

An open work session of the Board of Education of the City of Vineland was held in the Board Room, 625 Plum Street, Vineland, New Jersey, Wednesday, March 1, 2017 at 6:02 p.m., pursuant to notice with Mr. Jennings presiding and the following members present: Ms. Acosta, Ms. Codispoti, Mr. Fiocchi, Mr. Medio and Mr. Sbrana. Absent: Mr. Bordley, Mr. Pagano and Ms. Rios.

Also present: Mr. Frangipani, Acting Superintendent, Mr. Frey, Assistant Superintendent, Mrs. Haley, Board Secretary, Dr. Rossi, Executive Director of Personnel, Mr. DeSanto, Board Solicitor, press and public. Absent: Dr. Gruccio due to a medical leave.

Mr. Jennings announced that in compliance with the New Jersey meeting law commonly referred to as “The Sunshine Law,” the Vineland Board of Education has caused notice of this meeting to be sent to the following, announcing time and place thereof, agenda, etc.: The Daily Journal, the Atlantic City Press, The Grapevine, Clerk - City of Vineland, and Administrative Office Public Bulletin Board.

Flag salute:

Resolution: Mrs. Haley read a resolution to convene into executive session for the following reasons as outlined in N.J.S.A. 10-4-12. Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body Contract is labor negotiations with VASA and Non-certificated Supervisors. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **BE IT FURTHER RESOLVED** that the Board of Education hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Board Attorney advises the Board of Education that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the School District or any other entity or person with respect to said discussion.

Motion: Upon motion by Ms. Codispoti, seconded by Mr. Fiocchi, the resolution was passed. All Members voted “yes”.

Special Presentations: Mr. Frangipani introduced Mr. Larry Merighi, Architect from Manders, Merighi, Portadin, Farrell, LLC and Mr. Wayne Weaver, Executive Director of Physical Facilities, to present an update on the Almond Road Preschool and Landis Middle School facilities.

Mr. Merighi said he is going to present some basic information on Landis Middle School. He said Landis School was built in 1927 and is about 76,000 square feet in area. Mr. Merighi said there has only been one addition to the school, which is a modular in the back for classrooms. He said the school is on the National Historic Register. He reviewed an analysis that he did to confirm the numbers as to how Landis is used as a middle school. Mr. Merighi also reviewed how Landis could be used as an elementary school with no renovations and then with minor renovations to the Kindergarten classrooms. He wanted everyone to understand that Landis can be an elementary school the only thing the district would need to do is to go to the NJ Department of Education for a change of use. Mr. Merighi said the districts Long Range Facilities Plan needs to be updated because of the new school that is coming online. He said he would not anticipate having more than 450 to 500 students in the school if used as an elementary.

Mrs. Haley said she thought Mr. Merighi was going to address the items on the agenda such as 3.1 “Discussion regarding the approval of a resolution declaring Landis Middle School is no longer needed for educational purposes and authorizing and directing the Superintendent to apply to the NJDOE for permission to close Landis Middle School as an educational facility.” Mr. Merighi said there has been discussion about the ability to make Landis School an administration building. He said between Plum Street and the Landis Avenue building there is about 47,000 square feet. Mr. Merighi said the area needed for administrative offices is a lot smaller than Landis School. Those offices would be put on the first and second floor, which happens to be 36,000 square feet. Mr. Merighi said we would try to keep the offices on those two levels with minor renovation work. He said if the Board wants to make Landis School an administration building then we would have to apply to the NJ Department of Education to take the school offline. Mrs. Haley asked Mr. Merighi to address 3.4 approval of NJDOE “Other” projects for schematic and final approval Landis School Central Administration. Mr. Merighi said this would be making two floors of the building school offices. Mrs. Haley asked Mr. Merighi to explain the purpose of the approval of all the projects listed on the agenda. Mr. Merighi said if a project is considered a capital project you would apply to the Department of Education for a state plan number. He said we have received state plan numbers for every project we submitted. Mr. Merighi said this is for the Board to submit the project to the Department of Education.

Mrs. Haley asked Mr. Merighi to address the elevator bid. Mr. Merighi explained that last week we received bids for an elevator project at Landis School. He said in the front of the building there is a monumental stairway and adjacent to it is another stairway. Mr. Merighi said the adjacent stairway is not required by code so we would remove the stairs and put the elevator within the stair shaft. He said whether Landis is a school or an office building the elevator is important because the building is not accessible.

Ms. Codispoti asked Mr. Merighi what the functional capacity of Landis would be with Kindergarten through third grade in it. Mr. Merighi said a little less. Ms. Codispoti asked what the timeline would be for Landis to be an office building. Mr. Merighi said he assumes it would take 6 to 9 months. Ms. Codispoti asked who would know what you can and cannot do to the school. Mr. Merighi said we have an historic preservationist on staff. Ms. Codispoti asked how efficient is the building. Mr. Merighi said from an engineering standpoint we would need to make technology upgrades for offices. Mr. Weaver said overall mechanically the building is in good shape he said the upgrades that we are going to do would only enhance the building.

Mrs. Haley said in the 2017/18 proposed budget there is \$450,000 in our capital outlay for the renovations that Mr. Merighi is referring to for the building to be made into administration offices.

Mr. Sbrana said he is strongly in favor of keeping Landis as a School. He asked what would happen to the Reber building. Mr. Weaver said he along with Dr. Gruccio had a meeting with the mayor and there is discussion about the City of Vineland purchasing this building from the district. Mr. Sbrana said it is important to note that there is \$450,000 to \$483,000 in next year's budget for the renovations to Landis for offices, which also includes a 4% tax increase. He is not sure that the taxpayers of this community would want to pay that much more to do that.

Mr. Weaver presented a brief history of the Almond Road Preschool building.

Mr. Medio asked Ms. Codispoti what she wanted to know about the Almond Road building.

Ms. Codispoti said she asked Mr. Weaver to explain because people were asking her what was going on with the Almond Road School and why it was closing.

Mr. Sbrana asked if the number has changed from 3.5 million. Mr. Weaver said the treasury had an appraisal done and said they are legally bound by the 3.5 million. Mr. Sbrana said the cost of the Almond Road building went from \$1.00 to \$3.5 million. Mr. Weaver said our initial hopes were to get the building through the School Development Authority (SDA), which would have been no cost to Vineland Public Schools. He said there was a law change where the SDA was prohibited to purchase or build stand-alone pre-k centers, which was our big problem.

Mr. Medio asked when the law was changed. Mr. Weaver said when Governor Christie did a complete reevaluation of the SDA. Mr. Medio asked Mrs. Haley for the history of Almond Road. He said that he does not remember being told that the \$1.00 offer was taken off the table. Mr. Medio said why you would keep spending all of this money on this building when the providers are more than happy to add on rooms.

Mr. Medio left the meeting

Mr. Frangipani introduced Mr. Purvesh Patel, Director of Food Services, to honor the 2016 Vineland Health Department Five Star Award recipients.

Mr. Patel introduced the Five Star 2016 Vineland Health Department recipients.

Mr. Frangipani introduced Mr. Nathan Frey, Assistant Superintendent for Curriculum and Instruction, to recognize Mr. Caleb Howard and Ms. Karolina Mills, World Language Teachers.

Mr. Frey said it is his honor tonight to present two outstanding Vineland educators who are dedicated to helping our students meet every academic challenge. He announced that Ms. Karolina Mills was selected as World Class Instructional Design and Assessment Featured Educator and Mr. Caleb Howard has been selected as the North East Conference of Teachers of Foreign Languages Teacher of the Year. Mr. Frey congratulated Ms. Mills and Mr. Howard on their success.

Mr. Medio returned at 6:40 p.m.

The Board recessed to executive session at 6:47 p.m.

The meeting resumed at 7:16 p.m.

Student Liaison
Report:

To be presented next week.

HIB Report: No discussion.

Comments by

Board Solicitor: Mr. DeSanto said yesterday he met with Mr. Frangipani and Mr. McLaughlin, our residency investigator, regarding three matters. He said it was concluded that two of the matters are on appeal to the Board for a hearing. Mr. DeSanto said under Board Policy regarding residency a committee of the Board can do the actual hearing and make a recommendation to the full Board. He said it is his suggestion that the Board considers a vote next week on whether or not to refer two residency hearings to a committee of the Board appointed by the Board President. Mr. DeSanto said he believes that the committee process is a more expedient way of doing this. He said the committee can be preferably four members in case someone is absent.

Mr. DeSanto said there was a recent court decision that came out which will have a significant impact on all school districts throughout the State of New Jersey. He said it is a decision involving Kean University, which is also subject to the Sunshine Law. Mr. DeSanto said the Sunshine Law and Rice Decision requires a public body, such as a Board, to give a Rice Notice to an employee when they intend to discuss the employees performance, terms and conditions of employment, discipline etc. with the option of that discussion in public. He said this court decision is raising great concern because it is going to be an administrative nightmare to school districts. Mr. DeSanto said it now requires that as long as a personnel item is on the agenda whether or not you intend to retire to executive session all of those people must be given Rice Notices. He said this decision came from the appellate level of the Superior Court. Mr. DeSanto said currently the NJ Law, which all school districts must follow is that every employee and perspective employee listed on the agenda must be given a Rice Notice. He wanted the Board to know this because they may be getting calls from employees asking why they are getting this notice. Mr. DeSanto said you now know that a court decision has mandated this and does not mean you will discuss the employee in executive session.

Items for Review:

A. Superintendent

1. **PERSONNEL**

1.1 **Personnel Items** – Mr. Sbrana congratulated Mr. Weaver on his pending retirement, which will be a huge void in the school district.

- 1.2 **Appointment of Acting Superintendent in Absence of Superintendent** – Mr. DeSanto said as everyone knows Dr. Guccio will be absent from the district for some period of time. He said the Board has a policy in effect that permits the Superintendent to designate an Acting Superintendent for an absence up to 180 days. He said by statute the Board of Education is the only body to appoint a Superintendent and authorized to appoint any acting officials or employees of the district. Mr. DeSanto said it is his recommendation to the Board that they take official action. He prepared a resolution for the Board's action next week. Mr. DeSanto said several Board members are conflicted from voting on any issue involving the Superintendent. He said because of the commission those members, in his opinion, would be conflicted from designating an Acting Superintendent. Mr. DeSanto said hopefully next week we will have five Board members available who are not conflicted and can vote on the resolution.

Ms. Acosta asked if the Policy can be brought to committee to be revised. Mr. DeSanto said yes.

Mr. Sbrana asked if the policy exists now and is it appropriate. Mr. DeSanto said yes this policy was adopted in 2010. Mr. Sbrana asked if the Board should have appointed an Acting Superintendent for the block of time before the Superintendent's absence began. Mr. DeSanto said he did not know Dr. Guccio was going to be out and believes she relied on the policy. He said that there should have been a pre-notice of the Board and a special meeting before Dr. Guccio left. Mr. Sbrana asked what would happen if we do not have five non-conflicted members to approve this resolution next week. Mr. DeSanto said then you have to invoke the Doctrine of Necessity.

Mr. Medio asked if he cannot vote on the Interim Superintendent. Mr. DeSanto said that is his recommendation to the entire Board. He said if you are conflicted from appointing the Superintendent he believes that the ethics commission would also say that you are conflicted with appointing an Acting Superintendent. Mr. Medio said sooner or later someone has to challenge this in court because you are overriding the will of the people. Mr. DeSanto said we need to get a legislative change so these decisions can be repealed.

Mr. Sbrana asked if this would relate to the hiring of a new Superintendent. Mr. DeSanto said yes all of it.

2. **PROCEDURES & OPERATIONS**

2.1 **Travel** – No discussion.

2.2 **First Reading of Policy/Bylaw - 0151, 0155- Mandated Changes – Policy/Reg. 1510, 2418, 8330, 2460, 2460.1, 2460.8. 2460.9, 2460.15, 2467** - No discussion.

3. **BUILDINGS & GROUNDS**

- 3.1 **Resolution for Landis Middle School Closing-** Mr. Medio asked for this to be pulled from the agenda because he is not voting for this. He said this entire discussion is something that should not have taken place. Mr. Medio said he does not know where the idea comes from that you are going to waste \$360,000 to knock out a stairwell and put in an elevator that is not required by law. He would like to see a letter stating that we have to do this. Mr. Medio said money is wasted on things that are not necessary and then you tax the taxpayers a million dollars. He said as far as he knows no plan has been submitted to the Board for discussion about what buildings to close down and what the necessity is to close buildings down. Mr. Medio said this is premature and at the very least should be discussed in length beyond next week. He said many people have come to him about the overcrowding in the middle schools and if Landis is closed there will be more students put into those middle schools. Mr. Medio said there is no reason for this to be discussed or voted on at next week's meeting.
- 3.2 **Resolution for Solicitation of Bids at Public Auction for the Purchase of Certain Properties (vacant lots) –** Mr. DeSanto said the public notice attached to the resolution has a date and time. He asked if the date and time are ok with the Board.
- 3.3 **Resolution for Solicitation of Bids at Public Auction for the Purchase of Certain Properties (buildings and land) –** No discussion.
- 3.4 **NJ Department of Education “Other” Projects for schematic and final approval –** No discussion.
- 3.5 **Naming of Vineland High School Varsity Soccer Field –** Mr. DeSanto said when a public member nominates an individual to have a facility named after them your resolution is for that person.

Mrs. Helen said on October 11, 2016 we received a letter from the Historical Society requesting that the VHS varsity soccer field be named in honor of the founding coach Richard Klimek.

Mr. DeSanto said under the policy whenever an individual is being nominated by the public you have the ability to make a change to the facility.

4. **FINANCE**

- 4.1 **Budgetary Transfers –** No discussion.

- 4.2 **Board Secretary/Treasurer’s report for January 2017** – No discussion.
- 4.3 **Placement of Special Education Students** – No discussion.
- 4.4 **Acceptance of the following funding – 2017 National School Lunch Program Equipment Assistant Grant** – Mrs. Haley said Mr. Patel was instrumental in getting this funding.
- 4.5 **Addendum to State of NJ Nutrition Programs Local Education Agency Agreement** – No discussion .
- 4.6 **Submission of the 2017 IDEA amended application to the State of NJ Department of Education** – WITHDRAWN FROM AGENDA
- 4.7 **Professional Service Contract with Suburban Consulting Engineers, Inc.** – No discussion.
- 4.8 **Professional Service Contract with Epic Environmental** – No discussion.
- 4.9 **Cumberland County Regional Cooperative Transportation- a. Record and Award Bid #7/2016-2017, b. Contracts for 2016-2017, c. Statistics/Updates for January 2017** – No discussion.
- 4.10 **Bid Awards – a. VHN Toilet Room Renovations Bid #10-17, b. Landis School Elevator Bid #08-17** – Mr. Medio asked what the rush is to put the elevator in Landis School. Mrs. Haley said the elevator was in the Long Range Facilities Plan. She said that we put \$400,000 in maintenance reserve last June that we brought back in December to do various projects, which freed up some money to do this. Mrs. Haley said there is funding for this year to do this where as next year it will not be in the budget. Mr. Medio said that money could be used to improve anything. He said these Long Range Plans are nothing but something you put on paper to satisfy some bureaucrat in Trenton that you have this plan. Mr. Medio said years ago there was a Long Range Plan for 13 schools to be built in Vineland. He said if anyone thinks that he is going to vote to raise taxes in this town a million dollars so they can knock out a shaft in Landis to build an elevator in and hire armed guards in the schools you got another thought coming. Mr. Medio said these are two of the most ridiculous ideas he ever had to justify with a 4% tax increase. Mrs. Haley said the elevator would be in the 2016/17 budget and the \$450,000 in next year’s budget is for renovations at Landis not for the elevator. Mr. Medio asked where the rush came from to put in this elevator. He would like to see a letter that states we have to put this elevator in. Mr. Weaver said there is no requirement to put the elevator in. He said we have a very lengthy Long Range Facilities Plan that we follow that was developed in 1998.

Mr. Weaver said the elevator was in the plan in 1998 along with other ADA compliance upgrades to the building. He said overall we are better putting the elevator in regardless of the use because you are getting the building closer to being a ADA compliant building. Mr. Weaver said all our buildings are in the plan to upgrade to be in compliance with ADA. He said we have the money in this year's budget to do this and he feels it is a good investment in the building regardless what we decide to do with the building.

Mr. Jennings said we have been discussing moving the administrative office since he has been on the Board. He said we are trying to get everyone together in one building to make the flow of work a little easier for everyone, which he thinks is the main idea. Mr. Jennings said there are a lot of things we could do with that building such as after school programs, special presentations, and Board meetings. He said having the building ADA compliant is a plus for us. Mr. Jennings said we are just trying to better ourselves.

Mr. Medio said there are at least two or three other buildings that are single story that could be closed and use as the board office. He said the football turf field was not put in the budget. Mr. Medio said the turf is a million dollars and there is a possibility it will be donated. He does not want anyone in the community to think he or other Board members are pushing hard to spend a million dollars of taxpayer's money on that field. Mr. Medio said that field does have to be upgraded because it is a safety concern which can be addressed by grading it, fixing the dirt and putting in the turf.

2. REGULAR AGENDA

- b. Items proposed by the Board President or an individual Board Member - None

Review of bills incurred during January 2017 – No discussion.

Public Comments : Lee Burke

Mr. Burke expressed his concern in regards to the meeting taking a different turn because of some comments made by Board members. He said the Board should not micromanage the management of this district. Mr. Burke said the Landis School presentation was helpful but raises questions on its intended purpose as it stands now. He agrees that there should be a delay in consideration of the Landis School plans. Mr. Burke said if Gittone Stadium is going to be updated there are problems already with parking. He would like clarification on the bylaw change for organization and board committees because it is not mandated. Mr. Burke said he has many concerns on ethics.

Mr. Burke said any finance item should be handled by a committee of the whole. He said we should not encourage anyone who has a conflict of interest to run for office. Mr. Burke said you need to have plans for things that are out of your control.

Committee Reports: Ms. Codispoti said a Curriculum Committee meeting is scheduled for this week. She said she is the preschool liaison and wanted to remind everyone that the Annual Spring Fling Event will be held on Saturday, April 1st from 9:00 a.m. to 12:00 p.m. at the Golan Learning Center, 2725 N. Delsea Drive in Vineland. She said it will be a morning of fun with vendor shopping, bounce houses and delicious snacks.

Ms. Acosta said the Policy & Personnel Committee met today and they discussed creating Ad Hoc Committees for purposes of having residency hearings, looking up policies and regulations online easier with control F, Superintendent's leave of absence, new Rice Notice rules and revised regulations on agenda.

Old Business: None.

New Business: Mr. Jennings said he would like any Board member who is interested on being on the Ad Hoc Residency Committee to let him know. He said we also need to form an Ad Hoc Vineland Education Foundation (VEF) fundraising committee to disperse funds to help out different areas of our schools through fundraising. Mr. Jennings asked if any Board member is interested in the VEF committee to please email him.

Ms. Acosta said it would be good to put on the district website if anyone is interested in being a member of the Ad Hoc Vineland Education Foundation fundraising committee.

Mr. DeSanto said Ms. Acosta is referring to the fundraising committee not the Vineland Education Foundation Committee.

Mrs. Haley said yesterday the Governor presented his budget address and we found out that no district will receive less state aid then last year and it will be flat funding. She said the Governor set up a timeline of 100 days which takes us to June 8th. Mrs. Haley said the Governor is asking the legislators to present ideas to him as to what they think the funding formula should be. He said if they cannot come to an agreement after the 100 days he will act alone and put something in.

Mrs. Haley said she reached out to Salmon Ventures who is the group that is helping us with the South Jersey Coalition and they will also be giving input during the 100 days. She said she will be attending an event held by Senator Sweeney to see exactly what his plan is. Mrs. Haley said it was good news yesterday but we have to plan for the future.

Mr. Frangipani announced that the high school received a donation of a gas powered outdoor sweeper from Wawa located at 2615 E. Chestnut Avenue. He thanked them for their donation. Mr. Frangipani also thanked the central office team, field directors and principals for working together during Dr. Gruccio's absence.

Mrs. Haley announced that a Finance Committee meeting will be held on Monday at 5:30 p.m. and on Wednesday, March 8th she will give a budget presentation. She said a vote on the budget submission will be held on March 15th at the special board meeting.

Adjournment:

A motion was made by Ms. Codispoti, seconded by Ms. Acosta, to adjourn the meeting at 8:28 p.m. All Members voted "yes."

Respectfully submitted,

Helen G. Haley
Board Secretary

