

**MINUTES OF THE PUBLIC BOARD MEETING
HELD THURSDAY, AUGUST 30, 2007 AT 6:00 P.M.
22 VALLEY ROAD, MONTCLAIR, NEW JERSEY**

- A. The meeting opened at 6:00 p.m. and the following statement was read:
- B. Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:
 - 1. On August 21, 2007 notice of this meeting was faxed to the Montclair Times, the Herald and News and the Star Ledger. The time, date and location of this meeting were accurately set forth therein.
 - 2. On this same date a copy of said notice was filed with the Township Clerk and was posted at the public bulletin board in the first floor main hall of the Board of Education building, 22 Valley Road.
 - 3. Copies have also been mailed to all persons who have requested same at no cost.

C. ROLL CALL OF THE BOARD

	Present	Absent
Timothy Barr	<u> X </u>	_____
John Carlton	<u> X </u>	_____
Shirley Grill	<u> X </u> (at 6:55)	_____
Robert Kautz	<u> X </u>	_____
Shelly Lombard	<u> X </u>	_____
Ronald Riddick	<u> X </u>	_____
Carmen Taylor	<u> X </u> (at 6:30)	_____
Staff Members	<u> 2 </u>	
Members of the Public	<u> 0 </u>	
Members of the Press	<u> 0 </u>	

D. RESOLUTION FOR EXECUTIVE SESSION

At 6:10 p.m. Mr. Barr moved the following resolution:

WHEREAS, pursuant to N.J.S.A. 10:4-12 (b), the Montclair Board of Education may exclude the public from that portion of a public meeting at which the Boars discusses any of the matters described at N.J.S.A. 10:4-12 (b) (1) - (9);

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education shall forthwith enter into closed session to discuss the following matters concerning: personnel and legal matters.

BE IT FURTHER RESOLVED that said discussion maybe disclosed to the public when the reasons for discussing and acting upon it in closed session no longer exist.

Seconded by Mrs. Lombard and approved by a vote of 5-0.

At 6:11 p.m. the Board went into executive session.

E. RETURN TO OPEN SESSION

Mr. Barr moved that the Board shall return from executive session; seconded by Mr. Kautz and approved by a vote of 7-0.

The Board returned to open session at 7:50 p.m.

F. SUPERINTENDENT'S REPORT

Dr. Alvarez reported that all schools were ready for opening day.

G. BUSINESS RESOLUTIONS

1. Monthly Budget Reports and Bills and Claims

Mr. Barr moved to approve the following resolution:

RESOLVED that pursuant to N.J.A.C.6A:23-2.11³, the Montclair Board of Education certifies that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C.6A:23-2.11(a), and that pursuant to N.J.A.C.6A:23-2-11(c)4, after review of the board secretary's monthly financial reports, in the minutes of the Board each month, the Montclair Board of Education certifies that no major account or fund has been overexpended in violation of N.J.A.C.6A:23-2.11(b), and

BE IT FURTHER RESOLVED that the Montclair Board of Education approves the attached Bills and Claims for the month of June 2007 in the amount of \$2,738,598.28; July, 2007 in the amount of \$1,956,879.05, and August, 2007 in the amount of \$2,591,465.20 and the attached Appropriation Adjustments for the month of June, 2007 in the amount of \$3,591,730.00 and July, 2007 in the amount of \$1,603,218.91, and

BE IT FURTHER RESOLVED that the Montclair Board of Education does hereby approve the request for tax levy from the Township of Montclair in the amount of \$1,500,000.00 for the month of July, 2007, and \$6,500,000.00 for the month of August, 2007, and

BE IT FINALLY RESOLVED that the Montclair Board of Education acknowledges receipt of the attached Budget Reports for the months of June, 2007 and July, 2007, the Secretary's Report for the months of June, 2007, and July, 2007.

Seconded by Mr. Riddick and approved by a roll call vote:

	AYE	NAY
Timothy Barr	<u>X</u>	_____
John Carlton	<u>X</u>	_____
Shirley Grill	<u>X</u>	_____
Robert Kautz	<u>X</u>	_____
Shelly Lombard	<u>X</u>	_____
Ronald Riddick	<u>X</u>	_____
Carmen Taylor	<u>X</u>	_____

2. Resolutions

- a. Settlement Agreement and Release S.K. and the Montclair Board of Education

Mrs. Lombard moved to approve the following resolutions:

WHEREAS, the attorney for the Board of Education has forwarded a Settlement Agreement and Release in the matter of S. K. and the Montclair Board of Education,

NOW, THEREFORE, BE IT RESOLVED that the Board President is authorized to execute this Settlement Agreement and Release.

- b. Acceptance of No Child Left Behind – Consolidated Formula Subgrant

WHEREAS, the State Department of Education has approved the No Child Left Behind Grant for the Montclair Board of Education in the amount of \$654,966,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education accepts this funding for the period September 1, 2006 through August 31, 2007.

c. Increase in Contract for Professional Services – Architectural Services

WHEREAS, N.J.S.A. 18A:18A-5 states in part "Any purchase, contract or agreement...may be made, negotiated and awarded by the Board of Education by resolution at a public meeting without public advertising for bids...", and

WHEREAS, the nature of these contract awards generally relate to the provision of professional services,

WHEREAS, the Montclair Board of Education has funds allocated in the capital budget to construct a new elementary school, and

WHEREAS, the Montclair Board of Education awarded a contract to The Thomas Group for architectural services, and

WHEREAS, the length of time for design has been greatly extended, and the amount of time required for consultant coordination has increased,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education, after careful study and due deliberation approves an increase in fee for additional services for consultant coordination for the construction of a new elementary school in the amount of \$25,000, and

BE IT FINALLY RESOLVED that the School Business Administrator shall be authorized to amend the contract to such provider agency as described above.

d. Revised Award of Contract for Electrical Maintenance and Repair Work, Time and Material, for the 2007-2008 School Year-Deb-Ger Electric, Inc., at the following rates:

<u>Type of Service</u>	<u>Hourly Rate % Discount/Markup</u>
Foreman	\$80.00/hour
Mechanic	\$70.00/hour
Helper, Apprentice	\$30.00/hour
Bucket Truck Rental	\$40.00/hour
Materials Discount	2%

e. Revision 2 – Award of Contract for Plumbing and Welding for the 2007-2008 School Year-For Plumbing to Tri-County Refrigeration, at the following rates:

<u>Type of Service</u>	<u>Hourly Rate % Discount/Markup</u>
Plumbing	\$90.00/hour
Mark-up on Materials	20%

and a contract to G.M.H. Associates of America, at the following rates:

<u>Type of Service</u>	<u>Hourly Rate % Discount/Markup</u>
Heliarc Welding	\$105.00/hour
Arc-Acetylene & Oxygen	\$105.00/hour
Iron/Sheet Metal Fabrication	\$105.00/hour
Mark-up	40%

f. Approval of Conference and Travel Expenses

WHEREAS, New Jersey Administrative Code N.J.A.C. 23B and Board of Education policy require approval of the Board of Education prior to expending Board of Education funds for travel and related expenses, and

WHEREAS, the travel must be directly related to the employee's or Board member's current responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the following Board members and employees are approved for travel-related reimbursements for an amount up to the estimated cost indicated:

Conference	Board Member/ Employee	Estimated Reimbursement	Educational Purpose
AP Art History	Joanne Petrigliano	\$365.00	Prepare teaching this course and provide support to the art staff.
Deepening Reading	Amelia Foust	\$220.00	Learn how to help students with poor comprehension skills.
Legal Issues Update	Dana Sullivan	\$100.00	Update on new legislation in order to ensure compliance with news laws
Understanding PERS & TPAF Retirement Plans, Financial Planning, Understanding the Latest Legislative Changes	Dana Sullivan	\$100.00	
Board Member Mandatory Training	John Carlton	\$32.00	Learn about the School District Accountability Act
	Timothy Barr	\$32.00	
	Shirley Grill	\$32.00	

	Robert Kautz	\$32.00	
	Shelly Lombard	\$32.00	

BE IT FINALLY RESOLVED that reimbursement will be made for expenses that are in accordance with Board of Education policy and for which original receipts are submitted to the Business Office.

g. Approval of Administrative Retreat Expenses

WHEREAS, New Jersey Administrative Code N.J.A.C. 23B and Board of Education policy require approval of the Board of Education prior to expending Board of Education funds for travel and related expenses, and

WHEREAS, the travel must be directly related to the employee's or Board member's current responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the following retreat expenses are approved for the annual administrative retreat at the cost indicated:

<u>Vendor</u>	<u>Description</u>	<u>Cost</u>
Montclair State University	Parking Fees	\$585.00
Sodexo, Inc.	Catering Services	\$3,203.00
Progressive Tours	Coach Bus	\$450.00
Restaurant Associates, Liberty Science Center	Breakfast and Lunch	\$2,163.00

NOTE: Facilities for the retreat were provided by Montclair State University and the Liberty Science Center at no cost to the district. Consulting services were donated to the district by Polestar and Dr. Katherine Good.

h. Approval for the Department of Transportation to Purchase a Temporary Easement Over and Across Property Owned by the Board

WHEREAS, the NJ Department of Transportation is planning construction and renovations to the bridge that is adjacent to Glenfield School, and

WHEREAS, the Department of Transportation will need access to property owned by the district for construction equipment and vehicles, and

WHEREAS, the Department of Transportation will pay the district \$13,500 for the easement,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education approves the attached agreement to provide a temporary easement to the New Jersey Department of Transportation for board-owned property located at 24 Maple Avenue, Montclair, New Jersey.

Seconded by Mrs. Lombard and approved by a roll call vote:

	AYE	NAY
Timothy Barr	<u>X</u>	_____
John Carlton	<u>X</u>	_____
Shirley Grill	<u>X</u>	_____
Robert Kautz	<u>X</u>	_____
Shelly Lombard	<u>X</u>	_____
Ronald Riddick	<u>X</u>	_____
Carmen Taylor	<u>X</u>	_____

3. Contract Awards

Mr. Riddick moved to approve the following contract:

- a. Insurance Coverage for the 2007-2008 School Year

WHEREAS, Insurance including the purchase of insurance coverage and consultant services is specifically exempt from the public bidding process by NJSA 18A:18A-5, but Requests for Proposals may be issued by the Board of Education in order to obtain the most competitive price for coverage, and

WHEREAS, the Board of Education approved John Daly of Wachovia First Union Insurance Services as Insurance Broker of Record,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education accepts the recommendations submitted by John Daly, Wachovia Services Inc., 190 River Road, 3rd Floor, Summit, New Jersey, 07902, and award contracts for the 2007-2008 school year as shown on Attachment A.

<u>Company</u>	<u>Coverage</u>	<u>Premium</u>
Chubb	Property (Includes boiler, machinery)	\$151,889.00

Midwest Employers Casualty	Excess Workers Compensation	\$ 56,394.00
Maksin	Student Accident	\$ 40,598.00
NJ School Boards	General Liability (Includes auto, crime)	\$166,231.00
NJ School Boards	Errors & Omissions	\$ 69,260.00
Western Surety	Bonds	\$ 1,480.00
American Safety Casualty	Environmental	\$ 6,628.00
Fireman's Fund	\$50 Million Excess Liability	\$ 24,380.00
Peerless Insurance Company	Builders Risk	\$ 7,998.00
Selective Insurance Company	Flood	\$ 12,698.00

- b. Asbestos O&M Repairs/Removal 2007-2008 School Year to Drina Construction (at the rates shown on the bid tabulation sheet Attachment A).
- c. Award of Contract for CCTV Security Systems, Intrusion Alarm Upgrade and Associated Maintenance 2007-2008 School Year-Haig's Service Corporation, in the amount of \$5,100 and at the hourly rates stated in your bid.
- d. Plumbing Repairs 2007-2008 School Year-Vraj Tech, Inc., at the hourly rate of \$78.00 for a plumber, \$24.00 a hour for a plumber's apprentice and a 5% mark-up for materials.
- e. Woodman Complex Site Environmental Remediation and Sports Improvements-JC Landscape Construction & Management Co., Inc., in the amount of \$451,522.00 (base bid of \$410,222 plus Alternate #2 of \$41,300 as shown on the attached).
- f. Site Demolition for New Elementary School-Mazzocchi Wrecking, Inc., in the total amount of \$1,594,400.00.

- g. Professional Services-Archaeological Monitoring Plan of the YMCA Demolition for the New School

WHEREAS, N.J.S.A. 18A:18A-5 states in part "Any purchase, contract or agreement...may be made, negotiated and awarded by the Board of Education by resolution at a public meeting without public advertising for bids...", and

WHEREAS, the nature of these contract awards generally relate to the provision of professional services,

NOW, THEREFORE, BE IT RESOLVED that the Montclair Board of Education, after careful study and due deliberation, does hereby appoint Cultural Resource Consulting Group (CRCG), 415 Cleveland Avenue, Highland Park, NJ 08904, for Archaeological Monitoring Plan of the YMCA Demolition for the New School as per the proposal attached.

BE IT FINALLY RESOLVED that the School Business Administrator shall be authorized to issue a contract to such provider agency as described above.

Seconded by Mrs. Lombard and approved by a roll call vote:

	<u>AYE</u>	<u>NAY</u>
Timothy Barr	<u>X</u>	_____
John Carlton	<u>X</u>	_____
Shirley Grill	<u>X</u>	_____
Robert Kautz	<u>X</u>	_____
Shelly Lombard	<u>X</u>	_____
Ronald Riddick	<u>X</u>	_____
Carmen Taylor	<u>X</u>	_____

4. Change Orders

Ms. Grill moved to approve the following change orders:

- a. #1 for Woodman Field House Renovations - Jeral Construction Services, \$25,232.59 for the removal of contaminated soil on the site.
- b. #2 for Woodman Field House Renovations - Jeral Construction Services, \$5,277.41 for the relocation of the construction manager's trailer and the installation of temporary electrical power.

- c. #3 for Woodman Field House Renovations - Jeral Construction Services, \$414.00 for the removal of old concrete electrical vault at curb line along Essex Avenue.
- d. #4 for Woodman Field House Renovations - Jeral Construction Services, for the credit amount of -\$1,900.00 for the reduced cost of installing the sidewalk at the front of existing field house using asphalt.
- e. #5 for Woodman Field House Renovations - Jeral Construction Services, for the credit amount of -\$1,875.00 to delete the gas line from the new front addition of the field house.
- f. Auditorium Seating Restoration at Glenfield School – Nickerson Corporation, for an overall increase of \$10,100.00 for the following:

• Change center front row to all ADA removable seating	\$650.00
• Refurbish end arm rests, mid arm rests and end panels as follows:	
○ End Panels: Sixty (60) right and sixty (60) left = 120 Total	\$2,480.00
○ Mid Arm Rests: 510 Total	\$5,510.00
○ End Arm Rests: Sixty (60) right and sixty (60) left = 120 Total	<u>\$1,460.00</u>
Total Amount of this Change Order	\$10,100.00

- g. Roof Replacement at Nishuane School – Patwood Roofing Company, for an overall increase of \$18,160.00 for additional masonry caulking, repairs, and brick replacement.
- h. #2 For Door Replacements at Various Schools – C & M Door Controls, Inc., for no change to the total amount of the purchase order because of the contingency allowance:

• Additional hardware at various locations at Bradford, Mt. Hebron, George Inness and High School	\$2,200.00
• Credit to repair door contacts at the High School	-\$725.00
• Credit to repair door contacts at Edgemont and George Inness	<u>-\$538.80</u>
Net Extra of this Change Order	\$936.20
To be Deducted from Contingency Allowance	<u>\$3,500.00</u>
Remaining Contingency Allowance	\$2,563.80

- i. #3 For Door Replacements at Various Schools – C & M Door Controls, Inc., for a credit amount of -\$2,563.80, which is the remaining contingency allowance.

Seconded by Mrs. Lombard and approved by a roll call vote:

	<u>AYE</u>	<u>NAY</u>
Timothy Barr	<u>X</u>	_____
John Carlton	<u>X</u>	_____
Shirley Grill	<u>X</u>	_____
Robert Kautz	<u>X</u>	_____
Shelly Lombard	<u>X</u>	_____
Ronald Riddick	<u>X</u>	_____
Carmen Taylor	<u>X</u>	_____

H. COMMENTS

- 1. Members

Mr. Riddick wished for everyone to have a great school year.

I. ANNOUNCEMENT OF FUTURE MEETING DATES

The next meeting of the Board of Education will be held on September 10, 2007 at 7:30 p.m. in the Board of Education Building, 22 Valley Road.

J. APPROVALS

- 1. Mr. Kautz moved to approve the Revised Personnel Report of August 30, 2007, including the indicated individuals who have been hired under the Emergent Hiring Procedures as required by law.

Seconded by Mr. Barr and approved by a roll call vote:

	<u>AYE</u>	<u>NAY</u>
Timothy Barr	<u>X</u>	_____
John Carlton	<u>X</u>	_____
Shirley Grill	<u>X</u>	_____
Robert Kautz	<u>X</u>	_____
Shelly Lombard	<u>X</u>	_____

Ronald Riddick	<u> X </u>	_____
Carmen Taylor	<u> X </u>	_____

K. ADJOURNMENT

At 8:12p.m. Mr. Barr moved to adjourn the meeting; seconded by Mr. Kautz and approved by a vote of 7-0.

Respectfully submitted,

Dana Sullivan
Board Secretary