

Minutes of a special public meeting of the East Orange Board of Education held on Thursday, August 25, 2016 at 6:13 p.m. in the Conference Room A of the Administration Building, 199 Fourth Avenue, East Orange, New Jersey.

I. CALL TO ORDER

Mr. Bergson Leneus, President, read the following notice:

Please take notice that this is a Special Public Meeting of the East Orange Board of Education. The purpose of the meeting is for the Board meeting to appoint and approve the contract for the Superintendent of Schools; and approve the contract for Three Stages Learning Center. In addition, the Board will discuss and may take action on the following litigation: Robinson vs. EOBOE; Lawson vs. EOBOE and Adams vs. EOBOE, et al. Notice of this meeting was posted and a copy has been filed with the Office of the City Clerk of East Orange.

II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL:**
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Present
 - Ms. Joy B. Tolliver, Esq. - Present
 - Ms. Terry S. Tucker - Present
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Present

- Also Present:
- Dr. Gloria P. Watson, Interim Superintendent
 - Mr. Victor R. Demming, Board Secretary/School Business Administrator
 - Dr. Deborah Harvest, Assistant Superintendent of Operations
 - Mr. Craig Smith, Acting Assistant School Business Administrator
 - Ms. Marissa McKenzie, Director of Labor Relations and Employment Services
 - Ms. Avis Bishop Thompson, Esq., General Counsel (DeCotiis, Fitzpatrick, Cole)

IV. COMMENTS FROM THE PUBLIC

1. Ms. Virginia Jeffries - 236 Brighton Avenue

V. RETIRE TO EXECUTIVE SESSION

Mr. Leneus read the following:

Be it resolved that the Board of Education will retire to executive session to discuss items that pertain to personnel and/or litigation.

Minutes of this meeting will be released when the matters discussed are no longer confidential. The Board will resume the business portion of the meeting at or about 8:00 p.m.

On a motion of Ms. Joy B. Tolliver, duly seconded by Ms. Marjorie Perry, the members of the Board of Education voted to retire to Executive Session at 6:19 p.m.

- ROLL CALL:**
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Yes
 - Ms. Joy B. Tolliver, Esq. - Yes
 - Ms. Terry S. Tucker - Yes
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Yes

VI. RECOMMENCE PUBLIC MEETING

The Members of the Board and Executive Staff resumed the Public Session at 6:50 p.m.

- VII. ROLL CALL:**
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Present
 - Ms. Joy B. Tolliver, Esq. - Present
 - Ms. Terry S. Tucker - Present
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Present

- Also Present:
- Dr. Gloria P. Watson, Interim Superintendent
 - Mr. Victor R. Demming, Board Secretary/School Business Administrator
 - Dr. Deborah Harvest, Assistant Superintendent of Operations
 - Mr. Craig Smith, Acting Assistant School Business Administrator
 - Ms. Marissa McKenzie, Director of Labor Relations and Employment Services
 - Ms. Avis Bishop Thompson, Esq., General Counsel (DeCotiis, Fitzpatrick, Cole)

VIII. CONSIDERATION OF RESOLUTIONS

A. EAST ORANGE BOARD OF EDUCATION

On a motion of Ms. Joy B. Tolliver, duly seconded by Ms. Marjorie Perry, the members of the Board of Education voted to approve items "1-5" presented by the East Orange Board of Education.

- ROLL CALL:
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Yes
 - Ms. Joy B. Tolliver, Esq. - Yes
 - Ms. Terry S. Tucker - Yes
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Yes

1. Resolution to Approve the Employment Contract for Dr. Kevin R. West, Superintendent of Schools

WHEREAS, the employment contract for Dr. Kevin R. West is attached delineating the salary of \$177,500 [established in accordance with the formula determined by the New Jersey Department of Education]; and

WHEREAS, the employment contract for Dr. Kevin R. West was submitted, reviewed and approved by the Essex County Executive Superintendent of Schools.

NOW, THEREFORE, BE IT RESOLVED, the Board of Education of the City of East Orange hereby approves the employment contract for Dr. Kevin R. West as Superintendent of Schools from November 1, 2016 or as soon thereafter as practicable through June 30, 2020, or until a permanent Superintendent has been selected, as approved and stipulated by the Essex County Executive Superintendent of Schools.

2. Approving Settlement of Litigation - Docket Number EDU-18507-2015N

WHEREAS, the Board was the Defendant in a matter in the Department of Education, Agency Ref. No. 334-10/15 and the Office of Administrative Law of New Jersey, bearing docket number EDU-18507-2015N; and

WHEREAS, the Board attorney and the Interim Superintendent, have recommended resolution of this matter pursuant to the terms set forth in a Settlement Agreement; and

WHEREAS, the Settlement Agreement does call for the expenditure of Board funds; and

WHEREAS, the Board finds that entering into a settlement pursuant to the terms set forth in the Settlement Agreement is in the best interest of the district; and

NOW, THEREFORE, BE IT RESOLVED by the East Orange Board of Education that it hereby approves the Settlement Agreement in this matter.

VIII. CONSIDERATION OF RESOLUTIONS

A. EAST ORANGE BOARD OF EDUCATION

3. Approving Settlement of Litigation - Docket Number ESX-L-5947-15

WHEREAS, the Board, and individual employees were Defendants in a matter in the Superior Court of New Jersey, Essex County, bearing docket number ESX-L-5947-15; and

WHEREAS, the Board attorney and the Interim Superintendent, have recommended resolution of this matter pursuant to the terms set forth in a Settlement Agreement; and

WHEREAS, the Settlement Agreement does call for the expenditure of Board funds; and

WHEREAS, the Board finds that entering into a settlement pursuant to the terms set forth in the Settlement Agreement is in the best interest of the district; and

NOW, THEREFORE, BE IT RESOLVED by the East Orange Board of Education that it hereby approves the Settlement Agreement in this matter.

4. A Resolution of the East Orange Board of Education Awarding a Contract to Adams Gutierrez & Lattiboudere, LLC to Provide Special Litigation Counsel Services

WHEREAS, the litigation has been initiated against the Board and individual employees entitled Faatir Lawson v. East Orange Board of Education, et. al., Docket No. 2:16-cv-02704-MCA-MF; and

WHEREAS, the Board has a need to enter into a professional services contract for Special Legal Counsel Services and wishes to do so pursuant to local public contracts law; and

WHEREAS, the Board is desirous of retaining the law firm of Adams Gutierrez & Lattiboudere, LLC to provide special legal counsel services in the defense of the civil action; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the professional services contract will not exceed \$17,500; and,

WHEREAS, the Board has reviewed its available funds and has determined that sufficient funds are available for the special legal counsel services;

NOW, THEREFORE, BE IT RESOLVED, by the East Orange Board of Education in the County of Bergen, State of New Jersey, as follows:

Adams Gutierrez & Lattiboudere, LLC, The Legal Center, 1037 Raymond Blvd., Suite 900, Newark, NJ 07102 is capable of performing the special litigation counsel services and is awarded the contract to provide the above-described services not to exceed \$17,500.

5. A Resolution of the East Orange Board of Education Awarding a Contract to Nirenberg & Varano, LLC To Provide Special Litigation Counsel Services

WHEREAS, the litigation has been initiated against the Board and individual employees entitled Faatir Lawson v. East Orange Board of Education, et. al., Docket No. 2:16-cv-02704-MCA-MF; and

WHEREAS, the Board has a need to enter into a professional services contract for Special Litigation Counsel Services and wishes to do so pursuant to local public contracts law; and

WHEREAS, the Board is desirous of retaining the law firm of Nirenberg & Varano, LLP to provide special litigation counsel services in the defense of the civil action; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the professional services contract will not exceed \$17,500; and,

WHEREAS, the Board has reviewed its available funds and has determined that sufficient funds are available for the special legal counsel services;

NOW, THEREFORE, BE IT RESOLVED, by the East Orange Board of Education in the County of Bergen, State of New Jersey, as follows:

Nirenberg & Varano, LLP, 32 Mercer Street, Hackensack, NJ 07601 is capable of performing the special litigation counsel services and is awarded the contract to provide the above-described services not to exceed \$17,500.

VIII. CONSIDERATION OF RESOLUTIONS

B. INTERIM SUPERINTENDENT OF SCHOOLS

1. EDUCATIONAL SUPPORT & STUDENT SERVICES

On a motion of Ms. Joy B. Tolliver, duly seconded by Ms. Marjorie Perry, the members of the Board of Education voted to approve items "a-e" under Educational Support & Student Services.

- ROLL CALL:
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Yes
 - Ms. Joy B. Tolliver, Esq. - Yes
 - Ms. Terry S. Tucker - Yes
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Yes

a. Pine Forest Cheerleading Camp - (Hasan)

BE IT RESOLVED: that the East Orange Board of Education, upon the recommendation of the Interim Superintendent of Schools, approves the East Orange Campus High School Cheerleader Squad (18 athletes); Coach Al-Nisa Muniz and Cynthia Thomas for a 4 night 3 day overnight cheer camp, located in Greeley, Pennsylvania from August 22-25, 2016. The Pine Forest Cheerleading Camp not to exceed the total cost of \$6,562 to the District.

BE IT FURTHER RESOLVED: that the East Orange Board of Education, upon the direction of the Interim Superintendent of Schools, authorizes administration to obtain a purchase order and have it provided to the vendor/consultant prior to receiving any goods or services from said vendor/consultant.

(Account Codes: 17.15.000.270.512.101.001.5523
17.15.190.100.610.101.001.6000)

b. Hiring of Consultant for Administrators' Academy - (Watson)

BE IT RESOLVED: that the East Orange Board of Education, upon the recommendation of the Interim Superintendent Schools, approves the hiring of Charles P. Mitchell, Ed.D. as keynote speaker for the Administrators' Academy on Tuesday, August 30, 2016 at a cost not to exceed \$1,500.

BE IT FURTHER RESOLVED: that the East Orange Board of Education, upon the direction of the Interim Superintendent of Schools, authorizes administration to obtain a purchase order and have it provided to the vendor/consultant prior to receiving any goods or services from said vendor/consultant.

c. District Professional Development Plan - (Harvest/Tyler)

BE IT RESOLVED: that the East Orange Board of Education, upon the recommendation of the Superintendent of Schools, approves the 2016-17 District Professional Development Plan.

d. District Mentoring Plan - (Harvest/Tyler)

BE IT RESOLVED: that the East Orange Board of Education, upon the recommendation of the Superintendent of Schools, approves the 2016-17 District Mentoring Plan.

e. EOCHS - Prince Hall Day Activity

BE IT RESOLVED: the East Orange Board of Education, upon the recommendation of the Superintendent of Schools, approves the EOCHS Students Activities (Student Government Council & Athletic Sports Teams) in conjunction with Prince Hall Grand Lodge, Free & Accepted Masons.

BE IT FURTHER RESOLVED: that the East Orange Board of Education, upon the direction of the Superintendent of Schools, directs administration to obtain a purchase order and have it provided to the vendor/consultant prior to receiving any goods or services from said vendor /consultant.

VIII. CONSIDERATION OF RESOLUTIONS

B. INTERIM SUPERINTENDENT OF SCHOOLS

2. BUSINESS SERVICES

On a motion of Ms. Joy B. Tolliver, duly seconded by Ms. Terry S. Tucker, the members of the Board of Education voted to approve item “a” under Business Services.

- ROLL CALL:
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Yes
 - Ms. Joy B. Tolliver, Esq. - Yes
 - Ms. Terry S. Tucker - Yes
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Yes

a. Preschool Contract for Three Stages Learning Center, 91 South Harrison Street

BE IT RESOLVED: “the East Orange Board of Education, upon the recommendation of the Interim Superintendent of Schools, approves” the Preschool Education Program Contract and Budget for the 2016-2017 school year, in an amount not to exceed \$1,766,125.00.

| Name of Provider | # of Classes | # of Students | Total Cost |
|------------------------------|--------------|---------------|-------------|
| Three Stages Learning Center | 9 | 135 | \$1,766,125 |
| Total | | | \$1,766,125 |

3. LABOR RELATIONS & EMPLOYMENT SERVICES

On a motion of Ms. Joy B. Tolliver, duly seconded by Ms. Marjorie Perry, the members of the Board of Education voted to approve item “a” under Labor Relations & Employment Services.

- ROLL CALL:
- Dr. Kristie Howard - Absent
 - Mr. Cameron B. Jones, Sr. - Absent
 - Ms. Marjorie Perry - Yes
 - Ms. Joy B. Tolliver, Esq. - Yes
 - Ms. Terry S. Tucker - Yes
 - Mr. Jenabu Williams - Absent
 - Mr. Bergson Leneus - Yes

a. Transfer

BE IT RESOLVED, that the East Orange Board of Education, upon the recommendation of the Superintendent of Schools, approves the transfer of Employee #1351 to the Maintenance Department effective Monday, August 29, 2016.

VIII. ADJOURNMENT

Mr. Leneus read the following notice:

The East Orange Board of Education next regularly scheduled meeting will be held on Tuesday, September 20, 2016 at 6:00 p.m. in the main conference room of the Administrative Offices, 199 Fourth Avenue, East Orange, NJ.

The Board of Education will retire to Executive Session after "Comments from the Public" in which they will conduct interviews and discuss matters pertaining to personnel and/or litigation. The Board will resume the regular public meeting at or about 8:00 p.m.; immediately following the Executive Session.

On the motion of Ms. Joy B. Tolliver, duly seconded by Ms. Terry S. Tucker, the members of the Board voted to adjourn the meeting:

ROLL CALL: Dr. Kristie Howard – Absent
 Mr. Cameron B. Jones, Sr. - Absent
 Ms. Marjorie Perry – Yes
 Ms. Joy B. Tolliver, Esq. – Yes
 Ms. Terry S. Tucker – Yes
 Mr. Jenabu Williams – Absent
 Mr. Bergson Leneus – Yes

The meeting adjourned at 6:58 p.m.

Victor R. Demming, Board Secretary

BOARD APPROVED _____