



## LIVINGSTON BOARD OF EDUCATION SPECIAL VOTING MEETING MINUTES

Monday, July 30, 2018

Executive Session – Administrative Building Large Conference Room – 6:00 p.m.

Public Session – Administrative Building Large Conference Room – 7:00 p.m.

A **Special Voting Meeting** of the Livingston Board of Education was held on this date in the large conference room at the Administration Building. The meeting was called to order at 6:00 p.m. by the Board President, Pamela Chirls, who announced that adequate notice of this meeting had been provided by amendment to notice approved at the Board's voting meeting on July 25, 2018 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *The Alternative Press* and the Livingston Township Clerk.

Mr. August moved the following:

### **Executive Session**

**Whereas**, the Open Public Meetings Act, N.J.S.A. 10:4-11, permits the Board of Education to meet in closed session to discuss certain matters; now, therefore be it

**Resolved**, that the Livingston Board of Education adjourns to closed session to discuss:

- Personnel

Action may be taken upon return to public session. The full length of the meeting is anticipated to be approximately 60 minutes and be it

**Further Resolved**, the minutes of this closed session be made public when the need for confidentiality no longer exists.

Mrs. Konner seconded the motion.

Vote all in favor.

Mrs. Chirls reconvened the public meeting at 7:05 p.m.

Members Present: Charles "Buddy" August, Pamela Chirls, Ronnie Konner, Samantha Messer, George Shen and Philippe Jallow

Also in Attendance: Christina Steffner, Steven Robinson, Lisa Capone-Steiger, Joann Goldberg and approximately 100 members of the public and staff

## **Public Input on Agenda Items ~ up to 15 minutes**

Donna Richter-Mascio, 18 Terrace Avenue, Nutley, is a former Livingston teacher, read a brief statement in response to Jo Tandler's resignation. Mrs. Richter-Mascio stated she has a great respect for her and that her departure is a loss for Livingston.

Ilyse Shainbrown, 2 Mountain Ridge Drive, asked for an explanation on the process for filing a separation agreement.

Judith Frohman, 1 Berkeley Road, stated she will miss Jo Tandler and read a statement about her.

Todd Goren, 8 Tremont Terrace, asked why we are moving someone to take Ms. Tandler's place now if her resignation isn't effective until June 30, 2019.

Allison Handler, 14 Hearthstone Terrace, asked what happens the year after if Mrs. Ostrowski is only being moved for the 2018-2019 school year.

Rachel Selvin, 18 Canoe Brook Drive, asked what the cost is to the district for Ms. Tandler's extended time and for Mrs. Steffner's separation agreement.

At the close of public input, Mrs. Steffner explained the plan for Riker Hill is to move an experienced principal into the building and have the assistant principal at MPMS move up as the Interim Principal. Mrs. Steffner added that Chris Bickel, our PreK-6 Social Studies Supervisor, will assist Mr. Espinoza since he has his principal certification and has also had prior experience as an Assistant Principal. Mrs. Steffner added this is for the 2018-2019 school year and as the year progresses, we will make a decision about finding a permanent replacement for Riker Hill that will begin in July 2019.

Ms. Messer explained that the process by which a separation of service agreement comes to be is that both sides would retain an attorney and come to terms that are mutually acceptable. In our case, a majority of the board would have to agree to those terms. Ms. Messer added she can't disclose the terms as they were discussed in Executive Session. In the case of a superintendent, the separation agreement also requires a sign off of the Commissioner of Education, which can take up to 30 days.

Mrs. Chirls read a statement, which the board worked on in consultation with our attorney, about the process of separation with Mrs. Steffner. The statement is attached to the end of the minutes.

Ms. Messer then responded to an earlier question that she cannot disclose the total cost to the district because it is part of the settlement but the settlements are public record so that is something the public can request.

## **RECOMMENDATIONS FOR APPROVAL**

### **PERSONNEL**

Mr. August moved the following:

#### **4.1 Resignation**

**Resolved**, that the Livingston Board of Education accepts the resignation of *Jo Tandler* effective June 30, 2019.

#### **4.2 Leave of Absence**

**Resolved**, that the Livingston Board of Education places Employee #4470 on an unpaid administrative leave of absence effective August 1, 2018.

#### **4.3 Transfer**

**Resolved**, that the Livingston Board of Education approves the transfer of *Debra Ostrowski* from Principal of Mt. Pleasant Middle School to Principal of Riker Hill Elementary School for the 2018-2019 school year.

#### **4.4 Appointment**

**Resolved**, that the Livingston Board of Education approves the appointment of *Andrew Espinoza* to Interim Principal of Mt. Pleasant Middle School for the 2018-2019 school year. Mr. Espinoza will be placed on Step 8 of the MPM/ELEM Principal Guide for the 2018-2019 school year (\$138,564), plus \$1600 for longevity.

#### **4.5 Separation of Service Agreement**

**Resolved**, that the Livingston Board of Education approves the Separation of Service Agreement between it and Employee #4766 effective June 30, 2019.

Mr. Shen seconded the motion.

**ROLL CALL VOTE** – Ayes – Mr. August, Mrs. Konner, Ms. Messer, Mr. Shen, Mrs. Chirls  
Nays - None

#### **Public Comment ~ up to 15 minutes**

Laura Goren. 8 Tremont Terrace, asked who the superintendent will be between August 1 and 15.

Ian Shainbrown, 2 Mountain Ridge Drive, stated this is the seventh superintendent since his child began his education in Livingston and asked if there is a problem identifying the appropriate people or is there a problem retaining the appropriate people. Mr. Shainbrown added this revolving door is costing the taxpayers a lot of money and asked why the community should have confidence in the board to get it right this time.

Eric Rogo, 925 Kensington Lane, said on Facebook there is a lot of talk about a large number of teachers having cancer at Burnet Hill. He is hearing there is a problem with mold, radon and high tension wires and asked if this information is factual.

Mr. Robinson replied we checked the soil and 23 pesticides were analyzed and all of the results came back negative. We also performed a radon test over the weekend that we expect to come back clean. In addition, in September when school is back in session, we will be performing some air quality tests. Mr. Robinson added we have no reason to believe there is anything unsafe in the building. Mr. Robinson also began to explain that a few years ago, we were in contact with the Township medical clerk and the State to check the EMF readings at Burnet Hill.

Mrs. Steiger continued that Dr. Zenenberg, a pediatric oncologist at Saint Barnabas, and a parent at the time at Burnet Hill, reviewed the report from the State and then shared her knowledge of the data with the community.

Mr. Robinson added there was nothing in the data to show the building is not safe.

Mrs. Steffner added the numbers on the Facebook page are inaccurate. Mrs. Steffer continued we have worked closely with the teacher's association to identify which areas they are concerned with and they, in turn, spoke with the NJEA who had their experts recommend the tests we should perform.

Mrs. Steffner added we would close the building immediately if the board or administration thought there was a cancer risk. Mrs. Steffner concluded that the misinformation is irresponsible and we hope it will cease immediately.

Ilyse Shainbrown, 2 Mountain Ridge Drive, asked given the outcry from the last meeting and the fact that we have tabled votes in the past, why didn't the board table the superintendent's resignation to this meeting.

Todd Goren, 8 Tremont Terrace, asked again about the timing of Ms. Tandler's resignation and asked for clarification between what Ms. Messer said about there being a 30 day approval in the case of the superintendent's separation agreement and Mrs. Chirls saying it was received the day of the resignation.

Liz Conklin, 9 Trafalgar Drive, thanked Mrs. Steffner for all she has done for the district and doesn't think the board realizes the amount of parent support behind her.

David Shaefer, 15 Cliffside Drive, asked that the board and superintendent handle issues, even when disagreeing, respectfully because he doesn't want to see a repeat of what happened a number of years ago with lawsuits and petty arguments between the parties played out in public.

Sheri Miller, 18 Sycamore Terrace, asked if there is a child study team summer presence at the high school similar to what we have in the guidance department.

Lisa Becker, 6 Tulane drive, reminded everyone that the vote to accept Mrs. Steffner's resignation was 3 to 2.

Nicole Sibilia Dockx, 13 Arrow Drive, expressed concern that in 11 years there have been seven different superintendents. Mrs. Dockx added the superintendent should have the most knowledge, education and expertise to be in that position more so then the parents and students.

Bernard Searle, 14 Washington Court, stated he doesn't consider full time superintendents in the same category as interims so he believes we have had three not seven. Dr. Searle added the board should not use having an interim as a crutch if the superintendent they hire doesn't work out. Dr. Searle suggested performing an air quality test twice a year.

Sharon Apple, 73 Rockledge Drive, thanked the board for their service. Mrs. Apple stated it is unfortunate that the board has lost the confidence of their constituents and suggests we form a committee of parents, teachers and administrators who can help make the decision and share in the accountability of whom we hire next.

Amy Schaeffer, 15 Cliffside Drive, stated the board shouldn't think everyone in town has turned against them because different people have different views.

James Calderon, 17 Claremont Avenue, stated it's important for people to pay attention and come out to board meetings and asked why we don't have a larger board of seven or nine members like other districts.

At the close of public comment, Mrs. Steiger explained Child Study Team members do work the same number of days over the summer as the counselors and suggested if the parent is not getting a response, to reach out to Todd Mitchell or Blair Rosenthal.

Mr. Robinson explained both Mrs. Steiger and he will absorb the duties of superintendent until an interim is brought into the district.

Ms. Messer responded she feels it is reprehensive that the board didn't table the vote on Mrs. Steffner's resignation until today and doesn't understand why the community support for her wasn't given more weight when the decision was made.

## **ADJOURNMENT**

At 8:00 p.m., Mr. August made a motion to adjourn the meeting.

Mr. Shen seconded the motion.

Vote all in favor.

**Respectfully Submitted,**

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**Steven K. Robinson**  
**Board Secretary**

Livingston Board of Education

Public Board Meeting Statement, Read July 30, 2018

On Wednesday, July 25, 2018, the Livingston Board of Education held a public meeting of the Board of Education. Adequate notice of the meeting was provided to the public in accordance with the requirements of NJSA 10:4-8(d) of the Open Public Meetings Act and included advance notice of at least 48 hours regarding the meeting's agenda "to the extent known."

During the afternoon of July 25, 2018, the Board received a letter of resignation from Christina Steffner, Superintendent of Schools, effective July 31, 2018. Also on July 25, 2018, just hours before the Board's scheduled meeting, the Board of Education received an approval letter from the Commissioner of Education regarding a separation of service agreement between it and Ms. Steffner.

As a result of the events that occurred during the afternoon of July 25, 2018, the Board of Education hand carried two resolutions to the July 25, 2018 Board meeting. Copies of both resolutions were available to the public at the Board meeting. The first resolution was to accept Ms. Steffner's letter of resignation, and the second resolution was to approve a separation of service agreement between it and Ms. Steffner.

Prior to the Board meeting on July 25, 2018, the Board did not have any ability to provide the public with advance notice of those two resolutions, as it did not receive either Ms. Steffner's letter of resignation or required Commissioner approval of the separation of service agreement until hours before the scheduled Board meeting.

Additionally, as of the start of the July 25, 2018, 7:00 p.m. Board of Education meeting, the only Board meeting scheduled for the month of July was the July 25, 2018 Board meeting. During the meeting, while the Board did move from the floor to schedule an additional meeting for Monday, July 30, 2018, the two resolutions had already been added to the agenda for the July 25, 2018 meeting as per the hand-carried resolutions, and the Board approved them on July 25, 2018.

On a personal note, I know we're all operating on what's best for the District – the three Board members who voted "yes" to accept Ms. Steffner's resignation and separation of service agreement and the two Board members who voted "no" to accept Ms. Steffner's resignation and separation of service agreement. The agreement between the Board and Ms. Steffner is in accordance with the requirements set forth at NJAC 6A:232A-3.2, which provides for legal guidelines based upon the terms of the employment contract between the parties, 9 months.

We understand that there are additional questions about the terms of the separation of service agreement and hope you respect that everyone sitting at this table has an obligation to the law and the code (of ethics). All five Board members voted "yes" on Ms. Steffner's contract in summer 2017. We are otherwise governed by the terms of the separation of service agreement, those who voted "yes" and those who voted "no."

I know we're all being role models for our children, teaching them how to have healthy debate and listen to each other tonight and going forward – even when we disagree. As a Board member, we promised you that we would make informed decisions for the benefit of each one of our children. Those of you who

know us understand that we have *always* asked questions to ensure that policies and programs would be carried out in the best interest of each one of our children, as we did recently for the 125 students hoping to get into an AP class this fall.

Now, we begin the important process of hiring an interim superintendent who can continue the excellence in Livingston Public Schools. We anticipate bringing an experienced Interim Superintendent, who knows Livingston Public Schools' children, staff, and community; expect to introduce this individual to you on August 15, 2018; and hope you will open your minds and hearts to the possibilities for the 2018-2019 school year.