

LYNDHURST BOARD OF EDUCATION
February 23, 2021
Agenda
(Meeting #3)

WELCOME, to a public meeting of the Lyndhurst Board of Education. The Board is meeting this evening for the purpose of taking official, formal action on the business of the Board and school district.

The business the Board will act on this evening, is broken down into sections in this order:

Finance
Education and Curriculum
Policies and Rules/Regulations
Athletics and Student Activities
New Business
Personnel

The FIRST segment – Public Hearing on Meeting Agenda is devoted to hearing from those persons who might have questions or statements regarding any of the matters listed on the following pages and which the Board will be acting on this evening.

The SECOND segment – Public Hearing on Other Than Meeting Agenda is devoted to hearing from those persons who might have questions or statements regarding Board or school district matters OTHER THAN matters which appear on the following pages.

If you wish to address the Board, at either or both of these public hearing segments, you are asked to sign in on the speakers' sheet located on the podium. When your name is called, please wait until you are recognized by the Board president. When recognized, please stand up and clearly state your name and address. All questions or statements must be addressed to the Board president.

The Board, through the president, or upon permission of the president through individual Board members, may or may not respond to your comments.

Members of the public are asked to refrain from reading articles out loud at meetings. If there is an article(s) that you would like the Board to know about, please leave a copy with the Board Secretary or Business Administrator who will see to it that it gets distributed to the proper persons.

We hope your visit with us this evening will be an enjoyable and informative one.

1. CALL TO ORDER
2. SALUTE TO FLAG
3. ROLL CALL
4. PRESIDING OFFICER'S MEETING NOTICE STATEMENT
5. SUPERINTENDENT'S REPORT
6. STATE MONITOR'S REPORT
7. LERCH, VINCI & HIGGINS, LLP (AUDIT PRESENTATION)
8. APPROVAL OF MINUTES - #2, January 26, 2021
9. PUBLIC HEARING ON MEETING AGENDA
10. BOARD DISCUSSION & FORMAL BUSINESS AGENDA
11. NEW BUSINESS
12. PUBLIC HEARING ON OTHER THAN MEETING AGENDA
13. ADJOURNMENT

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PLEASE NOTE: It may be necessary, from time to time, to remove or make changes in a motion(s) between the time this agenda is prepared and when the Board takes action.

Finance

Erin Keefe, Chairperson
James Donovan
Elaine Stella

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

Motion made by _____ second by _____ that the following Finance Committee actions of the Board numbered _____ through _____ exception actions be adopted.

Roll Call For:

1. BE IT RESOLVED, that the Audit Report of the Lyndhurst Board of Education for the fiscal year ended June 30, 2020, submitted by Lerch, Vinci & Higgins, LLP shall be accepted.
2. 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 January 31, 2021 and certifies that the reports indicate that no major account or fund is over expended 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.
3. BE IT RESOLVED, that the Lyndhurst Board of Education approve the attached transfers for the month of January 2021.
4. BE IT RESOLVED, that the payroll for the month ended January 31, 2021 be hereby approved and ordered paid:

January 15, 2021	\$1,234,911.38
January 29, 2021	\$1,259,519.60

5. 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, January 27, 2021 and ending February 23, 2021 be and the same are hereby approved and ordered paid:

Charter School (Fund 10)	\$ 14,226.00
Current Expenses (Fund 11)	\$ 792,084.02
Special Revenue (Fund 20)	\$ 56,854.12
Referendum 2016 (Fund 31)	\$ 50,528.34
Total	\$ 913,692.48
General Ledger	\$ 142,660.79

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6. BE IT RESOLVED, that Cafeteria services rendered to the Board of Education of the Township of Lyndhurst, County of Bergen, for the month of January 2021 be and the same are hereby approved and ordered paid:

Salaries/Payroll Taxes	\$ 216.70
Services	\$ 28,339.75

7. BE IT RESOLVED, that Pre-K expenses rendered to the Board of Education of the Township of Lyndhurst, County of Bergen, for the month of January 2021, be hereby approved and ordered paid:

Miscellaneous Fees	\$ 187.09
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8. BE IT RESOLVED, that the Lyndhurst Board of Education approve the use of Community Personnel Services for Transitioning Counseling for high school students, starting February 8, 2021 through June 30, 2021. The rate of service is \$66.00 per hour, not to exceed 40 hours, for the remainder of this school year.
9. BE IT RESOLVED, that the Lyndhurst Board of Education approve the addendum to the Transportation Service Agreement between South Bergen Jointure Commission and the Lyndhurst Board of Education, for the 2020-2021 school year.

Education and Curriculum

Erin Keefe, Chairperson
 Frank Ferrandino
 Darwin Belen

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

Motion made by _____ second by _____ that the following Education and Curriculum Committee actions of the Board numbered _____ through _____ exception actions be adopted.

Roll Call For:

1. BE IT RESOLVED, that the Lyndhurst Board of Education approve the Memorandum of Understanding between the Board of Education of the Township of Lyndhurst and the Lyndhurst Police Department, for the 2020-2021 school year.

Policies and Rules/Regulations

Elaine Stella, Chairperson
 Anthony Dell'Aquila
 Richard Pizzuti

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

Motion made by _____ second by _____ that the following Policies and Rules/Regulations Committee actions of the Board numbered _____ through _____ exception actions be adopted.

Roll Call For:

1. BE IT RESOLVED, that the Lyndhurst Board of Education affirms the Superintendent's decision in HIB investigations for the reasons set forth in the Superintendent's decision to the students' parents, and directs the Business Administrator/Board Secretary to transmit a copy of the Board's decision to the affected students' parents.

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220417_LMS_01042021

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2. BE IT RESOLVED, that the Lyndhurst Board of Education confirm/approve Mr. Anthony Grieco, as the School Safety Specialist for the 2020-2021 school year.
3. 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>
Lyndhurst Parks Dept.	High School Gym	3:00 pm - 8:00 pm January 30 & 31, 2021 Boys Rec. Basketball
Lyndhurst Police Dept.	HS Parking Lot & Practice Field	8:00 am - 3:00 pm April 20, 2021 DWI Assembly

Athletics and Student Activities

James Donovan, Chairperson
Domenick Abbate
Richard Pizzuti

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

Motion made by _____ second by _____ that the following Athletics and Student Activities Committee actions of the Board numbered through _____ exception actions be adopted.

Roll Call For:

1. BE IT RESOLVED, that the Lyndhurst Board of Education approve a 1:1 personal aide for a student attending the Windsor School in Paramus. The daily rate is \$147.86 effective January 25, 2021, for the remainder of the 2020-2021 school year.

New Business

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

Motion made by _____ second by _____ that the following New Business
actions of the Board numbered _____ through _____ exception actions be adopted.

Roll Call For:

1. Mr. Anthony Grieco, Superintendent of Schools, recommends that the Lyndhurst Board of Education confirm/approve the request for the Commissioner of Education to postpone the Lyndhurst School District's 2020-2021 NJQSAC comprehensive review until the 2021-2022 school year. The district is requesting this postponement due to the COVID-19 pandemic.
2. **WHEREAS**, the Lyndhurst Board of Education recognizes that the United States, the State of New Jersey and local health authorities, as well as the World Health Organization, have declared a public health emergency regarding the Coronavirus or COVID-19 pandemic; and

WHEREAS, the federal and state authorities have put in place guidance detailing the precautionary measures schools must implement to stop its spread of this disease; and

WHEREAS, public schools have a profound impact on millions of students, families and staff and are charged with the care, education, nourishment of their students and are an integral part of the health and safety of our communities; and

WHEREAS, our district has responded to the challenges brought about by the COVID-19 pandemic, providing students and staff members with the technology and resources necessary to ensure the efficient delivery of instruction, virtually and in-person; and

WHEREAS, the board has a substantial public interest in protecting the health and safety of its students, staff, and community and ensuring that the district can provide staff and students with a safe and effective educational environment that supports student achievement; and

WHEREAS, the board recognizes that this health emergency made it necessary to close schools and reinvent the educational programs in a virtual setting and that this may have an adverse impact on student achievement and the emotional and social wellbeing of students; and

WHEREAS, the COVID-19 Vaccination Plan published by the State of New Jersey Department of Health (December 15, 2020, pgs. 36-37) prioritizes the availability of vaccines to “essential workers” in Phase 1B of the vaccine protocol; and

WHEREAS, school district staff at all levels are essential to the day-to-day operations of this district, responsible for the thorough and efficient education of all students and their “essential workers;”

NOW, THEREFORE, BE IT RESOLVED the Lyndhurst Board of Education finds a substantial public purpose exists to request that Governor Murphy give appropriate priority in the statewide administration of the COVID-19 vaccine to all public school district personnel.

COVID-19 Vaccination Plan published by the State of New Jersey Department of Health, see:

<https://nj.gov/health/legal/covid19/NJ%20Interim%20COVID-19%20Vaccination%20Plan%20-%20Revised%2012-15-20.pdf>

RESOLVED, that a copy of this resolution shall be forwarded to Senator Paul Sarlo (District 36), Assembly Speaker Craig J. Coughlin, Senate President Stephen M. Sweeney, Governor Phil Murphy, and to the New Jersey School Boards Association.

3. **WHEREAS**, the Alliance For Competitive Energy Services (hereinafter referred to as “ACES”), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as “NJSBA”), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from natural gas suppliers for retail natural gas supply services including interstate transportation to the local natural gas distribution utility company (Natural Gas Supply Services) through an

energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 *et seq.*, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 *et seq.* (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Lyndhurst Board of Education is a Participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain natural gas services for its own use through one or more contracts to be awarded to natural gas suppliers following said bids for natural gas services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period February 23, 2021 through May, 2023, hereinafter referred to as “Effective Period” issue one or more Requests for Bids for natural gas services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for Natural Gas Supply Service in each service territory to one or more natural gas suppliers that submits bids which are reasonably forecasted to provide

estimated savings to the Participating Member based upon its previous natural gas usage and utility provided Basic Gas Supply Service rates; and

WHEREAS, the Lead Agency will only award contracts for said Natural Gas Supply Services to natural gas suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic gas supply service; and

WHEREAS, the District agrees to purchase all Natural Gas Supply Services for its own use during the Effective Period through any natural gas supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Public School Contracts Law; and

WHEREAS, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for natural gas supply services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE, BE IT

RESOLVED that the District binds itself to the ACES Cooperative Pricing System #E8801-ACESCPS to purchase all natural gas supply services needed for its own use during the Effective Period from the natural gas supplier or suppliers awarded a contract for natural Gas supply services by the Lead Agency; and, be it

FURTHER RESOLVED that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase natural gas at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the districts relative to the price charged for basic gas supply service by the natural gas public utility that would otherwise provide such service; and, be it

FURTHER RESOLVED that ACES is authorized to continue to bid to obtain natural gas services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2023 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

4. **WHEREAS**, the Alliance For Competitive Energy Services (hereinafter referred to as “ACES”), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as “NJSBA”), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 *et seq.*, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 *et seq.* (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Lyndhurst Board of Education is a Participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period from February 23, 2021 through May, 2023 hereinafter referred to as “Effective Period” issue one or more Requests for Bids for electric generation services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service in each service territory to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

WHEREAS, the Lead Agency will only award contracts for said electric generation services to electric power suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic generation service; and

WHEREAS, the District agrees to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Public School Contracts Law;

WHEREAS, the Lead Agency will notify the Department of Community Affairs’ Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, THEREFORE, BE IT

RESOLVED that the District binds itself to the ACES Cooperative Pricing System #E8801-ACESCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period from the electric power

supplier or suppliers awarded a contract for electric generation services by the Lead Agency; and, be it

FURTHER RESOLVED that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Districts relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and, be it

FURTHER RESOLVED that ACES is authorized to continue to bid to obtain electric generation services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2023 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

5. **BE IT RESOLVED**, that Thomas Egan be designated the Lyndhurst Board of Education QUALIFIED PURCHASING AGENT in Compliance with Chapter 440, Laws of 1999 and N.J.S.A. 18A:18A-2 commencing February 23, 2021 through June 30, 2021; and

WHEREAS 18A:19A-3 provides that contracts, awarded by the purchasing agent that do not exceed in the aggregate, in a contract year, the bid threshold (currently \$40,000) may be awarded by the purchasing agent without advertising for bids when so authorized by the board; and

WHEREAS 18A:18A-37, provides that all contracts that are in the aggregate less than 15% of the bid threshold (currently \$6,000) may be awarded by the purchasing agent without soliciting competitive quotations; and

BE IT FURTHER RESOLVED, that Thomas Egan, be authorized to advertise for bids and/or solicit quotations for all work, materials, and supplies as per N.J.S.A.18A:18A-4 and N.J.S.A. 18A:18A-9 commencing February 23, 2021.