

THE ENGLEWOOD BOARD OF EDUCATION

AGENDA – SPECIAL PUBLIC MEETING

May 10, 2016

7:00 p.m.

A Special Public Meeting of the Board of Education will be held this day opening in Cafeteria at Dr. John Grieco Elementary School, 50 Durie Avenue; Closed Session will follow in Room 311 to discuss items permitted under the Open Public Meetings Act. The order of business and agenda for the meeting are:

**I. CALL TO ORDER**

**II. OPEN PUBLIC MEETING STATEMENT – Board of Education President**

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 and acted upon. In accordance with the provisions of this act, the Board of Education has caused notice of this meeting to be posted in the Board Office, City Clerk’s Office, Public Library, and all Englewood public schools and e-mailed or faxed to the Record, Suburbanite, Co-Presidents of the ETA and EAA, Presidents of parent-teacher organizations and any person who has requested individual notice and paid the required fee.

**III. ROLL CALL** Stephen Brown, Junius Carter, Molly Craig-Berry, Carol Feinstein, Glenn Garrison, Betty Griffin, Henry Pruitt, George Garrison, III, Devry Pazant

**IV. PLEDGE OF ALLEGIANCE**

**V. REVIEW OF CONSENT AGENDA**

*(The following resolutions are presented for your consideration pursuant to Board of Education Bylaw 164.)*

**Board 16-B-12**

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**VI. PRIVILEGE OF THE FLOOR**

**VII. APPROVAL OF CONSENT AGENDA**

- a. Motion to approve the consent agenda: \_\_\_\_\_ Second: \_\_\_\_\_
- b. Board Discussion
- c. Vote

**VIII. CLOSED SESSION AS NECESSARY** *(Use this resolution to identify the qualified matters to be discussed)*

WHEREAS, the Open Public Meetings Act, N.J.S.A.10:4-12, permits the Board of Education to meet in closed session to discuss certain matters, now, therefore be it

RESOLVED, the Board of Education adjourns to closed session to discuss: (select one or more)

- 1) *a matter rendered confidential by federal or state law*
- 2) *a matter in which release of information would impair the right to receive government funds*
- 3) *material the disclosure of which constitutes an unwarranted invasion of individual privacy*
- 4) *a collective bargaining agreement and/or negotiations related to it*
- 5) *a matter involving the purchase, lease, or acquisition of real property with public funds*
- 6) *protection of public safety and property and/or investigations of possible violations or violations of law*
- 7) *pending or anticipated litigation or contract negotiation and/or matters of attorney-client privilege*
- 8) *specific prospective or current employees unless all who could be adversely affected request an open session*
- 9) *deliberation after a public hearing that could result in a civil penalty or other loss*

and be it

FURTHER RESOLVED, the minutes of this closed session be made public when the need for confidentiality no longer exists.

**IX. ADJOURNMENT**

**BOARD**

**16-B-12            APPROVAL – APPOINTMENT OF SPECIAL COUNSEL FOR REVIEW OF CURRENT            TAB-01  
LEGAL SERVICES**

WHEREAS, the Englewood Board of Education is in the process of reviewing current legal services and is in need of independent legal advice; now

THEREFORE BE IT RESOLVED, the Englewood Board of Education appoints Robert T. Tessaro as Special Counsel regarding a review of the Englewood School District’s Board’s current agreements for legal services at a rate of \$175 an hour and \$250 for attendance at Board Meetings as per the attached proposal.

**Englewood Board of Education**

**Board Agenda**

**May 10, 2016**

**Personnel**

**16-P-105      APPROVAL – SETTLEMENT AGREEMENT**

APPROVE, the Settlement Agreement with Employee #6615 pursuant to the terms of the Agreement and authorize the Board President and Board Secretary to execute the agreement.

*Robert T. Tessaro*  
*Attorney at Law*  
*1624 Palisade Avenue*  
*Fort Lee, New Jersey 07024*  
Phone: (201) 944-2332 Fax: (201) 944-2334  
Email: robert\_tessaro@msn.com

May 5, 2016

Mr. Devry Pazant,  
President,  
Englewood Board of Education  
274 Knickerbocker Road  
Englewood, New Jersey 07631

**CONFIDENTIAL**

Re: Proposal/Legal Services: Special Counsel

Dear Mr. Pazant:

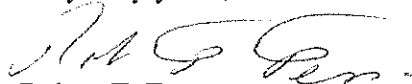
I am enclosing my resume for the Board's consideration to act as special counsel regarding a review of the Englewood School District's Board's current agreements for legal services.

As you will note, I have over 40 years experience in the area of school law as a board attorney/special counsel, including almost 25 consecutive years as the attorney for the Fort Lee school district. I have also served as an instructor of education law at Saint Peter's University's Graduate School of Education as well as lecturing at various state and national conferences on education law issues.

I would propose to provide legal services as special counsel based on an hourly rate of \$175/hour for legal services and \$250 for attendance at Board meetings when required.

Please contact me if you require any additional information.

Very truly yours,



Robert T. Tessaro  
RTT/r  
Enc.

## **Robert T. Tessaro**

1624 Palisade Avenue • P.O. Box 2083 • Fort Lee, New Jersey 07024  
(201) 944-2332 • Fax: (201) 944-2334 • [Robert\\_Tessaro@msn.com](mailto:Robert_Tessaro@msn.com)

### **PROFILE**

Experienced Attorney with an extensive background in Education Law

### **LEGAL EXPERIENCE**

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#### **Associate, Law Office of Joseph T. Skelley, 1972-1975**

*Provided legal services to Public Education clients including Fort Lee, Rochelle Park, Norwood & River Dell Regional Boards of Education*

#### **Borough of Fort Lee, 1975-1980**

*Municipal Prosecutor*

#### **Fairleigh Dickinson University (Teaneck Campus) 1980- 1985**

*Adjunct Instructor - Business Law*

#### **Fort Lee Board of Education, 1986-2010**

*General Legal Counsel & Special Education Attorney*

#### **Saint Peter's College Graduate School of Education, 2001-2006**

*Adjunct Instructor-Education Law*

#### **Borough of Fort Lee, 2004-2010**

*Municipal Judge*

#### **Bogota Board of Education, 2010-Present**

*Conflict Attorney, Special Counsel: Labor & Special Education*

#### **Palisade Park Board of Education, 2010-Present**

*Conflict Attorney, Special Counsel Special Education, OPRA requests*

### **EDUCATION/BAR ASSIONS**

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#### **Rutgers University Law School (Newark) 1972**

*Juris Doctor*

**Admitted To Practice:**

<b>New Jersey Supreme Court</b>	<b>1972</b>
<b>United States District Court – N.J.</b>	<b>1972</b>
<b>United States Supreme Court</b>	<b>1986</b>

**PROFESSIONAL ACTIVITIES**

- Member/Chairperson New Jersey Supreme Court District II B Attorney Fee Arbitration Committee, **1982-1986.**
- Member/Chairperson New Jersey Supreme Court District IIB Attorney Ethics Committee, **1986-1990.**
- Member/lecturer Police Training and Advisory Board, Bergen County Police Academy, **1980-1995.**

Presenter: New Jersey School Boards Association School Law Forum, **2008**

- Presenter: Virginia Education Law Conferences, Virginia Commonwealth University & Franklin Pierce Law Center, Williamsburg, Virginia, **2003 & 2009**
- Presenter: Education Law Association 51<sup>st</sup> Annual Conference, Memphis, Tennessee, **2005**
- Author: "*TLO & The SRO*", The Journal of The National Association of School Resource Officers, Summer, **2008.**

**REPRESENTATIVE REPORTED DECISIONS**

**Szabo v New Jersey State Firemen's Association, 230 N.J. Super. 265 (Ch. Div., 1988)**  
Plaintiff's Attorney regarding handicapped firefighter's right to membership in state association.

**Chapel v Public Employees' Retirement System, 258 N.J. Super. 389 (App. Div., 1992)**  
Defendant/Intervenor's Attorney in dispute regarding pension entitlement for school district buildings & grounds supervisor's temporary service.

**R.H. o/b/o M.H. v Pascack Valley Regional Board of Education State Board of Education Appeal, EDU 1538-06, May, 2007.** Petitioner's attorney regarding dispute over mandatory payment by students for use of school issued lap top computers;

**Fort Lee Board of Education v M.A. o/b/o P.A. Commissioner of Education Decision No. 374-09, November, 2009.** Petitioner's Attorney regarding non-resident student eligibility.

**S.G.S. o/b/o S.G. v Northern Valley Regional Board of Education, Commissioner of Education Decision, EDU 12412-09, March, 2011.** Attorney for parent regarding termination of student enrollment.