

AGENDA

NOTE: Be advised that the Board may recess into executive session at any time during the meeting.

OPENING - Meeting called to order by President

ROLL CALL

Mr. Christiano _____ Mr. Ficetola _____ Mr. Figueroa _____ Mrs. McNeill _____
Mrs. Nunziato _____ Mr. Offreda _____ Mr. Riveros _____ Mr. Shah _____
Mr. Cox _____

Superintendent Mr. Kollinok _____ Mrs. Slamb _____ Mrs. Henke _____

FLAG SALUTE

OPENING STATEMENT

The New Jersey Open Public Meetings Law was enacted to ensure 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 Carlstadt Board of Education has caused notice of this meeting to be announced by having the time, date, and location and, to the extent known, the agenda of the meeting thereof, posted on the official bulletin board of this public body more than 48 hours prior to said meeting.

Further action was taken by forwarding a copy of said meeting notice more than 48 hours in advance to the following persons or newspapers:

Office of Carlstadt Borough Clerk
Business office of The Record, Star Ledger and The South Bergenite

PRESENTATIONS: Kenneth Foy Violence and Vandalism Report

APPROVAL OF MINUTES: October 15, 2019 Regular Meeting

Moved Seconded
Mr. Christiano _____ Mr. Ficetola _____ Mr. Figueroa _____ Mrs. McNeill _____
Mrs. Nunziato _____ Mr. Offreda _____ Mr. Riveros _____ Mr. Shah _____
Mr. Cox _____

REPORT OF SUPERINTENDENT

REPORT OF ASSISTANT SUPERINTENDENT

REPORT OF BUSINESS ADMINISTRATOR/BOARD SECRETARY

HEARING OF CITIZENS ON AGENDA ITEMS ONLY

Any citizen present who wishes to be heard on agenda items only, should raise his/her hand to be recognized, state name and address, and limit remarks to five minutes in accordance with board policy. Another Hearing will be conducted after new business for any other matter. The hearing of citizens shall not exceed one hour.

President closes hearing of citizens.

REPORT OF COMMITTEES

INSTRUCTIONAL/PERSONNEL COMMITTEE: (Mr. Offreda)

1. Upon the recommendation of the Superintendent of Schools, the Board approves the appointment of Kelly Helfrich as 504 Officer through June 30, 2019.
2. Upon the recommendation of the Superintendent of Schools, the Board concurs with the appointment of Maura Barrett as advisor of the fifth and sixth grade Yoga Club, effective November 6, 2019 through December 18, 2019. Meetings will take place after school, once a week with a minimum and maximum of six sessions, at the contractual rate of \$52 per session.
3. Upon the recommendation of the Superintendent of Schools, the Board approves the following additions to the field trip list:
 - LEGOLAND, East Rutherford, NJ for Grades PK-5
 - Sea Life Aquarium, East Rutherford, NJ for Grades PK-8
 - KidZania, East Rutherford, NJ for Grades PK-5
4. Upon the recommendation of the Superintendent of Schools, the Board approves the attendance of Jennifer Carlin at the “Kindercoding” workshop sponsored by Bergen ETTC on Thursday, January 30, 2019 with a registration fee of \$75.
5. Upon the recommendation of the Superintendent of Schools, the board approves the attendance of Allison Gorelick at the “Conference for School-Based Speech-Language Pathologists” sponsored by the Bureau of Education and Research on Thursday, December 5, 2019 with a registration fee of \$289.
6. Upon the recommendation of the Superintendent of Schools, the Board approves the attendance of Kelly Ydrovo at the “NJECC Annual Technology Conference” sponsored by NJECC on Tuesday, January 14, 2019 with a registration fee of \$110.
7. Upon the recommendation of the Superintendent of Schools, the Board approves Lorraine Fay as a substitute lunch aide upon completion of all paperwork.

Policy – Revised (M)	#P8670	Transportation of Special Needs Students
Policy – Revised	#P9210	Parent Organizations
Policy – Revised	#P9400	Media Relations

2. Upon the recommendation of the Superintendent of Schools, the Board approves the School Safety Plan Annual Review Statement of Assurance.

Moved

Seconded

Mr. Christiano _____ **Mr. Ficetola** _____ **Mr. Figueroa** _____ **Mrs. McNeill** _____
Mrs. Nunziato _____ **Mr. Offreda** _____ **Mr. Riveros** _____ **Mr. Shah** _____
Mr. Cox _____

BUILDING/ GROUNDS/HISTORICAL COMMITTEE: (Mr. Riveros)

1. Upon the recommendation of the Superintendent of Schools, the Board approves with the request for the PTA to rescind their use of Gym A on June 18, 2019 and June 19, 2019 for the Father's Day Sale.
2. Upon the recommendation of the Superintendent of Schools, the Board approves the request from the PTA for the use of Gym A on Monday, June 15, 2019 from 7:00 pm to 9:00 pm for the Father's Day Sale set up and Tuesday, June 16, 2019 from 9:00 am to 2:00 pm for the Father's Day Sale.
3. Upon the recommendation of the Superintendent of Schools, the Board concurs with the request from Carlstadt Recreation Basketball for their use of Gym B on Thursday, November 7, 2019 and Friday, November 8, 2019 from 8:00 am to 3:00 pm for a clinic.
4. Upon the recommendation of the Superintendent of Schools, the Board concurs with the request from Carlstadt Fire Department for their use of the School on Friday, October 18, 2019 from 7:00 pm to 9:00 pm for training.
5. Upon the recommendation of the Superintendent of Schools, the Board concurs with the request from the Eighth Grade Dance Committee for their use of the Cafeteria on Wednesday, November 6, 2019 from 6:00 pm to 9:00 pm for a meeting.
6. Upon the recommendation of the Superintendent of Schools, the board approves the request from Carlstadt Recreation Basketball for their use of Gym B on Saturdays and Sundays, November 16, 2019 through December 1, 2019 from 11:00 am to 3:00 pm and Monday through Friday, November 18, 2019 through November 29, 2019 from 4:00 pm to 7:00 pm for practice.

7. Upon the recommendation of the Superintendent of Schools, the Board approves the request from Carlstadt Recreation Basketball for their use of Gym B, Monday through Friday, December 2, 2019 through March 13, 2020 3:30 pm to 9:30 pm and Saturdays he and Sundays, December 7, 2019 through March 14, 2020 from 9:00 am to 3:00 pm for games and practices.
8. Upon the recommendation of the Superintendent of Schools, the Board approves the request from Carlstadt Recreation Basketball for their use of Gym A, Saturdays and Sundays, December 7, 2019 through March 14, 2020 from 9:00 am to 3:00 pm for games and practices.

Moved

Seconded

Mr. Christiano _____ **Mr. Ficetola** _____ **Mr. Figueroa** _____ **Mrs. McNeill** _____
Mrs. Nunziato _____ **Mr. Offreda** _____ **Mr. Riveros** _____ **Mr. Shah** _____
Mr. Cox _____

FINANCE COMMITTEE: (Mr. Ficetola)

1. Upon the recommendation of the Superintendent of Schools, the Board approves the Board Secretary's report for the month ending September 2019 as presented pursuant to N.J.A.C. 6A:23-2:11(a), the Carlstadt Board of Education acknowledges receipt of the secretary's certification, and after review of the monthly financial report (appropriations section) certifies that, to the best of knowledge, as of September 2019 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 district's financial obligations for the remainder of the fiscal year.
2. Upon the recommendation of the Superintendent of Schools, the Board approves the Cash Report of School Moneys for the month ending September 2019 as presented per N.J.A.C. 6A:23-2.11(c)4.
3. Upon the recommendation of the Superintendent of Schools, the Board approves the transfer of funds for the month ending September 2019 as presented in accordance with N.J.S.A. 18A:22-8.1 and 18A:22-8.2 within the adopted 2019/2020 budget.
4. Upon the recommendation of the Superintendent of Schools, the Board approves the current bills for October and November 2019 as presented.

5. **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 Carlstadt School District 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 Carlstadt Board of Education hereby authorizes the school business administrator to submit the attached Comprehensive Maintenance Plan for Carlstadt Public School in compliance with Department of Education requirements.
6. Upon the recommendation of the Superintendent of Schools, the Board concurs with the contracted services agreement with the South Bergen Jointure Commission for a 40% share of an outreach behaviorist for the 2019-2020 school year at a cost of \$49,701.54.

**7. HARDSHIP AND ELIGIBILITY AMENDMENTS TO
THE Carlstadt Board of Education
403(b) RETIREMENT PLAN**

WHEREAS, the Carlstadt Board of Education (“Plan Sponsor”) maintains the Carlstadt Board of Education 403(b) Retirement Plan (“Plan”); and

WHEREAS, pursuant to Rev. Procs. 2013-22 and 2019-39, and IRS Notice 2018-95, the Plan Sponsor amends the plan documents in a good faith effort to meet the requirements of law, regulations or other issuances regarding eligibility requirements and hardship distributions; and

WHEREAS, this amendment is intended as a good faith effort to comply with the requirements of eligibility to participate in the Plan and hardship distribution final regulations and is to be construed in accordance with the same. Both the Amendment and the eligibility and hardship distribution final regulations will supersede any inconsistent Plan provisions;

NOW, THEREFORE, BE IT RESOLVED that the “Note” provisions set forth in the Adoption Agreement, “Employee Eligibility” is hereby restated and amended to read as follows:

[Note: An Employee normally works fewer than 20 hours per week if, for the 12-month period beginning on the date the Employee's employment commenced, the Employer reasonably expects the Employee to work fewer than 1,000 hours of service (as defined under section 410(a)(3)(C) of the Code) in such period, and, for each Plan Year ending after the close of that 12-month period, the Employee has worked fewer than 1,000 hours of service in the preceding 12-month period. Under this provision, an Employee who works 1,000 or more hours of service in the 12-month period beginning on the date the Employee's employment commenced or in a Plan Year ending after the close of that 12-month period shall then be eligible to participate in the Plan. Once an Employee becomes eligible to have Elective Deferrals made on his or her behalf under the Plan under this standard, the Employee cannot be excluded from eligibility to have Elective Deferrals made on his or her behalf in any later year under this standard. Careful attention must be paid to compliance with the 20-hour rule by the District as it is necessary to the tax-qualification of the Plan.]

[Note: Persons occupying an elected or appointive public office are not eligible for the Plan unless such office is one to which the individual is elected or appointed only if the individual has received training, or is experienced, in the field of education.]

BE IT FURTHER RESOLVED that the “Note” provision set forth in the Adoption Agreement, “Hardship Distributions is hereby restated and amended to read as follows:

[Note: if hardship distributions under the Plan are allowed, the Plan and Vendors will apply the IRS "safe harbor" rules for such distributions. Effective 1/1/2020, the plan will no longer suspend elective contributions following a hardship withdrawal. See section 5.5 of the Plan for more information.]

BE IT FURTHER RESOLVED that section 5.5 of the Basic Plan Document, “Hardship Withdrawals” is hereby restated and amended to read as follows:

5.5 Hardship Withdrawals

(a) Hardship withdrawals shall be permitted under the Plan to the extent permitted by the Individual Agreements controlling the Account assets to be withdrawn to satisfy the hardship.

(b) The Individual Agreements shall provide for the exchange of information among the Employer or Employer’s agent and the Service Provider(s) to the extent necessary to implement the Individual Agreements, including, in the case of a hardship withdrawal that is automatically deemed to be necessary to satisfy the Participant’s financial need (pursuant to Section 1.401(k)-1(d)(3)(iv)(E) of the Income Tax Regulations). In addition, in the case of a hardship withdrawal that is not automatically deemed to be necessary to satisfy the financial need (pursuant to Section 1.401(k)-1(d)(3)(iii)(B) of the Income Tax Regulations), the Service Provider shall obtain information from the Employer or other Service Provider(s) to determine the amount of any plan loans and rollover accounts that are available to the Participant under the Plan to satisfy the financial need.

(c) Safe Harbor Contributions/QNECs/QMACs. Effective 1/1/2020, hardship distributions are permitted from Qualified Non-Elective Contributions, Qualified Matching Contributions or contributions used to satisfy the safe harbor requirements of Code sections 401(k)(12) or 401(k)(13), or 401(m)(11) or 401(m)(12), if available under the Plan and not held in a Custodial Account.

(d) Amount Necessary to Satisfy Need Requirement. Effective 1/1/2020, a distribution will be determined to satisfy an immediate and heavy financial need only if the three criteria listed below are met:

- i. The distribution is not in excess of the amount required to satisfy the financial need (including any amounts necessary to pay any federal, state or local income taxes or penalties reasonably anticipated to result from the distribution);
- ii. The Participant has obtained all other currently available distributions, other than hardship distributions, under any deferred compensation plan, whether qualified or nonqualified, maintained by the Employer; and
- iii. The Participant has represented (in writing or by an electronic medium) that he has insufficient cash or other liquid assets to satisfy the financial need.

(e) Six-Month Suspension. Effective 1/1/2020, the Plan will not initiate a six-month suspension period on Elective Deferrals (and after-tax contributions) following a hardship distribution.

(f) Loan Requirement. Effective 1/1/2020, Participants are not required to take all available nontaxable loans before applying for a hardship distribution.

(g) Modification of Repair Expense. Between 1/1/18 and 2/17/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(iii)(B)(6) and Basic Plan Document 5.5(g)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165. Effective 2/19/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(iii)(B)(6)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165 (determined without regard to section 165(h)(5) and whether the loss exceeds 10% of adjusted gross income).

(h) New Safe Harbor Financial Need Provision. Effective 1/1/2020, the following immediate and heavy financial need will be considered as a safe harbor criteria for hardship distributions in addition to the safe harbor financial need provisions outlined in 5.5(g) of the Basic Plan Document and §1.401(k) - 1(d)(3)(iii)(B):

i. Expenses and losses (including loss of income) incurred by the Employee on account of a disaster declared by the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provided that the Employee's principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster.

BE IT FURTHER RESOLVED that the Plan, as restated and amended is hereby approved and adopted. **IN WITNESS WHEREOF**, the Plan Sponsor has caused this Resolution and Amendment to be adopted this 19 day of November, 2019.

8. Upon the recommendation of the Superintendent of Schools, the Board approves the attendance of Allison Evans at the 2019 Annual Learning Forward Conference on December 7-11, 2019.

Cost: Conference \$588.00
Plus travel, meals, incidentals and tourism fees.

9. Upon the recommendation of the Superintendent of Schools, the Board approves the agreement with Region V for Speech evaluation for 2019-2020 school year, not to exceed \$342.40 for student #19090.

10. Upon the recommendation of the Superintendent of Schools, the Board amends the previously approved motion (Oct 15th finance #4) for the service contract between the Carlstadt Public School and Care Plus New Jersey Inc. for the 2019-2020 school year at a rate of \$200 per Clearance Assessment and at a rate of \$250 per Substance Abuse Clearance Assessment **to be scheduled on an as needed basis per recommendation of the Child Study Team.** *

**prior not to exceed amount not applicable*

11. Upon the recommendation of the Superintendent of Schools, the Board concurs with the agreement with Care Plus to provide school clearance evaluation for the 2019-2020 school year not to exceed \$200.00 for student ID#23034.
12. Upon the recommendation of the Superintendent of Schools, the Board concurs with the agreement with Care Plus to provide school clearance evaluation for the 2019-2020 school year not to exceed \$200.00 for student ID#22173.
13. Upon the recommendation of the Superintendent of Schools, the Board concurs with the agreement with Care Plus to provide school clearance evaluation for the 2019-2020 school year not to exceed \$200.00 for student ID#19042.
14. Upon the recommendation of the Superintendent of Schools, the Board approves the amendment of previously approved motion (**July 15th finance#8**) Occupational, Speech and Physical Therapy Services through The South Bergen Jointure, seventeen sessions per week for the Special Education Extended Year Program at the Carlstadt Public School, July 8, 2018 to July 31, 2019, at the rate not exceed ~~\$3000~~ **\$3700**.
15. Upon the recommendation of the Superintendent of Schools, the Board concurs with the service agreement with Supreme Consultants to perform interpreting and translation services for the 2019-2020 school year not to exceed \$94 for student #22897.
16. Upon the recommendation of the Superintendent of Schools, the Board approves the attendance of Evan Morely at the NY State PA/AHERA/OSHA Asbestos Operations & Maintenance Workshop on November 11-13, 2019 with a registration fee of \$500. Plus mileage.
17. Upon the recommendation of the Superintendent of Schools, the Board concurs with authorizes Dr. Fridman to perform Psychiatric evaluations at a rate not to exceed \$600 for the 2019-20 school year for student #23163.
18. Upon the recommendation of the Superintendent of Schools, the Board approves the agreement with Region V for Speech evaluation for 2019-2020 school year, not to exceed \$342.40 for student #22807.
19. Upon the recommendation of the Superintendent of Schools, the Board approves the agreement with South Bergen Jointure Commission for OT evaluation for 2019-2020 school year, not to exceed \$300 for student #23163.
20. Upon the recommendation of the Superintendent of Schools, the Board approves the agreement with South Bergen Jointure Commission for Speech evaluation for 2019-2020 school year, not to exceed \$300 for student #22101.

21. Upon the recommendation of the Superintendent of Schools, the Board approves the amendment of previously approved motion (**September 3rd finance #16**) the Service Agreement with South Bergen Jointure Commission and the Carlstadt Public School to provide physical, Occupational, Speech ~~Evaluations~~ **Services** for the 2019-2020 school year not to exceed \$13,000 for students #22905, #22949, #22953.
22. Upon the recommendation of the Superintendent of Schools, the Board approves the amendment from the previously approved (**October 15th finance #5**) contract with South Bergen Jointer for OT ~~services~~ **evaluation** not to exceed \$300 for student #22853.
23. Upon the recommendation of the Superintendent of Schools, the Board approves the contract with South Bergen Jointure Commission and the Carlstadt Public School for Physical Therapy not to exceed \$2400 for the 2019-2020 school year for student #23153.

24. EI Associates – Architectural and Engineering Services

BE IT RESOLVED that the Carlstadt Board of Education approve the Architectural and Engineering Services for Security Vestibule as submitted in the proposal dated October 14, 2019, by EI Associates, Architectural and Engineering, Inc., 8 Ridgedale Avenue, Cedar Knolls, NJ 07927 in the amount not to exceed \$64,000.00 Sixty-Four Thousand Dollars as attached and detailed below:

Phase I – Site Surveys, Schematic Design, NJDOE Submission:	\$ 7,000.00
Phase II – Detailed Design	\$ 42,000.00
Phase III – Bidding and Construction Phase Services	<u>\$ 15,000.00</u>
	\$ 64,000.00

FURTHER BE IT RESOLVED The Board approves for the allocation of capital project funds for the purpose of Phase I, II, and III as noted above in the amount of \$64,000.00.

FURTHER BE IT RESOLVED that the Carlstadt Board of Education authorizes and directs the School Business Administrator to make formal application to the NJ Department of Education, Office of Facilities through EI Associates for the applicable submissions.

25. Upon the recommendation of the Superintendent of Schools, the Board approves an amendment to the previously approved motion (**October 15, 2019 Building/ Grounds/Historical #13**) and approves **Airside Industries to complete the Boiler Exhaust Project per their proposal submitted November 7, 2019** at a cost not to exceed **\$65,950.00** to be funded by a withdrawal of capital reserve funds.

The Board also acknowledges that due to the nature of this project, it has been designated an “emergency repair” by the County Business Administrator and, therefore, can proceed without customary Bid protocols.

Moved **Seconded**
Mr. Christiano _____ Mr. Ficetola _____ Mr. Figueroa _____ Mrs. McNeill _____
Mrs. Nunziato _____ Mr. Offreda _____ Mr. Riveros _____ Mr. Shah _____
Mr. Cox _____

UNFINISHED BUSINESS

NEW BUSINESS

HEARING OF CITIZENS:

Any citizen present, who wishes to be heard, should raise his/her hand to be recognized, state name and address, and limit remarks to five minutes in accordance with board policy. Matters of a personal nature must first have been exhausted through the proper channels. The hearing of citizens shall not exceed one hour.

President closes hearing of citizens.

ANY ACTION ARISING FROM HEARING OF CITIZENS

RECESS INTO EXECUTIVE SESSION (*if needed*)

WHEREAS, the Open Public Meetings Act and Carlstadt board policy reserve the right within the constraints of state law to sit in executive session; and
WHEREAS, there now exists a need for this board to meet in an executive session; now, therefore, be it
RESOLVED, that the Carlstadt Board of Education hold an executive session for the purpose of personnel and be it further
RESOLVED, that the public will be informed either later this evening after reconvening the public meeting; or at a future public meeting, said date is not predictable at the present time.

Motion to recess.

Moved **Seconded**
Mr. Christiano _____ Mr. Ficetola _____ Mr. Figueroa _____ Mrs. McNeill _____
Mrs. Nunziato _____ Mr. Offreda _____ Mr. Riveros _____ Mr. Shah _____
Mr. Cox _____

Motion to reconvene.

Moved **Seconded**
Mr. Christiano _____ Mr. Ficetola _____ Mr. Figueroa _____ Mrs. McNeill _____
Mrs. Nunziato _____ Mr. Offreda _____ Mr. Riveros _____ Mr. Shah _____
Mr. Cox _____

ADJOURNMENT:

Motion to adjourn meeting.

Moved

Seconded

Mr. Christiano _____ **Mr. Ficotola** _____ **Mr. Figueroa** _____ **Mrs. McNeill** _____

Mrs. Nunziato _____ **Mr. Offreda** _____ **Mr. Riveros** _____ **Mr. Shah** _____

Mr. Cox _____