

MINUTES OF REGULAR MEETING February 13, 2023

AT 7:00 P.M. AT THE FRANKLIN ELEMENTARY SCHOOL

PRESENT: Wayne Bartron, Kathleen Clohessey
John J. Friend, Erin Henry, Shane Hrbek
Stephen Koger, Christopher Patterson,
Stephanie Perna, James Saltzman
John R. Giacchi, Chief School Administrator
Barbara A. Decker, Business Administrator/Board Secretary

ABSENT: None

The Board President opened the meeting at 7:00 P.M., with the Flag Salute and Pledge of Allegiance, which was followed by the following statement read by the Board Secretary:

This meeting is being conducted in compliance with the “Open Public Meeting Act – Chapter 231 – Public Laws of 1975.” Advance written notice of at least 48 hours was given specifying the time, date and to the extent known, the agenda, and stating whether formal action may or may not be taken and has been properly posted at the school, mailed to the Clerk/Administrator, and mailed to the New Jersey Herald and the Star Ledger.

Approval of Regular Board Minutes

On motion by Mrs. Clohessey, seconded by Mr. Hrbek, and carried unanimously by roll call vote, approved the minutes of the following meetings as presented:

1. January 23, 2023 – Regular Meeting Minutes
2. January 23, 2023 – Executive Session Minutes

ATTACHMENT 1

PRESENTATIONS:

A. Student presentations

- Daniel DeFinis and Tristan Askew provided school updates.

CORRESPONDENCE: NA

OPEN TO THE PUBLIC – AGENDA ITEMS

On motion by Mr. Hrbek, seconded by Mrs. Clohessey, and carried unanimously by voice vote, opened the meeting to the public for comment on the agenda items:

The Board Secretary read the following statement:

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At this time, members of the public are invited to address the Board. Please note that public comments on the agenda items will be made in accordance with Policy 0167 - Public Presentation at Board meetings. Each statement made by all participants may be limited to three minutes in duration. If you would like to address the Board, please raise your hand to be called upon. Once called, please come to the microphone and state your name, municipality of residence, and/or group affiliation.

Please let the record reflect that the Board of Education does not endorse comments, nor will the Board of Education be held liable for comments made by a member of the public about a staff member or any other individual that may be considered defamatory and/or libelous, as that individual retains all rights to pursue any legal remedies against you.

This public session is designed for members of the public to speak on issues for Board consideration. By law, the Board of Education is under no obligation to respond to public comment. Issues raised by members of the public may or may not be responded to by the Board at the conclusion of public participation. This portion of the meeting is meant to hear public comment, not to have a dialogue between the Board and the person speaking.

No one addressed the Board.

On motion by Mrs. Clohessey, seconded by Mr. Hrbek, and carried unanimously by voice vote, closed the meeting to the public for comment on the agenda items.

BOARD SECRETARY'S REPORT:

- Mrs. Decker reported that the budget presentation will be at the March 13, 2023 board meeting.

CHIEF SCHOOL ADMINISTRATOR'S REPORT

- A. Mr. Giacchi reported that the Student Safety Data System (SSDS) report was submitted to the New Jersey Department of Education (NJ DOE) for the period of September 1, 2022 through December 31, 2022.
- B. Mr. Giacchi reported that the Sussex County Department of Health and Human Services found zero deficiencies on the Immunization Audit: School Year 2022-2023.
- C. Mr. Giacchi provided an update on school events:
 - PTO is phenomenal and working hard to ensure students have a great experience at school.
- D. Mr. Giacchi reported that the fire and security drills held during the month of January 2023 were as follows:

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- January 4, 2023 at 1:14 p.m. - Fire Drill
- January 19, 2023 at 9:34 a.m. - Security Drill (Lockdown)

Personnel Committee – Kathleen Clohessey, Chair

Committee Update: NA

Discussion: NA

On motion by Mr. Saltzman, seconded by Ms. Henry, and carried unanimously by roll call vote, approved the following resolutions:

- A. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the amended Article XIV, Section G of the Collective Bargaining Agreement (CBA) between the Franklin Board of Education and the Franklin Education Association (FEA) dated July 1, 2021 through June 30, 2024 pending a fully executed Memorandum of Agreement with the FEA. **ATTACHMENT 2**
- B. Resolved that the Board of Education approves a \$650 per year stipend for an Assistant TREP\$ Market Moderator pending a fully executed Sidebar Agreement with the FEA. **ATTACHMENT 3**
- C. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, amends the following maternity leave of absence request originally approved at the November 14, 2022 Board of Education meeting:

Employee	Updated Dates
Rebecca Szymansky	On or about February 27, 2023 through January 2, 2024 (or whenever the return from Winter Break is) <i>Excluding unforeseen circumstances, utilize 10 sick days starting on February 27, 2023 with no sick days after the delivery</i>

- D. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the following teachers as mentors for the 2022-2023 school year:

Mentor	Provisional Teacher	Date	Mentor Fee
Laurie Black	Analee Felix (Hults)	A total of 30 weeks of mentoring beginning on April 4, 2022	\$550 - prorated
Elaine Bartholomew	Meghan Putnam	A total of 30 weeks of mentoring beginning on February 1, 2023	\$550 - prorated

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- E. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the \$1 per hour compensation differential for paraprofessionals who provide a higher level of care for the 2022-2023 school year per contract language:

Paraprofessionals Receiving \$1 Differential for Higher Level of Care	Dates
Elda Gamella	September 1, 2022 - June 30, 2023
Myrna Montes	October 3, 2022 - June 30, 2023

- F. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves increasing the hours for the staff member listed below:

Part-time Staff Member	Temporary Hours	Effective
Sarah Gay - Teacher	From 0.8 to 1.0 FTE	February 27, 2023 through April 28, 2023

- G. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, appoints the following personnel for the 2022-2023 school year, pending receipt of required paperwork:

Staff Member/Appointment	Start Date	Compensation
Ashley Counterman-O'Leary - Part-time Paraprofessional (.71 FTE)	On or about February 6, 2023	\$15.67 per hour, no benefits, pending completion of required paperwork. <i>Plus \$1.00 per hour for providing a higher level of care, per contract.</i>
Carolyn Morris - Part-time Paraprofessional (.71 FTE)	On or about February 22, 2023	\$15.67 per hour, no benefits, pending completion of required paperwork.
Selena Vieira - Long-term Substitute Teacher (1 FTE)	On or about February 22, 2023	\$170 per day for 60 days then on guide at BA Step 1 beginning day 61 retroactive to actual start date. Benefit eligible beginning day 61 from start date. Appointment is pending completion of required paperwork.

- H. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the following unpaid days:

Employee	Dates
Ashley Counterman-O'Leary	5 days: 2/8/2023, 2/15/2023, 3/7/2023, 3/8/2023, 3/28/2023 <i>Note: These unpaid days were negotiated at the time of hire</i>

- I. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves utilizing American Rescue Plan Elementary and Secondary School

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Emergency Relief III (ARP ESSER) funds for the following teachers to provide instruction beyond the school day, compensation upon submission of timesheets:

Teacher	Activity	Cost	Dates
<ul style="list-style-type: none"> • Elaine Bartholomew • Laurie Black • Karen Crosby • Lauren Davies • Janel Edwards • Erin Garrity • Lisa Grillo • Kelly Kilmat • Heather Labance • Amy Maurin • Regina Norris • Kimberly Panaite • Meghan Putnam • Kelly Sparta • Emily Wynne 	<ul style="list-style-type: none"> • Provide morning and afternoon sessions of instruction beyond the school day • Up to two hours of preparation time per teacher 	\$50.00 per hour per teacher	January 23, 2023 through the end of the 2022-2023 school year

J. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the following substitutes for the 2022-2023 school year, compensation upon submission of timesheets:

Name	Position	Compensation
James Abboud	Substitute Teacher	\$150 per day, pending completion of required documents, no benefits
Carey Anne Gluck	Substitute Teacher	\$150 per day, pending completion of required documents, no benefits

K. Resolved that the Board of Education, upon recommendation of the Chief School Administrator, approves the following professional development:

Staff Member	Professional Development	Cost	Date
Janel Edwards	Virtual Access – Orton-Gillingham Academy 23 rd Annual Conference	<i>Registration: \$200</i>	Ongoing

EDUCATION COMMITTEE – James Saltzman – Chair

Committee Update: NA

Discussion: NA

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On motion by Mr. Koger, seconded by Mrs. Clohessey, and carried unanimously by roll call vote, approved the following resolutions:

- A. Resolved that the Board of Education accepts the Harassment, Intimidation, and Bullying (HIB) report shared in Executive Session at the January 23, 2023 regular Board of Education meeting:

HIB Case Number	Finding	Determination
HIB 2022-2023.02	Unsubstantiated	Accepted/Rejected/Modified

- B. Resolved that the Board of Education approves the New Jersey Department of Education Equivalency Application.
- C. Resolved that the Board of Education approves the Marzano Focused Model for teacher evaluations for the 2022-2023 school year.
- D. Resolved that the Board of Education accepts the Elizabethtown Gas EmPowered Schools Program grant which includes a \$200 stipend to be paid to Kenza Mjihad.
- E. Resolved that the Board of Education approves the following services:

Provider	Service	Date of Service	Student ID	Cost
Dr. Lee J. Suckno	Psychiatric Evaluation	February 20, 2023	#*****4125	\$1,000
CCBH, Inc.	Up to 10 hours per week of home instruction services	January 24, 2023 - June 30, 2023	#*****1492	\$95 per hour

- F. Resolved that the Board of Education amends the 8th grade field trip to include the additional sites listed below. The cost of the additional sites is anticipated to be defrayed by the Franklin Education Foundation. *Note that the 8th grade field trip to the Amsterdam Theater on May 24, 2023 was previously approved on October 17, 2022.*

Destination	Cost
Madame Tussauds Wax Museum New York, NY	\$1,377.60
Dallas BBQ New York, NY	\$1,449.00

- G. Resolved that the Board of Education approves the second reading and adoption of the following policy and regulation updates:

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Number	Title	Attachment #
P & R 2423	Bilingual and ESL Education (M) (Revised)	ATTACHMENTS 4 & 5
P 2425	Emergency Virtual or Remote Instruction Program (M) (Revised)	ATTACHMENT 6
R 2425	Emergency Virtual or Remote Instruction Program (M) (New)	ATTACHMENT 7
P 8140	Student Enrollments (M) (Revised)	ATTACHMENT 8
R 8140	Enrollment Accounting (M) (Revised)	ATTACHMENT 9
P & R 8330	Student Records (M) (Revised)	ATTACHMENTS 10 & 11
R 8420.2	Bomb Threats (M) (Revised)	ATTACHMENT 12
R 8420.7	Lockdown Procedures (M) (Revised)	ATTACHMENT 13
R 8420.10	Active Shooter (M) (Revised)	ATTACHMENT 14

H. Resolved that the Board of Education approves the first reading of the following policy and regulation updates:

Number	Title	Attachment #
P & R 5200	Attendance (M) (Revised)	ATTACHMENTS 15 & 16

FINANCE/BUILDINGS & GROUNDS – John J. Friend, Chair

Discussion/Comment:

- The bids for the Window Project were too high so the plan is to go back out to bid. This will delay the project but the increased price was excessive.

On motion by Mrs. Clohessey, seconded by Mr. Hrbek, and carried unanimously by roll call vote, approved the following resolutions:

- A. Resolved that the Board of Education approves the vendor payments dated January 24, 2023 - February 13, 2023. **Attachment 17**

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Fund 10	Charter School/ER FICA Share	37,658.90
Fund 11	General Expense	501,979.59
Fund 12	Capital Outlay	6,875.00
Fund 20	Special Revenue	92,353.55
Fund 60	Cafeteria	4,571.97
Fund 95	Student Activities	1,520.50
	Total	644,959.51

- B. Resolved that the Board of Education accepts the attached Board Secretary's Report and Treasurer of School Monies report for January 2023.

Resolved pursuant to N.J.A.C. 6A:23A-16.10 (c)3, the Board Secretary does certify that as of January 31, 2023, no budgetary line-item account has encumbrances and expenditures which in total exceed the amount appropriated by the district Board of Education pursuant to N.J.S.A. 18A:22-8.1;

Therefore be it resolved that pursuant to N.J.A.C. 6A:23A-16.10(c)4 the Board of Education does certify that as of January 31, 2023, the Board Secretary Monthly Financial Report, did not reflect an over expenditure in any Major Account for Fund, and based on the Appropriation Balances reflected on this report and on the advice of District Officials, that sufficient funds are available to meet the District's financial obligations for the remainder of the fiscal year.

ATTACHMENT 18

- C. Resolved that the Board of Education approves between line-item transfers as required by State rules and regulations for the month of January 2023.

ATTACHMENT 19

- D. Resolved that the Board of Education approves the second reading and adoption of the following policies (updates):

Number	Title	Attachment #
P 0152	Board Officers (Revised)	ATTACHMENT 20
P 0161	Call, Adjournment, and Cancellation (Revised)	ATTACHMENT 21
P 0162	Notice of Board Meetings (Revised)	ATTACHMENT 22

- E. WHEREAS, the Alliance For Competitive Energy Services (hereinafter referred to as "ACES"), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as "NJSBA"), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the "Public School Contracts Law", N.J.S.A. 18A:18A-1 et seq., and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. ("EDECA") and the regulations promulgated thereunder; and

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Whereas, the Franklin Borough School District is a Participating Member of the ACES Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

Whereas, the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2028 hereinafter referred to as "Effective Period") issue one or more Requests for Bids for electric generation services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

Whereas, due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service in each service territory to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

Whereas, the Lead Agency will only award contracts for said electric generation services to electric power suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic generation service; and

Whereas, the District agrees to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Public School Contracts Law;

Whereas, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

Now, therefore, be it resolved that the District binds itself to the ACES Cooperative Pricing System ##E8801-ACESCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period from the electric power supplier or suppliers awarded a contract for electric generation services by the Lead Agency; and, be it

Further resolved that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the

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Districts relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and, be it

Further resolved that ACES is authorized to continue to bid to obtain electric generation services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

Further resolved that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2028 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

- F. **WHEREAS**, pursuant to N.J.S.A. 18A:18A-1, et seq., the Franklin Borough Board of Education advertised and solicited bids for Window Replacement at the Franklin Borough School (Phase 2); and

WHEREAS, the Board received bids from the following:

A1 Construction Service, Inc.	\$1,240,000
D&E Window & Door LLC	\$1,260,000
Panoramic Window & Door Systems, Inc.	\$1,372,600

WHEREAS, pursuant to N.J.S.A. 18A:18A-22(a),(b), a board of education may reject all bids if the lowest bid substantially exceeds the cost estimates or the board's appropriation for the project; and

WHEREAS, the Board has determined that it is necessary to reject all bids pursuant to N.J.S.A. 18A:18A-22.

NOW, THEREFORE BE IT RESOLVED, by the Franklin Borough Board of Education that the Board hereby rejects all bids submitted for Window Replacement at Franklin Borough School (Phase 2) as the lowest bid substantially exceeds the Board's cost estimate and budget for this project.

BE IT FURTHER RESOLVED that the Franklin Borough Board of Education is hereby authorized to readvertise and accept bids for Window Replacement at the Franklin Borough School (Phase 2).

- G. Resolved that the Board of Education approves the disposition of various outdated library books.

OLD BUSINESS: NA

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NEW BUSINESS: NA

OPEN TO THE PUBLIC – VISITORS ADDRESS THE BOARD

On motion by Mrs. Clohessey, seconded by Ms. Henry, and carried unanimously by voice vote, opened the meeting to the public for visitors to address the board.

The Board Secretary read the following statement:

At this time, members of the public are invited to address the Board. Please note that public comments not on the agenda items will be made in accordance with Policy 0167 - Public Presentation at Board meetings. Each statement made by all participants may be limited to three minutes in duration. If you would like to address the Board, please raise your hand to be called upon. Once called, please come to the microphone and state your name, municipality of residence, and/or group affiliation.

Please let the record reflect that the Board of Education does not endorse comments, nor will the Board of Education be held liable for comments made by a member of the public about a staff member or any other individual that may be considered defamatory and/or libelous, as that individual retains all rights to pursue any legal remedies against you.

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No one addressed the Board.

On motion by Mrs. Clohessey, seconded by Ms. Henry, and carried unanimously by voice vote, closed the meeting to the public for visitors to address the board.

EXECUTIVE SESSION: NA

On motion by Mrs. Clohessey, seconded by Mrs. Perna, and carried unanimously by voice vote, adjourned the meeting at 7:14 p.m.

Respectfully submitted,

Barbara A. Decker
Business Administrator/
Board Secretary