

MINUTES OF THE SPECIAL MEETING

**of the
NETCONG SCHOOL DISTRICT
26 College Road
Netcong, NJ 07857**

April 12, 2011

I. CALL TO ORDER: The meeting was called to order by President Popelka at 7:01 PM. The meeting was held in the Netcong Board of Education Office as publicly advertised.

A. FLAG SALUTE – All of those present participated in the salute to the flag.

B. OPEN PUBLIC MEETING ACT PROCLAMATION – The following is made part of the minutes:

The New Jersey Open Public Meeting 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 the Act the Board of Education of the Netcong School District in the County of Morris has caused notice of this meeting to be published by having the date, time and place thereof posted. The notice was mailed to the Daily Record, The West Morris Reporter and those persons or entities requesting notification, and filed with the municipal clerk of the Borough of Netcong.

C. MISSION STATEMENT – The following is made part of the minutes:

Netcong School District, a small caring community, is committed to providing a quality, well-rounded education achieved through the New Jersey Core Curriculum Content Standards which inspires students to ultimately become fulfilled, contributing and productive citizens.

D. ROLL CALL

The following members were present: Mr. Arbolino, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor and Mrs. Popelka, President.

Absent: Mrs. Callahan (arrived at 7:03 p.m.) and Ms. Suflay

Also Present: Mrs. Melissa Flach-Bammer, Acting Superintendent/Principal/CST Coordinator
Christine M. Werner, School Business Administrator/Board Secretary Consultant
There were also seven (7) members of the public present.

PETITIONS AND REQUESTS OF THE PUBLIC ~ AGENDA ITEMS ONLY

Mr. Still moved, seconded by Mr. Morton to open the public session at 7:03 p.m. and was approved by a unanimous voice vote by all members present. President Popelka opened the meeting to the public at 7:03 pm.

There being no items for discussion at this time, Mrs. Dalesandro moved, seconded by Mr. Morton to close the public session at 7:03 pm. This was approved by a unanimous voice vote by all members present.

Mrs. Callahan entered the meeting at 7:03 p.m.

EXECUTIVE SESSION - None at this time.**II. PRESIDENT'S COMMENTS**

President Popelka stated that this evening's consideration and action to award the bid for the Referendum projects is very exciting and it is evident that "we" are finally on our way. President Popelka "thanked" the taxpayers of Netcong for passing the Referendum.

III. ACTING SUPERINTENDENT'S COMMENTS

Acting Superintendent Flach-Bammer reported on the following matters:

1. **Washington, DC Trip** – Acting Superintendent Flach-Bammer stated that she was very excited about the 8th grade trip to Washington, DC noting that she, 4 NPS chaperones and students leave tomorrow morning at 6:45 a.m. Mrs. Flach-Bammer "thanked" Ms. DeVito for all of her hard work in planning the itinerary and making the necessary arrangements for the trip.
2. **2011-2012 Budget Pamphlet Revision** – Acting Superintendent Flach-Bammer distributed a revised 2011-2012 budget pamphlet and A4F Tax Worksheet with the corrected tax levy increase figure of **\$17.88/year** to the Board of Education and members of the public that were present this evening.

IV. SCHOOL BUSINESS ADMINISTRATOR CONSULTANT'S COMMENTS

1. **Morris County School Boards Association's Shared Services Seminar 05/18/11** – Mrs. Werner stated she had distributed registration information for the Morris County School Boards Association's Shared Services Seminar scheduled on Wednesday, May 18, 2011 at 7:00 p.m.. Mrs. Werner asked that BOE members who would like to attend the workshop should let her know so that she can complete and submit the registration form timely.
2. **Report of Temporary Notes Issuance** – Mrs. Werner provided a report on the sale of temporary notes pertaining to the Netcong Referendum projects as follows:

The Board of Education of the Borough of Netcong in the County of Morris, New Jersey

Dated: April 19, 2011

Matures: June 15, 2011

Par Amount: \$222,250

Bond Years: 0.155556

<u>Bidder</u>	<u>Coupon</u>	<u>Gross</u>	<u>Premium</u>	<u>NIC</u>	<u>NIR</u>	<u>Purchase Price</u>
Valley National Bank	2.0000%	\$691.44	\$0.00	\$691.44	2.00%	\$222,250.00

***Note: The total interest for the issuance of these temporary notes is \$691.44.**

3. **A4F Tax Worksheet for the 2011-2012 School Budget** – Business Administrator Consultant Werner noted that the assessed valuation figure utilized to calculate the tax levy increase to the local taxpayer for the 2011-2012 school budget was miscommunicated. Mrs. Werner noted due to this miscommunication, the anticipated tax levy increase of **\$36.33/year** on the average home assessed at \$292,700 **was incorrect** as presented to the public on March 29, 2011 and that upon recalculating the anticipated tax levy increase utilizing the correct assessed valuation figure it was determined that **the anticipated tax levy increase will actually be \$17.88/year** on the average home assessed at \$292,700. A brief discussion ensued.
4. **Report of Results – Referendum Projects Bid Opening – April 12, 2011** – Mrs. Werner reported on the results of the Referendum Projects’ bid opening held on April 12, 2011 as follows:

Nine (9) Bid Packages were requested by potential bidders, five (5) bidders responded as follows:

Firm	Base Bid	Alt. #1 Hallway Cabinet Heaters	Alt. #2 Expansion Tank	Alt. #3 In-Line Fans in Attic	Alt. #4 New NAE Controllers	Alt. #5 Operator Workstatio n for New Controls	Alt. #6 New Ext. FRP Doors	Alt. #7 New Roof BOE Room Annex	TOTAL
Brockwell & Carrington, Inc.	\$2,479,989	\$23,500	\$15,500	\$7,600	\$7,900	\$12,000	\$6,300	\$63,500	\$2,616,289
Falak Construction, Inc.	\$2,289,786	\$27,693	\$9,900	\$5,317	\$9,000	\$13,367	\$6,260	\$53,000	\$2,414,323
Stone Creek, Inc.	\$2,344,300	\$22,200	\$15,300	\$7,500	\$7,900	\$11,700	\$7,620	\$48,900	\$2,465,420
Ingrassia Construction Co.	\$2,398,560	\$29,000	\$12,000	\$7,000	\$11,000	\$14,000	\$12,000	\$63,000	\$2,546,560
Fine Wall Corp.	\$2,274,000	\$25,000	\$12,800	\$6,300	\$8,600	\$12,900	\$14,550	\$59,000	\$2,413,150

A brief discussion ensued. Mrs. Werner stated that she had conferred with legal counsel and the district’s architect, Parette Somjen Architects, to advise that Board action pertaining to same is respectfully requested this evening. Board Trustee Bernadette Dalesandro stated that these were very competitive bids with only \$1,174 difference between the lowest bid received from Fine Wall Corporation and the next lowest bid received from Falak Construction, Inc. Mrs. Werner noted that Mrs. Christine Yearing of Schwartz, Simon, Edelstein and Celso (Board Attorney) was in attendance at the bid opening earlier today. President Popelka noted that Fine Wall Corporation’s bid is \$75,000 less than the lowest bid received at the Referendum Projects’ Bid Opening held on March 25, 2011. Board Trustee Robert Olivo noted that the bids received are well under the original budget developed for the referendum projects. Mrs. Werner concurred.

Resolutions – Netcong Elementary School Referendum Projects’ Bid Award

Motion by Mr. Tranor, seconded by Mr. Still that resolutions numbered 1 – 2 be adopted as presented:

1. **BE IT RESOLVED** by the Netcong Board of Education, accepts the Bid proposals received for construction services associated with the Referendum Projects which were opened on Tuesday, April 12, 2011 at 11:00 a.m. as follows:

Firm	Base Bid	Alt. #1 Hallway Cabinet Heaters	Alt. #2 Expansion Tank	Alt. #3 In-Line Fans in Attic	Alt. #4 New NAE Controllers	Alt. #5 Operator Workstatio n for New Controls	Alt. #6 New Ext. FRP Doors	Alt. #7 New Roof BOE Room Annex	TOTAL
Brockwell & Carrington, Inc.	\$2,479,989	\$23,500	\$15,500	\$7,600	\$7,900	\$12,000	\$6,300	\$63,500	\$2,616,289
Falak Construction, Inc.	\$2,289,786	\$27,693	\$9,900	\$5,317	\$9,000	\$13,367	\$6,260	\$53,000	\$2,414,323
Stone Creek, Inc.	\$2,344,300	\$22,200	\$15,300	\$7,500	\$7,900	\$11,700	\$7,620	\$48,900	\$2,465,420
Ingrassia Construction Co.	\$2,398,560	\$29,000	\$12,000	\$7,000	\$11,000	\$14,000	\$12,000	\$63,000	\$2,546,560
Fine Wall Corp.	\$2,274,000	\$25,000	\$12,800	\$6,300	\$8,600	\$12,900	\$14,550	\$59,000	\$2,413,150

2.

RESOLUTION

WHEREAS, on April 12, 2011, the Netcong Board of Education (“Board”) held a public Bid Opening in connection with its Building Projects at the Netcong Elementary School, together with all work incidental thereto (“Projects”); and

WHEREAS, in accordance with the provisions of the Public School Contracts Law, N.J.S.A. 18A: 18A-1, et seq., **Fine Wall Corporation**, has been determined to be the lowest responsible and responsive Bidder for the Project, with a Base Bid of **\$2,274,000.00 (Two Million Two Hundred Seventy Four Thousand Dollars and no cents)** and an Add Alternate Bid #1 of **\$25,000.00 (Twenty Five Thousand Dollars and no cents)** and an Add Alternate Bid #2 of **\$12,800.00 (Twelve Thousand Eight Hundred Dollars and no cents)** and an Add Alternate Bid #3 of **\$6,300.00 (Six Thousand Three Hundred Dollars and no cents)** and an Add Alternate Bid #4 of **\$8,600.00 (Eight Thousand Six Hundred Dollars and no cents)** and an Add Alternate Bid #5 of **\$12,900.00 (Twelve Thousand Nine Hundred Dollars and no cents)** and an Add Alternate Bid #6 of **\$14,550.00 (Fourteen Thousand Five Hundred Fifty Dollars and no cents)** and an Add Alternate Bid #7 of **\$59,000.00 (Fifty Nine Thousand Dollars and no cents)**.

WHEREAS, upon a review and analysis of the bid submitted by Fine Wall, the Board, upon consultation with its Design Professional, has determined the bid to be both responsive and responsible; and

WHEREAS, the Board’s counsel has determined Fine Wall’s bid to be awardable.

THEREFORE, BE IT RESOLVED that the Netcong Board of Education hereby awards the contract for the Projects to **Fine Wall Corporation**, for a Total Contract Sum of **\$2,413,150.00 (Two Million Four Hundred Thirteen Thousand One Hundred Fifty Dollars and no cents)**, subject to **Fine Wall Corporation**, executing the Owner/Contractor Agreement and providing an Insurance Certificate evidencing coverage per the Bid Specifications.

BE IT FURTHER RESOLVED that the district Administration be authorized to return the Bid Bonds of all unsuccessful Bidders with a note of thanks for their participation.

BE IT FURTHER RESOLVED that Board’s Counsel is further authorized to prepare and transmit for signature all Owner/Contractor Agreements as applicable to this award.

FURTHER RESOLVED that once approved, a summary of said Agreement shall be printed once, in an official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the Resolution and Contract will be on file and available for public inspection in the office of the Board.

VOTE: **Resolution pertaining to Netcong Elementary School Referendum Projects’ Bid Award - Resolutions #1-#2 as presented:**

AYES: Mr. Arbolino, Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor, and Mrs. Popelka, President.

NAYS: None

ABSTENTIONS: None

BOARD MINUTES AND CORRESPONDENCE

Approval of Board Minutes

Mrs. Dalesandro moved the following resolution:

BE IT RESOLVED, that the minutes of the following meeting(s) be approved as submitted:

Date	Meeting
February 22, 2011	Special Meeting
	Executive Session I
	Executive Session II

The motion was seconded by Mr. Morton and was approved by a unanimous voice vote by all members present.

Correspondence

Mr. Still moved the following resolution:

RESOLVED, the communications mentioned be listed in the minutes and action be taken as noted.

Sender	Subject	Referred to
Ms. Jacqueline Rich	Request for Medical Leave under FMLA	Mrs. Melissa Flach-Bammer, Acting Superintendent Mrs. Lynn Popelka, Board President Members, Netcong Board of Education

The motion was seconded by Mr. Morton and was approved by a unanimous voice vote by all members present.

V. OLD BUSINESS - There were no items to be discussed at this time.

VI. COMMITTEE REPORTS

A. FINANCE/FACILITIES - **Frank Tranor, Chairperson**

Motion by Mr. Tranor, seconded by Mr. Olivo that resolutions numbered 1 - 5 be adopted as presented:

BE IT RESOLVED that resolution numbers 1 – 5 be adopted as presented:

1. **BE IT RESOLVED** that the Netcong Board of Education, upon the recommendation of the Acting Superintendent, authorizes the Business Administrator/Board Secretary Consultant to pay bills during the month of April 2011 with retroactive approval at the next scheduled Regular Business Meeting of the Netcong Board of Education.
2. **BE IT RESOLVED** that the Netcong Board of Education accepts the financial Reports of the Board Secretary for February 2011 and the Associated Board Treasurer's of School Monies (A-149) report for the month of February 2011 which were reconciled with each other by Fund for that period.
3. **BE IT RESOLVED** that the Netcong Board of Education pursuant to N.J.A.C.6A:23-2.11 (c) (4) certify that as of February 28, 2011 after the review of the Secretary's monthly financial reports (appropriation section) and upon consultation with the appropriate district officials, to the best of our knowledge, no major account or fund has been over expended in violation of N.J.A.C.6A:23-2.11 and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.
4. **BE IT RESOLVED** that the Netcong Board Secretary pursuant to N.J.A.C.6A:23-2.11(c) (3) certifies that as of February 28, 2011 no budgetary line item accounts have been over expended in violation of N.J.A.C. 6A:23-2.11(c) (3).

Business Administrator

5. **BE IT RESOLVED** that the Netcong Board of Education, upon the recommendation of the Acting Superintendent, approves the Maschio Food Service report for the month of March 2011, which shows a monthly income of \$134.52 and a year-to-date income of \$206.32. (Attachment #1)

VOTE: **FINANCE AND FACILITIES AGENDA ITEMS #1- #5 AS PRESENTED.**

AYES: Mr. Arbolino, Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor and Mrs. Popelka, President.

NAYES: None

ABSTENTIONS: None

B. PERSONNEL - James Still, Chairperson

Motion by Mr. Still, seconded by Mr. Morton that resolution numbers 1- 7 be adopted as presented:

BE IT RESOLVED that resolution number 1 - 2 be adopted as presented:

1. **BE IT RESOLVED** by the Netcong Board of Education, upon the recommendation of the Acting Superintendent, to approve the medical leave request from Jacqueline Rich effective March 16, 2011 to June 20, 2011 utilizing accumulated sick and personal leave days and then invoking her right for a Federal Family Leave of absence commencing at the exhaustion of sick and personal leave days thereafter for a 12 week period as provided by the law.
2. **BE IT RESOLVED** by the Netcong Board of Education, to approve the **second reading** and adoption of the following Bylaw, Policy and Regulation Revisions:

BYLAW, POLICY AND REGULATION – revisions:

<i>Number</i>	<i>Bylaw Title</i>
0141.1	Board Member and Term – Sending District
0141.2	Board Member and Term – Receiving District
0146	Board Member Authority
0171	Duties of Board President and Vice President
0173	Duties of Public School Accountant

<i>Number</i>	<i>Policy Title</i>
1230	Superintendent’s Duties
1522	School Level Planning
2132	School District Goals and Objectives
2414	Programs and Services for Pupils in High Poverty and in High Need School Districts
2431.3	Practice and Pre-Season Heat-Acclimation For Interscholastic Athletics
2431.4	Concussion Testing and Return to Play
2440	Summer Session
2461	Special Education/Receiving Schools
3144	Certification of Tenure Charges

<i>Number</i>	<i>Policy Title</i>
4159	Support Staff Member/School District Reporting Responsibilities
5516	Use of Electronic Communication and Recording Devices (ECDR)
5561	Use of Physical Restraint
6112	Reimbursement of Federal and Other Grant Expenditures
6150	Tuition Income
6220	Budget Preparation
6311	Contracts for Goods or Services Funded by Federal Grants
6820	Financial Reports
6830	Audit and Comprehensive Annual Financial Report
8310	Public Records

<i>Number</i>	<i>Regulation Title</i>
2414	Programs and Services for Pupils in High Poverty and in High Need School Districts
2440	Summer Session
2461	Special Education/Receiving Schools
2461.01	Special Education/Receiving Schools – IEP Implementation
2461.02	Special Education/Receiving Schools - Suspension
2461.03	Special Education/Receiving Schools – Pupil Records
2461.04	Special Education/Receiving Schools – Special Education and Related Services
2461.05	Special Education/Receiving Schools – IEP Compliance
2461.06	Special Education/Receiving Schools – Highly Qualified and Appropriately Certified Staff
2461.07	Special Education/Receiving Schools – Termination of Placement
2461.08	Special Education/Receiving Schools – In-Service Training
2461.09	Special Education/Receiving Schools – Statewide and District-Wide Assessment Programs
2461.10	Special Education/Receiving Schools – Full Educational Opportunity
2461.11	Special Education/Receiving Schools – Staff Consultation
2461.12	Special Education/Receiving Schools - Length of School Day and Academic Year
3144	Certification of Tenure Charges – Teaching Staff Members
5561	Use of Physical Restraint
6112	Reimbursement of Federal and Other Grant Expenditures
8310	Public Records

Note: Policies were distributed on March 15, 2011.

VOTE: PERSONNEL AGENDA ITEMS #1 – #2 AS PRESENTED.

AYES: Mr. Arbolino, Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor and Mrs. Popelka

NAYES: None

ABSTENTIONS: None

C. EDUCATION - Todd Morton, Chairperson

Motion by Mr. Morton, seconded by Mrs. Dalesandro that resolutions numbered 1 – 3 be adopted as presented:

BE IT RESOLVED that resolution number 1 - 3 be adopted as presented:

1. **BE IT RESOLVED** that the Netcong Board of Education, upon the recommendation of the Acting Superintendent, approves the workshops/conferences for the months of April and May 2011. as listed:

Date	Teacher	Subject	Estimated Cost
04/06/11	Ms. Pavics	Practical Strategies for Teaching and Addressing Challenging Behavior Newark, NJ	\$215.00/N.C.L.B. Title II Mileage (Current Exp.)
04/06/11	Ms. Baccaro	Practical Strategies for Teaching and Addressing Challenging Behavior Newark, NJ	\$215.00/N.C.L.B. Title II Mileage (Current Exp.)
04/29/11	Mrs. Bammer	Superintendent’s Roundtable Mendham, NJ	No Charge Mileage (Current Exp.)
05/09/11	Mrs. Flaherty	Practical Strategies to Differentiate Instruction in Your Classroom Newark, NJ	\$199.00/N.C.L.B. Title II Mileage (Current Exp.)

2. **BE IT RESOLVED** that the Netcong Board of Education, upon the recommendation of the Acting Superintendent, acknowledges Thursday, April 28, 2011 as “Take Your Child to Work Day” throughout the State of New Jersey. This will allow students to participate in this program with their parents.
3. **BE IT RESOLVED** that the Netcong Board of Education, upon the recommendation of the Acting Superintendent, that student TB be placed on Home Instruction 1 hour/day for medical reasons effective April 4, 2011 to April 30, 2011 (approximately) as required by law.

Note: Home Instruction Services to be provided by Mrs. Kimberly Arbolino @ \$35.00/hour compensation as provided by the NTA Agreement.

VOTE: EDUCATION AGENDA ITEMS #1 – #3 AS PRESENTED.

AYES: Mr. Arbolino (#1 and #2), Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor and Mrs. Popelka

NAYES: None

ABSTENTIONS: Mr. Arbolino – Resolution #3

VII. NEW BUSINESS

Board Trustee Todd Morton commented that he attended the Borough Council meeting last week with Mrs. Bammer and Mrs. Werner to present the proposed 2011-2012 School Budget. Mr. Morton stated that Mrs. Bammer and Mrs. Werner did a great job presenting the budget and that the Mayor and Borough Council were very supportive . Mr. Morton stated that Mrs. Bammer and Mrs. Werner represented the school well.

VIII. MISCELLANEOUS

Board Trustee Robert Olivo stated that he loved the picture of the School Bell on the Budget flyer. He thanked Mrs. Bammer for this.

PETITIONS AND REQUESTS OF THE PUBLIC

Mrs. Dalesandro moved, seconded by Mr. Still to open the public session at 7:15 p.m. and was approved by a unanimous voice vote by all members present. President Popelka opened the meeting to the public at 7:15 pm.

There being no items for discussion at this time, Mrs. Dalesandro moved, seconded by Mr. Olivo to close the public session at 7:15 pm. This was approved by a unanimous voice vote by all members present.

IX. EXECUTIVE SESSION

Motion by Mrs. Dalesandro, seconded by Mr. Still, that RESOLVED, pursuant to N.J.S.A. 10:4-13 and 10:4-12 that the Netcong Board of Education hold a closed Executive Session regarding pending or anticipated litigation, contract negotiation, personnel, and/or matters pertaining to attorney/client privilege. It is expected that the discussion undertaken in this closed session can be made public at the time official action is taken.

The motion was made at 7:16 pm and was approved by a unanimous voice vote by all members present.

X. EXECUTIVE SESSION – A motion is requested to come out of executive session.

Motion by Mr. Olivo, seconded by Mr. Morton to close executive session at 7:50 pm. The motion was approved by a unanimous voice vote by all members present.

The Board reconvened in Public Session at 7:50 pm with the following members present:

Present: Mr. Arbolino, Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still, Mr. Tranor and Mrs. Popelka, President.

XI. POSSIBLE MOTIONS FOLLOWING EXECUTIVE SESSION

Motion by Mrs. Dalesandro, seconded by Mr. Still that the following resolution be adopted as presented:

BE IT RESOLVED, that the Netcong Board of Education, approves and directs the Business Administrator/Board Secretary Consultant, in accordance with the NJ Public Meetings Act, to schedule and advertise a Special Meeting of the Netcong Board of Education to be conducted on April 26, 2011 at 7:00 PM - "Action Will Be Taken".

AYES: Mr. Arbolino, Mrs. Callahan, Mrs. Dalesandro, Mr. Morton, Mr. Olivo, Mr. Still,
Mr. Tranor and Mrs. Popelka
NAYES: None
ABSTENTIONS: None

XII. ADJOURNMENT – There being no further business to come before the board, Mr. Arbolino made a motion, seconded by Mr. Still and carried by Unanimous Voice Vote to adjourn the April 12, 2011 Special Meeting of the Netcong Board of Education at 7:52 PM.

Respectfully Submitted,

Christine M. Werner

Christine M. Werner
School Business Administrator/Board Secretary
Consultant