

TOWNSHIP OF UNION BOARD OF EDUCATION  
WORKSESSION MINUTES – JANUARY 8, 2019

NOTICE OF MEETING:

TO ALL BOARD OF EDUCATION MEMBERS:

The worksession meeting was held at the Administration Building, 2369 Morris Avenue, Union, New Jersey at 7:00 p.m. on January 8, 2019.

Mrs. Minneci called the meeting to order at 7:02 p.m.

PRESENT AT ROLL CALL:

Mrs. Sherry Higgins, Mr. Ronnie McDowell, Mrs. Nancy Minneci, Dr. Kalisha Morgan, Mr. Vito Nufrio, Mrs. Nellis Regis-Darby, Mrs. Linda Richardson, Mrs. Kim Ruiz, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

None

ADMINISTRATORS PRESENT:

Mr. Gregory Tatum, Mr. Gerry Benaquista, Mrs. Moses, Mr. Gregory Brennan, Mrs. Kim Conti, Mrs. Ann Hart, Mr. Craig Wojcik, Mr. Barry Loessel, Mrs. Maureen Guilfoyle, Mrs. Sandra Paul

ALSO PRESENT:

Nishali Amin Rose, Esq.

Mr. McDowell led the Board in the Pledge of Allegiance.

Mr. Brennan read the statement required under the “Open Public Meetings Act”, a copy of which is on file in the office of the Board Secretary.

Mr. Nufrio read the District’s mission statement.

APPROVAL OF MINUTES:

Minutes will be approved at next week’s meeting.

COMMUNICATIONS:

These are leaves, resignations and a retirement as more detailed in personnel.

SUPERINTENDENT’S REPORT:

Mr. Tatum stated next week we will have presentations by:

1. American Legion Speech Contest Winners
2. District Culture and Climate Survey (Sept-Dec 2018)
3. Presentation – Kawameeh Middle School

4. Presentation – Franklin Elementary School
5. Presentation – Financial Report by Auditors
6. Harassment, Intimidation and Bullying Report – first period

And then I will present any District highlights and activities for the last month. Since Mr. Arminio is no longer here, we have to determine who will be doing sports next week and retirements. I guess Mr. Benaquista will be our sports person.

Mrs. Regis-Darby stated that Mr. Arminio stated that someone also needs to take over the Relay for Life soon because it is June 1<sup>st</sup> somebody needs to get on it for the website and everything started. Mr. Tatum stated I'm not sure if that is something that is delegated by the President or whether it is a volunteer. Mrs. Regis-Darby stated he said it was volunteer. Mr. Tatum stated it could be a Board member or a district person. Mrs. Minneci stated if anyone is interested in that let us know.

#### EDUCATION/STUDENT DISCIPLINE COMMITTEE RESOLUTIONS:

Mrs. Regis-Darby presented the Education/Student Discipline Committee agenda and suggested that curriculum be put on a thumb drive so we don't waste all that paper and if anyone wants to see them they can come up to the office.

#### DISCUSSION:

Mrs. Regis-Darby stated E-3 – I noticed in the back-up that Dayton did not sign the agreement so I don't think we should vote on it until they sign it. Also E-5 – is this being implemented based on, and I know it is for the 2018-2019 school year, the numbers from the middle school because I know this is going to Jefferson School. Is that based on the middle schools? Is it a projection? Mrs. Conti stated no, it would be the other way. We are opening this class at Jefferson – so it is 4<sup>th</sup> graders who might have needs for the program. Mrs. Regis-Darby stated o.k. good.

Mr. Tatum stated is this an additional program or collapsing a program? Mrs. Conti stated we are not collapsing anything. This is establishing it. There has not been a BD program at Jefferson for the last few years so we may have need so in preparation for next year.

Mrs. Regis-Darby stated E-7 – the autism program at Battle Hill School – in the backup it says this is a program for K-4 and it says one class per grade but it contradicts the program and not classes so I want to make sure because it says the word “program” but then it talks about being classes for grades 1-4. That is a little bit contradictory. Mrs. Conti stated I would have to see it and take a look at it. Mrs. Regis-Darby stated I think all Board members should take a look at that first.

Can you give us a little more information about that program at Battle Hill because reading it I wasn't too clear on what the intention behind that program. Mrs. Conti stated our needs for the autism program – we have student needs that are growing and we will be shifting the needs for LLD. We have LLD programs at Battle Hill and now we are going to be adding an autism program as well because we have the need for that and that is where the room will be so that is why Battle Hill was selected.

Mrs. Regis-Darby stated can we clarify program versus classrooms K-4 because that is what it says in the backup and also something else that I noticed was in terms of the wording it is always mentioned “least restrictive environment” and when you see a 6-1-1 ratio or 12-1-1 ratio we just have to be mindful that those are not the least restrictive environment so when we are writing up our backups to be more. Mrs. Conti stated actually I think drafted that, the time you would write that before and we always are considering pro-placement for students in the least restrictive environment. For some students, the autism program may be the least restrictive environment so that is why in the back up we would say if there are non-disabled peers, they would be there for lunch, that would be the least restrictive environment and of course it goes to the County so they have the opportunity to review it as well. I also called the County and I always call the County beforehand as a courtesy to make sure we are on the right track so that is the reason the wording is there for that. I have had the conversation before.

Mr. Nufrio stated Mr. Tatum how many of the elementary schools also have an autism class or program? Mr. Tatum stated I believe that there are very few. Mrs. Conti stated there is Hannah Caldwell, Franklin, Connecticut Farms and now Battle Hill. Mr. Tatum stated we have 2-3 but for a while we only had it in one school. Mr. Nufrio stated so Livingston, Washington do not – is that correct? Mrs. Conti stated they do not. I’m looking at the backup it says “autism program for kindergarten through 4<sup>th</sup> grades” meaning that is the grade level we are establishing and there is a four-year age span that were allowed in the self-contained. Mr. Tatum stated I just want to clarify and Kim I think what we are saying here is you established this program but there may be students from around the District that qualify to be housed in that building – is that correct? Mrs. Conti stated absolutely. Mrs. Regis-Darby asked what was the cap on that? Mrs. Conti stated autism would be six but then you have to have aides it is a 3 to 1 ratio and you have to attach the job description to the County as well.

#### FISCAL AND PLANNING COMMITTEE RESOLUTIONS:

Mrs. Richardson presented the Fiscal and Planning Committee agenda.

#### DISCUSSION:

Mr. Nufrio stated F-10 – Mr. Tatum can you get some numbers possibly because that question will come up eventually. Do we have any? Mr. Tatum stated we should have it in the back-up – that is the normal procedure when we amend the list. Mr. Brennan stated it is about 149. Mrs. Conti stated it is around that but it could be plus or minus a couple. Mr. Nufrio stated I’m sure from last year to this year the number has changed. Mrs. Conti stated it is about eight.

Mrs. Regis-Darby stated but we are not reducing the numbers with that ESS program. I thought our numbers by this time would have gone down. Mrs. Conti stated there is service for 18 students and you have to be mindful that with them servicing 18 students – some have been in this program from previous years so you are not looking at numbers where we are minus 18 students – it is not how that would work. Some students have been there from 6 or 7<sup>th</sup> grade. I think they have done a really good job of maintaining the students in District. It is just as important to prevent students from going out of District as well as bringing them back. Mr. Tatum stated we have to add that it was amended to include the new student population that has entered the District. Over Christmas break – Franklin School – we received five new students

and two are out-of-district coming through the door – with IEPs. So you will need to amend the list to include those students who are now enrolled and that happens throughout the course of the year as well. If you look at the yearly total that is quite different than looking at how they come in monthly.

Mr. Nufrio stated ESS – will we get an update at some point and I do understand what you said that keeping students in District is just as important money wise as well. It is a sizeable cost out-of-district. But will we get an update from ESS at some point between now and the end of the school year. Mrs. Conti stated Mr. Tatum would you like them to? Mr. Tatum stated the other thing that is important about the ESS program is really to measure the accomplishments because that is a budgetary concern as everyone knows last year that we were able to get some funding and bring that program back because that was under consideration to eliminating in the budget last year. The effectiveness and we have started to see evidence of its effectiveness and that is the reason why we brought the program back. We also expanded that program to the high school so there is transition to the high school. As students get older we want to keep them in District rather than send them out because of all the other social activities that go on. I think that is well worth doing.

Mr. Nufrio stated in the first and second presentation the focus was more on how many students we could possibly bring back but it is also important to note that there were five students to be bound to be sent out and now they are not – so that is about a \$500,000 savings. Mr. Tatum stated if you recall that was part of the analysis when we sat down and looked at who the students that might potentially leave the District. The program itself was paid for by just not losing those students. Mr. Nufrio stated that is why an update would be advisable.

Mrs. Regis-Darby stated F-8 – what is the rationale for using so many vendors when we can actually purchase the same thing from one vendor and sometimes at a cost savings to the District. For example, Lakeshore Kaplan Premier – you can get the same thing from one of those vendors and probably for the same cost and probably even lower because using one vendor to acquire all of these things that you need. We were using seven vendors and they sell the same thing so what is the rationale? Mr. Tatum stated my own rationale – in approving these vendors because the contract doesn't require a bid process and if you have a vendor who does have one thing but not another you are able to have a variety of contractors to go through to purchase. You only spend money when you use the contractor. We can have 25 of them arguably but the whole idea is that when we are in a particular budget that we have to work from so sometimes the State contract prices are the same thing but if I can't find it in this one, and I find it in this one, I'm in a better position than going through a whole bid process. It depends on what you are ordering as well. Mr. Brennan stated the accumulation of the purchases – if you go above \$40,000 and you are cut off with that vendor so you need other avenues.

Mrs. Regis-Darby stated F-7 – which is a nice trip to the World Trade Center for Burnet Middle School – is about \$7,800 - I wanted to know is this for the entire school or a grade? It is a pricey trip. Mr. Tatum stated we will have to check on that. Mrs. Cappiello stated it is transportation. Mrs. Regis-Darby stated I know we can't take school buses across state lines so I know those buses are expenses but \$7,800 to 911 – take the train. Do you know how much learning they will learn from taking the train? I think that is a lot of money. Mr. Brennan stated

they are using an outside contractor for transportation. Mrs. Minneci stated the liability is high when you take public transportation. Mr. Brennan stated we don't have the folder with the backup yet. We will get back to you.

Mrs. Regis-Darby stated F-16 – can I comment on it? I noticed that we are still paying two attorneys. At what point is the Board going to decide – we hired one attorney so at what time are we going to say we are transitioning everything for that one particular attorney. We have an attorney and if the attorney that we have right now cannot do the job of taking over a case that was under another attorney then we need to do something about that but I think we have an attorney and all cases should be turned over to that particular attorney. If you can't do the job than that is a different story. Ms. Rose stated certainly I don't know the history of all of the cases that are pending in the District. We are prepared to take over any cases that are pending. I don't know the rationale on why some cases haven't been turned over. Occasionally it is more cost effective to keep a case that has been with an attorney for months or even years because for a new attorney to come in and learn everything about the case might be less cost effective for the District so that might be the case for some of them. I can certainly meet with the Board and the administration to go over any open cases and see if we can make sure that whatever cases can be transitioned in a responsible manner that we can do that so we can move to just one attorney just handling the cases.

Mr. Tatum stated I was under the impression that there was a transition meeting between the attorneys. Ms. Rose stated sometimes it is just a process that can take some time to make sure that if there is pending discovery dates or motion dates that all that is getting done timely.

Mr. Tatum stated I would like to add that I don't know what the outcome of that transition meeting and what was decided on who would be doing what. I do know that the meeting was held so maybe that is the next question that needs answers. What was the conclusion on who would be doing what? Ms. Rose stated we can certainly provide a list of all of the outstanding cases to make sure that everyone is aware of who is handling what.

Mr. Tatum stated both Gerry and I have gotten correspondence and updated Lester on those items that we knew were open and possibly he was handling but the whole list is a separate discussion that we need to have.

Mr. Nufrio stated you said there were other attorneys – I looked through the list and I saw only Florio et al. Mrs. Regis-Darby stated the other firm was listed on there also.

Mrs. Ruiz stated F-16 – my questions are about the actual billing. You have about 6-7 matters that you are billing separately and then I saw what it appears to be a mixed billing. I saw items that to me seemed liked it should have been billed to the Lowery matter and were billed under the general matter. Ms. Rose stated a personnel matter. Mrs. Ruiz stated matter 6 versus matter 1 which is your general advice matter so that raised a concern to me because I don't know if we are duplicating work anywhere. Ms. Rose stated I can make sure that everyone who is working on a file knows that it needs to be billed to a specific place. It should certainly already be done like that so I apologize if there are some entries that aren't like that but everything should be billed to a specific matter unless it is a general employee-personnel – a matter that

would fit under the general matter number but I will make sure in the future that it is all separated in the way it needs to be.

Mrs. Ruiz stated I see a matter 1 and then a matter 1d – I’m not sure what the distinction is but in the account that is labeled 1d matter I see entries that review to a LAD matter – research on LAD matter – I don’t know what LAD matter it is. We have two LAD matters pending so for me if you had done the research on one LAD matter do you really need to do research on LAD again. Ms. Rose stated maybe to be more specific – just because it is a LAD matter it certainly doesn’t mean it is the same for both matters. Maybe it was a research of a different specific issue but I can make sure that everyone is very specific in what they are noting in the bills so it can say exactly what is being researched so it is more transparent to you. Mrs. Ruiz stated if I see three hours going into research on a LAD matter and I’m saying that is exactly the entry and then I see another three hours on another matter for a specific case of litigation that is a LAD claim I’m wondering why we researched the same issue. Ms. Rose stated I don’t know specifically to what you are referring to but my guess is it was for a different specific facet of the LAD for each specific cases but I will make sure that it is specified in the bills so you are aware of exactly what was being done for each of those cases and that you are not getting the same research being done twice.

Mrs. Ruiz stated there are other entries to me and I’m looking as the client I’m thinking these are not clear enough for me. I see “conduct additional alternative research regarding issue raised” – I have no idea what the issue is – who raised the issue, what prompted you to do the research – so that was only an entry for an hour but when I look at other entries that are vague the same the hours start to add up. So when I see “compose answer to partner regarding legal questions raised” – again another hour and having no idea. Ms. Rose stated sometimes some of it is kept vague because they are subject to public records requests and we want to make sure personnel issues are not made public if any of those were to get released. Mrs. Ruiz stated say for example “conduct additional alternative research regarding issue raised” – can you say “regarding issue raised about harassment in the workplace” – identify the legal issue. Ms. Rose stated we can certainly be more specific if that is how you want the bills.

Mrs. Ruiz stated when I see entries that say “review email from client” or “conference from client” – who is identified as the “client” when you are billing for it. Ms. Rose stated it could be either a member of the administration, something raised by the Board President, it is anyone from the District.

Mrs. Ruiz stated I would just like to see more clarity in the billing entries so we know better what exactly is happening and that there is no cross billing between matter numbers. This way we can keep track even for purposes of fiscal/operations so we can see at the end of the year how much did this litigation cost us versus general counseling and advice. How many phone calls are we making? Do we really need to look into all those issues.

Mrs. Richardson stated F-4 – appropriation transfers – I couldn’t find the attachment. Mrs. Cappiello stated it went up last night – around 3:30 p.m. when I got it. You will see when I put things up late I will put a date next to it so you know when it has been uploaded.

**OPERATIONS COMMITTEE RESOLUTIONS:**

Mrs. Richardson presented the Operations Committee agenda.

**DISCUSSION:**

Mrs. Richardson stated we have a discussion item - Request from NJ Baseball Umpires Association to use the Union High School Cafeteria on April 9, 2019 from 6:00 p.m. to 9:30 p.m. (certificate of insurance to be provided).

Mrs. Regis-Darby stated I'm still confused if there is a rental fee charged – does that fall under that? Mrs. Minneci stated Mr. Brennan are you looking that up because Mrs. Darby wants to know how it fits in those schedule of fees.

Ms. Rose stated obviously non-profits are first and whether it is local to the District and Tier 2 is non-profit and not local to the District and Tier 3 is the profitable companies or corporations.

Mr. Brennan stated Tier 1. Mr. Loessel stated this is something for Linda Ionta. Mrs. Minneci stated it is dealing with training our people in Town to umpire for our schools. Dr. Morgan asked just our umpires or the others. Mr. Loessel stated I'm sure they do other games but most of them do our games. Mrs. Minneci stated so they are umpires we generally use.

Mrs. Regis-Darby stated someone needs to sit down with me one more time because I don't know if anyone else is still confused about the schedule but I'm still a little confused on it.

**PERSONNEL COMMITTEE RESOLUTIONS:**

Mr. Nufrio presented the Personnel Committee agenda.

**DISCUSSION:**

None

**POLICY COMMITTEE:**

Mrs. Richardson presented the Policy Committee agenda.

**DISCUSSION:**

Mrs. Richardson asked is there any discussions that needs to be said because there were three versions of it and the last meeting I wasn't here and it was determined that this final version brought the other two versions together.

Mr. McDowell stated I think you might want to read it – just where the changes were made – the third paragraph.

Mrs. Richardson read the revised third paragraph of File Code 9130/Bylaws - Committees from the December 18, 2018 discussion.

“The president will from time to time appoint such special committees as the business of the board may require. These committees shall consist of not fewer

than two members and shall function only for the specific purpose for which they have been appointed. The Board President will convene an ad hoc committee of up to four (4) members who (in conjunction with the Superintendent and the Board Secretary/Business Administrator) will cooperatively review each of the RFPs which have been properly submitted for consideration of Professional Services and jointly submit recommendations to the entire Board at the monthly worksession meeting for thorough discussion, before listing those items on a voting agenda at the monthly regular board meeting.”

That was the only section that was changed.

Mrs. Regis-Darby stated on the 18<sup>th</sup> was our meeting where we discussed these two policies 1A and 1B and when I saw the agenda I had to say I was very disappointed to see that the president, the vice president and the superintendent would try to censor my voice as a Board member because I believe we had eight people present at that particular meeting, maybe seven, and as a group, as a Board everyone agreed that they were going to move forward with policy 1B with the changes from “time to time” being removed and from “shall” to “will”. Our attorney was present and everyone had an opportunity to ask questions. Everyone agreed after Mr. Arminio presented the policy to everyone, everyone agreed, everyone had the opportunity to ask questions, no one did, the attorney said the policy can be put on the agenda and you can look at minutes from 49 to 54. Our attorney said we will put this on the agenda for the second reading and I believe we have a policy that says “there and only there can a board member now say he or she has more questions about this particular policy”. I was very disappointed that the president, the vice president and the superintendent tried to censor my voice as a Board member to say that what I said doesn’t matter as a Board member or basically what six members on the Board agreed to do doesn’t matter. My question is who allowed this both policy 1A and policy 1B to be back on the agenda again. Why was it placed back on the agenda? Who made that decision?

Mr. Tatum stated I’m going to say openly that this returned on the agenda before either of these two folks took office. Secondly when I was told, as I have been told many times by our attorney that this was going to be on the Board agenda, Mrs. Cappiello came in and talked to me and I asked her why and obviously there were some discussions with Mr. Brennan, Mr. Nufrio about what happened at that last meeting – maybe I’m mistaken about you but I can tell you that I was told and I just had a conversation with Mr. Taylor earlier this evening that he is the person who is taking responsibility for this being on the agenda. One of the things that I said and I said this to Mrs. Cappiello the other day – I’m really getting tired of the fact that I have to sit here and listen to anyone suggest that we are doing something improper when are people putting this on the agenda and they are not communicating with me about it. That has happened far too many times. I have to sit and take the heat for those things. I am going to say something here tonight and I’m going to say it with the Board President and Vice President here with me now – I don’t want anything going on the agenda that I don’t know about anymore because I’m tired of taking the responsibility for this. I really am. I am sick of it because it would appear that the Superintendent is doing something. Many times the Superintendent is being circumvented and that has to stop because unfortunately you are absolutely right there is policy that says there are three people that cause the agenda and when there is something put on this agenda and once it is on the agenda, there is another policy that says it can only be changed at the discretion of the

Board President. Here it is an agenda established and I'll tell you right now, the agenda was already established because Mrs. Cappiello came in to see me – these two folks weren't in office yet so in all fairness I had a courtesy meeting with them on Friday just so that they could review the agenda prior to going online. You received the call from the attorney saying that needed to go back on the agenda because there was some question as to whether or not you guys had a consensus at the last meeting.

Mrs. Regis-Darby stated if you go back to the minutes and the video or Mrs. Cappiello's minutes – minute mark #49 onto #54 – it clearly says and the attorney clearly says that we agreed as a Board so this policy will be set on the agenda for the second reading and everyone on that Board who was present that night had an opportunity to ask questions. When Mr. Dave Arminio said first policy 1B was brought up to the agenda, it was voted, then Mr. Arminio suggested that we take out the words "time to time" and from "will" to "shall" – at that time every Board member had the opportunity to ask questions about that particular questions. A few Board members asked questions and then our attorney said that policy 1B not 1A and 1B – 1B will be placed on the agenda. Like I said in the beginning, obviously you said it wasn't Ronnie or Mrs. Minneci who placed it on the agenda but it was wrong. It was wrong to be placed on the agenda and that should not have been done and when you do so I feel as a Board member you are censoring what my responsibility is as a Board member to the stakeholders, to my own kids who are in this District and to every stakeholder in this District.

Mr. Tatum stated moving forward that stops tonight. If something like this comes up I will have a discussion with the respective parties to ensure that it doesn't happen anymore because I have said it at a number of meetings and I have listened to these issues come up time and time again and it is always the Superintendent, you are responsible for this, regardless of who does what – you are the person responsible for this. This action has to stop because I'm tired of taking the hit for things that people will do that undermine me as a Superintendent. Enough is enough.

Mr. McDowell stated what we have in our hands tonight is just the evolution to the last page. The first page is just what was adopted December 2016, the next page is Jeff Monge blackline, then Vito Nufrio blackline and the last page is the discussion from 12/18. If anything next week, this is the one that we will be voting on. This is the one that we should be discussing tonight. Mrs. Regis-Darby stated I just wanted that to be clear. Mr. McDowell stated I just want to make it clear that nobody is trying to sensor you. We are not disregarding anybody's opinion about anything. I was there at the last meeting but I was not on the Board at that time. I was there and I think Dave Arminio was the last one to make these suggestions and I think this is o.k. the way it is now and if everyone can agree on this than this is what we will vote on next week.

Mrs. Regis-Darby stated this went in a direction that it was not supposed to go because the Board said what they wanted. Mr. McDowell stated and what they wanted is here. Mrs. Regis-Darby stated it is in here and it was in here and I think it was disregarded. I think somebody made their own decision and had their own agenda of what they wanted to do. Mr. McDowell stated we can agree to disagree.

Mrs. Minneci asked if there are any other discussions – this is the time. This is the time to work this out if there is anything else that anybody wants to say, add, delete, this is it because if it goes on the agenda next week for us to vote that is it. If there are some changes that need to be made, this is the time to do it.

Mr. Nufrio stated with regards to the two that were placed on the agenda which was a draft that I prepared and one that was prepared by another Board member. I simply stated that being that there is a new Board coming in – three new members – they should have an opportunity to not only analyze, review and discuss the contents of what the bylaw states and my only input was that “from time to time” should remain because it is actually part of the previous language within that paragraph and it is not necessary to mandate that the president should always have to put together an ad hoc committee – that is a complete deviation of what the intent in the spirit of this bylaw is. As we all heard numerous times that not all professional services require such in-depth review but from “time to time” does not in any way negate or weaken any of the spirit behind the actual bylaw. The additional aspects which I also saw the video since I was home sick that Mr. Arminio preference his comments with that he believed that the draft, although he did not name me as the drafter, was more specific, more detailed because it involved the superintendent and the Board Secretary which essentially should be that way. Then I heard the discussion back and forth and it almost took away the opportunity for the new Board members, yourself included Mr. McDowell even though you are not new, to have an opportunity to have input into it as well to see what the proposals would actually address. I did speak with Mr. Taylor because I was still president and I called him and asked him why would there be a modification of both drafts or unification of both drafts and a modification when the new Board members really didn’t have a chance to even view what they should be viewing so that they have their right to make a decision and have input. I also pointed out to Mr. Taylor that in the video the word “consensus” was used multiple times yet there was no consensus conducted and Mr. Taylor you are here this evening – I don’t know if you want to sit there or sit in your position with your Associate, I would ask that you have some comment on this.

Mr. Taylor stated good evening Board members. Please excuse me for being a bit late I had a scheduled conflict this evening. Mr. Nufrio is correct. He gave me a call after the Board meeting. I believe I was in the car going from one meeting to the next. He referenced that he watched the video and there seemed to be some confusion in terms of whether if there was a consensus or not with respect to the version that was going to advance for second reading. My response was simply that the first reading and second reading is not that complicated; that changes could be made to the second reading even at the second reading. To the extent that there may not have been an actual consensus because only 3 of the 7-8 Board members were actually talking; I said simply just put them both on the agenda and we can have the same conversation at the second reading and whatever version gets voted on, it gets voted on. That was my suggestion because quite frankly it is not that complicated. It wasn’t intended to disenfranchise any former Board members, it wasn’t intended to silence or stifle any current Board members, it wasn’t intended to bifurcate or get around any process – in fact it was very transparent because that was what was explained to the administration, to the new Board President, to Ms. Nellis when we spoke on Friday night at 10 p.m. – on Friday we had this conversation, I had a drink in my hand I don’t know if she did but the reality is to the extent that it created more confusion, I will take responsibility for it. However, it did not change the process. It is not an illegal/unethical

process. It was simply one in which the Board is somewhat divided on the issue so I recommended that rather than have – this is the Board’s conversation now respectfully – the conversation in between Board meetings – just put them both back up there so we can talk about it and which version you want to move forward and which version will be voted on and reminder that it needs 2/3 majority vote of the Board to be adopted because it is an amendment of an existing bylaw. That is really the answer in full honesty and transparency to everyone here.

Mrs. Regis-Darby stated our policy also states and yet I do believe and agree that everyone who was present at that particular meeting agreed to put that policy on the agenda. There was no objections from any one that was the first thing. The second thing and therefore I believe that policy 1B should be placed on the agenda. At that time when that policy is on the agenda, every Board member now also has another opportunity to say I want changes or I agree. Mr. Taylor stated correct. Mrs. Regis-Darby stated for me if someone wanted to get their way, that policy 1B should have been placed on the agenda and if anyone else, any Board member, had questions at that time they were able to ask those questions again and make changes at that time. Mr. Taylor stated you are absolutely right and I’m conceding that you are right. As I indicated I was on the go and I simply said hey you know what it sounds like it is easier to put them back up there and we would give the same explanation and shouldn’t be much of a problem. Hine sight being 20/20 – now I’m getting to know the culture of this client right now and is a phenomenal, flavorful culture and you know better, you do better and understanding this I will make those judgement calls assuming that it won’t be a big deal – we will say keep it that way – simple as that but this is not one of those that it is irreparable so to speak.

Mrs. Ruiz stated obviously I wasn’t here for the discussion about the version of the policies – my question goes more towards the lack of communication with Mr. Tatum. My concern is that this was added back on the agenda and he had no idea so he as the head of the District I feel should be told that. Mr. Tatum stated with all due respect I was told but I was told by Mrs. Cappiello and my question was why? But there have been times when things have appeared on the agenda and I find out about it the same time you do. Mrs. Ruiz stated my greater concern is that there should be transparency for the entire Board so if an issue is brought to you by a Board member that Mr. Tatum should absolutely be kept in the loop. Mr. Taylor stated you are absolutely right. Mr. Tatum and I speak probably daily. This was an issue that quite frankly since it fell in the realm of governance, he really doesn’t have a horse in this race so to speak. That is why I didn’t give him the heads up because it didn’t affect the administration – this was a governance issue for the Board. That is only reason I didn’t call him. I very familiar with the Code of Ethics with respect to the Board voting upon a recommendation of the Chief School Administrator – this is one that you don’t need his recommendation so that is why I didn’t think enough to bring this to his attention – that is why and that is all.

Mr. Tatum stated just one comment I like to make Lester is the unfortunate part to me and you and I have had this conversation about other issues – that when I sit at this table I have to listen to members of the Board of Education kind of take me to task on the fact that I am one of the people that cause the agenda to take place. So when an item appears on the agenda, they want to hang me from the neck because it is on the agenda and yet consequently I’m not made aware of the fact. I have said moving forward anything that is going on the agenda that is amended beyond – I need to know because at the end of the day I will have people sitting around

the table say you let this happen. You work for us and we are going to tell you and I'm not going to accept if I didn't have the heads up. Mr. Taylor stated she requested and I suggested and we said it at the same time that I'm not ever going to even ask her to sharpen a pencil without speaking to the Gregs first. It wasn't meant to offend or to spite him it was just a governance issue amongst the Board and that is really what it all was – simply as that.

Dr. Morgan stated in most districts, the Board President sits with the Superintendent and the two form the agenda – do you have that opportunity? Mr. Tatum stated we do that. This was after the fact and again I said was we also have a policy that states very clearly that once the agenda is set it can only be changed with the permission of the president and so that being the case I guess that is called a loop hole but that may be the avenue in which it can be done. Dr. Morgan stated if it is changed are you notified? Mr. Tatum stated a couple of times the answer is no. My issue is that if you guys are going to sit here and say to me and no disrespect to Mrs. Darby that her rights are being taken away – I don't want my name attached to that because I'm not taking away anyone's rights. If anything mine are being taken away. I'm held accountable for what other people do and that is why I defend the people sitting here because they weren't in that position – as a courtesy they hadn't even seen the agenda. As a courtesy I said let me bring them in on Friday.

Mrs. Regis-Darby stated there are a whole bunch of policies in front of me. At next week's meeting which policy will be in front of me as a Board member? Mrs. Minneci stated I don't know Mrs. Richardson, you can correct me, I thought it would be the last one and if there is anything anybody would like to put out there to change, add, delete whatever this is the time to do it. This is the one that will be on the agenda for next week. Mr. Tatum stated the bottom line is it is in your hands now. You will determine which one is going to be on. As long as I know which one is going to be on I will be happy so I don't get beat up for it being some other than what you are saying tonight.

Mr. McDowell stated this one will be on and we will talk about it again. Mrs. Minneci stated I think we should talk about it now. Mr. McDowell stated 12/18/18 discussion blackline. Mrs. Minneci stated to me the other ones are quite similar except for the time to time. On this one the only thing that I would suggest is if we add “as needed”. That is my opinion. I'm throwing it out for discussion. Where it says “the board president will convene an ad hoc committee of up to four members in conjunction with the superintendent and the board secretary/business administrator as needed and will cooperatively review each RFP which has been properly submitted for consideration”. So there might be two that are very similar and that is my opinion. I'm throwing it out there – you guys are all here to discuss it.

Mrs. Regis-Darby stated my opinion is the words “time to time” and “as needed” is the same thing. When I go visit my kids in classrooms and they go “time to time” “as needed” it is the same thing. Mrs. Minneci stated I personally feel everyone is entitled. Mrs. Regis-Darby stated those words are the same – they don't mean any difference, they are the same.

Mrs. Ruiz stated for purposes of point of reference, the goal of this when being revised to ensure that an ad hoc committee was created when an RFP was presented so that the ad hoc

committee could review the RFP – was that the goal in mine? Mrs. Minneci stated to me I think it was. I don't know if we always need to have an ad hoc committee.

Mrs. Ruiz stated in my opinion, if the goal is to have an ad hoc committee put together for purposes of reviewing RFPs that have been properly submitted for consideration then the language should say "will" and not "as needed" – the goal is to get ad hoc committee every single time there is an RFP. I think the changes of "shall" and "from time to time" to the hard "will" which means you have to do it rather than you have a choice to do it. The goal is to do it every single time then it should stay this way. Not "as needed" because "as needed" gives you room not to put it together. Mrs. Minneci stated I don't feel that we always need to have it but that is my opinion and that is why I'm throwing that out there because I don't know if we always have to have one but that is my opinion.

Mrs. Higgins asked aren't there certain circumstances in certain RFPs where it isn't necessary so I think "from time to time" is a nothing phrase.

Mrs. Ruiz stated I personally cannot imagine an instance where it isn't necessary to review committee with an ad hoc committee. I think that ensures a thorough review of the RFP and that there is absolutely no favoritism and that every single vendor has been considered in the RFP process. I am wondering when there is a time when you think we wouldn't.

Mrs. Higgins stated I think there were some discussions and I don't recall because I wasn't involved in it. Mr. Brennan are there certain situations or RFPs where it wouldn't be necessary to have an ad hoc committee where it would be black and white like after you reviewed it and evaluated it that it wouldn't need an ad hoc committee for further evaluation or do we always need an ad hoc committee. Mr. Brennan stated you quoted a statute or a code to me that really doesn't require an RFP for professional services. I think that is the way to go because it involves a committee and there is an informed decision made, recommendation is made to the full Board and then you vote on it.

Mr. Taylor stated there has been a number of conversations that I have had with various Board members, various administrators, etc. Legally pursuant to Title 18A – this Board, every board in the State of New Jersey, does not have to have a separate ad hoc committee to review RFPs. A lot of districts will have RFP review by finance because it deals with the procurement and spending of money. Some RFPs depending on the nature may be reviewed by the facility committee – like architect and engineer. They deal with buildings so that committee would look at it. So you don't have to have a separate ad hoc committee for that particular RFP. The definition of ad hoc committee is for some special issue, committee reviewed it, when the business of that committee is over, the committee dissolves. It almost seems like you want to create a separate standing committee because RFPs are not always on the same schedule. With respect to the procurement of professional services, that is the only time you can use the Request for Proposals or Qualifications process – Title 18A-7 that exempts public bidding – price – lowest responsible bidder being the controlling factor with an RFP is the price and other factors. You don't have to go with the lowest responder. You don't need the recommendation of the administration for your professional services. Is it advisable or helpful to take into account their professional experience and recommendation – yes it does but you don't have to have it. In

some language of your policy, you give away some of your rights by vesting the power in the BA or Superintendent to make a recommendation versus they be Board recommendations. All of this is within your power, your control, your discretion as a Board to decide. Whether you create ad hoc committees or delegate to an existing standing committee or if you do it as a committee of the whole, it is your business, your prerogative. There is no right and no wrong in this instance.

Mrs. Ruiz stated thank you. I understand that this statute still doesn't require us to have it but I think it is best practice in my opinion to have an ad hoc committee and I don't think it should be a standing committee because the 3-4 individuals could be different every single time. Whoever has the time or wants to volunteer or is interested. Whatever that would be but I think it is in the best interest of our District if we have members who are part of an ad hoc committee when the RFP is properly submitted to review the RFPs and to ensure that we have made an informed decision and that we have been fair in the process and that we looked at all the vendors that have put in RFPs and give them a proper analysis to each one. When we leave that in the hands of just one person or too many people quite frankly it becomes problematic but if you create an ad hoc committee with that specific goal and just dismantle it when you are done it could be a completely different set of people the next time around we ensure frankly better choices are being made with respect to vendors which I think is a critical issue in this District.

Mr. Nufrio stated maybe we can bring this all together. Obviously what I'm hearing is the vagueness of the RFPs meaning which RFPs are we talking about that would prompt the president to form an ad hoc committee. I'll use that word prompt – formulate. How about if you were to consider or we were to consider identifying which RFPs should have an ad hoc committee to work jointly with the superintendent and the business administrator. That would clarify...I would appreciate not being talked while. It is the Board's decision. Mrs. Minneci stated excuse me when it is time for comments from the public – you can make your comments then.

Mr. Nufrio stated obviously it is an important decision. Basically what I'm suggesting is how about if we were to consider within this draft identifying the specific RFPs that would take into consideration a better process obviously rather than just say o.k. this RFP came in and put together a committee and let's get together with Mr. Brennan and Mr. Tatum and start working on it which is manpower. If that is doable we still have time to formulate this concretely to identify specifically the RFPs – that is my suggestion. Because ultimately we, the Board, make the final decision, whether it is a one man decision or in unison with other people to say yes or no when we finally vote on it and that has always been the case. Is that correct Mr. Taylor? I don't think that will ever change – that we have the final say. If we left it up to Mr. Brennan always, we can always say no – five votes say no and he goes back to the drafting board. Rather than make that more and more complicated let's make it more syncing if we can identify – I think that would be helpful if not whatever the majority of the Board decides to do that is what we will do.

Mr. McDowell stated what kind of adds to what I see as confusion now is that paragraph is talking about two situations where there is an ad hoc committee. The first two sentences “..special committee as the business of the board may require” – that can be anything. Then we

are talking about “from time to time” that deals with RFPs specifically – I think may be that should be a separate paragraph and then you can almost leave it as it is but rather than name each one I think to be saying what it says now “professional services” we need an ad hoc committee for professional services. If we simply split this into the two committees we are talking about – one for special committee as the business requires but then there is another time when the board president will convene an ad hoc committee for professional services RFPs.

Mr. Nufrio stated I understand what you saying Mr. McDowell but from what I was listening and hearing from Mr. Taylor is that and perhaps I misunderstood – are all RFPs/RFQs required to have that type of process and I believe you said not really. Mr. McDowell stated it is up to us. Mr. Nufrio stated it is advantageous to think about it obviously but I still maintain that if we identify the specific services that nobody will have a question later on.

Mr. McDowell stated I think it will make it a little more difficult down the road if something out of the ordinary comes up. Mr. Nufrio stated we can change it. Board members stated no. Mr. McDowell stated I do think we are o.k. with it is as it is and even as Mrs. Minneci was saying “as needed”. The last two words in the first sentence there says “may require” and to me that says the same thing as needed. But then that paragraph should end at “has been appointed.” And then a new paragraph will begin “The board president will convene an ad hoc committee...will cooperatively review each RFP for professional services...” that is another paragraph. Mrs. Minneci stated separate them. Mr. McDowell stated right when the president may want to convene an ad hoc committee or whatever this professional services RFP is. Mr. Nufrio stated you said “may”. Mrs. Regis-Darby stated “will”. Mr. McDowell stated I’m sorry “will”.

Mrs. Regis-Darby stated can you just go for clarity again – where are we breaking the paragraph? Mr. McDowell stated do you see the third line the last word is “appointed”. Now begin a new paragraph “The board president will convene an ad hoc committee of up to four members and review the RFPs which have been properly submitted for professional services...”

Mrs. Minneci asked any other comments, suggestion? Mr. McDowell stated we still have that flexibility for special ad hoc committees in the first paragraph because it says “from time to time may require” and then for RFPs it says “will”. Mrs. Ruiz stated the first paragraph says “will”. Mr. McDowell stated right “will from time to time”. Mrs. Ruiz stated it just says “will”. Mrs. Minneci asked are you looking at the blackline? Mrs. Regis-Darby stated so we are removing the words “from time to time” up there also? Mrs. Minneci stated no we are leaving that there and that will be a separate paragraph. The other one where it starts “from the board president”. Mrs. Regis-Darby stated so we are going to remove that “time to time”. Mr. McDowell stated yes. Mrs. Minneci stated that will stay the way it is except is going to be a new paragraph. Mr. McDowell stated and “time to time” will be gone. Mrs. Regis-Darby stated and the word “will” will still be there. Mr. McDowell stated correct.

It has been suggested that we read this new version so that there is no confusion and I’m reading from 12/18/18 discussion blackline – third paragraph.

“The president will from time to time appoint such special committees as the business of the board may require. These committees shall consist of not fewer than two members and shall function only for the specific purpose for which they have been appointed.

The Board President will convene an ad hoc committee of up to four (4) members who (in conjunction with the Superintendent and the Board Secretary/Business Administrator) will cooperatively review each of the RFPs which have been properly submitted for consideration of Professional Services and jointly submit recommendations to the entire Board at the monthly worksession meeting for thorough discussion, before listing those items on a voting agenda at the monthly regular board meeting.”

That is two paragraphs. Mrs. Minneci asked are there any other questions from any other Board member or comments. Any Board member have any comment – we are good? This is the time. We will move on.

Mrs. Regis-Darby stated this new version will be presented at our meeting next Tuesday. Mrs. Minneci stated next Tuesday. Mrs. Regis-Darby stated thank you.

#### RESIDENCY COMMITTEE RESOLUTIONS:

Mrs. Williams presented the Residency Committee agenda.

#### DISCUSSION:

None

#### TECHNOLOGY COMMITTEE:

Mrs. Higgins stated there was nothing to report as this time.

#### APPROVAL OF BILLS

Bills will be approved next week.

#### UNFINISHED BUSINESS:

Mrs. Regis-Darby stated any updates with the partnership with the ACE mentoring program. I know we had the presentation a while back. Where do we stand with them?

I think in the past we talked about it but I just wanted to know if we have a different accountant for special services? Mr. Brennan stated in district yes – Connie Krupa.

Mrs. Regis-Darby asked is it possible if we can send out the RFP for food services at the end of January and not in February? Mr. Brennan stated I just put out for a template for that because we don't have one existing because we have been with the same company for 50 years. I reached out to NJASBO to get a template from other business administrators and once we modify that I will forward to Lester. I am hoping end of January but I did say I never promised I said end of January beginning of February but we will have it out in plenty of time.

Mrs. Regis-Darby stated my next thing I know in the past before our last attorney there were times when we did not and there are times that we did have the attorney present at the agenda review – do we need an attorney present at the agenda review? I was looking at the bills and for a 2-hour agenda review it was \$400. Mr. Tatum stated may be from time to time.

Mrs. Regis-Darby stated I'm just curious because \$400 for two hours – I'm just saying. Mr. Tatum stated we had a discussion about this the other day.

Mrs. Regis-Darby asked if we could have an update on RTI which is response to intervention. How many students are currently in RTI and can we have any benchmark data to show whether or not our students are moving from each tier and what do those results show so we will know if the program is actually working. We spend a lot of money every summer to send our teachers and our administrators out for training on RTI and I just want to know if the program is actually working. What is the benchmark, what is the data saying? Are we moving kids from tier two back to tier one because obviously you can't do tier three here yet?

The freshmen honors English class at the high school – I know the parents were required to buy the book for the last reading – it is part of the curriculum because I was looking at it so why did the parents have to purchase those books for the honors English class? Mrs. Moses stated I believe that book was spent outside of what was purchased for that and we decided to use and teachers wanted to go above and beyond that which was outside of the budget. After speaking with students and teachers working with the English supervisor, they said let's use that and ask kids if they want to buy that book.

Mrs. Regis-Darby stated sometimes we don't think about it but there are some kids who are displaced, homeless students – even if it's \$7-8; that is a lot to a family so we have to take those kids into consideration. Mrs. Moses stated we did take that into consideration. Those that could not were not penalized for that – they were able to get that through other ways.

Mrs. Regis-Darby stated I know that we have a policy in place that only the president can speak to the attorney and sometimes I think other Board members do have questions and I think the attorney works for the Board and not just the president. I feel like that policy in place where only the president can call the attorney – obviously if you look at the fees that we have been having – I think we need to take a look at that policy. Sometimes Board members do need to talk to the attorney like I did. Mr. Taylor stated I didn't charge you like I told you. Mrs. Regis-Darby stated I know but I did feel at that time as a Board member I had a real concern because I felt like my voice was being censored and I needed to talk to the Board attorney because he represents me and I felt like I didn't have an opportunity to do so without him charging me because I can't talk to him because as a Board member I can't do it.

Mrs. Minneci stated I might be wrong but if you call me I can say yes you can. Mrs. Regis-Darby stated I think we should take a look at the policy. Mrs. Minneci stated I think it what it is – it is so that there are not so many people calling him at random. Mr. Taylor stated to Mrs. Minneci's credit she already addressed one of your questions - she assumed the office and position of president and she implemented a new procedure with Mr. Tatum that I will be “on

call” if needed for the agenda setting meetings. I will not be attending agenda meetings anymore and quite frankly to control costs. When I got on board that was the practice. They looked at it and said you know what they will call me when needed and that will help control costs. I am in full favor of that.

With respect to all Board members calling the attorney – we bill by the hour – we charge you for services rendered. There are accountability regulations in Title 6A that actually prohibit all nine Board members from calling the attorney because there have been practices where it was abused. If you all call me for 20 minutes about your own individual fishing expedition, that costs your taxpayers a lot of money. The accountability regulations require that there be designated Board members but also administrators that can call the attorney. It is standard president, vice president, it is typical of a specific chair of a committee, maybe personnel or finance or something but it is within your discretion to identify those people and it is not uncommon to have a situation where board members run questions to the Board president – that is also done but within your discretion. Whatever you do make sure your policy reflects it. Mrs. Regis-Darby stated I think that is something that we should look at.

Dr. Morgan stated I have a question concerning the special accountant for special services. Why is that necessary? Mr. Tatum stated I believe when that was put together and it is not brand new – it seems because there was such an escalation of costs and getting out of control, someone was put there to monitor the day-to-day and the spending that was going on in that department. I will say this, I have seen that having Mrs. Krupa there, has been a very strong support to all of us because when we are dealing with our business office, those records have to coincide with their records there and I think there was a point where that got out of control – especially in the budget preparation. The person that we have there does a fantastic job as far as keeping all of the accounts up to date. She is truly on top of everything. Mr. Brennan stated in finance tonight we spoke about many things but one was the special education budget which was \$38 million – it is a big number out of \$130 million operating budget. Connie does a great job. Mrs. Conti stated some districts that are smaller in nature and not as sizeable and the amount of money that is spent in our district, we are the largest department in expenditure. Some is handled through the business office and I believe those things being so large on the business side to branch out with the accountant just to handle the costs and it is great to have somebody that really takes a look at that. It’s not that the director can’t do it nor the business office but when you really have somebody examining the out-of-district bills and making sure that you are getting the money that is returned – the tuitions that you owe money.

Mrs. Regis-Darby asked can we have that person present that budget to us before we approve that piece of that. I would like to know so many things – I have certain questions. Mrs. Conti stated that is up to Mr. Tatum. Mr. Tatum stated I will think about it. Dr. Morgan asked do you have a job description for this person. Mr. Tatum stated it should be a basic accountant. Mrs. Darby that won’t be a problem. Mr. Brennan stated she is a CPA/accountant that works outside the business office and works in special services. She could be in the business office and doing the same thing. The location is in special services. Mrs. Conti stated I heard that we are in the top 25 districts in returning our revenue – really having somebody as the demands of the department increase – it is really nice to have somebody taking a look at that and she certainly has brought back the revenue.

Dr. Morgan asked is there an accountant in the business office also? Mr. Brennan stated yes.

#### NEW BUSINESS:

Mr. Nufrio stated I drove by the other day and I saw the flag was half-mast was that for the young child? Mr. Tatum stated that was a mandate from the Governor. Mr. Loessel stated one of the congressmen passed away.

Mrs. Minneci stated today I was invited to go to Hannah Caldwell by Mrs. DiGiovanni to visit one of the second grade classes. They did a whole project on recycling. It was Mrs. Castner's class. The assignment was to use things that you would recycle – like cereal boxes, water bottles, egg cartons and to make it into something that was useful. They did such a great job. Everything you could imagine, they did and they wrote a little story. They read me their stories. They showed me their projects. They made pencil cases out of water bottles; storage stations for their books. They showed me their favorite book. It was adorable and it was so nice to go around and see these great things going on. These second graders- our G&T program is going to be pretty full when they get into the 5<sup>th</sup> grade.

Mrs. Regis-Darby stated as you know I have been talking about the pre-k and I'm happy to see that we do have pre-k and also the future ready which I'm really excited about. My new mission in the next year is to get a dual language classroom. I will always for the next year keep reminding the Board that we should implement the dual language starting at the kindergarten level. We should really think about incorporating a dual language program starting at kindergarten.

#### COMMENTS FROM THE PUBLIC:

Mrs. Lipstein stated my first question is have you assigned the committees? Mrs. Minneci stated we are working on that. Mrs. Lipstein stated the committees tonight?

Mrs. Minneci stated they were from last year and beginning next month will be new committees. Mrs. Lipstein stated I would like to give a general comment that it would be better if we have people that are not conflicted on our personnel committee which we have had before and it makes the personnel committee less effective.

The other question I had was about the attorney, we have a face I didn't recognize today. What is your name? Ms. Rose stated Nishali Rose. Mrs. Lipstein stated you work with Mr. Taylor. I guess you are both in the same firm and my hope would be that when we have a substitute that they familiarize themselves with our particular situations. I don't know who is doing what right now I guess you are both doing the same thing. The public here is very interested in what goes on and we have a lot of people that ask a lot of questions and maybe annoy you I don't know but we really like things done and if we don't know the right way we will research and find it out. We really want to work with you and it helps to know who you are so that is why I asked that question.

I want to make a comment as a member of the public – one of the things that we really campaigned for was transparency and accountability on the Board of Education and that goes to those RFPs and I believe that we need to look at all of those RFPs. I think when you are on here I think we have enough people that are willing to take the time to do it and not taking the time to do it is not something that you don't want to hear I think you guys want to do it and to be honest you were elected to do it and we elected people to do that who then didn't seem to. The last election was a landslide election and that should have given everybody on here the idea that we are watching. We want those RFPs to be opened and we want the transparency and the accountability and that is why we voted the people on and that is what we hope for.

The other thing I would like you to know as president of the Township of Union Education Foundation, we are having a fundraiser on March 21<sup>st</sup> and our reception is on May 8<sup>th</sup>. We are having professional development for the first time. We have someone who is going to be presenting. One of our board members and one of our grant recipients is going to be presenting at the professional development tomorrow to try and encourage teachers to apply for grants and to understand what you do. I am also proud that we have \$2500 that is going for special needs so please let your teachers know that. The applications are online at our website and we want to encourage anybody that works with the special needs children to take advantage because we want to give that money away.

Salena Cordoza stated I would like a better explanation of E-7 – establishment of the autism program at Battle Hill. Does that mean you are going to bring more children to Battle Hill? How is this going to work? Mrs. Conti stated classrooms have a limitation. The self-contained classes have numbers that are set by the State and they can't go over a certain number. We aren't creating more classrooms there. The same maximum of the self-contained numbers can go. I don't believe that would be causing a huge number difference. Ms. Cordoza stated you are going to be bringing children from other schools there – right? Mrs. Conti stated it may be a mix of both. Ms. Cordoza asked if Battle Hill is the home school of a particular child and now that child is going somewhere else – isn't there a classroom where there are autistic children whether or not the person is autistic but has a scenery disorder – would they be entitled to go back to their home school because they have siblings there? Mrs. Conti stated as far as our concerns, placements and programs is an IEP team's decision. There are many factors that go into for example – one self-contained program in one building may have a different age range than another program. Even some of the things that the students are working on in the classrooms may lend to why an IEP team might make a decision why a student does not attend their self-contained class in their home school. First and foremost that lies with the IEP team decision. Ms. Cordoza stated there may be possibilities. Mrs. Conti stated absolutely there could be possibilities. Ms. Cordoza stated at this point there are three of them – sisters and next year one goes to Central 5 and grandma can't be in three different places. Right now I'm the taxi cab driver – I'm the stay at home grandma and two of them are special needs. Mrs. Conti stated you can always call me and we can discuss and set up a meeting. The actual placement decision must remain with the IEP because there are other factors. If you have concerns separate of the placement decision, certainly we can meet. Ms. Cordoza stated I as a grandparent, do I have to get a letter from my daughter being that she is a school teacher and cannot come during the day. Mrs. Conti stated if a parent wants someone else to act in their behalf, yes we would need a notarized letter. Ms. Cordoza stated I'm always looking out for everybody – these special needs

children. They are all our children and we want the best for all of them. Whether they are special needs or not – sometimes these things become challenges when everybody goes in at a certain time and they are grammar school kids and you can't cut yourself in half and you try to do the best and special need children need that extra. They tug at the heart, sorry that is how I feel. This is the first time I have come to one of these. I watch you at the regular Tuesday. I never knew that they had one of these meetings. You will see my face. You will learn to see the grandmother that comes around.

Ann Margaret Shannon stated happy new year to everybody. I hope it will be happy year – nice and calm and peaceful. Having said that I do have a suggestion – we cannot ever replace David Arminio but I was at a board meeting last night helping out another town and they have two student members that come to the public meeting – one speaks on sports issues and one speak on non-sports issues. Just a suggestion. Mr. Tatum stated we had a discussion about that last week. I'm formulating with parents. I just pulled the policy last night when the Board presents that to give guidance on that – a student representative. Mrs. Minneci stated we will have Mr. Arminio train them. Mr. Tatum stated that could be part of the requirement.

Cathy Sharpe stated I like to know where we stand as far as our survey or investigation or whatever you want to call it on food service. I walk in the cafeteria and still see the same things. What are we planning on doing about it. Mr. Brennan stated the Aramark survey – they gathered data until December 21<sup>st</sup> and they are quantifying it and hopefully we will have some results - may not be next week but the February meeting. Ms. Sharpe asked the Aramark survey, who did they survey? Mr. Brennan stated parents, employees-administrators, students. Ms. Sharpe stated let me tell you the administrators are not down there sitting at those tables and walking in the lines with the kids. If you want staff input you should be talking to elementary – at least that is where I'm from.

Craig Wojcik stated we have the survey ready to go out for the parents and the students – two separate surveys. I'm just waiting on the thumbs up to send out. We are waiting for the Aramark survey to complete so there weren't too many out there at the same time. It will be sent out to all parents and students. We didn't have staff as part of it because it wasn't part of the discussion but we can certainly add it to the parent group. Mr. Brennan stated why not.

Mrs. Ruiz asked the new survey that is going out – is it more narrowly directed to the quality of the food because the last survey frankly had absolutely nothing to do with the food. Mr. Wojcik stated I don't disagree but yes – I met with students and found out what their concerns were and geared it towards that. It had five categories – appearance, taste, healthiness, quality – things like that and referencing the availability of specific things like bottled water and things like that. Mrs. Ruiz asked was staffing on that survey? Only because recently one of the complaints that I received was from Kawameeh that there is only one person working that cafeteria so the kids are standing the entire period waiting for food. Mr. Wojcik stated I didn't put a waiting time question. Mrs. Ruiz stated that is a serious issue.

Ms. Shapre stated I am anticipating that for the rest of this year the food is going to stay the way it is. Mr. Brennan stated Aramark is well aware of it. We talked to them and we made them aware of it. They come to our meetings. Hopefully they will improve it but in the

meanwhile we are going out for RFP; I don't know what else to tell you. We will get competition.

Mrs. Regis-Darby stated we need to give them a deadline for those results. You just need to put it on the computer and it generates itself. It doesn't take three weeks for results. It populates itself. Give them a deadline Mr. Brennan. We need it by next Thursday. Mr. Brennan stated I'll call them tomorrow. I think you are right about that. No argument here.

Dr. Guy Francis stated this is to the Board attorney – last year I spent a lot of time as a Board member fighting with our Board attorney about things that I felt was not in his prevue and one of the things specifically was placing things on the agenda. I don't think it is the attorneys responsibility to do that. I don't think it is granted to the attorney to do that. That belongs to Mr. Tatum, the Board president and Mr. Brennan to be able to call the agenda and I want to implore the Board to make sure that it is done. I'm not going into specifics about what our last Board attorney was doing all the time but he was doing things outside of his scope. Remember the Board attorney is going to give you legal advice to the Board members. Take it for what it is – it is legal advice. Do not advocate your responsibility that has been granted to you by the people in the public who voted for you to represent them and make decisions. Don't sit back and say well it's the Board attorney and he recommended – no you are responsible. You are here for a reason. Exercise it. The last thing is it is a policy about who can communicate with the attorney. I had to call Sciarrillo who was the head of his group on our last Board attorney because I felt that he was not representing the Board but he was representing one particular Board member – the president at the time. Do you think I should go through the president to ask the president can I speak to the Board attorney when the problem is with the president himself? That doesn't sound right. I'm not saying everybody should be able to call and speak to the Board attorney, no, I think that if the president is conflicted and that is the person making the decision, then there should be a way to go around the president because he is not going to allow you if he has the total power. He most likely won't allow you to speak. When I did that and I spoke to Mr. Sciarrillo about it, he never got back to me. But I got a call from the Board attorney at the time and he was like what is your problem. I told him what the problem was. I didn't call him, he called me and I told him what the problem was. Now that I'm off the board, I received a letter which was asking for money to reimburse the Board for me reaching out to Sciarrillo at the direction of the previous president and that is B.S. I told Mr. Griggs I'm not paying you anything and I'm not paying the Board a dime but that is the shenanigans that goes on that you guys don't know who are in the public. Now that I'm off the Board I can say a little bit and one thing is you have been elected to do a job – do the job – hold the attorney accountable. Tell them when he or she can do things that involve your rights – when they can't do things that involve your rights – it is your rights – exercise it please. I'm asking. Remember demand that the Board becomes transparent or remains transparent – don't let these things that go on that under mind. Usually it is going to undermine that man right there – everything is directed to undermining you and they know who they are Mr. Tatum. They want to undermine you at any cost because you have been doing a great job. I think you need to be a little stronger, more forceful, don't let them run over you, stand up and demand what is right for the District.

Jeff Monge stated update on the RFP – we are behind schedule and we go through this whole process. Mr. Brennan stated the RFP's are in for the engineer and architects. Mr. Monge

stated we are still behind schedule if you check the RFP calendar. Mr. Brennan stated now we have to get an ad hoc committee or a committee to sit down and review them.

Mr. Monge stated as you look at the food service RFP and changing the timing on that – the RFP calendar needs to be updated.

As it pertains to legal and legal costs and there has been a lot of discussion here which was great discussion when I was on the Board. I made a big stink about watching our legal costs and especially the involvement of the legal team when they didn't have to be. The expenses for legal this month that is part of the bills is over \$90,000. The budget that was set for 2018 was \$200,000 and that for the whole District – the Board and special services. That was adjusted to \$215,000 based on F-2. We spent \$110,000, we encumbered a \$100,000 and we have \$5,000 to go. We have a bill of \$92,000 so I'm not sure how that is going to get paid.

In comparison, in 2017 we had a budget for \$200,000 at this time and we had \$0 to go – everything was encumbered and I think we had to transfer money over because we went over budget. In 2016 at this time there was a budget of \$200,000 as well and only \$57,000 was spent and that was when Mr. Ronnie McDowell was president and \$43,000 encumbered with \$100,000 to go. I know for a fact when I was on the Board the involvement of the Board attorney was not as great when Mr. McDowell was Board president. The following year it did change and it went out of control. I tried to put a stop to that but it fell on deaf ears. I let you guys know Mr. Tatum you got a budget that you just blew through and we are not even finished with the year.

I mentioned about the maintenance budget and maybe next meeting you can give an update on where the maintenance budget is for each of the schools. I gave a presentation to you all and there is a discrepancy I believe amongst buildings and you can give me that update next week.

With the policy that we just did on committees, Mr. McDowell, Mrs. Minneci, I am assuming that having that as a separate paragraph means that it is standing alone. It is not associated with the paragraph above that says “from time to time there will be special committees set up” so you can't try to combine. I just want to get clarification because five years from now there will be another set of people and they may have the conversation so what is the intent – is the intent that the president is going to have committees for RFPs. It is not associated with the paragraph above that says “from time to time”. Is that the intent? Mr. McDowell stated yes. Mr. Monge stated Mrs. Minneci is that the intent? Mrs. Minneci stated that seems to be the consensus.

Mr. Monge stated the audit – as a Board member I got a summarized version. Is this something that is provided to the public of the findings of the auditor? Mr. Brennan stated it will be. Mr. Monge stated is the auditor going to present? Mr. Brennan stated next week. Mr. Monge stated I will leave my other questions to the auditor.

Chasity Santana stated new members of the Board and current members of the Board, as you know I am very active in the PTA. I would love to see you guys at the PTA meeting. I hope that our new members and current members will come out to our PTA meetings. I walked in at

the tail end because of the Washington PTA meeting – I ran over here about our lawyers and our children. I want to tell not only the lawyers here but everyone here that gets paid. I don't care who is paying your bills or who is sending you checks, please remember my children are paying you – everyone here. I know that sometimes you have to talk to the president, the vice president, the mice, the I don't know who – please remember and if you want I will bring a picture of all my children – that is who is paying you. Whenever you are doing anything, I want my children, all of our children from Union in the back of your head – that is what I want.

Special Education – I always say and everyone knows that I have seven children and it wasn't until my sixth child that was welcomed into this world of special education. When I educated myself on this and I realized, and I'm not a teacher, our children that are in special education from what I know the population is not getting smaller, it is getting bigger. When you are throwing out numbers like \$38 million – to me \$38 million is a lot – but when you are talking about the needs of our special education community, it is not a lot of money. Please remember that special education is just growing. Our population is just getting bigger. If anyone knows the answer to make it smaller please let us know. When we are throwing out big numbers understand that we have to also take them into account of the bigger picture. Thirty-eight million dollars is a lot of money but not when it is for the needs of our special education population.

Our Spanish teachers in Washington – I don't know what is going on there. They said I came last month to this and they told us that there were two positions. One teacher was educating half the school and this teacher was educating half the school. This teacher was there, this did not have a spot so this half of the children have no Spanish. These kids did have Spanish. These children now half Spanish and this teacher I don't know if she quit or what happened so now this half of the building no longer has Spanish. I don't know. I went last month to Tatum and nobody knew what was going on. They sent me to Yvonne to find out what is going on. Just because I'm Spanish I'm not saying that I'm pushing Spanish – I really am but my thing is if you are going to start teaching my child something – complete it. We need to show them the whole thing. They are conjugating verbs, half verbs – you are giving them a half a Spanish education. Fill the positions correctly is what I'm saying.

My Ian and Ronnie Mika are going to the 2019 Cooperstown and I'm going to be blasting it all over Union. I hope you support us. We have a bunch of dining to donate. We have a bunch of tricky trays. I look forward to that and we are going to have a great Cooperstown this year. I will see you at the next Board meeting. Welcome – I love seeing another female on the Board.

**MOTION TO ADJOURN:**

There being no further business before the Board in public session it was moved by Mrs. Regis-Darby, seconded by Mr. Nufrio, that the meeting be adjourned at 9:04 p.m.

**AYE:** Mrs. Higgins, Mr. McDowell, Dr. Morgan, Mr. Nufrio, Mrs. Regis-Darby,  
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

**NAY:** None

**ABSTAIN:** None

**MOTION CARRIED**

**RESPECTFULLY SUBMITTED,**

**GREGORY E. BRENNAN  
BOARD SECRETARY**