

**SOMERVILLE BOARD OF EDUCATION**

**51 West Cliff Street  
Somerville, NJ 08876**

**AGENDA**

**Tuesday, February 12, 2013**

**District Conference Room**

**7:00 P.M.**

**Mission Statement**

Our mission as a school community is to provide quality education through an environment which promotes individual excellence and that all pupils achieve the Common Core State Standards and the New Jersey Core Curriculum Content Standards at all grade levels.

**I. CALL MEETING TO ORDER**

**II. FLAG SALUTE**

**III. ROLL CALL OF MEMBERS**

**IV. PUBLIC NOTICE**

Adequate Notice of this meeting in compliance with Chapter 231 of the Public Laws of 1975, entitled the "Open Public Meetings Act," has been provided by action of the Board of Education's Reorganization Meeting of January 3, 2013. Notice has been provided to the three newspapers circulated in the school district and a posted notice to this effect on the Board of Education building bulletin board, Administrative Headquarters, 51 West Cliff Street, Somerville, New Jersey.

**V. PUBLIC COMMENT**

*At this time, comment is invited on any matter related to agenda items.*

*When permitted, public participation shall be governed by the following rules under Bylaw 0167:*

- 1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and any other group affiliation, if appropriate;*
- 2. Each statement made by a participant shall be limited to three minutes duration*
- 3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;*
- 4. All statements shall be directed to the presiding officer; no participant may address or question board members individually.*
- 5. The presiding officer may:*
  - a. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, obscene, or irrelevant;*
  - b. Request any individual to leave the meeting when that person does not observe reasonable decorum;*
  - c. Request the assistance of law enforcement officers in the removal of a*

*disorderly person when that person's conduct interferes with the orderly progress of the meeting;*

- d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and*
- e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.*

## **VI. APPOINTMENT OF NEW BOARD OF EDUCATION MEMBERS**

**RESOLVED** that the Somerville Board of Education hereby appoints Daniel J. Puntillo, Jr. and Lucien Sergile, Jr as members of the Somerville Board of Education to fill the vacancies created by the resignation of duly elected Board Members Peter Lawton and Lisa Yates. New Board Members Daniel J. Puntillo, Jr. and Lucien Sergile, Jr. shall serve until the organizational meeting following the next annual election.

## **VII. OATH OF OFFICE – NEWLY APPOINTED MEMBERS**

## **VIII. SUPERINTENDENT'S REPORT**

### District Strategic Goal 2: Academy of Liberal Arts Presentation

Raritan Valley Community College Administration

Dr. Timothy J. Purnell, Superintendent of Schools

Mrs. Melissa McCooley, Director of Curriculum and Instruction

Ms. Cindy Atkins, PreK-12 Supervisor

Mrs. Katherine Neary, PreK-12 Supervisor/Preschool Supervisor

Mr. Gerard Foley, Assistant Principal for Guidance and Special Services

### District Strategic Goal 1: Mentoring Program

Dr. Timothy J. Purnell, Superintendent of Schools

Mr. Harold Vereen

**RESOLVED** that the Board of Education approve Harold Vereen as a consultant for the district to support the District Strategic Goal 1: Mentoring Program for a stipend of \$20,000.00 which will be paid from Title I funds for the creation of the mentoring curriculum, pre/post assessments and identification/training of mentors.

### EVVRS Mid-Year Report – September 2012-December 2012

Dr. Timothy J. Purnell, Superintendent of Schools

### District Highlights

Dr. Timothy J. Purnell, Superintendent of Schools

## **IX. PUBLIC HEARING**

### Refunding of 2005 School Bonds

Mary K. Lyons, Managing Director

Phoenix Advisors, LLC

\* (Branchburg Vote Eligible)

**RESOLUTION OF THE BOARD OF EDUCATION OF THE BOROUGH OF SOMERVILLE IN THE COUNTY OF SOMERSET, NEW JERSEY, AUTHORIZING CERTAIN ACTIONS NECESSARY IN CONNECTION WITH THE SALE AND ISSUANCE OF NOT TO EXCEED \$10,500,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING SCHOOL BONDS AND AUTHORIZING THE APPROPRIATE OFFICIALS TO DO ALL ACTS AND THINGS DEEMED NECESSARY AND ADVISABLE IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SAID BONDS**

**WHEREAS**, on February 22, 2005, The Board of Education of the Borough of Somerville in the County of Somerset, New Jersey (the “Board” when referring to the governing body and the “School District” when referring to the territorial boundaries governed by the Board) issued \$15,412,000 aggregate principal amount of tax-exempt School Bonds dated February 15, 2005 (the “2005 School Bonds”); and

**WHEREAS**, the Board has determined that the current tax-exempt interest rate environment may enable it to realize going-forward debt service savings for property taxpayers residing in the School District through the issuance by the Board of Refunding School Bonds (the “Refunding School Bonds”) to refund all or a portion of the \$9,387,000 aggregate principal amount of the outstanding 2005 School Bonds maturing on February 15 in the years 2016 through 2025, inclusive (the “Refunded Bonds”); and

**WHEREAS**, the Board introduced a refunding school bond ordinance (the “Refunding Bond Ordinance”) on first reading by resolution of the Board on January 22, 2013, and

**WHEREAS**, on the date hereof, the Board has held a public hearing on the Refunding Bond Ordinance; and

**WHEREAS**, the Board has determined to issue and sell such Refunding School Bonds; and

**WHEREAS**, the Board now desires to finally adopt the Refunding Bond Ordinance and to authorize certain actions in connection with the sale and issuance of the Refunding School Bonds.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BOROUGH OF SOMERVILLE IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:**

**SECTION 1.** The Refunding Bond Ordinance is hereby adopted and shall take effect immediately.

**SECTION 2.** The Refunding School Bonds are hereby authorized to be sold to, and RBC Capital Markets is hereby appointed as Underwriter (the “Underwriter”), upon the terms set forth herein. Phoenix Advisors, LLC is hereby appointed as Financial Advisor (the

\* (Branchburg Vote Eligible)

“Financial Advisor”).

**SECTION 3.** There is hereby delegated to the Business Administrator/Board Secretary, subject to the limitations contained herein and in consultation with Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Board (“Bond Counsel”) and the Financial Advisor the power with respect to the Refunding School Bonds to determine and carry out the following:

- a) the sale of the Refunding School Bonds at private sale, provided that the purchase price paid by the purchaser thereof shall not be less than ninety-five percent (95%) of the principal amount of the Refunding School Bonds so sold;
- b) the principal amount of Refunding School Bonds to be issued, provided that (i) such amount shall not exceed \$10,500,000, and (ii) such amount shall not exceed the amount necessary to pay the costs of issuance associated with the Refunding School Bonds and to fund the deposit to the escrow fund as set forth in the Escrow Deposit Agreement (as defined herein) in an amount that, when invested, will be sufficient to provide for the timely payments required for the Refunded Bonds;
- c) the maturity dates and the principal amount of each maturity or sinking fund redemption amount of the Refunding School Bonds, provided that no Refunding School Bonds refunding the Refunded Bonds shall mature later than February 15, 2025;
- d) the interest payment dates and the interest rates on the Refunding School Bonds, provided that the true interest cost on the Refunding School Bonds shall produce a present value debt service savings of at least three percent (3%) of the principal amount of the Refunded Bonds;
- e) the denomination or denominations of and the manner of numbering and lettering the Refunding School Bonds, provided that all Refunding School Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;
- f) provisions for the sale or exchange of the Refunding School Bonds and for the delivery thereof;
- g) the form of the Refunding School Bonds shall be substantially in the form set forth in Exhibit A attached hereto, with such additions, deletions and omissions as may be necessary for the Board to market the Refunding School Bonds in accordance with the requirements of The Depository Trust Company, New York, New York, (“DTC”) and the Purchase Contract (as defined herein);
- h) the direction for the application and investment of the proceeds of the Refunding School Bonds;
- i) the terms of redemption of the Refunding School Bonds; and

j) any other provisions deemed advisable by the Business Administrator/Board Secretary not in conflict with the provisions hereof.

In addition, the issuance of the Refunding School Bonds shall comply with the provisions of N.J.A.C. 5:30-2.5, including that within 10 days of the date of the closing on the Refunding School Bonds, the Business Administrator/Board Secretary shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding School Bonds' debt service and the Refunded Bonds' debt service which comparison shall set forth the present value savings achieved by the issuance of the Refunding School Bonds; (b) a summary of the issuance of the Refunding School Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding School Bonds and (d) a certification of the Business Administrator/Board Secretary that (i) all of the conditions of section (b) of N.J.A.C. 5:30- 2.5 have been met and (ii) this resolution authorizing the issuance of the Refunding School Bonds, adopted pursuant 18A:24-61.5(b), was approved by a two-thirds vote of the full membership of the Board.

The Business Administrator/Board Secretary shall execute a certificate evidencing the determinations or other actions taken pursuant to the authority granted hereunder, and any such certificate shall be conclusive evidence of the actions or determinations of the Business Administrator/Board Secretary as to the matters stated therein.

**SECTION 4.** The President and Vice President of the Board are hereby authorized and directed to execute by manual or facsimile signature the Refunding School Bonds in the name of the Board and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. The Business Administrator/Board Secretary is hereby authorized and directed to attest to such signature and to the affixing of said seal to the Refunding School Bonds.

**SECTION 5.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to approve the Bond Purchase Contract (the "Purchase Contract") for the Refunding School Bonds, to be dated the date of sale of such Refunding School Bonds and to be executed by the Underwriter. The President, Vice President and Business Administrator/Board Secretary are hereby authorized and directed on behalf of the Board to execute and deliver said Purchase Contract.

**SECTION 6.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to apply and qualify for the issuance of any policy of municipal bond insurance and to approve a Commitment for Municipal Bond Insurance (the "Commitment") setting forth the terms and conditions (including premium charges) upon which a bond insurer proposes to issue its bond insurance policy covering the Refunding School Bonds. The Business Administrator/Board Secretary is hereby authorized and directed on behalf of the Board to execute and deliver said Commitment.

**SECTION 7.** The Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, is hereby authorized and directed to approve the Escrow Deposit Agreement (the “Escrow Deposit Agreement”) with an escrow agent (the “Escrow Agent”) to be selected by the Business Administrator/Board Secretary, in consultation with Bond Counsel and the Financial Advisor, with respect to the Refunded Bonds, to be dated the date of the closing on the Refunding School Bonds. The President and Vice President of the Board are hereby authorized and directed to execute and deliver the Escrow Deposit Agreement in the name of the Board and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. The Business Administrator/Board Secretary is hereby authorized and directed to attest to such signature and to the affixing of said seal to the Escrow Deposit Agreement. The Underwriter is hereby authorized to act as the agent and representative of the Board for the purpose of subscribing for the purchase of United States Treasury Securities – State and Local Government Series to be held by the Escrow Agent. In the alternative, if United States Treasury Securities - State and Local Government Series are not available, the Financial Advisor or the Underwriter is hereby authorized to seek bids for the acquisition of United States Treasury Securities – open market securities.

**SECTION 8.** The Business Administrator/Board Secretary is hereby authorized and directed to select a verification agent (the “Verification Agent”), if required, in consultation with Bond Counsel and the Financial Advisor, with respect to the Refunded Bonds. The Verification Agent shall prepare the verification report required to verify the sufficiency of the escrowed monies to refund the Refunded Bonds.

**SECTION 9.** It is hereby delegated to the Business Administrator/Board Secretary the authority to “deem final” (as defined under the Rule (as hereinafter defined)) a Preliminary Official Statement (the “Preliminary Official Statement”) and such official is hereby authorized and directed to execute and deliver a certificate to the Underwriter evidencing the same. The preparation and distribution by the Board, in consultation with Bond Counsel, and counsel to the Underwriter, if any, of a Preliminary Official Statement for the Refunding School Bonds to be used in connection with the marketing of such Refunding School Bonds, is hereby approved and any previous actions undertaken by various representatives and officers of the Board with respect thereto are hereby ratified and confirmed. Upon the sale of the Refunding School Bonds to the Underwriter, the Preliminary Official Statement shall be so modified by the Business Administrator/Board Secretary, in consultation with Bond Counsel, to reflect the effect of the pricing of the Refunding School Bonds and the Purchase Contract and any other revision not inconsistent with the substance thereof deemed necessary or advisable by Bond Counsel, and said Preliminary Official Statement as so modified shall constitute the final Official Statement (the “Official Statement”). The Business Administrator/Board Secretary is authorized and directed on behalf of the Board to execute and deliver said Official Statement.

**SECTION 10.** The Board hereby covenants and agrees that it will comply with and carry

out all of the provisions of a Continuing Disclosure Certificate (the “Certificate”) which will set forth the obligation of the Board to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provision of the Rule. The Business Administrator/Board Secretary is hereby authorized and directed to execute and deliver this Certificate evidencing the Board’s undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Board to comply with the Certificate shall not be considered a default on the Refunding School Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance to cause the Board to comply with its obligations hereunder.

**SECTION 11.** The President, Vice President and Business Administrator/Board Secretary or any other appropriate officer or representative of the Board, are hereby authorized and directed to execute and deliver any and all documents and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, the Purchase Contract, the Escrow Deposit Agreement and the Commitment, and for the authorization, sale and issuance of the Refunding School Bonds. The execution by such officials and officers of any such documents, with changes, insertions or omissions approved by the Business Administrator/Board Secretary, in consultation with Bond Counsel, as hereinabove provided, shall be conclusive and no further ratification or other action by the Board shall be required with respect thereto.

**SECTION 12.** The Board hereby covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, (the “Code”) of the interest on the Refunding School Bonds. The Refunding School Bonds will be designated as “qualified tax-exempt obligations” for purposes of section 265(b)(3)(B)(ii) of the Code.

**SECTION 13.** All other resolutions adopted in connection with the Refunding School Bonds and inconsistent herewith are hereby rescinded to the extent of such inconsistency.

**SECTION 14.** This resolution shall take effect immediately.

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

**It is recommended that Item 1 be moved upon the recommendation of the Superintendent of Schools**

**1. Approval of Summer Programs 2013**

**RESOLVED** that the Board of Education approve the enclosed list of Summer Programs for June 2013-July 2013. (Attachment NB-1)

**It is recommended that Items 2\* through 7\* be moved upon the recommendation of the Superintendent of Schools.**

**2\*** Big History Course at Somerville High School

**RESOLVED** that the Board of Education approve the enclosed request for Michael Skomba, teacher of social studies at Somerville High School, to participate in the Big History Project pilot program funded by the Bill and Melinda Gates Foundation during the 2013-2014 school year. (Attachment NB- )

**3\*** Girls Lacrosse Donation

**RESOLVED** that the Board of Education accept the attached donation from the Somerville Girls Lacrosse Booster Club of uniforms and skirts to complete the newly purchased uniform set for the girl's lacrosse team at Somerville High School.

**4\*** Board of Education Special Counsel

**RESOLVED**, that the Board of Education hereby appoints the law firm Schenck, Price, Smith & King, LLP, as special education counsel to the Board until the Board's organization meeting in January, 2014; and

**BE IT FURTHER RESOLVED**, that the rates for said work shall be the same rates that the firm charges for its other legal work, previously approved by the Board at its January, 2013 organization meeting.

**5\*** Harlem Wizards Fundraising Proposal

**RESOLVED** that the Board of Education approve the enclosed proposal for the Harlem Wizards to compete in a basketball game at Somerville High School against district staff and the Somerville Police Department. Funds raised from this event will be used for pre-prom assembly speakers and events, as well as prom vouchers, favors, and decorations. A tentative date has been set for Tuesday, March 12, 2013. (Attachment NB-4)

**6\*** Field Trips

**RESOLVED** that the Board of Education approve the enclosed request for field trips. (Attachment NB-5)

**7\*** Travel Expenditure Resolution

**WHEREAS**, the Board of Education has determined that the school district travel expenditures for the attached programs are in compliance with State travel guidelines as established by the Department of the Treasury and within the guidelines established by the Federal Office of Management and Budget; except as superseded by conflicting provision of Title 18A of the New Jersey Statutes and in compliance with the district policy on travel; therefore be it

**RESOLVED**, that the Board of Education hereby approves the attendance of the listed number of school board members and district employees at the attached training and informational programs, and the costs of attendance including all registration fees, and

\* (Branchburg Vote Eligible)

statutorily authorized travel expenditures, provided that such expenditures are within the annual maximum travel expenditure amount. (Attachment NB-6)

## **XII. PERSONNEL**

### K-8

**RESOLVED** that the Board of Education approve and/or accept the following appointment(s) upon recommendation of the Superintendent of Schools. (Appointment(s) and salaries contingent upon verified documentation.)

1. To approve a paid maternity disability leave of absence for Sarah Martin, teacher of special education at Van Derveer School effective February 4, 2013 to March 22, 2013 and an unpaid child care leave of absence in accordance with the New Jersey Family Leave Act from April 2, 2013 to June 30, 2013.
2. To approve a paid maternity disability leave of absence for Megan Lazarte, teacher of special education at Van Derveer School effective April 2, 2013 to May 8, 2013 and an unpaid child care leave of absence in accordance with the New Jersey Family Leave Act from May 9, 2013 to June 30, 2013.
3. To approve a paid maternity disability leave of absence for Barbara Glinka, teacher of third grade at Van Derveer School effective April 22, 2013 to June 3, 2013 and an unpaid child care leave of absence in accordance with the New Jersey Family Leave Act from June 4, 2013 to June 30, 2013.
4. To approve the appointment of the following individuals to the position of volunteers at Van Derveer School for the 2012-2013 school year:

Thomas Gargiulo	Kindergarten classroom
Linda Gargiulo	Kindergarten classroom
5. To approve the appointment of Alyssa Breeman to the leave replacement position of teacher of physical education (Iannella) at Somerville Middle School effective March 1, 2013 to June 30, 2013 at a salary of \$52,540.00 (BA, Step 1) (Prorated).
6. To approve the appointment of Susan Mooney to the leave replacement position of teacher of mathematics (Hunt) at Somerville Middle School effective March 8, 2013 to June 3, 2013 at a salary of \$55,065.00 (BA+30, Step 3) (Prorated).
7. To approve the appointment of Corey Spero to the leave replacement position of teacher of special education (Martin) at Van Derveer School effective February 13, 2013 to June 30, 2013 at a salary of \$63,539.00 (BA+15, Step 10) (Prorated).
8. To approve the appointment of Chelsea McNally to the position of literacy coach; instructional; Elementary School Teacher in Grades K-5 certification, at Van Derveer School to fill a vacancy caused by a resignation (Bardes) effective April 15, 2013 to June 30, 2013 at a salary of \$53,954.00 (BA+15, Step 3). (Attachment P-1)

\* (Branchburg Vote Eligible)

9. To accept the resignation of Caroline Horton from the position of cafeteria/playground aide at Van Derveer School effective January 28, 2013.
10. To accept the resignation of Donna Stattner from the position of cafeteria/playground aide at Van Derveer School effective January 29, 2013.
11. To accept the resignation of Wendy Hunt from the position of co-advisor for the Somerville Middle School Student Council effective March 14, 2013.

9-12 and Districtwide

**RESOLVED** that the Board of Education approve and/or accept the following appointment(s) upon recommendation of the Superintendent of Schools. (Appointment(s) and salaries contingent upon verified documentation.)

- 12\* To approve the appointment of the following individuals to the position of volunteers at Somerville High School for the 2012-2013 school year:
 

Sunil Chugh	Robotics
Donna Jaslow	Marching Band and Color Guard
Elise Sorge	Marching Band and Color Guard
- 13\* To approve the appointment of Robert Ebner to the position of assistant baseball coach at Somerville High School for the 2012-2013 school year at a stipend of \$6,240.00.
- 14\* To approve the appointment of Nicole Reina to the position of assistant softball coach at Somerville High School for the 2012-2013 school year at a stipend of \$6,240.00.
- 15\* To approve the appointment of Bryan Smith to the position of assistant track and field coach at Somerville High School for the 2012-2013 school year at a stipend of \$6,240.00.
- 16\* To approve a change in salary guide placement for the following staff member effective February 1, 2013:
 

Danielle Tarvin	MA +30
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- 17\* To approve the following staff members to administer the Alternative High School Assessment (AHSA) after school at the rate of \$35.00 per hour:
 

Jeanine Dilling
Rebecca Linton
Ruth Ann Scherr
- 18\* To approve the appointment of Cliff Ramsey to the position of percussionist for this year's musical performance at Somerville High School. A gratuity not to exceed \$800.00 will be paid from the drama account for his services.
- 19\* To approve the following individuals for their work as paraprofessionals for the

\* (Branchburg Vote Eligible)

Somerville High School Winter Guard:	
Joseph Harris	\$2,000.00
Jay Drake	\$2,000.00
Cynthia Wong	\$1,500.00
Danielle Marone	\$1,000.00

**20\*** To approve the appointment of the attached staff members to the position of Educational Proficiency Plan tutors for the 2012-2013 school year to be paid at the rate of \$50.00 per hour. (Attachment P-2)

**XIII. HEARING OF THE PUBLIC REGARDING AGENDA ITEMS AND NON AGENDA ITEMS**

*At this time, comment is invited on any matter related to the school district.*

*When permitted, public participation shall be governed by the following rules under Bylaw 0167:*

- 1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and any other group affiliation, if appropriate;*
- 2. Each statement made by a participant shall be limited to three minutes duration*
- 3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;*
- 4. All statements shall be directed to the presiding officer; no participant may address or question board members individually.*
- 5. The presiding officer may:*
  - a. Interrupt, warn, or terminate a participant’s statement when the statement is too lengthy, abusive, obscene, or irrelevant;*
  - b. Request any individual to leave the meeting when that person does not observe reasonable decorum;*
  - c. Request the assistance of law enforcement officers in the removal of a disorderly person when that person’s conduct interferes with the orderly progress of the meeting;*
  - d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and*
  - e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board’s business.*

**XIV. EXECUTIVE SESSION**

**RESOLVED** that the Board of Education move to recess into executive session to discuss a student matter, negotiations, and a legal matter. The minutes of the executive session, to the extent permitted by law, will be made available to the public once the issues are resolved, subject to confidentiality requirements.

\* (Branchburg Vote Eligible)

**RESOLVED** that the Board of Education move to return to public session.

**XV. ADJOURNMENT**