

CEDAR GROVE BOARD OF EDUCATION
Cedar Grove, New Jersey
MINUTES

December 13, 2022

Memorial Middle School Media Center

Public Session 6:30 PM

Mrs. Daura, Board President, called the Regular Meeting of the Cedar Grove Board of Education to order at 6:30 pm

Roll Call:

✓ Mr. Marzullo
✓ Mr. Palek
✓ Mrs. Mega
✓ Mrs. Daura

Mr. Anthony Grosso, Superintendent of Schools, Mr. Michael DeVita, Business Administrator and Mr. Steve Edelstein, Board Attorney were also present.

The following motion was made by Mr. Marzullo and seconded by Mr. Palek and unanimously carried.

E1. Motion to **adjourn to executive session to discuss the following items:**

● Personnel matter relative to candidates for employment. Action may follow the discussion in the Executive Session. Public release of the discussion will occur upon completion of any contracts.

● Personnel matter relative to employee requests. Action is expected to follow the discussion in Executive Session. Due to the confidentiality of personnel matters, public release of this discussion will probably never occur.

● Student matter relative to HIB. Action is not expected to follow the discussion in the executive session. Due to the confidentiality of student matters, public release of this discussion will probably never occur.

● Attorney client issues. Action may follow the discussion in the Executive Session. Public release of the discussion may occur upon completion of the matter.

The Board returned to Open Session at 7:36 pm and Mrs. Daura led the Pledge of Allegiance and read the following announcement:

Announcement: 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 meeting of, public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this act, the Cedar Grove Board of Education has caused notice of this meeting to be advertised, by having the date, time, and place thereof posted on bulletin boards in the District, published and/or transmitted to the *Verona-Cedar Grove Times* and *Star Ledger* newspapers, TAPinto online news, filed with the Township Clerk, and posted on the District's web site.

Roll Call:

✓ Mr. Marzullo

✓ Mr. Palek
✓ Mrs. Mega
✓ Mrs. Daura

Mr. Anthony Grosso, Superintendent of Schools, Mr. Michael DeVita, Business Administrator and Mr. Steve Edelstein, Board Attorney were also present.

Mr. Marzullo thanked Michele Mega and David Schoner for their service while they were on the board and presented a plaque and flowers to Mrs. Mega.

Student Ian Wilson, the All School Council President, updated the board on what has been happening in the high school. They are in the planning stage for the future including deck the halls, a holiday movie night, cupid's cafe and a color run.

PUBLIC COMMENT ON ITEMS ON THE AGENDA

Leo Stringer has about resolution B13 and Mrs. Daura responded.

COMMITTEE REPORTS

Mrs. Mega attended the CGHS play and reported that the students did an excellent job. She also attended the town council meeting, tree lighting, personnel and finance committee meetings.

Mr. Marzullo attended the Middle School FSA meeting and reported they spoke about therapy dogs, congratulated Deanna Bellinger for placing 3rd in the problem solving contest, food donations, winter concert, young audience presentation, Harlem Wizards, the district arts show and trops. He also attended the policy meeting, high school musical and the rec advisor meeting.

Mr. Palek attended the finance committee and reported they spoke about the budget calendar, e-rate consultants, ROD grants, capital maintenance grant and the purchase of a dump truck. He also attended the personnel committee and reported they spoke about the director of special services position, athletic trainer and armed security guards. He also attended the South End FSA meeting and reported they spoke about the referendum, security guards and academics.

Board Presentation:

Nicollete McCarthy, cheerleading coach, presented a proposed trip to Wildwood, NJ for the Cheer Team to attend a National Tournament from February 17, 2023 to February 19, 2023.

Jennifer Foose presented a proposed NY and Vermont Performance Tour from May 19, 2023 to May 20, 2023.

Nick DeCorte, Middle School Principal, introduced students who performed a couple of scenes from the musical Frozen.

Superintendent Update

Mr. Grosso gave an update on the following: High School Musical, North End Winter Show, referendum ad hoc committee meeting, armed officers and the Director of Special Services.

FROM THE OFFICE OF THE BUSINESS ADMINISTRATOR and BOARD SECRETARY

A motion was made by Mrs. Mega and seconded by Mr. Palek and unanimously carried to approve items B1 through B5.

- B1. Motion to **approve the Public and Executive minutes** of November 7, 2022.
- B2. Motion to **approve the budgetary transfers** for the months of November 2022.
- B3. Motion to **approve the Treasurer's Report** for the month of October 2022.
- B4. Motion to **approve the Board Secretary Report** for the month of October 2022.
- B5. Motion to **approve the Board Secretary's certification to the Cedar Grove Board of Education, pursuant to NJAC 6A:23-2.11(c)3, that no line item account has encumbrances and expenditures which, in total, exceed the line item appropriation in violation of NJAC 6A:23-2.11(a); and further pursuant to NJAC 6A:23-2.11(c)4, no major account or fund has been over-expended in violation of NJAC 6A:23-2.11(b).**

The following motion was made by Mr. Marzullo and seconded by Mrs. Mega and unanimously carried.

- B6. Motion to **pay the List of Bills totaling \$2,481,245.71 for the time period of** November 4, 2022 – December 8, 2022

A motion was made by Mr. Palek and seconded by Mr. Marzullo and unanimously carried to approve items B7 through B13.

- B7. Motion to rescind motion B13. on November 7 agenda and **approve payment for student ID #s** to attend CG Memorial Middle School Liberty Science Center on May 19, 2023 at a cost of \$30.50/student. This is due to cost per student change.
ID#202907602462 ID#202907601423 ID#202907601430
ID#202807601253

- B8. Motion to rescind motion B13. on November 7 agenda and **approve payment for student ID #s** to attend CG Memorial Middle School NJPAC Center on December 8, 2022 at a cost of \$20.00/student. This is due to cost per student change.
ID#203007601558 ID#202907601423 ID#202807601232 ID#202807601253

- B9. Motion to **approve payment for student ID #s to attend South End Field Trip** to Turtle Back Zoo on May 3 2023 at a cost of \$ 18.75/student.
ID #203407602314 ID #203407602344

- B10. Motion to **approve payment for student ID#s to attend Memorial Middle School**

Field Trip to Medieval Times at a cost of \$50/student.

ID # 202807601243 ID #202807601841 ID #202807601232 ID #202707601622

B11. Motion to **approve the agreement with E-Rate Consulting, Inc.** through the Cooperative Program with New Jersey School Boards Association with Procurement Number E-8801-NJSBA ACES-CPS to provide E-rate Services in connection with all E-Rate funding applications through June 30, 2025 at an annual fee of \$1,750 for category one funding applications and \$1,750 for category two funding applications.

B12. Motion to **approve the Nursing Services Plan** for the 2022/2023 school year.

B13. Motion to **approve the proposal from National Auto Fleet Group** for the purchase of a Ford Super Duty F-450 Mason Dump Body at a price of \$78,034.09. The purchase is approved through the Sourcwell Contract 091521-NAF. No taxpayer funds will be used towards the purchase as funds have been saved through Filming proceeds and the sale of unusable equipment through Gov.Deals.

FROM THE OFFICE OF THE SUPERINTENDENT OF SCHOOLS

A motion was made by Mr. Palek and seconded by Mrs. Mega and unanimously carried to approve items S1 through S12 and A1 through A2.

All candidates listed on the agenda in anticipation of Cedar Grove Board approval for employment, will all be contingent upon the receipt of pre-employment satisfactory medical testing, and a cleared proof of criminal history.

S1. Second Reading

A. BE IT RESOLVED that the Board hereby affirms the Superintendent's decision in HIB Investigation involving SID # 0703 for reasons set forth in the Superintendent's Report to the Board and directs the Board Secretary/School Business Administrator to transmit a copy of the Board's decision to the affected students' parents forthwith.

a. Non-Confirmed HIB

S2. Second Reading

A. BE IT RESOLVED that the Board hereby affirms the Superintendent's decision in HIB Investigation involving SID # 202307602447 for reasons set forth in the Superintendent's Report to the Board and directs the Board Secretary/School Business Administrator to transmit a copy of the Board's decision to the affected students' parents forthwith.

a. Confirmed HIB

S3. Motion to **approve John Belotta, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S4. Motion to **approve Michael Grasso, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023. This appointment is in

accordance with the State Emergent Hiring procedures.

S5. Motion to **approve Robert Tobey, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S6. Motion to **approve Pasquale Capozzoli, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S7. Motion to **approve Orlando Soto, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023.

S8. Motion to **approve Valentin Contreras, Armed Security Officer** at \$35 per hour in the district beginning on January 2, 2023 through June 30, 2023.

S9. Motion to **approve Timothy Hack, Math Teacher at high school**, MA Step 10, salary of \$68,634 prorated starting on or before February 22 - June 30, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S10. Motion to **approve Jessica Pignatello, Director of Special Services**, MA+36, Step 10, salary \$150,256 prorated from on or before February 13, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S11. Motion to **approve Susan Wright of Certified Evaluations and Consultation, LLC, as Interim Director of Special Services**, 2-3 days per week at a per diem rate of \$650, or hourly rate of \$125 beginning on January 2, 2023. This appointment is in accordance with the State Emergent Hiring procedures.

S12. Motion to **approve the job description of the supervisor for the group of Armed Security Guards** for the 2022-2023 school year.

S13. Motion to **approve school security officers to carry a handgun:**

BE IT RESOLVED, that in accordance with N.J.S.A. 2C:39-5(e), the Cedar Grove Board of Education does hereby authorize the following Security Officers to possess a handgun in a school building or on school grounds during his/her workday:

- **John Belotta**

- **Michael Grasso**
- **Robert Tobey**
- **Pasquale Capozzoli**
- **Valentin Contreras**
- **Orlando Soto**

BE IT FURTHER RESOLVED, that this authorization is contingent on the Security Officers meeting, and continuing to meet, the exception to N.J.S.A 2C:39-5 outlined in N.J.S.A. 2C:39-6(l) and the qualifications set forth in N.J.S.A. 40A:14-146.10(b); and

BE IT FURTHER RESOLVED, that this authorization shall be considered automatically revoked upon the expiration (without renewal), suspension or revocation of a license issued to the relevant Security Officer in accordance with N.J.S.A. 2C:39-6(l); and

BE IT FURTHER RESOLVED, that this authorization shall not, under any circumstances, be extended past one calendar year from the date of this resolution without action by the Board; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent to effectuate this authorization as required by Board Policy 7446.

S14. Motion to **approve the Cedar Grove Board of Education Armed Security Handbook.**

S15. Motion to **approve Kayla Perez, Athletic Trainer** at BA Step 9 \$61,163 + 10% \$6,116 prorated at the high school beginning December 14, 2022 through July 30, 2023

S16. Motion to **approve the early release of Kristen Mandicz, last work day 12/13/22**, due to the hiring of Kayla Perez, replacement teacher with a start date of 12/14/2022.

S17. Motion to **approve Troy Spinetta as a substitute teacher** for the district as of December 14, 2022 to June 30, 2023 at a per diem rate of \$115.

S18. Motion to **approve Joe Cirasa** as an additional residency officer at a rate of \$25 per hour as of December 14, 2022 - June 22, 2023

S19. Motion to **accept the resignation of Cleopatra Hammond, NE paraprofessional** as of November 28, 2022 having the last day of work being December 16, 2022. The reason for departure are daily tasks and commitments to the position.

S20. Motion to **approve the termination of employee #99202970**, effective last work day on

January 9, 2022.

S21. Motion to **rescind the assistant coach Dean Straut for Fall and Winter Robotics stipend for Dean Straut**, as of Jan 9, 2023, and motion to approve Mirna Halawani, as assistant coach of November 16, 2022 to June 22, 2023.

S22. Motion to **rescind Girls Basketball Alyssa Lever Head Coach, step 5, \$10,149**, on the November 7, 2022 agenda and approve step 1, \$8,364 for the 2022-23 school year.

S23. Motion to **approve and extend the following extra period classes at the HS as follows:**

Dave Coster

- **6th Section - 3D Printing -** 11/9
- **7th Section - Algebra Lab -** 11/17 - 1/8
- **6th Section - Circuitry** 1/2 - 6/22

Alyssa Minelli

- **6th Section - Algebra I -** 11/7 - 2/21

Bob Brady

- **6th Section - Algebra I H -** 11/1 - 2/21

Joan Oehm

- **6th Section - Algebra I -** 11/1 - 2/21
- **7th Section - PreCalculus -** 11/17 - 1/8

Mirna Halawani

- **6th Section - Algebra I H -** 11/1 - 2/21

Milissa Stanford

- **6th Section - Geometry -** 11/1 - 1/8
- **7th Section - Algebra Lab -** 11/17 - 1/8

S24. Motion to **approve on first reading** the overnight trip for the Cedar Grove High School Cheerleading Team to participate in the 2023 Spirit Brands National Championship in Wildwood, NJ from February 17 -19, 2023.

S25. Motion to **approve on first reading** the overnight trip for the Cedar Grove High School Band & Choir Department to Vermont Performance Tour May 19 -20, 2023

S26. Motion to **retroactively approve attendance** for employee #48602940 for the following workshop on December 1st, 2022 Effectively Dealing with Disruptive students offered by The Bureau of Education and Research at the Wilshire Grand Hotel in West Orange NJ at a cost of \$279.

S27. Motion to **approve the submission of the 2022-2023 HIB report** for the period beginning September 1, 2022 and ending December 30, 2022.

S28. Motion to **reimburse the following school based volunteers** for finger printing expenses as per policy #9180 at the rate of : ToniAnn Ferraiolo SE \$29.75

S29. Motion to **approve the following as school volunteers:**
 Yulin Change SE Amanda Ferraro NE Kristin Carson NE Nicole Trombino NE
 Anthony Scarpelli NE Alissa Scarpelli NE Tara Gibson NE Jennifer James SE

S30. Motion to **authorize attendance** at the following event/s:

Program	Date	Employee(s)	Board Member(s)	Cost
Deca Mtg Kean College	12/20/2022 1/6/23	S. Goodman G. Bowie E. Puchalski	0	
NJPAC Field Trip	12/8/2022 (retroactively)	C Henry	0	\$20
NJASBO	11/17 (retroactively); 1/19; 3/21; 4/18/23	M DeVita	0	\$125
Turtle Back Zoo Field Trip (SE)	5/3/2023	L. Searle E. Alberto K. DaSilva M. Milano A. Logothetis B. Doemling	0	\$0
Robotics Competition	12/17/2022 & 1/14/2023	D. Coster M. Halawani	0	\$0
Medieval Times Field Trip	5/24/23	7th gr staff A Damiano L. Hartjen A. Escobar J. Alscher C. Tinston B. Limani L. Sheridan S. Stella	0	\$

S31. Motion to **approve the following** leaves of absence:

<i>Name</i>	<i>Reason</i>	<i>Position / Location</i>	<i># of Employee Sick Days used for Leave</i>	<i>FMLA Start Date</i> concurrently w sick	<i>NJ(FLA) Start Date</i>	<i>General Leave</i>	<i>Return Date</i>	<i>Modifications / Updates</i>
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V. Tedesco	Mat'y	Resource /SE	Before (8) 1/18-1/27 After (20) 1/30-2/28 (28)	Add'l days after 3/1-3/14/23 (10)	3/15- 6/14/22 (60)	n/a	6/15/2023	new request
A. Durso	Mat'y	Italian / HS	Before (20) 2/27-3/24 After (20) 3/2-5/1 (40)		5/2-6/22/23 (38)	n/a	1st day of School 9/23	new request
A. Hatzikyriakou	Mat'y	Art/ MMS, SE,NE	Before (16) 2/27-3/20 After (30) 3/21-5/9 (46)		5/10-6/22 & start of 2022-23 9/5-10/12* (65)	*10/13- 12/23 (65)	1/2/2024	new request *pending school calendar
R. Franciose	Medical	MMS	10/24-12/16 (36)				12/19/22	new return date
K. Pucilowski	Mat'y	MMS Resource	After 9/4-10/14 (27)		10/17- 1/13/23 (60)	1/17- 5/2/23 (68)	5/3/23	Gen Lv request
J. Lawshe	Mat'y	MMS Math	Before (20) 4/17-5/12 After (27) 5/15-6/22 (47)		9/5- 11/22/23 (60)	n/a	11/27/23	new request

POLICIESS32. Motion to **approve the First Reading of the following Policies:****(Alert 228)**

- P 0143.2** High School Student Representative to the BOE (M) (Revised)
- P 0163** Quorum (Revised)
- P 1511** Board of Education Website Accessibility (M) (Revised)
- P 2415** Every Student Succeeds Act (M) (Revised)
- P & R 2432** School Sponsored Publications (**Abolished**)
- P 3216** Dress and Grooming (Revised)
- P 3270** Professional Responsibilities (Revised)
- R 3270** Lesson Plans and Plan Books (Revised)
- P 4216** Dress and Grooming (**New**)
- P & R 5513** Care of School Property (M) (Revised)
- P 5517** School District Issued Student Identification Cards (M) (Revised)
- P 5722** Student Journalism (M) (**New**)
- P 7446** School Security Program

- P & R 7510** Use of Facilities (Revised)
- P 3130** Assignment and Transfer (New)
- P 0162** Notice of Board Meetings (Revised)
- P 2220** Adoption of Courses (M) (Revised)
- P 1400** Job Descriptions (M) (Revised)

**A1. RESOLUTION OF THE CEDAR GROVE BOARD OF EDUCATION
DECLARING THAT THE DEED RESTRICTION INCLUDED IN THE DEED DATED
JANUARY 4, 1972 AND RECORDED ON JULY 17, 1972 AND ANY PROPERTY
INTEREST CREATED BY THE DEED DATED JANUARY 4, 1972 AND RECORDED
ON JULY 17, 1972 CONVEYING THE PROPERTY LOCATED AT 100 CEDAR RIDGE
DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 40, LOT 101, AS SHOWN ON
THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CEDAR GROVE, FROM THE
TOWNSHIP TO THE BOARD OF EDUCATION, BE REMOVED.**

WHEREAS, on January 4, 1972 the Township of Cedar Grove, in the County of Essex, State of New Jersey (the “**Township**”), a public body corporate and politic of the State of New Jersey (the “**State**”), deeded the subject property known as Block 40, Lot 101, to the Cedar Grove Board of Education, which Deed was recorded on July 17, 1972 at Deed Book 4414, Page 771; and

WHEREAS, the January 4, 1972, deed of conveyance included a restriction on the use of the property set forth at Deed Book 4414, page 772 which states that the property must be used for school, athletic and recreational purposes and subject to the right of the grantor to use all or a portion of the land for the purpose of a leaf disposal site until such lands are developed and utilized by the grantee for school, athletic and recreational purposes; and

WHEREAS, on September 29, 1981, the Board of Education sold the subject property by way of a deed of conveyance recorded at Deed Book 4730, Page 11 and the deed of conveyance included a reverter clause stating that the property must be developed for senior housing within ten (10) years of September 29, 1981 or in the event the property ceases to be used for the purpose of senior citizen housing, then the contract of sale shall be rescinded or the title to the property shall thereupon revert to and revest in the Cedar Grove Board of Education and be subject to all restrictions and conditions of use originally imposed upon it in the deed from the Township to the Board of Education; except that such restrictions and conditions of use originally imposed shall not cause a reverter of the lands to the Township of Cedar Grove until the Board of Education has had a reasonable time, not to exceed one (1) year, to determine what educational and recreational use can be made of the property and elects not or fails to select such use; and

WHEREAS, subsequent to the conveyance to the Cedar Grove Board of Education, the property was developed as senior housing which use has continued, uninterrupted for forty (40) years; and

WHEREAS, the Department of Housing and Urban Development (HUD) permitted the property to be financed in 1983 and again in 2014 and title insurance covered the subject deed restrictions under the Multifamily Accelerated Processing Guidelines; and

WHEREAS, HUD has since changed the Multifamily Accelerated Processing Guidelines to no longer permit title insurance as a cure to the subject deed restriction clause; and

WHEREAS, the Township Council determined it is not in the best interests of the Township to maintain the deed restriction on the use of the Property for school, athletic and recreational purposes in favor of the Township and that the senior housing located at 100 Cedar Ridge Drive has and continues to meet the needs of the Township and its residents and it is in the best interests of the Township and its residents for continued use of the property as senior housing; and

WHEREAS, it is the Township's understanding, as communicated to the Board of Education, that a new mortgage to be executed with HUD will require written assurances in the mortgage or such other documents to assure that the property shall continue to be used for senior housing for at least the next forty (40) years; and

WHEREAS, the Board of Education recognizes that it is in the best interests of the Township to remove the deed restriction clause in the January 4, 1972 Deed (recorded on July 17, 1972 at Deed Book 4414, Page 771) and vacate any property interest held by the Township as a result of the deed restriction clause in the September 29, 1981 Deed (recorded at Deed Book 4730, Page 11) in order to maintain senior housing on the subject property known as 100 Cedar Ridge Drive (Block 40, Lot 101), Cedar Grove, New Jersey.

NOW THEREFORE, BE IT RESOLVED BY THE CEDAR GROVE BOARD OF EDUCATION AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The deed restriction clause in the January 4, 1972, deed recorded on July 17, 1972 at Deed Book 4414, Page 771 for the property located at 100 Cedar Ridge Drive, which property is identified as Block 40, Lot 101, as shown on the official Tax Map of the Township, is hereby voluntarily vacated by the Board of Education.

Section 3. Any property interest held by the Board of Education as a result of the deed restriction clause in the September 29, 1981 Deed recorded at Deed Book 4730, Page 11 for the property located at 100 Cedar Ridge Drive, which property is identified as Block 40, Lot 101, as shown on the official Tax Map of the Township, is hereby voluntarily vacated by the Board of Education.

Section 4. The Board President and Board Secretary, as necessary, are authorized to execute any and all documents necessary to effect and confirm the release of the deed restriction clauses as described herein.

Section 5. This Resolution shall take effect immediately.

A2. WHEREAS, a dispute has arisen between the Cedar Grove Board of Education and the Essex Regional Educational Services Commission, relating to the Board's contention that the Commission breached a ten-year lease agreement entered into between the Parties; and

WHEREAS, said dispute is the subject of a lawsuit filed by Plaintiff against Defendant in the Superior Court of New Jersey, Essex County, captioned Cedar Grove Board of Education v. Essex Regional Educational Services Commission, Docket No. ESX-L-003226-22 (the "Lawsuit"); and

WHEREAS, parties have agreed to settle all claims that were or could have been asserted in the Lawsuit pursuant to the terms set forth herein.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, and intending to be legally bound, the Board and the Commission have agreed that within thirty (30) days of the Effective Date of this Agreement, the Commission shall pay to the Board the sum of Four-Hundred and Twenty-Five Thousand Dollars (\$425,000.00) in a single payment to Board, via wire transfer using bank and wire information provided by the Board's counsel.

PUBLIC COMMENT

Leo Stringer spoke about the High School Black Box Theatre.

Mrs. Daura thanked Michele Mega and David Schoner and wished them luck and is looking forward to working with the new board members.

Mrs. Mega thanked family and friends for their support while she was on the board.

Announcement of future meetings:

January 3, 2023(reorg) CGHS Auditorium 7:30 pm Regular Mtg

The meeting was adjourned at 8:42 pm by President Daura.

Respectfully submitted,

Michael DeVita
Board Secretary