

**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 to discuss confidential legal matters. 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. - Present  
Ms. Marjorie Perry - Present  
Ms. Joy B. Tolliver, Esq. - Absent  
Ms. Terry S. Tucker - Present  
Mr. Jenabu C. Williams - Absent  
Mr. Bergson Leneus - Present

Also Present: Dr. Kevin R. West, Superintendent of Schools  
Mr. Victor R. Demming, Board Secretary/School Business Administrator  
Ms. Avis Bishop Thompson, Esq., General Counsel (DeCotiis, Fitzpatrick, Cole)

**IV. COMMENTS FROM THE PUBLIC**

**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 matters pertaining to litigation and matters within the attorney-client privilege.*

*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 Mr. Cameron B. Jones, Sr., duly seconded by Ms. Terry S. Tucker, the members of the Board of Education voted to retire to Executive Session at 6:07 p.m.

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

**VI. RECOMMENCE PUBLIC MEETING**

The Members of the Board and Executive Staff resumed the Public Session at 6:22 p.m.

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

Also Present: Dr. Kevin R. West, Superintendent of Schools  
 Mr. Victor R. Demming, Board Secretary/School Business Administrator  
 Ms. Avis Bishop Thompson, Esq., General Counsel (DeCotiis, Fitzpatrick, Cole)

**VIII. CONSIDERATION OF RESOLUTIONS****A. BOARD OF EDUCATION**

On the motion of Ms. Marjorie Perry, duly seconded by Mr. Cameron B. Jones, Sr., the members of the Board voted to approve items #1 & #2:

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

1. Approving Settlement of Litigation - Docket #EDU 00811-2017N

WHEREAS, the Board is Defendant in a matter in the Office of Administrative Law, bearing Docket Number EDU 00811-2017N, Agency Ref. No.: 300-11/16; and

WHEREAS, the Board Attorney and the Superintendent have recommended resolution of this matter in an amount not to exceed \$53,134; and

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

NOW, THEREFORE, BE IT RESOLVED by the East Orange Board of Education that it hereby authorizes the Board attorney to enter into settlement negotiations in this matter.

2. Approving Settlement of Litigation - Docket # ESX-L-5398-15

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-5398-15; and

WHEREAS, the assigned attorney and the Superintendent have recommended resolution of this matter in an amount not to exceed \$30,000; and

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

NOW, THEREFORE, BE IT RESOLVED by the East Orange Board of Education that it hereby authorizes the assigned attorney to enter into settlement negotiations in this matter.

**VIII. CONSIDERATION OF RESOLUTIONS**

**A. SUPERINTENDENT OF SCHOOLS**

**1. BUSINESS SERVICES**

On the motion of Ms. Marjorie Perry, duly seconded by Ms. Terry S. Tucker, the members of the Board voted to approve item “a” under Business Services:

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

a. Recommendation to Exceed the Awarded Contract Amount for Legal Services

WHEREAS, on May 16, 2016 the Board of Education of the City of East Orange appointed the law firm of DeCotiis, Fitzpatrick and Cole, LLP as the Board Attorney for the period of July 1, 2016 through June 30, 2017 for all services of the firm not included with the retainer, which shall be billed at the hourly rate of \$150.00 and at a fee not to exceed \$350,000.00; and

WHEREAS, as a result of the increased legal services required, the School Business Administrator projects the spending for the balance of the year will be \$168,000; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP has a balance of \$45,069.15 remaining on its current contractual amount; and

WHEREAS, the School Business Administrator has determined the funds needed to complete the funding of this current school year is \$122,930.85 (\$168,000-\$45,069.15); and

WHEREAS, the additional funds will be charged to account# 17.11.000.230.331.028.020.4334 (*Legal Services*);

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education approves the increase of the contract amount for DeCotiis, Fitzpatrick and Cole, LLP by \$122,930.85 from the amount of \$350,000 to a revised amount not to exceed \$472,930.85.

**IX. ADJOURNMENT**

Mr. Leneus read the following notice:

*The East Orange Board of Education next regularly scheduled meeting will be held on Tuesday, March 14, 2017 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 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 Mr. Cameron B. Jones, Sr., duly seconded by Ms. Marjorie Perry, the members of the Board voted to adjourn the meeting:

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

The meeting adjourned at 6:25 p.m.

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 Victor R. Demming, Board Secretary

BOARD APPROVED \_\_\_\_\_