

**LIVINGSTON SCHOOL DISTRICT
LIVINGSTON, NEW JERSEY**

**BOARD OF EDUCATION
VOTING MEETING AGENDA**

Monday, March 4, 2013 – 7:30 p.m.
Mount Pleasant Middle School – Auditorium

A. CALL TO ORDER AND STATEMENT BY PRESIDENT

Adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 7, 2013 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *The Alternative Press*, *Patch.com* and Livingston Township Clerk.

B. FLAG SALUTE

C. ROLL CALL

Pamela Chirls
Barry Funt
David Jasin
Ronnie Spring
Leslie Winograd
Moshe Pasternak

D. PROCLAMATIONS

1. Model UN

Whereas, Heritage Middle School's Junior Model UN students excelled in a competition sponsored by the New Jersey Consortium for Gifted and Talented Programs;

Whereas, For their discussion on Global Education, the team representing Tunisia -- Jacqueline Gelman, Matthew Geyman and Rohan Bendre -- earned the distinction of Best Delegation in the 2013 Regional Competition;

Whereas, other Tunisian team members, Tian Yi "Manon" Zhao, Matthew Quan, Zehao "Howie" Shen, Jason Grant, Jacob "Jack" Wheeler, Julia Keymakh, Amanda Stephenson, Matthew Park, and Ilana Goldin, contributed to this achievement by providing research and materials used at the competition;

Whereas, These students worked with Lenore Argen in preparation for this competition;

Whereas, the event is run by the Seton Hall University Model United Nations Association, in cooperation with the John C. Whitehead School of Diplomacy and International Relations.

Whereas, This is a wonderful achievement deserving of official recognition;

Therefore Be It Resolved, that the Livingston Board of Education congratulates these students and wishes them continued success in expressing and researching the ideas that govern international relations.

E. SUPERINTENDENT'S REPORT

- Teacher of the Year Recognition
- Budget Discussion

F. BOARD REPORTS

G. APPROVAL OF MINUTES

The Superintendent recommends the following:

Resolved, that the Livingston Board of Education approves the minutes of the February 11, 2013 meeting.

Resolved, that the Livingston Board of Education approves the executive session minutes from December 10, 2012, January 7, 2013, January 16, 2013, January 23, 2013, January 28, 2013 and February 4, 2013.

ROLL CALL VOTE

H. PUBLIC INPUT ON AGENDA ITEMS ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to three minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen minutes, or at the discretion of the presiding officer.

I. VOTING ITEMS

1. PROGRAM/CURRICULUM

The Superintendent recommends the following:

1.1 Textbooks/DVDs

Resolved, that the Livingston Board of Education approves the following textbooks/DVDs as shown on [Addendum A](#).

1.2 Action Plans for Schools

Resolved, that the Livingston Board of Education approves the Heritage Middle School and Harrison Elementary School 2012-2013 Action Plans for Schools with subgroup populations not meeting the New Jersey Department of Education 2012 Progress Targets.

ROLL CALL VOTE

2. STUDENT SERVICES

The Superintendent recommends the following:

2.1 Out-of-District Placements

Resolved, that the Livingston Board of Education approves placement for the academic year 2012-2013 for one (1) Livingston student with disabilities, as classified and recommended by the Child Study Team in facilities with tuition costs to be determined within the limits established by the New Jersey Board of Education as shown on [Addendum B](#).

ROLL CALL VOTE

3. BUSINESS

The Superintendent recommends the following:

3.1 Tentative School District Budget for 2013-2014

Be It Resolved, that the tentative budget be approved for the 2013-2014 School Year using the 2013-2014 state aid figures and the Secretary to the Board of Education be authorized to submit the following tentative budget to the Executive County Superintendent of Schools for approval in accordance with the statutory deadline:

	<u>General Fund</u>	<u>Special Revenues</u>	<u>Debt Service</u>	<u>Total</u>
2013-2014 Total Expenditures	\$97,410,152	\$1,696,106	\$7,064,320	\$106,170,578
Less: Anticipated Revenues	\$4,641,549	\$1,696,106	\$1,014,033	\$7,351,688
Taxes to be Raised	\$92,768,603	\$0	\$6,050,287	\$98,818,890

And to advertise said budget in the West Essex Tribune in accordance with the form suggested by the State Department of Education and according to law; and

Be It Further Resolved, that a public hearing be held in the Livingston High School Auditorium, Livingston, New Jersey, on March 21, 2013 at 7:30 p.m. for the purpose of conducting a public hearing on the budget for the 2013-2014 School Year.

3.2 Payment of Bills

Whereas, the Board Secretary has audited certain vendor claims as required by N.J.S.A. 18A:19-2 and Board Policy 6470 and presented them to the Livingston Board of Education with the recommendation they be paid, now therefore be it

Resolved, that the Livingston Board of Education approves the payment of the following bills in the amounts listed and attach a complete copy of these bills to the minutes of this meeting.

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
10&11	Regular	\$1,207,663.28
12	Regular	6,443.09
20	Regular	160,569.16
30	Referendum	
60	Cafeteria	83,354.50
	TOTAL	\$1,458,030.03

Regular Checks	48146-48448	\$1,374,675.53
Referendum Checks		
Cafeteria Checks	222	83,354.50
	TOTAL	\$1,458,030.03

3.3 Board Secretary Report – January 2013

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for January 31, 2013, consisting of:

- 1) Interim Balance Sheets
- 2) Interim Statements Comparing Budgeted Revenue with Actual to Date and Appropriations with Expenditures and Encumbrances to Date
- 3) Schedule of Revenues - Actual Compared with Estimated
- 4) Statement of Appropriations Compared with Expenditures and encumbrances, and

Whereas, the Livingston Board of Education has received the report of the Treasurer for January 31, 2013, which report is in agreement with the Report of the Board Secretary, and

Whereas, these reports show the following balances on the date indicated:

	Cash Balance	Appropriation Balance	Fund Balance
(10) General Current Exp. Fund	3,248,620		
(11) Current Expense		5,041,771	2,962,991
(12) Capital Outlay		732,952	1,787,522
(13) Special Schools			
(20) Special Revenue Fund	(135,115)		
(30) Capital Projects Fund	4,675,944		
(40) Debt Service Fund			
Total:	\$7,789,449	\$5,774,723	\$4,750,513

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of January 31, 2013, no budgetary line item account has obligations and payments contractual orders which in total exceed the amount appropriated by the district board of education pursuant to N.J.S.A. 18A:22-8, 18A:22-8.1, now therefore be it

Resolved, the Livingston Board of Education accepts the above referenced reports and certification and directs that they be made part of this resolution by reference, and be it

Further Resolved, the Livingston Board of Education certifies that, after review of the Secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district officials, to the best of its knowledge no major account or fund has been over-expended in violation of N.J.A.C.6:20-2.13(d) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

3.4 Transfers

Whereas, the Superintendent of Schools recommends certain transfers among accounts in the 2012-2013 budget for March pursuant to Board of Education Policy 6422, now therefore be it

Resolved, that the Livingston Board of Education ratify transfers pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6:20-2A.10:

<u>Object</u>	<u>Description</u>	<u>To</u>	<u>From</u>
0100	Salaries	\$2,100	
0270	Health Benefits		\$98,500
0320	Purch Prof-Educational Services		\$51,993
0440	Rentals		\$1,000
0500	Other Purchased Serv		\$1,000
0566	Tuition Pri Scl Handicapped	\$127,400	
0600	Supplies and Materials	\$19,010	
0610	General Supplies	\$3,983	
	Totals	\$152,493	\$152,493

3.5 Field Trips

Resolved, that the Livingston Board of Education approves the field trips as outlined in [Addendum C](#).

3.6 Approval of Conferences/Overnight Trips

Resolved, that the Livingston Board of Education approves *Patricia Boland* and *Ken Zushma*, Heritage Middle School Principal and Technology Teacher to attend the CoSN13 Conference (Conference for Extraordinary Use of Technology) from March 9 to 12, 2013 in San Diego, California at a cost not to exceed \$1,750 per person.

Resolved, that the Livingston Board of Education approves *Jo Tandler*, Elementary School Principal, to attend the ASCD Annual Conference 2013 from March 15 to 18, 2013 in Chicago, Illinois at a cost not to exceed \$1,700.

Resolved, that the Livingston Board of Education approves *Nancy Ciminnisi*, Music Teacher, to attend the NAFME All Eastern Conference from April 4 to 7, 2013 in Hartford, Connecticut at a cost not to exceed \$1400.

Resolved, that the Livingston Board of Education approves *James Novotny* and *Cory Yersak*, Technology Supervisor and Teacher, to chaperone students attending the Shell Ecomarathon Americas Competition from April 4 to 8, 2013 in Houston, Texas at no cost to the district. Mr. Novotny and Mr. Yersak will be chaperoning ten students.

Resolved, that the Livingston Board of Education approves *Jennifer Wirt*, Assistant Principal, to attend the NSTA National Conference 2013 in San Antonio, Texas, from April 10 to 14, 2013 at a cost not to exceed \$1,100.

Resolved, that the Livingston Board of Education approves *James Novotny*, Technology Supervisor, to attend the National School Board Association Conference (NSBA) in San Diego, California, from April 12 to 14, 2013 at a cost not to exceed \$1,200.

Resolved, that the Livingston Board of Education approves *James Novotny* and *Cory Yersak*, Technology Supervisor and Teacher, to chaperone students attending the First Robotics World Championship Tournament from April 24 to 28, 2013 in St. Louis, Missouri, at no cost to the district. Mr. Novotny and Mr. Yersak will be chaperoning ten students.

3.7 Essex Regional Educational Services Commission – Transportation

Resolved, that the Livingston Board of Education authorizes Essex Regional Educational Services Commission to coordinate and administer the transportation for all applications submitted by this district for the 2013-2014 school year.

3.8 Award of Contract - Partial Roof Replacement at Livingston High School

WHEREAS, a recommendation was made by the Superintendent of Schools to the **Livingston Board of Education ("Board")** to seek a contract for the Partial Roof Replacement at the Livingston High School (hereinafter "Project"); and

WHEREAS, the Project was advertised to prospective bidders in accordance with N.J.S.A. 18A:18A-4 on or about December 21, 2012; and

WHEREAS, on Wednesday January 29, 2013 the Board received the following bids from potential bidders in accordance with N.J.S.A. 18A:18A-1, et seq.;

<u>Contractor</u>	<u>Base Bid</u>	<u>Alt. #1</u>	<u>Alt. #2</u>	<u>Alt. #3</u>	<u>Alt. #4</u>	<u>Alt.#5</u>	<u>Alt. #6</u>	<u>Alt. #7</u>
E.R. Barrett	\$313,525	\$24,000	\$12,275	\$12,000	\$40,700	\$36,020	\$1,360	\$1,190
VMG	\$406,600	\$36,560	\$13,000	\$11,500	\$27,000	\$4,000	\$1,500	\$1,000
USA General	\$438,000	\$35,000	\$13,000	\$10,400	\$26,000	\$38,000	\$13,600	\$11,000
ARCO	\$444,900	\$35,000	\$17,000	\$11,500	\$28,000	\$37,570	\$14,700	\$12,300
Patwood	\$448,000	\$43,716	\$17,250	\$12,178	\$39,000	\$2,600	\$300	\$200
Laumar	\$474,000	\$29,000	\$12,000	\$7,000	(\$5,000)	0	0	0
Arch-Concept	\$486,711	\$40,000	\$23,000	\$15,000	\$35,000	\$41,500	\$23,600	\$16,500
NJK	\$489,960	\$41,000	\$18,000	\$12,000	\$28,000	\$46,000	\$20,000	\$12,000
Imperium	\$499,000	\$47,000	\$15,000	\$12,600	\$34,000	\$50,000	\$16,500	\$13,500
ABCD	\$696,606	\$80,000	\$43,000	\$45,000	\$40,000	\$5,000	\$6,000	\$6,000
Billy Contracting	\$763,000	\$66,500	\$25,000	\$21,000	(\$89,000)	(\$8,000)	(\$3,000)	\$3,000

WHEREAS, the lowest bidder, E.R. Barrett, Inc., withdrew their bid due to a typographical error; and

WHEREAS, the Board has accepted E.R. Barrett's withdrawal request and has approved same; and

WHEREAS, the bid submitted by VMG Group has been reviewed and deemed compliant with New Jersey Public Contracts Law, N.J.S.A. 18A:18A-1 et seq. and the bid specifications, and

WHEREAS, the Board, has considered the recommendation of the Superintendent of Schools and approves same;

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Board hereby awards the Project to VMG Group as the lowest responsible bidder at a total contract amount of \$467,660 which is the cost of the base bid plus alternates 1, 2, and 3.

3.9 Amendment to the 2012-2013 IDEA Application

Resolved, that the Livingston Board of Education approves the submission of an amendment to the 2012-2013 IDEA grant application to carryover non-public IDEA Basic funds.

3.10 Award of Contract – Cafeteria/Vending Operations

Whereas, the Livingston Board of Education received proposals for the operation and management of the Livingston Public School food service program on February 13, 2013; and

Whereas, the Livingston Board of Education received two proposals; and

Whereas, the proposal from ARAMARK Education guarantees a minimum client return of \$23,353 plus replacement of the entire POS system and is in compliance with Policy #8505 and state regulations cited in N.J.S.A. 18A:33-16; and

Whereas, this contract is being awarded under 18A:18A-4.5 Competitive Contracting; now therefore be it

Resolved, that the Livingston Board of Education approves the contract with ARAMARK Education to provide food services for the 2013-2014 school year with options not to exceed four additional years.

3.11 Teachers College

Resolved, that the Livingston Board of Education amends the agreement with Teachers College, Columbia University, Reading and Writing Project for professional development services in the amount of \$19,250.

3.12 Revision to the 2012-2013 Calendar

Resolved, that the Livingston Board of Education approves the following revision to the 2012-2013 Academic Calendar as shown on [Addendum D](#).

June 4, 2013 – Primary Election – partial day Elementary
June 11, 2013 – Schools in session all day

3.13 Policies

Resolved, that the Livingston Board of Education has reviewed the following policies and finds that no changes need to be made at this time:

Bylaws

Policy #0110 – Identification
Policy #0131 – Bylaws and Policies
Policy #0132 – Executive Authority
Policy #0134 – Board Self Evaluation
Policy #0141 – Board Member Number and Term
Policy #0145 – Board Member Resignation and Removal
Policy #0148 - Board Member Indemnification
Policy #0154 – Annual Motions and Designations
Policy #0155 – Board Committees
Policy #0161 – Call, Adjournment and Cancellation
Policy #0162 – Notice of Board Meetings
Policy #0163 – Quorum
Policy #0164 – Conduct of Board Meetings
Policy #0165 – Voting
Policy #0166 – Closed Sessions
Policy #0167 – Public Participation in Board Meetings
Policy #0175 – Contracts with Independent Consultants
Policy #0176 – Collective Bargaining and Contract Approval/Ratification

Administration

- Policy #1100 – District Organization
- Policy #1120 – Management Team
- Policy #1130 – Staff Liaison Committees
- Policy #1210 – Board/Superintendent Relations
- Policy #1220 – Employment of Chief School Administrator (M)
- Policy #1260 – Incapacity of the Superintendent
- Policy #1310 – Employment of the School Business Administrator/Board Secretary
- Policy #1320 – Duties of the School Business Administrator/Board Secretary
- Policy #1330 – Evaluation of the School Business Administrator/Board Secretary
- Policy #1350 – Incapacity of the School Business Administrator/Board Secretary
- Policy #1400 – Job Descriptions (M)
- Policy #1510 – Rights of Persons with Handicaps or Disabilities/Policy on Non-Discrimination (M)
- Policy #1540 – Administrator’s Code of Ethics
- Policy #1570 – Internal Controls (M)

Resolved, that the Livingston Board of Education approves the following policies for first reading:

Bylaws

- Policy #[0154](#) – Annual Motions and Designations (with revisions)

Community

- Policy #[9125](#) – School District Cable Channel (new to district)

ROLL CALL VOTE

4. PERSONNEL

The Superintendent recommends the following:

4.1 Resignations

4.2 Leaves of Absences

4.3 Substitutes

4.4 Longevity

4.5 Extra Work Pay

4.6 Stipends

ROLL CALL VOTE

J. OLD BUSINESS

K. PUBLIC COMMENT ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 states that The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Public participation shall be governed by the following rules:

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ADJOURNMENT

L. PROPOSED FUTURE AGENDA ITEMS (dates subject to change)

March 21, 2013 (*Public Hearing*)

- Public Hearing on Budget

April 8, 2013 (*voting*)

- Subscription Bus Pricing
- ECESC Contract
- Joint Transportation Contracts

April 22, 2013 (*workshop*)

- Violence and Vandalism and HIB Report Discussion (Reporting Period 1)
- LHS Guidance Overview

May 6, 2013 (*voting*)

- Out-of-District Tuition Rates
- Superintendent Summer Approval to Hire
- Personnel Appointments
- Approval of Violence and Vandalism and HIB Report (Reporting Period 1)

May 20, 2013 (*workshop*)

- Code of Conduct Review

June 3, 2013 (*voting*)

- Retirement Ceremony
- New Jersey State Interscholastic Athletic Association
- Summer Work Appointments
- Summer Project Appointments
- Curricular Writer Names and Locations
- YMCA Contract
- Strategic Plan – Implement LPS Data Center disaster recovery site plan (Strand 4)

June 17, 2013 (*workshop*)

July 15, 2013 (*voting*)

- Property, Liability and WC Insurance
- Cafeteria/Vending Ops Contract Award
- Renewal of Interstate Waste Contract
- Natural Gas Purchase and Sales Agreement
- Related Services/Medical Consultants for 13-14
- Out of District Placements for 13-14
- Extended School Year Out of District Placements
- Approval of District Professional Development Plan

August 12, 2013 (*voting*)

- Travel and Conferences Expenses
- Livingston Chinese School
- Livingston Huaxia Chinese School
- World Hindi Foundation

- Acceptance of IDEIA Grants

September 9, 2013 (*voting*)

- Application and Receipt of Funds for NCLB Grants
- Longevity Recognition

September 23, 2013 (*workshop*)

- Violence and Vandalism and HIB Report Discussion (Reporting Period 2)

October 7, 2013 (*voting*)

- Joint Transportation Agreement with MUJC
- Approval of District Nursing Services Plan
- Approval of Violence and Vandalism and HIB Report (Reporting Period 2)

October 21, 2013 (*workshop*)

November 4, 2013 (*voting*)

- Application for SEMI Waiver

November 18, 2013 (*workshop*)

- Presentation of Comprehensive Annual Financial Report

December 9, 2013 (*voting*)

- Approval of Comprehensive Annual Financial Report (Corrective Action Plan)
- On-Tech Consulting Agreement

January 6, 2014 (*reorganization*)

CLOSED SESSION

1. Legal Matters
2. Negotiations
3. Personnel

Whereas, N.J.S.A. 10:4-1 et seq., also known as the "Sunshine Law," authorizes a public body to meet in executive or private session under certain limited circumstances, and

Whereas, said law requires the Board to adopt a resolution at a public hearing before it can meet in such an executive or private session, now, therefore, be it

Resolved, by the Livingston Board of Education that:

- (A) It does hereby determine that it is necessary to meet in executive session on March 4, 2013 to discuss the matters stipulated, in conformance with the subsections of said act which are indicated.
1. Matter rendered confidential by federal law, state statute or rule of court.
 2. Matter in which the release of information would impair a right to receive federal funds.
 3. Matter, the disclosure of which would constitute an unwarranted invasion of individual privacy unless the individual concerned shall request in writing that the same be disclosed publicly.
 4. Collective bargaining matter.
 5. Matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates, etc. where it would adversely affect the public interest if discussion were disclosed.
 6. Tactics and techniques utilized in protecting public property where disclosure could impair protection.
 7. Investigation of violations or possible violations of law.
 8. Pending or anticipated litigation or contract negotiation other than collective bargaining agreement.
 9. Personnel matters unless the individual employees or appointees affected requested that such matter be discussed at a public meeting.
 10. Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty.
- (B) The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.

M. MISCELLANEOUS

1. Suspension and HIB Report ([February](#))