

**Morris Plains Board of Education
Public Meeting – March 21, 2013 – 7:30 a.m.
Borough School Learning Center**

Call to Order and Reference to the Sunshine Law

In accordance with the requirements of the Open Public Meetings Act (Chapter 231, P.L. 1975), Mrs. Cynthia Fetherston, Board President, opened the meeting at 7:45am and read the following: The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this act, the Morris Plains School District Board of Education, in the County of Morris, New Jersey has caused notice of this meeting to be published by having the date, time and place thereof posted in the Board Administrative Offices, sent to the Clerk of the Borough of Morris Plains, the Morris Plains Library, the Daily Record, the Star Ledger, and the Morris News Bee.

Pledge of Allegiance

Roll Call

Present: Mr. Alan Albin, Mr. Scott Bober, Ms. Lee Connor, Mrs. Cynthia Fetherston, Ms. Lucia Galdi, Mr. Douglas McCabe and Ms. Denise Rawding

Absent: Mrs. Terri Kaag and Mrs. Maria Manley

Also present: Dr. Ernest Palestis and Mrs. Kristin Kosky

Number of public attending: 0

Hearing of Citizens and/or Delegations - none

Correspondence - none

Business Items Prepared for Official Action on March 21, 2013:

A. Personnel/Legal (upon the recommendation of the Superintendent)

1. Approval of Sidebar Agreement

On the motion of Mrs. Lee Connor, seconded by Mr. Scott Bober, the Morris Plains Board of Education adopts the following Sidebar Agreement between the Morris Plains Board of Education and the Morris Plains Education Association:

**SIDEBAR AGREEMENT
BETWEEN
MORRIS PLAINS BOARD OF EDUCATION ("Board")
AND
MORRIS PLAINS EDUCATION ASSOCIATION ("Association")**

THIS SIDEBAR OF AGREEMENT is made this 21st day of March, 2013, is attached to, incorporated in, and made part of the Memorandum of Agreement ("Agreement") between the MORRIS PLAINS BOARD OF EDUCATION ("Board") and the MORRIS PLAINS EDUCATION ASSOCIATION ("Association").

WHEREAS, the parties have been engaged in negotiations in good faith,

NOW THEREFORE, the parties agree as follows:

1. The provisions of this Sidebar are subject to and contingent upon ratification by the parties represented by the signatories herein to the contract.
2. The Sidebar shall cover the period of July 1, 2011 to June 30, 2014.
3. This Agreement is being done on a non-precedential basis and shall not establish precedence for any other current and/or future employees.
4. **The parties agree as follows:**

Retiring individuals who have given notice after December 1, 2012 will receive reimbursement for their unused sick days in July 2013, and will not have to wait until July 2014.

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

B. Finance/Buildings & Grounds/Purchasing/Contracts /Donations

1. Approve 2013-2014 School Budget

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, Morris Plains Board of Education approves the following resolution and submission of the 2013-2014 budget to the County Office for approval.

BE IT RESOLVED that the budget be approved for the 2013-2014 School Year using the 2013-2014 state aid figures and the Secretary to the Board of Education be authorized to submit the following budget to the Executive County Superintendent of Schools for approval in accordance with the statutory deadline:

	GENERAL FUND	SPECIAL REVENUES	DEBT SERVICE	TOTAL
2013-14 Total Expenditures	15,580,120	145,341	549,300	16,274,761
Less: Anticipated Revenues	1,418,403	145,341	19,988	1,583,732
Taxes to be Raised	14,161,717	0	529,312	14,691,029

In accordance with State of New Jersey Department of Education budget guidelines and according to the law the district has advertised in the Daily Record on March 14, 2013 and

BE IT FURTHER RESOLVED, that this meeting is considered the district public hearing and has notified the Executive County Superintendent in accordance with Department of Education requirements.

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

2. Capital Reserve Account Withdrawal

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, the Board approves the following resolution:

BE IT RESOLVED, that the Morris Plains Board of Education, in the County of Morris, New Jersey approves the withdrawal of \$280,000 from the Capital Reserve to provide funding for the following Projects:

Partial Roof Replacement- Borough \$250,000
Paving- Mt. Way & Borough \$ 30,000

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

3. Capital Projects

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, the Board approves the following resolution:

BE IT RESOLVED, that the Morris Plains Board of Education approves the following capital projects for 2013-2014 school year;

Projects:

Partial Roof Replacement- Borough \$250,000
Paving- Mt. Way & Borough \$ 37,500

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

4. Travel and Related Expense Reimbursements

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, he Board approves the following resolution:

BE IT RESOLVED, that in accordance with Board of Education Policy and N.J.A.C. 6A:23A-7.1 et seq. provides that the board of education shall establish in the annual school budget a maximum expenditure amount that may be allotted for such travel and expense reimbursement for the 2013-2014 school year;

NOW, THEREFORE, BE IT RESOLVED, that the Morris Plains Board of Education, in the County of Morris, New Jersey hereby establishes the school district travel maximum for the 2013-2014 school year at a sum of \$30,000; and

BE IT FURTHER RESOLVED, that the School Business Administrator shall track and record these costs to insure that the maximum amount is not exceeded.

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

5. Professional Expenses

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, the Board approves the following resolution:

BE IT RESOLVED, that the Morris Plains Board of Education, in the County of Morris, New Jersey approves Professional Services for the school year 2013-2014:

WHEREAS, N.J.A.C. 6A:23A-5.2 (a) mandates boards to establish annually prior to budget preparation, for public relations and each type of professional service a maximum level of spending for the ensuing school year; and

WHEREAS, the final budget includes the following appropriations

Legal	\$ 25,000
Auditor	\$ 27,000
Architect	\$ 7,500
Professional Development	\$ 14,000
Transportation	\$ 5,000
Other Services	\$133,663
Repair Services	\$ 92,750
Related Services	<u>\$675,128</u>
Total	\$980,041

WHEREAS, the administration needs to notice the board if there arises a need to exceed said maximums, upon which the board may adopt a dollar increase in the maximum amount through formal board action; and

WHEREAS, the Board and Administration wishes to minimize the amount of paperwork involved in this area;

NOW, THEREFORE BE IT RESOLVED, that the Morris Plains Board of Education establishes maximums for professional services listed above at a level of 120% of the amounts listed for the 2013-2014 school year.

Mr. Alan Albin - yes	Mr. Scott Bober - yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston - yes	Mrs. Terri Kaag - absent	Mrs. Maria Manley - absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe - yes	Ms. Denise Rawding - yes

6. Tax Authority & Banked Cap:

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor, the Board approves the following resolution:

BE IT RESOLVED, that the Morris Plains Board of Education, in the County of Morris, New Jersey approves tax authority and banking of cap:

WHEREAS, the district has a taxing authority for the 2013 - 2014 school year composed of \$118,210 for health benefits adjustment and \$57,712 banked levy from previous budgets which are available to the district for the school budget for 2013-2014 in addition to the 2% increase over the prior year which totals \$277,681 resulting in a maximum tax levy available of \$14,337,639.

BE IT RESOLVED, that there should be raised for the General Fund a tax levy of \$14,161,717 for the ensuing School Year (2013-2014).

BE IT FURTHER RESOLVED, that the unused taxing authority of \$175,922 will be banked for potential use in the subsequent three fiscal years.

Mr. Alan Albin - yes	Mr. Scott Bober - yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston - yes	Mrs. Terri Kaag - absent	Mrs. Maria Manley - absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe - yes	Ms. Denise Rawding - yes

7. Approve Membership in Morris Essex Insurance Group

On the motion of Mr. Douglas McCabe, seconded by Mrs. Lee Connor RESOLVED that the Board of Education adopts the following resolution:

WHEREAS, a number of Boards of Education in Morris and Essex County have joined together to form a Joint Insurance Pool as permitted by N.J. Title 18A-18B and;

WHEREAS, said Pool was approved effective February 10, 1984 by the New Jersey Commissioner of Insurance and has been in operation since that date and;

WHEREAS, the Pool contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Pool, and;

WHEREAS, the Board of Education of Morris Plains has determined that membership in the **MORRIS ESSEX INSURANCE GROUP** is in the best interest of the District after a cost analysis with premiums and premium refunds reflects savings.

NOW THEREFORE, be it resolved that the Board of Education of Morris Plains does hereby agree to renew membership in the **MORRIS ESSEX INSURANCE GROUP** and hereby accept the Bylaws as approved and adopted. The renewal term is from July 1, 2013 to June 30, 2016.

BE IT FURTHER RESOLVED that the Board Secretary/Business Administrator is authorized to execute the application for membership and the accompanying certification on behalf of the District and;

BE IT FURTHER RESOLVED that the Board Secretary/Business Administrator is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Pool as are required by the Pool's Bylaws and to deliver the same to the Executive Director.

Mr. Alan Albin - yes	Mr. Scott Bober - yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston - yes	Mrs. Terri Kaag - absent	Mrs. Maria Manley - absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe - yes	Ms. Denise Rawding - yes

Discussion Items:

A. New Business - none

B. Old Business - none

Executive Session

Motion by Ms. Denise Rawding seconded by Mr. Douglas McCabe to approve the following resolution:

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: The Board of Education adjourns to closed session at 7:40am to discuss: (select one or more)

- 1) a matter rendered confidential by federal or state law;
- 2) a matter in which release of information would impair the right to receive government funds;
- 3) material the disclosure of which constitutes an unwarranted invasion of individual privacy;
- 4) a collective bargaining agreement and/or negotiations related to it;
- 5) a matter involved the purchase, lease, or acquisition of real property with public funds;
- 6) protection of public safety and property and/or investigations of possible violations or violations of law;
- 7) pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege;
- 8) specific prospective or current employees unless all who could be adversely affected request an open session;
- 9) deliberation after a public hearing that could result in a civil penalty or other loss;

RESOLVED, the Board may take action at the conclusion of executive session, and be it further, **Resolved**, The minutes of this closed session will be made public when the need for confidentiality no longer exists.

Mr. Alan Albin - yes	Mr. Scott Bober - yes	Ms. Lee Connor - yes
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Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

Return to Regular Session from Closed Session (if necessary)

On the motion of Ms. Denise Rawding seconded by Mr. Scott Bober, BE IT RESOLVED by the board of education to return to the regular session of the Board of Education meeting from the closed session at 7:44am.

Mr. Alan Albin – yes	Mr. Scott Bober – yes	Ms. Lee Connor - yes
Mrs. Cynthia Fetherston – yes	Mrs. Terri Kaag – absent	Mrs. Maria Manley – absent
Ms. Lucia Galdi - yes	Mr. Douglas McCabe – yes	Ms. Denise Rawding - yes

Hearing of Citizens and/or Delegations - none

Adjournment

On the motion of Ms. Denise Rawding seconded by Mr. Scott Bober, BE IT RESOLVED that the Morris Plains Board of Education moves to adjourn the meeting at 7:45am.

Respectfully Submitted,

Kristin Kosky