

# DEMAREST BOARD OF EDUCATION

## AGENDA –COW AND REGULAR MEETING

October 18, 2016

6:30 P.M.

### I. OPENING

A. Meeting called to order.

B. Board President's Announcement

The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon.

In accordance with the provisions of this Act, the Demarest Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted at the Borough Hall and at the Middle School and by notifying in writing two newspapers: The Record and The Suburbanite.

C. Roll Call: Alevrontas, Cantatore, Kirtane, Molina, Verna, Woods, Holzberg

### II. ADJOURN TO EXECUTIVE SESSION

A. The Board has determined it will enter into Executive Session for the following reasons:

Personnel matters.

B. Move to approve the following resolution to enter the Executive Session:

**WHEREAS**, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed;

**WHEREAS**, the length of the closed Executive Session is estimated to be thirty minutes, after which the Regular Public Meeting will reconvene and proceed with business where formal action may or may not be taken;

**NOW THEREFORE BE IT RESOLVED**, that consistent with the provision of N.J.S.A. 10:4-12(b), the Board of Education will now adjourn to executive session to discuss items stated above; and

**BE IT FURTHER RESOLVED**, that the Board hereby declares that its discussion of the aforementioned subjects will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure.

*Moved by:*

*Seconded:*

*Action (v):*

III. REOPEN PUBLIC MEETING

A. Move to reopen the Regular Meeting to the public.

*Moved by:* *Seconded:* *Action (v):*

B. Roll Call: Alevrontas, Cantatore, Kirtane, Molina, Verna, Woods, Holzberg

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF MINUTES OF THE MEETINGS

COW Meeting – September 13, 2016  
Regular Meeting – September 20, 2016  
Executive Session – September 20, 2016

*Moved by:* *Seconded:* *Action (v):*

VI. CORRESPONDENCE

VII. BOARD PRESIDENT’S REPORT

VIII. SUPERINTENDENT’S REPORT

IX. OTHER REPORTS/PRESENTATIONS

- 1. PARCC-NJ ASK Presentation.
- 2. Bond Refunding.

X. REVIEW OF AGENDA

- A. Board members review the items.
- B. Move to open the meeting to public discussion limited to agenda items.

*Moved by:* *Seconded:* *Action (v):*

- C. Public discussion.
- D. Move to close the meeting to public discussion.

*Moved by:* *Seconded:* *Action (v):*



**B. Instruction – Pupils/Programs**

- 1. Move to approve a Special Education Tuition contract with Harrington Park Board of Education for Student ID # 1798756709 for the period September 1, 2016 – June 30, 2017 at a cost of \$23,113 and additional speech services at a rate of \$50 per session, as recommended by the Child Study Team.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

**C. Support Services – Staffing**

- 1. Move to approve the provisional employment of Michele Miller, lunch aide for the 2016/2017 school year, Step 1, as recommended by the Chief School Administrator. Regular employment status would become effective upon candidate’s compliance with P.L. 1986, c.116 (revised 6/30/98):

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

- 2. Move to approve the attendance of Karleen McDermott, nurse, at the The Habits of Stress-Resilient People, in Hasbrouck Heights NJ, at a fee of \$79.00, with travel reimbursement as per NJ OMB guidelines, as recommended by the Chief School Administrator.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

- 3. Move to approve Shannon McBride as a Paraprofessional Aide at CRS, Step 1, effective October 19, 2016, pending candidate’s compliance with P.L. 1986, c.116 (revised 6/30/98), through June 30, 2017, for the following students: 4191496709, 7612356447, as recommended by the Chief School Administrator.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

- 4. Move to approve Blake Simis as a Paraprofessional Aide at CRS, Step 1, effective November 1, 2016, pending candidate’s compliance with P.L. 1986, c.116 (revised 6/30/98), through June 30, 2017 for the preschool classroom, as recommended by the Chief School Administrator.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

XI. ACTIONS

**D. Support Services – Board of Education**

1. Move to approve the first reading of Policy:

P 8454	Management of Pediculosis
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*Moved by:*  
*Action (RC):* A C K M V W H

2. Move to approve the final read of N.J.A.C. 6A:9 Recodification to N.J.A.C. 6A:9A, 6A:9B, and 6A:9C policies and regulations updates, as recommended by the Chief School Administrator.

P 1220	Employment of Chief School Administrator
P 1310	Employment of School Business Administrator/Board Secretary
P 2414	Programs and Services for Students in High Poverty and in High Need School Districts
P 3311	Creating Positions
P 3124	Employment Contract
P 3125	Employment of Teaching Staff Members
P 3125.2	Employment of Substitute Teachers
P & R 3126	District Mentoring Program
P 3141	Resignation
P & R 3144	Certification of Tenure Charges
P 3159	Teaching Staff Member/School District Reporting Responsibilities
P 3231	Outside Employment as Athletic Coach
P3240	Professional Development for Teachers and School Leaders
R 3240	Professional Development for Teachers and School Leaders
P & R 3244	In-Service Training (Abolished)
P 4159	Support Staff Member/School District Reporting Responsibilities
P5305	Health Services Personnel
R 5330	Administration of Medication
P 5350	Student Suicide Prevention
R5350	Student Suicide (Prevention)

P 9541	Student Teachers/Interns
<b>Additional Policy and Regulation Updates:</b>	
P 5339	Screening for Dyslexia
P 5460	High School Graduation
P 5514	Student Use of Vehicles on School Grounds
R 5514	Student Use of Vehicles (Abolished)
P 7481 TENTATIVE	Unmanned Aircraft Systems (UAS also known as Drones) (New)
P & R 8441	Care of Injured and Ill Persons
P 8454 TENTATIVE	Management of Pediculosis
P 8630	Bus Driver/Bus Aide Responsibility
R 8630	Emergency School Bus Procedures
P 5112	Entrance Age

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

3. Move to approve the 2016-2017 QSAC SOA (statement of assurance) and submit to the Executive County Superintendent, as recommended by the Chief School Administrator.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

4. Move to approve the following resolution for submission of the Comprehensive Maintenance Plan to the Executive County Superintendent, as recommended by the Chief School Administrator.

**Whereas**, the Department of Education requires New Jersey School Districts to submit three-year maintenance plans documenting “required” maintenance activities for each of its public school facilities, and

**Whereas**, the required maintenance activities as listed in the attached document for the various school facilities of Demarest are consistent with these requirements, and

**Whereas**, all past and planned activities are reasonable to keep school facilities open and safe for use or in their original condition and to keep their system warranties valid,

**Now Therefore Be It Resolved**, that the Demarest hereby authorizes the school business administrator to submit the attached Comprehensive Maintenance Plan for Demarest in compliance with Department of Education requirements.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H



WHEREAS, on February 21, 2007, The Board of Education of the Borough of Demarest in the County of Bergen, New Jersey (the “Board” when referring to the governing body and the “School District” when referring to the territorial boundaries governed by the Board) issued \$7,135,000 aggregate principal amount of tax-exempt Refunding School Bonds, Series 2007 dated February 21, 2007 (the “2007 Refunding School Bonds”); and

WHEREAS, the Board has determined that the current tax-exempt interest rate environment may enable it to realize going-forward debt service savings for property taxpayers residing in the School District through the issuance by the Board of Refunding School Bonds (the “Refunding School Bonds”) to refund all or a portion of the \$4,780,000 aggregate principal amount of the outstanding 2007 Refunding School Bonds maturing on or after February 15, 2018 (the “Refunded Bonds”); and

WHEREAS, the Board, pursuant to a refunding bond ordinance (the “Refunding Bond Ordinance”) introduced on first reading by resolution of the Board on September 20, 2016, authorized the issuance of the Refunding School Bonds for the purpose of refunding the Refunded Bonds; and

WHEREAS, on the date hereof, the Board has held a public hearing on the Refunding Bond Ordinance; and

WHEREAS, the Board has determined to issue and sell such Refunding School Bonds; and

WHEREAS, the Board now desires to adopt and enact the Refunding Bond Ordinance authorizing the issuance of the Refunding School Bonds in an aggregate principal amount not to exceed \$5,000,000, in one or more series of Bonds, the net proceeds of which shall be used to refund all or a portion of the Refunded Bonds in accordance with their terms and authorize certain other actions in connection with the sale and issuance of the Refunding School Bonds.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BOROUGH OF DEMAREST IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:**

**SECTION 1.** The Refunding Bond Ordinance is hereby adopted and shall take effect immediately.

**SECTION 2.** The Refunding School Bonds are hereby authorized to be sold to Roosevelt & Cross, Incorporated, as Underwriter (the “Underwriter”), upon the terms set forth in its proposal to the Board.

**SECTION 3.** There is hereby delegated to the Business Administrator/Board Secretary, subject to the limitations contained herein and in consultation with Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Board (“Bond Counsel”), and Acacia Financial Group, Inc. (the “Financial Advisor”), the power with respect to the Refunding School Bonds to determine and carry out the following:

a) the sale of the Refunding School Bonds at private sale, provided that the purchase price paid by the purchaser thereof shall not be less than ninety-five percent (95%) of the principal amount of the Refunding School Bonds so sold;

- b) the principal amount of Refunding School Bonds to be issued, provided that (i) such amount shall not exceed \$5,000,000, (ii) such amount shall not exceed the amount necessary to pay the costs of issuance associated with the Refunding School Bonds and to fund the deposit to the escrow fund as set forth in the Escrow Deposit Agreement (as defined herein) in an amount that, when invested, will be sufficient to provide for the timely payments required for the Refunded Bonds, and (iii) such Refunding School Bonds may be issued in one or more series at one or more times;
- c) the maturity dates and the principal amount of each maturity or sinking fund redemption amount of the Refunding School Bonds, provided that no Refunding School Bonds refunding the Refunded Bonds shall mature later than the final maturity date of the Refunded Bonds;
- d) the interest payment dates and the interest rates on the Refunding School Bonds, provided that the true interest cost on the Refunding School Bonds shall produce a present value debt service savings of at least three percent (3%) of the principal amount of the Refunded Bonds;
- e) the denomination or denominations of and the manner of numbering and lettering the Refunding School Bonds, provided that all Refunding School Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;
- f) provisions for the sale or exchange of the Refunding School Bonds and for the delivery thereof;
- g) the form of the Refunding School Bonds shall be substantially in the form set forth in Exhibit A attached hereto, with such additions, deletions and omissions as may be necessary for the Board to market the Refunding School Bonds in accordance with the requirements of The Depository Trust Company, New York, New York, (“DTC”) and the Purchase Contract (as defined herein);
- h) the direction for the application and investment of the proceeds of the Refunding School Bonds;
- i) the terms of redemption of the Refunding School Bonds; and
- j) any other provisions deemed advisable by the Business Administrator/Board Secretary not in conflict with the provisions hereof.

In addition, the issuance of the Refunding School Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing on the Refunding School Bonds, the Business Administrator/Board Secretary shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding School Bonds’ debt service and the Refunded Bonds’ debt service, which comparison shall set forth the present value savings achieved by the issuance of the Refunding School Bonds; (b) a summary of the issuance of the Refunding School Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding School Bonds; and (d) a certification of the Business Administrator/Board Secretary that (i) all of the conditions of Section (b) of N.J.A.C. 5:30-2.5 have been met, and (ii) this resolution authorizing the issuance of the Refunding School Bonds, adopted pursuant to 18A:24-61.5(b), was approved by a two-thirds vote of the full membership of the Board.

The Business Administrator/Board Secretary shall execute a certificate evidencing the determinations or other actions taken pursuant to the authority granted hereunder, and any such certificate shall be conclusive evidence of the actions or determinations of the Business Administrator/Board Secretary as to the matters stated therein.

**SECTION 4.** The President and Vice President of the Board are hereby authorized and directed to execute by manual or facsimile signature the Refunding School Bonds in the name of the Board and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. The Business Administrator/Board Secretary is hereby authorized and directed to attest to such signature and to the affixing of said seal to the Refunding School Bonds.

**SECTION 5.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to approve the Bond Purchase Contract (the "Purchase Contract") for the Refunding School Bonds, to be dated the date of sale of such Refunding School Bonds and to be executed by the Underwriter. The President, Vice President and Business Administrator/Board Secretary are hereby authorized and directed on behalf of the Board to execute and deliver said Purchase Contract.

**SECTION 6.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to apply and qualify for the issuance of any policy of municipal bond insurance and to approve a Commitment for Municipal Bond Insurance (the "Commitment") setting forth the terms and conditions (including premium charges) upon which a bond insurer proposes to issue its bond insurance policy covering the Refunding School Bonds. The Business Administrator/Board Secretary is hereby authorized and directed on behalf of the Board to execute and deliver said Commitment.

**SECTION 7.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to approve the Escrow Deposit Agreement (the "Escrow Deposit Agreement") with an escrow agent (the "Escrow Agent") to be selected by the Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, with respect to the Refunded Bonds, to be dated the date of the closing on the Refunding School Bonds. The President and Vice President of the Board are hereby authorized and directed to execute and deliver the Escrow Deposit Agreement in the name of the Board and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. The Business Administrator/Board Secretary is hereby authorized and directed to attest to such signature and to the affixing of said seal to the Escrow Deposit Agreement. The Underwriter and Financial Advisor are hereby authorized to act as the agent and representative of the Board for the purpose of subscribing for the purchase of United States Treasury Securities – State and Local Government Series to be held by the Escrow Agent. In the alternative, if United States Treasury Securities – State and Local Government Series are not available, the Underwriter or the Financial Advisor is hereby authorized to seek bids for the acquisition of United States Treasury Securities – Open Market Securities.

**SECTION 8.** The Business Administrator/Board Secretary is hereby authorized and directed to select a verification agent (the “Verification Agent”), if required, in consultation with Bond Counsel and the Financial Advisor, with respect to the Refunded Bonds. The Verification Agent shall prepare the verification report required to verify the sufficiency of the escrowed monies to refund the Refunded Bonds.

**SECTION 9.** It is hereby delegated to the Business Administrator/Board Secretary the authority to “deem final” (as defined under the Rule (as hereinafter defined)) a Preliminary Official Statement (the “Preliminary Official Statement”) and such official is hereby authorized and directed to execute and deliver a certificate to the Underwriter evidencing the same. The preparation and distribution by the Board, in consultation with Bond Counsel, and counsel to the Underwriter, if any, of a Preliminary Official Statement for the Refunding School Bonds to be used in connection with the marketing of such Refunding School Bonds, is hereby approved and any previous actions undertaken by various representatives and officers of the Board with respect thereto are hereby ratified and confirmed. Upon the sale of the Refunding School Bonds to the Underwriter, the Preliminary Official Statement shall be so modified by the Business Administrator/Board Secretary, in consultation with Bond Counsel, to reflect the effect of the pricing of the Refunding School Bonds and the Purchase Contract and any other revision not inconsistent with the substance thereof deemed necessary or advisable by Bond Counsel, and said Preliminary Official Statement as so modified shall constitute the final Official Statement (the “Official Statement”). The Business Administrator/Board Secretary is authorized and directed on behalf of the Board to execute and deliver said Official Statement.

**SECTION 10.** The Board hereby covenants and agrees that it will comply with and carry out all of the provisions of a Continuing Disclosure Certificate (the “Certificate”) which will set forth the obligation of the Board to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provision of the Rule. The Business Administrator/Board Secretary is hereby authorized and directed to execute and deliver this Certificate evidencing the Board’s undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Board to comply with the Certificate shall not be considered a default on the Refunding School Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance to cause the Board to comply with its obligations hereunder.

**SECTION 11.** The President, Vice President and Business Administrator/Board Secretary or any other appropriate officer or representative of the Board, are hereby authorized and directed to execute and deliver any and all documents and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, the Purchase Contract, the Certificate, the Escrow Deposit Agreement and the Commitment, and for the authorization, sale and issuance of the Refunding School Bonds. The execution by such officials and officers of any such documents, with changes, insertions or omissions approved by the Business Administrator/Board Secretary, in consultation with Bond Counsel, as hereinabove provided, shall be conclusive and no further ratification or other action by the Board shall be required with respect thereto.



XI. ACTIONS

E. Support Services – Fiscal Management(Continued)

3. Move to confirm the October 1st – 15th, 2016 payroll in the amount of \$373,292.28.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

4. Move to approve the September 2016 in office checks in the amount of \$493,705.00 and October 2016 budget checks in the amount of \$307,271.96 as follows:

<u>Subtotal Per Fund</u>	<u>Amount</u>
11 General Current Expense	\$548,484.26
12 Capital Outlay	<u>\$252,492.70</u>
Total Bills:	\$800,976.96

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

5. Move to approve the following resolution:

Receipt of Certification from Board Secretary

Pursuant to N.J.A.C 6:20-2.13 (d), I, Thomas J. Perez, certify that as of September 30, 2016, no budgetary line item account has obligations or payments (contractual orders) which in total exceeds the amount appropriated by the district Board of Education pursuant to N.J.S.A 18A:22-8 and 18A:22-8.1.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

6. Move to approve the following resolution:

Certification of Board of Education

Pursuant to N.J.A.C 6:20-2.13 (e), we certify that as of September 30, 2016 after review of the secretary’s monthly financial report (appropriations section) and upon consultation with the appropriate district official, to the best of our knowledge no major account or fund has been over-extended in violation of NJAC 6:20-2.13 (b) and that sufficient funds are available to meet the district’s financial obligations for the remainder of the fiscal year.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

7. Move to acknowledge receipt of August 31, 2016 Report of the Board Secretary, 148 and Report of the Treasurer, A-149.

*Moved by:* *Seconded:*  
*Action (RC):* A C K M V W H

F. Other

1. Move to adopt the following resolution:

BE IT RESOLVED THAT the Demarest Board of Education will convene in a closed Executive Session on Tuesday, November 15, 2016 at 6:30 PM to discuss personnel and/or legal matters.

BE IT FURTHER RESOLVED THAT the nature of the discussion is expected to be disclosed to the public at a future date.

*Moved by:*

*Seconded:*

*Action (v):*

XII. REPORTS

XIII. PUBLIC DISCUSSION

- A. Move to open the meeting to public discussion.

*Moved by:*

*Seconded:*

*Action (v):*

- B. Move to close the meeting to public discussion.

*Moved by:*

*Seconded:*

*Action (v):*

XIV EXECUTIVE SESSION (if necessary)

- A. Move to enter the Executive Session to discuss personnel/legal matters/negotiations.

*Moved by:*

*Seconded:*

*Action (v):*

- B. Move to close the Executive Session and reenter the public session.

*Moved by:*

*Seconded:*

*Action (v):*

XV. ADJOURNMENT

- A. Move to adjourn at \_\_\_\_\_ P.M.

*Moved by:*

*Seconded:*

*Action (v):*