

MINUTES

for

ORGANIZATION MEETING

JANUARY 2, 2013

**BOARD OF EDUCATION
Linden, New Jersey**

Rocco G. Tomazic, Ed.D.
Superintendent of Schools

Danny A. Robertozzi, Ed.D.
Assistant Superintendent

Kathleen A. Gaylord
Business Administrator/
Board Secretary

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 November 26, 2012 and December 20, 2012 notice was sent to the Home News Tribune, Star Ledger, 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: 6:16 p.m.

Mr. Alvarez	P	Dr. Tomazic	P
Mrs. Beviano	P	Dr. Robertozzi	P
Mr. Frank	P	Ms. Gaylord	P
Mrs. Hudak	P	Mark Tabakin	P
Mrs. Ormon	P		
Mr. Russell	P		
Mr. Scaldino	P		
Mr. Strazzella	P		
Mr. Topoleski	P		

The Board Secretary will act as temporary chair of this Organization Meeting until such time as a new president is elected.

ELECTION RESULTS

The following election was held on Tuesday, November 6, 2012 for three members to the Linden Board of Education for a (3) three-year term:

	<u>NO. OF VOTES</u>
JORGE ALVAREZ	2719
ARCHIE STRAZZELLA	3210
RAYMOND J. TOPOLESKI	3261

The Business Administrator/Board Secretary declares the following persons as duly elected Members of the Linden Board of Education as a result of the election held on Tuesday, November 6, 2012:

FOR A THREE-YEAR TERM

Jorge Alvarez	Archie Strazzella	Raymond J. Topoleski
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Administration of the Oath of Office to the newly elected Board Members:

BOARD MEMBER

Jorge Alvarez
Archie Strazzella
Raymond J. Topoleski

1. Motion to approve the 2013 Linden Board of Education:

<u>Board Members</u>	<u>Term Expires</u>
Dawn Beviano	2013
Susan Hudak	2013
Lisa Ormon	2013
Dylan Frank	2014
Bryan A. Russell	2014
Louis Scaldino	2014
Jorge Alvarez	2015
Archie Strazzella	2015
Raymond J. Topoleski	2015

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano		X	X		
Mr. Frank			X		
Mrs. Hudak	X		X		
Mrs. Ormon			X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski			X		

Motion Carried.

At this time the Business Administrator/Board Secretary entertains nominations for the Office of President of the Linden Board of Education.

- Motion made by Bryan Russell to nominate Jorge Alvarez for President.

Jorge Alvarez accepts the nomination as President.

The Business Administrator/Board Secretary conducts a roll call vote for Jorge Alvarez as President of the Board.

	Yes	No		Yes	No
Mr. Alvarez	X		Mr. Russell	X	
Mrs. Beviano	X		Mr. Scaldino	X	
Mr. Frank	X		Mr. Strazzella	X	
Mrs. Hudak	X		Mr. Topoleski	X	
Mrs. Ormon	X				

The Business Administrator/Board Secretary declares election of the new President of the Board and turns the gavel over to Jorge Alvarez to act as the presiding officer of the meeting.

At this time, the newly elected Board President entertains nominations for the Office of Vice-President of the Linden Board of Education.

3. Motion made by Susan Hudak to nominate Bryan Russell for Vice-President.

Bryan Russell accepts the nomination as Vice-President.

The Business Administrator/Board Secretary conducts a roll call vote for Bryan Russell as Vice-President of the Board.

	Yes	No		Yes	No
Mr. Alvarez	X		Mr. Russell	X	
Mrs. Beviano	X		Mr. Scaldino	X	
Mr. Frank	X		Mr. Strazzella	X	
Mrs. Hudak	X		Mr. Topoleski	X	
Mrs. Ormon	X				

The Business Administrator/Board Secretary declares election of the new Vice-President of the Board.

ETHICS

1. Pursuant to School Ethics Code N.J.S.A.18A:12-24.1, Code of Ethics for School Board Members, each member swears to and affirms the following:
 - a) I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
 - b) I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
 - c) I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
 - d) I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

1. Continued:

- e) I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.
- f) I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- g) I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
- h) I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i) I will support and protect school personnel in proper performance of their duties.
- j) I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank			X		
Mrs. Hudak			X		
Mrs. Ormon			X		
Mr. Russell			X		
Mr. Scaldino		X	X		
Mr. Strazzella			X		
Mr. Topoleski	X		X		

Motion Carried.

PERSONNEL

1. Motion to reappoint Rocco G. Tomazic, Ed.D., as Superintendent of Schools effective January 1, 2013 through June 30, 2016, as per negotiated agreement, pending approval of the County Superintendent of Schools.
2. Motion to reappoint Danny A. Robertozzi, Ed.D., as Assistant Superintendent of Schools effective July 1, 2013 through June 30, 2014, as per negotiated agreement.
3.
 - a) Motion to reappoint Kathleen A. Gaylord as Business Administrator/Board Secretary effective July 1, 2013 through June 30, 2014, as per negotiated agreement.
 - b) In accordance with N.J.A.C.5:34-5 et seq., and to exercise the duties of a purchasing agent pursuant to N.J.S.A. 18A:-18A-2b, with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the Board of Education, reappoint Kathleen A. Gaylord as Qualified Purchasing Agent as issued by the director of the division of Local Government Services.
 - c) In accordance with N.J.A.C. 17:27-3.2, reappoint Kathleen A. Gaylord as Public Agency Compliance Officer.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank			X		
Mrs. Hudak			X		
Mrs. Ormon		X	X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski	X		X		

Motions 1 – 3 Carried.

BYLAWS, POLICIES, REGULATIONS, AND JOB DESCRIPTIONS

1. Motion to adopt the Rules and Regulations of the Board of Education of the City of Linden, Bylaws, Policies and Regulations as stated in the Linden School District Policy Manual and Job Descriptions for the 2013 – 2014 school year.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank		X	X		
Mrs. Hudak			X		
Mrs. Ormon			X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski	X		X		

Motion Carried.

OFFICIAL NEWSPAPERS

1. Motion designating Official Newspapers for the Linden Board of Education to be the Home News-Tribune, Star Ledger, and Union County Local Source, for the 2013 year.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank			X		
Mrs. Hudak	X		X		
Mrs. Ormon		X	X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski			X		

Motion Carried.

SCHOOL SIGNATORIES/DEPOSITORIES

1. Motion designating the following as signatories for the accounts listed below from July 1, 2013 through June 30, 2014:
 - a) Current Operating Funds – The Chief School Administrator, the Board President, and the Business Administrator/Board Secretary to be signers of the individual checks, following requisition by the Secretary.
 - b) Payroll Account, Agency Account, Unemployment Insurance, Savings Account – The Chief School Administrator to be sole signer of the individual checks on these accounts following requisition of the Business Administrator/Board Secretary.
 - c) Athletic Account – The Business Administrator/Board Secretary and an Athletic Department secretary will co-sign all individual checks. (In the absence of the Business Administrator/Board Secretary, her secretary is authorized to sign checks.)
 - d) Division of School Cafeterias, Cafeteria Account – The Business Administrator/Board Secretary and her designee will sign all individual checks.
2. Motion designating the following depositories for the 2013-2014 school year:
 - a) Unity Bank
 - b) Wells Fargo
 - c) NJ CLASS
 - d) TD Bank

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank			X		
Mrs. Hudak	X		X		
Mrs. Ormon			X		
Mr. Russell		X	X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski			X		

Motions 1 – 2 Carried.

PROFESSIONAL SERVICES

1. Motion to renew contract with Suplee, Clooney & Company as School Auditors to perform the 2012/13 school audit at a cost not to exceed \$41,150.00 based on proposal received December 19, 2012.
2. Approve renewal of contract with Thomas C. Rienzi, RA, Architect/Roofing Consultant, Bensalem, PA, for professional architectural and roofing consulting services effective July 1, 2013 through June 30, 2014 at the rate of \$125.00 per hour, not to exceed \$100,000.00.
3. Award a contract to Phoenix Advisors, LLC, Bordentown NJ, for the provision of annual financial advisory services as follows:

WHEREAS, a proposal has been received by Phoenix Advisors, LLC, for Annual Financial Advisory Services; and

WHEREAS, the Board of Education of Linden has determined that such services are needed for capital planning and other financial purposes during the 2013-2014 school year; and

WHEREAS, transactional advisory services described as follows will be performed by Phoenix Advisors, LLC should the Board determine the need during the 2013-2014 school year:

Fee for bonds	\$1.00 per \$1,000 issued (minimum - \$10,000/maximum - \$17,500)
Fee for notes	\$0.25 per \$1,000 issued (minimum of \$2,500)
Fee for ESIP financing	\$7,500
Fee for 5-Year Lease Purchase	\$2,500

NOW, THEREFORE, BE IT RESOLVED that a contract for annual financial advisory services with Phoenix Advisors, LLC be approved.

4. Motion to approve a resolution authorizing a professional services contract between the Linden Board of Education and Weiner Lesniak, Parsippany, NJ, as General & Labor Counsel and Counsel for Pupil Services and Special Projects.

WHEREAS, the Linden Board of Education of the City of Linden is desirous of entering into a Professional Services Contract with Weiner Lesniak as Labor Counsel and General Counsel to the Board at a rate of \$145.00 per hour including, but not limited to, participation in personnel matters, collective bargaining negotiations, grievances and related administrative proceedings, arbitrations and litigations, and such other matters as the Board may from time-to-time direct:

WHEREAS, it is determined in the best interest of the Board of Education of the City of Linden to have said services performed;

WHEREAS, Weiner Lesniak has been determined to have the necessary legal expertise and ability to perform said work;

WHEREAS, funds are available for said services, and

WHEREAS, a Contract for Professional Services with Weiner Lesniak may be entered into without competitive bidding pursuant to N.J.S.A. 18A:18A-5(a)(1); for the period of July 1, 2013 through June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the City of Linden as follows:

- a) The President/or designee is hereby authorized to execute a Professional Services Contract with Weiner Lesniak.
- b) This Contract is awarded without competitive bidding pursuant to the requirements of N.J.S.A. 18A:18A-5(a)(1); and
- c) A copy of this Resolution and Contract shall be available for inspection at the Linden Board of Education. A copy of this Resolution shall be published on one (1) occasion in an official newspaper.

5. Motion to approve a resolution authorizing a professional services contract between the Linden Board of Education and Schwartz, Simon, Edelstein & Celso, Whippany, NJ, as Special Counsel for Facilities and Construction.

WHEREAS, the Linden Board of Education of the City of Linden is desirous of entering into a Professional Services Contract with Schwartz, Simon, Edelstein & Celso as Special Counsel for Facilities and Construction at a rate of \$145.00 per hour.

WHEREAS, it is determined in the best interest of the Board of Education of the City of Linden to have said services performed;

WHEREAS, Schwartz, Simon, Edelstein & Celso, has been determined to have the necessary legal expertise and ability to perform said work;

WHEREAS, funds are available for said services, and

WHEREAS, a Contract for Professional Services with Schwartz, Simon, Edelstein & Celso may be entered into without competitive bidding pursuant to N.J.S.A. 18A:18A-5(a)(1); for the period of January 2, 2013 through June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the City of Linden as follows:

- a) Contract with Schwartz, Simon, Edelstein & Celso.
- b) This Contract is awarded without competitive bidding pursuant to the requirements of N.J.S.A. 18A:18A-5(a)(1); and
- c) A copy of this Resolution and Contract shall be available for inspection at the Linden Board of Education. A copy of this Resolution shall be published on one (1) occasion in an official newspaper.

6. In accordance with N.J.A.C. 6A:23A-9.3(c)14, authorize the expenditure for all legal services in an amount not to exceed \$275,000.00.
7. Motion to approve the following resolution:

WHEREAS, the Linden Board of Education has determined that it requires Architect of Record services for current projects;

WHEREAS, the Board has determined that the consulting and advisory services of a full service architectural firm are needed;

WHEREAS, the Board, pursuant to its authority under N.J.S.A. 18A:18A-5(a)(1) may negotiate and award this contract for professional services without the necessity of public advertising for bids.

THEREFORE BE IT RESOLVED, that the Board does approve the architectural firm of The Musial Group, Mountainside, NJ, as Board Architect of Record for current architectural services.

THEREFORE BE IT FURTHER RESOLVED that the Board shall forthwith cause to be printed once, in an official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for public inspection in the Office of the Board.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano		X	X		
Mr. Frank			X	#5	
Mrs. Hudak			X	#5	
Mrs. Ormon			X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X	#2	
Mr. Topoleski	X		X	#5	

Motions 1 – 7 Carried.

BOARD BUSINESS

1. Motion to approve Order of Business for 2013.

Linden Board of Education
ORDER OF BUSINESS - 2013

CALL MEETING TO ORDER
SALUTE TO FLAG
STATEMENT OF ADEQUATE NOTICE
ROLL CALL
APPROVAL OF MINUTES
CORRESPONDENCE
COMMENTS FROM THE PUBLIC (Agenda Items Only)

REPORTS

Superintendent
Attorney

STANDING COMMITTEES (Agenda items requiring a vote)

Curriculum & Instruction (Includes all items pertaining to education, athletics, and audio/visual support).

Management Operations (Includes personnel, negotiations, security, public relations, and contracted professional services).

Support Operations –

Finance: (Includes general finance, auditing of bills, official bonds, leases and contracts, insurance, and the annual budget of expenses of the schools).

Facilities: (Includes issues related to the construction of new buildings, acquisition of sites, and planning for future needs. It will also include all matters pertaining to the operation of buildings and grounds).

Planning & Policy

Student Judiciary

REPORTS OF SPECIAL COMMITTEES/DELEGATES
UNFINISHED BUSINESS
BOARD MEMBER COMMENTS/NEW BUSINESS
COMMENTS FROM THE PUBLIC
ADJOURNMENT

2. Motion to approve the Calendar of Board Meetings as follows:

Linden Board of Education
Calendar of Board Meetings
January 2013 – January 2014

(ACTION MAY BE TAKEN AT ANY MEETING)

<u>Executive Session</u> Monday – 6:30 p.m.		<u>Regular Meeting</u> Tuesday – 7:00 p.m.	
<u>Month & Date</u>	<u>Location</u>	<u>Month & Date</u>	<u>Location</u>
January 28, 2013	Administration Bldg.	January 29, 2013	Linden High School
February 25, 2013	Administration Bldg.	February 26, 2013	Linden High School
March 25, 2013	Administration Bldg.	March 26, 2013	Linden High School
April 29, 2013	Administration Bldg.	April 30, 2013	Linden High School
*May 28, 2013	Administration Bldg.	*May 29, 2013	Linden High School
June 24, 2013	Administration Bldg.	June 25, 2013	Linden High School
**July 30, 2013	Administration Bldg.	July 30, 2013	Administration Bldg.
**August 27, 2013	Administration Bldg.	August 27, 2013	Administration Bldg.
September 30, 2013	Administration Bldg.	October 1, 2013	Linden High School
October 28, 2013	Administration Bldg.	October 29, 2013	Linden High School
November 25, 2013	Administration Bldg.	November 26, 2013	Linden High School
January 6, 2014	Administration Bldg.	January 7, 2014	Linden High School

*Meetings will be held on Tuesday and Wednesday because of a school holiday on Monday.

**Executive & Regular Meetings for July & August 2013, will be held the same night at the Administration Building at 6:30 p.m.

3. Motion to approve the public bidding thresholds as follows:

Statute	Jurisdiction	Current Threshold Amount	Quotation Threshold Amount
N.J.S.A. 18A:18A-3	Public School Districts with Qualified Purchasing Agent – 5 year schedule	\$36,000.00	\$5,400.00
N.J.S.A. 18A:39-3	School Districts, Boards of Education Transporting Pupils – 2 year schedule	\$17,200.00	

4. In accordance with N.J.A.C. 6A:23A-9.3(c)14, authorize the expenditure for public relations in an amount not to exceed \$30,000.00.
5. Motion to approve attendance at New Jersey School Boards Association Board Member Training Program on January 9, 2013 at Westfield High School, Westfield, NJ.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Mr. Alvarez			X		
Mrs. Beviano			X		
Mr. Frank		X	X		
Mrs. Hudak	X		X		
Mrs. Ormon			X		
Mr. Russell			X		
Mr. Scaldino			X		
Mr. Strazzella			X		
Mr. Topoleski			X		

Motions 1 – 5 Carried.

COMMENTS FROM THE PUBLIC

Dennis Kopecky
737 Erudo Street

Mr. Kopecky first questioned the calendar of Board Meetings which was voted on. It is not the same calendar which is in the public agenda. It was explained that the Board had a new calendar in hand and this was the one which was voted on. He secondly questioned the Superintendent's title. Is it Superintendent of Schools or Chief School Administrator? He was told that the two titles are synonymous.

Linda Thorn
303 Elmwood Terrace

Ms. Thorn questioned security in Linden Public Schools in light of what happened in Sandy Hook Elementary in Connecticut. Dr. Tomazic assured Ms. Thorn by letting her know that we do have active plans in place. Realistic security drills take place in every school every month.

Paul Schappe
315 2nd Avenue

Mr. Schappe questioned security in Linden High School as one of his daughters came home smelling of drugs. Dr. Tomazic explained.

Mr. Alvarez commented that Linden Schools are safe schools.

BOARD MEMBER COMMENTS

Mrs. Ormon took the opportunity to congratulate Mr. Alvarez, Mr. Topoleski and Mr. Strazzella on their victories and said she looked forward to working with them in the upcoming year. She also commented that of the 6,000 students in Linden, we cannot allow one or two to blemish the entire district. She knows that when there is a problem, we react to it.

Mr. Strazzella said that as a new member he would like to start things off right. He invited the Mayor and the City Council members to attend tonight's meeting as he would like to see more cooperation between the City and the Board of Education.

There being no further business to discuss, Mr. Scaldino made a motion to adjourn at 7:03 p.m., seconded by Mrs. Hudak. Voice vote was unanimous.

Kathleen A. Gaylord
Business Administrator/Board Secretary