

**Montague Board of Education Meeting
Regular Meeting
March 14, 2016**

Call to Order at 6:00 PM

Roll Call

	Present	Absent
Tacia Johnson	X	
Diane Cole	X	
Gayle Andriac	X	
Sally Kurtzman	X	
Emma Masset	X	
Glen Plotsky	X	
Linda Spinapolice	X	

Others Present:

Janice L. Hodge, Chief School Administrator/Principal
Jan MacKenzie, School Business Administrator/Board Secretary
Gary Kraemer, Esq., Interim Board Attorney
Daniel Perez, Esq. Special Counsel

Flag Salute

In accordance with the New Jersey Sunshine Law, a legal notice of this meeting has been posted on the official bulletin board at the school and advertised in the New Jersey Herald and The Middletown Record.

Please note, the school's anti-bullying policy and how it applies to all; Board Members, Administration, Teachers, volunteers, parents, and members of the community. We are all to display behavior for the children of our community, so they can learn by example: not harass, intimidate, or bully others, either in person or writing, inclusive of via social media. It was brought to the attention of the Board and Administration, that just prior to a meeting last year, as well as during the meeting, statements were made on social media by those in attendance at the meeting, which not only included insinuations and threats of violence which were both harassing, intimidating, and of course forms of bullying, but these comments were also supported by others in attendance. Therefore, as a safety precaution for the Board Members, Administration, public and students, the presence of the Constable has been requested at the meetings until these threats cease to exist.

Presentations:

Comprehensive Equity Plan-Mr. Gregory

Approval of Minutes

February 22, 2016 Regular Meeting

Motion by Mrs. Kurtzman, 2nd by Mrs. Andriac
Vote 5-0-2 (Mrs. Andriac and Mrs. Cole abstained)
Motion Carried

February 22, 2016 Executive Meeting #1

Motion by Mrs. Kurtzman, 2nd by Mr. Plotsky
Vote 5-0-2 (Mrs. Andriac and Mrs. Cole abstained)

Motion Carried

February 22, 2016 Executive Meeting #2

Motion by Mr. Plotsky, 2nd by Mrs. Masset

Vote 5-0-2 (Mrs. Andriac and Mrs. Cole abstained)

Motion Carried

Superintendent Report

Tri-State Spelling Bee at Delaware Valley High School – Congratulations to our 5 Montague Finalists and Mr. Gregory & Mr. Martin, who served on the committee

Student Council – Monochromatic Madness Day - 3/16

Spring Fling for Grades 3 & 4 – 3/18

Movie Clips by Miss Harrington's 4th grade class

2nd Grade Immigration Day – March 24th

Kindergarten and Preschool Registration has commenced

Board Committee Reports

Mrs. Cole asked about Policy, Ms. Johnson answered that it will be discussed at the next regular meeting.

Correspondence

Liaison updates

Mrs. Kurtzman discussed the recent Port Jervis BOE meeting on March 1st, including the district-wide math program and the list of projects, including libraries, IT upgrades, IT equipment, and doors and security.

Mrs. Spinapolice commented that High Point BOE meetings are posted on YouTube.

Open to Public (Any Items):

As a reminder for all, and as per NJSBA, Board of Education meetings are "a meeting in public, not a meeting of the public. Many people especially parents and community members, misunderstand the nature of a school board meeting. School boards provide leadership for what are typically multi-million dollar corporations. The board has important work to accomplish. And, to do that work, the board needs to be fully engaged around the table. The Open Meetings Act requires that public business be done in public, and that citizens have opportunity to observe, and comment, at every meeting."

Additionally, as per NJSA 2C:33-8, 10:4-12, and as adopted by Montague's Board of Education in Bylaw 0167, please remember the public participation shall be governed by the following rules:

- 1. A participant must be recognized by the presiding officer and must preface - by an announcement of his/her name, place of residence, and group affiliation if appropriate;**
- 2. Each statement by a participant shall be limited to 3 minute duration**
- 3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;**

4. All statements shall be directed to the presiding officer; no participant may address or question Board Members individually;

5. The presiding officer may:

a. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, obscene, or irrelevant;

b. Request any individual to leave the meeting when that person does not observe reasonable decorum;

c. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;

d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and

e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.

During this portion of the meeting, the residents are invited to address the Board with any comments or concerns that may be in respect to the operation of their school.

Motion to open public comment at 6:20 p.m.

Motion by Mr. Plotsky, 2nd by Mrs. Masset

All in Favor

Motion Carried

Mr. Plotsky commented that, if the discussion on the Budget for 2016-17 preceded discussion on the Send-Receive issue, it was “penny foolish” to have both lawyers here for the whole meeting.

Ms. Bisl – Port Jervis BOE meetings are also videotaped; it is important to have an actual liason to High Point on a regular basis; she has read the settlement offer and sees it as a compromise, but a fair settlement; many families are affected by this controversy, but please see the big picture, and this settlement is the least disruptive to the most students; the settlement will ease the minds of students who have been caught in the middle; once we have agreed to a settlement, the town can come together and accomplish more.

Mr. Gelderman – In favor of the settlement ; what about the curriculum committee – will we have an honors program for the 8th grade? Will our students be able to take AP courses? We need to consider improvements to our sound systems.

Mr. Manion – Against mediation; agreement was dictated to us by High Point; we should go to court; the ill-gotten contract was illegal to begin with; the taxpayers and the voters were hurt; we should turn back the page; what about the culpability of the previous board and administration; it was a bad deal and illegal.

Mr. Bolen – Approves of the settlement; we had a legal contract. What about the windows and the atrium? Committee reports?

Ms. Thomas – Agree with the settlement; the taxpayers voted for the members of that board; we should move forward with High Point; why not *send* someone to the High Point board meetings?

Ms. Olenick – Against the settlement; we should keep families together; has heard that only one person on the board has children in Port Jervis; we should keep things as they are; the Commissioner of Education doesn't abide by the law; has a copy of the transition agreement with Port Jervis dated 6/24/14 which covers siblings; no motion was made by the board; the agreement was never rescinded.

Ms. Osborne – Against the settlement, it was “sent on high” from High Point; Mr. Ripley has the Commissioner in his back pocket; it is not fair; the 7th grade was yanked out of middle school; this is an elementary school; we resolved to pay tuition; whatever happened to local control? We can't lead our friends out for 3 tuitions; we are just a cash cow to High Point; we were pushed into this; the previous board threw our kids under the bus; we should have a dual send-receive; this school cannot meet the needs of our 7th and 8th grade students.

Ms. Dykstra – disapproves of the proposed settlement; happy we finally got an agreement; would like to see a sibling plan; prefers a dual send-receive; Mrs. Williams' 3rd grade class has 29 kids, too many in a classroom for next year.

Mr. Ryker – disagrees with the proposal; two men are overruling the Board; we don't have facilities for 7th grade; my child is doing well at Port Jervis and doesn't want to go to Montague.

Ms. Marion – appreciates comments; the town is torn apart like the Blue and the Grey; why not a dual send-receive, it's the perfect solution; against the settlement.

Mr. Arthur Henn – the proposal is ridiculous; we should have a dual send-receive; granddaughter in 7th grade is NOT going to Montague; she won't get a good education.

Mr. Bill Henn – against the settlement; the Commissioner is part of the problem.

Ms. Blackburn – High Point is all about the money, they don't care about kids, they just want to look good.

Ms. Jeskey – as president of the Montague Education Association, would invite everyone to see our 7th grade.

Mr. McCallum – would agree with parts of the settlement; has concerns about repercussions for the prior board; his rights were denied; has a daughter in 6th grade, is concerned about the 7th grade here; there were 2 referendums which wasted money; lots of questions; who would benefit? We should be moving forward in a positive manner; leave the choice to students; the board shouldn't be able to take away our rights; this leaves a bad taste in everyone's mouth; against the settlement.

Mr. Mannion (2nd time) – the previous board worked behind closed doors; the board is supposed to reflect the community; the contract should be rescinded; people are left holding the bag; let's put it all to a referendum.

Ms. Bisl (2nd time) – we should return to New Jersey; if you choose a settlement, we will have more money to spend on the children here; where do students in Port Jervis go after April 4th? Lots of families have split schools, it's part of life; I am worried that you want to close this school.

Ms. Thomas (2nd time) – asked about volleyball and other sports; regarding the comment about the majority, 45 students are at High Point, more than at Port Jervis.

Ms. Dykstra (2nd time) – some parents sent their kids to High Point because they were afraid.

Ms. Olenick (2nd time) – in the transition plan, 8th and 9th grade students would have gotten to choose; met with Mrs. Hodge on November 11th, understood that younger children would attend Port Jervis.

Mr. Arthur Henn (2nd time) – the last board left the public in the dark; High Point students bullied.

Ms. Holstein – agree with settlement; the proposal allows most Port Jervis students to stay; the settlement covers the majority; it is fair; we can build our 7th and 8th grade programs; our students get high scores; we should end the legal battles.

Ms. Olenick (3rd time) – volleyball permission slips were sent home; it's unfair to get kids excited before it was approved by the BOE; the town will continue to be divided.

Ms. Masset – would like to answer public comments; not enough communication with the public; no opportunity to set it straight.

Mr. Plotsky – that would be unproductive banter and encourage strife and discord.

Ms. Masset – we don't have a middle school; our students will be out of place; wants our 7th and 8th graders to be able to compete.

Mr. Kraemer – explained why public comments are unanswered; they are just comment.

Ms. Johnson – maybe those issues are “unfinished business.”

Motion to close public comment at 7:10 p.m.

Motion by Mrs. Masset, 2nd by Mrs. Kurtzman
All in Favor
Motion Carried

Committee Action Items

Unfinished Business

New Business

Discussion of Proposed 2016-2017 Budget

Jan MacKenzie provided details of the proposed 2016-2017 school budget, which includes an allowable 2% increase (\$115,614) in the tax levy of \$5,780,733, which will be offset by a decrease of \$120,370 in debt service payment.

Administration

AD 1. BE IT RESOLVED, that the Montague Board of Education approve the 2015-2016 Special Education Tuition Contract effective February 9, 2016 for a total of 101 billable days with Northern Hills Academy for (5514985094) at a cost for tuition of \$46,975 (pro-rated) and a Part Time Paraprofessional of \$25,304 (pro-rated). The transportation cost is \$7,575- not included in \$46,975.

ATTACHMENT AD-1

Motion by Mrs. Kurtzman, 2nd by Mrs. Spinapolis
Vote 6-0-1 (Mrs. Cole abstained)
Motion Carried

AD 2. BE IT RESOLVED, that the Montague Board of Education approve the 2015-2016 Special Education Tuition Contract effective March 15, 2016 for a total of 75 billable days with Bergen County Special Services Board of Education for (9373397816) at a cost for tuition of \$71,460 (pro-rated) and a non-resident fee of \$6,000 (pro-rated).

ATTACHMENT AD-2

Motion by Mr. Plotsky, 2nd by Mrs. Kurtzman
Vote 6-0-1 (Mrs. Cole abstained)
Motion Carried

AD 3. BE IT RESOLVED, that the Montague Board of Education approve the submission of the Comprehensive Equity Plan for school years 2016-2017 through 2018-2019, which is due to the State of New Jersey April 1, 2016.

ATTACHMENT AD-3

Motion by Mrs. Kurtzman, 2nd by Mrs. Masset
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson
No: Mrs. Andriac
Abstain: Mrs. Cole, Mrs. Spinapolic
Motion Carried

Personnel

Finance/Insurance

FI 1. BE IT RESOLVED, that the Montague Board of Education hereby adopt the following budget for the 2016-2017 school year:

	<u>GENERAL FUND</u>	<u>SPECIAL REVENUES</u>	<u>DEBT SERVICE</u>	<u>TOTAL</u>
2016-2017 Total Expenditures	\$8,881,876	\$201,000	\$ 2,008	\$9,084,884
Less: Anticipated Revenues	<u>\$2,985,529</u>	<u>\$201,000</u>	<u>\$2,008</u>	<u>\$3,188,537</u>
Taxes to be Raised	\$5,896,347	0	\$2,008	\$5,896,347

WHEREAS, the Montague Board of Education recognizes school staff and Board members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6A:23B-1.1 et seq. requires Board members to receive approval of these expenses by a majority of the full voting membership of the Board and staff members to receive prior approval of these expenses by the Superintendent of Schools and a majority of the full voting membership of the Board; and

WHEREAS, a Board of Education may establish, for regular district business travel only, an annual school year threshold of \$500 per staff member where prior Board approval shall not be required unless this annual threshold for a staff member is exceeded in a given school year (July 1 through June 30); and

WHEREAS, travel and related expenses not in compliance with N.J.A.C. 6A:23A et seq., but deemed by the Board of Education to be necessary and unavoidable as noted on the approved Board of Education Out of District Travel and Reimbursement Forms; now

THEREFORE, BE IT RESOLVED, the Board of Education approves all travel not in compliance with N.J.A.C. 6A:23A et seq. as being necessary and unavoidable as noted on the approved Board of Education Out of District Travel and Reimbursement Forms; and

BE IT FURTHER RESOLVED, the Board of Education approves travel and related expense reimbursements in accordance with N.J.A.C. 6A:23A et seq., to a maximum expenditure of \$20,000 for all staff and board members.

Motion by Mr. Plotsky, 2nd by Mrs. Kurtzman
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolicc
No: Mrs. Cole
Abstain: Mrs. Andriac
Motion Carried

FI 2. BE IT RESOLVED, that the Montague Board of Education accept the School Treasurer's Financial Report for the month of January 2016 (FY2016).

ATTACHMENT FI 2

Motion by Mr. Plotsky, 2nd by Mrs. Spinapolice
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolice
Abstain: Mrs. Andriac, Mrs. Cole
Motion Carried

FI 3. BE IT RESOLVED, that the Montague Board of Education accept the Board Secretary's Financial Report for the month of January 2016 (FY2016).

ATTACHMENT FI 3

Motion by Mrs. Kurtzman, 2nd by Mr. Plotsky
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolice
Abstain: Mrs. Andriac, Mrs. Cole
Motion Carried

FI 4. BE IT RESOLVED, that the Montague Board of Education approve the transfers/budget adjustments as listed for March 14, 2016.

ATTACHMENT FI 4

Motion by Mr. Plotsky, 2nd by Mrs. Kurtzman
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolice
Abstain: Mrs. Andriac, Mrs. Cole
Motion Carried

FI 5. BE IT RESOLVED, that the Montague Board of Education approve the February 22, 2016 Bill List attached and listed below:

ATTACHMENT FI 5

	<u>Check Numbers</u>	<u>Amount</u>
Regular Bill List	#22195- #22270	\$375,296.56
Lunch Program	#1625- #1626	\$8,203.12

Motion by Mrs. Kurtzman, 2nd by Mr. Plotsky
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolice
Abstain: Mrs. Andriac, Mrs. Cole
Motion Carried

FI 6. BE IT RESOLVED, that the Montague Board of Education certifies that pursuant to NJAC 6A: 23A-16.10, as of March 14, 2016 the appropriations section of the budget did not reflect any over expenditures in any of the major accounts or funds, and based upon the appropriation balances reflected and the advice of district officials, we have no reason to doubt that the district has sufficient funds available to meet its financial obligations for the remainder of the fiscal year.

Motion by Mrs. Spinapolice, 2nd by Mr. Plotsky
Yes: Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Ms. Johnson, Mrs. Spinapolice, Mrs. Andriac, Mrs. Cole
Motion Carried

Building, Grounds and Transportation

BGT 1. BE IT RESOLVED, that the Montague Board of Education approve the following pupil transportation contracts previously approved on August 26, 2015 as E-3 and E-7 and now renamed E-3-1516 and E-7-1516 as directed by the Sussex County Department of Education, for the 2015/2016 school year between Stocker Bus Company and the Montague Board of Education in accordance with N.J.S.A. 18A:39-3 at a cost of \$72,614 (\$36,307 each).

Motion by Mrs. Spinapolice, seconded by Mrs. Andriac

Vote Yes: Ms. Johnson, Mrs. Kurtzman, Mrs. Masset, Mr. Plotsky, Mrs. Spinapolice, Mrs. Andriac

Abstain: Mrs. Cole

Motion Carried

Executive Session

BE IT RESOLVED, that the Montague Board of Education will recess and proceed to Executive Session to discuss Port Jervis/ High Point/ Montague send/receive. Action may or may not be taken.

Motion to open Executive Session at 8:36 p.m.

Motion by Mr. Plotsky, 2nd by Mrs. Andriac

All in Favor

Motion Carried

Motion to close Executive Session at 11:54 p.m.

Motion by Mr. Plotsky, 2nd by Mrs. Masset

All in Favor

Motion Carried

Motion to resume Regular Meeting Agenda at 11:54 p.m.

Motion by Mrs. Kurtzman, 2nd by Mrs. Masset

All in Favor

Motion Carried

AD 4. WHEREAS the Montague Board of Education is presently involved in litigation with the High Point Regional Board of Education, the Department of Education, the Commissioner of Education, and the Port Jervis Board of Education concerning the send-receive relationship between Montague and High Point and Montague and Port Jervis; and WHEREAS the Montague Board of Education and the High Point Regional Board of Education have negotiated terms of a comprehensive settlement to resolve all pending claims, controversies, and suits between them; WHEREAS the terms of the settlement represent a compromise by all parties to the litigations, and

**WHEREAS the terms of settlement have been recommended to the Montague Board of Education by its legal counsel, and
WHEREAS the terms of the settlement are in the best interest of the Montague Township School District,
NOW THEREFORE BE IT RESOLVED that the terms of settlement offered by the High Point Regional Board of Education on March 10, 2016, be accepted, and legal counsel is directed and authorized to take such further actions as may be necessary or advisable to effectuate said terms.**

Motion: Mr. Plotsky
Second: Mrs. Kurtzman

Vote Count:
YES – Mr. Plotsky, Mrs. Masset
NO – Mrs. Andriac, Mrs. Cole, Ms. Johnson, Mrs. Kurtzman, Mrs. Spinapolic
Motion Failed

Executive Session

BE IT RESOLVED, that the Montague Board of Education will recess and proceed to Executive Session to discuss Port Jervis/ High Point/ Montague send/receive. Action may or may not be taken.

Motion to open Executive Session at 12:10 a.m.

Motion: Mrs. Masset
Second: Mrs. Kurtzman

Vote Count:
YES – Mr. Plotsky, Mrs. Kurtzman, Mrs. Masset, Mrs. Andriac, Ms. Johnson, Mrs. Spinapolic
NO – Mrs. Cole
Motion Carried

Motion to close Executive Session at 12:20 a.m.

Motion: Mrs. Cole
Second: Mrs. Spinapolic
All in Favor
Motion Carried

Motion to resume Regular Meeting Agenda at 12:20 a.m.

Motion: Mrs. Masset
Second: Mrs. Kurtzman
All in Favor
Motion Carried

AD 5. WHEREAS the Montague Board of Education is presently involved in litigation with the High Point Regional Board of Education, the Department of Education, the Commissioner of Education, and the Port Jervis Board of Education concerning the send-receive relationship between Montague and High Point and Montague and Port Jervis; and

WHEREAS the Montague Board of Education and the High Point Regional Board of Education have negotiated terms of a comprehensive settlement to resolve all pending claims, controversies, and suits between them;

WHEREAS the terms of the settlement represent a compromise by all parties to the litigations, and

WHEREAS the terms of settlement have been recommended to the Montague Board of Education by its legal counsel, and

WHEREAS the terms of the settlement are in the best interest of the Montague Township School District,

NOW THEREFORE BE IT RESOLVED that the terms of settlement offered by the High Point Regional Board of Education on March 10, 2016, be accepted, and legal counsel is directed and authorized to take such further actions as may be necessary or advisable to effectuate said terms.

BE IT FURTHER RESOLVED, that although the Montague Board of Education has accepted and is willing to be bound by the seven paragraphs of the settlement offer, Montague requests that the High Point Regional Board of Education give favorable consideration to families with children who will be attending Port Jervis High School next year to allow their younger siblings currently in the 6th or 7th grade to also attend Port Jervis through high school graduation.

Motion: Mrs. Kurtzman

Second: Mrs. Spinapolice

Vote Count:

YES – Mrs. Kurtzman, Mrs. Spinapolice, Mr. Plotsky, Mrs. Masset, Ms. Johnson

NO – Mrs. Andriac, Mrs. Cole

Adjournment at 12:25 am

Motion: Mrs. Masset

Second: Mrs. Kurtzman

All in Favor

Motion Carried

Respectfully submitted,

Jan MacKenzie

Business Administrator/Board Secretary