

**MINUTES
REORGANIZATION MEETING OF THE BOARD OF EDUCATION
FRANKLIN TOWNSHIP PUBLIC SCHOOLS
FRANKLIN MIDDLE SCHOOL CAFETERIA
JANUARY 6, 2014 – 7:30 PM**

Mr. John Calavano, as presiding officer, called the meeting to order and chaired the meeting until the election of the President.

O-1 Announcement of Election Results

Mr. Calavano certified that the following were elected to the Franklin Township Board of Education at the Annual School Election held on November 5, 2013, as identified in Exhibit O-01 attached hereto and made part of the minutes.

Three (3) Year Term:
Christine Danielsen
Nancy LaCorte
Dr. Julia Presley

ADMINISTER OATH OF OFFICE – Mr. Calavano administered the Oath of Office to Mrs. Danielsen, Mrs. LaCorte and Dr. Presley

CALL OF ROLL

Mr. Richard E. Arline	Dr. Julia Presley
Mr. Delvin Burton – arrived at 7:43 PM	Ms. Keisha Smith-Carrington
Mrs. Christine Danielsen	Mr. Robert Trautmann
Mrs. Nancy LaCorte	Mrs. Betty Whalen
Mrs. Eva M. Nagy	

Mr. Edward Q. Seto, Superintendent of Schools
Mr. John Calavano, Assistant Superintendent for Business/Board Secretary
Ms. Eveny Pagán, Assistant Superintendent for Curriculum & Instruction - absent
Ms. Lynne Crawford, Director of Pupil Personnel Services
Mr. Orvyl Wilson, Director of School Management

And 90 Members of the Public

PLEDGE OF ALLEGIANCE – Mr. Calavano led the Board in the pledge.

OPEN PUBLIC MEETINGS ACT STATEMENT

Mr. Calavano read the following statement:

In accordance with the “Open Public Meetings Act” P.L. 1975, c. 231 (Sunshine Law), the schedule and notification of this meeting have been provided for on August 23, 2013 and January 2, 2014. Copies of this notice were faxed to the **Courier News**, the **Home News Tribune**, **The Star-Ledger**, **The Trenton Times**, Franklin Township Clerk/Manager, WCTC Radio, District Schools, Offices and Associations, PTO Presidents, and posted on the Central Administration Building notice board.

Mr. Seto read the following statement:

MISSION STATEMENT OF THE FRANKLIN TOWNSHIP PUBLIC SCHOOLS

The Mission of the Franklin Township Public Schools is to provide excellent educational opportunities that meet or exceed New Jersey Core Curriculum Content Standards for every student; maintain an environment that engenders an appreciation of the value of every student; develop every student to his/her highest potential; and instill the attitudes, skills, and knowledge necessary to become independent, contributing members of a democratic, multi-cultural society.

DISTRICT GOALS

CURRICULUM AND INSTRUCTION: *To develop and implement a comprehensive assessment program designed to meet the needs of all students through the use of formative and summative assessments aligned to the common core standards and integrated into instruction.*

COMMUNICATIONS AND PUBLIC ENGAGEMENT: *To promote community engagement and effective communication to and from all stakeholders.*

CULTURE AND CLIMATE: *To continue the District's efforts to safeguard students and staff, enhance the culture and environment of our schools and improve relationships among and between students; staff; parents/guardians; and the community that promote respect, motivation for learning and creativity in and for our students.*

FACILITIES: *Utilizing the District's 2011-2021 Long-Range Facilities Plan, finalize a building program (including application for state grants and outside funding sources) that will enhance and improve the District's delivery of education to all students; provide additional classroom space to address the projected enrollment growth over the next several years; address critical maintenance issues in all existing facilities and consider potential changes to the delivery of education.*

Mr. Calavano instructed the board members on the nominating and voting procedures to elect a Board President and Vice President by saying:

1. *I will open the floor for nominations for Board President. All nominations will be accepted.*
2. *I will then close the floor for nominations.*
3. *Each board member will be instructed to vote for one, and only one, nominee. Board members will be called upon in alphabetical order to say the name of whom they are voting for.*
4. *The successful candidate will need a majority vote of the members present, which is 5.*

The same process will occur for the appointment of the Vice President with the Board President conducting the proceedings.

O-2 Election of President

Mrs. Presley was nominated by Mrs. Nagy.

Mr. Trautmann was nominated by Mrs. LaCorte.

Mr. Calavano asked for any other nominees. Seeing none, Mr. Calavano asked for a motion to close nominations for President for the Board of Education.

A motion to close nominations was made by Mrs. Nagy, seconded by Mrs. LaCorte.

Mr. Calavano asked if there was any discussion. Seeing none, Mr. Calavano began roll call vote.

Presley Absent Trautmann Trautmann Presley Presley Presley Trautmann Presley
Arline Burton Danielsen LaCorte Nagy Presley Smith-Carrington Trautmann Whalen

Vote for Mrs. Presley was 5-3.

Mrs. Presley was elected President by majority vote.

O-3 Election of Vice President

Mrs. Nagy was nominated by Ms. Smith-Carrington.

Mr. Trautmann was nominated by Mrs. LaCorte.

Mrs. Presley asked for any other nominations. Seeing none, Mrs. Presley asked for a motion to close nominations for Vice President of the Board of Education.

A motion to close the nominations was made by Mrs. Whalen, seconded by Mrs. LaCorte.

Mrs. Presley asked if there was any discussion. Seeing none, Mr. Calavano began the roll call.

Nagy Trautmann Trautmann Trautmann Nagy Nagy Trautmann Nagy Nagy
Arline Burton Danielsen LaCorte Nagy Smith-Carrington Trautmann Whalen Presley

Vote for Mrs. Nagy was 5-4.

Mrs. Nagy was elected Vice President by majority vote.

MOTION

Moved: Mr. Trautmann

Seconded: Mrs. Nagy

Motion to amend agenda to include a closed session at this point of the meeting to discuss transportation legal issues.

Yes Yes Yes Yes Yes Yes Yes Yes Yes
Arline Burton Danielsen LaCorte Nagy Smith-Carrington Trautmann Whalen Dr. Presley

Confidential Session - Library

Moved: Mrs. Danielsen

Seconded: Mrs. Nagy

Motion to adjourn to closed session at 7:45 PM for the purpose of discussing matters regarding recent transportation complications. Minutes of the closed session meeting will be made public when the reason for confidentiality no longer exists.

Yes Yes Yes Yes Yes Yes Yes Yes Yes
Arline Burton Danielsen LaCorte Nagy Smith-Carrington Trautmann Whalen Dr. Presley

Returned to open session at 8:07 PM in the cafeteria.

Reconvening Roll Call – All board members were present.

MOTION

Moved: Mr. Trautmann

Seconded: Mr. Burton

Motion to amend the agenda by adding two transportation resolutions.

<u>Yes</u>	<u>Absent</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

SUPERINTENDENT’S REPORT

The schools of the district were closed today due to a significant transportation issue which was not resolved involving one of the bus companies that provides services for a majority of our bus routes. Last night, in consultation with the board attorney, Mr. Tosti, our Transportation Supervisor, Mr. Peatick, and Mr. Calavano, I made a decision to close schools today. My decision to close our schools was not made lightly but with the best interest of the safety of our students. Following a meeting with the company late last evening, we were not confident in the company’s ability to fulfill the obligation of transporting all of our students on the routes assigned to them.

Tonight I am happy to report that the transportation issue has been resolved and that all of our schools will be open as usual tomorrow, January 7th. Transportation for some of our students may be provided by a different company, but we are making every effort to utilize the drivers who had previously driven those routes.

District television and our website reflect this information, and a phone blast was sent to all staff and parents this evening to update them.

I would like to take a moment to thank Mr. Gary Peatick, Supervisor of Transportation and his staff, Mr. Calavano and Mr. Tosti, our board attorney for working together and with me throughout the process beginning in early December right up through early this evening to resolve these issues so we can open tomorrow.

I would also like to pay a particular thanks to all the bus drivers who are here this evening for being so responsive and available to meet with us late last night and again this evening so that they could share their thoughts and suggestions and give us the necessary information so we could move forward. So thank you, thank you so much.

Business

- B-01 Approve Agreements with Montauk Transit Services, LLC and NGM Insurance Co.**
- B-02 Approve Termination of Contract**

Moved: Mr. Trautmann

Seconded: Mr. Burton

B-01 Approve Agreements with Montauk Transit Services, LLC and NGM Insurance Co.

Whereas, the Franklin Township Board of Education (“Franklin”), has been on notice that the student transportation provided by Atlantic Express (“AE”) has been in jeopardy of being terminated on short notice due to its filing for bankruptcy, and

Whereas, a void in transportation for approximately 56 routes (as listed on the attached) constitutes, in the opinion of the Assistant Superintendent for Business, an emergency that needs to be addressed immediately, and

Whereas, the Bonding Company for AE was put on notice by counsel on or about December 26, 2013, and has responded by proposing a "cure" to cover the obligations of AE, and

Whereas, based upon the above, an emergency resolution has been proposed for the January 6, 2014 meeting, and

Whereas, an Assignment of the bus route obligations of AE has been proposed and has been accepted by the curing contractor, Montauk Transit Service, LLC ("Montauk"), and

Whereas, an Assignment Agreement has been agreed to by the Bonding Company, NGM Insurance Company ("NGM") and by Montauk, and

Whereas, Franklin has determined that it is in the best interest of the district to accept the proposed cure and enter into the three (3) party Assignment Agreement, and also the separate two (2) party Agreement with Montauk, and

Now, Therefore, be it Resolved, that

1. Franklin approves the three (3) party Assignment Agreement with Montauk and NGM (attached hereto - Exhibit B-01.a);
2. Franklin approves the two (2) party agreement with Montauk (attached hereto - Exhibit B-01.b);
3. Franklin authorizes the Assistant Superintendent for Business to execute both documents on behalf of Franklin

B-02 Approve Termination of Contract

Whereas, as a result of the bankruptcy of Atlantic Express ("Atlantic"), the bus provider for 56 routes (the routes are listed on Exhibit A attached) for the FRANKLIN TOWNSHIP BOARD OF EDUCATION ("Franklin"), for the 2013-2014 year, Franklin presented a claim for breach of contract to Atlantic's Bonding Company, and

Whereas, prior to taking action to cover the routes, the district sought written confirmation of the last date that Atlantic could provide bus transportation for Franklin's students, and

Whereas, Atlantic never agreed in writing to a specific date to provide services, but had previously proposed various termination dates and conceded that it was out of money; and

Whereas, the Bonding Company has responded and has arranged a covering contractor to provide bus service on the 56 routes by another company as of January 7, 2014;

Now, Therefore, be it Resolved, that the contracts and bus routes with Atlantic are hereby terminated effective January 6, 2014, for failing to provide to Franklin a date until which it would commit to provide service as the transportation of its students is critical to the operations of the school district and for being unable to perform on January 6, 2014 and January 7, 2014.

Be it Further Resolved that notice of this action be provided to Atlantic forthwith.

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

COMMENTS FROM THE PUBLIC

The meeting was opened for public comment at 8:20 PM on a motion by Mr. Trautmann, seconded by Ms. Smith-Carrington. All board members were in agreement. Public comments were heard by the Board of Education. The following is a brief synopsis of comments made by the public:

John Mensch, from the new bus company, thanked the board.

Theresa Farkas wished everyone a happy new year and asked the board to listen to the parents who are upset about the transportation issue. She expressed her enthusiasm that 2014 will be a good year.

Carl Wright questioned why board members with school-aged children send their children to schools outside of our district and if there is a policy about it. He questioned why their children do not attend our schools.

Kim Thorne indicated there should have been more transparency regarding the busing issue and requested to know if this is a permanent solution. She asked how privatizing busing has worked for us. Ms. Thorne requested that the board not vote to privatize the paraprofessionals.

Janice Regan spoke about Franklin moving forward and requested that all board members be allowed to speak, not just the Board President. She was happy to see the board pull together in this crisis situation and get the students back to school.

Amy Gallant expressed her displeasure with receiving the emergency call at 9:05 PM last evening saying that schools would be closed and that it causes difficulties for working parents.

De Sanders expressed her support for all board members to be allowed to speak during meetings. She spoke about senior student application deadlines and suggested having guidance counselors available to students when schools are closed.

Matthew Zavatsky expressed his frustration regarding the transportation matter.

Lorri Mountainland spoke about the vote to explore the privatization of paraprofessionals. She requested that this be explored very carefully as many employees live in Franklin.

Emily Russoniello spoke about the transportation issue and that the minutes from the last board meeting were not yet posted.

Phillip Kramer expressed his desire to see all board members answer questions during the public session. He indicated that, while campaigning and speaking to many residents, they are concerned with the schools, the district and the board. Mr. Kramer congratulated the three newly sworn-in board members and asked the board to work as one to get things done.

Ardaman Singh congratulated Mrs. Danielsen for having a child in the school system. She spoke of the disfunctionality of the board members and the transportation issue.

JennieAnn Reitemeyer spoke about the transportation issue, better communication with the community and staff, and requested to know the contingency plan.

Kristie Madson requested to know what measures administration will take in the future to revise public relations with the community since it is currently not working.

Bill Connell spoke about board members with children that do not attend our schools and that he'd rather have one smart board member with a child out of the district, rather than a really dumb board member with twelve kids in the district. He indicated that where board members send their children to school are their personal choices.

John Felix congratulated the new board members, especially Mrs. Danielsen. He requested to know about the progress regarding the Superintendent search and the plans for an interim or permanent Superintendent.

Anna Boardman thanked the board and congratulated the new board members. She requested the board to look at the paraprofessional situation and indicated that Franklin needs to take Franklin back.

Motion to close the public portion of the meeting at 9:05 PM by Mr. Trautmann, seconded by Mrs. Whalen. All board members were in agreement.

O-4 Adoption of Policies

O-5 Annual Calendar of Regular Meetings – Board of Education

O-6 Designation of Official Newspaper

Moved: Mr. Trautmann Seconded: Mrs. Whalen

O-4 Adoption of Policies

Approve the continued operation of the Franklin Township Board of Education under its present bylaws and policies until and unless revised by the Board of Education.

O-5 Annual Calendar of Regular Meetings – Board of Education

Approve the proposed annual calendar of regular meetings of the Franklin Township Board of Education, as identified in Exhibit O-05 attached hereto and made part of the minutes.

O-6 Designation of Official Newspaper

Approve designation of the **Courier News** as the official newspaper to be used for the advertisement of meetings, publication of legal notices and all other necessary public notifications for the Franklin Township Board of Education, and so designate the **Home News Tribune** and **The Star-Ledger** if the time limit of the **Courier News** between publication of such notices be insufficient to comply with legal requirements.

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

O-7 Designation of Positions

Moved: Mrs. Whalen Seconded: Mrs. LaCorte

The following positions are filled by the person(s) or firm named:

- | | |
|--|------------------------------------|
| Assistant Supt. for Business/Board Secretary | Mr. John Calavano |
| Treasurer of School Monies | Mrs. Kim Esterman |
| Board Attorney | Parker, McCay, P.A. |
| Attendance Officers | Mr. Dennis Harris/Mr. Kevin Kelley |
| Auditor | Lerch, Vinci & Higgins |
| Architect | DRG Architects |
| Insurance Broker | Suydam Insurance Agency |
| Health Benefits Broker | Integrity Consulting Group |
| School Physician | Dr. Ronald Frank |
| Anti-Bullying Coordinator | Mr. Orvyl Wilson |
| 504 Officer | Mr. Orvyl Wilson |
| Right-to-Know Contact Person | Dr. John Roberts |

AHERA Representative (Asbestos Hazard Emergency Response Act)	Mr. Rick Goetz
Integrated Pest Management Coordinator	Mr. Rick Goetz
Indoor Air Quality Coordinator	Mr. Rick Goetz
Public Agency Compliance Officers	Mr. John Calavano/Mr. Brian Bonanno
Affirmative Action Officer	Mr. Orvyl Wilson
Purchasing Agent	Mr. John Calavano
District Liaison to DCP&P (Division of Child Protection and Permanency)	Mrs. Lynne Crawford

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes/No</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

Mr. Trautmann voted no on the Board Attorney only.

- O-8 Designation of Depositories for School Accounts**
- O-9 Establish Petty Cash Funds and Petty Cash Administrators**
- O-10 Adoption of Education Program**
- O-11 Appointments**
- O-12 Approve the Chart of Accounts**
- O-13 Authorization to Solicit Contracts**
- O-14 Procurement of Goods and Services Through State Agency and Cooperative Purchasing Programs for the 2013-2014 School Year**

Moved: Mrs. Nagy Seconded: Mrs. Whalen

O-8 Designation of Depositories for School Accounts

Approve the designation of the following depositories of school funds:

- a. Bank of America
- b. N.J. Cash Management Fund
- c. Magyar Savings
- d. MBIA Municipal Investors Service Corp.
- e. PNC Bank
- f. The Bank of New York
- g. JP Morgan Funds
- h. Wachovia Bank
- i. TD Bank
- j. US Bank
- k. Fidelity Investments
- l. Chase Manhattan Bank
- m. First Bank

O-9 Establish Petty Cash Funds and Petty Cash Administrators

Establish petty cash funds and petty cash administrators, as identified as Exhibit O-09 attached hereto and made part of the minutes.

O-10 Adoption of Education Program

In compliance with statutes and rules of the State Board of Education, approve the adoption of all existing Board-approved programs and services, curriculum, textbooks, school objectives and Comprehensive Equity Plan goals until and unless revised by the Franklin Board of Education. (Copies of these documents are on file for review in the offices of each building principal and the Superintendent of Schools.)

O-11 Appointments

Appoint Board representatives to the following state and county organizations:

- a. Delegate to the New Jersey School Boards Association
- b. Delegate to the Somerset County School Boards Association
- c. Member Board of Education Somerset County Educational Services Commission
- d. Member Board of Education Hunterdon County Educational Services Commission

O-12 Approve the Chart of Accounts

Approve the Chart of Accounts as identified in Exhibit O-12 attached hereto and made a part of the minutes.

O-13 Authorization to Solicit Contracts

Authorize the Purchasing Agent (currently the Assistant Superintendent for Business/Board Secretary) to advertise for bids and competitive contracting and obtain quotes and proposals when the need arises.

O-14 Procurement of Goods and Services Through State Agency and Cooperative Purchasing Programs for the 2013-2014 School Year

Whereas, Title 18A:18A-10 and 18A:18A-11 provide that a Board of Education, without advertising for bids or after having rejected all bids obtained pursuant to advertising, therefore, by resolution may purchase any goods or services pursuant to a contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property and school districts, municipalities and counties; and

Whereas, the Franklin Township Board of Education has the need, on a timely basis, to procure goods and services utilizing these contracts; and

Whereas, the Franklin Township Board of Education desires to authorize its purchasing agent for the 2013-2014 school year to make any and all purchases necessary to meet the needs of the school district throughout the school year;

Now, Therefore, be it Resolved, that the Franklin Township Board of Education does hereby authorize the district purchasing agent to make purchases of goods and services entered into on behalf of the State by the Division of Purchase and Property and school districts, municipalities and counties, as detailed in the exhibit attached hereto and made part of the minutes. (Exhibit O-14)

MOTION

Moved: Mr.Trautmann Seconded: Mr. Arline

Motion to Table Resolution O-11 Appointments.

Vote on Motion

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

Vote on Resolutions O8 – O14, with Resolution O-11 tabled

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Arline	Burton	Danielsen	LaCorte	Nagy	Smith-Carrington	Trautmann	Whalen	Dr. Presley

O-15 Use of Educational Data Services

O-16 District Grant Submission

O-17 Board of Education Members Code of Ethics

Moved: Mrs. LaCorte Seconded: Mrs. Danielsen

O-15 Use of Educational Data Services

Authorize the Purchasing Agent to utilize Educational Data Services, Inc. contracts for services and materials.

O-16 District Grant Submission

Appoint Edward Q. Seto, Chief School Administrator, to submit all federal, state, and local grants on behalf of the Franklin Township Board of Education.

O-17 Board of Education Members Code of Ethics

Acknowledge receipt of Code of Ethics for Board of Education members as described in Franklin Board of Education Bylaw No. 9271, New Jersey School Boards Association Code of Ethics, and amendment to the School Ethics Act, C.178, P.L. 2001, as detailed in Exhibit O-17 attached hereto and made a part of the minutes.

Yes Yes Yes Yes Yes Yes Yes Yes Yes
Arline Burton Danielsen LaCorte Nagy Smith-Carrington Trautmann Whalen Dr. Presley

The Board read the Code of Ethics for School Board Members and the Do's & Don'ts for Board Members Based on the Code of Ethics.

ADJOURNMENT

Moved: Mr. Trautmann Seconded: Mr. Burton

Action to adjourn at 9:20 PM.

Yes Yes Yes Yes Yes Yes Yes Yes Yes
Arline Burton Danielsen LaCorte Nagy Smith-Carrington Trautmann Whalen Dr. Presley

Respectfully submitted,

John Calavano
Board Secretary