

MINUTES

for

SPECIAL MEETING

AUGUST 9, 2022

**BOARD OF EDUCATION
Linden, New Jersey**

Dr. Marnie Hazelton
Superintendent of Schools

Denise Cleary
Assistant Superintendent

Kathleen A. Gaylord
Business Administrator/
Board Secretary

**BOARD OF EDUCATION
Linden, New Jersey**

August 9, 2022

CALL MEETING TO ORDER

SALUTE TO FLAG

STATEMENT OF ADEQUATE NOTICE:

In accordance with the Open Public Meetings Act, Chapter 231, adequate notice of this meeting has been provided as follows:

On August 1, and August 3, 2022, notice was sent to the Home News Tribune, the Star Ledger, the Union County Local Source, and the Clerk of the Municipality.

NO SMOKING NOTICE:

BY STATE LAW, THERE IS NO SMOKING PERMITTED IN THIS BUILDING AT ANY TIME.

ROLL CALL 7:11 PM:

Board Members		Others	
Mr. Martucci	P	Dr. Hazelton	A
Ms. Pino	P	Mrs. Cleary	P
Ms. Thomas	A	Ms. Gaylord	A
Dr. Berghammer	P	Mrs. Caporale	P
Ms. Cintron	P	Attorney, J. Garcia	P
Mr. De La Cruz	P		
Mrs. Flemming	P		
Ms. Guillaume	A		
Mr. Rivas	P		

COMMENTS FROM THE PUBLIC (agenda items only):

Members of the public desiring to make a public comment may come forward at this time.

Please begin your comments by stating your name and address. Individuals are invited to speak on one topic at a time, and no individual will speak more than once, until all individuals so desiring have spoken once.

The public is reminded that to ensure the efficient and orderly operations of the meeting, members of the public will be limited to speaking on items for three minutes.

Tanya Grissett
422 S. Wood Avenue

Ms. Grissett asked for clarification on tonight's agenda items. She also asked for clarification on the Superintendent and Business Administrator/Board Secretary seeking approval on motions, since the Superintendent has not been around for a while, the and Business Administrator/Board Secretary has resigned. Mr. Rivas said that Mrs. Caporale is the Acting Business Administrator/Board Secretary.

Ms. Grissett also questioned the payment of \$16,000.00 per month, and \$125.00 per hour during non-business hours to TeliApp, for district networking services. Mr. Rivas said this item would be discussed publicly during the Finance portion of the agenda.

Ken Connelly
2720 Oakwood Place

Mr. Connelly said that as a taxpayer, he appreciates the Apple iPads being purchased with grant money, and he also appreciates that the Board of Education conducted a fair quote and bidding process for the refrigeration removal, and is going with the lowest quote. It may raise some eyebrows, however, that the Board would approve an agreement in the amount of \$16,000.00 per month with \$125.00 per hour during non-business hours, as suspicions of waste, fraud and abuse. He asked if the fair bidding process was applied to that. As a taxpayer, he finds this quite concerning.

Kathy Garcia
620 Ainsworth St.

Ms. Garcia spoke about the amount being spent on TeliApp when we have schools that don't have air conditioning

Rita DeFonseca
1033 Essex Avenue

Ms. DeFonseca was pleased that the Apple iPads would be purchased using grant money, but she wanted to know who will now be writing grants?

She also spoke about the TeliApp contract, and said that the public would like to know what other companies sent proposals and what were their offers?

Her final concern was with the refrigeration removal.

Mr. Rivas reminded everyone that he believes they would receive the answers they are seeking later on during the meeting.

Anthony Wohlrab
1215 Kline Place
Rahway, NJ

He said that the Board claims they are being fiscally responsible, but Finance item #2 doesn't make sense.

Juan Rodriguez
812 Lindegar Street

Mr. Rodriguez also questioned Finance item #2 amid the Board's dismissal of network and other technology personnel.

Mr. Rivas said that in regards to things being political, the public is bringing politics into it, which is something that the Board will not continue to tolerate.

Mr. Garcia explained to the public the Executive Session process and why the Board goes into Executive Session.

At 7:32 p.m., Mr. De La Cruz made a motion to go into Executive Session to discuss personnel, seconded by Ms. Pino.

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			X		
Ms. Pino		X	X		
Ms. Thomas			Absent		
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz	X		X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motion carried.

There being no further matters to discuss in Executive Session, Mr. De La Cruz made a motion at 8:38 to return to Public Session, seconded by Ms. Pino. Voice vote was unanimous.

COMMENTS FROM THE PUBLIC:

Members of the public desiring to make a public comment may come forward at this time.

Please begin your comments by stating your name and address. Individuals are invited to speak on one topic at a time, and no individual will speak more than once, until all individuals so desiring have spoken once.

The public is reminded that to ensure the efficient and orderly operations of the meeting, members of the public will be limited to speaking on items for three minutes.

Kathy Garcia
620 Ainsworth Street

Ms. Garcia asked when the personnel portion of the agenda would be available online? Mr. Montalvo responded that it was being posted online at this time.

Anthony Wohlrab
1215 Kline Place
Rahway, NJ

Mr. Wohlrab asked again about Finance item #2 and said that it still doesn't make any sense. Mr. Rivas responded that they will discuss this item when they get to the Finance Report.

Rita DeFonseca
1033 Essex Avenue

Ms. DeFonseca pointed out that Mrs. Cleary has been appointed as Acting Superintendent through August 31, 2022. She asked what is the plan for after August 31?

Mary Ann Pirozzoli
26 Rugby Road
Colonia, NJ

Ms. Pirozzoli said she was happy to hear Mrs. Cleary was appointed Acting Superintendent. Is there a plan for the vacant vice principal positions at Soehl M.S. and the high school?

Mr. Rivas reassured her that everything will be ready for the opening of schools in September.

Kevin Thurston, LASA President
57 Roosevelt Avenue
Jersey City, NJ

Mr. Thurston thanked the Board for appointing Mrs. Cleary as Acting Superintendent. He was also wondering why, at the May meeting, Dr. Baldwin was not given a reason for her non-renewal.

Mr. Rivas responded that he cannot discuss personnel matters, but assured Mr. Thurston that protocol was followed.

Kathy Garcia
620 Ainsworth Street

She is very disappointed at the responses this Board is giving the public on legit, valid questions, and reminded the Board that they are all elected by the very people sitting in that gym. The public needs to know the process by which you are making your decisions.

Mr. Rivas responded that although he respects the comments from the public, many of them are incorrect.

Tanya Grissett
422 S. Wood Avenue

Ms. Grissett said that Mrs. Cleary has plenty of supporters in this room as well as those viewing and listening in, and everyone knows that she will not let them down serving as Interim Superintendent. She asked Mr. Rivas, as Board President, to keep his head in the game in this position, before he's appointed into his new role as Fifth Ward Council.

Mr. Rivas assured her that he is working for his community and his children.

Ken Connelly
2720 Oakwood Place

Mr. Connelly welcomed Mrs. Cleary to the role of Acting Superintendent and asked Mr. Garcia which other Boards he represents? Mr. Garcia said that is not relevant.

Russell Jones
755 Lindegar Street

Mr. Jones questioned the amount of the contract between the Linden Board of Education and TeliApp. He also asked why, if peoples' comments are incorrect, why can't the Board give the correct information? Finally, he asked if it's commonplace to get the pool of candidates for the Board from family? He said when it comes to the Linden Public Schools Report Card, in his book they get a big fat "F".

At this time, Mrs. Caporale presented Finance Agenda items 1 – 3 as listed.

Mrs. Flemming asked at this time to make a motion to add back to the Finance Agenda the purchase of a van for the district mail carrier. Mr. Rivas said that in order to add that, the Board would need some data. Mrs. Caporale said that she wasn't sure that van, which was on the agenda a few months ago, would still be available to purchase. Mrs. Flemming asked to have it ready for the next meeting, as well as the dump truck.

Dr. Berghammer made a motion to add item #8 to the Personnel Report to appoint Patricia Ryans-James as our district head nurse, seconded by Mr. De La Cruz.

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			X		
Ms. Pino			X		
Ms. Thomas			Absent		
Dr. Berghammer	X		X		
Ms. Cintron			X		
Mr. De La Cruz		X	X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motion carried.

The Personnel Committee, upon the recommendation of the Acting Superintendent of Schools presents the following motions to the Linden Board of Education for approval. All appointments and reappointments are contingent upon, and may be modified based on student participation and the districts receipt of sufficient State School Aide and other revenue funding.

1. Amend Board action on past Personnel Report, as listed:

Date	Item#	Action
7/28/22	12	Amend the amount for Decker, Boyd to read \$11,664.56 instead of \$7,666.00.
7/28/22	4/34	Amend the location for Szaro, Justyna to read School 6.
7/28/22	4/19	Rescind the appointment for: Rothstein; Jessica Teacher of Grade 5, School 6.
7/28/22	9	Amend the leave of absence for #8612 ¹ to read through 8/31/22 Medical instead of 8/5/22 Medical.

¹Sick

2. Appoint the following staff as listed:

#	*Name	Effective Date	Degree	Credited Exp./ Step	Assigned Subj. Area	Bldg./ Dept.	Spec. Prog. Or Budget	Total Annual Salary Rate
CERTIFIED								
1.	Alvarez, Jonathan	9/1/22	MA	1-2	Teacher of Science	SMS	Budget/R	\$62,323
2.	Durick, Lily	9/1/22	BA	1-2	Teacher of Pre-Kindergarten	School 8	Budget/R	\$57,174
3.	**1 Gencarelli, Samantha	9/1/22	BA	1-2	Teacher of Grade 4	School 5	Budget/R	\$57,174
4.	Green, Shanise	9/1/22	BA	1-2	Teacher of Grade 2	School 6	Budget/R	\$57,174
5.	Jimenez, Aimee	9/1/22	BA	1-2	Teacher of Kindergarten	School 2	Budget/R	\$57,174
6.	**Johnson-Thomas, Sherunda	9/1/22	MA	1-2	Teacher of Kindergarten	School 4	Budget/R	\$62,323
7.	**Kalnell, Grace	9/1/22	BA	7	Teacher of Grade 5	School 2	Budget/R	\$58,574
8.	Kruse, Kim	9/1/22	BA	9	Teacher of Grade 2	School 6	Budget/R	\$59,924
9.	**Kwan, Kaitlyn	9/1/22	BA	1-2	Teacher of Kindergarten	School 6	Budget/R	\$57,174
10.	Large, Dana	9/1/22	BA	5-6	Teacher of Grade 1	School 9	Budget/R	\$57,974
11.	² Lubeski, Alexandra	9/1/22	BA	1-2	Teacher of Grade 4	School 2	Budget/R	\$57,174
12.	³ Perez, Rosalia	9/1/22	BA	7	Teacher of Grade 5	School 5	Budget/R	\$58,574
13.	**Rosen, Karaline	9/1/22	BA	1-2	Teacher of Pre-Kindergarten	School 1	Budget/R	\$57,174
14.	Stanley, Eric	9/1/22	MA	3-4	School Counselor	MMS	Budget/R	\$62,523
15.	Tamin, Dominic	9/1/22	MA	13	Teacher of Mathematics	LHS	Budget/R	\$79,099
16.	Ventura, Jaylene	9/1/22	BA	1-2	Teacher of Grade 2	School 4	Budget/R	\$57,174

2. Continued:

#	*Name	Effective Date	Degree	Credited Exp./ Step	Assigned Subj. Area	Bldg./ Dept.	Spec. Prog. Or Budget	Total Annual Salary Rate
NON-CERTIFIED								
17.	Lopez Rivera, Naomiliz	9/1/22	BA	1	Paraprofessional	School 2	Budget/R	\$26,373

*Pending New Hire Requirements **Pending Certification

1. Leave/Replacement for #7975 9/1/22-6/30/23 2. Leave/Replacement for #7828 9/1/22-12/30/22
3. Leave/Replacement for #7975 9/1/22-6/30/23

3. Accept the resignation of the following staff:

#	Name	Position	Location	Effective Date
1.	Astone, Laura	Teacher of Mathematics	SMS	10/7/22
2.	Baldwin, Ed.D., Karen	Human Resource Manager	Admin. Building	8/5/22
3.	Dinis, Alicia	Early Childhood Social Worker	AOE	9/26/22
4.	Hasan, Denine	School Counselor	MMS	8/25/22
5.	Musto, William	Teacher of Special Ed. LLD	School 1	10/4/22
6.	Schaad, Danielle	Teacher of Grade 2	School 5	9/26/22
7.	Wilson, Victoria	Paraprofessional	School 2	8/31/22

4. Approve the transfer of the following staff for the 2022-2023 School Year effective 9/1/22 as listed:

#	Name	Position	21-22 Location	Position	22-23 Location
1.	DiVito, Gina	Teacher of Grade 2	School 4	Teacher of Remedial Reading	School 9
2.	Klingert, Patricia	Teacher of Science	MMS	School Counselor	MMS
3.	Perez, Melissa	School Counselor	LHS	School Counselor	School 10

5. Appoint Denise Cleary as Acting Superintendent of Schools from July 21, 2022 through August 31, 2022 as per the approved contract by the Interim Executive County Superintendent.
6. Appoint the following staff member Maccioli, Topaze as Confidential Secretary to the Acting Business Administrator/Board Secretary effective 9/1/22 through 10/31/22 at the pro-rated amount of \$70,737.00.
7. Appoint the following Substitute Custodian for the 2022-2023 School Year. To be paid at the contractual rate of \$15/hr. Acct. #11-000-262-100-00-001-00.

#	Name
1.	Blocker, Richard

8. Appoint the following staff as listed:

#	*Name	Effective Date	Degree	Credited Exp./ Step	Assigned Subj. Area	Bldg./ Dept.	Spec. Prog. Or Budget	Total Annual Salary Rate
CERTIFIED								
1.	Ryans-James, Patricia	9/1/22	MA+30	18	Head School Nurse 12 Months	LAST	Budget /R	***\$123, 878

*Pending New Hire Requirements **Including Head School Nurse Stipend

MOTIONS 1 – 8:

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			X		2
Ms. Pino			X		
Ms. Thomas			Absent		
Dr. Berghammer	X		X		
Ms. Cintron			X		
Mr. De La Cruz		X	X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motions 1 – 8 carried.

The Finance Committee, upon recommendation of the Acting Superintendent of Schools and the Acting Business Administrator/Board Secretary, present the following motions to the Linden Board of Education for approval:

1. Approve a purchase agreement in the amount of \$672,900.00 with Apple Inc., Irving, TX, for the purchase of 4th, 5th, and 6th grade student iPads, paid for by the E-Rate Grant.
2. Approve an agreement in the amount of \$16,000.00 per month, and \$125.00 per hour during non-business hours, with Teliapp, Linden, NJ, for district networking services, effective immediately.
3. Approve a contract in the amount of \$16,490.00 with Bako Construction & Restoration, Inc., Totowa, NJ, for the removal and remediation of a refrigeration unit at Linden High School, based on low quote received August 9, 2022.

MOTIONS 1 – 3:

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			1-3		2
Ms. Pino			X		
Ms. Thomas			Absent		
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz		X	X		
Mrs. Flemming	X		X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motions 1 – 3 carried.

Mr. Garcia asked for a motion to approve a Settlement Agreement between the Board and employee #8665 and to authorize the Board Attorney, the Board President and the Acting Superintendent, or their designees, to take the appropriate steps to execute the Agreement.

Mrs. Flemming made a motion to approve the Settlement between employee 8665, seconded by Dr. Berghammer.

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			X		
Ms. Pino			X		
Ms. Thomas			Absent		
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming	X		X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motion carried.

NEW/UNFINISHED BUSINESS:

None.

BOARD MEMBER COMMENTS:

None.

ADJOURNMENT:

There being no further business to discuss, Mr. De La Cruz made a motion to adjourn at 9:14 p.m., seconded by Ms. Pino.

Roll Call:

Board Member	Motion	Second	Aye	Nay	Abstain
Mr. Martucci			Left meeting at 9:13 p.m.		
Ms. Pino		X	X		
Ms. Thomas			Absent		
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz	X		X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Rivas			X		

Motion carried.

Pamela B. Caporale
Acting Business Administrator/Board Secretary