

PLAINFIELD BOARD OF EDUCATION
Plainfield, N.J.

ANNUAL ORGANIZATION MEETING

Date: Tuesday, May 4, 2010
Time: 7:00 p.m.
Place: **ADMINISTRATION BUILDING
AUDITORIUM
1200 MYRTLE AVENUE**

Board of Education Members

Mr. Agurs Linward Cathcart, Jr., President
Mr. Martin P. Cox, Vice President
Ms. Patricia I. Barksdale
Mrs. Wilma G. Campbell
Ms. Sandra L. Chambers
Mr. Christian Estevez
Mrs. Brenda Gilbert
Mrs. Lisa C. Logan-Leach
Ms. Katherine Peterson
Dr. Steve Gallon III, Superintendent

I. CALL MEETING TO ORDER

II. **OATH OF OFFICE – FOUR NEWLY ELECTED BOARD MEMBERS**

This evening, the oath of office will be issued to the following newly elected board members:

Three-year term: 1. **Rasheed Abdul-Haqq**
2. **Wilma G. Campbell**
3. **Renata A. Hernandez**

One-year term: 1. **Keisha Edwards**

III. PLEDGE OF ALLEGIANCE
IV. ROLL CALL
V. WELCOME

WELCOME to the ANNUAL ORGANIZATION MEETING of the Board of Education of the City of Plainfield. Members hope you will find the meeting interesting and informative. We thank you for taking the time to attend. Please be advised that this and all meetings of the Board are open to the media and public, consistent with the Open Public Meetings Act (Ch. 231, Laws of 1975), and that the advance notice required therein has been provided to the Courier News and the Star Ledger on Wednesday, April 21, 2010 to be advertised on Friday, April 23, 2010.

VI. ORGANIZATION MEETING

- A. Nomination and Election of President.
(The Board Secretary will chair the meeting until the President is elected).
- B. Nominations will be received from board members. No second is required. When nominations are closed, a vote will be taken on the nominees in the order of nomination. The first candidate receiving a majority of the votes of those present will be declared President.
- C. President assumes the Chair.
- D. Nomination and election of Vice President.

VII. CONDUCT OF BOARD OF EDUCATION MEETINGS

The Board of Education takes official action at its Business Meetings. Business meetings are regularly scheduled on the third Tuesday of each month, subject to changes that may occur because of holidays. Prior to the board taking action at its business meetings, committee meetings are scheduled where in-depth discussion occurs.

At the Board of Education's committee meetings, no formal action is taken. The typical monthly schedule of meetings is as follows:

<u>Type of Meeting</u>	<u>* Date</u>	<u>Place</u>	<u>Time</u>
Policy Committee	1 st Tues.ea.mo.	Admin. Bldg.	6:30 p.m.
Personnel/Exec.Sess.	2 nd Tues.ea.mo.	Admin. Bldg.	6:30 p.m.
Curric. & Instr. Cmte.	2 nd Tues.ea.mo.	Admin. Bldg.	8:00 p.m.
Finance Committee	2 nd Tues.ea.mo.	Admin. Bldg.	8:00 p.m.
Bldgs. & Grds. Cmte.	2 nd Tues.ea.mo.	Admin. Bldg.	8:00 p.m.
BUSINESS MEETING	3rd Tues.ea.mo.	Admin. Bldg.	7:00 p.m.

(EACH OF THESE MEETINGS MAY INCLUDE AN EXECUTIVE SESSION FOR DISCUSSION OF MATTERS THAT MAY BE APPROPRIATE FOR EXECUTIVE SESSION)

*Meeting Schedule Subject to Change

At each committee meeting, the Board discusses recommendations of the Superintendent of Schools and other relevant items. Committee approval authorizes resolutions to be placed on the agenda of the next appropriate business meeting and/or possible formal action.

The agendas for all committee and board meetings are available at the Administration Building, 1200 Myrtle Avenue during business hours.

At the business meetings, privilege of the floor will be provided for sixty minutes for public comment prior to committee reports. A three-minute time limit per person is provided for public comment.

Concerns of the public regarding the schools or departments should be brought to the attention of the appropriate administrator in charge (principal, director, etc.). If concerns remain unresolved, they are to be directed to the Superintendent of Schools. These procedures should be followed prior to concerns being presented to the Board of Education. This procedure allows administrators to resolve concerns at the most appropriate level of decision making.

The next business meeting of the Board of Education is scheduled for Tuesday, May 18, 2010, 7:00 p.m., in the Administration Building.

VIII. REMARKS FROM THE BOARD PRESIDENT**IX. REMARKS FROM THE SUPERINTENDENT****X. PRIVILEGE OF THE FLOOR**

At the business meetings, privilege of the floor will be provided for sixty minutes for public comment prior to committee reports. Members of the public in attendance will have the opportunity to raise concerns during this period of the meeting. Members of the public may speak once for a maximum period of three (3) minutes by the clock; this time is not transferable by one individual to another. An extension of two (2) additional minutes will be granted only upon a majority vote of the board members present.

E. Appointment of Board Members to Committee & Other Board Assignments

Committees

Finance	Policy	School/Community Relations
Human Resources	Buildings & Grounds	Board/Council Liaison
Curriculum & Instruction	Long Range Planning	
Negotiations		

Other Board Assignments – (Delegate/Alternate)

NJSBA Delegates Assembly	Union County Educational Services Commission
NJSBA Urban Boards	Union County School Boards Association
Legislative	

F. Adoption of Policies

The following is in order for board adoption:

RESOLUTION

RESOLVED, all Board of Education policies presently in effect be, and are hereby, readopted.

G. Designation of Board of Education Depositories

The following is in order for Board adoption:

RESOLUTION

RESOLVED, that the PNC Bank, Bank of America, and City National Bank, be and are hereby designated the official depositories of the Board of Education's funds during the period beginning May 5, 2010 and ending at the Board's next organization meeting.

H. Designation of Official Publication

The following is in order for Board adoption:

RESOLUTION

RESOLVED, that the Courier-News, Bridgewater, New Jersey is hereby designated the official publication of the Board of Education during the period beginning May 5, 2010 and ending at the Board's next organization meeting, and be it

FURTHER RESOLVED, that the Star Ledger be designated by the Board of Education to receive official notices of board of education meetings as required by law, during the period May 5, 2010 and ending at the Board's next organization meeting.

I. Bank Account Signatures

The following is in order for board adoption:

RESOLUTION

_____ has been elected President of the Board of Education, and Gary L. Ottmann holds the position of Board Secretary of the Board of Education and Sandra Cummings holds the position of Treasurer of School Monies, now therefore be it

RESOLVED, that the PNC Bank, Bank of America, and City National Bank be requested, authorized and directed to honor all checks, drafts and other orders for the payment of money drawn in the name of the Plainfield Board of Education when bearing the true and approved facsimile signatures, as follows:

<p><u>Account</u> General Account Improvement Fund Food Service Account Payroll Account</p>	}	<p><u>Signature/Facsimile</u> Gary L. Ottmann Sandra Cummings</p>	<p>Board President Board Secretary Treasurer of School Monies</p>
<p><u>Account</u> Payroll Agency Account</p>		<p><u>Signature/Facsimile</u> Gary L. Ottmann Sandra Cummings</p>	<p>Board Secretary Treasurer of School Monies</p>
<p>Unemployment Trust Fund</p>		<p>Gary L. Ottmann Ronald Eddy Sandra Cummings</p>	<p>Board Secretary Payroll Supervisor Treasurer of School Monies</p>
<p><u>Account</u> Workers Compensation</p>		<p><u>Signature/Facsimile</u> Ronald Eddy Sandra Cummings</p>	<p>Payroll Supervisor Treasurer of School Monies</p>
<p><u>Account</u> PHS Interscholastic Athletic Fund</p>		<p><u>Signature/Facsimile</u> Gary L. Ottmann Daniel Cone</p>	<p>Board Secretary Director</p>

J. Investment of Temporarily Idle Funds

The following is in order for Board adoption:

RESOLUTION

State law permits Board funds not needed to meet immediate board obligations may be invested in interest-bearing positions in official board depositories, the New Jersey State Investment Pool, and other specified investments, and since each official Board of Education depository has submitted proof of participation in the Governmental Unit Deposit Protection Act, now therefore be it

RESOLVED, that the Board of Education of the City of Plainfield designates PNC Bank and Cash Management Fund, as official depositories for the Board of Education for investment purposes, and be it

FURTHER RESOLVED, whenever the Board Secretary shall determine that funds in Board of Education bank accounts exceed amounts needed for immediate Board of Education obligations, he is authorized to transfer funds to investment instruments as prescribed by law to the aforementioned institutions and the New Jersey State Investment Pool, and be it

FURTHER RESOLVED, this authorization shall remain in effect until the next organization meeting of the Board or until it shall be superceded by another resolution.

K. Courses of Study, Textbook List and Curricula Guides

The following is in order for board adoption:

RESOLUTION

RESOLVED, all Plainfield Board of Education courses of study, textbook list and curriculum guides previously approved and in effect be, and are hereby readopted for 2010-2011 fiscal year.

L. Annual Notice of Meetings for the 2010-2011 Fiscal Year

The following is in order for board adoption:

RESOLUTION

Pursuant to the Open Public Meetings Act (Ch.231 Laws of 1975), the Board of Education of the City of Plainfield is required to provide adequate notice of meetings to be made available to the public, now therefore be it

RESOLVED, that the Plainfield Board of Education establishes the following schedule of meetings for the 2009-2010 fiscal year, and the notice be posted and maintained throughout the year in places reserved for this type of announcement, subject to revisions and modifications which will be provided in accordance with the Open Public Meetings Act:

<u>Type of Meeting</u>	<u>* Date</u>	<u>Place</u>	<u>Time</u>
Policy Committee	1 st Tues.ea.mo.	Admin. Bldg.	6:30 p.m.
Personnel/Exec.Ses.	2 nd Tues.ea.mo.	Admin. Bldg.	6:30 p.m.
Curric. & Instr.	2 nd Tues.ea.mo.	Admin. Bldg.	8:00 p.m.
Finance Committee	2 nd Tues.ea.mo.	Admin. Bldg.	8:00 p.m.
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BUSINESS MEETING	3rd Tues.ea.mo.	Admin. Bldg.	7:00 p.m.

(EACH OF THESE MEETINGS MAY INCLUDE AN EXECUTIVE SESSION FOR DISCUSSION OF MATTERS THAT MAY BE APPROPRIATE FOR EXECUTIVE SESSION)

*Meeting Schedule Subject to Change

and be it

FURTHER RESOLVED, meetings which fall on national or state holidays will be rescheduled with appropriate notice given, and be it

FURTHER RESOLVED, that the Board Secretary is directed to develop a comprehensive schedule of meetings in accordance with the aforementioned schedule, to be mailed to the designated official newspaper, and to submit it to the appropriate state, county and municipal offices.

M. Appointment of Treasurer of School Monies

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education appoints Sandra Cummings as Treasurer of School Monies for the 2010-2011 fiscal year at a fee of \$8,100.

N. Appointment of Investment Officer for School Funds

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education appoints Gary L. Ottmann as Investment Officer for School Funds for the 2010-2011 fiscal year.

O. Negotiated Employee Agreements and Contracts

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves all Negotiated Employee Agreements and Contracts to remain in full force and effect.

P. State Contracts

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education continues participating with the State of New Jersey in state contracts.

Q. Integrated Pest Coordinator

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves Harold Gee as the Integrated Pest Coordinator for the 2010-2011 fiscal year.

R. District Purchasing Agent

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves the appointment of Gary L. Ottmann, School Business Administrator, as the District Purchasing Agent for the 2010-2011 fiscal year.

S. Open Public Records Act Officer

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education appoints Gary L. Ottmann, School Business Administrator, as the Open Public Records Act Officer for the 2010-2011 fiscal year.

T. Petty Cash Fund

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education authorizes the continued operation of a petty cash fund in the amount of \$500 for the 2010-2011 fiscal year, in accordance with Board Policy #3451.

U. Appointment of General Counsel/Labor Counsel/Negotiations Counsel and Workers Compensation Counsel

It is recommended, the adoption of the following:

RESOLUTION

WHEREAS, the Plainfield Board of Education is desirous of retaining legal counsel to represent the school district in various legal matters including all litigation matters, matters that arise in the area of school laws, Labor matters, negotiations and Workers Compensation matters; and

WHEREAS, the Plainfield Board of Education is desirous of retaining, the law firm of Hunt, Hamlin & Ridley to serve as its General Counsel/Labor Counsel/Negotiations Counsel/Workers Compensation Counsel to represent the school district in said matters; and

WHEREAS, the Plainfield Board of Education has decided to appoint the firm of Hunt, Hamlin & Ridley in the capacity of General Counsel/Labor Counsel/Negotiations Counsel/Workers Compensation at a monthly retainer of \$5,000.00 to cover attendance at all meetings, telephone conversations and general advice and for an hourly rate of \$150.00, for all matters related to research, litigation and all matters related to the duties and responsibilities as General Counsel/Labor Counsel/Negotiations Counsel and Workers Compensation Counsel in accordance with the terms and conditions of a contract to be executed by the firm and the Plainfield Board of Education; and

NOW THEREFORE BE IT RESOLVED, that the Plainfield Board of Education approves the recommendation to appoint the firm of Hunt, Hamlin & Ridley as General Counsel/Labor Counsel/Negotiations Counsel/Workers Compensation at a monthly retainer of \$5,000.00 to cover attendance at all meetings, telephone calls and general advice and an hourly rate of \$150.00 for all matters related to the duties and responsibilities as General Counsel/Labor Counsel/Negotiations Counsel and Workers Compensation Counsel in accordance with the terms and conditions of a contract to be executed by the firm per hour, commencing July 1, 2010 through June 30, 2011, pursuant to N.J.S.A. 18A:18A-5 and N.J.A.C. 6A:23A-1, et seq.

V. Appointment of Auditors

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves the continuation of the firm of Lerch, Vinci & Higgins as auditors for the 2010-2011 fiscal year at the following rates:

Partners	\$140 - \$170 per hour
Managers	\$100 - \$125 per hour
Senior Accountants/Supervisors	\$ 80 - \$100 per hour
Staff Accountants	\$ 70 - \$ 80 per hour
Other Personnel	\$ 45 per hour

W. Appointment of Architectural Firm/Design Consultant

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves the continuation of the firm of Johnson Jones as the Architectural/Design Consultant of Record for the 2010-2011 fiscal year.

X. Appointment of Insurance Broker

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves the continuation of the firm of Nathan Lane as the Broker of Record for Property and Casualty, Errors and Omissions, Liability and Automobile Insurance for the 2010-2011 fiscal year.

Y. Appointment of Employee Benefits' Broker

The Superintendent of Schools recommends, and I so move, adoption of the following:

RESOLUTION

RESOLVED, that the Plainfield Board of Education approves the continuation of the firm of HRH as the Broker of Record for the employee benefits' programs for the 2010-2011 fiscal year.

Z. Invoking the Doctrine of Necessity

The Superintendent of Schools recommends, and I so move, the adoption of the following:

RESOLUTION

WHEREAS, the School Ethics Act, N.J.S.A. 18A:12-21 et seq. was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators, and to provide specific ethical standards to guide their conduct; and

WHEREAS, questions arose regarding how a Board should invoke the Doctrine of Necessity when a quorum of a Board of Education has conflicts of interest on a matter required to be voted upon; and

WHEREAS, the School Ethics Commission ("Commission") provided guidance in Public Advisory Opinion A03-9 (April 1, 1998); and

WHEREAS, the opinion set forth that, when it is necessary for a Board to invoke the Doctrine of Necessity, the Board should state publicly that it is doing so, the reason that such action is necessary, and the specific nature of the conflicts of interest; and

WHEREAS, the School Ethics Commission, by resolution dated February 25, 2003, clarified and required a Board of Education invoking the Doctrine of Necessity to adopt a resolution setting forth that they are invoking the Doctrine, the reason for doing so, and the specific nature of the conflicts of interest; and

WHEREAS, the School Ethics Commission further directed Boards of Education that invoke the Doctrine to read the resolution at a regularly scheduled public meeting, post it where it posts public notices for thirty (30) days, and provide the Commission with a copy; and

WHEREAS, the State Department of Education promulgated N.J.A.C. 6A:23A-6.2, which places additional standards and restrictions upon the ability of a board member to vote on a particular issue; and

WHEREAS, the Board is required by law to participate in collective bargaining with its unions; and

WHEREAS, the Plainfield Board of Education desires to adopt the terms of agreement as set forth in a Memorandum of Agreement between the aforesaid Board and the Plainfield Education Association, which shall, after adoption and ratification by the parties, form the basis of the collective bargaining agreement covering the period from July 1, 2009 through June 30, 2012; and

WHEREAS, the Board Attorney has reviewed the State regulations and the advisory decisions of the Commission and determined board member conflicts prohibit five members of the Board from voting on the Memorandum of Agreement and corresponding collective bargaining agreement; and

WHEREAS, the five board member conflicts are as follows:

Lenny Cathcart's sister is a teacher's aide for the school district;

Wilma Campbell's sister is the special labor negotiations attorney for the school district;

Lisa Logan-Leach's mother is a teacher for the school district,

Katherine Peterson's brother is a custodian for the school district.

Renata A. Hernandez has a cousin who is a security guard and a cousin employed by the district as a research technician.

WHEREAS, the inability of the above five board members to participate in collective bargaining as required by state law, will result in a lack of a quorum necessary to approve the aforesaid Memorandum of Agreement and corresponding collective bargaining agreement; and

WHEREAS, in order to adopt and ratify the terms of the MOA between the Plainfield Board of Education and the Plainfield Education Association for inclusion into the new collective bargaining agreement covering the period between July 1, 2009 to June 30, 2012, as required by law and contract, the Board desires to invoke the Doctrine of Necessity, in accordance with the procedures established by the Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Plainfield Board of Education, County of Union, State of New Jersey, as follows:

1. That the five board members, as noted above, are prohibited from participating in all collective bargaining for such time as members of their family are employees of the school district; and
2. That the Board therefore invokes the Doctrine of Necessity in order to allow the full body of the Board to adopt and ratify the Memorandum of Agreement and corresponding collective bargaining agreement between the Plainfield Board of Education and the Plainfield Education Association for the July 1, 2009 through June 30, 2012 term in accordance with state law and contract;
3. That this resolution shall be read at a regularly scheduled meeting of the Board and be posted on the Board's website.
4. That a copy of this resolution shall be forwarded to the School Ethics Commission.

Aa. Bid #2010-19 Window and Door Replacement Stillman Elementary School

The Superintendent of Schools recommends, and I so move, the adoption of the following:

RESOLUTION

WHEREAS, the Board of Education pursuant to N.J.S.A. 18A: 18:A-1 (et seq) advertised for sealed bids for Window and Door Replacement at Stillman Elementary School on April 20, 2010, and

WHEREAS, in accordance with that advertisement bids were received, publicly opened and read aloud at the Board of Education Office on, April 28, 2010 with the following results:

<u>VENDOR</u>	<u>AMOUNT</u>
Arrow Steel Window Corp. East Farmingdale, NY	496,000.00
Automatic Door Systems, LLC North Arlington, NJ	481,800.00
National Architectural Products Freehold, NJ	448,500.00
Panoramic Window & Door Systems, Inc. Piscataway, NJ	378,000.00
R. D. National Architectural Products Fairlawn, NJ	390,000.00

now therefore be it,

RESOLVED, that the Plainfield Board of Education accepts the responsible bid of Panoramic Window and Door Systems, Inc. in the amount of \$378,000.00.

XI. ADJOURNMENT