

EDUCATIONAL SERVICES COMMISSION OF MORRIS COUNTY
P.O. Box 1944, Morristown, NJ 07962-1944
(973) 540-8844

MINUTES –ORGANIZATION AND BOARD OF DIRECTORS MEETING
JUNE 7, 2017

CALL TO ORDER

The Regular Meeting of the Board of Directors of the Educational Services Commission of Morris County was called to order by the Business Administrator/Board Secretary, Catarina Bilotta at 8:25 pm on June 7, 2017 at the Commission Office, 520 Speedwell Avenue, Suite 200, 2nd Floor, Morris Plains.

ROLL CALL

The Business Administrator/Board Secretary noted the roll from the prior meeting.

NOTICE

The Business Administrator/Board Secretary noted the legal notice from the prior meeting.

BOARD SECRETARY APPOINTMENT

In accordance with Bylaw Article III, Section 10, and Bylaw Article IV, Sections 5 and 6, as Board Secretary, I appoint Thomas Brooks, West Morris Regional of the Representative Assembly to participate as voting Board member for the remainder of this meeting. Are there any objections? Hearing none the appointment was approved. Moved by Lou Nazzaro and seconded by Michael Bertram.

1. NOMINATION FOR ELECTION OF BOARD OF DIRECTORS PRESIDENT

The Business Administrator/Board Secretary took the nominations for the office of President.

Nominee: Perry Kwok

Are there any other nominations: No

2. CLOSE NOMINATIONS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to close nominations.

Moved by Michael Bertram and seconded by Karen Nyquist

3. ELECTION OF PRESIDENT BY ROLL CALL VOTE

The Business Administrator/Board Secretary called the vote for President.

Perry Kowk was elected President by the following vote:

Moved by Michael Bertram and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

4. NOMINATION FOR ELECTION OF BOARD OF DIRECTORS VICE PRESIDENT

The President took the nominations for the office of Vice President.

Vice President: Nominee: Michael Bertram

Are there any other nominations: Karen Nyquist nominated Terri Murphy

5. CLOSE NOMINATIONS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to close nominations.

Moved by Karen Nyquist and seconded by Lou Nazzaro

6. **VOTE FOR VICE PRESIDENT**

The Business Administrator/Board Secretary called the vote for Vice President.

Michael Bertram was elected Vice President by the following vote:

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

7. **ESTABLISH TIME AND PLACE OF PUBLIC MEETINGS**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Commission calendar and meeting dates as listed:

<u>Date</u>	<u>Meeting</u>	<u>Place</u>	<u>Time</u>
August 2, 2017	Board of Directors	Commission Office	7:30 pm
September 6, 2017	Board of Directors	Commission Office	7:30 pm
October 4, 2017	Board of Directors	Commission Office	7:30 pm
November 1, 2017	Board of Directors	Commission Office	7:30 pm
December 6, 2017	Board of Directors	Commission Office	7:30 pm
January 10, 2018	Representative Assembly/ Board of Directors	Commission Office	7:30 pm
February 7, 2018	Board of Directors	Commission Office	7:30 pm
March 7, 2018	Representative Assembly/ Board of Directors	Commission Office	7:30 pm
April 4, 2018	Board of Directors	Commission Office	7:30 pm
May 2, 2018	Board of Directors	Commission Office	7:30 pm
June 6, 2018	Representative Assembly/ Board of Directors	Commission Office	7:30 pm

Meetings held at: Commission Office, 520 Speedwell Avenue, Suite 200, 2nd Floor, Morris Plains, New Jersey 07950

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

8. **DESIGNATION OF DEPOSITORY AND SIGNATURE REQUIREMENTS**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Bank of America be designated as the depository of the Educational Services Commission of Morris County and the Officers and Agents of this Commission be and hereby are, and each of them is, authorized to deposit any of the funds of this Commission in said Bank;

AND BE IT FURTHER RESOLVED that until the further order of this Board of Directors, any funds of this Commission deposited in said Bank be subject to withdrawal or charge at any time and from time to time upon checks, notes, drafts, bills of exchange, acceptances, undertakings, or other instruments of orders for the payment of money when signature or signatures, for this Commission as follows:

<u>Account</u>	<u>Required Signature</u>
1. <u>General Funds</u> Bank of America	Any <u>two</u> of the following with at least one Board member: Board President Superintendent Board V.P. Board Secretary
2. <u>Payroll</u> Bank of America	Any <u>one</u> of the following: Board Secretary (or phone transfer) Superintendent Board President

3. Payroll Agency
Bank of America

Any one of the following:
Board Secretary (or phone transfer)
Superintendent
Board President

4. Lunch Fund
Bank of America

Any two of the following:
Board Secretary
Superintendent
Board President

5. Student Activities Fund
Bank of America

Any two of the following:
Board Secretary
Superintendent
Board President

Moved by Karen Nyquist and seconded by Lou Nazzaro
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

9. LEGAL DEPOSITORY FOR INVESTMENT FUNDS
BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the Business Administrator/Board Secretary to deposit investment funds in any of the following depositories as they accumulate in the General Account, in accordance with the rules which govern investments of public funds:
Bank of America
Bank of New York

Moved by Karen Nyquist and seconded by Lou Nazzaro
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

10. DESIGNATION OF LEGAL NEWSPAPER
BE IT RESOLVED BY THE BOARD OF DIRECTORS to designate the Morris County Daily Record as the legal newspaper for the Educational Services Commission of Morris County.

Moved by Karen Nyquist and seconded by Lou Nazzaro
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

11. AUTHORIZATION OF EXECUTIVE COMMITTEE
BE IT RESOLVED BY THE BOARD OF DIRECTORS that the Executive Committee be empowered to administer the affairs of the Board of Directors between regularly convened meetings of the Board in accordance with NJSA 18A:6-57 and Bylaw Article IV No. 040 Section 5.

Moved by Karen Nyquist and seconded by Lou Nazzaro
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

12. AUTHORIZATION TO PAY CLAIMS UPON PRESENTATION
BE IT RESOLVED BY THE BOARD OF DIRECTORS that the Board Secretary be authorized to pay claims against the Board of Directors upon presentation and that all such authorized payments be listed and presented for Board ratification at the next regular meeting of the Board of Directors.

Moved by Karen Nyquist and seconded by Lou Nazzaro
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

13. **RE-AFFIRMATION OF BY-LAWS, BOARD POLICY, CURRICULUM, AND ADMINISTRATIVE PROCEDURES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the existing By-Laws, Board Policy, Curriculum and Administrative Procedures be re-affirmed.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

14. **USE OF FACSIMILE SIGNATURES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the use of facsimile signatures with the following guidelines:

1. May be used on checks, contracts and any official document.
2. That the facsimile stamp remains in the possession of the individual, or the individual's designee.
3. Facsimile stamps located at the Educational Services Commission office must be secured in the safe.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

15. **APPOINTMENT OF PROFESSIONALS**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the following resolution be adopted:

WHEREAS, the Board of Directors of the Educational Services Commission of Morris County requires the professional services;

WHEREAS, these persons are licensed in the State of New Jersey and have offered professional services to the Commission;

WHEREAS, funds are available to obtain such professional services;

WHEREAS, the Local Public Contracts Law (R.S. 40A:11-1 et seq.) requires that the resolution authorizing the awarding of contracts for professional services without competitive bids must be publicly advertised and filed with the Morris County Clerk;

ACCORDINGLY, NOTICE IS GIVEN, that the Board of Directors of the Educational Services Commission of Morris County resolve and/or ratify the following:

- A. That the legal firm of Schenck, Price, Smith & King, LLP of Florham Park, NJ, be appointed as attorneys for the Educational Services Commission of Morris County for the period July 1, 2017 to June 30, 2018 at the following rates:
 1. A retainer of \$5,000 per annum to cover ordinary and routine services.
 2. A rate of \$175 per hour for any services rendered over and above the type covered by the retainer.
- B. That Ferraioli, Wielkotz, Cerullo & Cuva be appointed and retained at a fee of \$23,000.00 as auditor for the period July 1, 2017 to June 30, 2018.
- C. That the firm of Brown & Brown Benefit Advisors be appointed as the health benefits consultant for the period July 1, 2017 to June 30, 2018. Fee for such services is paid by insurance carriers.
- D. That the firm of Parette Somjen Architects, LLC be appointed as the architect for the Educational Services Commission school projects for the period July 1, 2017 to June 30, 2018 at the following rates:
 1. Principal Architect: \$160 per hour
 2. Senior Associate: \$150 per hour
 3. Associate: \$139 per hour
- E. That the Educational Data Services, Inc. of Saddle Brook, NJ, be appointed for the Educational Cooperative Pricing System for the period July 1, 2017 to June 30, 2018. Payment for these services are included in the pricing system membership fee.

These appointments are made without competitive bidding, as the services so retained are of a professional service nature as described in the Local Public Contracts Law encompassing professional services of a recognized licensed profession regulated by law. Such services are of a qualitative and specialized nature and, therefore, do not reasonably permit the drawing of specifications or receipt of competitive bids. This resolution shall forthwith be printed once in the Daily Record and a copy of this resolution shall be filed in the office of the Morris County Clerk.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

16. AUTHORIZE SUPERINTENDENT TO APPROVE LINE ITEM TRANSFERS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the Superintendent to approve the transfer of amounts among line items and program categories pursuant to Chapter 196, Laws of 1987. Any transfers approved by the administration will be reported to the Board of Directors for ratification and approval at the next regularly scheduled meeting and be recorded in the official minutes.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

17. APPOINTMENT OF BOARD SECRETARY & QPA

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Catarina Bilotta be appointed as Board Secretary of the Educational Services Commission of Morris County Board of Directors from June 1, 2017 to June 30, 2018 and as Qualified Purchasing Agent, pursuant to N.J.A.C. 5:34-5.2, N.J.S.A. 18A:18A-3, 18A:18A-4.3 and P.L. 2009, c.166 with a bid threshold of \$40,000.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

18. APPOINTMENT OF AFFIRMATIVE ACTION OFFICER

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Kathryn Lucas be appointed as Affirmative Action Officer for the 2017-2018 school year.

Moved by Karen Nyquist and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

SUPERINTENDENT'S REPORT

- Discussed the status of Regional Day School Department of Education repairs
- Discussed the need to purchase additional busses for our Direct Transportation Program
- Updated Board in reference to all ESC's
- Discussed revised Goals for Board consideration

PUBLIC – No Public

MINUTES

19. APPROVAL OF MINUTES OF THE BOARD OF DIRECTORS MEETING OF MAY 3, 2017

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Minutes of the Board of Directors Meeting of May 3, 2017.

Moved by Lou Nazzaro and seconded by Terri Murphy

The motion was approved as follows: 7 yeas, 0 nays, 2 abstentions (Michael Stewart and Thomas Brooks)

20. APPROVAL OF CLOSED MINUTES OF THE BOARD OF DIRECTORS MEETING OF MAY 3, 2017

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Closed Minutes of the Board of Directors Meeting of May 3, 2017.

Moved by Lou Nazzaro and seconded by Terri Murphy

The motion was approved as follows: 7 yeas, 0 nays, 2 abstentions (Michael Stewart and Thomas Brooks)

COMMISSION

21. APPROVAL OF LINE ACCOUNT TRANSFERS FOR THE 2016/2017 BUDGET

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the line account transfers to the 2016/2017 budget as detailed on the attached: EXHIBIT A

Moved by Jason Karpowich and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

22. APPROVAL OF THE BOARD SECRETARY'S AND TREASURER'S REPORT

BE IT RESOLVED BY THE BOARD OF DIRECTORS, that the Board acknowledges receipt of the certification from the Board Secretary that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C.:6A:23-2.11(a) further the Board of Directors, after review of the Board Secretary's and Treasurer's monthly financial reports and upon consultation with the appropriate district, certifies that no major account or fund has been over expended in violation of N.J.A.C.:6A:23.2.11(b), and that sufficient funds are available to meet the Board of Director's financial obligations for the remainder of the fiscal year, therefore it is recommended that the Secretary's and Treasurer's Reports for the month ending April 30, 2017 showing a cash balance of \$490,527.58 be approved: EXHIBIT B

Moved by Jason Karpowich and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

23. APPROVAL OF ACTION ON PAYMENT OF BILLS

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the following List of Bills be approved: EXHIBIT C

MAY 31, 2017 -

\$2,835,442.88

Moved by Jason Karpowich and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

24. APPROVAL OF COMMISSION OFFICE LEASE

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the commission office lease between 520 CPAM LLC (Landlord) and ESC of Morris County (Tenant). The Fourth Amendment To Lease for five years commences on September 1, 2017 and ending August 30, 2022: EXHIBIT D

Moved by Jason Karpowich and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

25. APPROVE CONTRACT WITH BAYADA NURSES

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the contract with Bayada Nurses for nursing services for the July 1, 2017 to June 30, 2018 school year for Regional Day School and Park Lake School payable at a rate of \$56.00/hour for Registered Nurse (RN) services and \$46.00/hour for Licensed Practical Nurse (LPN) services: EXHIBIT E

Moved by Jason Karpowich and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

ESC SCHOOLS

26. APPROVAL OF PARK LAKE LUNCH FUND

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the following disbursements and cash balance from the Park Lake Lunch fund: EXHIBIT F1

	<u>DISBURSEMENTS</u>	<u>CASH BALANCE</u>
April 30, 2017	\$2,834.95	\$340.80

Moved by Karen Nyquist and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

27. APPROVAL OF REGIONAL DAY LUNCH FUND

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the following disbursements and cash balance from the Regional Day Lunch fund: EXHIBIT F2

	<u>DISBURSEMENTS</u>	<u>CASH BALANCE</u>
April 30, 2017	\$2,666.30	\$59.50

Moved by Karen Nyquist and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

PERSONNEL

28. APPROVE ESC STAFF – 2016-2017

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve personnel for the school year 2016-2017, as recommended by the Superintendent, per the attached: EXHIBIT G

Moved by Terri Murphy and seconded by Lou Nazzaro

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

29. **APPROVE ON-CALL SUBSTITUTES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the on-call substitute(s) for the 2016-2017 school year, as recommended by the Superintendent, at the Board approved rates:

<u>Name</u>	<u>Substitute</u>	<u>Amount</u>	<u>Effective Date</u>
McGregor, Lauren	Personal Aide-RDS	\$110.00 per day	05/15/17

Moved by Terri Murphy and seconded by Lou Nazzaro
The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

30. **APPROVE 2017 ESY STAFF**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve 2017 ESY personnel at the Board approved rates, as recommended by the Superintendent, per the attached: EXHIBIT H1 & H2

Moved by Terri Murphy and seconded by Lou Nazzaro
The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

31. **APPROVE EMPLOYEE RATES OF PAY – 2017-2018 SCHOOL YEAR**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Employee Rates of Pay for the 2017-2018 school year as follows:

<u>TITLE:</u>	<u>RATE OF PAY – 2017-2018</u>
Substitute Teacher/Personal Aide - Park Lake & Regional Day	\$110.00 /day
Substitute Nurse – Park Lake & Regional Day	\$150.00 /day
Boiler Check (during heating season)	\$25.00 /day
Home Instruction – Public	\$37.50 /hour
Home Instruction – Non-Public	\$25.00 /hour

Moved by Terri Murphy and seconded by Lou Nazzaro
The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

32. **ACCEPT RETIREMENT OF STAFF**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to accept the retirement of the following staff:

<u>Name</u>	<u>Title</u>	<u>Resignation Effective</u>
McNelis, Robin	Teacher – RDS	07/01/17

Moved by Terri Murphy and seconded by Lou Nazzaro
The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

33. **ACCEPT RESIGNATION OF STAFF**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to accept the resignation of the following staff:

<u>Name</u>	<u>Title</u>	<u>Resignation Effective</u>
Goldberg, Nicole	Personal Aide – PLS	07/01/17
Krolik, Mary Ann	Personal Aide – RDS	07/01/17
Serna, Khali	Personal Aide – PLS	06/01/17

Moved by Terri Murphy and seconded by Lou Nazzaro
The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

TRANSPORTATION

34. AWARD OF EMERGENCY AND NEGOTIATED TRANSPORTATION CONTRACTS – 2016/2017 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to award the emergency and negotiated transportation contracts for transportation of school pupils for the 2016/2017 school year as per the attached: EXHIBIT AA

Moved by Michael Stewart and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

35. APPROVE TRANSPORTATION CONTRACT ADDENDA – 2016/2017 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the transportation contract addenda for changes made to routes for the 2016/2017 school year as per the attached: EXHIBIT BB

Moved by Michael Stewart and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

36. ACCEPT CANCELLATION OF TRANSPORTATION CONTRACTS – 2016/2017 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to accept the cancellation of transportation contracts for the 2016/2017 school year as per the attached: EXHIBIT CC

Moved by Michael Stewart and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

37. AUTHORIZE THE ADMINISTRATION TO PURCHASE TRANSPORTATION VEHICLES

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the administration to purchase transportation vehicles from Sussex County Vocational School not to exceed \$225,000.

Moved by Michael Stewart and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (Thomas Brooks)

PUBLIC – No Public

OTHER BUSINESS – No Other Business

GENERAL BOARD DISCUSSION

38. CLOSED SESSION – Not Needed

39. APPROVE SUPERINTENDENT GOALS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Superintendent Goals for the 2017-2018 school year

Moved by Michael Bertram and seconded by Lou Nazzaro

The motion was approved as follows: 9 yeas, 0 nays, 1 abstention (Terri Murphy Goal #2)

ADJOURNMENT

There being no further business a motion was made by Jason Karpowich and seconded by Lou Nazzaro to adjourn at 9:12 pm and was carried by a unanimous roll call.

Respectfully Submitted By,



Catarina Bilotta
Business Administrator/Board Secretary

ATTACHMENTS

EXHIBITS

A	Line Account Transfers - April 2017
B	Board Secretary's & Treasurer's Report-April 30, 2017
C	Payment of Bills – May 31, 2017
D	Commission Office Lease
E	Bayada Nursing Contract – 2017-2018 school year
F1	Lunch Fund – Park Lake School – April 2017
F2	Lunch Fund – Regional Day School – April 2017
G	2016-2017 ESC Staff
H1	2017 ESY Staff – Park Lake & Regional Day Schools
H2	2017 ESY Staff – NP & PSS
AA-CC	Transportation