



LIVINGSTON BOARD OF EDUCATION WORKSHOP/VOTING MEETING AGENDA

Monday, April 5, 2021

Executive Session - Via Zoom - 6:00 p.m.

Public Session - Virtual Meeting Via Zoom and Facebook Live – 7:00 p.m.

This is a public meeting of the Board of Education. The Livingston Board of Education will be video recording and posting its open public meetings on the district website. The Board reserves the right to edit the videotape prior to posting to protect the privacy of students and staff.

The Board's Bylaw #0168 allows videotaping and livestreaming of public meetings with prior approval from the Board Secretary. Any member of the public may record the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting, distract Board members or other observers present at the meeting, or violate the privacy of students and staff. The Board will permit the use of tape recorder(s), video camera(s) or live streaming only when notice of such intended use has been given to the Board Secretary five days in advance of the meeting. Any camera(s) must be operated in an inconspicuous location in the meeting room. The Board reserves the right to request a copy of the tape. The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.

While the Board of Education discourages the videotaping/livestreaming of students without written parental consent, public meetings are not subject to the same restrictions as other school events. Please be aware that you and your children may be videotaped or livestreamed as a result of your participation at this meeting.LPS

In accordance with Policy #9131, the Livingston Board of Education members, district administration, and staff will treat students, parents/guardians and other members of the public with respect and expect the same consideration in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

I. OPEN SESSION

A. Call to Order – Ms. Samantha Messer, President

B. Reading of Meeting Notice

Adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 4, 2021 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *TAPinto Livingston* and the Livingston Township Clerk.

C. 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.

D. Pledge of Allegiance / Roll Call

E. Workshop Items

1. LPS' Own Healthcare Heroes
2. Budget Discussion

F. Superintendent's Report

1. Spring Forward Update

G. Board Reports

H. Public Input on Agenda Items ~ up to 15 minutes

An excerpt from Policy #0167 adopted on January 10, 2011 and reviewed on March 4, 2013 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.

II. VOTING ITEMS

3. BUSINESS

The Superintendent recommends the following:

3.1 Waiver for Retired Teachers to Substitute

Whereas, the Division of Pensions and Benefits (the "Division of Pensions") in the New Jersey Department of the Treasury has adopted a rule at N.J.A.C. 17:1-17.14 ("Return to Employment Rule") which sets forth the terms upon which a retiree can return to employment with the same employer; and

Whereas, the Division of Pensions has administered the Return to Employment Rule to require that there be a six (6) month period between the date of retirement and the return to employment, and also that there has been no pre-arrangement of that return between the employee and the former employer; and

Whereas, the Division of Pensions has administered the Return to Employment Rule to require that retirees returning to work with the same employer and wishing to continue

to collect their pension while also getting paid for their work cannot work full time, since working full time may require re-enrollment in the applicable retirement system; and

Whereas, the health emergency created by the current COVID-19 Pandemic has produced significant staffing shortages in our district, and has caused there to be a reduction in the number of qualified candidates applying for various education positions; and

Whereas, in order to obtain additional staffing resources, State departments, agencies, boards, commissions and independent authorities and local municipal and county governments ("Government Agencies") may need to enlist the efforts of retirees on a full-time basis and within the six (6) month period specified in the Return to Employment Rule; and WHEREAS, because these retirees will be returning to their former employment specifically in response to the unprecedented emergency created by the COVID-19 pandemic, there is less reason to fear that they did not have a "bona fide" retirement; and

Therefore, Be It Resolved that the Livingston Board of Education would support a resolution initiated by the Governor which would suspend N.J.A.C. 17:1;17.14 and allow, for the duration of this Emergency, for retirees to return to employment in any capacity, without having to re-enroll in any retirement system.

3.2 Strategic Plan Agreement

Resolved, that the Livingston Board of Education approves the agreement between the Livingston Board of Education and TMI Education in the amount of \$15,750.

3.3 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.

Fund	Name	Amount
10&11	Regular	1,457,723.78
12	Regular	201,960.00
20	Regular	278,416.17
60	Cafeteria	91,168.98
	TOTAL	\$2,029,268.93

Regular Checks	91211-91501	1,938,099.95
Cafeteria	1290-1297	91,168.98
	TOTAL	\$2,029,268.93

3.4 Board Secretary Report – February 2021

Whereas, the Livingston Board of Education has received the Report of the Board Secretary for February 28, 2021, 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 February 28, 2021, 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	18,770,844		
(11) Current Expense		25,878,822	8,009,270
(12) Capital Outlay		121,375	1,978,235
(20) Special Revenue Fund	727,681		
(30) Capital Projects Fund	183,789		
(40) Debt Service Fund	145,962		
Total:	\$19,828,276	\$26,000,197	\$9,987,505

Whereas, pursuant to N.J.A.C. 6:20-212(d), the Board Secretary has certified that as of February 28, 2021, 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.

3.5 Transfers

Whereas, the Superintendent of Schools recommends certain transfers among accounts in the 2020-2021 budget for February 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>
610	General Supplies	200,000	
270	Health Benefits		200,000

	TOTALS	\$200,000	\$200,000
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ROLL CALL VOTE

4. PERSONNEL

The Superintendent recommends the following:

4.1 Resignations

Resolved, that the Livingston Board of Education accepts the resignations of:

Name	Position	Reason	Location	Last Day of Employment
<i>Dr. Emily Sortino</i>	Director of Special Education	Resignation	CO	May 21, 2021
<i>Kathleen Carey</i>	Teacher of English	Retirement	HMS	June 30, 2021
<i>Carmela Damante</i>	Elementary School Teacher	Resignation	Hillside	June 30, 2021
<i>Meghan Bailey</i>	TOSD	Resignation	Collins	May 14, 2021
<i>Phyllis Smith</i>	Instructional Aide	Retirement	LHS	June 30, 2021

4.2 Appointments

Resolved, that the Livingston Board of Education approves the applications indicated below (*) for emergent hiring for the following appointments under the requirements of N.J.S.A. 18A:16-1 et. seq., N.J.S.A. 18A:39.17 et. seq.; N.J.S.A. 18A:6-4.13 et. seq. All appointments are contingent upon reference checks in accordance with P.L. 2018, c.5.

Name	Location	Title	Tenure Track/LOA or LT Replacement	Replacing	Guide	Step	Salary	Effective Date
<i>Nicole Rothman</i>	LHS	College Counselor	First Year Tenure Track	New	MA+16	5	\$67,819, plus 30 days over the summer of 2021 @ per diem rate	8/30/2021
<i>Donna Anello</i>	Collins	Elementary School Teacher	First Year Tenure Track	C. Greenwald	MA+32	10	\$83,658	8/30/2021
<i>Bracha Katz</i>	BHE	School Psychologist	One Year Leave Replacement	M. Seidman	MA+32	1	\$67,504	8/30/2021
<i>Mary Aileen Petinglay</i>	BHE	TOSD	Leave Replacement	C. Wittjohann	BA	1	\$53,240 (pro-rated)	5/24/2021
<i>Mary Aileen Petinglay</i>	BHE	TOSD	One Year Leave Replacement	C. Wittjohann	BA	1	\$54,550	8/30/2021
<i>Ashley Strysko</i>	BHE/TBD	TOSD	One Year Leave Replacement	K. Santos/TBD	BA	2	\$54,550	8/30/2021

Stacy Lodge	MPE	Playground Aide	NA	NA	NA	NA	\$15.50/hr	3/17/2021
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Resolved, that the Livingston Board of Education approves the appointment of the ABA Discrete Trial TA's and Instructional Aides as listed on **Attachment AA**.

ROLL CALL VOTE

5. MISCELLANEOUS

The Superintendent recommends the following:

5.1 HIB Report

Resolved, that the Livingston Board of Education accepts the findings of HIB cases.

ROLL CALL VOTE

III. PREVIEW OF MAY 4, 2021 PUBLIC HEARING/VOTING AGENDA

Public Hearing on Budget

1. Presentation
2. Discussion
3. Questions and Comments from Public
 - Speakers are asked to stand and state name and address for the board and public
 - Each person may speak once with a three (3) minute time limit until all who wish to be heard have had an opportunity to speak

Adoption of 2021-2022 Budget

Resolved, that the Livingston Board of Education approves the 2021-2022 Proposed School District Budget:

	<u>General Fund</u>	<u>Special Revenues</u>	<u>Debt Service</u>	<u>Total</u>
2021-2022 Total Expenditures	\$119,939,725	\$2,550,471	\$8,388,300	\$130,878,496
Less: Anticipated Revenues	\$8,823,772	\$2,550,471	\$735,092	\$12,109,335
Taxes to be Raised	\$111,115,953	-----	\$7,653,208	\$118,769,161

Superintendent's Report

1. Mental Health Presentation

PROGRAM/CURRICULUM

1.1 Textbooks/DVDs

1.2 Student Teacher

STUDENT SERVICES

2.1 Out of District Placement

2.2 Related Services/Medical Consultants

BUSINESS

3.1 Joint Transportation Agreement with Educational Services Commission of Morris County

3.2 Joint Transportation Agreement with Sussex County Regional Transportation Cooperative

3.3 Essex Regional Educational Services Commission

3.4 Settlement Agreement

3.5 Parental Contract for Student Transportation

PERSONNEL

4.1 Transfers

4.2 Substitutes

4.3 Job Descriptions

4.4 Stipends

4.5 Extra Period Assignments

4.6 Mentor Fees

I. Public Comment ~ up to 15 minutes

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J. Old Business

K. New Business

III. ADJOURNMENT

EXECUTIVE 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 April 5, 2021 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.
- (C) No action will be taken.

PROPOSED FUTURE AGENDA ITEMS (dates subject to change)

May 4, 2021 (Public Hearing/voting)

- Mental Health Presentation
- Transportation Contracts

May 11, 2021 (Executive Session - Personnel)

May 13, 2021 (workshop/voting)

- Conference with the Livingston Education Association
- District Goals
- Personnel Appointments

May 18, 2021 (Executive Session - CSA Evaluation)

May 24, 2021 (voting)

- Annual Appointments
- Sale of SRECs
- Out of District Tuition Rates
- New Jersey State Interscholastic Athletic Association
- Travel and Conference Expenses
- YMCA Contract

June 14, 2021 (workshop)

- Retirement Ceremony
- SEPAC

June 21, 2021 (voting)

- Student Representative to the Board
- Superintendent Summer Approval to Hire
- Summer Work Appointments
- Curriculum Writer Names and Locations
- ESY Appointments
- Bus Evacuation Drills
- Compliance with PL 2015, Chapter 47
- Transfer of Current Year Surplus to Capital Reserve

July 14, 2021 (*voting*)

- Property, Liability and WC Insurance
- Food Service Renewal
- Out of District Placements for 2021-2022
- Related Services and Medical Consultants for 2021-2022
- Extended School Year Out of District Placements Summer 2021

August 11, 2021 (*voting*)

- Enrollment Update
- Travel and Conferences Expenses
- Livingston Chinese School Contract
- Livingston Huaxia Chinese School Contract

September 14, 2021 (*workshop*)

September 28, 2021 (*voting*)

- District Nursing Services Plan

October 12, 2021 (*workshop*)

- Public Hearing for District and School HIB Self-Assessment Report
- NJSLA (as per Policy 2610)

October 19, 2021 (*voting*)

- Conference with the Livingston Education Association
- Summer Curriculum Writing Update

November 9, 2021 (*workshop*)

- Board Budget Goals
- Assessment Update

November 23, 2021 (*voting*)

December 7, 2021 (*voting*)

- Comprehensive Annual Financial Report
- New Course Offerings
- Approval of Comprehensive Annual Financial Report (Corrective Action Plan)
- NJQSAC Statement of Assurance
- Bus Evacuation Drills

January 4, 2022 (*Reorganization*)

NEW HIRES FOR 2020-2021							
School	First Name	Last Name	Position	Hours/Week	Step	Base Salary	Start Date
Burnet Hill Elementary	Marie	Brutus	ABA Discrete Trial TA	35	1	\$32,962 (pro-rated)	3/24/2021
Hillside Elementary	Monica	Conway	Instructional Aide	28.75	1	\$24,379 (pro-rated)	4/5/2021