

Meeting #10

Lyndhurst, NJ
October 18, 2010

The Lyndhurst Board of Education held a Regular meeting on October 10, 2010 at 8:00 p.m.

Call to Order

President Hooper called the meeting to order at 8:00 p.m. and requested all those present to stand for the Pledge of Allegiance.

Roll Call

The following Board members answered roll call: (8) William Barnaskas, Louis Bilis, James Cunniff, Thomas DiMascio, Ronald Grillo, Stephen Vendola, Ellen Young, James Hooper. Absent: (1) Christine Melleno.

Also present: Dr. Tracey Stellato, Superintendent of Schools; Dennis S. Sluka, Interim School Business Administrator/Board Secretary; Valerie Troncone, Finance Manager.

Open Public Meeting Act

President Hooper announced that adequate notice of this meeting was provided, in writing, to each Board member, The Herald and News, The Record, The Leader, the Township Clerk and posted in the lobby of the Town Hall and the Board Office.

Presentations

Dr. Stellato, Superintendent of Schools, presented a fashion show for all those present. Children representing grades Kindergarten thru 12 throughout the district were all adorned in official school wear.

Francesca Ilardi, student representative from LHS enlightened all those present on happenings at Lyndhurst High School.

Public Hearing on Agenda Items

Brian Branco – pass

Elaine Stella – Bond refinancing; EnCap; Test Data Analyzer; monetary bond

Michele Trilan – Son who has medical condition waiting for son to be placed in school.

Finance and Negotiations Committee

Any Board member who takes exception to any of the following listed actions under the category of Finance and Negotiations may so indicate now and a separate motion for each of the excepted actions will be entertained.

Motion made by Ellen Young second by Ronald Grillo that the following Finance and Negotiations actions of the Board numbered 1 through 16 exception actions be adopted.

Roll Call For: (8) William Barnaskas, Louis Bilis, James Cunniff, Thomas DiMascio, Ronald Grillo, Stephen Vendola, Ellen Young, James Hooper. Absent: (1) Christine Melleno

1. BE IT RESOLVED, by the Lyndhurst Board of Education that it has received and accepts the financial reports of the Secretary and Treasurer of School Monies for the month ended September 30, 2010 and certifies that the reports indicate that no major account or fund is overexpended in violation of NJAC 6A:23-2.11(a) and that sufficient funds are available to meet the district's financial obligations for the remainder of the school year. A copy of the certification shall be included in the minutes.

2. BE IT RESOLVED, that the payroll for the month ended September 30, 2010 be and the same is hereby approved and ordered paid:

Payroll	\$1,798,944.56
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3. BE IT RESOLVED, that the attached list of supplies received and services rendered to the Board of Education of the Township of Lyndhurst, County of Bergen, for the month ended October 18, 2010 be and the same are hereby approved and ordered paid:

Charter School (Fund 10)	\$ 1,519.00
Current Expense (Fund 11)	\$1,011,008.73
Special Revenue (Fund 20)	\$ 269,854.51
Total	\$1,282,382.24
Debt Service (Fund 40)	\$ 31,986.25
Accounts Payable (Fund 11)	\$ 656.59
Accounts Payable (Fund 20)	\$ 13,613.71
General Ledger	\$ 115,685.07

4. BE IT RESOLVED, that the ACCP/BCCP supplies received and services rendered to the Board of Education of the Township of Lyndhurst, County of Bergen, for the month of September 2010, be and the same are hereby approved and ordered paid:

Payroll/Payroll Taxes	\$4,105.39
Supplies/Telephone/Misc	\$1,494.79
Tuition Refunds	\$ 232.10
Total	\$5,382.82

5. BE IT RESOLVED, that cafeteria services rendered to the Board of Education of the Township of Lyndhurst, County of Bergen, for the month of September 2010, be and the same are hereby approved and ordered paid:

Payroll/Payroll Taxes	\$10,940.02
Refund	\$ 28.00
Supplies	\$ 176.45
Total	\$11,144.47

6. BE IT RESOLVED, that the Lyndhurst Board of Education approve the attached transfers for the month of September 2010.
7. BE IT RESOLVED, that the Lyndhurst Board of Education add to Schedule D of the Lyndhurst Education Association Contract 2009-2012 Swim Coach and Assistant Swim Coach to the category with Baseball, Basketball, Softball, Wrestling, Track-Head and Baseball, Basketball, Softball, Wrestling, Track-Assistant.
8. BE IT RESOLVED, that the Lyndhurst Board of Education add to Schedule E of the Lyndhurst Education Association Contract 2009-2012 Middle School Play Advisor, at a stipend of \$7,000.00.
9. BE IT RESOLVED, that the Lyndhurst Board of Education approve a per diem rate of \$250.00 for a substitute nurse.
10. BE IT RESOLVED that the ordinance entitled:

"REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$3,990,000 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF LYNDHURST, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING A meeting 10-18-10

SUM NOT EXCEEDING \$4,250,000 TO PAY THE COST THEREOF AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,250,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID BOARD TO FINANCE SUCH APPROPRIATION."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 15th day of November, 2010, at 8:00 P.M., or as soon thereafter as the matter can be reached, at the Lyndhurst High School Auditorium, Weart Avenue, Lyndhurst, New Jersey, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Interim School Business Administrator/Board Secretary is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

BE IT ORDAINED by The Board of Education of the Township of Lyndhurst, in the County of Bergen, New Jersey, as follows:

Section 1. The Board of Education of the Township of Lyndhurst, in the County of Bergen, New Jersey (the "Board" or "School District") is hereby authorized to refund \$3,990,000 aggregate principal amount of the Board's outstanding School Bonds of 2001, dated July 1, 2001 and maturing on or after July 1, 2011 (the "Outstanding Bonds").

The Outstanding Bonds bear interest from their date at the rates per annum, payable on January 1 and July 1 of each year until maturity or prior redemption, and mature in annual installments on July 1 in each year, as follows:

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<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2011	\$300,000	4.60%
2012	300,000	4.60
2013	350,000	4.60
2014	350,000	4.60
2015	350,000	4.60
2016	350,000	4.60
2017	390,000	4.60
2018	400,000	4.75
2019	400,000	4.75
2020	400,000	4.75
2021	400,000	4.75

The Outstanding Bonds are subject to optional redemption at a redemption price of 100%.

The Board may determine by subsequent resolution not to refund a portion of the Outstanding Bonds.

Section 2. The Board has ascertained and hereby determines that the Outstanding Bonds set forth in Section 1 of this ordinance have not been paid or discharged and that the Board is authorized by Section 61.2 of the School Bond Law (Chapter 24 of Title 18A of the New Jersey Statutes Annotated, as amended; the "School Bond Law") to issue its refunding bonds as hereinafter provided to refund the Outstanding Bonds. The object of the refunding is to effect debt service savings for the Board.

Section 3. A sum not exceeding \$4,250,000 is hereby appropriated (a) to refund the Outstanding Bonds set forth in Section 1 of this ordinance in the aggregate principal amount of \$3,990,000 and (b) to pay an amount not exceeding \$90,000
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for the cost of the issuance of the refunding bonds, including underwriter=s compensation, printing, advertising, accounting, financial, legal or other expenses therefore, as permitted by Section 61.2 of the School Bond Law (collectively, the "Purpose").

Section 4. To finance the Purpose, refunding bonds of said Board in an aggregate principal amount not exceeding \$4,250,000 are hereby authorized to be issued pursuant to the School Bond Law (the "Refunding Bonds"). The Refunding Bonds shall be sold at private sale by resolution of the Board and shall be in registered form and shall contain the word "refunding" in their title and shall recite that they are issued pursuant to the School Bond Law and shall bear such date or dates, mature at such time or times not exceeding 40 years as may be approved by the Local Finance Board from their date, bear interest at such rate or rates per annum, be payable at such time or times, be in such denominations, carry such registration privileges, be executed in such manner consistent with the provisions of the School Bond Law for bonds of a school district, be payable at such place or places, and be subject to such terms of redemption, with or without premium, as may be hereafter determined by resolution of the Board within the limitations prescribed by law.

Section 5. The Refunding Bonds shall be direct, unlimited and general obligations of the Board and unless paid from other sources, the Refunding Bonds and the interest thereon are payable from ad valorem taxes on all taxable real property within the School District, without limitation as to rate or amount.

The full faith and credit of the Board are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of the Refunding Bond exist, have happened and have been performed, and that the Refunding Bond, together with all other indebtedness of the Board, is within every debt and other limit prescribed by the Constitution or statutes of said State.

Section 6. The School Business Administrator/Board Secretary is hereby authorized to execute a certificate addressed to the underwriters of the Refunding Bonds stating that the preliminary official statement to be prepared by the Board with respect to the Refunding Bonds is "deemed final" as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. The distribution of such preliminary official statement to potential purchasers of the Refunding Bonds is hereby approved.

Section 7. All matters with respect to the Refunding Bonds not determined by this ordinance shall be determined by subsequent resolution or resolutions to be hereafter adopted by the Board, or the performance or determination thereof delegated by resolution or resolutions, to the School Business Administrator/Board Secretary.

Section 8. It is hereby determined and stated that (A) a supplemental debt statement has been filed with respect to the Refunding Bonds in accordance with the requirements of Sections 17 and 61.4 of the School Bond Law and (B) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services, in the Department of Community Affairs of the State of New Jersey, prior to the final adoption, together with a complete statement in the form prescribed by the Director and signed by the School Business Administrator/Board Secretary as to the principal amount of the Outstanding Bonds to be refunded by the issuance of the Refunding Bonds.

Section 9. The Board is hereby authorized to enter into any agreements that may be necessary to effect the purchase of securities, as permitted by Sections 61.5 and 61.10 of the School Bond Law, to accomplish the refunding.

Section 10. This refunding bond ordinance shall take effect immediately upon its adoption, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

11. RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF LYNDHURST, IN THE COUNTY OF BERGEN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 18A:24-61.5

WHEREAS, the Board of Education of the Township of Lyndhurst desires to make application to the Local Finance Board for its review and/or approval of a meeting 10-18-10

proposed refunding bond ordinance authorizing the Board of Education's issuance of obligations for the purpose of refunding outstanding bonds of said Board of Education as permitted by N.J.S.A. 18A:24-61.2; and

WHEREAS, the Board of Education of the Township of Lyndhurst believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare and convenience or betterment of the inhabitants of the local unit or unit
- (c) the issuance of the proposed refunding bonds will not have a negative effect on the capacity of the school district to pay at maturity the proposed refunding bonds, and all notes and bonds and other indebtedness and liabilities of the school district then outstanding, taking into consideration the assessed and true valuation of taxable property in the school district, the equitable distribution of the burden of interest and debt redemption charges in connection with such refunding bonds, and the bonds and notes and other indebtedness and liabilities theretofore outstanding or which may necessarily thereafter be incurred;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED by The Board of Education of the Township of Lyndhurst, in the County of Bergen, State of New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and Phoenix Advisors, LLC, Financial Advisor, Rogut McCarthy LLC, Bond Counsel, and Di Maria & Di Maria, LLP, Board Auditor, along with other representatives of the Board of Education of the Township of Lyndhurst, are hereby authorized to prepare such application and to represent the Board of Education of the Township of Lyndhurst in matters pertaining thereto.

Section 2. The Interim School Business Administrator/ Board Secretary is hereby directed to prepare and file a copy of the proposed refunding bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

12.

**JOINT RESOLUTION
IN SUPPORT OF SHARED SERVICES FOR
MIDDLE SCHOOL AT MATERA FIELD**

WHEREAS, the Township of Lyndhurst (“Township”) and Lyndhurst Board of Education (“Board”) desire to enter into a shared services arrangement for the development and use of the Middle School to be located at the current site of Matera Field (off Ridge Road), currently owned by the Township of Lyndhurst; and

WHEREAS, the facilities will be used for educational and community purposes, that, which will serve the needs of the Township and the Board. The Township uses will include, but not be limited to, the Office of Emergency Management, recreation programs and senior programs

NOW THEREFORE, BE IT RESOLVED, that the Lyndhurst Board of Education Superintendent and Board Attorney are hereby authorized to proceed with the negotiation and preparation of shared services agreements with the Township of

Lyndhurst's Attorney and authorized Commissioner for the purposes described above.

13.

JOINT USE AGREEMENT

Township of Lyndhurst - Lyndhurst Board of Education

THIS JOINT USE AGREEMENT (hereinafter referred to as "the Agreement") is made on October 18, 2010 by and between the **TOWNSHIP OF LYNDHURST**, a municipal corporation of the State of New Jersey, with offices located at 367 Valley Brook Avenue, Lyndhurst, New Jersey 07071 (hereinafter referred to as the "Township") and the **LYNDHURST BOARD OF EDUCATION**, with offices located at 420 Fern Avenue, Lyndhurst, New Jersey 07071 (hereinafter referred to as the "Board"). The Township and the Board may hereafter be referred to collectively as the "Parties".

BACKGROUND

WHEREAS, the Township is the owner of real property located at Page Avenue, Lyndhurst, New Jersey, commonly known as Matera Field; and

WHEREAS, the Board desires to construct a new Middle School at Matera Field to benefit the residents of Lyndhurst; (hereinafter referred to as the "Middle School" or "the building"); and

WHEREAS, the current Lyndhurst School system building facilities are in immediate need of maintenance, repair, and/or upgrading as the majority of the Lyndhurst buildings in question have been built in the early to mid 1900's; and

WHEREAS, Benecke Economics has been engaged to assist the Township to coordinate the potential construction of a new Middle School at Matera Field located off of Ridge Road; and

WHEREAS, the project includes the construction of a \$37,000,000 Middle School similar to the one envisioned in the March, 2007 project application approved by the State Department of Education in May, 2007; and

WHEREAS, the newly minted project will be voted on by public referendum on January 25, 2011 or as soon thereafter as possible. The amount of the referendum is estimated at \$30 million, with the remaining \$7 million being financed by the Township, for use of the Township's Office of Emergency Management ("OEM") facilities and classroom space for senior and other such community programming; and

WHEREAS, the new school is part of the school district's long range facilities plan, as may be reasonably modified as necessary to meet the Township's and the Board's needs; and

WHEREAS, the purpose of the project includes, but is not limited to, replacement of Lincoln School and perhaps other elementary school facilities with this new school and to re-district the schools (intra-Lyndhurst); to eradicate localized school crowding and inefficiencies, such as transporting school lunches from one school, where food is prepared, to another school, where food is served, and to replace substandard schools such as Lincoln School, in particular,; and

WHEREAS, the Lincoln School and Matera Field are now designated as an Area in Need of Redevelopment; and

WHEREAS, it is the intention of the Board when appropriate, after the approval of the referendum, to include the Lincoln School facility as part of the Township's redevelopment plan; and

WHEREAS, proposed plans for the construction of the Middle School have been prepared by DMR Architects, located in Hasbrouck Heights, New Jersey, and include the Township's proposed OEM facilities; and

WHEREAS, the Board will be asked to approve a State School Facilities Grant Application, and qualify for Debt Service Funding, if available; and

WHEREAS, the Parties hereby desire to enter into this joint use agreement with regard to the proposed and prospective joint use, services and responsibilities by the Township and Board, pursuant to N.J.S.A. 18A:20-4.2.

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and agreements hereinafter contained, it is hereby agreed by and between the Parties as follows:

1. **Background Provisions.**

It is agreed by the Parties that the provisions described and entitled, "Background" above are incorporated into the terms and understandings of the Agreement between the parties and are made a part hereof.

2. **Middle School.**

The Parties agree to cooperate with each other with regard to the construction, operation and use of the Middle School since it will be utilized to benefit the

health, education and welfare of Township residents and their families, and enhance the services and educational facilities to be provided to Township residents.

3. **Funding.**

It is understood and agreed the funding to be provided by the Township in the amount of \$7,000,000 as provided hereinabove, will be utilized for site and engineering work, demolition of the structure owned by the Township located at 408 Ridge Road, Lyndhurst, New Jersey 07070; construction of the OEM facilities in the Middle School consisting of approximately 2,500 square feet; access to the Middle School and OEM facilities; and construction of an entrance to the Middle School.

4. **Operation and Management Agreement to be Entered into by the Parties.**

Upon completion of construction of the Middle School, OEM facilities, and other facilities relative to the construction project, and issuance of all governmental certificates and approvals permitting occupancy of the building, the Parties will enter into an operation and management agreement to address the day-to-day operations and events at the building. The terms of such agreement shall include, but not be limited to, the following understandings:

- a. Use and occupancy and hours of operation.
- b. Consideration.
 - i. It is understood and agreed that since the building will be a joint use public facility, no profit or gain is intended to flow to either party.

- ii. The parties agree that the Township will pay the Board the amount of \$10.00 per year for its use and occupancy.
- c. Term and Renewal. The term of this agreement shall be fifty (50) years pursuant to N.J.S.A. 18A:20-4.2. The parties shall have the right to exercise an option to renew this agreement for additional terms of fifty (50) years, to the extent permitted by law.
- d. Maintenance of Buildings and Grounds. The Board will be responsible for the maintenance and repairs of the space in the building which it occupies and utilizes for educational purposes, as well as the exterior of the building, the common areas and facilities, and grounds. The Township will be responsible for the maintenance and repairs of the interior space which it occupies for its OEM operations.
- e. Insurance. The Board shall maintain and keep in full force and effect appropriate property damage insurance for fire or other casualty for the building. The Board and the Township shall also maintain and keep in full force and effect appropriate public liability insurance against any and all liability or claims arising out of, occasioned by, or resulting from, any accident or otherwise on or about the properties in question, for injuries to any person or persons caused by their joint occupancy and/or uses. Each of the parties shall cross indemnify and include the other party as an additional insured so as to defend and hold the other party harmless from any claims or damage arising out of the use and/or occupancy of

any portion of the building and/or grounds by its licensees, users, servants, agents, guests, and/or employees.

5. **Cooperation by the Parties.**

The Parties agree to cooperate with each other for the benefit of the community with respect to the construction of structures for joint use. In that regard, the Parties shall utilize their best efforts to provide expeditious review of plans, documents, and any other matters necessary for the proposed development, and each party will utilize its best efforts to promptly comply with all reasonable requests from the other party in connection with the proposed project.

6. **Termination.**

It is understood and acknowledged by the Parties that in the event that said public referendum is not approved and the Middle School is not constructed, this Agreement shall be deemed null and void, and the Parties shall have no further obligations to each other hereunder.

7. **Notices.**

All communications under this Agreement shall be in writing, and shall be deemed sufficiently given when mailed by certified mail, return receipt requested, and regular mail, or by an overnight courier delivery service that provides proof of delivery. All notices shall be sent to the following:

- a. Township Clerk for Township notices
- b. Superintendent of Board of Education for Board notices.

8. **Miscellaneous.**

- (a) No provision of this Agreement may be changed or waived orally, but only by an instrument in writing properly executed by the Parties.
- (b) This Agreement shall be construed and enforced in accordance with the laws of the State of New Jersey.
- (c) This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute one (1) and the same.
- (d) This Agreement, or a memorandum thereof, may be recorded in any place of public record by either party and as required by law for joint and/or shared service agreements.
- (e) This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns. Neither party shall assign any or all of its right, title, and interest in and to this Agreement without the prior properly executed written consent of the other party.
- (f) No provision of this Agreement shall be deemed to create any partnership, joint venture, or joint enterprise or association among the Parties, or to authorize or to empower any party to act on behalf of, obligate, or bind any other party beyond what is set forth herein.
- (g) This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior and contemporaneous representations, agreements, and understandings, whether written or oral.

- (h) No portion of the Agreement or contemplated operation and management agreement may be assigned and/or alienated at any time and for any reason by the Parties without unanimous consent of the parties.
- (h) No portion of the Agreement or contemplated operation and management agreement may be assigned and/or alienated at any time and for any reason by the Parties without unanimous consent of the parties.
- (i) The headings preceding the various sections of the Agreement are inserted for convenience only, and shall not affect the meaning, construction, scope or effect of this Agreement.
- (i) If a Court of competent jurisdiction finds any provision of this agreement to be unenforceable, it is the desire of the Parties to the extent possible by law that the remainder of the Agreement continue in full force and effect.

14.

RESOLUTION
New Middle School at Matera Field- Change in Financing

WHEREAS, the Lyndhurst Board of Education (“Board”) desires to construct a new Middle School at Matera Field to benefit the residents of Lyndhurst; and

WHEREAS, the current Lyndhurst School system building facilities are in immediate need for maintenance, repair, and upgrading as the majority of the Lyndhurst buildings in question have been built in the early to middle 1900’s

WHEREAS, Benecke Economics has been engaged to assist the Township of Lyndhurst (“Township”) to coordinate the potential construction of a new Middle School at Matera Field located off of Ridge Road; and

WHEREAS, the project includes the construction of a \$37,000,000 Middle School similar to the one envisioned in the March, 2007 project application approved by the State Department of Education in May, 2007; and

WHEREAS, the 2007 project was to be funded through the EnCap Development Impact fee monies as part of an agreement reached between the Township of Lyndhurst and EnCap which permitted EnCap to develop certain parcels of land in the Township; and

WHEREAS, the 2007 EnCap project fell apart resulting in EnCap filing for bankruptcy;

WHEREAS, as part of the 2007 project, EnCap also paid the \$400,000 fees for the engineer and architect plans, which plans remain in the custody and ownership of the Township of Lyndhurst; and

WHEREAS, the EnCap devised project is substantially the same as that of the current January 25, 2011 Middle School Referendum project; and

WHEREAS, the current project will now be financed through a combination of the Board of Education referendum and bonding from the Township of Lyndhurst.

The amount of the referendum is estimated at \$30 million, with the remaining \$7 million being financed by the Township, for use of the OEM facilities and classroom space for senior and other such community programming; and

WHEREAS, the Board will be asked to approve a State School Facilities Grant Application, and qualify for Debt Service Funding, if available.

NOW THEREFORE, BE IT RESOLVED the Lyndhurst Board of Education hereby acknowledges its support of the change in financing of the construction of

a new Middle School at Matera Field with said financing to be included in the application for approval to be filed with the Department of Education.

15. **RESOLUTION**
Employ of DMR Architects and Neglia Engineering Associates

WHEREAS, the Lyndhurst Board of Education (“Board”) desires to construct a new Middle School at Matera Field to benefit the residents of Lyndhurst; and

WHEREAS, the Board passed a resolution on September 22, 2010 authorizing the Superintendent and Board Attorney to execute the required documentation to have the proposed new Middle School plan at Matera Field for public referendum as per the terms of the State of New Jersey; and

WHEREAS, DMR Architects submitted a proposal to the Board for the scope of the architectural service to be provided for the proposed Middle School Plan at Matera Field, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, Neglia Engineering Associates submitted a proposal to the Board for the scope of the architectural services to be provided for the proposed Middle School Plan at Matera Field, a copy of which is annexed hereto as Exhibit B; and

WHEREAS, the Board has determined through advice of counsel that such services involve such qualitative or professional services that specifications are not practical and public bidding is not appropriate, feasible or required for such professional services; and

WHEREAS, the proposal submitted by DMR Architects have been reviewed by the Board; and

NOW THEREFORE, BE IT RESOLVED the Lyndhurst Board of Education hereby retains the professional services of DMR Architects and Neglia Engineering Associates to provide the Board with the pre-referendum and post-referendum services provided in its proposal dated _____ which is subject to final review by Board attorney to confirm compliance with law and acceptable general contract language.

Copy of both contracts are on file in the Board Office.

16. **RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

**A RESOLUTION AUTHORIZING THE LYNDHURST BOARD OF EDUCATION
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on October 18, 2010 the governing body of the Lyndhurst Board of Education, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Lyndhurst Board of Education.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Superintendent of Schools is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Rules and Regulations Committee

Any Board member who takes exception to any of the following listed actions under the category of Rules and Regulations may so indicate now and a separate motion for each of the excepted actions will be entertained.

Motion made by Stephen Vendola second by Thomas DiMascio that the following Rules and Regulations actions of the Board numbered 1 through 5 exception actions be adopted.

Roll Call For: (8) William Barnaskas, Louis Bilis, James Cunniff, Thomas DiMascio, Ronald Grillo, Stephen Vendola, Ellen Young, James Hooper. Absent: (1) Christine Melleno

1. BE IT RESOLVED, that the Lyndhurst Board of Education approve the attached revised policies:

Policy #9021 (1 st reading)	Public Records; Right of Inspection; Copies; Fees
Policy #4117.52 (1 st reading)	Social Networking Websites
Policy #6114 (1 st reading)	Emergencies and Disaster Preparedness

2. BE IT RESOLVED, that the Lyndhurst Board of Education approve the following use of school facilities:

<u>Organization</u>	<u>Place</u>	<u>Time,Date,Purpose</u>
Roosevelt School PTA	Roosevelt Parking Lot Playground	4:00 pm-9:00 pm 10/29/10 or 10/30 Trunk or Treat
Washington School Class of 2011	Washington Parking Lot	9:00 am-2:00 pm 10/2/10 & 5/7/11 Car Wash
Columbus/Lincoln PTA	Lincoln Art Room	3:00 pm-6:00 pm 10/13,14/10 Book Fair
Jefferson School PTA	Jefferson Art Room	7:00 pm-9:00 pm 9/23/10 PTA Meeting

3. BE IT RESOLVED, that the Lyndhurst Board of Education accept a donation of 10 overhead projectors, 10 carts for the overhead projectors and 10 pull down screen from Warren Township Schools in Somerset County.
4. BE IT RESOLVED, that the Lyndhurst Board of Education approve the following resolution proclaiming American Education Week, November 15 – 19, 2010.

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they'll need to maintain our nation's precious values of freedom, civility, and equality; and

WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, education employees, be they custodians or teachers, us drivers or librarians work tirelessly to serve our children and communities with care and professionalism; and

WHEREAS, schools are community linchpins, bringing together adults and children, educators and volunteers, business leaders and elected officials in a common enterprise;

NOW, THEREFORE, I, James Hooper, serving as president of the Lyndhurst Board of Education do hereby proclaim November 15 – 19, 2010 as the annual observance of American Education Week.

5. BE IT RESOLVED, that the Lyndhurst Board of Education approve the disposal of a Savin 9922 DP copy machine, Lyndhurst Board of Education inventory number 2385 from the high school which no longer works and is beyond repair.

Student Activities & Recognition Committee

Any Board member who takes exception to any of the following listed actions under the category of Student Activities & Recognition may so indicate now and a separate motion for each of the excepted actions will be entertained.

Motion made by Thomas DiMascio second by Ronald Grillo that the following Student Activities & Recognition actions of the Board numbered 1 through 6 exception actions be adopted.

Roll Call For: (8) William Barnaskas, Louis Bilis, James Cunniff, Thomas DiMascio, Ronald Grillo, Stephen Vendola, Ellen Young, James Hooper. Absent: (1) Christine Melleno

1. BE IT RESOLVED, that the Lyndhurst Board of Education approve home instruction for one (1) student, subject to state approval.
2. BE IT RESOLVED, that the Lyndhurst Board of Education approve one classified student to attend the South Bergen Jointure Commission, Maywood Campus, effective October 12, 2010, at a tuition of \$51,980.00. Transportation provided by SBJC.
3. BE IT RESOLVED, that the Lyndhurst Board of Education approve one classified student to attend the South Bergen Jointure Commission, Lodi Campus, effective September 27, 2010, at a tuition of \$43,030.00. Transportation provided by the Lyndhurst Board of Education.
4. BE IT RESOLVED, that the Lyndhurst Board of Education approve an Improve Club at LHS. Gina DiMaggio, Language Arts teacher will volunteer her services to start this club. The Improv Club could ultimately perform at local senior centers and perhaps other similar places, helping student earn community service hours. Benefits include increased confidence, public speaking skills, listening and observation skills, creative thinking abilities, decision making skills, etc.
5. BE IT RESOLVED, that the Lyndhurst Board of Education approve the Electronic Violence and Vandalism Reporting system (EVVRS) submitted to the state on July 1, 2010. A copy of the report discussed tonight will be on file at the Board Office.
6. BE IT RESOLVED, that the Lyndhurst Board of Education approve a High School Mock Trial Team, at no cost to the district.

Personnel Committee

Any Board member who takes exception to any of the following listed actions under the category of Personnel may so indicate now and a separate motion for each of the excepted actions will be entertained.

Motion made by James Cunniff second by Thomas DiMascio that the following Personnel actions of the Board numbered 1 through 17 exception actions be adopted.

Roll Call For: (8) William Barnaskas, Louis Bilis, James Cunniff, Thomas DiMascio, Ronald Grillo, Stephen Vendola, Ellen Young, James Hooper. Absent: (1) Christine Melleno.

1. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education grant Francine DeBellis, Washington School, a Medical Leave of Absence effective October 1, 2010.
2. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education appoint Lauren Gash as SEMI Coordinator, for the 2010-11 school year, as per contract.
3. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education appoint Peter Strumolo to the District Professional Committee, for the 2010-11 school year, as per contract.
4. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education appoint Janet Ricigliano, substitute school nurse, for the 2010-11 school year.
5. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education place the following employee on the proper step of the salary guide.

Cristina Coppola-Murk from:MA@\$75,625.00 To:MA+30@\$79,625.00
effective September 1, 2010

6. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the following resolution.

**RESOLUTION
WITHHOLDING OF INCREMENT**

WHEREAS, the Lyndhurst Board of Education employee (the “Board”) withheld a step increment from a tenured teacher for the period of September 2010 through December 2010 in light of an incident of unbecoming conduct of a teacher witnessed by several students; and

WHEREAS, said tenured teacher would have otherwise been entitled to a step increment, but for the unbecoming conduct; and

WHEREAS, the Lyndhurst Education Association (“LEA”) submitted this matter to the New Jersey Public Employment Relations Committee for arbitration resolution before The New Jersey Public Employment Relations Committee; and

WHEREAS, the Board is desirous of settling the pending matter; and

WHEREAS, the tenured teacher and union are desirous of settling the pending matter;

NOW THEREFORE, BE IT RESOLVED through the delegation of power to the Superintendent, that:

- (1) The tenured employee’s salary increment shall be withheld through December 31, 2010; and
- (2) The tenured teacher agrees not engage in any further unbecoming conduct and thereby said teacher shall be reinstated to his/her proper step as of January 1, 2011; and
- (3) A copy of this Resolution shall be kept in employee file; and
- (4) The foregoing is subject to any required statutory or governmental agency applicable notices.

7. **BE IT RESOLVED**, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education grant three

(3) years longevity to Mario Alongi, Angelo Barbosa, Mike Bocchino, Randy Lugo, John Severini, and John Dunaj as a result of their employment by TMC.

8. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the attached job description, Test Data Analyzer.
9. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education post for the position of, Test Data Analyzer, at a stipend of \$6,000.00.
10. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education appoint the following track coaches for the 2010-11 school year.

Kimberly Hykey	Asst. Track	\$2,050.67
Anthony Immediate	Asst. Track	\$2,050.67
Ed Tessionalone	Asst. Tract	\$2,050.67

11. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve David Carucci as monetary worker for the athletic department for the 2010-11 school year.
12. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the following Professional Development Opportunities.

William Barnaskas Board Member	11/20/10, NJ School Boards, Semiannual Delegate Assembly, approx. \$20.00
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Dr. Stellato Supt.	10/7,19/10, 12/14/10, 1/13/11, 2/10/11, 3/16/11, NJASA Superintendents' Academy
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Dr. Stellato Supt.	9/20/10, 10/25/10, 11/15/10, 12/13/10, 1/24/11, 2/28/11, 3/28/11, 4/25/11, 5/20/11, 6/13/11 BCASA Meetings
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Peter Strumolo Principal	11/4,5/10, NJEA Conference, approx. \$800.00
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Lisa Klein Supervisor	11/18-21/10, Annual National Council of Teachers of English Conference, approx. \$1,000.00
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Marlene Krupp Supervisor	11/1/10, Conquer Mathematics approx. \$7.44
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Frank Servideo Ath. Director	12/15-19/10, 41 st National Athletic Directors Conference, approx. \$1,000.00
Jill Birnback Sp. Svcs.	11/12/10, Teaching Social Skills to Students w/Disabilities, approx. \$25.00 11/12/10, What Really Motivates Our Students approx. \$25.00
Michael Clifford LHS	11/3/10, AP Government & Politics Professional Development Workshop, approx. \$216.34
Alice Fiedler Washington	10/27/10, The School Nurse Role in Evaluation of Spinal Deformities, approx. \$35.00
Lauren Gash Sp. Svcs.	10/28/10, Grant Writing for Schools, approx. \$50.00
Denise Kane LHS	12/2/10, Hot Topics in Adolescence VII approx. \$75.00
Lisa Klein	10/20/10, Bergen County Get to Know Common Core LHS State Standards, approx. \$8.06
Marlene Krupp Supervisor	10/20/10, Bet to Know the Common Core Standards approx. \$8.06 11/2,3/10, Improve your NJ ASK Scores, approx. \$340.80
Tracey Miele Lincoln	11/19/10, Finding the Giftedness in Every Child approx. \$171.51
Maryann Mule LHS	Hot Topics in Adolescence VII, approx. \$75.00

13. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the following stipend positions for the 2010-11 school year.

Lincoln School

Yearbook	Elaine Catanese	\$431.50
	Michael Rizzo	\$431.50
8 th Grade Advisor	Elaine Catanese	\$690.00

Franklin School

Student Council Volunteer Ellen Bender

Lincoln School

Student Council Volunteers JoAnn Germann & Michele Slomienski
 Computer Club Volunteer Kelly Giaquinto

14. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the following volunteers for the 2010-11 school year.

Jefferson School/Community School

Jeneen Gino	Maria Otto
Anne Caffrey	Linda Logan
Flo Sellari	Helen Miragliotta
Lisa Borino	Maria Kolon
Fatima Carriero	Giliana Pacheco
Deborah Bentley	Tara Castellitto
Maria Zaino	Christina DeGennaro
Laura Canaris	Joann Krajnik
Anne DeForge	Maria Lombardi
Tara Castellitto	Jennifer Fodera
Lisa Marie Turano	Gina Scardino
Nadia Alberti	Debbie Duffy
Lisa Kasper	Kerri Reed
Michelle Meola	Kristen Vetter
Maria Lombardi	Laura Ferretti
Angela Paserchia	Elizabeth Romito
Susan Consalvo	Anna DiMascio
Lynn Nerney	Mary DiCristi
Tina Catalano	Catherine Ferrer
Laura Henning	Annette Caamano
Jeanne Gannon	Laura Canaris
Danielle Barone	Stephanie Horvath
Sean Reed	Valerie Albecker
Tina Catalano	Karen Hughes
Jamie D'Andrea	Mary Henrichsen
Christian Freire	Grace Nevin
Mrs. Alemany	Maria Lombardi
Elizabeth Lukasiewicz	Angela Paserchia
Robin Sconfianza	Erin Storer
Giuseppa Held	Margo Cassetta
Florence Sellari	Julie Donohue
Rose Cappiello	Chirs Triguero
Marie Fugel	Taryn Paglio

Rose Ann Almeida
 Angeles Parada
 Kim Henning
 CathyBoyce

Christina Caporale
 Janice Vocaturo
 Julianne Bruno

15. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the following for the 2010-11 school year. Employment will be provisional, subject to authorization approval for emergent hiring pending completion of criminal history background check, and subject to submission of all required application documents.

Terese Catalina	sub classroom/student aide
Barbara Cilento	sub classroom/student aide
Debra Evans	sub classroom/student aide
Lori Starrett	sub classroom/student aide

Terese Catalina	sub lunch aide
Christine Engelhardt	lunch aide @ Jefferson (replacement)
Juliann Jankowski	sub lunch aide & sub classroom aide

Ana Cabrera	sub lunch aide
Mildred Jimenez	sub lunch aide

Garren Ruzzo	part-time custodian (replacement)
Jeffrey Rogers	sub custodian

Laura Pugh	ACCP& BCCP full-time
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16. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education grant the following college students permission to do their observation in the Lyndhurst Public Schools in order to fulfill their college requirements.

Melissa Greco	10/18/10, 1 hour
Montclair State Univ.	JCS, grade 1

Maria Roofe	week of 10/11/10, 8 hours
Montclair State Univ.	Columbus, grade K

Paula Prada	10/14,15/10, Observation
Montclair State Univ.	LHS, Spanish

17. BE IT RESOLVED, at the recommendation of Dr. Tracey Stellato, Superintendent of Schools, that the Lyndhurst Board of Education approve the attached list of substitute teachers for the 2010-11 school year. Employment will be provisional, subject to authorization approval for emergent hiring pending completion of criminal history background check, and subject to submission of all required application documents.

Unfinished Business

Tracey Stellato discussed the creation of a new logo for the district. Committee meeting date to be announced. There will also be a graduation meeting regarding schools.

Dennis Sluka reported that policy review is ongoing.

New Business

Tracey Stellato – Discussed goals for 2010-2011 for her and district. Worksheet attached was given to Lyndhurst Board of Education members to provide her by 11/1/10. Her goals for 10-11 and for the LBOE.

William Barnaskas – “Board Retreat” recommended. Subject to OPRA. Usually on a Saturday A.M. Bill will contact NJSBA.

William Barnaskas – QSAAC – we don’t need to do it.

Tracey Stellato – Shared services with Bergen Community College:

- a) Summer School at BC-Lyndhurst
- b) College Entrance Exam Assessment – BC will have these remedial courses for free in Lyndhurst.
- c) Dual Enrollment Program

Ellen Young – Students performing while LBOE is in Executive Session. Performing Arts Committee.

Public Hearing on Non-Agenda Items

B. Branco – Sound system on football field; clothes for uniforms – how to buy them, how to try them on; how many kids sent home last year or suspended because of dress code violations; dress code – appeared in minutes?; Inappropriate dress wear?; Fashion show – questions regarding dress wear and penalties on web site.

Elaine Stella – Middle School – busy possible, neighborhood schools; studies in CA against middle school; SAT courses – happy now here; progress on search for new business administrator; how a middle school will help all subjects; scanning agenda Friday before meeting home onto web.

Adjournment

Motion by William Barnaskas second by Ronald Grillo and unanimously carried, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Dennis S. Sluka
Interim School Business Administrator
Board Secretary