

SPRINGFIELD BOARD OF EDUCATION
Springfield, New Jersey

SPECIAL MEETING APRIL 11, 2011

The Springfield Board of Education is committed to providing high quality, efficient educational programs through which all students achieve the New Jersey Core Curriculum Contents Standards. Every effort is made to ensure that the district's certificated and support personnel are among the best in their fields.

The staff and Board of Education are dedicated to maintaining excellence in the delivery of child-centered educational programs. Very simply stated, in Springfield...SCHOOLS ARE FOR KIDS!

A Special Meeting of the Board of Education of the Township of Springfield in the County of Union, New Jersey, was held at the Jonathan Dayton High School Instructional Media Center-First Floor on Monday, April 11, 2011 at 8:05 AM.

President's Statement: Pursuant to the New Jersey Open Public Meetings Act, Public Law 1975, Chapter 231, the Board Secretary caused notice of the meeting to be given to the public and the press on April 6, 2011.

1. CALL TO ORDER

The meeting was called to order by Board President, Mr. Irwin Sablosky

Present: Mr. Andrew Fekete, Mr. Brian Kass, Mrs. Jacqueline Shanes,
Mr. Scott Silverstein, Mrs. Patricia Venezia (arrived at 8:07 AM), Mr. Steven Wolcott, Mr. Irwin Sablosky
Absent: Mr. Anthony Delia, Mr. Jeff Strumpf

Also

Present: Mr. Michael Davino, Superintendent
Mr. Matthew Clarke, Business Administrator/ Board Secretary
Mrs. Ellyn Atherton, Director of Human Resources

2. CLOSED SESSION (8:06 AM – 8:52 AM)

Moved by Mr. Silverstein, seconded by Mrs. Venezia, to suspend the rules of the order of business of the Regular Meeting and adjourn to closed conference session for the reasons contained in the following resolution:

RESOLUTION

“WHEREAS the Board of Education must discuss subjects concerning matters protected by Attorney/Client privilege and Negotiations, and are not appropriate subjects to be discussed in a public meeting and which are within the exemptions permitted to be discussed and acted upon in private session pursuant to P.L. 1975 Chapter 231, it is therefore

RESOLVED that the aforesaid subjects shall be discussed in private session by this Board and the administrative staff and information pertaining thereto will be made available to the public as soon thereafter as possible and once the reasons for non-disclosure no longer exist.”

Closed Conference Items

1. Matters protected by Attorney/Client privilege
2. Negotiations

3. RECONVENE

Moved by Mr. Silverstein, seconded by Mrs. Shanes, approval to reconvene the Regular Meeting of the Board of Education.

Yeas: Unanimous by all Members present.

MOTION CARRIED

4. PLEDGE OF ALLEGIANCE

6. AIL RESOLUTION

Moved by Mrs. Venezia, seconded by Mrs. Shanes, approval of the following resolution:

RESOLUTION

WHEREAS, the Board was not awarded any State aid for the 2010-11 school year; and

WHEREAS, the Board believes that NJSA 18A:39-1 and its history suggest that this absence of State aid bears on whether or not the Board could be compelled to make aid-in-lieu-of-transportation payments, and articulated this position, and the specific rationale therefore, in a June 22, 2010 letter to the Department of Education; and

WHEREAS, after eight months, the Board received no response from the Department of Education; and

WHEREAS, as a result of no response from the Department of Education, at its February 7, 2011 meeting, this Board voted to memorialize its position put forth in its June 22, 2010 letter; and

WHEREAS, by way of memorandum dated February 18, 2011 to all school boards in New Jersey, the Department of Education advised that all boards would be obligated to provide transportation or aid-in-lieu thereof for non-public school students regardless of whether a board of education receives State aid to cover such costs; and

WHEREAS, at its February 28, 2011 meeting, this Board voted to appeal the Department of Education position by challenging it as unfunded mandate to the New Jersey Council on Local Mandates; and

WHEREAS, the Board determined not to authorize the release of aid-in-lieu-of-transportation payments until said appeal was decided, so that the Board could be guided thereby; and

WHEREAS, by letter dated March 25, 2011, the Acting Commissioner of Education directed the Superintendent of Schools to make payments required at this time or risk the withholding of State aid funds; and

DRAFT COPY SUBJECT TO REVISIONS BY BOARD

WHEREAS, although the Board believed that its pending appeal to the Council on Local Mandates should eliminate the need to make these payments at this time, and indeed the Council now has accepted our appeal for consideration and set a briefing schedule, the Board does not want to risk the State aid payments or take actions which might prejudice this District,

NOW THEREFORE, BE IT RESOLVED that the Board of Education authorizes and directs the School Business Administrator to release the aid-in-lieu-of-transportation payments currently due at this time, pursuant to the Acting Commissioner of Education's directive, while continuing to pursue the appeal now accepted for consideration by the Council on Local Mandates; and

BE IT FURTHER RESOLVED that confirmation of compliance with the Acting Commissioner of Education's directive be transmitted forthwith to the Department of Education."

Yeas: Unanimous by all Members present.

MOTION CARRIED

7. PRESIDENT'S COMMENTS

Mr. Sablosky read the following statement:

Statement on behalf of the Board of Education

In response to a directive from the State Department of Education, today this Board released the payments for aid in lieu of transportation currently due. At the same time, the Board is continuing to pursue its appeal of the Department of Education determination that these payments are required even when the district is receiving no state aid; that appeal is pending before the Council on Local Mandates. Indeed, by letter of April 8, 2011, the Council accepted the appeal for filing and directed the Attorney General to file a response on behalf of the State of New Jersey.

The Board's position on this issue was not motivated by animus to those receiving these payments, or to any other group in our fine community. Rather, the position taken by the Board is based upon our well-intentioned desire to be certain that public monies are being spent properly. Given the cutbacks which we have suffered as a result of policies set at the State level, surely it makes sense for the Board to be certain that it is required to spend money on children not being educated in our schools. It is entirely possible that our appeal will not be successful; however, this Board believes that it is satisfying its obligation to the taxpayers to pursue this appeal, along with many other issues, to try to run a fiscally prudent, but educationally sound, school district. It is unfortunate that poorly informed media outlets would equate pursuing a lawfully permissible appeal with "defying the law". This Board has been, and will continue to be, guided by statute and regulation. That does not mean we are precluded from challenging that which does not make sense, or taking positions we believe to be in the best interest of this school district.

Finally, recent and remarkably irresponsible pieces in a local weekly, namely an article and an editorial rife with error and innuendo, sought to mislead the public into thinking that the Board is acting irresponsibly. Despite such unwarranted attacks, the Board of Education and the administration which govern the Springfield Public Schools maintain that it is not an act of irresponsibility to make certain that public monies are being spent properly.

DRAFT COPY SUBJECT TO REVISIONS BY BOARD

8. BOARD DISCUSSION

The Board discussed and gave consensus for the Board President to clarify the erroneous statements in recent local weekly newspaper articles.

9. PUBLIC SESSION (9:13 – 9:14 AM)

The following members of the public had questions or comments regarding Aide in Lieu:

- Mrs. Kristen Schachter – when will payments go out?

10. ADJOURNMENT (9:15 AM)

Moved by Mrs. Shanes, seconded by Mr. Delia to adjourn the meeting at 8:20 PM.

Yeas: Unanimous by all Members present.

MOTION CARRIED

Upcoming Meetings:

1. School Board Election – April 27, 2011 (2:00 PM – 9:00 PM)
2. Regular Meeting – May 9, 2011 at 7:30 PM in the IMC at JDHS

Matthew A. Clarke
Business Administrator/Board Secretary