

SUBJECT TO BD APPROVAL DRAFT COPY
SPRINGFIELD BOARD OF EDUCATION
JUNE 23, 2017
SPECIAL MEETING

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 First Floor, Room #3 on Friday, June 23, 2017 at 7:34 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 June 20, 2017.

1. CALL TO ORDER

The meeting was called to order by Board Vice President, Mr. Scott Silverstein

Present: Mrs. Hilary Turnbull, Mr. Marc Miller, Mr. Hector Munoz,
Mrs. Jacqueline Shanes, Mr. Scott Silverstein, Mrs. Elissa Zylbershlag,
Absent: Mr. Scott Donner, Mr. Steven Wolcott, Mrs. Robin Cornelison

Also Present:

Mrs. Ellyn Atherton, Director of Human Resources

2. PLEDGE OF ALLEGIANCE

3. PUBLIC SESSION (7:40 AM)

At this time, the public did not have any concerns/comments regarding items on the Agenda or the Superintendent's Report.

4. UNUSED SICK TIME COMPENSATION SIDEBAR FOR SEA

Moved by Mrs. Shanes, seconded by Mr. Miller, at the recommendation of the Superintendent, I move to approve a sidebar agreement with the SEA in the form attached as Attachment A which allows the Board to pay out compensation for unused sick leave into the 403b plans of the teachers and secretaries who retire on or after June 30, 2017 and the execution of such sidebar by the Vice President of the Board. (Attachment A)

Yeas: Unanimous by all Members present.

MOTION CARRIED

5. UNUSED SICK TIME COMPENSATION AGREEMENT FOR NON-SEA MEMBERS

Moved by Mrs. Shanes, seconded by Mr. Miller, at the recommendation of the Superintendent, I move to approve a sidebar agreement with the non-bargaining agreements in the form attached as Attachment A-1 which allows the Board to pay out compensation for unused sick leave into the 403b plans of the Directors who retire on June 30, 2017 and the execution of such sidebar by the Vice President of the Board. (Attachment A1)

Yeas: Unanimous by all Members present.

MOTION CARRIED

6. PUBLIC SESSION (7:42 AM)

At this time, the public did not address the Board with any questions or concerns.

7. ADJOURNMENT

Moved by Mr. Silverstein, seconded by Mrs. Shanes, approval to adjourn the Regular Meeting of the Board of Education at 7:42 AM

Yeas: Unanimous by all Members present.

MOTION CARRIED

Upcoming Meetings:

1. Regular Meeting – July 17, 2017 at 7:30 PM in the IMC at JDHS
 2. Regular Meeting – August 14*, 2017 at 7:30 PM in the IMC at JDHS
- * Date Change

Matthew A. Clarke
Business Administrator/Board Secretary

SIDEBAR AGREEMENT

The Springfield Board of Education and the Springfield Education Association agree to modify the negotiated Agreement for the school years effective July 1, 2016 and continuing until June 30, 2019.

A new Article XIA entitled "403(B) ACCOUNTS" is inserted into the Agreement to read in its entirety as follows:

1. **Board Non-Elective Contribution:** The Board shall make a non-elective employer contribution into an Employee's 403(b) account in the applicable amount as calculated and set forth in Articles 17E and 32B of the Agreement.
2. **No Cash Option.** No Employee may receive cash in lieu of or as an alternative to any of the Board's non-elective contribution(s) described herein.
3. **Contribution Limitations.** In any applicable year, the maximum employer contribution shall not cause an employee's 403(b) account to exceed the applicable contribution limit under Section 415(c)(1) of the Code, as adjusted for cost-of-living increases. For Board non-elective contributions made post-employment to former employees' 403(b) account, the contribution limit shall be based on the employee's compensation, as determined under Section 403(b)(3) of the Code and in any event, no Board non-elective contribution shall be made on behalf of such former employee after the fifth taxable year following the taxable year in which that employee terminated employment.

In the event that the calculation of the Board non-elective contribution referenced in any of the preceding paragraphs exceeds the applicable contribution limits, the excess amount shall be handled by the Board as follows:

- (a) The Employer shall first make a Board non-elective contribution up to the contribution limit of the Code.
 - (b) To the extent that the Board non-elective contribution exceeds the contribution limit, such excess shall be reallocated to the Employee the following year as a Board non-elective contribution (which contribution shall not exceed the maximum amount permitted under the Code), and in January of each subsequent year for up to four (4) years after the year of the Employee's employment severance, until such time as the Board non-elective contribution is fully deposited into the Employee's 403(b) account.
 - (c) In no case shall the Board non-elective contribution exceed the contribution limit of the Code.
4. **403(b) Accounts.** Board contributions shall be deposited into the 403(b) account

of each recipient Employee. To receive the Board non-elective contribution, as set forth herein, the Employee must have an open 403(b) account thirty (30) days prior to the Board's deposit of the Board non-elective contribution on June 30th of the year the Employee is retiring. In the event the Employee does not have a 403(b) account, the Board will attempt to deposit the Board contributions, in the name of the Employee, into a 403(b) account established in the Employee's name, if possible and permitted by the service providers in the Board's plan. Agents from participating service providers in the 403(b) plan will be allowed reasonable access to the School District's facilities in order to assist the Employees and School District's representatives in fulfilling applicable 403(b) legal requirements. OMNI will assist School District's representatives in calculating the annual maximum allowable 403(b) contribution under the Code, based upon salary and payroll information provided to OMNI by the School District. Upon the request of the School District, OMNI agrees to provide the Board with their standard hold harmless agreement.

Scott Silverstein, Vice President
Springfield Board of Education

Date

Shari Scheckman, President
Springfield Education Association

Date

DIRECTORS AGREEMENT

The Springfield Board of Education and the Directors agree to modify the negotiated Agreement for the school years effective July 1, 2016 and continuing until June 30, 2017.

A new Article IIIA1 entitled "403(B) ACCOUNTS" is inserted into the Agreement to read in its entirety as follows:

1. **Board Non-Elective Contribution:** The Board shall make a non-elective employer contribution into an Employee's 403(b) account in the applicable amount as calculated and set forth in Article IIIA of the Agreement.
2. **No Cash Option.** No Employee may receive cash in lieu of or as an alternative to any of the Board's non-elective contribution(s) described herein.
3. **Contribution Limitations.** In any applicable year, the maximum employer contribution shall not cause an employee's 403(b) account to exceed the applicable contribution limit under Section 415(c)(1) of the Code, as adjusted for cost-of-living increases. For Board non-elective contributions made post-employment to former employees' 403(b) account, the contribution limit shall be based on the employee's compensation, as determined under Section 403(b)(3) of the Code and in any event, no Board non-elective contribution shall be made on behalf of such former employee after the fifth taxable year following the taxable year in which that employee terminated employment.

In the event that the calculation of the Board non-elective contribution referenced in any of the preceding paragraphs exceeds the applicable contribution limits, the excess amount shall be handled by the Board as follows:

- (a) The Employer shall first make a Board non-elective contribution up to the contribution limit of the Code.
 - (b) To the extent that the Board non-elective contribution exceeds the contribution limit, such excess shall be reallocated to the Employee the following year as a Board non-elective contribution (which contribution shall not exceed the maximum amount permitted under the Code), and in January of each subsequent year for up to four (4) years after the year of the Employee's employment severance, until such time as the Board non-elective contribution is fully deposited into the Employee's 403(b) account.
 - (c) In no case shall the Board non-elective contribution exceed the contribution limit of the Code.
4. **403(b) Accounts.** Board contributions shall be deposited into the 403(b) account

of each recipient Employee. To receive the Board non-elective contribution, as set forth herein, the Employee must have an open 403(b) account thirty (30) days prior to the Board's deposit of the Board non-elective contribution on June 30th of the year the Employee is retiring. In the event the Employee does not have a 403(b) account, the Board will attempt to deposit the Board contributions, in the name of the Employee, into a 403(b) account established in the Employee's name, if possible and permitted by the service providers in the Board's plan. Agents from participating service providers in the 403(b) plan will be allowed reasonable access to the School District's facilities in order to assist the Employees and School District's representatives in fulfilling applicable 403(b) legal requirements. OMNI will assist School District's representatives in calculating the annual maximum allowable 403(b) contribution under the Code, based upon salary and payroll information provided to OMNI by the School District. Upon the request of the School District, OMNI agrees to provide the Board with their standard hold harmless agreement.

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