

APPROVED

Bd. Mtg. 5-12-22

BOARD OF EDUCATION
(Official)

April 28, 2022
Elizabeth, New Jersey

The regular agenda/business meeting of the Board of Education was called to order on April 28, 2022 at 6:30 p.m. in the Dr. Orlando Edreira Academy School No. 26 @ Monsignor João S. Antão School No. 31, 1014 South Elmora Avenue, Elizabeth, New Jersey.

Board President Rosa Moreno-Ortega welcomed everyone to the meeting.

Mrs. Moreno-Ortega called for School Business Administrator/Board Secretary Harold E. Kennedy, Jr. to read the following statement at 7:00 p.m.

“Ladies and Gentlemen, good evening. This is a combined regular agenda/business meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to The Star Ledger and Cablevision of Elizabeth on April 25, 2022. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth, New Jersey.

We want to welcome everyone present here and to our television viewers to this April 28, 2022 meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The Superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.

This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. We also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, we may have to ask for order periodically should noise begin to interfere with our recording capabilities. We are pleased that you have taken time this evening to join us here for our Board of Education meeting. Thank you for your interest in the Elizabeth Public Schools.

There will be a public portion for citizens to address the Board. Participants for the public portion must personally sign-in prior to the start of the meeting so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Diane Barbosa, Maria Carvalho, Iliana Chevres, Charlene Bathelus Dorgely, Jerry Jacobs, Stanley Neron, Stephanie Goncalves Pestana, Rosa Moreno-Ortega – 8

Absent: Nathalie Alcaide-Hernandez – 1

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Schools Rafael Cortes, Assistant Superintendent for Schools Judy Finch-Johnson, Chief of Operations Francisco Cuesta, Comptroller Rajeev Malhotra, Deputy Counsel Heather Ford, Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP, and members of the community were present.

Mrs. Moreno-Ortega called for a moment of silence for the passing of Paul S. Macciachera, retired Elizabeth Public Schools Principal at Alexander Hamilton Middle School.

Colors were presented during the Flag Ceremony by members of the Admiral William F. Halsey, Jr. Health and Public Safety Academy Marine Corps Junior R.O.T.C.

Pledge of Allegiance

National Anthem

Pledge of Ethics

Mrs. Moreno-Ortega presented a video in recognition of Autism Acceptance Month to highlight some of the autism acceptance activities that have taken place during the month of April. Mrs. Moreno-Ortega stated that we want our students with autism and their families to know that we support you and will continue to do all we can to promote acceptance and inclusivity while helping your children grow and succeed.

Mrs. Moreno-Ortega recognized the Elizabeth Public Schools Special Services Department as stars of excellence. Mrs. Moreno-Ortega stated that through their leadership and advocacy, they help ensure that our students who have special needs are receiving the services and educational opportunities they deserve. Mrs. Moreno-Ortega stated that we believe that all students can achieve at high levels and here at the Elizabeth Public Schools, all means all. Mrs. Moreno-Ortega introduced Director of Special Services Diana Pinto-Gomez; supervisors Ali Abdul-Malik, Jose Rodriguez, Thelusma Cadet, Scott Cohen, Justin McConkey, Nancy Morales-Frigoletto; instructional coach Cheryl Ferry; guidance counselor Kalinna Johnson; and secretaries Yolanda Dieguez, Amalfi Mancera, Luz Mori, Carmel Paternostro, Kissaris Peguero, Catherine Perez, Iliana Perez, Anabela Seabra, and Nataly Zetino. Mrs. Moreno-Ortega and Board members congratulated them and presented each with a certificate of commemoration.

Mrs. Moreno-Ortega thanked the Division of Special Services for their passion and dedication to our children. Mrs. Moreno-Ortega thanked them for fostering autism awareness to promote understanding and acceptance for children with autism and encouraging our schools to celebrate the diversity and unique contributions individuals with autism make daily in the classroom.

Mrs. Moreno-Ortega called on Mr. Jacobs, chairperson of the negotiations committee to present an update on the status of negotiations with the Elizabeth Education Association.

Mr. Jacobs stated that the purpose of this report is to bring you up to date on the status of negotiations with the Elizabeth Education Association.

Mr. Jacobs first addressed a matter which continues to be a source of confusion and misinformation. Mr. Jacobs stated that there currently is a contract between the Board and the Association that remains in full force and effect until June 30, 2022. Mr. Jacobs stated that the Association has had a complete copy of the contract for more than 1 year. Mr. Jacobs stated that any statements from anyone that there is no contract are simply wrong.

Mr. Jacobs stated that the District remains ready and willing to commence negotiations for a new contract any time the Association wishes to begin. Mr. Jacobs stated that the Board attorneys have communicated with the Association counsel to confirm that the District wishes to have negotiations begin as soon as possible.

Mr. Jacobs stated that to “kick start” the negotiations, the Association has been provided with a scatter gram from the Board which is an indication of the Board’s desire to commence negotiations. Mr. Jacobs stated that the Association has not responded, has not submitted a list of demands for negotiation nor forwarded any other document expressing an intention to commence negotiations. Mr. Jacobs stated that the Board remains committed to reaching a fair and equitable contract for all employees of the Elizabeth Public Schools as soon as possible.

Mr. Jacobs stated for the record that in his twenty years as a parent in the community and also a Board member, he has seen the dedication from our teachers and our staff and it all matters to our children and that is what we are all here for. Mr. Jacobs stated that he and his colleagues all share the same sentiment of respect and dedication that we see from our teachers and staff especially during the pandemic and during this tough time. Mr. Jacobs stated that we do appreciate them and we do want the best for our children.

Mrs. Moreno-Ortega thanked him for the report.

Mrs. Hugelmeyer stated that an incident took place in our school district ten weeks ago that we are clearly outraged about. Mrs. Hugelmeyer stated that the matter was immediately addressed and the necessary disciplinary actions were taken. Mrs. Hugelmeyer stated that as a district we do not stand for injustice, not with our students, not with our staff, any time or at any place. Mrs. Hugelmeyer stated that due to the fact that this is a personnel matter, no additional comments can be made at this time.

Mrs. Moreno-Ortega thanked Mrs. Hugelmeyer.

Mrs. Moreno-Ortega called for Mr. Kennedy to read the following public participation statement:

“At this time, the microphones are open for public comment to those who have personally signed in prior to this session. I shall call individuals to the microphone based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The time limit will be strictly enforced and audio transmission will be terminated at the end of three minutes. The total time of public comment shall be limited to 60 minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participation shall apply: time limits will be strictly enforced; no personal attacks on individuals; no vulgar or indecent language; a person may address the Board no more than once

during a single meeting; speakers should refrain from naming individuals; and comments or questions posed during public participation will not be debated. As a reminder this is a meeting of the Board in public, not a meeting of the public.”

Mr. Kennedy called upon the first public participant, Yanira Pyroll, to address the Board.

Yanira Pyroll, student, spoke about concerns at the high school and asked for the Board meetings to be more accessible to students.

Mrs. Carvalho requested the information be available to Board members.

Mrs. Hugelmeyer requested Assistant Superintendent Rafael Cortes speak with the student to gather the information.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Kason Little, to address the Board.

Kason Little spoke about an incident.

Mrs. Moreno-Ortega thanked him for his comments.

Mr. Kennedy called upon the next public participant, Justin Pines, to address the Board.

Justin Pines spoke about an incident.

Mrs. Moreno-Ortega thanked him for his comments.

Mr. Kennedy called upon the next public participant, Madelyn Hoffman, to address the Board.

Madelyn Hoffman spoke about an incident.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Jonathan Yelverton, to address the Board.

Jonathan Yelverton spoke about an incident.

Mrs. Moreno-Ortega thanked him for his comments.

Mr. Kennedy called upon the next public participant, Diana Tabor, to address the Board.

Diana Tabor spoke about an incident.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Maria Lorenz, to address the Board.

Maria Lorenz spoke about SEPAC and special services and stated that there is no Epi-pen on the bus.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called twice upon the next public participant, Justin O'Hea, to address the Board. Justin O'Hea did not respond.

Mr. Kennedy called upon the next public participant, Maria Ramirez DaRassi, to address the Board.

Maria Ramirez DaRassi spoke about an incident.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Jeremiah LaPorte, to address the Board.

Jeremiah LaPorte spoke about a personal incident.

Mrs. Moreno-Ortega thanked him for his comments.

Mr. Kennedy called upon the next public participant, Lydia Couch, to address the Board.

Lydia Couch spoke about a problem with her child.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Michelle Santos, to address the Board.

Michelle Santos spoke about special education and the lack of Special Olympics programs.

Mrs. Moreno-Ortega thanked her for her comments.

Mr. Kennedy called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira spoke about her child and special education.

Mrs. Moreno-Ortega thanked her for her comments. Since there were no other public participants signed in to address the Board, Mrs. Moreno-Ortega closed this portion of the meeting.

Board member Charlene Bathelus Dorgely made a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel matters.

The Board will reconvene in public and may add to the agenda.

A motion was made by Mrs. Bathelus Dorgely, seconded by Mrs. Barbosa, to go into private session at 8:10 p.m.

The motion was carried by the following vote:

Affirmative: Mmes. Barbosa, Carvalho, Chevres, Bathelus Dorgely, Messrs. Jacobs, Neron, Mmes. Goncalves Pestana, Moreno-Ortega – 8

Negative: None

A motion was made by Mrs. Chevres, seconded by Mrs. Carvalho, to reconvene in public session at 10:50 p.m.

The motion was carried by the following vote:

Affirmative: Mmes. Barbosa, Carvalho, Chevres, Bathelus Dorgely, Messrs. Jacobs, Neron, Mmes. Goncalves Pestana, Moreno-Ortega – 8

Negative: None

Mrs. Goncalves Pestana excused herself from the meeting at 10:51 p.m.

Mrs. Moreno-Ortega added the following to the agenda:

Minutes of the Meetings of March 24 and March 28, 2022

Secretary/Treasurer's Report for the Month of February 2022

Personnel Report

Tuition Report

Superintendent's Report – Considerations

Superintendent's Report – Use of Facilities

Supplemental Superintendent's Report – Use of Facilities

Superintendent's Report – Field Trips

Superintendent's Report – Harassment, Intimidation, and Bullying Investigative Report

Authorization Report

Supplemental Authorization Report

Finance and Accounting Report – Authorization to Pay Vouchers

Finance and Accounting Report – Transfer of Funds

Award of Contracts Report

Supplemental Award of Contracts Report

Miscellaneous Communication - None

Claims List

Resolution – Kindness Awareness Month

Resolution – National School Nurse Day

Resolution – Asian Pacific American Heritage Month

Resolution – National Teacher Appreciation Week

Resolution – Special Education Week

Resolution – Better Speech and Hearing Month

Resolution – Adoption of Revised Policy and New Regulation

Resolution – Bilingual Multicultural Month

Resolution – Transfer of Capital Reserves
Resolution – Appointing Seashore Fruit and Produce Co., Inc. for Fresh Produce Items
Resolution – Payment for Unused Vacation Days
Resolution – Payment for Unused Sick Days
Resolution – Approving Contract with STRIDES for Professional Development and Training
Resolution – Appointing Sam Tell & Son, Inc. for Cafeteria Small Equipment
Resolution – Awarding Contract to Mivila Corporation for Paper Products
Resolution – Remembering Paul Macchiacherra

Mrs. Hugelmeyer stated that according to Board Policy 5131.1 Harassment, Intimidation, and Bullying (HIB) and New Jersey Statute 18A:37 the results of each investigation shall be reported to the Board of Education no later than the date of the next Board meeting following completion of each investigation and include any services provided, training established, discipline imposed, or other action that was taken or recommended.

Mrs. Hugelmeyer stated that at the next regularly scheduled meeting after Board members receive the report of HIB investigations, the statute requires that the Board issue a decision in writing to affirm, reject, or modify the Superintendent's decision pertaining to the cases that were reported to the Board members at the last meeting.

Mrs. Moreno-Ortega asked Mr. Kennedy if there were additional items to add to the agenda.

Mr. Kennedy read the following additions to the agenda:
Resolution – Appointment of Community Attendance Liaison Coordinator – Jamil Jackson
Resolution – Appointment of Principal – Jenny Costa Reguinho
Resolution – Termination of Employment – D.O.

The second reading of the following revised policy and new regulation was done:
5141.10 Policy Face Coverings
5141.10(R) Regulation Face Coverings

Mrs. Moreno-Ortega asked for a motion and second to adopt the following agenda:
Minutes of the Meetings of March 24 and March 28, 2022
Secretary/Treasurer's Report for the Month of February 2022
Personnel Report
Tuition Report
Superintendent's Report – Considerations
Superintendent's Report – Use of Facilities
Supplemental Superintendent's Report – Use of Facilities
Superintendent's Report – Field Trips
Superintendent's Report – Harassment, Intimidation, and Bullying Investigative Report
Authorization Report
Supplemental Authorization Report
Finance and Accounting Report – Authorization to Pay Vouchers
Finance and Accounting Report – Transfer of Funds
Award of Contracts Report

Supplemental Award of Contracts Report
Miscellaneous Communication - None
Claims List
Resolution – Kindness Awareness Month
Resolution – National School Nurses Day
Resolution – Asian Pacific American Heritage Month
Resolution – National Teacher Appreciation Week
Resolution – Special Education Week
Resolution – Better Speech and Hearing Month
Resolution – Adoption of Revised Policy and New Regulation
Resolution – Bilingual Multicultural Month
Resolution – Transfer of Capital Reserves
Resolution – Appointing Seashore Fruit and Produce Co., Inc. for Fresh Produce Items
Resolution – Payment for Unused Vacation Days
Resolution – Payment for Unused Sick Days
Resolution – Approving Contract with STRIDES for Professional Development and Training
Resolution – Appointing Sam Tell & Son, Inc. for Cafeteria Small Equipment
Resolution – Awarding Contract to Mivila Corporation for Paper Products
Resolution – Remembering Paul Macchiacherra
Resolution – Appointment of Community Attendance Liaison Coordinator – Jamil Jackson
Resolution – Appointment of Principal – Jenny Costa Reguinho
Resolution – Termination of Employment – D.O.

A motion was made by Mrs. Chevres, seconded by Mr. Neron, to adopt the entire agenda.

The motion was carried by the following vote:

Affirmative: Mmes. Barbosa, Carvalho, Chevres, Bathelus Dorgely, Messrs. Jacobs, Neron (abstain- Superintendent's Report Use of Facilities- City of Elizabeth Department of Recreation), Mrs. Moreno-Ortega – 7

Negative: None

Mrs. Moreno-Ortega asked if there were any Board member questions or comments.

On a motion made by Mrs. Bathelus Dorgely, seconded by Mr. Neron, the meeting was adjourned at 11:00 p.m.

The motion was carried by the following vote:

Affirmative: Mmes. Barbosa, Carvalho, Chevres, Bathelus Dorgely, Messrs. Jacobs, Neron, Mrs. Moreno-Ortega – 7

Negative: None

Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary