon the next public participant, Maria Medeiros DaRassi, to address the Board.

Maria Medeiros DaRassi, 420 Fay Avenue, spoke in favor of moving the school board election to April and that the new Board should give the employees the opportunity to show what they can do.

Mrs. Amin thanked her for her comments and called upon the next public participant, George Castro, to address the Board.

George Castro, 916 Park Avenue, congratulated the newly elected Board members.

Mrs. Amin thanked him for his comments. Since there were no other citizens signed in to address the Board, Mrs. Amin declared this portion of the public meeting closed.

Mr. Monteiro stated that the words of Mr. Castro were uncalled for and disrespectful to the President.

The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, specifically, B.L., R.C., C.P., A.H., E.A., interviews, Donaldson hearing; corrective action plan – NJ ASK; PARCC data summary; settlement agreement – prescription coverage; Harassment, Intimidation and Bullying results and Workers' Compensation Claims, specifically, L.G., J.B., L.E., and D.B. The Board will reconvene in public to take formal action.

A motion was made by Mr. Rodriguez, seconded by Mr. Perreira, to go into private session at 9:35 p.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, to reconvene in public session at 11:45 p.m. to continue the meeting and take formal action.

Resolution – Appointment of Principal - Diana Pinto-Gomez

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Superintendent's Report – Harassment, Intimidation, and Bullying (HIB) Investigative Results

A motion was made by Mr. Trujillo, seconded by Mr. Rodriguez, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Office of Fiscal Accountability and Compliance (OFAC) Corrective Action Plan for NJ ASK

The Office of Fiscal Accountability and Compliance (OFAC) Corrective Action Plan inclusive of audit recommendations, comments and actions to be implemented were read and reviewed.

A motion was made by Mr. Perreira, seconded by Mr. Monteiro, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement of Workers' Compensation Claim (2015-269) – J.B.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement of Workers' Compensation Claim (2014-6082) – D.B.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement of Workers' Compensation Claim (2011-19137) – L.E.

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement of Workers' Compensation Claim (2013-20791) – L.G.

A motion was made by Mr. Rodriguez, seconded by Mr. Trujillo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement of Workers' Compensation Claim (2014-254) – L.G.

A motion was made by Mr. Rodriguez, seconded by Mr. Neron, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement Agreement – Prescription Corporation of America and Connect Health Solutions, Inc.

A motion was made by Mr. Rodriguez, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Trujillo, Mrs. Amin – 7

Abstain: Mr. Rodriguez – 1

Negative: None

Resolution – Settlement Agreement and Release – R.C.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Transfer – E.A.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 7

Abstain: Ms. Bathelus – 1

Negative: None

Resolution – Employee Separation Agreement – A.H.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Settlement Agreement and Release – C.P.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Resolution – Administrative Leave with pay – B.L.

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

On a motion by Mr. Trujillo, seconded by Ms. Bathelus, the meeting was adjourned at 12:00 a.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mrs. Carvalho, Messrs. Monteiro, Neron, Perreira, Rodriguez, Trujillo, Mrs. Amin – 8

Negative: None

Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary