

The Board of Education of the Borough of North Caldwell in the County of Essex, New Jersey, convened in executive session on September 9, 2013, in the Grandview School cafeteria, Hamilton Drive East, North Caldwell, NJ, at 7:00 p.m.

Mr. Michael Halik, Business Administrator, indicated that in compliance with the Open Public Meetings Act, notice of this meeting had been properly advertised and the agenda had been posted at the appropriate locations.

Roll call by the Business Administrator:

Present:                    Mr. Robert Kessler, President  
                                  Mr. Robert Projansky, Vice President – arrived at 7:20 p.m.  
                                  Mrs. Marianne Bohrer  
                                  Mrs. Valerie Buccino  
                                  Mrs. Jann Skelton

Absent:                    None

Also Present:            Dr. Linda Freda, Superintendent  
                                  Mr. Michael Halik, Business Administrator / Board Secretary

**PRESIDENT’S REPORT**

Mr. Kessler said he hoped everyone had a great first day and thanked the faculty for getting the school year off to a good start.

Mr. Kessler attended the workshop sponsored by the NJSBA with Senator Pennacchio as the guest speaker. He discussed spending caps, the funding formula, property taxes and health care reform. Special education’s affect on the budget was also addressed.

**SUPERINTENDENT’S REPORT**

Dr. Freda thanked Mr. Falco and the custodial/maintenance staff for all of their hard work over the summer. Due to their efforts, the buildings were clean and ready for the first day of school.

The principals have been monitoring the time that the buses arrive each morning. Within two days all buses were arriving on time to school. Dr. Freda thanked the transportation committee for all of their efforts in arranging the bus routes.

**PUBLIC RECOGNITION**

None

COMMITTEE REPORTS

None

GENERAL RESOLUTIONS

**G1. RESOLVED** that the Board of Education approve member participation in a cooperative pricing system and authorize entry into a cooperative pricing agreement on behalf of the district;

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

**WHEREAS**, the governing body of the North Caldwell Board of Education County of Essex, State of New Jersey, duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED** as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the North Caldwell Board of Education;

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the North Caldwell Board of Education is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage for the 2013-2014 school year.

Moved: Mrs. Buccino      Seconded: Mrs. Skelton

Yes: 4      No: 0

**G2. RESOLVED** that the Board of Education approve the attached list of bus route changes for the 2013-2014 school year.

Moved: Mrs. Buccino      Seconded: Mrs. Skelton

Yes: 4      No: 0

**BUSINESS RESOLUTIONS**

**B1. RESOLVED** that the Board of Education approve the **Public and Confidential Minutes of August 13, 2013.**

Moved: Mrs. Skelton      Seconded: Mrs. Bohrer

Yes: 3      No: 0

Abstain: Mrs. Skelton

**B2. RESOLVED** that the Board of Education approve the **August 15, 2013, payroll** in the amount of \$49,464.68.

Moved: Mrs. Skelton      Seconded: Mrs. Bohrer

Yes: 4      No: 0

**B3. RESOLVED** that the Board of Education approve the **August 30, 2013, payroll** in the amount of \$53,401.19.

Moved: Mrs. Skelton      Seconded: Mrs. Bohrer

Yes: 4      No: 0

- B4. RESOLVED** that the Board of Education approve the **September 9, 2013, Bills and Claims** in the amount of \$159,915.46.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

- B5. RESOLVED** that the Board of Education approve binding the North Caldwell Board of Education to purchase electric generation services through the Alliance for Competitive Energy Services (“ACES”) Bid Cooperative Pricing System ID#E8801-ACESCPS,

**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

**WHEREAS,** the North Caldwell Board of Education 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, 2018 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 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, 2018 (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.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

- B6. RESOLVED** that the Board of Education approve binding the North Caldwell Board of Education to purchase natural gas services through the Alliance for Competitive Energy Services ("ACES") Bid Cooperative Pricing System ID#E8801-ACESCPS

**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 natural gas suppliers for retail natural gas supply services including interstate transportation to the local natural gas distribution utility company (Natural Gas Supply 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

**WHEREAS**, the North Caldwell board of Education is a Participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain natural gas services for its own use through one or more contracts to be awarded to natural gas suppliers following said bids for natural gas 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, 2018, hereinafter referred to as "Effective Period") issue one or more Requests for Bids for natural gas 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 natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for Natural Gas Supply Service in each service territory to one or more natural gas suppliers that submits bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous natural gas usage and utility provided Basic Gas Supply Service rates; and

**WHEREAS**, the Lead Agency will only award contracts for said Natural Gas Supply Services to natural gas suppliers that submit bids with pricing reasonably estimated to be lower than the utility-provided basic gas supply service; and

**WHEREAS**, the District agrees to purchase all Natural Gas Supply Services for its own use during the Effective Period through any natural gas 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; and

**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 natural gas supply 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 natural gas supply services needed for its own use during the Effective Period from the natural gas supplier or suppliers awarded a contract for natural Gas supply 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 natural gas 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 districts relative to the price charged for basic gas supply service by the natural gas public utility that would otherwise provide such service; and, be it

**FURTHER RESOLVED** that ACES is authorized to continue to bid to obtain natural gas 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, 2018 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

**B7. WHEREAS,** Vanas Construction was awarded the bid for the Media Center Renovations at Grandview Elementary school; and



WHEREAS, Vanas Construction has submitted the following change order proposal which has been approved by the architect:

Change Order Proposal - CO # GC-2

To provide and install alterations to the existing Media Computer Station in the Grandview Media Center. Total Amount \$2,084.00 to be deducted from the \$5,000 Allowance for Modifications to the Media Center Computer Station.

The Total Contract value will not change; Total Contract sum \$116,550.00

AND WHEREAS, DiCara Rubino Architects has verified that these changes are necessary based upon the need to rectify unforeseen conditions uncovered during construction pursuant to N.J.A.C. 6A:26-4.9;

NOW THEREFORE BE IT RESOLVED that the Board approves this change order and the contract amount is revised to reflect this change.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

B8. RESOLVED that the Board of Education approve the revised **July 23, 2013, Hand Check Register** in the amount of \$188,049.11.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

B9. RESOLVED that the Board of Education approve the **August 30, 2013, Hand Check Register** in the amount of \$175,875.36.

Moved: Mrs. Skelton                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

PERSONNEL RESOLUTIONS

P1. RESOLVED that the Board of Education approve movement on the salary guide for the following staff members effective September 1, 2013, pursuant to the terms of the negotiated agreement:



P5. **RESOLVED** that the Board of Education approve payment for 21 days of summer work at their per diem rate for the following:

**Beth Shabazian**  
**Randi Marlo**

Moved: Mrs. Buccino                      Seconded: Mrs. Bohrer

Yes: 4    No: 0

Mr. Projansky arrived at 7:20 p.m.

**OLD BUSINESS**

Mr. Kessler spoke to the Board regarding certification classes and whether or not there was an interest. They spoke about having a board retreat on Friday night wherein the topics could be the Board's role in budget development and finance.

**NEW BUSINESS**

A busing issue regarding Hamilton Drive South and Woodland was discussed.

A new housing development which has an estimated completion date of two to three years and would house fifty, three bedroom low income apartments and sixty-two single family homes that will be marketed to seniors, but will have no age restriction, was a topic of concern. The Business Administrator will set up interviews for statistical companies to make presentations regarding demographic studies.

As there was no further business to discuss, the Board adjourned at 7:35 p.m.

Respectfully Submitted,

Michael Halik  
Business Administrator