

TOWNSHIP OF UNION BOARD OF EDUCATION  
WORKSESSION MINUTES – March 10, 2020

NOTICE OF MEETING:

The worksession meeting of the Board of Education of the Township of Union was held on Tuesday, March 10, 2020 at 7:00 p.m. at the Administration Building, 2369 Morris Avenue, Union, New Jersey pursuant to the notice sent to each member. Action was taken.

Mrs. Minneci called the meeting to order at 7:04 p.m.

PRESENT AT ROLL CALL:

Dr. Guy Francis, Mrs. Sherry Higgins, Mr. Ronnie McDowell, Mrs. Nancy Minneci, Dr. Kalisha Morgan, Mr. Vito Nufrio, Mrs. Linda Richardson, Mrs. Kim Ruiz, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

None

ADMINISTRATORS PRESENT:

Mr. Gregory Tatum, Mrs. Moses, Mr. Manuel Vieira, Mrs. Kim Conti, Mrs. Ann Hart, Mr. Craig Wojcik, Mr. Barry Loessel, Mrs. Maureen Guilfoyle, Mrs. Sandra Paul

ALSO PRESENT:

Mr. Lester Taylor, Esq.  
Joshua Tidwell, student liaison  
Gianni Guido, student liaison

Mrs. Richardson led the Board in the Pledge of Allegiance.

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

Mrs. Minneci read the District’s mission statement.

COMMENTS FROM THE PUBLIC:

None

Mr. Tatum stated we’ve been monitoring the development of the coronavirus. We have been in constant communication with state and local officials including our local health department. We have received advisory opinions.

Correspondences are being disseminated as they become available from the County Superintendent of Schools and the State Department. The Central Office administration has met to develop a plan in the event of school closings. That plan is going to deal with how instruction will be provided to children in the event they may need to be home. District supervisors have also met to discuss the particulars of instructional plans for each grade level.

There is also a plan being developed through our school lunch provider to provide meals during the potential school closing to eligible students. The plan that has been developed for instruction at home will count towards the 180 school days requirement. These plans are subject to change as the state provides more guidance. Today we submitted a plan to the County Superintendent of Schools. The superintendents around Union County have worked together and we are trying to handle this as a State emergency and support everyone's needs. The Board will be provided specifics during executive session.

#### APPROVAL OF MINUTES:

Minutes will be approved next week.

#### Communications:

Communications are part of personnel

#### Superintendent's Report

Mr. Tatum stated next week we will have presentations from Franklin and Battle Hill Elementary Schools. Our student liaisons are here so let's hear what they have to say.

Joshua Tidwell stated I'm a freshman. He wants to report the lack of soap and maintenance of soap in the boys' bathrooms and maybe a hand sanitizer in the classrooms or at least the cafeteria. Also in one of the bathrooms the soap dispenser was broken today.

Mr. Loessel stated please report empty soap dispensers so that maintenance can be aware and fill it back up. Mr. Tatum stated one correspondence I sent out was to encourage students if they see a soap dispenser not being filled or broken to report it to the office so someone can be sent down there right away. I think also a message needs to be sent because of this serious time we are in.

Gianni Guido stated students want to know more about the coronavirus. They want clearer communication. Between this and the lockdown, we need up-to-date communication. Mr. Tatum stated with respect to the coronavirus we receive ongoing information. On Friday there was a County meeting of superintendents and the main focus of that meeting was that issue and we are learning as we go. We are trying to share appropriately. The Board has not been completely updated with everything that is going on so more information will be coming out.

Also if you see anything with the soap dispensers please report it and tell your friends to do the same thing.

#### Education/Student Discipline Committee Resolutions:

Mrs. Ruiz presented the committee updates. Mrs. Ruiz stated we met today and discussed issues surrounding COVID-19. We did talk about the district submitted a plan to the County Superintendent. All I would report is that the plan does include virtual learning for our students in the event that the district has to close schools. For those grades that can't participate in virtual learning, like preschoolers, the smaller children, there will be packets similar to what they get during the summer break.

Also we received the NJSLA Science Assessment results. They were sent out yesterday and parents should be receiving them soon. These are only for 5<sup>th</sup>, 8<sup>th</sup> and 11<sup>th</sup> grade students.

Last month we spoke about the NJEA Teacher Leader Academy and three teachers were selected, one from elementary, middle and high school. They will start later this month and it will go through October. The teachers have to go down to Trenton on Saturdays to attend the academy and some other after hour work to successfully complete the academy.

Mrs. Ruiz presented the Education/Student Discipline Committee agenda.

#### DISCUSSION:

Dr. Morgan stated report about virtual learning for higher grades and lower grades would get packets. Do we know via survey how many students in those higher grades do not have internet access and if they don't how are we going to provide. Mrs. Hart stated I created one in the Genesis portal to ask if they have a device at home, what they can use or do they have somewhere to go – we asked all the necessary questions. I'm going to post it to the portal and send a phone call out to let them know it is there. The parents won't be able to view their kids grades or attendance until they fill out this survey. We decided to do it that way instead of email or google form because we will get more of a response. They only have to do one per household.

Dr. Morgan asked how are we going to connect with those students – are we going to send a letter to the parents to let them know that we have work for their students. I just want to make sure we don't miss anyone. Mr. Tatum stated that is part of the plan.

Mr. McDowell asked E-4 – we will be using Battle Hill and the Hamilton Building for testing, not home instruction? Mrs. Conti stated it could be used for home instruction, counseling services. Some of the services go into August and we have staff there as well.

Mrs. Minneci stated E-5 – the student club – we had discussion and we are going to pull this for tonight. We need more discussion.

Mr. Tatum stated just so everyone is aware, E-3 is a revised calendar for this year in consideration that we didn't have any inclement weather. That may be adjusted in consideration if we do have to close schools with regard to the current issue going on with the virus.

On the calendar for 2020-21, the goal is to get that on next week. I did meet with the UTEA last week and they had some recommendations. Once the review is over, hopefully we will have something we can all live with by next Tuesday; otherwise, I will move it to April.

Upon recommendation of the Superintendent of Schools, the following resolution was moved by Mrs. Ruiz, seconded by Mrs. Richardson, for adoption:

**E-1. SUPERINTENDENT'S REPORT OF HIB**

Superintendent's Report of Harassment, Intimidation and Bullying (HIB) for the period February 19, 2020 to March 10, 2020, in accordance with the information appended to the minutes (*no vote required; for reporting purposes only*).

**E-1A. AFFIRM SUPERINTENDENT'S DETERMINATION OF HIB**

Affirm the Superintendent's determination of Harassment, Intimidation and Bullying (HIB) for the period February 12, 2020 to February 18, 2020, in accordance with the information appended to the minutes.

**DISCUSSION:**

None

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

**NAY:** None

**ABSTAIN:** None

**MOTION CARRIED**

Faith Olayinika asked what about the students that don't have Genesis – I know students that don't have Genesis so how would that work? Mr. Tatum stated that is what the survey is all about. Mrs. Hart stated they don't need Genesis to do the online learning, you need Genesis to check your grades. Mrs. Ruiz stated but to do the survey you need Genesis. Faith stated the parents don't have Genesis. Mrs. Hart stated when I make the phone call and send an email, I will say if you don't have Genesis and you can't answer this, please let me know and I'll email them or they can come to my office. I will also say please sign up for Genesis.

**Fiscal and Planning Committee Resolutions:**

Mrs. Richardson gave an update from the committee meeting. Mrs. Richardson stated we met today and we had Lisa Gorab, Esq. from Wilentz, the bonding attorney, to discuss the ESIP program that is proposed for the school district. It will not cost the school district any money through the savings that will be received from the energy cost being reduced. She suggested that we start with the solar panels first because that is important and that project will save us about \$1 million per year and \$12 million over a 10-year period. Solar panels should last 15 years. Then we can go into the electric, water and gas. In order to do that we need to adopt a resolution at the next meeting to start the process of the solar panels; it is a power purchase agreement. If nothing comes of it, Wilentz does not get paid anything. There is no fee. They only get paid after each portion is bonded. We are in a situation where we don't have a lot of time because if we want to get this project started, we have to get the solar panels ordered and if they are put on first, it has to be done during a time when it doesn't interfere with the school district.

Some of the other projects – lighting can be done during the summer months. Next week they propose that we would have two resolutions – one is for the second phase of the program and we should hold off on the next phase of the vendor contracting. We have to have a third party verify the savings which is delegated by the New Jersey public utilities department.

The second suggestion that she had was we have two outstanding bonds – 2010 and 2011. The 2010 bonds is at 5% and the 2011 bonds is at 3.5%. We are able to refund them at a rate of between 1.5 to 2.0% and this would be a savings of \$100,000 per year on our bond debt which would result in a million dollars in savings on bond interest over the cost of the bond. We have to work on this to have it in place so we can lock in those interest rates. It should be introduced in April or May. The first bond would take effect October 20<sup>th</sup> and the second would be May of 2021. She suggested it would be a very good idea because we would be saving money. The bond interest does not affect the general budget but it does affect the overall budget.

Mr. Nufrio stated we don't have an option. The State says that if you don't do it there are penalties. Right now the interest rates are so low and they may get lower. By the time we put this in play, the feds may lower it again. We may as well get started.

Mrs. Ruiz stated the attorney at Wilentz said they won't get paid for any work they get done unless we bond? Mrs. Richardson stated they will not be billing us for any work that they do unless we move forward with the process of the bonding. She said she would be happy to come next week and explain it to the entire Board so you could have a better understanding. There is no fee at this point in time. Mrs. Ruiz stated I get at this point in time. Mr. Nufrio stated their fee is part of the financing. Mr. Taylor stated typically bond counsel bases it on a percentage of the project. Mr. Nufrio stated she said if something should go awry during the process, we will not be held responsible for any of the time and work they put in.

Mrs. Ruiz stated I'm struggling with that because the kindness of the law firm to eat hours of billable time. Mr. Taylor stated it is not kindness of the heart, it is the nature of their law. It is like a plaintiff's attorney, they take the cases on a percentage or contingency basis – that is the risk reward. Some cases they get nothing and other cases they get millions of dollars. They only get paid if the transaction is consummated and completed. Mrs. Ruiz stated is that in the contract? Mr. Taylor stated I haven't seen the contract. Mrs. Ruiz stated neither have I. Mrs. Cappiello stated it was in the agreement you approved in February.

Mrs. Ruiz stated you said an independent third-party has to verify the savings. Do you know who that third-party is? Mrs. Richardson stated the State of New Jersey – Board of Public Utilities would select. Mr. Taylor is it the usual practice of the bonding attorney to not ask for a fee? Mr. Taylor stated the answer is yes generally. Some services are billed hourly, others are usually tied into the transaction.

Mr. McDowell stated since this person is willing to come back, I think we should have her in. Mrs. Minneci stated Mr. Vieira you will contact her. Mr. Vieira stated sure.

Mrs. Richardson stated Mr. Vieira has given the proposed 20-21 revenue expenditure budget changes for next year that are going to be presented. We had a balanced budget for 2020. The increase for the taxpayer will be approximately \$59 at a rate of 1.22% in comparison to 2019, when the increase was \$78 with a rate increase of 1.70%; in 2018 the increase was \$75 at a rate increase of 1.86% and the year before that was 2.9% - so 2020 is a lower percentage to the taxpayers. This has to be submitted to the County on or before March 20<sup>th</sup>.

Dr. Morgan asked are we going to get a budget presentation. I asked for this last year. I believe the public needs to be aware of what the budget is. I'm a visual learner so what you just said isn't sitting right with me. When are we going to get that? Mr. Vieira stated the budget will be advertised to the public on April 16<sup>th</sup>. Dr. Morgan stated but it goes to the County next week. Mrs. Minneci asked do you want to see it before or after the review? Mrs. Cappiello stated it is under F-14. Mrs. Minneci stated maybe next week you can give a presentation. Mr. Vieira stated the formal public hearing is April 30<sup>th</sup>.

Dr. Morgan stated last year we got a public presentation and that is when four of us voted no because of the whole para situation. I still think that the public should see the budget before we submit it to the County. Mrs. Minneci stated so you would like a presentation next week before it goes to the County. Dr. Morgan stated yes. Mr. Vieira stated we can do it tonight if you want.

Mrs. Ruiz stated I was asking the same question a few months' ago. When are we going to see the budget so we are not voting on it after only looking at it for a day. Mrs. Minneci stated see it and have it explained.

Mr. Taylor stated generally speaking, the only public required presentation is at the budget hearing. At which point the budget is formally adopted by the Board of Education. Prior to that the formal budget hearing, the proposed budget is transmitted to the Department of Education by the way of the County Superintendent for review. Leading up to that submission to the County, it is a local governance issue as to whether the budget is created by the administration with input from the Board – that is one of the Board's primary functions – adopt the budget, hire a superintendent, set policy – those are your three functions. Whether that budget presentation is done at one or a series of Board meetings or is done in a committee function is really the Board's prerogative, as long as the vote to transmit to the County is done in public. The request sounds like it was to have a presentation either tonight or next week because it has to be submitted to the County by the 20<sup>th</sup> so that the Board can review it and that is totally fair and appropriate request that can and should be done.

Mrs. Minneci stated I know in previous years, we were able to come in and we set up an appointment and he would do an overview. Would you prefer that? Dr. Morgan stated it can be either or but I think in light of everything that happened last year, I think it needs to be public.

Mr. Vieira stated I think we should do it tonight. Mrs. Minneci stated she wants a power point. Mr. Benaquista stated we will do it next week. Mr. Vieira stated it will be the pre-public hearing presentation. Mr. Nufrio stated a visual presentation would help. Mr. Vieira stated I can do that.

Mrs. Richardson presented the Fiscal and Planning Committee agenda.

#### DISCUSSION:

Dr. Morgan stated F-21 – can you explain this one – the BCBA? Mrs. Conti stated it is for behavioral supports. They provide services for FBA's and it outlines what services they provide. Some behavioral assessments for us to supplement what our district behaviorist, school

psychologist, school social workers do, as well as provide behavioral technicians and BCBA's to supplement the district.

Dr. Morgan stated for \$750,000 that is a lot and I understand it is needed for children but is there any way we can hire these people full time. Mrs. Conti stated we have been thinking and discussing this. We did add a behaviorist last year. We are a large district and some smaller districts have six. There is an ongoing plan for training in district. Our paraprofessionals here in district are very valuable and it would help for applied behavior analysis training which would also help replace some of the need for behavior technicians if students demonstrate progress. The reason for the increase is because of student need but the fees went up with this agency that we are using. We did put an agency on that had lower fees. I'm double checking with the County/State because when we have to contract with outside agencies, we have to take a look at those that are on the New Jersey DOE website. It has been changing. If they are not on there then they are not approved behavioral therapy. I would like to explore that agency because the rates are much better. If we make a switch or supplement with another agency, we have to do that mindfully because the students are used to working with certain staff. Also we have an ongoing review of data and if there is any fade plans that need to be done for students to help them increase their independence.

Dr. Morgan asked if you could send me not the names but the number of children that are receiving service. Mrs. Conti stated sure. Remember it is not only the students for the RBTs or BTs, there are also BCBA's that have to consult with the RBTs so it doesn't translate to a one-on-one with the services. If you have questions, go through Mr. Tatum and I will be happy to assist.

Mr. McDowell asked is the biggest driver of the increase be their fees or more students? Mrs. Conti stated the fees are a big part but the bigger driver was student need. Mr. McDowell stated we are sending more students out to be assessed and evaluated. Mrs. Conti stated we increased several students this year that had the need.

Mr. Nufrio stated I want to address Mrs. Guilfoyle. I want to thank you for responding to my request from the last meeting. I know the rest of the Board members received it as well. Can you give us a cumulative number of the grants that we are looking at? Mrs. Guilfoyle stated we just got the safe away grant and Jill Hall was a big part of that and help implementing it as well. I submitted in December and I'm hoping they will give us an answer soon. It is under review. It was from the NJDOE and that was expanding computer science at the high school and we are doing scheduling now so I'm hoping soon they will make a decision on that. We also submitted a grant with Kean University professional learning for computer science field to help out our teachers. Two weeks ago I submitted a grant with the Bureau of Justice and that is for stopping school violence. Now I'm working on another grant for preventing school violence. There is another one coming down the pike for Alyssa's Law. They still have not come out with us submitting the compliance, I am waiting on that because that is a guaranteed number that has been assigned to Union School District for over \$300,000 and that is coming out of the Bond Act by the Governor's Office.

Mr. Nufrio stated I didn't want to put you on the spot but maybe before the end of the academic year, the Board and the public can be informed of the number that we are receiving in the district which goes to special funds. Mrs. Guilfoyle stated I just put one in for the Union County Freeholders for a grant for school gardens.

Dr. Francis stated F-21 – the only problem I have is that based on the back-up that I see, for this year we budgeted \$400,000 and as of the end of January we got up to \$317,000 but what you are asking for you think there is going to be double that amount for the next four months. Mrs. Conti stated it is not quite double because of the fee increase that is in there. In December of the previous year we projected and we adjusted about \$100,000 since we were adding a behaviorist in so we are probably projecting out \$500,000 in the related services for behavior support and you try to do your best of projecting in December but the needs come in for various different reasons.

Dr. Francis stated I have a hard time seeing that we have gone from \$400,000 for this year to \$750,000 and when you factor in ESS as well, it is different, but it is still services that we are supporting to support our kids. It is over \$1 million.

The other question I have is are we able to bundle these special educational services into an RFP so that we can have providers whether in part or in whole to bid on this kind of service. Mrs. Conti stated I'm looking to the business department and the legal department to make sure I'm on track, you can always go out and ask for bids whether it is always required for professional services or not. When you think about an RFP, there are a couple of factors and these are the challenges that I meet in trying to always get the best services for our kids and also be cost effective for the district. The problem is a lot of my services I have to make sure they are on the NJDOE website. You can look at the DOE website and see all the agencies that are approved. I have to make sure that they can give us background checks, fingerprinting as well. I had a very hard time when the pass the trash law came out and going out there and saying you have to give me this or I can't utilize your services. I'm limited also within those constraints as well. In a perfect world we would love to be able to go out and I'm not saying we shouldn't and we could continually do that and if we did go out and it was something that we did explore, it would have to be done with time and then to replace services because right now I can't stop servicing the kids. I also have to keep in mind that there are certain services that I get feedback from parents and it can't work because I get too much negative feedback and we have to move on and break the relationship and go somewhere else. Sometimes it seems like there is a lot out there and I'm open to it and I am especially in the need for some of the medical services as well meaning psychiatrist, etc. but it is limited. Sometimes I call for rates to compare and I don't get phone calls back. It is hard. It is a big process and it is a lot of work. There are a lot of services and a lot of money but I do believe in the data and the progress the kids are making. The behaviorist came to me and said there is progress and some of the kids can be fading out rather than attending an out-of-district placement or maybe going to a more restrictive setting and the kids feeling successful.

Dr. Francis stated I just feel that sometimes if you would consider that in the future I think we would have better control over pricing and for the same quality. Mrs. Conti stated I totally agree with you. Dr. Francis stated when it is higher doesn't always mean they provide the

best quality. Mrs. Conti stated you are right, I have seen that before and I totally agree with you and that is why we always have to look at it so I'm always open to that.

Dr. Francis stated F-15 – how much capital reserve will remain after we take out the \$130,000? Mr. Vieira stated a couple of hundred thousand - \$200,000. Dr. Francis stated I remember the auditor saying that – I know we are looking at in F-18 – taking \$2 million out and put that into our general budget and I think the auditor was telling us to replenish that cap reserve. I don't want to run into trouble come the 2021-22 year where we don't have money to get anything fixed. I know we have to do some of these projects. Mr. Vieira stated 80% of the budget is salaries and benefits and that is what is eating up that budget; after that is the special ed costs.

Dr. Francis stated F-17 – establishing the maximum dollar amount – are we going to keep our legal fees at the maximum of \$600,000 for next year too. Mr. Vieira stated we had that discussion with the Finance Committee. This year's budget we are up to \$650,000 for next year we are proposing \$600,000. Dr. Francis asked do you anticipate that? Mr. Vieira stated based on this year, yes.

Mr. McDowell stated so maybe \$750,000 next year. Mr. Vieira stated we are budgeting \$600,000 as an estimate for next year.

Mr. Taylor stated you may recall a few months ago we gave you a breakdown of the fees that were incurred as of that date in December and let's say it was \$400,000 – approximately \$150,000 was to a different law firm that had provided services to the district a year or two ago but they were still incurring fees and expenses. You have other firms that are assigned and appointed through your insurance carrier to defend the district so the deductibles that the Board is responsible for comes out of that budget and then you have my firm so that full number is not going to my law firm. Mr. Vieira stated we have a lot of cases.

Dr. Francis stated we have insurance on those lawsuits. Mr. Taylor stated some matters are covered. Dr. Francis stated that is something we don't pay. Mr. Taylor stated typically you pay the deductible. You have four matters in litigation that are covered by insurance. Mrs. Ruiz asked retention has been set aside on those four. Mr. Taylor stated I can't answer that definitively but for one or two I would say yes. We give you a monthly status report. The special education litigation is a high volume of work and I don't say that in an accusatorily or negative fashion, it is a legal process and the board has rights and parents have rights. There are also a number of issues in personnel/employment standpoint. For example, labor negotiations – if we can settle the contract in one meeting, your bill will be small. If we are negotiating for two years, that is driving your legal expenses.

Mrs. Ruiz asked the increase that we voted on for legal fees for this year, I'm just trying to understand the logic for projecting \$600,000 for next year when we are on pace to exceed that in this school year. Mr. Vieira stated the \$650,000 is a projection through June 30<sup>th</sup> of this year. Mrs. Ruiz stated if we think at this point we need \$650,000 and it is March, why would we think we would need \$600,000 for next year? The increase that was requested, was that taking into account not just traditional legal fees due to billing for all matters but was that creating a cushion

in the event that some matters were settled or potentially settlement money is not even part of that pot? Mr. Taylor stated when this issue came up a few months ago, the recommended increase was not done in consultation with my office. It was a projection that the business office made based upon the status reports. It is not uncommon for a public entity to conservatively estimate what the budget might be because if you estimate the maximum that tax rate projection going down, will be double going forward. It might be an artificial doubling. These fees are not a science, it is a fee for service so if a case settles then the bill can be \$100 versus \$10,000. I can't tell you now what the budget will be for next year. I think it is responsible to make it smaller with the hopes that not so much how the services are managed because to a certain extent they are beyond peoples control but with respect to the ebb and flow of litigation, it might be a slow year. I have some clients that were my leading clients last year and this year they are my lowest revenue generating client and that is the risk of my business. Mr. Vieira stated it changes monthly.

Mrs. Ruiz asked how did you come up with the \$600,000 projection? Mr. Vieira stated based on an estimate of this year's legal fees. Mrs. Ruiz stated I'm struggling with the logic – what did you base that estimate on? How many cases? How many cases we currently have? How many cases you think we are going to have into next year? How many cases you think will be done this year? We started at \$220,000 and we went up twice. We approved two increases. I'm wondering how you came up to this number. Mr. Vieira stated it is an estimate. Next year it could be \$1 million - I don't know, if we have more lawsuits or it could be a lot less.

Mr. Nufrio stated we did discuss this and I suggested that anticipating that there would be questions on this. I suggested to Mr. Vieira and the committee a bit smaller – perhaps we should start at half that number and if we need it, it would have to be presented to the Board and giving the board the reason or rationale for the increase – just as we did this past year. It is an estimate and you used the term conservative. It is prudent to put a number as Mr. Vieira did but if he put in \$300,000 and come December we are hit with another rationale for doubling that number, we would have the same kind of an argument. I certainly acquiesce to the number that he is suggesting only because that money can be restored back to the budget if it is not used. If the board should come to a consensus that perhaps putting too big of a carrot out there may entice and I would still suggest it is a number. It is a real number, no. It depends on fees. I said to the committee there will be board members that would probably question that high number. I would submit to the rest of the board if that number is seemingly too high, only for the one reason I'm saying is the carrot is kind of big and may be whatever firm will actually want to eat the whole carrot at some point. I'm not saying anything nefarious is being done or anything underhanded, certainly Mr. Taylor that is not the point here, it is what do we as a board want to put into the bank and then take it from there. With the understanding that the rationale is given for an increase in that number, then we have to be able to put that in.

Dr. Francis stated you have money sitting in an account not being used, Mr. Tatum can allocate it for services or programs for that whole year and they don't get anything, that is the problem. Mr. Tatum stated a reasonable projection would be based upon what we actually spent last year in legal services and then from that determine whether or not was based upon what we have was not in excess of what was needed to be in that account. I don't think the way it sounds is we are grabbing a number out of the air. The real number would be based upon what we

already spent in the last couple of years and we have seen a trend of the amount going upward. It is so hard to project the numbers in regards to these insurance companies. Knowing that is part of it, that number may encompass some of those things as well.

Mrs. Ruiz stated for those matters covered by insurance, once we satisfy the retention, the district shouldn't have to contribute to any settlement issue. It would come from the insurance which is why I'm asking why would you base your decision on it and your response was it is just an estimate. I don't find that helpful – an estimate on what? I don't understand. Mr. Tatum stated it would be based on what we spent and what we project.

Mr. Taylor stated we had residency hearings today and that is another driver of your expenses. The Board had taken a very aggressive stance on residency – families taking advantage of free public education in Union Township when they are not legally entitled to it and over the last three months we won 2-3 trials at the OAL on residency. That drives your expenses on legal spending but it saves you \$25-30,000 per pupil x 12 years by enforcing your policies. Hopefully when the message gets out there that this isn't a tuition free ride, that portion of your bill won't be there next year.

Mr. Nufrio stated yes there is a savings on tuition that we pay but we also lose the State/federal funding as well. It is something we can't neglect. Let's say it is \$15,000 per pupil, we are not gaining that entire \$15,000 because we are losing that. I'm not proposing that we stop residency checks.

Mrs. Ruiz stated F-16 – maximum travel expenditure to \$85,000 – what was the expenditure last year? Mr. Vieira stated \$85,000 – it has been flat over the past several years. These are for professional development for teachers – workshops. Mr. Nufrio stated given the current crisis, would that number be realistic or would it be less, we will probably be under some restrictions about travel. It may also encounter some limitations with regard to students visiting other places. If the Governor declares a State of emergency, we don't know how far he is going to take that. I recall in the past when restrictions placed about students leaving the State due to terrorism and other horrible things going on in the country. Hopefully we will be monitoring that very closely. Mr. Tatum stated it changes from day to day.

#### Operations Committee Resolutions:

Mrs. Richardson presented the Operations Committee agenda.

#### DISCUSSION ITEM:

1. Letter from Union Rams Football requesting the use of UHS Harry R. Cooke Memorial field football snack stand, rest rooms and associated parking for a Bike Blessing fundraiser on Sunday, May 3, 2020, in accordance with the information appended to the minutes.

#### DISCUSSION:

Mrs. Minneci asked is this an annual event? Mr. Loessel stated the first time; it is a car show. It will be in the parking lot. It is done through the recreation department. Mrs. Minneci stated they have insurance and they sponsor it. It is a fundraiser. Any other discussion? Mr. Nufrio stated as long as they meet all the criteria. Mr. Loessel stated they are going through the

recreation department so that is shared services. Mr. Tatum stated we will put it on the agenda for next week.

#### Personnel Committee Resolutions:

Mr. McDowell presented the Personnel Committee agenda.

#### DISCUSSION:

None

#### Policy Committee

Nothing to discuss or report on policy.

#### Residency Committee Resolutions:

Mrs. Williams presented the Residency Committee agenda.

#### DISCUSSION:

None

#### Technology Committee:

Dr. Francis presented the Technology Committee agenda.

Dr. Francis gave an update from the committee meeting. Dr. Francis stated we met over a conference call yesterday. The first thing was new business which involved e-learning platform in relation to possible COVID 19 and school closing.

Old business was internships with Lincoln Tech, IT students in the process with NJIT, possibly Kean University. The update is that the district has four IT interns working in the district from Lincoln Tech.

T-1 – which is recycling of old technology equipment in the school district – if it is approved next week, the equipment will be advertised on the website called Govdeals for auction.

E-rate funding for 2019-2020 - \$156,000 that is pending from LightPath and Altice to be refunded to us. \$65,000 for the 2018-2019 school year – they released it and Mr. Vieira put it into our accounts.

The district telephone security notifications system – the district applied for the Stop School Violence Grant. This includes a notification system. We are applying for COPS – in additional grants that will include telephone systems, strobe lights, door locks, etc. There is a purchase of touch panels which will replace the smart boards and they are being installed right now.

We have an investigation in replacement Chromebooks for the high school. An RFP was reviewed with Mr. Vieira and it was awarded to US Bankcorp at 1.41% for the purchases of the replacement Chromebooks for the high school.

There was a meeting with A Plus Technology to get demonstrations on Halo Protection Device including vaping; lots of positive responses from schools that have installed this device. The update to that is six Halo devices were installed in the high school and training will be given.

A meeting with Fairview Insurance and Mr. Vieira to get details on cybersecurity and insurance coverage – the update to that is after discussion, the insurance company requires an incident response plan. They will be working with Donna Restivo on developing a plan for the district.

Asking the IT department to MySchoolBucks about balances uploaded to Genesis. Still working on this with Mrs. Hart for the lunch balances.

Dr. Francis stated do you want to elaborate on e-learning. Mr. Wojcik stated Google in response to the coronavirus extended services to all g-suite districts to increase our service to give us premium features for Google hangouts which gives the teacher the opportunity to do some live instruction with the students. We can host up to 250 people inside a live discussion but up to 100,000 people through live streaming. If the high school wanted to hold an assembly with the students and we can have everybody attend through a livestreaming event. They were gracious to provide these services until July 1<sup>st</sup> in the event that we have to do distance learning.

#### Approval of Bills:

Bills will be approved next week.

#### Unfinished Business:

Mrs. Ruiz stated lunch accounts? Mr. Benaquista stated I will have an update next week.

Mrs. Ruiz stated I met the new Class III Officer. She is very nice. Will there be any more Class III Officers added to the high school or any other school in the district. Mr. Tatum stated two more. Mr. Benaquista stated we want to go in the route of Class III's or retired police officers as security because both gives us savings of health benefits. One of the things that came up after the lockdown is afterschool activities. A possible Class III to be in the high school during those hours. That is the next thing that we have been talking about getting another Class III but have the hours later in the day.

Mrs. Ruiz stated Mr. Tatum you had stated there were two more – where is the other? Mr. Tatum stated we just talked about that over the last couple of days but originally we would have another one at Burnet and one at Connecticut Farms but unfortunately the person that was hired for Connecticut Farms there was some issues with that person. Mr. Benaquista stated he should be back soon. Mr. Tatum stated we already have a person approved.

Mrs. Ruiz asked they will be Class III officers? Mr. Tatum stated yes. The one at Connecticut Farms was due to the proposed construction and the traffic patterns over there. We had several meetings with the Township and parents and we thought the Class III would be very

helpful in that environment, especially on the outside of the building during entrance and dismissal.

Mrs. Ruiz asked is there an option for students to take financial literacy at the high school online rather than in-class since it is only a half year course and sometimes students are struggling with scheduling another elective for the other half of the year or a whole year and would interfere with taking financial literacy – do they have the option to take it as an online course and still fulfill the requirement? Mrs. Moses stated we don't have that right now. We were talking about that today at our meeting about classes being online in the future. We will run that by the County and see if it is allowed and to make sure that we have a platform for that. To have an online class, you have to have a teacher. Will the online class be during the school day or after school – those things have to be worked out. We are thinking about other courses too. We will know more once we meet with the County.

#### New Business:

Mr. Nufrio stated I can't explain how impressed I was with the students that recommended the devices that would sanitize the children's hands. Especially he indicated the cafeteria. I think it would be very difficult to place them around the school but I would think that the cafeteria for all the schools should at least be viable. Mr. Loessel stated the problem is you can't get the product or the machines right now. I was able to get 10 cases of 24 bottles of hand sanitizers. The health inspectors are talking against using that product, they are talking about everybody washing their hands – that is the best way. Mr. Nufrio stated that is not practical for the students entering a cafeteria. I understand that is the best possible way to sanitize but hospital companies, maybe we can tap into the resources they use because they are at every door. I can't believe we can't reach out to those companies and maybe check with the local hospitals for who their resources are. I think that is something I would love to see in the cafeteria of all the schools – 20-30 devices. If they believe that stuff kills germs then I think we should also believe that. I don't know the effectiveness. Letting the students feel more comfortable that they do have these things. If it is about children's safety, then it is children's safety right there. If it prevents 1-10 cases of contamination, by all means, I'm in favor of it and I think the rest of the Board feels the same way. Mr. Loessel stated I feel the same way too but we can't get the product.

#### Comments from the Public:

Nellis Regis-Darby stated hopefully I will be getting answers to these questions because I have been asking them. E-5 – the coronavirus plan – my question is for special education students who have services as OT/PT – two times a week – how is the district planning to make up for those services. They are mandatory by the State.

E-8 – the calendar – there is no back up online.

E-5 – curriculum – are these written by the teachers?

F-21 – no backup – for special services items.

Mr. Tatum stated the calendar right now is in the hands, as required, of the UTEA. We met with the UTEA last week. I said hopefully I would have that resolved and it will be on there for next week. If it means it goes on for April, then that is where we will be going.

Mrs. Moses stated you asked about the curriculum – that curriculum has been revised by supervisors. All new curriculum is a collaboration of supervisors and teachers. Any revision and you will see a lot of revised curriculum coming forward at the end of the school year, will be done by the supervisors.

Kim Conti stated F-21 – in planning for the ongoing education of students for related services, what would happen is the related service providers are going to be asked to provide plans, activities, that will either be sent home and to follow-up with parents on the progress of the students. If they are in a remote situation, then they would be asked to right up activities and plans just like the teachers would be doing. There was some guidance and we are getting clarification too – providing therapies via telepractice – we are waiting for clarification on that was deemed that we couldn't do that. We are preparing lessons and activities to go home. Out of district students would be with those schools and we are following up with those schools.

Cathy Sharpe stated I have a concern on the elementary level with children and the water fountains. Have anyone considered on somehow getting bottled water supplied because if you have been in an elementary school watching these kids and drinking from the water fountain – their mouths are on it and especially at this time it is not safe, maybe we can put a request out to PTA's to see if they can help supply water. Have you thought about that and do you have any plans?

Darren Martin asked is there an Amistad curriculum here in the district? If so, I would like someone to email it to me so I can review it. There are so many people that have contributed to Black History and I want to see if you need help in tweaking that.

Practice lockdowns at Union High School – I talked to a lot of parents. Has there been any? If not, why not? Where is that at?

I saw the committee for the US Census here in Union. Are the schools doing anything around census to make sure we are alerting people? We are always talking about money so we have to make sure we get the right funding in here. If they don't get counted properly, that will be a problem. I hope the Township and the district are working together because the cards will be going to the homes soon. Getting counted is very important.

The security officers, retired cops or correction officers have not been a good plan around the country. Why, because if we don't vet them properly, their records, and they were bad as cops or correction officers, we shouldn't be bringing them into the schools. Not a good idea. I would like to know who is in charge of that. I know Mr. Benaquista made a good case for them after the debacle with the lockdown happened. I need to know who is handling that and what's the records of these officers. We can't just put them in the schools. If they have a bad record on the streets, they will have bad records in the schools.

Jill Hall stated we had a student that was going to the Unsung Hero's program tomorrow and they postponed it due to all the concerns about the coronavirus and they may or may not have the opportunity to reschedule it. I would like to appeal to the Board that should they not reschedule that, if we could provide some recognition for that student. Mr. Tatum stated we can do that.

Kathleen Brunsmeyer stated regarding robo calls – when I'm speaking to parents that don't speak English, do we have the ability to know what families speak so is there a way to get multi-lingual robo calls? We are such a diverse community. Is that a possibility?

Because this is an unusual emergent situation that is happening, to let people sign off to have the Chromebooks go home so if they don't have a computer at home they now have the ability to take their Chromebook home and have that form in different languages.

Paul Casey asked do we have an analysis of students in the district who has access to computers and internet? Ann Hart stated we will be doing a survey because what we have we don't know if it is accurate.

Chasity Santana stated I remember when I first started in the district, my son's name is Ian Asovito and I used to get all my robo calls in Spanish. I know Spanish, I love Spanish and I asked Mrs. Dinardo – can I get them in English? Nobody knew how to change it so I could get English robo calls. I know I'm a Santana, I have an Asovito, Rojas and a Flanagan – would she get English robo calls? I know they have the capability to do Spanish.

Richard D'Avanzo stated UTEA vice president – you mentioned about the Amistad. NJEA was also present there and one of our directors, there was a big push to get that included in the curriculum. We were given a grant for a large amount of money in order to enable educators to go back and travel to the place where it originated in Ganna so that is something on the horizon. Unfortunately a few of us, we had a plan also through the holocaust through the State Department of Education – they cancelled that trip.

Big news yesterday – not just the Chapter 78 health insurance benefits but also for the two ESP job justice bills that are going to be presented in the next two weeks in Trenton. No numbers yet but there will be different types of plans offered. Maybe call the broker tomorrow to see what they can find out. No matter what every public school employee is going to be re-enrolled as of July 1<sup>st</sup>. There are different options. The districts that are in the State healthcare benefit plans, that is what it is geared towards, the broker is going to have to match that – the Direct 10/15 will still be there and NJ Educators Plan would be additional savings and it is locked in for 7 years.

Ann Margaret Shannon stated the rec department – the bike show and the car show are two separate events. The bike show is motorcycles and the car show is a separate event in conjunction with the Union High School truck festival.

The comments about the bonding attorney and ESIP and energy savings – I have been very involved in the health of our buildings. We need healthy buildings for our students. There

are a lot of issues with ceiling tiles/roofs. I ask that when we make these energy savings we make sure that we fix our roofs first. We need healthy roofs for solar panels.

Budgets – the UTEA has a much smaller budget but what we do in response to comments, in March we have a presentation to our governing body of the actual budget and then we come back in April and we discuss it again and vote on it.

Lastly, negotiations have been mentioned but the UTEA and the Board of Ed has not even officially begun negotiations. Comments have been made at the table about negotiations that I find inappropriate. I would ask that the body be careful and considerate of any comments that they make about negotiations in the future.

Jeff Monge stated capital reserves - \$200,000 for a district this size is ridiculous. The auditors said \$500,000 is ridiculous for a district this size and we are cutting that in half with no plan. Another thing he said was about taking surplus and moving some of that into capital reserve to be able to restore and I talked about that a couple of years ago and I don't see us doing that right now. I think we have \$2 million in surplus right now. If you are pushing over \$2 million for this coming budget and you are going to use this other \$2 million – it won't be that amount by that time – you will have less to keep rolling over. It is not practical. You have to get money into capital reserve.

Professional services has gone up about \$1 million in the last two years. Legal was \$200,000 and now we are at \$650,000. We outsourced legal because we were trying to save money – without having an in-house counsel and now we are tripling that number. You might as well bring back in-house counsel. You will save money.

The solar panels – you have a long-range facility plan which identifies needs of our buildings today. Solar panels were not part of that long-range facility plan. Lighting is obviously a cost savings. Something you really have to consider and now you are rushing. I would love to see what you are voting on next week. You are putting on this huge project and I don't know if the people are going to understand the complexity of it. A million dollars of savings – is that going to pay debt service or is that above and beyond debt service?

The soap and hand sanitizer – the students brought that up – we brought that up two months ago. For us to be in a coronavirus situation and that is still being the case today, it is sad. It is not the student's responsibility to be the primary person to figure out if we have soap and sanitizer in the bathrooms. You should have scheduled people coming in and checking and sanitizing. Kids can be secondary to that process. They shouldn't be made responsible for that.

Mr. Tatum stated I don't think we made the students primary responsible for anything. I think the comment I made was if you go in the bathroom and notice that something is out, please tell us so we can get it refilled. We have supplies for soap. The hand sanitizer is a different story. When the students go in if they would be kind enough to let someone know so we can get it filled right of way but there should be scheduled bathroom checks. Mr. Loessel stated 2-3 times a day and with the coronavirus they are washing their hands more so they are using a lot of

soap. So if they see something, they should tell someone so we can get it filled up. We are not neglecting the kids.

Mr. Nufrio stated based on earlier discussion, the unavailable resources perhaps a message to the parents to procure some hand sanitizer for their children to take with them. Audience stated you can't find it.

Mr. Taylor stated Board members, one of the topics for discussion in closed session is the COVID 19 virus – under the safety and security exception in the OPMA – there will be some updates that the administration will give you and plus some feedback they are looking for which is a bit premature for public disclosure. Save some of your questions/comments for closed session and then at the appropriate time we can roll it out to the public. It does warrant a closed session discussion first with respect to the safety and security of all students and staff and parents and community in the district.

Mr. Vieira stated the \$1 million in energy savings is going to be used to pay off the bonds for the capital improvements. Our energy costs will go down and it will pay off the debt of our capital projects. Mr. Monge stated it isn't an additional \$1 million that comes to the district. Mr. Loessel stated it could be. We have \$1.5 million in energy right now. It will reduce it by \$400-500,000 – with the solar we won't put the horse before the cart and that is why we are going with solar because we will get some free roofs out of this and that is part of the five-year plan.

Mr. Taylor stated schedule a meeting with them to discuss this.

Donna Senchiw stated in our school we had the hand sanitizers, but they stopped filling them.

Elsie Mackie stated I work in the hospital and the hand sanitizer issue is a big deal. We are running low. It is not just districtwide, it is hospitals too.

I want to get a status on IEP's on Genesis. Who is responsible for that? We parents should be able to have access to it. What is the software issue? Has it been looked into?

What is the policy on advocates? I had a friend of mine who asked me to attend an IEP meeting with her and she listed me as an advocate and then she was told they were going to cancel the IEP meeting and they had to contact the lawyers and the lawyers would come in and it is coming across as intimidation because I look at it as a management issue. It is escalating to supervisors, escalating to the director, escalating to the assistant superintendents. I think management and budget wise, there is a need for more supervisors. Two supervisors and one director is not enough. I need to understand why is it when a parent says advocate there is no discussion. These things can be de-escalated with a quick call. Why is a lawyer being brought into the conversation. There is another one in the middle school and she got an email stating that it is the district's policy, if a parent says advocate, that the lawyers get called and the lawyers come to an IEP meeting. It is coming across as intimidation. What is the policy on that and where can we find it? Do you have any plans on budgeting additional supervisors because that is a lot of the problem. We need more help.

Negotiations are coming up and I know you can't talk about it but please clue us in early if there is anything that is about special education. We would like a peaceful year for 2020. Let us know early on if there is a problem.

Mr. Nufrio left meeting at 9:07 p.m.

**MOTION FOR EXECUTIVE SESSION:**

Moved by Mrs. Ruiz, seconded by Mrs. Richardson, that the Board go into Executive Session at 9:08 p.m. to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-12b.

- Matters involving collective bargaining agreement negotiations and/or the negotiations of terms and conditions of employment.
- Matters concerning protecting the safety and property of the public.
- Pending or anticipated litigation, contract negotiation and matters falling under the attorney-client privilege.
- Matters involving employees and terms of their employment and contract.

Please take notice that minutes will be taken of the discussion conducted during the executive session and the Board will disclose the minutes of the executive session when the disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Board of Education and provided that such disclosure does not violate federal, state or local statutes and does not fall within the attorney/client privilege.

Action may be taken when the Board reconvenes in public session.

All present voting YES MOTION CARRIED

The Board returned to public session at 10:00 p.m.

**MOTION TO ADJOURN:**

There being no further business before the Board in public session it was moved by Mrs. Ruiz, seconded by Williams, that the meeting be adjourned at 10:00 p.m. All present voting YES MOTION CARRIED

RESPECTFULLY SUBMITTED,

MANUEL E. VIEIRA  
BOARD SECRETARY