



State of New Jersey

DEPARTMENT OF EDUCATION

300 North Avenue East

Westfield, NJ 07090

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

ANGELICA ALLEN-MCMILLAN, ED. D.
ACTING COMMISSIONER

DARYL PALMIERI
INTERIM EXECUTIVE COUNTY SUPERINTENDENT

September 21, 2021

Julie Kot, School Business Administrator/Board Secretary
Berkeley Heights Board of Education
345 Plainfield Avenue
Berkeley Heights, NJ 07922

Dear Ms. Kot:

I have received the 2nd amendment to employment contract for Melissa Varley, Superintendent, Berkeley Heights School District, in accordance with N.J.A.C. 6A:23A-3.1. I have determined that the provisions of said amendment to contract are in compliance with the regulations. Therefore, I approve said amendment to contract for the period from July 1, 2021 through July 1, 2024.

In the event of any conflict between the terms, conditions and provisions of this employment contract and any permissive state or federal law, the law shall take precedence over the contrary provisions.

If during the term of this employment contract, it is found that a specific clause of the contract is illegal in Federal or State law, the remainder of this employment contract, not affected by such a ruling, shall remain in force.

If there are any changes to the terms of this contract, you will need to submit it to me for review and approval prior to the required public notice and hearing of such changes.

Please submit a signed copy of the approved contract to my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Palmieri", written over a blue horizontal line.

Daryl Palmieri
Interim Executive County Superintendent

APPROVED

9/21/21

SUPERINTENDENT
AMENDED EMPLOYMENT CONTRACT

between
MELISSA VARLEY
and

BERKELEY HEIGHTS BOARD OF EDUCATION

THE EMPLOYMENT CONTRACT covering the period of July 1, 2021 through June 30, 2024 is hereby amended this ___ day of July, 2021 by and between the Berkeley Heights Board of Education, with offices located at 345 Plainfield Avenue, Berkeley Heights, NJ (hereinafter referred to as the "Board"), and **Melissa Varley** (hereinafter referred to as "the Superintendent").

WHEREAS, the Board desires to provide the Superintendent with a written Employment Contract in order to enhance administrative stability and continuity within the schools which the Board believes generally improves the quality of its overall educational program; and

WHEREAS, the Board and the Superintendent believe that a written Employment Contract is necessary to describe specifically their relationship and to serve as the basis of effective communication between them as they fulfill their governance and administrative functions in the operation of the educational program of the schools;

NOW, THEREFORE, the Board and the Superintendent, for consideration herein specified, agree as follows:

1. TERM

The Board hereby employs, and the Superintendent hereby accepts employment as Superintendent of the Berkeley Heights Public Schools for a term beginning on **July 1, 2021** and ending at 12:01 A.M. on **July 1, 2024**.

2. PROFESSIONAL CERTIFICATION AND RESPONSIBILITIES OF THE SUPERINTENDENT

A. Certification: The Superintendent shall hold a valid and appropriate certificate to act as a Superintendent of Schools in the State of New Jersey. In the event the Superintendent's certificate is revoked, this Employment Contract shall be null and void effective upon such revocation.

B. Duties: The Superintendent shall be required to work the twelve (12) month administrative calendar. The Superintendent shall be the chief executive and administrative officer of the Board and shall have general supervision over all aspects, including the fiscal operations and instructional programs of the district, and shall arrange the administrative and supervisory staff, including instruction and business affairs in a manner which, in her judgment, best serves the district. The selection, placement, transfer, renewal and dismissal of personnel, both instructional and noninstructional, shall occur only upon the recommendation of the Superintendent, subject to Board approval (such approval shall not be unreasonably withheld) and the nonrenewal of personnel shall occur upon the Superintendent's notification to the employee and the Board.

The members of the Board, individually and collectively, will refer to the Superintendent any and all criticisms, complaints and suggestions concerning the operation and management of the district called to their attention. The Board will not take action on any such criticisms, complaints, and/or suggestions until they are discussed by the Board members at a scheduled meeting of the Board and a consensus sought to direct the Superintendent to study, recommend, and/or take action.

The parties agree that the Superintendent shall have the right to attend all Board meetings and committee meetings of the Board or her delegate, and has the right to make recommendations to the Board or committee with respect to any proposed action or policy. The Superintendent shall have the right to legal assistance in carrying out her duties at the expense of the Board provided that she has conformed to the Board's policies, rules and regulations, and State law. The Superintendent shall

have the right to contact the Board attorney for legal assistance as the need arises in carrying out her duties, and shall comply with applicable state regulations and Board policy in this regard.

All duties assigned to the Superintendent by the Board should be appropriate to and consistent with the professional role and responsibility of the Superintendent, and shall be set by Board policy and in a Job Description, which may be modified by mutual agreement from time to time, consistent with the intent set forth above. A copy of the job description is attached hereto as Exhibit A.

C. Outside Activities: The Superintendent shall devote her time, attention and energy to the business of the Board. The Superintendent may, with advance permission from the Board conduct workshops for other districts. Should the Superintendent choose to engage in such outside activities on weekends, on her vacation time, or at other times when she is not required to be present in the district, she shall retain any honoraria paid. The Superintendent shall notify the Board President in the event she is going to be away from the district on district business for two (2) or more days in any week. Any time away from the district that is not for district business must be arranged in accordance with provisions in this Contract governing time off.

3. **PROFESSIONAL GROWTH OF THE SUPERINTENDENT**

The Board encourages the continuing professional growth of the Superintendent through her participation, as she might decide in light of her responsibilities as the Superintendent in the following:

A. The operations, programs, seminars, workshops, conferences and other activities conducted or sponsored by local, state and national school administrator and/or school board associations;

B. Seminars and courses offered by public or private educational institutions; and

C. Informational meetings with other persons whose particular skills or backgrounds would serve to improve the capacity of the Superintendent.

The Board shall permit a reasonable amount of release time for the Superintendent, as the Board deems appropriate, to attend such Conferences as referred to in paragraphs A, B and C above. The Board shall pay for the necessary fees for travel and sustenance expenses, in connection with travel events approved by the Board including, but not limited to, attendance at one (1) national convention and two (2) state conventions per school year, with the total expenditure by the Board not to exceed five thousand dollars (\$5,000.00) per school year. All travel and associated expenses shall be reimbursed only in accordance with Board policy, state law, state regulations and applicable OMB Circulars. The Board shall pay all costs and fees associated with any state-mandated continuing education.

The Superintendent shall give the Board advance written notification of her intention to take such release time so as to be placed on the appropriate monthly Board agenda.

4. SALARY

A. For the 2021-2022 school year (effective July 1, 2021), the Board shall pay the Superintendent an annual salary of two hundred fifteen thousand (\$215,000.00). Beginning July 1, 2022 and each July 1st thereafter, the Board may elect to increase the Superintendent's base salary by up to two percent (2%) annually during the remaining term of this Agreement. The annual salary shall be paid to the Superintendent in installments of one twenty-fourth of the annual salary rate on the 15th day and the 30th day of each month for services rendered, or in accordance with the schedule of salary payments in effect for other certified employees, at the option of the Superintendent. Notwithstanding the foregoing, no salary increase of any kind will take effect on midnight July 1, 2024 (the final day of this Contract) unless the parties have agreed to a contract extension and, if

required, that extension has been approved by the Union County Executive County Superintendent. The terms of the extension will govern all increases to take effect after July 1, 2024. Any renewal, extension, or modification of this Contract shall comply with the notice provisions of *P.L.2007. c. 53. The School District Accountability Act* and *N.J.A.C. 6A:23A-3.1, et seq.*

During the term of this Employment Contract, including any extension hereof, the Superintendent shall not be reduced in compensation and/or benefits except as otherwise provided by law.

5. VACATION AND OTHER BENEFITS

A. Vacation: The Superintendent shall be entitled to twenty-three (23) vacation days (with pay) per year of which five (5) vacation days may be carried over into the following year if the Superintendent is unable to use them in a given year because of business demands. All vacation days shall be available to the Superintendent as of the effective date of this contract in the first year and as of July 1 in each year of this contract. Except in the year of the Superintendent's separation from employment, unused vacation days must be used in the next subsequent school year or they will be forfeited. The Superintendent may take vacation at any time upon notice to the Board President. The Superintendent will be allowed to have a payout of three (3) accrued vacation days each school year in a non-pensionable check issued in July calculated at the employee's per diem rate (1/260th).

B. Holidays: The Superintendent shall be entitled to thirteen (13) holidays as follows: Independence Day, Labor Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Day, Lincoln's birthday, Washington's birthday, Good Friday, and Memorial Day. If any such holiday falls on a day during which attendance is required, an alternate day shall be established by the Board for its celebration.

C. Sick Leave and Other Leave: The Superintendent shall be entitled to ten (10) sick days per school year, three (3) personal days (with pay), and legal holidays (as set by the school calendar). Upon the commencement of employment, the Superintendent shall be given a bank of ten (10) sick days to be used in the event of illness. These banked days shall decrease in direct proportion to the number of sick days earned in the district. Banked sick days shall not be eligible for compensation upon retirement. In its discretion, the Board may extend additional sick leave days to the Superintendent pursuant to N.J.S.A. 18A:30-7. Unused personal days shall convert to sick leave at the conclusion of the school year, subject to a maximum accumulation of thirteen (13) sick leave days per school year.

D. Insurance: Health Insurance: The Board shall provide health care and dental insurance plans to the Superintendent that are provided to other professional employees of the Board. Should the Superintendent waive medical coverage, she shall receive a health benefits waiver payment in the amount of \$4,000.00. The Superintendent shall make the contribution toward the cost of this health insurance in accordance with NJSA 18A:16-17.P.L.2011, Chapter 78. The contribution shall be made through payroll deductions.

E. Disability: The Board shall provide the Superintendent with long-term disability coverage as permissible by state statute.

F. Membership Fees: The Board shall pay one hundred percent (100%) of the Superintendent's membership charges to the American Association of School Administrators (AASA), the New Jersey Association of School Administrators (NJASA), and the County Superintendent's Roundtable. Other memberships, as approved by the District, may also be paid. In no event shall the obligation of the Board towards this benefit exceed four thousand dollars (\$4,000.00) per school year.

G. Tuition Reimbursement: The Board agrees to pay one hundred percent (100%) of the cost per credit hour and one hundred percent (100%) of the fees of graduate courses at accredited New Jersey State colleges and universities subject to approval in advance by the Board; provided, however that in no event shall the obligation of the Board towards this benefit exceed six thousand dollars (\$6,000.00) per school year. Reimbursement will only apply to courses that directly relate to the Superintendent's position and responsibilities.

H. Deferred Compensation: Upon the Superintendent's retirement, the Board shall pay her for her unused, accumulated vacation days at the rate of 1/260 of her current salary. Unused sick days will be paid out at a rate of 1/9 of 1% of her current annual salary for each unused sick day up to a maximum of fifteen thousand dollars (\$15,000.00). Payment hereunder shall be made within thirty (30) days of the Superintendent's last day of employment. In the event of the Superintendent's death, payment for her unpaid vacation days shall be made to her estate.

I. Bereavement Leave: The Superintendent shall be entitled to bereavement days (with pay) as follows:

- Up to 5 days per occurrence for immediate family
- Up to 3 days per occurrence for non-immediate family

6. EXPENSES

The Board shall reimburse the Superintendent for reasonable travel expenses and mileage incurred consistent with Board policy, the travel regulations located at N.J.A.C. 6A:23A-7.1, *et seq.*, and applicable travel circulars published by the Office of Management and Budget. Automobile mileage shall be reimbursed at the rate established by the Office of Management and Budget. The Superintendent is pre-approved for expenses related to regular business travel consistent with Board

policy and N.J.A.C. 6A:23A-7.3. All other travel reimbursement requests need to be pre-approved by the Board consistent with N.J.A.C. 6A:23A-7.4(a) and Board policy.

7. PROFESSIONAL LIABILITY

A. The Superintendent shall receive indemnity from civil actions brought against her in accordance with the statutory provisions set forth under N.J.S.A. 18A:16-6 as amended. The Superintendent shall receive indemnity from certain criminal actions instituted against her in accordance with the statutory provisions set forth under N.J.S.A. 18A:16-6.1.

B. If, in the good faith opinion of the Superintendent, a conflict exists as regards the defense to such claims (as noted in paragraph A above) between the legal position of the Superintendent and the legal position of the Board, the Superintendent may engage her own legal counsel, in which event the Board shall indemnify the Superintendent for the costs of her legal defense.

8. CELL PHONE

The Board will provide the Superintendent with a district-owned cell phone and accompanying data plan for her to conduct Board business.

9. GOALS AND OBJECTIVES

On or before July 31st of year one of the contract and July 1st of each subsequent year of the Employment Contract, the parties shall meet to establish mutually agreed upon goals and objectives both personal and district-wide for the ensuing school year. Said goals and objectives shall be reduced to writing and be among the criteria by which the Superintendent is evaluated as hereinafter provided.

10. EVALUATION

The Board shall evaluate and assess in writing the performance of the Superintendent at least once a year on or before June 30th during the term of this Employment Contract. This evaluation and assessment shall be based upon the goals and objectives of the District for the year in question, the job description of the Superintendent and such other criteria as the State Board of Education by regulation shall prescribe. The Board and the Superintendent shall mutually agree on the evaluation format each year. In the event that the Board determines that the performance of the Superintendent is unsatisfactory in any respect, it shall describe in writing and in reasonable detail, the specific instances of such unsatisfactory performance. Prior to the annual discussion of the Superintendent's performance, a copy of the proposed evaluation shall be delivered to the Superintendent, and the parties shall meet to discuss same. Following Board approval of the evaluation, the Superintendent shall have the right to counter with a written reaction or response to the evaluation. This response shall become a permanent attachment to the evaluation in question. The Superintendent shall be entitled to copies of all back-up materials utilized in the process. In the event that the Superintendent is served with a *Rice* notice (for purposes of discussing the evaluation, performance or negotiation) and chooses to have the ensuing discussion in closed session, at a minimum, the Superintendent shall be permitted to address the Board in closed session and to bring a representative of her own choosing.

11. RENEWAL OF EMPLOYMENT CONTRACT

On or before March 1, 2024 the Board shall notify the Superintendent in writing whether she will not be reappointed at the end of the current term, in which event her employment as Superintendent shall cease at the expiration of that term. In the absence of such written notification, the Superintendent shall be deemed reappointed for another three (3) year term.

12. TERMINATION OF EMPLOYMENT CONTACT

A. This Contract shall terminate and the Superintendent's employment will cease, under any one of the following circumstances:

1. revocation or suspension of the Superintendent's certificate, in which case this Contract shall be null and void as of the date of revocation, as required by N.J.S.A. 18A:17-15.1;
2. forfeiture under N.J.S.A. 2C:51-2;
3. mutual agreement of the parties subject to approval by the Executive County Superintendent;
4. notification in writing by the Board to the Superintendent, by April 1, 2024 of the Board's intent not to renew this Contract; or
5. material misrepresentation of employment history, educational and/or professional credentials relating to her position as a certificated educator, or of her criminal background.

B. In the event the Superintendent is arrested and charged with a criminal offense, which could result in forfeiture under N.J.S.A. 2C:51-2, the Board reserves the right to suspend her pending resolution of the criminal charges. Such suspension shall be with pay prior to indictment, and may be with or without pay, at the Board's discretion, subsequent to indictment, unless the Board certifies contractual tenure charges.

C. Nothing in this Contract shall affect the Board's rights with regard to suspension under N.J.S.A. 18A:6-8.3 and applicable case law.

D. The Superintendent may terminate this Employment Contract upon at least 90 calendar days written notice to the Board, filed with the Board Secretary, of her intention to resign.

E. The Superintendent shall not be dismissed or reduced in compensation during the term of this Contract, except as authorized by paragraphs B. and C. *supra* and N.J.S.A. 18A:17-20.2, provided, however, that the Board shall have the authority to relieve the Superintendent of the

performance of her duties in accordance with N.J.S.A. 18A:27-9, so long as it continues to pay her salary and benefits for the duration of the term. The parties understand that any early termination must comply with the provisions of *P.L.2007, c. 53, The School District Accountability Act*.

13. COMPLETE AGREEMENT

This Employment Contract embodies the entire agreement between the parties hereto and cannot be varied except by written agreement of the undersigned parties, subject to any applicable review and approval by the Executive County Superintendent, and subject to any notice and public hearing as required by law.

Any proposed changes to this contract are subject to prior review and approval by the Executive County Superintendent as required by law.

14. CONFLICTS

In the event of any conflict between the terms, conditions and provisions of this Employment Contract and the Provisions of the Board's policies, or any permissive state or federal law, then, unless otherwise prohibited by law, the terms, conditions and provisions of this Employment Contract shall take precedence over the contrary provisions of the Board's policies or any such permissive law during the term of the contract.

15. SAVINGS CLAUSE

If, during the term of this Employment Contract, it is found that a specific clause of the Employment Contract is illegal in Federal or State law, the remainder of the Employment Contract not affected by such a ruling shall remain in force.

16. MISCELLANEOUS

The Board acknowledges and agrees that disclosure of personnel information is governed by the Open Public Records Act, codified at *N.J.S.A. 47A:101, et seq.*, the Right to Know Law codified at

N.J.S.A. 47:1A-1, et seq., Executive Order No. 11 (November 15, 1974), Executive Order No. 21 (July 8, 2002), Executive Order No. 26 (August 13, 2002), and case law interpreting them. All information related to the Superintendent's performance, evaluation or any discipline which the public is not otherwise entitled to access under law is deemed confidential and shall not be released to the public absent a written release by the Superintendent, or by a lawful order of a court of competent jurisdiction, or pursuant to a rule of a court of competent jurisdiction.

The Superintendent shall have the right, upon request, to review the contents of her personnel file and to receive copies at Board expense of any documents contained therein. She shall be entitled to have a representative accompany her during such review.

No material derogatory to the Superintendent's conduct, service, character or personality shall be placed in her personnel file unless she has had an opportunity to review the material. The Superintendent shall acknowledge that she has had the opportunity to review such material by affixing her signature to the copy to be filed with the express understanding that such signature in no way indicates agreement with the contents thereof. The Superintendent shall also have the right to submit a written answer.

17. SIGNATURES

IN WITNESS WHEREOF, they set their hands and seals to this Employment Contract effective on the day and year first above written.

BERKELEY HEIGHTS BOARD OF EDUCATION

Melissa Varley
Superintendent of Schools

Doug Reinstein
Board President

WITNESS:

BOARD SECRETARY:

DATE:

Julie Kot

DATE:

SUPERINTENDENT
Detailed Statement of Contract Costs

District: Berkeley Heights
Name: Melissa Varley
District Grade Span: K-12
On Roll Students as of 10-15-20: 2536

APPROVED
DP 9/21/21

	Year 0	Year 1	Year 2	Year 3
Contract Term:	2020-21	2021-22	2022-23	2023-24
Salary				
Base Salary	\$ 180,340	\$ 215,000	\$ 215,000	\$ 219,300
Shared Service	\$ -	\$ -	\$ -	\$ -
Longevity	\$ -	\$ -	\$ -	\$ -
TOTAL ANNUAL SALARY	\$ 180,340	\$ 215,000	\$ 215,000	\$ 219,300
Additional Salary				
Quantitative Merit Goals	\$ 12,011	\$ -	\$ -	\$ -
Qualitative Merit Goals	\$ 9,017	\$ -	\$ -	\$ -
Additional Compensation - Describe: DISCRETIONARY 2% RAISE	\$ -	\$ -	\$ 4,300	\$ 4,386
Total Additional Salary	\$ 21,028	\$ -	\$ 4,300	\$ 4,386
TOTAL ANNUAL SALARY PLUS ADDITIONAL COMPENSATION	\$ 201,368	\$ 215,000	\$ 219,300	\$ 223,686
Total Premiums for:				
Health Insurance	\$ 15,285	\$ 16,063	\$ 16,866	\$ 17,709
Prescription Insurance	\$ -	\$ -	\$ -	\$ -
Dental Insurance	\$ 644	\$ 644	\$ 676	\$ 710
Vision Insurance	\$ -	\$ -	\$ -	\$ -
Disability Insurance	\$ 4,584	\$ 4,584	\$ 4,584	\$ 4,584
Other Insurance - Describe:	\$ -	\$ -	\$ -	\$ -
Waiver of Benefits	\$ -	\$ -	\$ -	\$ -
Total Cost of Premiums	\$ 20,513	\$ 21,291	\$ 22,126	\$ 23,003
Employee Contribution to Premiums as Per Law	\$ 5,622	\$ 5,894	\$ 6,197	\$ 6,515
TOTAL HEALTH BENEFITS COMPENSATION	\$ 14,891	\$ 15,397	\$ 15,929	\$ 16,488
Other Compensation				
Travel and Expense Reimbursement (Estimated Annual Cost)	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Professional Development (Capped Amount or Estimated Annual Cost)	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Tuition Reimbursement	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
Mentoring Expenses - Describe:	\$ -	\$ -	\$ -	\$ -
National/State/County/Local/Other Dues	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
Subscriptions	\$ -	\$ -	\$ -	\$ -
Board Paid Cell Phone or Reimbursement for Personal Cell Phone	\$ 625	\$ 625	\$ 625	\$ 625
Computer for Home use, including supplies, maintenance, internet	\$ -	\$ -	\$ -	\$ -
Other - Describe: Unused Vacations Days max 3 per year	\$ -	\$ 2,481	\$ 2,481	\$ 2,530
TOTAL OTHER COMPENSATION	\$ 16,625	\$ 19,106	\$ 19,106	\$ 19,155
Sick and Vacation Compensation				
Max Paid for Unused Sick Leave Upon Retirement	\$ 2,605	\$ 6,211	\$ 9,317	\$ 12,671
Max Paid for Unused Vacation Leave - Retirement or Separation	\$ 19,421	\$ 23,154	\$ 23,154	\$ 23,617
Total Sick and Vacation Compensation	\$ 22,026	\$ 29,365	\$ 32,471	\$ 36,288
TOTAL CONTRACT COSTS	\$ 254,910	\$ 278,867	\$ 286,806	\$ 295,617

User Defined Check History

Starting payroll 532 1/13/2023 Ending payroll 0 12/31/2023

01/03/24 12:22

Emp#	Ss Num	Name	#REG	#EXP
	Pr#	Ck#	Ck date	
F	- -	WHITFIELD, MELISSA	\$221,493.00	\$2,530.38
	532	E16738	01/13/23	\$9,137.50
	533	E17843	01/31/23	\$9,137.50
	534	E19550	02/15/23	\$9,137.50
	535	E21150	02/28/23	\$9,137.50
	538	E23403	03/15/23	\$9,137.50
	539	E25003	03/31/23	\$9,137.50
	540	E26709	04/14/23	\$9,137.50
	542	E28306	04/28/23	\$9,137.50
	543	E30000	05/15/23	\$9,137.50
	544	E32041	05/31/23	\$9,137.50
	545	E34981	06/15/23	\$9,137.50
	546	E36604	06/16/23	\$9,137.50
	549	E38130	07/13/23	\$9,320.25
	549	E38131	07/13/23	\$0.00
	551	E38702	07/31/23	\$9,320.25
	554	E39484	08/15/23	\$9,320.25
	556	E39957	08/31/23	\$9,320.25
	558	E43295	09/15/23	\$9,320.25
	559	E45829	09/29/23	\$9,320.25
	560	E51588	10/13/23	\$9,320.25
	562	E55418	10/31/23	\$9,320.25
	563	E60218	11/15/23	\$9,320.25
	564	E62679	11/30/23	\$9,320.25
	565	E68689	12/15/23	\$9,320.25
	566	E73137	12/22/23	\$9,320.25

\$2,530.38

Report Totals **25 Checks** **\$221,493.00** **\$2,530.38**
 1 Females 0 Males 1 Emp

- Mrs. Kapucinski, Berkeley Heights, had four questions-1) Did the board ask administrator/staff feedback or parent feedback? Mr. Reinstein said feedback was received from parents in various ways, it is not appropriate to get feedback from administrators and staff. 2) If feedback was requested, when was that? Mr. Reinstein said it is ongoing, board members have received emails. 3) If renewing the contract is solely the decision of the board, do you believe the process and proposal to be fair? Mr. Reinstein responded yes. 4) If the board is in agreement with this increase, then why isn't the district paying for disinfecting wipes, sanitizers and extra masks for students and staff? Mr. Reinstein reiterated that the district is providing wipes, sanitizers and masks, and each principal is responsible for their order.
- Mr. David Shepherd, Berkeley Heights, asked how the board could approve a double digit increase, upwards of 18-20%, when many in the town are still unemployed or on fixed incomes. As a former board member, this has never been approved. The superintendent does not have a favorable approval rating with the redistricting and displacing students. If the Board does proceed with this adjustment, they should be completely ashamed and immediately submit their resignations. If not, they are a bunch of sycophants and cowards and not serving the needs of their constituency - which is the Township residents. Mr. Reinstein said he spoke with Mr. Shepherd, and explained that Dr. Varley is receiving a 6.6% increase over the last two-year period-she did not receive an increase last year. Her proposed future increases are not guaranteed, but could be up to 2% per year.

Item A: All Board members

- A. APPROVE AMENDED CONTRACT FOR THE SUPERINTENDENT OF SCHOOLS** It was moved by Ms. Reilly and seconded by Mr. D'Aquila that the Board of Education approve the amended contract for the period 2021-2024 for Dr. Melissa Varley, Superintendent of Schools, effective July 1, 2021, as shown on *Attachment A*.
 YES: Mr. Hyman, Mr. D'Aquila, Mrs. Penna, Ms. Reilly, Mr. Reinstein
 NO: Ms. Kasthuri, Mrs. Young, Mr. Cianciulli

PRELIMINARY CITIZENS HEARING

Mrs. Bhargavi Akiri asserted that there were inaccuracies in Mr. Reinstein's opening comments regarding her complaint to the Attorney General and the Department of Education, as well as the complaints filed by two other community members. She stated that while the Union County Prosecutor found no deliberate violations, a settlement was negotiated with the Board regarding OPMA violations. According to Mrs. Bhargavi Akiri, the Board agreed to limit committee meetings to three Board members, and the Board must receive additional training. She stated that the Union County Prosecutor also cited improper minutes for a meeting conducted, and in a letter to her, directed her to pursue her complaint with the DOE. Mrs. Bhargavi Akiri said she did not imply criminal intent in her complaint, it was interpreted as such by AG's office which forwarded it to the Union County Prosecutor for further investigation. She feels Mr. Reinstein's statements were misleading and demanded an apology.

**BERKELEY HEIGHTS BOARD OF EDUCATION
REGULAR MEETING
MINUTES
JUNE 5, 2023**

CALL TO ORDER

The Berkeley Heights Board of Education held a Meeting on Monday, June 5, 2023, in the Governor Livingston High School Cafeteria. The Meeting was called to order by the Board President, Mrs. Angela Penna, at 5:46 pm.

ROLL CALL

Ms. Bradford
Mr. Cianciulli (arrived 5:47 p.m.)
Dr. Foregger
Mr. Hyman (arrived 6:50 p.m.)
Mrs. Khanna
Mrs. Penna
Mrs. Stanley
Mrs. Young

Dr. Varley, Superintendent of School
Dr. Greer, Asst. Superintendent
Mrs. Kopacz, Assistant Superintendent
Ms. Kot, Business Administrator/Board Secretary
Ms. Frances Febres, Board Attorney

MEETING NOTICE STATEMENT

Adequate notice of this meeting of the Berkeley Heights Board of Education was given as required by the Open Public Meetings Act as follows:

On May 25, 2023, revised notice of the June 5, 2023 Board of Education Meeting was sent to the *Star Ledger* and the *Courier News* and was also provided to all schools, PTO Presidents, the BHEA President, and posted at the Administration Building. A copy was also provided to the Public Library and filed with the Municipal Clerk.

ADJOURN TO EXECUTIVE SESSION

WHEREAS, the Berkeley Heights Board of Education seeks to adjourn to Executive Session in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act provides that a public body may exclude the public from that portion of the meeting at which it discusses matters related to those identified below:

- a. Matters rendered confidential by Federal Law, State Law, or Court Rule
- b. Individual privacy
- c. Collective bargaining agreements
- d. Purchase or lease of real property if public interest could be adversely affected
- e. Investment of public funds if public interest could be adversely affected
- f. Tactics or techniques utilized in protecting public safety and property
- g. Pending or anticipated litigation
- h. Attorney-client privilege
- i. Personnel – employment matters affecting specific prospective or current employees.

BE IT RESOLVED, that the Berkeley Heights Board of Education adjourns to Executive Session to discuss matters related to Superintendent's Evaluation, student matters, personnel matters, legal matters, and negotiations; and

BE IT FURTHER RESOLVED, that the minutes of the discussion of any of these items will be disclosed to the public when matters have been determined and confidentiality is no longer applicable.

MOTION by: Mrs. Young **SECOND** by: Mr. Cianciulli

VOICE VOTE: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Khanna, Mrs. Stanley,
Mrs. Young, Mrs. Penna – *All Ayes*
Mr. Hyman – *Absent*

- **The Board entered into Executive Session at approximately 5:49 p.m.**

RETURN TO PUBLIC SESSION

MOTION by: Mrs. Young **SECOND** by: Mrs. Stanley

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mr. Hyman, Mrs. Khanna, Mrs. Stanley,
Mrs. Young, Mrs. Penna – *All Ayes*

- **The Board reopened to Public Session at approximately 7:54 p.m.**

FLAG SALUTE

Mrs. Penna led the Board and the public in the Pledge of Allegiance.

REPORT OF THE STUDENT REPRESENTATIVES

Katherine Zhou reported:

- Hi everyone! The past few weeks have been packed with activities and excitement as the end of the school year approaches. Underclassmen have been preparing for final exams and arranging course schedules for the next school year. On the flip side, the seniors at GL have been busy with prom activities and preparing for graduation. Since the last few weeks of school are scattered with fun activities and field trips, many clubs have focused on wrapping up their agenda for the year and holding some final meetings. Here are some highlights:
- GL students participated in a culture fair during lunch, where clubs and all students were encouraged to showcase different cultures through music, food, fashion, and more. All students were able to walk from table to table to gain a better understanding of cultures around the world.
- Some students at GL participated in a brand new initiative called the Climate Symposium in May, which was created for students to gather and learn more about the growing climate change issue. Students worked in groups after their AP exams to identify key causes of climate change and ways to address it.
- The Women in STEM Club held their STEM Day at Columbia Middle School in late May to promote STEM to younger girls and minorities in STEM. High schoolers ran activity stations and an engineering challenge, and the club also invited guest speakers from Nokia Bell Labs to speak to the students.
- Today, physics students took a trip to Six Flags. The event was organized by the physics teachers at GL as a fun way to end the school year.
- Lastly, some clubs have organized their final fundraisers of the school year. The Spanish Club held an empanada sale, and the Sexuality and Gender Acceptance Club held a goodie bag sale in celebration of Pride Month, where all proceeds will be donated to the Trevor Project. Additionally, the Understanding Asian Cultures Club will be holding GL's first boba sale this week as their final fundraising event of the year.
- As this is the last board of education meeting of the school year, it's exciting to see that the clubs and activities at GL have been proactive and effective in creating an inclusive environment for the

student body and allowing students to engage in their surrounding community. On that note, I hope everyone has a fantastic summer, thank you!

Jake Bowen reported as follows:

- Hello everyone. As our Highlander athletes get ready for a long offseason ahead, the hard work and dedication they put into the 2023 spring season should not go unnoticed. Let's recap.
- **Baseball:**
The baseball team ended the season with a 17-7 record as they lost in a nail-biting Union County Championship game, 1-0 to Cranford. The 2023 baseball team was one of the best and youngest teams that Coach Roof has been a part of. The team has a bright future ahead and fans will be anticipating an even better and more exciting season next year. Coach Roof could not provide an athlete of the season as he said that he has a bunch of player's worthy of the award. This just goes to show how committed our Highlander baseball athletes are and the effort they put into the game every day.
- **Softball:**
The softball team ended the season with a 19-7 record. The softball team also made the Union County Championship game but lost 2-1 to Cranford. Coach Lanigan nominates her 7 seniors as athletes of the season: Elise Faxon, Kelly Hanratty, Anna Popola, Savannah Levine, Kate Granelli, Katie DeBello, and Alina Murad. Lanigan notes, "These seven seniors have led by example since they stepped foot on the varsity field. Many of them have been playing softball together since they were little and the bond that they've formed is truly something special. They've set the bar high and are certainly leaving big shoes to fill but I am confident in the path they've carved out for the underclassman. These girls have won two Highlander Showdown Tournaments, made it to the County Finals twice, beat arch rival Cranford twice, knocking them out of their top 20 ranking in the state, and have made it to the State Sectional Semi-Finals three years in a row. They've got a lot to be proud of."
- **Boys Lacrosse:**
The boy's lacrosse team finished the season 11-9 with a Klank division title. The boy's lacrosse athlete of the season is Senior Aidan Linde who led the team in points, goals, and assists. Linde also recorded his 100th career goal this season, a remarkable milestone.
- **Girls Lacrosse:**
The girl's lacrosse team finished the season with a 5-13 record. The girl's lacrosse athlete of the season is Senior Captain Waverly Lorne. Coach Wells notes, "Waverly is a relentless and persistent force to be reckoned with on the lacrosse field. She is the first one to a ground ball and does not shy away from a challenge on the field. Waverly is someone her teammates can rely on to win the ball back, score a quick goal, and be ready to win the next draw control. Waverly's skills go far beyond the lacrosse field--She is a true leader by example, acting as an inclusive and fair teammate both on and off the field." Waverly was awarded the prestigious Michael Suchena Scholar Athlete Award. She was also awarded 2nd team all-county in Union County, 1st team all-league in Independence South, and All-Academic in Independence South.
- **Outdoor Boys and Girls Track:**
The boys and girls track and field team are still competing as they get ready for the State Group Championships this Friday and Saturday.
- **Boys Tennis:**
The boy's tennis team finished the season with a 15-8 record. The boy's tennis athlete of the season is Senior Shreyas Agnihotri. Junior teammate Joe Laposky notes, "everyone on the team loves him. He's always the first at practice and a fun guy to be around. He keeps his morale up and is a fighter, even playing some tough matches during Ramadan, where he wasn't eating or drinking all day."

- **Golf:**

The golf team finished the season with a 3-10 record. The golf athlete of the season is Christian Sabatino. Teammate Aiden Racelis notes, “Golf can be extremely difficult especially consistency and despite these factors, Christian was able to place top 4 in best score multiple times throughout the course of a match.”

REPORT OF THE SUPERINTENDENT

Dr. Varley made the following report:

- Good evening, This is our very special Board meeting where we honor our Educators. Those who have been recognized by our community as Educators of the Year, and those who have dedicated their lives to our students.
- If you do any research, you know that the teacher is the single most important indicator of student achievement. So, we thank you for all you have done for our students. Our students are successful because of you.
- I also want to take a moment to thank our Student Representatives. Katherine, I wish you all the success at MIT! We are so very proud of you. And Jake, thank you for giving us your time and we will see you for more fun next year.
- Before we get to our educators of the year, I’m so proud of our students who have completed the DEI survey. So far we have about a 45% participation rate. Which is solid! This will give us more information on how our students feel in the hallways of our High School and Middle School.
- Thank you so much to Ms. Wartel and her Family and Consumer Sciences class for making all the yummy treats that you see in the back of the cafeteria!
- Mrs. Penna and Dr. Varley lead the recognition for Retirees and Educator of the Year award recipients.

- Educator of the Year Recognitions:

School	Educator of the Year
Mary Kay McMillin Early Childhood Center	Frank Fabiano
William Woodruff School	Mary Dendinger
Mountain Park School	Maria Graziano
Thomas P. Hughes School	Sean Waller
Columbia Middle School	Christina Froehlich
Governor Livingston High School	Lindsay Mirabella

- Recognition of District Retirees:

Retirees	
Catherine Avino	Marybeth Kopacz
Steven Ciarrocco	Annette Milos
Renee Curcio	Geralyn Mohr
Todd Decker	Josephine Morrison
Teresa Di Martino	Beryl Roman

Supervisor, Dennis Dagounis gave a presentation on STEAM/STEM:

- This presentation depicted some of the various STEAM associated projects that took place at Berkeley Heights Public Schools, such as the 8th grade STEAM event presented by the WiSTEM Club, Climate Symposium, 8th Grade Capstone Presentations, Climate and Dig in Grants, Lunch and Learn with engineering professionals and art showcases. This presentation also highlighted some of the goals for next year, such as fostering more opportunities for students to inquire and engage in problem-based learning. His presentation can be found here:

https://docs.google.com/presentation/d/e/2PACX-1vR_Ktc2nsr6EtZRCGUvgZFHv_YWfWdLNFi0Vff_qmYTA4RK8k6_36bIEFwgEtqBMcW46AYa6b94vxq/pub?start=false&loop=false&delayms=3000&slide=id.g242064a7bec_0_1136

COMMITTEE AND LIAISON REPORTS

- Ms. Bradford attended the Town Council Meeting and spoke about the following topics:
 - The community will be raising a flag on Tuesday, June 13th at 6:30 p.m. to celebrate PRIDE Month.
 - The Town budget was passed.
 - Please visit the Town website to find additional information on the street paving schedule and other library and community events.
- Ms. Bradford attended the Recreation Committee Meeting and addressed the following topics:
 - The Town's summer activities.
- Ms. Bradford also attended the Truth, Community Building, and Inclusion Committee and presented the following report:
 - The committee wants to invite Berkeley Heights residents to get to know their neighbors through a variety of planned activities this summer and fall.
- Mrs. Young reported on the Negotiations Committee meeting that was held in May – with a settlement being reached between the Board and the Custodial, Maintenance and Transportation unit.

BOARD COMMUNICATIONS

- Ms. Kot noted that correspondence was received from community members on the following topics: A Berkeley Heights staff member emailed a clarification of Librarian duties at CMS; a community member requested the district wear orange in support of gun violence prevention; a community member asked the district to change the date of the June 5th Board Meeting.; a vendor emailed about staff services; a community member sent in an email about the evaluation of the Superintendent; one community member sent 12 emails about High School, Elementary and Middle School rankings including questions about proficiency tests and scores, various proposed reasons for ranking declines, and comparing different years data, as well as making comparisons to other districts.

REPORT OF THE BUSINESS ADMINISTRATOR

Ms. Kot gave the following report:

- In the upcoming School Board Election, there will be two Board of Education seats up for election on Tuesday, November 7, 2023. Each of these spots will serve for a three-year term. Candidate nominating petitions have to be filled with the County Clerk by Monday, July 31, 2023, before 4 p.m.
- Ms. Kot acknowledged three generous donations the district will be receiving: the BHEF donated various gifts totaling \$36,250.00 that were received during the 2022-23 school year; Garden State Fireworks donated fireworks for the GLHS Class of 2023 graduation ceremony; and FISERV donated \$10,000.00 to CMS for a special program planned for the 2023-2024 year.
- Ms. Kot discussed several agenda items, including the renewal of the attorney contracts for the 2023-24 school year, acceptance of a new grant, and the approval of a full fixed asset inventory of equipment and machinery throughout the district.

COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

During this portion of the meeting, District residents and staff are invited to address the Board of Education on agenda action items only.

The Board requests that individuals state their name and town of residence (or school of attendance) for the record. All comments should be directed to the Board President and depending upon the nature and complexity of the question, it may or may not be answered during the meeting by the Administration. If so, the response would occur after this public portion of the meeting has concluded. Although the Board may not respond to all items raised during the public forum, all public comments will be considered.

The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding personnel matters are discouraged and cannot be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public.

Please note that if any member of the public becomes disruptive during the meeting the Board President may terminate the participant's statement. Continued disruptions may result in removal from, or adjournment of, the meeting.

Each speaker's statement will be limited to three (3) minutes in duration.

- Susan Poage made a comment about how the Educator of the Year/Retiree Reception was presented this year. She asked that next year they reconsider the location and make it a more formal event.
- Natasha Joly asked about OPRA requests. She doesn't think a stipend position is necessary. She asked about the role of the Librarian Liaison. She also requested a job description for everyone in Central Office. She inquired about the 95% Core Program.
- John Migueis asked why the district stopped publishing the OPRA requests on the website which he wants to resume. He is against the OPRA stipend position.

MINUTES

Resolution A: All Board Members.

A. APPROVAL OF MEETING MINUTES

RESOLVED that the Board of Education approve the following minutes:

- a. Executive Session Minutes from May 11, 2023
- b. Regular Session Minutes from May 11, 2023

MOTION by: Mrs. Young

SECOND by: Mr. Cianciulli

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Khanna, Mrs. Stanley,

Mrs. Young, Mrs. Penna – *All Ayes*

Mr. Hyman – *Abstain*

Motion Passes.

APPROVE APPOINTMENT

Resolution A: All Board members.

A. APPROVE ANNUAL APPOINTMENT

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the School Business Administrator, approve the following annual appointment for the 2023-2024 fiscal year:

Appointment	Staff Member	Stipend
Custodian of Government Records Designee	Stephen Hopkins	\$12,000.00

MOTION by: Mrs. Stanley

SECOND by: Mr. Cianciulli

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Mr. Hyman, Mrs. Stanley, Mrs. Young,

Mrs. Penna – *All Ayes*

Dr. Foregger and Mrs. Khanna – *Nay*

Motion Passes.

ADMINISTRATION

Resolutions A-N: All Board members.

A. DISTRICT BYLAWS/POLICIES/REGULATIONS - STUDY AND FIRST READING

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following district bylaws/policies/regulations for study and first reading: (*M- Mandated by law*)

Policy	Title	Action
P 3217	Use of Corporal Punishment	Revise
P 4217	Use of Corporal Punishment	New
P 5305	Health Services Personnel (M)	Revise
P 5308	Student Health Records (M)	Revise
P 5310	Health Services (M)	Revise
P 5337	Service Animals	Revise
R 5308	Student Health Records (M)	Revise

B. DISTRICT BYLAWS/POLICIES/REGULATIONS - SECOND READING AND ADOPTION

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following district bylaws/policies/regulations for second reading and adoption: (*M - Mandated by law*)

Policy	Title	Action
P 0144	Board Member Orientation and Training	Revise
P 2520	Instructional Supplies (M)	Revise
P 6350	Competitive Contracting	New
P 8210	School Year	Revise
P 8600	Student Transportation (M)	Revise

C. APPROVE PROFESSIONAL DEVELOPMENT DAYS/TRAVEL REIMBURSEMENT
 RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve Professional Development Days/Travel Reimbursement. (*Attachment A*)

D. APPROVE PROFESSIONAL DEVELOPMENT ADDITIONAL EXPENSES
 RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve additional expenses incurred for professional development, as follows:

Employee	Event	Event Dates	Original Expenses	Additional Expenses
Aida Swon	PESI - Youth Mental Health Specialist	5/31/23	\$250.00	\$149.00

E. APPROVE REPORT OF SUPERINTENDENT
 RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the recommendations for the following cases of harassment, intimidation and bullying in the Berkeley Heights Public Schools.

Case Number	Case Number
246923_GLH	246752_CMS
	247241_CMS
	247356_CMS
	247060_CMS
	247085_CMS

E1. [AS AMENDED] APPROVE REPORT OF SUPERINTENDENT
 RESOLVED that the Berkeley Heights Board of Education, affirm the Superintendent’s decision regarding HIB Investigation #242126_MPE_02032023.

F. AUTHORIZE SUPERINTENDENT OF SCHOOLS
 RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, authorize Dr. Melissa Varley, Superintendent of Schools, to appoint and offer employment contracts to those candidates who are chosen to fill vacancies that must be staffed prior to the start of the 2023-2024 school year. It is also recommended that the Board authorize Dr. Melissa Varley to enter into contracted services agreements on behalf of the school district if such action is needed prior to the beginning of the 2023-2024 school year. The Board of Education will be asked to confirm these personnel appointments and contracted services agreements during its subsequent scheduled public meetings.

G. AUTHORIZE PERSONNEL START DATES BETWEEN BOARD MEETINGS
 RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, designates that substitute/supplemental personnel, support staff, HELP teachers, lunchroom/playground teacher aides, paraprofessionals, custodial/maintenance staff, and bus drivers may start in their assignment between Board meetings during the 2023-2024 fiscal year pending employment authorization. Any such action shall be presented to the Board for approval at their next regular meeting.

H. APPROVE RESOLUTIONS HONORING KATHERINE ZHOU AND JAKE BOWEN
 RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the Resolutions honoring Katherine Zhou and Jake Bowen of Governor

Livingston High School, who have served as Student Representatives to the Board of Education during the 2022-2023 school year. (*Attachment B*)

I. APPROVE CONTRACTED SERVICES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve contracted services, as follows:

Provider	Time Period	Explanation	Amount
The Play Therapy Institute	9/18/23	Dr. Heidi Gerard Kaduson will provide an in-district, in-person training session for district counselors and Child Study Team members on the topic titled "Play therapy for Anxiety and School Related Behaviors Grades PK-12".	\$4,154.00 Paid with ESSER II Mental Health funds
Best Choice Home Care, LLC	2023-2024 school year	Provide a registered nurse substitute service that would be utilized as a last resort when a pre-approved substitute nurse cannot be secured. Use of this service will require prior approval by the Supervisor of Nurses.	\$71/hr.

J. APPROVE MEMBERSHIPS AGREEMENTS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following paid membership agreements:

Membership Agreement	Time Period	Description	Amount
CJ Pride	2023-2024 school year	Membership permits the inclusion of district representatives in CJ PRIDE meetings, job fair participation, and utilization of website recruitment tools.	\$300.00

K. APPROVE TENTATIVE FALL 2023-2024 ATHLETICS SCHEDULES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the tentative 2023-2024 Fall season schedules for the interscholastic athletics teams representing Governor Livingston High School and Columbia Middle School, copies of which are on file with the Superintendent.

L. APPROVE SCHOOL DATA MANAGEMENT MANUAL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the School Data Manual of the Berkeley Heights Public Schools for the 2023-2024 fiscal year, a copy of which is on file with the Superintendent of Schools.

M. APPROVE MANUAL OF JOB DESCRIPTIONS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the Manual of Job Descriptions for the Berkeley Heights Public Schools for the 2023-2024 fiscal year, a copy of which is on file with the Superintendent of Schools.

N. ESTABLISH 2023-2024 PAY RATES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following pay rates for the 2023-2024 fiscal/school year:

Role	Pay Rate
Substitute Teachers	\$120.00 per full day \$60.00 per half day
Substitute School Nurses	\$255 per full day \$127.50 per half day
Substitute Paraprofessionals	\$115 per full day \$57.50 per half day \$17.00 per hour
Extended Assignment Substitute Pay Rate	\$200.00 per full day
Substitute Secretaries	\$16.50 per hour
Substitute Lunchroom/Playground Teacher Aides	\$15.00 per hour
Substitute Sign Language Interpreters	\$40.00 per hour
Substitute Custodians	\$17.25 per hour
Substitute Bus Driver	\$20.00 per hour
Instructional Review Teachers/Math Interventionists	\$42.00 per hour
HELP Teachers	\$27.50 per hour
Home/Individual Instructors	\$48.00 per hour

Motion to Approve Administration Items A-N

MOTION by: Mr. Hyman

SECOND by: Mrs. Young

ROLL CALL: Mrs. Bradford, Mr. Cianciulli, Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*
 Dr. Foregger – *Aye to Resolutions A through I and M and N; Nay to Resolutions E1; Abstain from Resolutions J, K and L*
 Mr. Hyman and Mrs. Khanna – *Aye to Resolutions A through E, and F through N; Abstain from Resolution E1*

Motion Passes.

EDUCATION

Resolutions A-K: All Board members. Resolutions L-M: Berkeley Heights only.

A. APPROVE STUDENT EDUCATIONAL FIELD TRIPS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve student educational field trips. (*Attachment C*)

B. APPROVE COLLEGE STUDENT PLACEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve college student placement in Berkeley Heights Public Schools pending submission of required documents, as follows:

Student	Placement Type	Affiliated School	Dates
Kallie Herring	Clinical 1	Kean University	8/28/23-12/15/23

C. RESCIND APPROVAL OF INDEPENDENT EVALUATOR/PSYCHIATRIST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and Michele Gardner, Director of Special Services, rescind the previous approval of Dr. Fagan, Dr. Petouvix, and Dr. Gioia of D.C. Fagan Psychological Services to provide neuropsychological evaluations for the district for the remainder of the 2022-2023 school year.

D. APPROVE ADDITIONAL INDEPENDENT EVALUATOR/PSYCHIATRIST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and Michele Gardner, Director of Special Services, approve Forensic Psychology and Neuropsychology Services, P.C. to provide neuropsychological evaluations for the district for the remainder of the 2022-2023 school year at a cost of \$6,000.00 per neuropsychological evaluation.

E. APPROVE AGENCIES FOR INSTRUCTIONAL SERVICES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following list of agencies to contract with, as needed, in order to provide instructional services for students attending behavioral/emotional/mental health facilities during the 2023-2024 fiscal year:

Agency	Agency
Silvergate Prep	Stepping Forward Counseling
LearnWell	Four Winds Hospital
Saint Clare's Hospital Behavioral Health	Whiz Kidz

F. APPROVE CONTRACTED SERVICES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve contracted services, as follows:

Provider	Time Period	Explanation	Amount
SKC Learning Professional	2023-2024 fiscal year	Provide in-home training and support for students #6724458282 and #7858646709 in fulfillment of IEP requirements during the summer of 2023 and the 23-24 regular school year.	Variable rates: \$75/hr.-Direct Therapy \$120/hr.-Direct Supervision \$120/hr.-Direct Parent Training
Linda Carella, LDTC	2023-2024 school year	Provide contracted educational evaluations for the Child Study Team.	\$428/evaluation/report
Educere Virtual Education	2023-2024 fiscal year	Provide virtual home instruction services to students when the district is unable to secure a pre-approved internal instructor.	\$29.00/student/course/week
MEM Education Services LLC	2023-2024 school year	To provide supplemental educational evaluations for the district on an as-needed basis	Educational Evaluation - \$400 Bilingual Educational Evaluation - \$475 Comprehensive Preschool

			Evaluation - \$430 Bilingual Preschool Evaluation - \$430 Meeting Attendance - \$75/meeting Hourly CST services - \$75/hr.
Propio Learning Services, LLC	2023-2024 school year	Provide in person or virtual language and interpreting services.	Audio Calls .70-.89 per minute Video Calls \$1.10-\$1.79 per minute

G. APPROVE SPECIAL EDUCATION OUT-OF-DISTRICT EXTENDED SCHOOL YEAR PLACEMENTS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve Special Education Out-Of-District Extended School Year placements for 2023-2024, as recommended by Michele Gardner, Director of Special Services. *(Attachment D)*

H. APPROVE SPECIAL EDUCATION OUT-OF-DISTRICT PLACEMENTS FOR 2023-2024 REGULAR SCHOOL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve Special Education Out-Of-District placements for the 2023-2024 regular school year, as recommended by Michele Gardner, Director of Special Services. *(Attachment E)*

I. APPROVE ENROLLMENT OF NONRESIDENT STUDENTS IN DISTRICT EXTENDED SCHOOL YEAR PROGRAM

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the enrollment of the following nonresident students in the 2023 Special Education Extended School Year program of the Berkeley Heights Public Schools, on a tuition basis, as indicated:

Student ID	District of Residence
7208985952	Mountainside
9484505105	Mountainside
3629774499	Mountainside
3013889927	Mountainside
4054110971	Montville
8337809061	Green Brook

J. APPROVE ENROLLMENT OF NONRESIDENT SPECIAL EDUCATION STUDENTS IN THE BERKELEY HEIGHTS PUBLIC SCHOOLS FOR 2023-2024 REGULAR SCHOOL YEAR.

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the enrollment of nonresident Special Education students in the Berkeley Heights Public Schools for the 2023-2024 regular school year, on a tuition basis, as recommended by Michele Gardner, Director of Special Services. *(Attachment F)*

K. OUT OF DISTRICT PLACEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve student #3691479251 to attend Cornerstone Day School, a non-state-approved, private, out-of-district school for the remainder of the 2022-2023 school year as well as the 2023 Extended School Year and the 2023-2024 school year. Tuition for the remainder of the 2022-2023 school year is \$433 per day and tuition for the 2023-2024 fiscal year will be forthcoming.

L. APPROVE 95 PERCENT CORE PROGRAM

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Elementary Word Study Committee, approve and adopt the 95 Percent Core Program to support phonics, fluency, spelling, and vocabulary instruction in Grades K-5 for the 2023-2024 school year. The cost for the 95 Percent Core Program is \$88,220.00 which will be paid for with ESSER funds.

M. APPROVE HEGGERTY PHONEMIC AWARENESS CURRICULUM

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Elementary Word Study Committee, approve and adopt Heggerty Phonemic Awareness Curriculum for students in Grades PK-2 for the 2023-2024 school year in order to provide students with consistent and repeated instruction. The cost for Heggerty Phonemic Awareness Curriculum is \$3,463.00.

Motion to Approve Education Resolutions A-K: All Board members. Resolutions L-M: Berkeley Heights only.

MOTION by: Mrs. Young

SECOND by: Ms. Bradford

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Khanna, Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*
Mr. Hyman – *Aye to Resolutions A-K*

Motion Passes.

PERSONNEL

Resolutions A-GG: All Board members. Resolutions HH-KK: Berkeley Heights only.

A. APPROVE APPOINTMENT OF DIRECTOR OF STEAM/STEM POSITION

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the appointment of Dennis Dagounis to the position of Director of STEAM/STEM effective July 1, 2023, through June 30, 2024, at a salary of \$125,000.00

B. APPROVE 2023-2024 EMPLOYMENT CONTRACT OF THE ASSISTANT SUPERINTENDENT OF CURRICULUM, INSTRUCTION, AND STUDENT ACHIEVEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the 2023-2024 fiscal year employment contract of Dr. David Greer, Assistant Superintendent of Curriculum, Instruction, and Student Achievement. (*Attachment G*)

C. APPROVE 2023-2024 EMPLOYMENT CONTRACT OF THE BUSINESS ADMINISTRATOR AND BOARD SECRETARY

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the 2023-2024 fiscal year employment contract of Julie Kot, Business Administrator and Board Secretary. *(Attachment H)*

D. APPROVE 2023-2024 EMPLOYMENT CONTRACT OF THE TECHNOLOGY SPECIALIST/COORDINATOR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the 2023-2024 fiscal year employment contract of District Central Office staff member, Michael Skara, Technology Specialist/Coordinator. *(Attachment I)*

E. APPROVE 2023-2024 RE-EMPLOYMENT AND SALARIES OF CENTRAL OFFICE PERSONNEL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment and salaries of Central Office Personnel for the 2023-2024 fiscal year. *(Attachment J)*

F. APPROVE RE-EMPLOYMENT AND SALARIES OF TENURED CERTIFICATED ADMINISTRATIVE STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the re-employment and salaries of tenured certificated administrative staff for the 2023-2024 fiscal year. *(Attachment K)*

Base salary figures reference the 2022-2023 BHAA Agreement. Base salary figures for 2023-2024 will be approved when a new negotiated Agreement between the Board of Education and the Berkeley Heights Administrators Association is approved and new salaries are established.

G. APPROVE HIRING CERTIFICATED STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the hiring of certificated staff for the 2023-2024 school year, as follows, pending employment authorization (#):

Name	Assignment	Location	FTE	Effective Date	Degree	Step	Annual Salary	Certification
Leanne Cunetta	Teacher of Mathematics	GL	1	8/28/23 - 6/30/24 #	BA	5	\$59,118.00	Standard
Rayanna Elsherif	Special Education Teacher	CMS	1	8/28/23 - 6/30/24 #	MA	2	\$64,580.00	CE
Zainab Khan	Teacher of Social Studies	GL	1	8/28/23 - 6/30/24 #	MA	4	\$65,395.00	Provisional
Casey Nebus	Student Assistance Counselor	CMS & GL	1	8/28/23 - 6/30/24 # (plus two prior shadow days)	MA	1	\$64,480.00	Provisional
Emilia Nuvola	Teacher of Italian	CMS & GL	1	8/28/23 - 6/30/24 #	MA	18	\$86,920.00	Standard

H. APPROVE APPOINTMENT OF TEACHER OF STEAM, ENRICHMENT, AND GIFTED & TALENTED

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the appointment of the position of Teacher of STEAM, Enrichment, and gifted & Talented as follows:

Name	Assignment	Location	FTE	Effective Date	Degree	Step	Annual Salary	Certification
Thomas Clayton	Teacher of STEAM, Enrichment, and Gifted & Talented	TPH	1	8/28/23 - 6/30/24	MA	11	\$79,500.00	Standard

I. AMEND EMPLOYMENT OF PARAPROFESSIONAL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, amend the employment of the following paraprofessional for the 2022-2023 school year:

Name	Location	Effective Date	Step @	Hours Per Day	Annual Salary @
Mabel Barrantes	GL	9/1/22 - 6/30/23	1 2	7	\$21,369.83 \$23,506.35

J. APPROVE EMPLOYMENT OF CUSTODIAL/MAINTENANCE STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the employment of custodial/maintenance staff for the 2022-2023 fiscal year, as follows:

Name	Assignment	Location	FTE	Step	Effective Date	Annual Salary
Audra Hayes	Custodian	MP	1	1	6/6/23-6/30/23	\$46,741.00 (prorated)
Ryan Loxley	Custodian	TPH	1	1	6/6/23-6/30/23	\$46,741.00 (prorated)

K. APPROVE 2023-2024 RE-EMPLOYMENT AND SALARIES OF CUSTODIAL SUPERVISORS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the employment and salaries of Custodial Supervisors for the 2023-2024 fiscal year. (*Attachment L*)

L. APPROVE 2023-2024 RE-EMPLOYMENT AND SALARIES OF CUSTODIANS AND CENTRAL MAINTENANCE STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the re-employment and salaries of Custodians and Central Maintenance staff members for the 2023-2024 fiscal year. (*Attachment M*)

M. APPROVE 2023-2024 RE-EMPLOYMENT AND HOURLY PAY RATES OF TRANSPORTATION STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the re-employment and hourly pay rates of Transportation staff members for the 2023-2024 fiscal year. *(Attachment N)*

N. APPROVE EMPLOYMENT OF PARAPROFESSIONALS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the 2023-2024 employment and compensation rates for district Paraprofessionals. *(Attachment O)*

O. APPROVE TRANSFER OF PERSONNEL FOR 2023-2024

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the transfer of personnel, as follows, for the 2023-2024 fiscal year effective July 1, 2023:

Name	2022-2023 Assignment/Location	2023-2024 Assignment/Location
Brian Caraballo	Custodian/GL	Custodian/TPH
Audra Hayes	Custodian/MP	Custodian/GL
Robert Hoehn	Custodian/CMS	Custodian/MP
Ryan Loxley	Custodian/TPH	Custodian/CMS

P. APPROVE SUBSTITUTE/SUPPLEMENTAL PERSONNEL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve substitute/supplemental personnel for the 2022-2023 school year, as follows:

Name	Certification	Position	Effective Date
Emily Acosta	N/A	Substitute Paraprofessional	5/24/23
Judith Ramalho	N/A	Business Office Substitute for Summer 2023 \$28.76/hr. / max. 29.5 hrs per wk.	7/5/23

Q. APPROVE LEAVE OF ABSENCE REQUEST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve leave of absence requests for the 2022-2023 school year, as follows:

Employee ID	Leave Action	Type of Leave	Paid Leave Dates	Unpaid Leave with Benefits if Applicable	Unpaid Leave without Benefits	Return Date
3707	Amend	Medical/ FMLA/NJFLA	1/30/23 - 3/17/23	3/20/23 - 6/30/23	8/28/2023 - 6/30/2024	9/1/23 First day 24- 25 school year
3425	Approve	Medical/ FMLA /NJFLA	8/28/23-9/7/23	9/8/23-12/1/23	N/A	12/4/23

R. APPROVE WITHHOLDING PAYMENT FOR UNPAID DAY REQUEST(S)

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve withholding payment for the following unpaid day request(s) from May 4, 2023 through May 24, 2023:

Employee ID	Unpaid Days
4431	5/23/2023
2390	5/22/2023, 5/23/23, 5/24/23
3361	5/12/2023
3626	5/4/2023, 5/5/2023
3613	5/5/2023, 5/8/2023
2991	5/22/2023
4281	5/5/2023, 5/8/23
3676	5/19/2023
3784	5/22/2023

S. APPROVE RESIGNATION OF STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve, with regret, the resignation of staff, as follows:

Name	Assignment	Location	Effective Date
Carrie Bree	Paraprofessional	GL	6/30/23
Kathleen Agnostak	Teacher of Physics	GL	6/30/23

T. APPROVE EXTRA-CURRICULAR ACTIVITIES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve extra-curricular activities for the 2023-2024 school year, as follows:

Governor Livingston High School

Activity/Program	Instructor/Supervisor	2023-2024 Stipend
Head Football Coach	Peter Ramiccio	\$12,096.00
Assistant Football Coach	Christopher St. Genis	\$8,466.00
Assistant Football Coach	Daniel J McHugh	\$8,466.00
Assistant Football Coach	Paul T. Sep, Sr.	\$8,466.00
Assistant Football Coach	Justin Polce	\$8,466.00
Assistant Football Coach	Noah Torino	\$8,142.00
Assistant Football Coach	Vincent Gargano	\$8,142.00
Head Boys Soccer Coach	Kevin Fontana	\$8,754.00
Freshman Assistant Boys Soccer Coach	Dan Kessler	\$6,126.00
Assistant Boys Soccer Coach	Emiliano Chirigiano	Volunteer
Head Girls Soccer Coach	Michael Roof	\$8,754.00
Assistant Girls Soccer Coach	Jenna Stickle	\$6,126.00
JV Assistant Girls Soccer Coach	Steve Lesnewich	\$6,126.00

Head Girls Tennis Coach	Joseph Panchenko	\$7,003.00
JV Assistant Girls Tennis Coach	Barbra Kogan	\$4,902.00
Head Girls Field Hockey Coach	Jacqueline Wells	\$8,754.00
JV Assistant Girls Field Hockey Coach	Stephanie Cox	\$5,889.00
Head Cross Country Coach	Christopher Coughlin	\$8,754.00
Assistant Cross Country Coach	Lisa Dhaibar	\$6,126.00
Head Cheerleading Coach	Danielle Gonnelli	\$4,699.00
JV Assistant Cheerleading Coach	Emily Buonocore	\$4,353.00
Head Volleyball Coach	Steven Hess	\$8,754.00
JV Assistant Volleyball Coach	Emily Montgomery	\$5,889.00
Freshman Assistant Volleyball Coach	Alexandra Dabroski	\$5,455.00
Assistant Volleyball Coach	Michael Brokes	Volunteer
Assistant Volleyball Coach	Kelly McAdam	Volunteer

Columbia Middle School

Activity/Program	Instructor/Supervisor	2022-2023 Stipend
Boys Soccer Coach	Gary Healey	\$5,113.00
Girls Soccer Coach	Vincent Gulbin	\$5,113.00

U. APPROVE APPOINTMENT OF ANTI-BULLYING COORDINATORS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, appoint the Anti-Bullying Coordinators and stipend for the 2023-2024 school year, as listed below. (# - pending approval of Personnel letter G)

Name	Grade	2023-2024 Stipend
Jonathan Morisseau	Kindergarten-Grade 5	N/A
Casey Nebus #	Grade 6 to Grade 12	\$4,500.00

V. APPROVE RE-EMPLOYMENT OF COMMUNICATIONS/SOCIAL MEDIA SPECIALIST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the re-employment of Victoria Baum, Communications/Social Media Specialist, in the Berkeley Heights Public Schools for the 2023-2024 fiscal year at the compensation rate of \$25.00 per hour for a maximum of 20 hours per week.

W. APPROVE RE-EMPLOYMENT OF FACULTY TECHNICAL SUPPORT PERSON

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the re-employment of Debera Dwyer in the part-time position of Faculty Technical Support Person for the 2023-2024 fiscal year, for a maximum of 15 hours per week at the compensation rate of \$20.00 per hour.

X. APPROVE RE-APPOINTMENT OF SCHOOL DISTRICT LIAISON TO THE LIBRARY BOARD

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the re-appointment of Diane Azalone as School District Liaison to the Berkeley Heights Public Library Board for the 2023-2024 school year at an annual stipend of \$1,000.00.

Y. APPROVE RE-EMPLOYMENT OF BUS HEALTH AIDE

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the re-employment of Violet Lewis to fulfill the health support needs of Berkeley Heights student #7483388778 while riding the bus to and from an out-of-district Special Education placement during the 2023-2024 school year for five (5) hours per day at the compensation rate of \$27.00 per hour.

Z. APPROVE EMPLOYMENT OF SEASONAL CUSTODIAN

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the employment of Giuseppe Domingo as a Seasonal Custodian in Berkeley Heights Public Schools effective June 19, 2023, through June 30, 2023, and for the 2023-2024 fiscal year at the pay rate of \$15.00 per hour.

AA. APPROVE SUMMER CHILD STUDY TEAM EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment of Child Study Team and teaching staff members during Summer 2023 for the purpose of completing student evaluations, conducting required meetings with parents/guardians, and providing other services as required by Individualized Education Plans (IEPs). *(Attachment P)*

BB. APPROVE SUMMER SCHOOL EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment of the following individuals in the 2023 Berkeley Heights Remedial Summer School and Special Education Extended School Year Programs. *(Attachment Q)*

CC. RESCIND STUDENT ASSISTANCE COUNSELOR FOR SUMMER EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, rescind the following Student Assistance Counselor for summer 2023 employment:

Name	Total Hours/Days
Madison Rowohlt	3 days

DD. APPROVE STUDENT ASSISTANCE COUNSELOR FOR SUMMER EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following Student Assistance Counselor for summer 2023 employment in order to work on school counseling tasks such as scheduling, I&RS and 504 documentation, new student registration, college/career preparation, student transcripts, and other counseling related functions. Student Assistance Counselors are paid the per-diem rate of their 2023-2024 annual salary. *(# - pending approval of Personnel letter G)*

Name	Total Hours/Days
Casey Nebus #	3 days

EE. RESCIND APPOINTMENT OF PAYROLL SPECIALIST POSITION

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, rescind the appointment of Sarah Seene to the Payroll Specialist position effective June 1, 2023.

FF. AMEND ADMINISTRATIVE LEAVE

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, amend the administrative leave of staff member #3403 effective December 20, 2022 through June 30, 2023.

GG. APPROVE ASSIGNMENT OF ESSER FUNDS EXTRA PAY

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the assignment of ESSER II Non-Title I and ARP ESSER III, Evidence-Based Comprehensive Beyond the School Day Activities Grant FY 2023 for the purpose of paying the following stipends for after school pupil learning assistance during the 2022-2023 school year:

ARP NON-TITLE I		ARP ESSER BEYOND THE SCHOOL DAY	
Sadie Anderson	\$585.00	Sadie Anderson	\$315.00
Nicole Bellisario	\$660.00	Nicole Bellisario	\$1,035.00
Alexis Bellardino	\$360.00	Alexis Bellardino	\$945.00
Carolyn Bowden	\$600.00	Carolyn Bowden	\$690.00
Melany Castellanos	\$180.00	Melany Castellanos	\$225.00
Gianna Czerniak	\$45.00	Kelsey Cicchino	\$405.00
Tereza De Paola	\$495.00	Tereza De Paola	\$765.00
Jennifer Fischer	\$495.00	Jennifer Fischer	\$180.00
Kelly Fitzpatrick	\$450.00	Kelly Fitzpatrick	\$315.00
Carla Gamba	\$1,380.00	Carla Gamba	\$1,260.00
Lisa Genua	\$45.00	Lisa Genua	\$315.00
Robin Halterman	\$1,035.00	Robin Halterman	\$1,125.00
Belinda Healey	\$645.00	Belinda Healey	\$690.00
Elizabeth Kane	\$315.00	Marcy Helmstetter	\$360.00
Lydia Kang	\$1,305.00	Elizabeth Kane	\$450.00
Bailey Krasovec	\$135.00	Lydia Kang	\$1,215.00
Angela Lengner	\$1,200.00	Bailey Krasovec	\$135.00
Lindsay Liguori	\$450.00	Angela Lengner	\$300.00
Gillian Mahy	\$1,035.00	Lindsay Liguori	\$270.00
Julianna Marabello	\$900.00	Gillian Mahy	\$1,455.00
Andrea Masri	\$675.00	Julianna Marabello	\$1,620.00
Kathryn Morris	\$45.00	Andrea Masri	\$1,125.00
Shannon O'Shea	\$450.00	Lauren Mc Kenna	\$690.00
Natalie Palmiere	\$945.00	Alissa Morris	\$270.00
Stephanie Parrott	\$720.00	Shannon O'Shea	\$720.00
Justin Polce	\$495.00	Natalie Palmiere	\$735.00
Emily Sena	\$930.00	Stephanie Parrott	\$360.00
Amy Shusta	\$900.00	Susan Poage	\$60.00
Gabrielle Titone	\$495.00	Joseph Reel	\$540.00

Karen Twill	\$780.00	Emily Sena	\$1,110.00
Kristine Weber	\$45.00	Amy Shusta	\$1,080.00
Emily Buonacore	\$60.00	Staci Toporek	\$90.00
		Karen Twill	\$1,080.00
		Pamela Wilczynski	\$360.00

HH. APPROVE HIRING CERTIFICATED STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the hiring of certificated staff for the 2023-2024 school year, as follows:

Name	Assignment	Location	FTE	Effective Date	Degree	Step	Annual Salary	Certification
Jennifer Hughes	Teacher of Special Education	WW	1	8/28/23 - 6/30/24	BA+30	9	\$64,379.00	Standard

II. APPROVE BEYOND THE SCHOOL DAY EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following employment for the Beyond the School Day Program funded through the ESSER grant. The program will run within the date range of January 17, 2023, and June 8, 2023. Staff will be compensated at the following pay rate per session:

Lead Role: \$60 Teacher: \$45 One on One Paraprofessional: \$22

Name	School
Emily Buonacore	WW

JJ. APPROVE RESIGNATION OF STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve, with regret, the resignation of staff, as follows:

Name	Assignment	Location	Effective Date
Bethann Nikolich	Special Education Teacher	WW	6/30/23

KK. APPROVE TRANSFER OF PERSONNEL FOR 2023-2024

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the transfer of personnel, as follows, for the 2023-2024 school year:

Name	2022-2023 Assignment/Location	2023-2024 Assignment/Location
Michele Guerriero	Teacher of Special Education/TPH	Teacher of Special Education/MP
Marie Pellegrini	Teacher/TPH	Teacher/MP
Erika Barton	Teacher/MP	Teacher/MKM
Kelsey King	Teacher of Special Education/MP	Teacher of Special Education/CMS

Motion to Approve Resolutions A-GG: All Board members. Resolutions HH-KK: Berkeley Heights only.

MOTION by: Mrs. Young **SECOND** by: Mr. Cianciulli

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*
 Dr. Foregger – *Aye to Resolutions A, D-U, and W-KK; Abstain from Resolutions B & C; Nay to Resolutions V & X;*
 Mrs. Khanna – *Aye to Resolutions A-U and W-KK; Nay to Resolution V*
 Mr. Hyman – *Aye to Resolutions A-GG*

Motion Passes.

BUSINESS

Resolutions A-Z: All Board Members. Resolutions AA-BB: Berkeley Heights

A. APPROVE CONTRACT WITH SCHOOL PHYSICIAN FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the School Business Administrator, approve the contract with Dr. Richard Bezozo, Care Station Medical Group, 90 US 22, Springfield, NJ, School Physician of Record, for the 2023-2024 school year for an amount not to exceed \$26,469.00.

B. APPROVE PETTY CASH ACCOUNTS FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, establish Petty Cash Accounts for the 2023-2024 school year as follows:

Governor Livingston High School	\$250.00
Columbia Middle School	175.00
Mary Kay McMillin E.C.C.	125.00
Thomas Hughes School	125.00
Mountain Park School	125.00
William Woodruff School	125.00
Board Office	250.00
Child Study Team Offices	125.00

C. APPROVE STUDENT ACTIVITY ACCOUNTS FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, authorize the re-establishment of a student activity account in each school, effective July 1, 2023, as part of the preparation for the operation of the new school year, to account for monies raised by pupils, teachers or school administrators, and shall be operated in accordance with prudent business practices, all applicable laws and regulations, and approved Board Policies.

D. APPROVE 2023-2024 TUITION RATES WITH UNION COUNTY VOCATIONAL TECHNICAL SCHOOLS (UCVTS)

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the School Business Administrator, approves the Tuition Rates with the Union County Vocational-Technical Schools (UCVTS) for the 2023-2024 school year. (*Attachment R*)

E. APPROVE SPECIAL EDUCATION TUITION AGREEMENT WITH THE UNION COUNTY EDUCATIONAL SERVICES COMMISSION (UCESC) FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves the 2023-2024 Special Education Tuition Agreement with the Union County Educational Services Commission (UCESC) to allow for the placement of Special Education students on an as-needed basis for the 2023-2024 school year. (*Attachment S*)

F. APPROVE 2023-2024 TUITION RATES WITH THE MORRIS-UNION JOINTURE COMMISSION (MUJC)

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the School Business Administrator, approves the Regular School Year and

Extended School Year (ESY) Tuition Rates with the Morris-Union Jointure Commission (MUJC) for the 2023-2024 school year. (*Attachment T*)

G. APPROVE CHAPTER 192-193 SERVICES FROM THE UNION COUNTY EDUCATIONAL SERVICES COMMISSION (UCESC) FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves the following resolution:

WHEREAS, the N.J.S.A. 18A:46-6, 8 19.1, et seq. (Laws of 1977, Chapter 193); N.J.S.A. 18A:46A-1 et seq. (Laws of 1977, Chapter 192), require that the State and local community identify and provide auxiliary and handicapped services for students who attend nonpublic schools; and

WHEREAS, the cost of providing these services is funded entirely by the State of New Jersey; and,

WHEREAS, the Union County Educational Services Commission has agreed to provide these services to eligible students who attend non-public schools in Berkeley Heights;

THEREFORE, BE IT RESOLVED, that the Berkeley Heights Board of Education enter into an agreement with the Union County Educational Services Commission whereby the Commission will provide Services during 2023-2024 for those students who attend non-public schools in Berkeley Heights pursuant to N.J.S.A. 18A:46-19.7 and N.J.S.A. 18A:46A-7; and,

BE IT FURTHER RESOLVED, that the projected cost will be based on the most recent notification of the Department of Education, Division of Finance and Regulatory Services setting forth anticipated aide to the Public School District pursuant to N.J.S.A. 18A:46A-12 and N.J.S.A. 18A:46-19.8. Invoices shall begin in October and continue for nine (9) successive months based on eligible students. The cost of services provided by the Union County Educational Services Commission shall not exceed the funds provided by the State.

H. APPROVE TRANSFER OF ANTICIPATED 2022-2023 SURPLUS TO RESERVE

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following resolution:

WHEREAS, N.J.A.C. 6A:21A-14.3 and 6A:23A-14.4 permit a Board of Education to establish and/or deposit into certain reserve accounts at year end; and

WHEREAS, the aforementioned statutes authorize procedures, under the authority of the Commissioner of Education, which permit a Board of Education to transfer anticipated excess current revenue or unexpended appropriations into reserve accounts during the month of June by Board resolution; and

WHEREAS, the Berkeley Heights Board of Education wishes to deposit anticipated current year surplus into Capital Reserve and Maintenance Reserve accounts at year end; and

WHEREAS, the Berkeley Heights Board of Education has determined that they wish to deposit an amount not to exceed \$1,500,000 into Capital Reserve, and deposit an amount not to exceed \$500,000 into Maintenance Reserve, subject to verification upon completion of the Annual Audit;

NOW THEREFORE BE IT RESOLVED that the Berkeley Heights Board of Education hereby authorizes the District's School Business Administrator to make these transfers consistent with all applicable laws and regulations.

I. APPROVE CONTRACT WITH PORZIO, BROMBERG & NEWMAN FOR ALTERNATE BOARD LEGAL SERVICES FOR 2023-2024 SCHOOL YEAR

RESOLVED that the Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve the contract with Porzio, Bromberg & Newman for alternate board legal services for the 2023-2024 school year at a rate of \$210.00 per hour for attorney fees and \$155.00 per hour for paralegal services.

J. APPROVE CONTRACT WITH CHAUDRY LAW FOR SPECIAL EDUCATION LEGAL SERVICES FOR 2023-2024 SCHOOL YEAR

RESOLVED that the Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve the contract with Chaudry Law for special education legal services for the 2023-2024 school year at a rate of \$165.00 per hour for attorney fees.

K. APPROVAL OF AUDITOR CONTRACT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approve Suplee, Clooney & Company, 308 E. Broad Street, Westfield, NJ, to perform the annual audit for the fiscal year ending June 30, 2023, at a fee not to exceed \$44,960.00.

L. DESIGNATION OF SIGNATORIES FOR DISTRICT FUNDS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following signatures for checks and wire transfers drawn from the identified accounts:

<u>Account Name</u>	<u>Number of Signatures Required</u>	<u>Authorized Signatories</u>
School Monies Account	Three	1 - President or Vice President 1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer
Payroll Accounts	One	1 - Treasurer or Board Secretary
Cash Account	Two	1 - Board Secretary 1 - Budget, Accounting & Reporting Specialist
SUI Trust Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer
CMP Account	Two	1 - Board Secretary 1 - Budget, Accounting & Reporting Specialist
FSA Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer
Cafeteria Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer

Capital Reserve Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer
Maintenance Reserve Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer
Athletic Account	Two	1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Athletic Director
Student Activity Fee	One	1 - Board Secretary or Budget, Accounting & Reporting Specialist
The Difference Card	Two	1 - Board Secretary 1 - Budget, Accounting & Reporting Specialist

BE IF FURTHER RESOLVED that the Board Secretary and/or the Board Secretary or Budget, Accounting & Reporting Specialist and/or the Treasurer of School Monies can authorize wire transfers to/from any of the aforementioned accounts, and

BE IT FURTHER RESOLVED that the Berkeley Heights Board of Education approves the use of facsimile signatures for the Board President or Vice President, the Board Secretary or the Board Secretary or Budget, Accounting & Reporting Specialist and the Treasurer of School Monies on all checking accounts, and

BE IT FURTHER RESOLVED that all checks, drafts or other orders for payment or withdrawal of money from said accounts be signed by the person holding the appropriate title as listed above.

M. DESIGNATION OF OTHER DEPOSITORIES AND SIGNATORIES

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following depositories and signatures for the identified Scholarship and Student Activities Accounts:

<u>Account Name</u>	<u>Number of Signatures Required</u>	<u>Authorized Signatories</u>	<u>Depository</u>
Mary Kay McMillin Memorial Scholarship Fund	One	Board Secretary or Budget, Accounting & Reporting Specialist or Business Office Bookkeeper	Citizens Bank
Jonathan Gross Memorial Fund	One	Board Secretary or Budget, Accounting & Reporting Specialist or Business Office Bookkeeper	Citizens Bank
Jack Dennis Memorial Scholarship Fund	One	Board Secretary or Budget, Accounting & Reporting Specialist or Business Office Bookkeeper	Citizens Bank

BE IT FURTHER RESOLVED that all checks, drafts or other orders for payment or withdrawal of money from said accounts be signed by the person holding the appropriate title as listed above.

N. ACCEPT BHEF DONATIONS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, accepts the donation of various gifts and grants totaling \$36,250.00 from the Berkeley Heights Education Foundation (BHEF) during the 2022-2023 school year.

O. APPROVE USE OF FACILITIES FEE SCHEDULE

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the Use of Facilities Fee Schedule, effective July 1, 2023 through June 30, 2024. (*Attachment U*)

P. ACCEPT 2022-2023 SCHOOL BUS EMERGENCY EVACUATION DRILL REPORT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, and pursuant to N.J.S.A. 18A:41-1 and P.L. 2009, Chapter 178, approve the 2022-2023 School Bus Emergency Evacuation Drill Report, for students who are transported to and from school, in accordance with N.J.A.C. 6A:27-11.2.

Q. ACCEPT FIREWORKS DONATION

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, accepts the donation of a fireworks display, provided by Garden State Fireworks, to commemorate the Governor Livingston High School Graduation on June 16, 2023.

R. APPROVE CONTRACT WITH JERSEY STATE CONTROLS FOR HVAC MAINTENANCE AND REPAIRS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve the contract with Jersey State Controls for district-wide HVAC maintenance and repairs for the July 1, 2023 to December 1, 2023, awarded pursuant to Ed Data Bid #11645.

S. APPROVE AGREEMENT FOR REFUSE/RECYCLING REMOVAL FOR 2023

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves an agreement with Waste Management for district-wide refuse and recycling removal for the period beginning July 1, 2023 through December 31, 2023, awarded pursuant to NJ START Contract #40379 - T2665 Solid Waste Collection State-Wide.

T. APPROVE INTERNET POLICY MANUAL SERVICES FOR THE 2023-2024 SCHOOL YEAR

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve renewal of services provided by MicroScribe/Folio© to regularly update the School Board Policy Manual in electronic format for distribution via the internet at a cost of \$1,600.00, for 2023-2024 school year.

U. AUTHORIZE VEHICLE SALE AGREEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, authorizes the Interlocal Vehicle Sale Agreement with the Township of Berkeley Heights, in the amount of \$2,500, for the sale of a 2006 Ford F450 XL Super Duty Mason Dump Truck (VIN #1FDXF47Y76EB19199), plow and salt spreader.

V. APPROVE FIXED ASSET INVENTORY SERVICES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves an agreement with Kroll, LLC, to perform an on-site inspection and appraisal of machinery and equipment located throughout all district buildings for a fee not to exceed \$9,500.

W. APPROVE 2022-2023 LEAD TESTING STATEMENT OF ASSURANCE

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves the submission of the Statement of Assurance for Lead Testing for the 2022-2023 school year.

X. APPROVE CONTRACT WITH CLEARY, GIACOBBE, ALFIERI & JACOBS, LLC, FOR BOARD LEGAL SERVICES FOR 2023-2024 SCHOOL YEAR

RESOLVED that the Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves the contract with Cleary, Giacobbe, Alfieri & Jacobs, LLC, for board legal services for the 2023-2024 school year at a rate of \$165.00 per hour for attorney fees and \$90.00 per hour for paralegal services.

Y. APPROVE MEMORANDUM OF AGREEMENT WITH BHEA

RESOLVED that the Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approves the Memorandum of Agreement between the Berkeley Heights Board of Education and the Berkeley Heights Education Association Custodians, Maintenance and Transportation Unit for the period of July 1, 2023, through June 30, 2027, as shown on Attachment A, and authorize the development of the full contractual agreement.

Z. APPROVE ACCEPTANCE OF ACSERS GRANT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve the acceptance of the Fiscal Year 2023 Additional or Compensatory Special Education and Related Services (ASCERS) grant funds in the amount of \$151,510.00 from the New Jersey Department of Education, to provide additional services to eligible special education students beyond the age of 21 during the 2022-2023 school year.

AA. APPROVE REVISED CHANGE ORDER FOR DRAINAGE IMPROVEMENTS AT MOUNTAIN PARK ELEMENTARY SCHOOL REVISED

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following change order with respect to the Mountain Park Drainage Improvements Project 21.198:

WHEREAS, the original contract for Drainage Improvements at Mountain Park Elementary School included a \$15,000 discretionary project allowance that was not utilized for construction; and

WHEREAS, the District requested pricing to clean, prep, and paint the existing loading dock walls as well as the new and existing ramp walls, and the associated pricing for power washing, priming, and painting those walls is \$4,675.68; and

WHEREAS, the District requested pricing to remove and replace the deteriorating loading dock guardrails to match the newly installed ramp guardrails, and the associated pricing for same is \$3,037.84; and

WHEREAS, the District requested pricing to clean, repair, and caulk joints throughout the scope of work and the existing building, and the associated pricing to perform this work to the ramp, loading dock, and existing walls abutting the ramp is \$4,775.68; and

NOW THEREFORE BE IT RESOLVED, that the existing Contract with GM Builders Group be changed to incorporate the above work at a total cost of \$12,489.20.

NOW THEREFORE BE IT FURTHER RESOLVED, the Berkeley Heights Board of Education hereby authorizes the District’s School Business Administrator to enter into such agreements as may be necessary to effectuate the above.

Note: A resolution was Board approved on May 11, 2023, which incorrectly stated the cost to clean, prep, and paint, which has been corrected above. There is no increase to the total cost of the change order.

BB. ACCEPT DONATION FROM FISERV

RESOLVED that the Board of Education, upon the recommendation of the Superintendent and School Business Administrator, accepts a donation of \$10,000 from FiServe to Columbia Middle School for use by the Principal for a school-wide initiative to create a greater sense of family, togetherness, and kindness in the 2023-2024 school year.

Motion to Approve Business Resolutions A-Z: All Board Members. Resolutions AA-BB: Berkeley Heights

MOTION by: Ms. Bradford SECOND by: Mrs. Stanley

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Khanna, Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*
Mr. Hyman – *Aye to Resolutions A through Z*

Motion Passes.

FINANCE

Resolution A-D: All Board members.

A. APPROVE PAYMENT OF PAYROLL AND BILLS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approve the Payroll and Bills List as follows:

Payroll		
	5/15/2023	\$2,437,667.86
	5/31/2023	\$1,772,749.81
Accounts Payable		
	6/5/2023	\$344,252.81
Total		\$4,554,670.48

B. APPROVAL OF MAY 2023 BOARD SECRETARY’S REPORT

RESOLVED that the Berkeley Heights Board of Education, pursuant to N.J.A.C. 6A:23-2.12(c)4, certifies that as of May 31, 2023, after review of the Board Secretary’s monthly financial report

(appropriations section), and upon consultation with 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:23-2.12(b), and sufficient funds are available to meet the district's financial obligations for the remainder of the year.

C. APPROVAL OF MAY 2023 TRANSFERS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the Line-Item Budget Transfers for the month of May 2023.

D. APPROVAL OF MAY 2023 TREASURER'S REPORT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, accepts the financial report of the Treasurer of School Funds for the month ending May 31, 2023.

Motion to Approve Finance Items A-D

MOTION by: Dr. Foregger

SECOND by: Mrs. Khanna

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mr. Hyman, Mrs. Khanna,
Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*

Motion Passes.

COMMENTS FROM THE PUBLIC ON ANY TOPIC

During this portion of the meeting, District residents and staff are invited to address the Board of Education on any item.

The Board requests that individuals state their name and town of residence (or school of attendance) for the record. All comments should be directed to the Board President and depending upon the nature and complexity of the question, it may or may not be answered during the meeting by the Administration. If so, the response would occur after this public portion of the meeting has concluded. Although the Board may not respond to all items raised during the public forum, all public comments will be considered.

The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding personnel matters are discouraged and cannot be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public.

Please note that if any member of the public becomes disruptive during the meeting the Board President may terminate the participant's statement. Continued disruptions may result in removal from, or adjournment of, the meeting.

Each speaker's statement will be limited to three (3) minutes in duration.

- Karin Sicoli asked who has access to the survey results that CMS students recently took. She noticed the survey is no longer available on the website and inquired about the lower testing scores throughout the district.
- Natasha Joly repeated her earlier statements about OPRA. Ms. Joly also asserted that the language department is constantly being threatened. She mentioned school rankings and school fees being raised.

- John Migueis asked that sub-committee minutes be published on the website, and asked about Board correspondences. He also commented on the school rankings.

NEW BUSINESS

- Mr. Hyman asked about the availability of recent test results.
- Mr. Ciancuilli thanked Mrs. Kopacz for her knowledge and contributions to the District. He said she will be missed.
- Mrs. Stanley mentioned the Berkeley Heights YMCA is hosting their PRIDE event. Mrs. Stanley also noted Board Members should reach out to the Committee Chairs if they have any questions pertaining to the Committee Meeting materials.
- Mrs. Khanna asked what the roles and responsibilities of each staff member were.

ADJOURNMENT

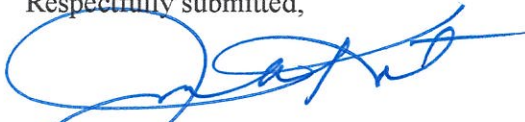
MOTION by: Mrs. Young

SECOND by: Ms. Bradford

VOICE VOTE: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mr. Hyman, Mrs. Khanna,
Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*

- **The meeting was adjourned at 10:18 PM.**

Respectfully submitted,



Julie A. Kot
Business Administrator/Board Secretary

**BERKELEY HEIGHTS BOARD OF EDUCATION
SPECIAL MEETING
MINUTES
JUNE 29, 2023**

CALL TO ORDER

The Berkeley Heights Board of Education held a Meeting on Monday, June 29, 2023, in the Governor Livingston High School Cafeteria. The Meeting was called to order by the Board President, Mrs. Angela Penna, at 6:31 pm.

ROLL CALL

Ms. Bradford
Mr. Cianciulli
Dr. Foregger
Mrs. Penna
Mrs. Stanley
Mrs. Young

Dr. Varley, Superintendent of School
Ms. Kot, Business Administrator/Board Secretary

BOARD MEMBERS ABSENT:

Mr. Hyman
Mrs. Khanna

OTHERS ABSENT:

Dr. Greer, Assistant Superintendent

MEETING NOTICE STATEMENT

Adequate notice of this meeting of the Berkeley Heights Board of Education was given as required by the Open Public Meetings Act as follows:

On June 26, 2023 notice of the Board of Education Meeting schedule was sent to the *Star Ledger* and the *Courier News* and was also provided to all schools, PTO Presidents, the BHEA President, and posted at the Administration Building. A copy was also provided to the Public Library and filed with the Municipal Clerk.

ADJOURN TO EXECUTIVE SESSION

WHEREAS, the Berkeley Heights Board of Education seeks to adjourn to Executive Session in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act provides that a public body may exclude the public from that portion of the meeting at which it discusses matters related to those identified below:

- a. Matters rendered confidential by Federal Law, State Law, or Court Rule
- b. Individual privacy
- c. Collective bargaining agreements
- d. Purchase or lease of real property if public interest could be adversely affected
- e. Investment of public funds if public interest could be adversely affected
- f. Tactics or techniques utilized in protecting public safety and property
- g. Pending or anticipated litigation
- h. Attorney-client privilege
- i. Personnel – employment matters affecting specific prospective or current employees.

BE IT RESOLVED, that the Berkeley Heights Board of Education adjourns to Executive Session to discuss matters related to personnel matters, legal matters, and contract negotiations; and

BE IT FURTHER RESOLVED, that the minutes of the discussion of any of these items will be disclosed to the public when matters have been determined and confidentiality is no longer applicable.

MOTION by: Mrs. Young **SECOND** by: Mr. Cianciulli

VOICE VOTE: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Stanley, Mrs. Young,
Mrs. Penna – *All Ayes*
Mr. Hyman and Mrs. Khanna – *Absent*

- **The Board entered into Executive Session at approximately 6:33 p.m.**

RETURN TO PUBLIC SESSION

MOTION by: Mrs. Young **SECOND** by: Ms. Bradford

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Stanley, Mrs. Young,
Mrs. Penna – *All Ayes*
Mr. Hyman and Mrs. Khanna – *Absent*

- **The Board reopened to Public Session at approximately 7:47 p.m.**

FLAG SALUTE

Mrs. Penna led the Board and the public in the Pledge of Allegiance.

REPORT OF THE SUPERINTENDENT

Dr. Varley made the following report:

- Good evening, On June 16th, we wrapped up our first normal year in a few years! It was so exciting to listen to the students' speeches and see their faces as they celebrated their graduations and promotion ceremonies.
- I'm sad to report that on this agenda, we have a few great losses. Dr. Greer came in for only a brief time but he has made so much progress and forward momentum that he was a true force to be reckoned with. I would work with him anywhere! He will be missed.
- Julie Kot, you are an amazing Business Administrator. You have the strength and knowledge to create a solid budget, fix a mess that wasn't yours, and hold people accountable. I've found it to be an amazing experience to work with you. And I would work with you anywhere.
- Marybeth was on a former agenda...but I'm still feeling her loss. I worked with her in Sparta and was thrilled to bring her here. Such an amazing human!
- And on this agenda is Annie Corley-Hand. She has been a staple in this district for many years. I want to thank her for her service to the youngest learners of Berkeley Heights.
- Moving forward, we have two people on the agenda, Christine Seminerio who will be taking the Director of Elementary and Intervention position. Christine comes to us from Madison as the Director of Special Education.
- In a walk-in resolution due to the late timing of interviews and contract approval, I would like to present Anthony Giordano to you as the Assistant Superintendent. He is currently a Superintendent in Mansfield, NJ. He worked in Parsippany Troy Hills as an Executive Director of Pupil Personnel Services and has served on the Mount Olive Board of Education for 17 years.

COMMENTS FROM THE PUBLIC ON ANY TOPIC

During this portion of the meeting, District residents and staff are invited to address the Board of Education on any item.

The Board requests that individuals state their name and town of residence (or school of attendance) for the record. All comments should be directed to the Board President and depending upon the nature and complexity of the question, it may or may not be answered during the meeting by the Administration. If so, the response would occur after this public portion of the meeting has concluded. Although the Board may not respond to all items raised during the public forum, all public comments will be considered.

The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding personnel matters are discouraged and cannot be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public.

Please note that if any member of the public becomes disruptive during the meeting the Board President may terminate the participant’s statement. Continued disruptions may result in removal from, or adjournment of, the meeting.

Each speaker’s statement will be limited to three (3) minutes in duration.

- Karen Sicoli commented on the retirement letter of the Principal of Mary Kay McMillian School. She is concerned about the talent leaving the district.
- Sai Akiri alleged that the Administration and the Board are unwilling to answer her correspondence. She claimed the Board is not following its own policies, and commented on Annie Corley-Hand’s retirement letter, student achievement, transparency and accountability.
- Natasha Joly spoke regarding OPRA and asked about the existence of a particular curriculum report. She asserted that there is a lack of transparency and alleged that the majority of the Board is the reason people are leaving the district, not the negative community members.

EDUCATION

Resolutions A-B: All Board members.

A. APPROVE OUT OF DISTRICT PLACEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve student #1466005175 to attend Midland School for the 2023 Extended School Year and the 2023-2024 school year. Tuition is \$427.00 per day.

B. APPROVE CONTRACTED SERVICES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve contracted services, as follows:

Provider	Time Period	Explanation	Amount
Preferred Care Staffing Agency	2023 Extended School Year	Provide a daily nursing service to district student #1466005175 at Midland School whose medical doctor and IEP require a 1:1 LPN or RN.	Approx. 7 hrs./day \$51.50/hr.
Preferred Care	2023-2024	Provide a daily nursing service to district student	Approx. 7

Staffing Agency	School Year	#1466005175 at Midland School whose medical doctor and IEP require a 1:1 LPN or RN.	hrs./day \$51.50/hr.
UCESC	2023-2024 School Year	Complete overflow and contracted Child Study Team evaluations during the 2023-2024 school year.	\$437/ evaluation

Motion to Approve Education Resolutions A-B: All Board members.

MOTION by: Mrs. Stanley

SECOND by: Mrs. Young

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Stanley, Mrs. Young,
Mrs. Penna – *All Ayes*
Mr. Hyman and Mrs. Khanna – *Absent*

Motion Passes.

PERSONNEL

Resolutions A-K and R: All Board members. Resolutions L-Q: Berkeley Heights only.

A. APPROVE APPOINTMENT OF DIRECTOR OF ELEMENTARY EDUCATION AND INTERVENTION

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the appointment of Christine Seminerio as the Director of Elementary Education and Intervention for the 2023-2024 school year effective August 28, 2023 or sooner at a prorated salary of \$147,000.00 pending employment authorization.

B. APPROVE SUBSTITUTE/SUPPLEMENTAL PERSONNEL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve substitute/supplemental personnel for the 2022-2023 school year, as follows:

Name	Certification	Position	Effective Date
Emma Hetterington	N/A	Substitute Secretary	6/20/23

C. APPROVE LEAVE OF ABSENCE REQUEST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following leave of absence requests for the 2023-2024 school year:

Employee ID	Leave Action	Type of Leave	Paid Leave Dates	Unpaid Leave with Benefits if Applicable	Unpaid Leave without Benefits	Return Date
3436	Amend	Medical/ FMLA/NJFLA	4/17/23-6/2/23	6/5/23-6/30/23 11/3/23	NA	8/28/23 11/6/23

D. APPROVE RESIGNATION OF STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve, with regret, the resignation of staff, as follows:

Name	Assignment	Location	Effective Date
Nyasia Diaz	Paraprofessional	MP	6/30/23

David Greer	Assistant Superintendent	Superintendent's Office	8/15/23
Chloe Jones	School Device Manager	District	6/19/23
Julie Kot	Business Administrator & Board Secretary	Business Office	8/25/23
Ryan Loxley	Custodian	TPH	6/7/23

E. APPROVE EMPLOYMENT OF SUMMER TECHNOLOGY ASSISTANT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment of the following individual as Summer Technology Assistant in the Berkeley Heights Public Schools:

Name	Effective Date	Hourly Pay Rate
Cody Tomchak	6/21/23 - 8/25/23	\$16.50

F. APPROVE EXTRA-CURRICULAR ACTIVITIES

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve extra-curricular activities for the 2023-2024 school year, as follows, pending employment authorization (#):

Governor Livingston High School

Activity/Program	Instructor/Supervisor	2023-2024 Stipend
Assistant Boys Soccer Coach	Kian Monaghan #	\$5,090.00
Assistant Boys Soccer Coach	Samantha Carney	\$5,889.00
Assistant Cross Country Coach	Zakaria J. Rochdi	\$6,126.00
Cheer Assistant Coach (Fall)	Alexandra Sandoval	Volunteer
Cheer Assistant Coach (Fall)	James Lenahan	Volunteer

G. APPROVE ADDITIONAL GENERAL SUMMER EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve additional employment of the following individuals during Summer 2023:

Name	Employment	Pay Rate	Maximum Days
Jeremy Marx	New Hire Orientation	Per-diem rate of 2023-2024 annual salary	6 days
Joseph Reel	New Hire Orientation	Per-diem rate of 2023-2024 annual salary	6 days
Maria Graziano	New Hire Orientation	Per-diem rate of 2023-2024 annual salary	6 days
Thomas Clayton	New Hire Orientation	Per-diem rate of 2023-2024 annual salary	3 days

H. APPROVE ADDITIONAL SUMMER CHILD STUDY TEAM EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve additional employment of Child Study Team and teaching staff members during Summer 2023 for the purpose of completing student evaluations, conducting required meetings with parents/guardians, and providing other services as required by Individualized Education Plans (IEPs).

Name	Employment	Days	Pay Rate
Jaime Cucchiara	Child Study Team Member	.5	Per diem rate of their 2023-2024 annual salary
Megan Gallagan	Child Study Team Member	4.5	Per diem rate of their 2023-2024 annual salary
Paul Grant	Child Study Team Member	1.5	Per diem rate of their 2023-2024 annual salary
Erin Lanigan	Child Study Team Member	1	Per diem rate of their 2023-2024 annual salary
Cynthia Manto	Child Study Team Member	.25	Per diem rate of their 2023-2024 annual salary
Melissa Mohr	Child Study Team Member	1	Per diem rate of their 2023-2024 annual salary
Suzanne Morley	Child Study Team Member	2.25	Per diem rate of their 2023-2024 annual salary
Tara Pirozzoli	Child Study Team Member	4	Per diem rate of their 2023-2024 annual salary
Suzana Porzio	Child Study Team Member	.25	Per diem rate of their 2023-2024 annual salary
Peter Sempepos	Child Study Team Member	2.5	Per diem rate of their 2023-2024 annual salary
Steven Siebelts	Child Study Team Member	1.25	Per diem rate of their 2023-2024 annual salary
Lauren Simon	Child Study Team Member	1.75	Per diem rate of their 2023-2024 annual salary
Susan Tennant	Child Study Team Member	2	Per diem rate of their 2023-2024 annual salary
Joanna Trainor	Child Study Team Member	4.5	Per diem rate of their 2023-2024 annual salary
Melinda Willson	Child Study Team Member	2.25	Per diem rate of their 2023-2024 annual salary
Toby Marcus	Child Study Team Member	3.75	\$425 per day
Rachel Montagna	Teacher for CST/IEP Meetings	20 hours	Per-diem rate of Step 11C on 2023-2024 Teacher Salary Schedule
Julianna Rehair	Teacher for CST/IEP Meetings	20 hours	Per-diem rate of Step 11C on 2023-2024 Teacher Salary Schedule

I. APPROVE ADDITIONAL SUMMER SCHOOL EMPLOYMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve additional employment of the following individual in the 2023 Berkeley Heights Remedial Summer School and Special Education Extended School Year Programs.

Name	Employment	Hours	Pay Rate
Robin Halterman	Substitute Paraprofessional	–	\$22 per hour
Tracey Wahlers	Substitute Teacher	–	\$42 per hour

J. APPROVE EMPLOYMENT OF SEASONAL CUSTODIANS

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, and the School Business Administrator, approve the employment of Jack Ghannam and Owen Klasey as Seasonal Custodians in Berkeley Heights Public Schools for the 2023-2024 fiscal year at the pay rate of \$15.00 per hour pending employment authorization.

K. AMEND EMPLOYMENT OF DATA ANALYST

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, amend the employment of the part-time Data Analyst for the 2022-2023 fiscal year, as follows:

<u>Name</u>	<u>Location</u>	<u>Effective Date</u>	<u>Number of Days</u>	<u>Per Diem Rate</u>
Christina Zaun	District	7/1/22	125 130	\$375.00/day

L. APPROVE RETIREMENT OF STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve, with regret, the resignation of the following staff for the purpose of retirement:

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Effective Date</u>
Anne Corley-Hand	Principal	MKM	9/1/23

M. APPROVE HIRING CERTIFICATED STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the hiring of certificated staff for the 2023-2024 school year, as follows, pending employment authorization (#):

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>FTE</u>	<u>Effective Date</u>	<u>Degree</u>	<u>Step</u>	<u>Annual Salary</u>	<u>Certification</u>
Alexandra Domanski	Teacher of Science	CMS	1.0	8/28/23 - 6/30/24 #	MA	5	\$66,104.00	Standard

N. APPROVE EMPLOYMENT OF HELP PERSONNEL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment of HELP personnel for the 2023-2024 school year, as follows:

<u>Name</u>	<u>Location</u>	<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Hours/Week</u>
Robin Halterman	MP	8/28/23-6/14/23	\$27.50	28
Carolyn Bowen	TPH	8/28/23-6/14/23	\$27.50	28

O. APPROVE REASSIGNMENT OF PERSONNEL

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the reassignment of personnel, as follow,

<u>Name</u>	<u>Current Assignment/ Location</u>	<u>New Assignment/ Location</u>	<u>Effective Date</u>	<u>Per Diem Rate</u>	<u>Certification</u>
Kelly Murphy	Math Interventionist MKM	Math Specialist Long Term Sub MKM	8/28/23-11/3/23	\$290.81	Standard

P. APPROVE LEAVE REPLACEMENT TEACHER

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following leave replacement teacher:

Name	Assignment	Location	FTE	Effective Date	Degree	Step	Annual Salary	Certification
Briana Barillari	Leave Replacement Elementary Teacher	MP	1.0	8/28/23 - 6/30/24	MA	1	\$64,480.00	CEAS

Q. APPROVE EMPLOYMENT OF SUPPORT STAFF

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the following employment of Support Staff personnel for the 2023-2024 fiscal year, pending employment authorization (#):

Name	Assignment	Location	FTE	Effective Date	Step	Annual Salary
Julie Carles	Administrative Assistant	CMS	1.0	TBD - 6/30/24 # and two shadow days	4	\$54,050.00 (prorated)

R. APPROVE APPOINTMENT OF ASSISTANT SUPERINTENDENT OF CURRICULUM, INSTRUCTION, AND STUDENT ACHIEVEMENT

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approve the employment of Anthony Giordano as the Assistant Superintendent of Curriculum, Instruction, and Student Achievement for the 2023-2024 fiscal year, effective September 11, 2023 or sooner, at an annual salary of \$170,000.00 prorated. (*attachment C*)

Motion to Approve Personnel Resolutions A-K and R: All Board members. Resolutions L-Q: Berkeley Heights only.

MOTION by: Mrs. Young SECOND by: Mrs. Stanley

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Stanley, Mrs. Young,

Mrs. Penna – *All Ayes*

Mr. Hyman and Mrs. Khanna – *Absent*

Motion Passes.

BUSINESS

Resolutions A: All Board members.

A. APPROVE SHARED SERVICES AGREEMENT WITH BERKELEY HEIGHTS POLICE DEPARTMENT FOR CLASS III SPECIAL LAW ENFORCEMENT OFFICERS FOR THE PERIOD 2023-2028

RESOLVED that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and School Business Administrator, approve the shared services agreement with the Berkeley Heights Police Department for Class III Special Law Enforcement Officers ("SLEOs") during

the period starting September 1, 2023 through August 31, 2028. The specific SLEO duty hours and school locations shall be set by mutual agreement between the Superintendent or her designee and the Chief of Police or his designee. *(Attachment A)*

B. APPROVE AGREEMENT

WHEREAS, Tom Maciejewski instituted an action with the Government Records Council (“GRC”) on June 4, 2020, challenging the Berkeley Heights Public Schools’ response to Open Public Records Act requests from November 2019 and March 2020; and

WHEREAS, on May 30, 2023, the GRC entered its Final Order in the action, which in part directed the parties to confer in an effort to determine a reasonable amount of attorney’s fees to remit to Mr. Maciejewski’s attorney in connection with the GRC’s Final Order; and

WHEREAS, the Board Attorney has recommended an Agreement to resolve the reasonable attorneys’ fee amount; and

WHEREAS, the Board of Education believes that entering into this Agreement is in the District’s best interests;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Berkeley Heights Public Schools, County of Union, New Jersey as follows:

1. The District hereby ratifies and agrees to the Agreement; and
2. The Board President is hereby directed to execute the Agreement; and
3. The Board authorizes the Board President, Superintendent of Schools, Board Attorney, and Business Administrator/Board Secretary to take all actions necessary to effectuate this resolution.
4. This resolution shall take effect immediately. *(Attachment B)*

Motion to Approve Business Resolutions A-B: All Board Members.

MOTION by: Mrs. Young **SECOND** by: Mr. Cianciulli

ROLL CALL: Ms. Bradford, Mr. Cianciulli, Mrs. Stanley, Mrs. Young, Mrs. Penna – *All Ayes*
Dr. Foregger – *Abstain from Resolution A; Aye to Resolution B*
Mr. Hyman and Mrs. Khanna – *Absent*

Motion Passes.

NEW BUSINESS

- Mrs. Stanley asked for professionalism and respect from the audience during Board meetings.
- Mrs. Penna advised the public that they are watching a meeting of the Board, and Board Members have the right to make comments during the discussion period.

ADJOURNMENT

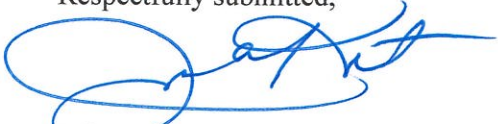
MOTION by: Mrs. Young

SECOND by: Dr. Foregger

VOICE VOTE: Ms. Bradford, Mr. Cianciulli, Dr. Foregger, Mrs. Stanley, Mrs. Young,
Mrs. Penna – *All Ayes*
Mr. Hyman and Mrs. Khanna – *Absent*

- **The meeting was adjourned at 8:14 PM.**

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Julie A. Kot', with a large, stylized flourish at the end.

Julie A. Kot
Business Administrator/Board Secretary

**BERKELEY HEIGHTS BOARD OF EDUCATION
COMBINED CONFERENCE AND REGULAR MEETING
MINUTES
SEPTEMBER 23, 2021**

CALL TO ORDER

The Combined Conference and Regular Meeting of the Berkeley Heights Board of Education was called to order on Thursday, September 23, 2021 at 6:58 PM in the Columbia Middle School MultiPurpose Room by Board President, Mr. Reinstein.

ROLL CALL

A roll call indicated the presence of the following members:

Mr. Hyman, Ms. Kasthuri, Mrs. Young, Mr. Cianciulli, Mr. D'Aquila, Mrs. Penna, Ms. Reilly, and Mr. Reinstein. Dr. Varley, Mr. McKinney and Ms. Kot were also present.

STATEMENT

On January 7, 2021, this body by resolution adopted the schedule for this meeting. The time, date and location of this meeting were accurately set forth therein.

On January 8, 2021, this notice was provided to all schools, all PTO Presidents, the BHEA President and posted at the Administration Building. On the same date a copy was emailed to the Public Library, TAP into Berkeley Heights, the Courier News and filed with the Municipal Clerk to file and post at Town Hall. The meeting will also be announced on the District Sign at Columbia School.

ADJOURN TO EXECUTIVE SESSION

It was moved by Mr. Hyman and seconded by Mrs. Young that the Board of Education adjourn to Executive Session. Motion carried.

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Berkeley Heights Board of Education has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions: Salary Adjustments for Professional Growth, Staff Appointments, Employment of Paraprofessionals, Substitute/Supplemental Personnel, Leave of Absences, Resignation, Revised Employment Contract, Extra-Curricular Activities, Extra Teaching Period Assignments, Employment of Support Staff, Re-Assignment of Personnel, Rescind Appointment, Appoint Lunchroom/Playground Teacher Aide.

ADJOURN TO EXECUTIVE SESSION (continued)

NOW THEREFORE BE IT RESOLVED by the Berkeley Heights Board of Education that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified; and

IT IS FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

RETURN TO PUBLIC SESSION

It was moved by Mr. Hyman and seconded by Mrs. Young that the Board of Education return to Public Session at 7:34 pm. Motion carried.

FLAG SALUTE

Mr. Reinstein led the Board and the public in the Pledge of Allegiance.

Mr. Reinstein began the meeting with remarks about three complaints filed with the Union County Prosecutor's office by three community members with respect to actions taken by the Board of Education. He reviewed the violations alleged and stated that all were deemed unfounded by the Prosecutor.

APPROVAL OF MINUTES

It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board of Education approve the minutes of the Combined Conference and Regular Meeting held September 9, 2021. Motion carried.

CORRESPONDENCE

The correspondence as listed on the agenda had been provided to the Board for their review and information:

- Letter from Mrs. S. Waganbach; re: Thank you for retirement gift
- Letter from Mrs. M. Merrill; re: Thank you for retirement gift
- Letter from Mr. T. Long; re: Thank you for retirement gift
- Letter from Mr. H. Hunter; re: Summary of Governor Livingston Highlander Booster Club efforts
- Email from Mrs. D. Khanna; re: Superintendent Update 9/20
- Email from Mrs. P. Stanley; re: Bus Information for BOE Meeting tomorrow
- Letter from Mr. J. Foster; re: Governor Livingston Band Parent Organization Donation
- Letter from Mr. J. Foster; re: Firework Donation for Band Pageant from Garden State Fireworks

OPRA:

Laura Kapucinski	Emails between Doug Reinstein and Mike D'Aquila regarding the contract extension of Melissa Varley, from June 2021-September10, 2021
Laura Kapucinski	Emails between Doug Reinstein, Mike D'Aquila, Chris Reilly, Joy Young, Robert Cianciulli, Angela Penna, Ramya Kasthuri and Jordan Hyman regarding the contract extension of Melissa Varley, from June 2021-September10, 2021
Laura Kapucinski	Job posting for District Communications Specialist, applications received for the Communications Specialist position, Interview reports, hiring letter for the candidate, Niamh Grano
Jan Randall	Benchmarking data and findings that were used to determine Dr. Varley's salary compensation in the proposed contract.
Sai Bhargavi Akiri	The copy of the job posting for communications specialist advertisement, the job responsibilities listed on the job posting advertisement, job posting advertisement duration details, payment receipts for the job posting advertisement, the resume received, and the interview scorecard along with the offer letter.

REPORT OF THE STUDENT REPRESENTATIVES

Thomas Burke reported the following:

- This past weekend marked the annual Friday Night Lights and Saturday Night Lights at Governor Livingston. For students, it was an exciting experience, as they could cheer on their friends, as many teams continued their excellent form. The football team, though they took an early lead, lost against a well prepared Bernards High School. On Saturday, the field hockey team opened Saturday Night Lights with a tie, giving them a record of 4-1-1. The boys' soccer team followed with an emphatic 4-0 win over Cranford; the team is now on a three game win streak in great thanks to senior captain Alex Pitt, the leading goal scorer and leader of the young team. The girls' soccer team ended the night with a close 1-0 win over Parsippany Hills. The team has won all three games since their opening loss, while only conceding one goal since then.
- The girls' tennis team has maintained an impressive undefeated start, winning all of their first four matches. In their recent victory over Union Catholic, our own Katherine Zhou won in straight sets without giving up a game.
- The volleyball team has nearly mirrored their success, losing just one match and three sets in all of their six matches.
- The success of all teams is unprecedented and a tribute to countless hours' athletics dedicated over the summer and after school. I don't want to get ahead of myself, but I think we can expect some new banners in the gym this year.

Katherine Zhou reported the following:

- As September comes to a close, students and teachers have adjusted well to the in-person learning experience. While not everything is back to normal, many pre-Covid activities are returning. Students have begun to work on group projects in-person at school for the first time in over a year, and lab periods have also started, so all science classes are extended once per schedule rotation. And through all of this, the GL spirit continues to show, even with face masks and social distancing in place.
- This week, the GL Student Council organized a Spirit Week, where students have been encouraged to wear sports jerseys, neon clothing, and GL colors.
- Many other club activities at GL have also officially begun. The Environmental Club, Sexuality and Gender Acceptance Club, Newspaper Club, and others have already held in-person interest meetings to recruit new members and establish goals for the upcoming school year.
- The Model United Nations Club, specifically, held a Harry Potter themed mock conference to give new members an opportunity to see how a typical Model UN conference would be run.
- The Governor Livingston Hilltop Players kick started their fall theatre season by holding an interest meeting this past Wednesday and announcing their fall production for this year. The production, called "The Show Must Go On!", is a trio of plays about theatre, and it will be performed live in front of an audience in mid-November.
- Other clubs have exciting plans for the upcoming weeks. The Student Movement Against Cancer Club, Understanding Asian Cultures Club, and Science Olympiad Club are scheduling interest meetings for prospective members.

Minutes

September 23, 2021

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- Interact Club is holding their first event of the year, a car wash, this Saturday at Columbia Middle School. All proceeds from the car wash will go to the Heart to Heart foundation, which helps to provide disaster relief across the world.
- Overall, students at GL are happy to be back in school and excited to participate in school activities.

REPORT OF THE SUPERINTENDENT

Dr. Varley began her report stating that the majority of tonight's Superintendent report will be devoted to the Diversity, Equity, and Inclusion Task Force. The Task Force was created after the December 2020 Board meeting, when it became apparent that there were deep-seated systemic issues concerning inclusion in our schools. From over 60 volunteers, we selected a representative body of parents, former parents, educators, students, former students and administrators. Dr. Varley acknowledged the following individuals for their efforts: Steve Hopkins, Toiya Facey, Rachel Mehta, Ramya Kasthuri, Anjali Mehrotra, Makalya Curtis, Thomas Burke, Rachel Erdreich, Tara Mathias-Prabu, Grace O'Brien, Marissa Gold, Patrice Silagi. The Task Force was chaired by Marc Strachan.

Since early March members of the Task Force have met as much as twice a week in order to discuss difficult issues and craft achievable solutions in order to present the Board of Education with a DEI addition to the district strategic plan. It was not an easy process, but Dr. Varley believes that in the end, the Task Force has created an important document that will celebrate the district's Diversity, help to provide Equity, and most importantly create an environment of Inclusion for all of our students. Dr. Varley thanked everyone who gave their time and energy to make Berkeley Heights Public Schools a better place.

Before moving on to the DEI Task Force presentation, Dr. Varley spoke about the travel quarantine guidelines, realizing that many parents are upset about the changes. She added that we have received written notification from the Department of Health that we should enforce all travel quarantines. As educators we are obligated to follow the directives of medical professionals. Mr. McKinney, who is in charge of the district's Covid response this year, has the recommended travel protocol documentation from both the CDC and Department of Health. As with all things related to the pandemic, we will revisit our procedures on receiving new directives or when there is a change in our region's Covid status-which is currently rated as 'High'. As educators we are doing our best to balance keeping students and staff safe, and providing the best possible education in a very difficult and uncertain time. Our initial intention in not providing remote instruction for students who had to quarantine because of travel restrictions was made to minimize disruption to instruction for all students. Having received feedback from numerous parents regarding this provision, the administrative team met yesterday and decided to amend our guidelines so that students who are on travel quarantine will receive remote instruction. However, students will not be allowed to be on remote instruction while they travel.

REPORT OF THE SUPERINTENDENT (continued)

Dr. Varley added that there has also been much discussion regarding the new Communication Specialist. One of the things parents have consistently asked for from the district is their desire for increased communication. To that end we looked to bring in the new Communication Specialist with a very different skill set from our current in-house specialist. This is not an increase in total hours, devoted to the position, just a different area of expertise to improve communication.

Finally, Dr. Varley stated that she will be asking the Board members to make a decision regarding when they would like to have the Board training session that was postponed from July; if it should be held in the fall, or in January, when the new Board members are sworn in.

DEI Task Force Executive Summary-Marc Strachan and Steve Hopkins

Mr. Hopkins introduced Mr. Strachan, consultant from Coach Marc Consulting, LLC. Mr. Strachan was hired by the district to help develop the DEI Strategic Plan.

Mr. Strachan the DEI Value statement, that all students and staff should come to school feeling safe, accepted and valued. He reviewed the plan, entitled “Mission-One”, stating it is the intent to build a more diverse and inclusive culture and ways of working for the BHPS; to create the safest and welcoming culture and environment for our entire community; assess and evaluation progress against specific/targeted goals; continue our proud history of delivery first class education by becoming a Best-in-Class thought leader for DEI pedagogy in the State of New Jersey; take a real and holistic look at the issues that are affecting our community, through a DEI lens, and provide relevant and impactful solutions to remedy and where possible course correct; and consistently assess our culture, to ensure it is meeting our mission and values.

The chosen process for moving forward was shared, with the four core/major focus areas being organizational culture shift, talent training and development, organizational process-operations/infrastructure, and community development/engagement.

The goal of the BHPS DEI strategic plan is to be just one part of a larger set of initiatives that bring about great understanding, acceptance, and camaraderie of the community’s diverse populations.

LIAISON REPORTS

Mrs. Penna reported on the Special Education meeting she attended. She spoke of the collaborative model at the high school and other programs. A survey of parents and students will be sent in January and June and the results will be shared at an upcoming meeting. Self-advocacy was discussed to help develop lessons for the students. The skill gap was discussed, and how it will be addressed for those students with IEPs and without. Paraprofessional training was discussed, general and specific in nature. Improving communications between parents and staff without fear of conflict discussed. Mrs. Gardner, Mr. Morra, Dr. Varley and Mrs. Penna will be meeting to go over the concerns.

FACILITIES REPORT

Ms. Kot reported that the Mountain Park remediation is 95% complete. The contents of the basement have been removed and discarded or cleaned. The walls, floors and ceilings have been power washed and cleaned with a hydrogen peroxide solution and the sump pump pits have also been cleaned. The restoration company has indicated they are letting fans and blowers run for the next two days to dry the areas cleaned, which will complete the project.

There are two resolutions on the agenda tonight with respect to the remediation. The first, rescinding the resolution from our September 9th meeting, as that vendor, IRS, called the day before they were to begin work and advised they could no longer do the critical inventory portion they had originally included in their proposal. The second resolution is the agreement with PuroClean who has performed similar remediation work in the district in the past and was able to do the cleaning, removal, and inventory at a slightly lower cost than IRS.

Regarding the bus driver shortage, a notification came out today from NJASBO advising that the NJ Motor Vehicle Commission has committed to expediting school bus driver appointments. NJASBO is compiling a list from Business Administrators of requested appointments and submitting them to DMV daily, and our district made a submission today. Hopefully more drivers will be available soon to begin to ease the severe shortage.

Due to on-going legal matters, Ms. Kot could not publicly address questions received about the current transportation vendor's contract. However, she was recommending the related resolution be approved tonight.

There have been inquiries about why the district is not offering free lunch as some other districts, such as Summit, are doing this year. Berkeley Heights, similar to New Providence, does not participate in the National School Lunch Program, and is therefore not eligible to take advantage of the free program announced by the U.S. Department of Agriculture. There are two primary reasons the district does not participate in the National School Lunch Program. First, the district does not have the requisite number of Title I (low income) students that would make participation in the program feasible. Additionally, participating schools must follow a low fat, low sodium, low sugar plan with significantly limited options. When the district participated in NSLP in the past, the food selections and quality were not well-received. The district is currently able to offer a variety of food choices, including premium options, and larger portions than would be possible in the NSLP.

Ms. Kot stated that she understands there was an opportunity for the District to participate in the special free program being offered this year. Unfortunately, the deadline to do so was May 1st and a managerial decision was made prior to her arrival not to participate. She made inquiries, but the district was not able to join after that deadline.

Anyone who is struggling to provide lunch for a school-aged child is encouraged to complete the Free and Reduced Lunch Application which can be found on the district website. That is the best way to get immediate assistance for food insecurity caused by financial difficulties, as well as reaching out to churches and local food banks.

PUBLIC HEARING ON DEI PRESENTATION

Mr. Reinstein offered the public a separate citizens hearing for questions directly related to the DEI presentation.

Mrs. Tina Scorsafava, Berkeley Heights, questioned the best practice model for DEI, emphasizing the district should be looking for great teachers to teach children how to think, not what to think. She would like to see the curriculum reviewed, especially in relation to holocaust, genocide, slavery. As an addition to the book club read *How to Be An Anti-Racist*; she recommended *Created Equal* by Clarence Thomas.

Mr. Michael Bozzone, Berkeley Heights, stated that the district is weaponizing race. He played an audio clip from the author Robin D'Angelo. He stated that the curriculum shows the concept of 'white privilege' being taught. Dr. Varley advised it was not part of the curriculum.

Mr. Cyr Ryan, Berkeley Heights, asked how the success of DEI would be measured and requested clarity on who is leading the initiative and who is accountable. Dr. Varley identified individuals who would be participating and advised she is ultimately accountable.

Mrs. Pam Stanley, Berkeley Heights, asked how the Board is going to stop comments she deemed "inappropriate." She also asked about enforcing the mask policy during the Board meetings.

Mrs. Toiya Facey, Berkeley Heights, spoke in favor of DEI.

Mr. Dmitriy Agafonova, Murray Hill, asked if this strategic plan will be approved, inquired about the cost of the DEI program, and for an explanation of social, emotional learning.

PUBLIC HEARING ON AMENDED SUPERINTENDENT'S CONTRACT

At this time, Mr. Reinstein closed this portion of the citizens' hearing regarding the presentation. He then opened the public hearing on the Amended Superintendent's contract.

Mrs. Sai Bhargavi Akiri, Berkeley Heights, approached the Board with statements unrelated to the Superintendent's contract. Mr. Reinstein asked her to bring her comments forward during the Preliminary Citizen's Hearing.

Mrs. Iwana Gaeckle, Berkeley Heights, presented the Board with a petition with 208 signatures to postpone the extension of the Superintendent's contract, stating that the timing of the contract approval was premature and the process lacked transparency and accountability. She noted that large numbers of staff members have resigned and \$500,000 has been spent on new bathrooms, but no money has been spent on HVAC.

Mrs. Nicole Mauriello, Berkeley Heights, thanked the Board for their work. She is a proponent of full day kindergarten and commended Dr. Varley for seeing it through.

Mrs. Bhargavi Akiri stated that Dr. Varley did not receive documentation or verbal approval from the DOE for the bathroom project and redistricting. She stated that she is being told there is no money to get air purifiers or hand sanitizers, but we have money to approve a large raise in the Superintendent's contract.

Mrs. Rachel Mehta, Berkeley Heights, worked with Dr. Varley on the DEI Taskforce. She was in favor of FDK.

Mr. Doug Grober, Berkeley Heights, commented that the State is merely handing down guidelines regarding quarantining students and does include remote instruction options. He asserted that the Superintendent has made decisions without thought, similar to redistricting, getting rid of 35 teachers and two principals. He is frustrated, and believes Dr. Varley's performance is inadequate. Dr. Varley confirmed the quarantine process and modifications, as well as the agreement with the YMCA for use of their paths.

Mrs. Bhargavi Akiri asked Dr. Varley to state that she did not receive documentation and verbal approval from the DOE. She asked the board if they are comfortable with the Superintendent's inaccuracies and miscommunications that have to be retracted, and that it speaks volumes about the Board.

Mr. Agafronova asked, given all the discussions, if the salary increase for the Superintendent is warranted, and whether it was too late to change the contract vote to January when a new Board will be in place.

Mrs. Facey thanked Dr. Varley for bringing the district forward and indicated her support of the Superintendent. She thinks people are afraid of change, but the district needs to think about the future.

Mr. Grober questioned Dr. Varley's foresight and ability to think strategically, not just delegate., and said more measures of her performance are needed before her contract is renewed.

Mr. John Leo, Berkeley Heights, thinks Dr. Varley deserves a raise. He disagrees with the timing of her quarantine rules being retroactive.

Mr. Reinstein read comments that were emailed to the board relevant to Dr. Varley's contract:

- Mrs. Patricia Traynor, Berkeley Heights, asked for clarification on the motivation to approve the contract tonight; what are three impacts that would occur if the contract was not renewed until January 2022. Mr. Reinstein reiterated his earlier comments of the Board showing its long term commitment to the Superintendent so she could focus on student outcomes and closing achievement gaps.

- Mrs. Kapucinski, Berkeley Heights, had four questions-1) Did the board ask administrator/staff feedback or parent feedback? Mr. Reinstein said feedback was received from parents in various ways, it is not appropriate to get feedback from administrators and staff. 2) If feedback was requested, when was that? Mr. Reinstein said it is ongoing, board members have received emails. 3) If renewing the contract is solely the decision of the board, do you believe the process and proposal to be fair? Mr. Reinstein responded yes. 4) If the board is in agreement with this increase, then why isn't the district paying for disinfecting wipes, sanitizers and extra masks for students and staff? Mr. Reinstein reiterated that the district is providing wipes, sanitizers and masks, and each principal is responsible for their order.
- Mr. David Shepherd, Berkeley Heights, asked how the board could approve a double digit increase, upwards of 18-20%, when many in the town are still unemployed or on fixed incomes. As a former board member, this has never been approved. The superintendent does not have a favorable approval rating with the redistricting and displacing students. If the Board does proceed with this adjustment, they should be completely ashamed and immediately submit their resignations. If not, they are a bunch of sycophants and cowards and not serving the needs of their constituency - which is the Township residents. Mr. Reinstein said he spoke with Mr. Shepherd, and explained that Dr. Varley is receiving a 6.6% increase over the last two-year period-she did not receive an increase last year. Her proposed future increases are not guaranteed, but could be up to 2% per year.

Item A: All Board members

- A. APPROVE AMENDED CONTRACT FOR THE SUPERINTENDENT OF SCHOOLS** It was moved by Ms. Reilly and seconded by Mr. D'Aquila that the Board of Education approve the amended contract for the period 2021-2024 for Dr. Melissa Varley, Superintendent of Schools, effective July 1, 2021, as shown on *Attachment A*.
 YES: Mr. Hyman, Mr. D'Aquila, Mrs. Penna, Ms. Reilly, Mr. Reinstein
 NO: Ms. Kasthuri, Mrs. Young, Mr. Cianciulli

PRELIMINARY CITIZENS HEARING

Mrs. Bhargavi Akiri asserted that there were inaccuracies in Mr. Reinstein's opening comments regarding her complaint to the Attorney General and the Department of Education, as well as the complaints filed by two other community members. She stated that while the Union County Prosecutor found no deliberate violations, a settlement was negotiated with the Board regarding OPMA violations. According to Mrs. Bhargavi Akiri, the Board agreed to limit committee meetings to three Board members, and the Board must receive additional training. She stated that the Union County Prosecutor also cited improper minutes for a meeting conducted, and in a letter to her, directed her to pursue her complaint with the DOE. Mrs. Bhargavi Akiri said she did not imply criminal intent in her complaint, it was interpreted as such by AG's office which forwarded it to the Union County Prosecutor for further investigation. She feels Mr. Reinstein's statements were misleading and demanded an apology.

Mr. Jared Prupus, Chatham, and a teacher at Hughes School, asked about the recycling program in the district as it relates to the renewal of the refuse contract on the agenda.

Mrs. Alaina Kelly, Berkeley Heights, voiced concerns about the travel restrictions, and the quarantine policy. She asked: why this, why us, why now? She further asserted that the State recommendation is arbitrary - as it is limited to states that touch New Jersey, and is just that, a recommendation that the district can choose not to follow. She noted that Summit, New Providence and Westfield are not implementing these quarantine policies and neither should Berkeley Heights.

Mrs. Monica Fritche, Berkeley Heights, commented that the quarantine guidelines make no sense.

Mr. Leo asked that a policy be made so domestic travel does not require quarantining.

Mr. Peter Kovachev, Berkeley Heights, commented that there are breakthrough cases of vaccinated individuals, and that we can't blindly trust the CDC.

ADMINISTRATION

Items A-B: All Board members.

- A. DISTRICT POLICIES** It was moved by Ms. Kasthuri and seconded by Mr. Cianciulli that the Board introduce the following policies **for study and first reading:**
(M) Mandated by law

Policy	Title	Action
P 1140	Affirmative Action Program (M)	New
P 1523	Comprehensive Equity Plan (M)	New
P 1643	Family Leave (M)	New
P 3144.12	Certification of Tenure Charges – Inefficiency (M)	New
P 4159	Support Staff Member/School District Reporting Responsibilities	New
P 5306	Health Services to Nonpublic Schools (M)	New
P 5307	Nursing Services Plan (M)	New
P 2412	Home Instruction due to Health Condition (M) (Revision)	Revision

It is recommended by the Superintendent of Schools that the Board approve the **second reading and adoption** of the following policy:

(M) Mandated by law

Policy	Title	Action
P 1648.11	The Road Forward COVID-19 – Health and Safety (M) with Appendices C & G	New
P 1648.13	School Employee Vaccination Requirements (M)	New
P 2270	Religion in Schools	Revised
P 2422	Comprehensive Health and Physical Education (M)	Revised
P 2467	Surrogate Parents and Resource Family Parents (M)	New
P 5111	Eligibility of Resident/Nonresident Students (M)	Revised
P 5116	Education of Homeless Children	New
P 5120	Assignment of Students	Revised
P 6115.01	Federal Awards/Funds Internal Controls – Allowability of Costs (M)	New
P 6115.02	Federal Awards/Funds Internal Controls – Mandatory Disclosures (M)	New
Second reading and adoption continued.		
P 6115.03	Federal Awards/Funds Internal Controls – Conflict of Interest (M)	New
P 6311	Contracts for Goods or Services Funded by Federal Interest (M)	New
P 7432	Eye Protection (M)	Revised
P 8110	School Attendance Areas	Revised
P 8130	School Organization (M)	Revised
P 8420	Emergency and Crisis Situations (M)	Revised
P 8540	School Nutrition Programs (M)	Revised
P 8550	Meal Charges/Outstanding Food Service Bill (M)	Revised

A roll call indicated unanimous approval.

- B. APPROVE PROFESSIONAL DEVELOPMENT DAYS/TRAVEL REIMBURSEMENT** It was moved by Ms. Kasthuri and seconded by Mr. Cianciulli that the Board approve professional development days and travel reimbursement for district staff members, as indicated on ***Attachment B***.

A roll call indicated unanimous approval.

EDUCATION

Item A-C: All Board members.

- A. **APPROVE STUDENT FIELD TRIPS** It was moved by Mrs. Penna and seconded by Mrs. Young that the Board approve participation of district students and staff members in educational field trips as listed on *Attachment C*.
A roll call indicated unanimous approval.
- B. **APPROVE ESTABLISHMENT OF AN EXTRA-CURRICULAR CLUB AT GOVERNOR LIVINGSTON HIGH SCHOOL** It was moved by Mrs. Penna and seconded by Mrs. Young that the Board approve the establishment of the ‘*Understanding Asian Culture Club*’ at Governor Livingston High School as per the proposal in *Attachment D*. The proposal has been approved by the BHEA and the yearly stipend amount has been assessed at \$1,779.00.
A roll call indicated unanimous approval.
- C. **APPROVE PROVIDER OF SUBSTITUTE INTERPRETER SERVICES** It was moved by Mrs. Penna and seconded by Mrs. Young that the Board approve ASL Interpreter Referral Service, Inc. (ASLIRS) as a provider of substitute sign language interpreter services in the Berkeley Heights Public Schools during the 2021-2022 school year, on an as-needed basis, at the cost of \$101.00 per hour. These services would be needed only when the district is unable to secure substitute interpreter coverage from its own group of providers.

Explanatory Note: The school district has contracted with ASLIRS to provide the same service during the past three school years.
A roll call indicated unanimous approval.

PERSONNEL

Items A-I: All Board members. Items J-M: Berkeley Heights only.

A. APPROVE SALARY ADJUSTMENTS FOR PROFESSIONAL GROWTH It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the salary adjustments listed on *Attachment E* for the 2021-2022 school year, based on the professional growth of the employees.
A roll call indicated unanimous approval.

B. HIRING CERTIFICATED STAFF It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the employment of the following certificated staff as Teachers in the Berkeley Heights Public Schools for the 2021-2022 school year:

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Expl. Note</u>	<u>FTE</u>	<u>Effective Date</u>	<u>Degree</u>	<u>Step</u>	<u>Annual Salary</u>	<u>Certification</u>
Kayla Barry	Special Education Teacher	GL	1	1.0	TBD#	BA	3a	\$58,074.00	Standard
Dr. Daria Pizzuto	Teacher of Spanish	GL	1	1.0	TBD#	Ph.D	17	\$88,575.00	Standard & Supervisor

Explanatory Note

1- Replacement of a staff member who resigned/retired.

#Pending employment authorization.

A roll call indicated unanimous approval.

C. APPROVE EMPLOYMENT OF PARAPROFESSIONALS It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board approve the employment of the following Paraprofessionals in the Berkeley Heights Public Schools for the 2021-2022 school year:

<u>Name</u>	<u>Location</u>	<u>Expl. Note</u>	<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Hours Per Day</u>	<u>Annual Salary</u>
Debra Souren	GL	1,2	TBD	\$17.30	7.0	\$22,161.30 (prorated)
Matthew Nixon	GL	1,2	TBD	\$17.30	7.0	\$22,161.30 (prorated)
Noelle Hardy	CMS	1,2	TBD	\$17.30	6.75	\$21,369.83 (prorated)

Explanatory Note

1- New position/current vacancy which was allocated for the 2021-2022 school district budget.

2- Replacement of a staff member who resigned/retired.

TBD - Pending employment authorization.

A roll call indicated unanimous approval.

D. APPROVE SUBSTITUTE/SUPPLEMENTAL PERSONNEL It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board approve the employment of the following substitute/supplemental personnel for the 2021-2022 school year:

<u>Name</u>	<u>Position</u>	<u>Certification</u>	<u>Effective Date</u>
Elizabeth Giafaglione	Substitute Teacher/ Paraprofessional	Standard Certificate	TBD
Dieter Schmidt	Substitute Teacher/ Paraprofessional	Substitute Certificate	TBD
Danielle Capone	Substitute Secretary	Substitute Certificate	9/24/21
Antonio Passalacqua	Permanent Substitute Teacher/Lunch Supervisor - MKM #	Substitute Certificate	9/13/21
Donna Glen	Permanent Substitute Teacher/Lunch Supervisor - WW # (3 days per week)	Substitute Certificate	9/20/21
Linda Koczot	Permanent Substitute Teacher/Lunch Supervisor - WW # (2 days per week)	Substitute Certificate	TBD
Dariusz Slowikowski	Substitute Custodian##	N/A	9/27/21
Michael Misale	Substitute Custodian##	N/A	9/27/21
Howard Anderson	Substitute Custodian##	N/A	TBD

Pay rate of \$150.00 per day

Pay rate of \$17.25 per hour not to exceed 30 hours per week.

TBD - Pending employment authorization.

A roll call indicated unanimous approval.

E. APPROVE LEAVE OF ABSENCE REQUESTS It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the leave of absence requests for the following district staff members during the 2021-2022 school year, as indicated:

<u>Employee Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Type of Leave</u>	<u>Accumulated Sick Leave Dates</u>	<u>Leave Dates (with benefits)</u>	<u>Extended Leave Start Date (unpaid w/out benefits)</u>	<u>Return to work Date</u>
Susan Prendeville	Nurse	CMS	Unpaid	N/A	10/5/21-10/8/21	N/A	10/11/21
Justin Polce	Teacher of Math	GL	FMLA/NJFLA	N/A	11/8/21-2/4/22	N/A	2/7/22
Kevin Rafferty	Computer Technician	District	FMLA/NJFLA	N/A	9/20/21-9/30/21#	N/A	N/A

Leave of Absence dates, previously approved at the Board of Education meeting on 7/22/21, have been changed to coincide with the staff member’s notice of resignation.

A roll call indicated unanimous approval.

F. RESIGNATION OF STAFF It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board accept the resignation of the following staff from their position in the Berkeley Heights Public Schools:

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Effective Date</u>
Kevin Rafferty	Computer Technician	District	9/30/21

A roll call indicated unanimous approval.

G. APPROVE REVISED EMPLOYMENT CONTRACT It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the revised employment contract for the 2021-2022 school year, as indicated:

<u>Name</u>	<u>Position</u>	<u>Note</u>	<u>Current 2021-2022 Contract</u>	<u>Revised 2021-2022 Contract</u>
Kimberly Richel	Paraprofessional	1	CMS \$17.30/hr. 6.75 hrs/day \$21,369.83	CMS \$17.30/hr. 7.25 hrs/day \$22,952.78 (retroactive 9/8/21)

Explanatory Note

1- Increased student needs

A roll call indicated unanimous approval.

H. APPROVE EXTRA-CURRICULAR ACTIVITIES It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board approve the extra-curricular activities, staff members, assignments, and stipends for the 2021-2022 school year, as listed below:

Governor Livingston High School

<u>Activity/Program</u>	<u>Instructor/Supervisor</u>	<u>2021-2022 Stipend</u>
Assistant Girls Soccer Coach	Samantha Carney	Volunteer
Highland Marching Band	Joseph Laurino	Volunteer
Highland Marching Band	Scott Jonach	Volunteer
Understanding Asian Culture	Christine Talarico	\$1,779.00
National Honor Society #	Daniel McGovern	\$3,699.00

Revised stipend amount. Stipend increase was approved at the October 8, 2020 Board of Education meeting.

Columbia Middle School

<u>Activity/Program</u>	<u>Instructor/Supervisor</u>	<u>2021-2022 Stipend</u>
Lunch Supervision	Lydia Kang ++	\$1,536.00

++ Second Lunch

Thomas P. Hughes

<u>Activity/Program</u>	<u>Instructor/Supervisor</u>	<u>2021-2022 Stipend</u>
Yearbook	Marie Pellegrini	\$1,779.00
Happy Feet (50%)	Joseph Reel	\$889.50
Happy Feet (50%)	Sean Waller	\$889.50

Mary Kay McMillin Early Childhood Center

<u>Activity/Program</u>	<u>Instructor/Supervisor</u>	<u>2021-2022 Stipend</u>
Lunch Supervision	Frank Fabiano	\$1,536.00
Lunch Supervision	Kacie Worswick	\$1,536.00

A roll call indicated unanimous approval.

- I. APPROVE EXTRA TEACHING PERIOD ASSIGNMENTS** It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the following district personnel to teach additional classes, beyond their normal teaching schedules, during the 2021-2022 school year as list below:

Governor Livingston High School

<u>Name</u>	<u>Subject</u>	<u>Assignment</u>	<u>Payment in Addition to Regular Salary</u>
Lorraine Lyness #	Science	Full	\$10,500.00
Lisa Moretti ##	Physical Education	9/20/21-10/8/21	\$10,500.00 (prorated)
Beryl Roman ##	Physical Education	9/20/21-10/8/21	\$10,500.00 (prorated)
Bruno Somma ##	Physical Education	9/20/21-10/8/21	\$10,500.00 (prorated)
Christopher Eckert ##	Physical Education	9/20/21-10/8/21	\$10,500.00 (prorated)

Lorraine Lyness is replacing Lara Mendenhall for the Science Extra Teaching Period that was previously approved at the Board of Education meeting on September 9, 2021.

Class coverage during Terrance Hanratty’s sick leave.

Mountain Park School

<u>Name</u>	<u>Subject</u>	<u>Assignment</u>	<u>Payment in Addition to Regular Salary</u>
Susanna Klassel#	ELL Teacher	60%	\$6,300.00

Susanna Klassel will be working beyond her contractual agreement in order to meet the needs of the ELL population at Mountain Park.

A roll call indicated unanimous approval.

- J. APPROVE EMPLOYMENT OF SUPPORT STAFF** It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the employment of the following support staff for the 2021-2022 fiscal year, as indicated:

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Expl. Note</u>	<u>FTE</u>	<u>Effective Date</u>	<u>Step</u>	<u>Annual Salary</u>
Sharon Schwalb	Part-time Secretary (12 months)	MKM	1	.5	TBD	6	\$26,382.50 (prorated)

Explanatory Note

1 - Recommended to replace a staff member who was reassigned to WW school.

TBD - Pending employment authorization.

A roll call indicated unanimous approval.

- K. APPROVE RE-ASSIGNMENT OF PERSONNEL** It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the following reassignment of personnel:

<u>Name</u>	<u>Current Assignment/ Location</u>	<u>New Assignment/ Location</u>	<u>Effective Date</u>	<u>Degree</u>	<u>Step</u>	<u>Annual Salary</u>	<u>Certification</u>
Lisa Bolton	HELP Teacher/ MKM	Leave Replacement/ Hailey Smith MKM	9/1/21- 12/1/21	MA	1c	\$64,192.00 (prorated)	Standard

A roll call indicated unanimous approval.

- L. RESCIND PERSONNEL APPOINTMENT** It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board rescind the following personnel appointment which had been approved by the Board of Education:

<u>Name</u>	<u>Assignment</u>	<u>Board Approval Date</u>
Lucille Caparoso	Lunch Aide Thomas P. Hughes School	July 22, 2021

A roll call indicated unanimous approval.

- M. APPROVE EMPLOYMENT OF LUNCHROOM/PLAYGROUND TEACHER AIDE** It was moved by Mr. D’Aquila and seconded by Ms. Reilly that the Board approve the employment of the following Lunchroom/Playground Teacher Aide for the 2021-2022 fiscal year, as indicated:

<u>Name</u>	<u>Location</u>	<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Hours Per Day</u>	<u>Annual Salary</u>
Monica Fritsche	Woodruff	TBD	\$15.00	2	\$5,400.00 (prorated)

TBD - Pending employment authorization.

A roll call indicated unanimous approval.

BUSINESS

Items A-E: All Board Members. Items F-H: Berkeley Heights Only.

- A. RENEW CONTRACT FOR REFUSE/RECYCLING REMOVAL** It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education renew an agreement for refuse and recycling removal with Regional Industries, for all district schools for the 2021-2022 school year.

Explanatory Note: The renewal of this bid represents no increase from last year’s cost.
A roll call indicated unanimous approval.

B. APPROVE TRANSPORTATION CONTRACT It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education approve the renewal of the regular education transportation contract with First Student, Inc., for the 2021-2022 school year at the annual cost of \$419,634.00, for the following 15 transportation routes:

Route	School
Route 1	CMS
Route 2	CMS
Route 3	Hughes
Route 4	Woodruff
Route 5	Woodruff
Route 6	Mountain Park
Route 7	MKM ECC
Route 8	MKM ECC
Route 15	GLHS
Route 16	GLHS
Route 17	GLHS
Route 19	GLHS
Route 20	GLHS
Route 21	GLHS
Route 22	GLHS

A roll call indicated unanimous approval.

C. ACCEPT DONATION It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education accept a donation of a 24 foot trailer, valued at \$12,000.00, from the Governor Livingston Band Parent for the purpose of transporting band equipment and props to and from football games and competitions.

A roll call indicated unanimous approval.

D. ACCEPT DONATION It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education accept a donation of a fireworks display, provided by Garden State Fireworks, to commemorate the 50th anniversary of the Tournament of Bands Pageant held at Governor Livingston High School.

A roll call indicated unanimous approval.

E. APPOINT PHOENIX ADVISORS, LLC AS MUNICIPAL ADVISOR It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education appoint Phoenix Advisors as Municipal Advisor to the Berkeley Heights Board of Education to perform specific municipal advisory and debt-financing services relating to the issuance of School Bonds, Series 2022. An all-inclusive fee in the amount of \$15,000.00, shall be paid out of bond proceeds, contingent upon passage of the referendum and sale of the associated bonds.

A roll call indicated unanimous approval.

F. APPROVE SUBMISSION AND ACCEPTANCE OF GRANT FUNDS It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board approve the submission of the Individuals with Disabilities Act (IDEA) and the American Recovery Act – Individuals with Disabilities Act (ARP-IDEA) and acceptance of the funds for fiscal Year 2021/22:

IDEA Basic	\$527,604
IDEA PreSchool	14,781
ARP – IDEA Basic	\$107,621
ARP – IDEA PreSchool	\$14,781

Explanatory Note: The Berkeley Heights Public Schools received a total of \$569,163 in IDEA grant funding during Fiscal Year 2020/21. The ARP – IDEA is available for this year only.

A roll call indicated unanimous approval.

G. RESCIND WATER REMEDIATION SERVICES AGREEMENT It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education rescind the agreement with Insurance Restoration Specialists, Inc, for category 3 water mitigation services at Mountain Park School, previously approved at the September 9, 2021 Board Meeting.

A roll call indicated unanimous approval.

- H. APPROVE WATER REMEDIATION SERVICES AGREEMENT** It was moved by Mr. Hyman and seconded by Ms. Kasthuri that the Board of Education approve the following:

WHEREAS, Tropical Storm Ida caused severe weather conditions and flooding throughout many areas of New Jersey for which Governor Murphy declared a state of emergency pursuant to Executive Order 259; and

WHEREAS, N.J.S.A. 18A:18A-7 establishes the process by which unplanned appropriations and expenditures can be made by public schools for weather-related emergencies; and

WHEREAS, the Berkeley Heights Public Schools suffered flooding and destruction of property as a result of Tropical Storm Ida;

THEREFORE, BE IT RESOLVED, that the Board of Education approves an agreement with Puroclean Restoration, for water mitigation and inventory services at Mountain Park Elementary School at an estimated cost of \$29,706.65.

A roll call indicated unanimous approval.

FINANCE

Items A-B: Berkeley Heights Only.

- A. APPROVAL OF BOARD SECRETARY'S REPORT** It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board of Education, pursuant to N.J.A.C. 6A:23A-2.3, certifies that as of July 2021 after review of the Board Secretary's monthly financial report (appropriations section) and upon consultation with 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:23A-2.3, and sufficient funds are available to meet the district's financial obligations for the remainder of the year.
A roll call indicated unanimous approval.
- B. APPROVAL OF TRANSFERS** It was moved by Mr. D'Aquila and seconded by Ms. Reilly that the Board of Education authorize transfers for July 2021.
A roll call indicated unanimous approval.

FINAL CITIZENS HEARING

Mr. Reinstein reported that there are four emails with questions that were sent to be read at the meeting during the final citizens hearing. Two were from Mrs. Kelly, who said her questions were answered. He went on to read the following:

- An email from Mrs. Charlotte Leo, Berkeley Heights, asked about the quarantine policy. Her question was answered earlier in the meeting.
- An email from Mrs. Jill Bremner, Berkeley Heights, regarding the retroactive timing of the implementation of the quarantine policy. She also asked whether teachers and faculty will be held to the same standards as students in regards to their personal travel during the school year, and if so how is that information accessed, monitored and communicated to the community? Mr. McKinney responded that teachers and staff are held to the same standards.

OTHER BUSINESS

There was no other business to be discussed at this time. The Board will discuss the rescheduling of Mr. Peter Gorman's board training at the October 14th meeting.

ADJOURNMENT

It was moved by Mr. D'Aquila and seconded by Mrs. Young that the meeting be adjourned. Motion carried.

The meeting was adjourned at 11:27 pm.

Respectfully submitted,

Julie A. Kot

Julie A. Kot

Business Administrator/Board Secretary