

**BUTLER BOARD OF EDUCATION
BUTLER, NJ 07405
MINUTES
EXECUTIVE MEETING 5:00 P.M.
REGULAR MEETING 7:00 P.M.
FEBRUARY 23, 2023
BUTLER HIGH MEDIA CENTER**



CALLED TO ORDER:

BY: K. Smith, called the meeting to order at 5:00 p.m., and read the Open Meeting Statement, below:

MEETING NOTICE ANNOUNCEMENT:

The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Butler Board of Education has caused notice of this meeting to be advertised by having the date, time, and place thereof posted at the Butler Board of Education Office, 38 Bartholdi Avenue, as designated by the Board of Education for posting of such notice in a public place, with copies of such notice delivered or mailed or electronically mailed to the following:

Suburban Trends and The Daily Record in accordance with Chapter 231, P.L. 1975

Chapter 8, P.L. 1995, provides for the representation of sending school district board of education members on the receiving school district board of education.

The Bloomingdale Board of Education representative has voting privileges on matters as outlined in Board Policy No. 0141.

PLEDGE OF ALLEGIANCE

ROLL CALL (MEETING ATTENDANCE):

A. Allison - **PRESENT**
J. Tacinelli - **PRESENT**
J. Tadros - **PRESENT**

A. Drucker - **PRESENT**
H. Oguss - **PRESENT**
C. Ziegler - **PRESENT**

J. Karpowich -**PRESENT**
K. Smith - **PRESENT**

L. Grecco- Bloomingdale Representative - **PRESENT**



MOTION TO ENTER CLOSED SESSION

Motion by C. Ziegler, seconded by A. Allison, that the Butler Board of Education adopt the following resolution:

BE IT RESOLVED, by the Butler Board of Education on this 23 day of February, 2023 at 5:02 PM, as follows:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, provides for the exclusion of the public from a meeting in certain circumstances, and;

WHEREAS, the Butler Board of Education is of the opinion that such circumstances exist to discuss Personnel and Finance which are exempt from public participation pursuant to New Jersey Public Law 1975, Chapter 231 "Open Public Meetings Act";

NOW THEREFORE, BE IT RESOLVED that the Butler Board of Education shall enter Executive Session on 2/23/2023 at 5:02 p.m.

The Board will reconvene in public session at the conclusion of the Executive Session. The information discussed during the Executive Session will be disclosed to the public as soon as it is determined by the Board that the information is no longer confidential.

1. The Board shall recess to closed session in accordance with the Open Public Meetings Law, N.J.S.A. 10:4-12b (1), (2), (6), (7) and (8). The general nature of the discussion will involve matters confidential by law, any investigations or tactics or techniques to protect persons or public property, litigation, anticipated litigation and attorney-client matters.
2. These matters will be disclosed to the public as soon as the need for confidentiality no longer applies.
3. This resolution shall take effect immediately.

By motion of C. Ziegler, seconded by A. Drucker, the meeting was called back to public session at 7:04 p.m.

REQUIRED OATH BY NEWLY SELECTED MEMBER

ANNOUNCEMENT(S): None

CORRESPONDENCE: None

DISTRICT RECOGNITION: None

STUDENT REPRESENTATIVE:

- Busra Aydin and Ashley Mendel



PRESENTATIONS: None

APPROVAL OF MINUTES:

Motion by C. Ziegler, seconded by J. Tacinelli, it was moved to approve the following minutes and dispense with the reading of the same since each member had received a copy:

- January 19, 2023 regular meeting minutes.
- January 19, 2023 executive meeting minutes.

Upon request, all approved minutes shall be made promptly available to the public at any time on or after the next business day following the meeting, unless the need for confidentiality with respect to the approved Executive Session Minutes exists, in which case all privileged and/or confidential information shall be redacted.

After a review of these executive session minutes, the reasons for prior redactions remain present, to the extent that any prior redactions have been made.

All in Favor.

SUPERINTENDENT'S REPORT:

- a. Good News and Progress in Our Schools**
- b. HIB Report - Approval of HIB Self Assessment Report:**

Motion by J. Karpowich, seconded by C. Ziegler, that the Butler Board of Education adopt the following resolution:

RESOLVED, that the Board of Education accepts the attached HIB Report beginning January 20, 2023 and ending February 21, 2023.

School	Incidents Reported	Confirmed Incidents HIB	Inconclusive - Case Remains Active	Unfounded/ Threshold or Code of Conduct Determinations
BHS	4	1	0	3
RBS	1	1	0	0
ADS	1	0	0	1

BE IT FURTHER RESOLVED, that the Butler Board of Education approves the remedial and disciplinary action taken by the building principals.

ROLL CALL:

- | | | |
|---------------------------|-------------------------|---------------------------|
| A. Allison - YES | A. Drucker - YES | J. Karpowich - YES |
| J. Tacinelli - YES | H. Oguss - YES | K. Smith - YES |
| J. Tadros - YES | C. Ziegler - YES | M. Gogel - YES |



L. Grecco - Bloomingdale Representative - **YES**

Motion carried 10-0-0

COMMUNICATIONS: None

DELEGATE/LIAISON REPORTS:

- a. Butler Education Foundation - C. Ziegler
- b. NJ School Boards Delegate - J. Tacinelli
- c. MOCESCOM - H. Oguss
- d. MCSBA - J. Tadros

PUBLIC PARTICIPATION #1 (on agenda action items only, if applicable): None

Public participation shall be governed by the following rules (Per District Policy #0167):

1. The Public participation period shall be for thirty minutes or fewer;
2. A participant must be recognized by the presiding officer and must preface comments by an announcement of his or her name, place of residence, and group affiliation, if appropriate;
3. Each statement made by a participant shall be limited to three minutes' duration;
4. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
5. All statements shall be directed to the presiding officer;
6. 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.

Please note that "Comments from the Audience" is not a time for dialogue – it is an opportunity for you to share a comment with the Board of Education. In addition, by law, administrators and Board of Education members are not permitted to publicly discuss personnel matters, student discipline, or other issues requiring confidentiality. While we may not respond to your comments, all input shared with the Board of Education is taken very seriously, and will be discussed at future deliberations by the Board of Education and its Committees.



PERSONNEL AND POLICY - J. Tacinelli, Chair

Personnel Committee Meeting Report

Policy Committee Meeting Report

Motion by J. Tacinelli, seconded by J. Tadros, to accept the recommendation of the Superintendent to approve and adopt motion PP 23-23 through 24-23 as described below:

PP 23-23 Appointments*

PP 24-23 Approval of Revised Job Descriptions*

Discussion: None

ROLL CALL:

A. Allison - **YES**

J. Tacinelli - **YES**

J. Tadros - **YES**

A. Drucker - **YES**

H. Oguss - **YES**

C. Ziegler - **YES**

J. Karpowich - **YES**

K. Smith - **YES**

M. Gogel - **YES**

L. Grecco - Bloomingdale Representative - **YES**

Motion carried 10-0-0

Motion by J. Tacinelli, seconded by J. Karpowich, to accept the recommendation of the Superintendent to approve and adopt motion PP 25-23 as described below:

PP 25-23 Appointments

Discussion: None

ROLL CALL:

A. Allison - **YES**

J. Tacinelli - **YES**

J. Tadros - **YES**

A. Drucker - **YES**

H. Oguss - **YES**

C. Ziegler - **YES**

J. Karpowich - **YES**

K. Smith - **YES**

M. Gogel - **YES**

Motion carried 9-0-0

RESOLUTIONS PP 23-23: APPOINTMENTS*

RESOLVED, the Board of Education approves the following appointments pending applicants' completion of all required background checks pursuant to the provisions of N.J.S.A. 18A:6-7 et seq., N.J.S.A. 18A6-4 et seq., and P.L. 2018, c. 5 as applicable:

PERSONNEL



--	--	--	--	--	--	--	--

D. Non-Instructional

Name	Nature of Action	Position	Salary	Location	Date Effective	Date Terminated	Discussion
Valmira Dika-Dalipi	Approve Resignation	Part Time Custodian	\$19,535.00	RBS	02/28/2023		
Randi Rogers	Approve Resignation	Paraprofessional	\$22,768.00	ADS	03/03/2023		

E. Extra Duty Pay

Name	Nature of Action	Position	Salary	Location	Date Effective	Date Terminated	Discussion

F. Substitute/Other

Name	Nature of Action	Position	Salary	Location	Date Effective	Date Terminated	Discussion
Christine Johnson	Rescind	Long Term Substitute	\$278.63	RBS	12/12/2022	02/07/2023	
Christine Johnson	Approve	Long Term Substitute	\$278.58	RBS	12/12/2022	02/07/2023	

CURRICULUM, INSTRUCTION, AND SPECIAL SERVICES - J. Tadros, Chair

Committee Meeting Report

Motion by J. Tadros, seconded by C. Ziegler, to accept the recommendation of the Superintendent to approve and adopt motions CIS 62-23 through CIS 68-23, as described below:

- CIS 62-23 Approval of Homebound/Bedside Instruction***
- CIS 63-23 Renewal of Homebound/Bedside Instruction***
- CIS 64-23 Approval of Community Based Instruction Sites***
- CIS 65-23 Approval of Supportive Employment Agreement With Wawa, Inc. For Rise Transition Program***
- CIS 66-23 Approval of Field Trips***
- CIS 67-23 Approval of Professional Days***
- CIS 68-23 Approval of Fundraisers***

Discussion: None

ROLL CALL:



A. Allison - YES
J. Tacinelli - YES
J. Tadros - YES

A. Drucker - YES
H. Oguss - YES
C. Ziegler - YES

J. Karpowich - YES
K. Smith - YES
M. Gogel - YES

L. Grecco - Bloomingdale Representative - YES

Motion carried 10-0-0

Motion by J. Tadros, seconded by J. Karpowich, to accept the recommendation of the Superintendent to approve and adopt motions CIS 69-23 through CIS 71-23, as described below:

- CIS 69-23 Approval of Professional Days**
- CIS 70-23 Approval of Field Trips**
- CIS 71-23 Approval of Homebound/Bedside Instruction**

Discussion: None

ROLL CALL:

A. Allison - YES
J. Tacinelli - YES
J. Tadros - YES

A. Drucker - YES
H. Oguss - YES
C. Ziegler - YES

J. Karpowich - YES
K. Smith - YES
M. Gogel - YES

Motions CIS 69-23 & 71-23 carried 9-0-0
Motion CIS 70-23 Carried 8-0-1. H. Oguss Abstained.

RESOLUTION CIS 62-23: APPROVAL OF HOMEBOUND/BEDSIDE INSTRUCTION*

RESOLVED, the Board of Education approves Home Instruction/Bedside Hours as per Guidance Department, Student Physician, and/or Court Order, paid upon submission of timesheets:

Student ID Number/District	Grade	Effective Date	Hours Per Week	End Date
#94534/Butler	11	01/27/2023	10	02/10/2023
#95262/Butler	9	02/06/2023	10	02/14/2023
#94148/Butler	11	02/10/2023	10	05/10/2023

RESOLUTION CIS 63-23: RENEWAL OF HOMEBOUND/BEDSIDE INSTRUCTION*

RESOLVED, the Board of Education approves the renewal of Home Instruction/Bedside Hours as per Guidance Department, Student Physician, and/or Court Order, paid upon submission of timesheets:



Student ID Number/District	Grade	Effective Date	Hours Per Week	End Date
#94768/Butler	9	01/09/2023	10	02/20/2023
#94495/Butler	11	1/20/2023	10	03/22/2023

RESOLUTION CIS 64-23: APPROVAL OF COMMUNITY BASED INSTRUCTION SITES*

RESOLVED, the Board of Education approves the following community based instruction sites for the 2022-2023 school year:

Company Name	Location
Gleaners Thrift Shop	5 Bartholdi Avenue, Butler, NJ 07405
Chili's	58 NJ-23 N, Riverdale, NJ 07457
WAWA	1512 NJ-23, Butler, NJ 07405

RESOLUTION CIS 65-23: APPROVAL OF SUPPORTIVE EMPLOYMENT AGREEMENT WITH WAWA, INC. FOR RISE TRANSITION PROGRAM*

RESOLVED, the Board of Education approves the Supportive Employment Agreement with WAWA, INC. to provide job training experience for students in the RISE Transition Program for the 2022-2023 school year.

RESOLUTION CIS 66-23: APPROVAL OF FIELD TRIPS*

RESOLVED, the Board of Education approves the following field trips for the 2022-2023 school year:

Date	School	Destination/ Purpose	Requesters/Chaperones	Cost/Funding Source
03/07/2023	BHS	Drew University/Morris County Youth Wellness Summit	Vikki Szabo Rory Fitzgerald	\$0.00
03/02/2023 - 03/04/2023	BHS	NJSIAA State Wrestling Championships	Jason Luciani	\$2,482.74
03/16/2023	BHS	William Paterson University / Tour of Campus and Information about applying	Lisa Chestnutt Karrie McNear Michael Tobin	\$0.00 / Provided by WPU



04/22/2023 - 04/27/2023	BHS	Orlando, FL / DECA Nationals Competition	Lisa Chestnutt Kelsey Coraro Brian Baylor Maurico Penilla	\$1,500.00 per student
----------------------------	-----	---	--	------------------------

RESOLUTION CIS 67-23: APPROVAL OF PROFESSIONAL DAYS*

RESOLVED, the Board of Education approves the following professional days for the 2022-2023 school year:

Date	Vendor	Workshop Title/Presenter	Cost	Participants/Requestor
03/19/2023 - 03/22/2023	NJSBGA	Expo	\$870.10	Joseph Scaparro

RESOLUTION CIS 68-23: APPROVAL OF FUNDRAISERS*

RESOLVED, the Board of Education approves the following fundraisers and activities:

Club/Activity	Dates of Fundraiser	Event Description	Purpose of Fundraiser
National Honor Society	03/10/2023	Mr. Butler	Funds for National Honor Society and donations to families in need.
Interact Club	03/10/2023	Concession Stand at Mr. Butler	Funds for Scholarships
Junior/Senior Classes	03/06/2023	Seniors VS. Faculty Basketball Game	Funds for Prom/Senior Events
Freshman/Sophomore Classes	03/06/2023	Snack Stand at Seniors VS. Faculty Basketball Game	Funds for Freshman/Sophomore Classes
BHS Drama 2023	02/23/2023	Dine to Donate at Dairy Queen	20% of Sales Will Support BHS Drama 2023 Scholarships and Future Productions

RESOLUTION CIS 69-23: APPROVAL OF PROFESSIONAL DAYS

RESOLVED, the Board of Education approves the following professional days for the 2022-2023 school year:

Date	Vendor	Workshop Title/Presenter	Cost	Participants/Requestor
------	--------	--------------------------	------	------------------------



03/22/2023	College of St. Elizabeth	United Way SSN Meeting - Patrick Fennel	\$0.00	Dan Clark
03/27/2023	Women's Leadership Conference	Leadership Development	\$281.90	Michelle Papa

RESOLUTION CIS 70-23: APPROVAL OF FIELD TRIPS

RESOLVED, the Board of Education approves the following field trips for the 2022-2023 school year:

Date	School	Destination/ Purpose	Requesters/Chaperones	Cost/Funding Source
05/17/2023	RBS	Skylands Stadium / Sussex County Miners Baseball Game	Catherine Gelino Sydney Quinn Jason Brohm Kurt Heller Tyler Wheelwright Michele Elwertowski Celina Thorsland Elisabeth Krauze	\$30.00 without food voucher / \$38.00 with food voucher
05/23/2023	RBS	Sterling Hill Mines & Museum	Jessica Mignanelli Nicholas Branch Jason Kurpick Adam King Stacy Ahlquist Elizabeth Fellman	\$26.00 per student / PTA and Students
05/17/2023	ADS	Skylands Stadium / Sussex County Miners Baseball Game	Janet Kern Nicole Neumann Ryan Kelly Lillian Faust Amy Silverstein Dan Clark Marie Moujahed Kristy Ricker Karen Lomascola Maria Hurtado	\$22.00 per student / PTA and Students

RESOLUTION CIS 71-23: APPROVAL OF HOMEBOUND/BEDSIDE INSTRUCTION

RESOLVED, the Board of Education approves Home Instruction/Bedside Hours as per Guidance Department, Student Physician, and/or Court Order, paid upon submission of timesheets:

Student ID Number/District	Grade	Effective Date	Hours Per Week	End Date
#95862/Butler	K	02/13/2023	10	03/24/2023



FINANCE - C. Ziegler, Chair

Committee Meeting Report

Motion by C. Ziegler, seconded by J. Karpowich, to accept the recommendation of the Superintendent to approve and adopt motions FIN 66-23 through FIN 73-23, as described below:

- FIN 66-23 Bills and Claims and Payroll Report***
- FIN 67-23 Open Purchase Order Reports***
- FIN 68-23 Transfers***
- FIN 69-23 Reports of the Secretary and Treasurer***
- FIN 70-23 Resolution Binding the Butler Board of Education to Purchase Natural Gas Services through The Alliance For Competitive Energy Services (“ACES”) Bid***
- FIN 71-23 Approval of Schematic Plans Submission to NJDOE***
- FIN 72-23 Approval of Contract with LearnWell Education***
- FIN 73-23 Approval of Authorization Gianforcaro Architects, Engineers and Planners to Submit Applications to the New Jersey Department of Education for the ROD Grant***

Discussion: None

ROLL CALL:

- | | | |
|--|-------------------------|---------------------------|
| A. Allison - YES | A. Drucker - YES | J. Karpowich - YES |
| J. Tacinelli - YES | H. Oguss - YES | K. Smith - YES |
| J. Tadros - YES | C. Ziegler - YES | M. Gogel - YES |
| L. Grecco - Bloomingdale Representative - YES | | |

Motion carried 10-0-0

RESOLUTION FIN 66-23: BILLS AND CLAIMS AND PAYROLL REPORT*

RESOLVED, the Board of Education approves the **Bills and Claims and Payroll Report**, as per attached list, in the amount of **\$2,283,343.10** and further move that the following bills drawn on the current account in the total amount of **\$673,898.67** for materials received and/or services rendered, having been duly audited by the business administrator and submitted to the Board, be ratified by the Board.

RESOLUTION FIN 67-23: OPEN PURCHASE ORDER REPORTS*

RESOLVED, the Board of Education authorizes approval of the **Open Purchase Order Reports**, as per attached, in the amount of **\$146,603.81**.

RESOLUTION FIN 68-23: TRANSFERS*

RESOLVED, the Board of Education approves transfers for the month of **January 31, 2023** as presented and on file in the Board Office.



RESOLUTION FIN 69-23: REPORTS OF THE SECRETARY AND TREASURER *

RESOLVED, the Board of Education approves reports of the Secretary and Treasurer for the period ending **January 31, 2023**. Pursuant to N.J.A.C. 6:20-2.13, and 6:20-2A.10 (d) and (e), and as certified by the Board Secretary, the Board certifies that no budgetary line account has been over expended or has obligations or payments which in total exceed the amount appropriated by the Board of Education, and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

RESOLUTION FIN 70-23: RESOLUTION BINDING THE BUTLER BOARD OF EDUCATION TO PURCHASE NATURAL GAS SERVICES THROUGH THE ALLIANCE FOR COMPETITIVE ENERGY SERVICES ("ACES") BID*

WHEREAS, the Alliance For Competitive Energy Service (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 Butler 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, 2028, 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, 2028 (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.

RESOLUTION FIN 71-23: APPROVAL OF SCHEMATIC PLANS SUBMISSION TO NJDOE*

**BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE
BOROUGH OF BUTLER IN THE COUNTY OF MORRIS, NEW
JERSEY as follows:**

1. The Board President, the Superintendent of Schools, the Business Administrator/Board Secretary, the Project Architect, Bond Counsel and other appropriate representatives of the Board (the "Board Representatives") are hereby authorized to submit the educational plans and the schematic plans for school facilities projects consisting of additions, renovations, alterations and improvements at



Butler High School, Richard Butler Middle School and Aaron Decker Elementary School, including acquisition and installation of furnishings and equipment and site work (the “Projects”), hereby approved in forms prepared by Gianforcaro Architects, Engineers & Planners (the “Project Architect”), together with such other information as may be required, to the State Department of Education for approval and to make application to the Commissioner of Education for approval of the educational plans, the schematic plans and the Projects and, if necessary, any required amendment to the long-range facilities plan, in accordance with the requirements of the Educational Facilities Construction and Financing Act, N.J.S.A. 18A:7G-1 et seq. (P.L. 2000, Ch. 72, effective July 18, 2000, as amended and supplemented) (the “Act”) and N.J.A.C. 6A:26-2.1(f), 6A:26-2.3, 6A:26-3.1 and 6A:26-3.2. The Board will request debt service aid for eligible project costs.

2. The Board Representatives are hereby further authorized and directed to submit the schematic plans and any other required information to the Planning Board and, if necessary, to the New Jersey Department of Environmental Protection and to any other appropriate agency for review and comment.

3. The Project Architect has heretofore and is hereby authorized and delegated the responsibility to prepare the plans and specifications for the Projects in consultation with and under the supervision of the Business Administrator/Board Secretary, who has heretofore and is hereby delegated the responsibility to work with the Project Architect for this purpose on behalf of the Board, and such authorizations and delegations are hereby reconfirmed and ratified, all in accordance with the requirements of N.J.S.A. 18A:18A-16.

4. The reference to officers of this school district herein includes any vice president in the absence or unavailability of the president and assistant, deputy, interim, acting or successor officer authorized to act in that capacity or holding that position.

5. The Board Representatives are hereby authorized to take all steps necessary to implement this resolution and to provide any required notice in a timely manner to prepare for a special school district election.

6. This resolution shall take effect immediately.

RESOLUTION FIN 72-23: APPROVAL OF CONTRACT WITH LEARNWELL EDUCATION*

RESOLVED, the Board of Education approves a contract with LearnWell Education to provide home instruction for the 2022-2023 school year, \$55.00 per hour, 10 hr/week, February 10, 2023 to June 16, 2023 plus an additional 33% service fee.

RESOLUTION FIN 73-23: APPROVAL OF AUTHORIZATION GIANFORCARO ARCHITECTS, ENGINEERS AND PLANNERS TO SUBMIT APPLICATIONS TO THE NEW JERSEY DEPARTMENT OF EDUCATION FOR THE ROD GRANT*

RESOLVED, the Butler Board of Education authorizes Gianforcaro Architects, Engineers and Planners to submit the applications to the New Jersey Department of Education for the ROD Grant funding for the following projects:



- HVAC Renovations to the Butler High School
- Window Replacement at the Butler High School

The Board of Education approves any and all revisions to the Long Range Facility as required to obtain New Jersey Department of Education approvals.

OPERATIONS - C. Ziegler, Chair

Committee Meeting Report

Motion by C. Ziegler, seconded by J. Karpowich, to accept the recommendation of the Superintendent to approve and adopt motion OPS 26-23 through OPS 27-23 as described below:

OPS 26-23 HS/District Facility Use Requests*

OPS 27-23 Emergency Evacuation Use Agreement Between The Butler Board of Education and County College or Morris*

Discussion: None

ROLL CALL:

A. Allison - **YES**

A. Drucker - **YES**

J. Karpowich - **YES**

J. Tacinelli - **YES**

H. Oguss - **YES**

K. Smith - **YES**

J. Tadros - **YES**

C. Ziegler - **YES**

M. Gogel - **YES**

L. Grecco - Bloomingdale Representative - **YES**

Motion OPS 27-23 carried 10-0-0.

Motion OPS 26-23 carried 9-0-1. H. Oguss Abstained.

Motion by C. Ziegler, seconded by A. Drucker, to accept the recommendation of the Superintendent to approve and adopt motion OPS 28-23 through OPS 29-23, as described below:

OPS 28-23 Elementary Facility Use Requests

OPS 29-23 School Bus Emergency Evacuation Drill Report

Discussion: None

ROLL CALL:

A. Allison - **YES**

A. Drucker - **YES**

J. Karpowich - **YES**

J. Tacinelli - **YES**

H. Oguss - **YES**

K. Smith - **YES**

J. Tadros - **YES**

C. Ziegler - **YES**

M. Gogel - **YES**

Motion OPS 29-23 carried 9-0-0.

Motion OPS 28-23 carried 8-0-1. H. Oguss Abstained.



RESOLUTION OPS 26-23: HS/DISTRICT FACILITY USE REQUESTS*

RESOLVED, the Board of Education approves the following application(s) for **use of facilities** for the **2022-2023** school year:

Date	Group	Event	Place	Classification/ App. #	Fee
2/2/2023	BBEA	Meeting	BHS Media Center	B-50 SY 22/23	\$0.00
5/21/2023	Butler PTA	4th Grade 5K Walk/Run	Memorial Field Track, Snack Stand & Bathrooms 8:00 a.m. - 12:00 p.m.	B-57 SY 22/23	\$0.00
6/4/2023	Bici Fitness LLC	Bicycling Event	BHS & RBS Parking Lots 6:00 a.m. - 6:00 p.m.	C-17 SY 22/23	\$0.00 (Fee Waived)
Rehearsals: 2/28/2023, 3/2/2023, Event Date: 3/10/2023	BHS National Honor Society	Mr. Butler	BHS Auditorium Rehearsals: 2:40 p.m. - 10:30 p.m. Event Date: 7:00 p.m. - 9:30 p.m.	A-37 SY 22/23	\$0.00
5/31/2023	BHS National Honor Society	Induction Ceremony for Juniors and Senior Exit	BHS Auditorium and Cafeteria 7:00 p.m.	A-38 SY 22/23	\$0.00
3/17/2023	BHS Drama	Broadway Masterclass	BHS Auditorium 3:00 p.m.	A-39 SY 22/23	Funded by Drama Dept.
3/30/2023	BHS Nurse Health Dept.	Blood Bank Speaker Robert Hatch - Vitalant Blood Bank (11th & 12th Grade Students)	Activity will be held during PE Classes	A-40 SY 22/23	\$0.00



4/5/2023	BHS PEER	Blood Drive - Vitalant Blood Bank (11th & 12th Grade Students)	BHS GYM 8:00 a.m. - 2:40 p.m.	A-41 SY 22/23	\$0.00
Revised Dates: 5/7/2023 5/8/2023 5/9/2023 5/11/2023 5/12/2023 5/13/2023 If Needed for Double Casting Dates & Time: 5/13/2023 1:00 p.m. - 5:00 p.m. 5/14/2023 1:00 p.m. - 6:00 p.m.	Aspire Performing Arts Company	Theater Rehearsals and Performances	BHS Auditorium, Dressing Rooms, Classrooms (Will need tables and chairs in lobby and use of the tech booth) Times: 5/7/2023 - Set up/rehearsal 10:00 a.m. - 4:00 p.m. 5/8/2023 - 5/13/2023 Rehearsal and Performances 5:00 p.m. - 10:00 p.m.	E-4 SY 22/23	Rental Fee: \$450 per day Plus Custodial OT & Light and Sound Tech Fees
3/6/2023	BHS Jr./Sr. Class	Senior vs. Faculty Basketball Game	BHS Gym 7:00 p.m.	A-42 SY 22/23	\$0.00
3/6/2023	BHS Freshman and Sophomore Class	Snack Stand for Student vs. Faculty Game	BHS - Outside of Gym Entrance 6:30 p.m. - 9:00 p.m.	A-43 SY 22/23	\$0.00
3/10/2023	BHS Interact Club	Concession Stand at Mr. Butler	BHS Auditorium 6:00 p.m. - 9:00 p.m.	A-44 SY 22/23	\$0.00

RESOLUTION OPS 27-23: EMERGENCY EVACUATION USE AGREEMENT BETWEEN THE BUTLER BOARD OF EDUCATION AND COUNTY COLLEGE OF MORRIS*



This Agreement is made on **February 23, 2023**, by and between the Butler Board of Education ("Board"), located at **38 Bartholdi Avenue, Butler, NJ 07405**, and the County College of Morris ("CCM"), 214 Center Grove Road, Randolph, NJ 07869.

Whereas, the Board and CCM share concerns about student safety and security and recognize the need to respond to such concerns on an expedited basis; and

Whereas, the parties recognize that there may be some instances when, in case of an emergency **the Butler School District** ("District") students require evacuation and transport to off-site facilities; and

Whereas, CCM has offered to provide such facilities in case of emergency evacuation and the Board has determined that CCM's facilities are adequate and beneficial to the District's students for such use;

Now, therefore, in consideration of the conditions and agreements contained herein and other valuable consideration and for the sum of one dollar (\$1.00), which has been deemed by each party to be acceptable, the receipt and sufficiency of which are hereby acknowledged, the Board and CCM agree as follows:

1. Use. CCM will provide, and the Board will utilize, adequate and safe CCM facility space for the receipt and placement of District students during an emergency event which jeopardizes the safety of the students or District facilities and which necessitates the evacuation of District students and staff from the building(s) to an off-site location, as may be ordered or determined by law enforcement and/or District administration. Such events include, but are not limited to, bomb threats, school security and intruder threats and warnings, and facility breakdowns, among other things. However, in the event of a regional or local emergency that also affects CCM such that facility space is unavailable for the Board's use, CCM shall not be required to make the site available to the Board for these purposes.
2. Transportation. The Board shall provide all necessary transportation of District students to CCM during such emergency events.
3. Notice. While CCM agrees and understands that the nature of emergency events is such that the ability of the Board to provide advance notice of its need to use CCM facilities to CCM may be limited, the Board agrees to provide as much advance notice to CCM of an emergency event as may be possible.
4. Fees. CCM agrees to provide all necessary and sufficient secured building space at its facility for emergency evacuation purposes as set forth herein at no cost to the Board.
5. Representatives and Responsibilities. The parties agree that while District students are present on CCM property or in CCM facilities for the purpose set forth herein, the Board shall at all times be and remain responsible for the supervision of its students and staff and the conduct of their parents, guardians, and relatives while at CCM. A District representative assigned by District Administration will have authority over the students. CCM may designate a



representative to be present during all emergency evacuations of District students to CCM. The parties agree to comply with both District and CCM rules, policies and procedures while the students are present at CCM. CCM agrees to arrange for access to and make provisions for District students, staff and other authorized individuals to enter upon the premises as permitted under this Agreement.

6. Selection of Site. Facility and parking space under this Agreement shall be identified by CCM staff and agreed-to by District Administration. The parties agree that representatives from the Board and CCM will work collaboratively with one another in the event of an emergency evacuation to coordinate the transport, receipt and placement of students during an emergency event and that all such locations will be preselected and approved by the parties prior to an emergency evacuation, to the extent possible.
7. Applicable Law. This Agreement shall be construed under the laws of the State of New Jersey.
8. Indemnification. In accordance with the CCM Facility Policy, permission to use college facilities is granted on the condition that the Board agrees to indemnify, defend, pay on behalf of and shall hold harmless CCM and the County of Morris, its officers, employees and agents against and from all claims, liability, cost, expenses, fees (including reasonable legal fees), and from all loss and/or damages of every kind and description including statutory and workers' compensation liability for injury or death of any person (including students or employees), and liability or damage to any property, which arises in any manner, or may be caused in any way from the use of the college facilities and equipment by the Board, including a claim by an employee or invitee of the Board. However, this indemnification/hold harmless provision shall not apply to losses, claims or damages caused by the intentional or negligent acts of CCM, the County of Morris, its officers, employees, and agents, for which CCM agrees to indemnify and hold harmless the Board, its members, agents and employees. Permission to use college facilities is further conditioned on the agreement of your organization to maintain contractual insurance coverage specifically covering the indemnity provided for in this contract provision.
9. Reimbursement. Submittals for reimbursement to cover financial loss by the municipality and/or District, will include the recovery of costs incurred by CCM. CCM will provide the District with documentation of quantifiable costs or financial loss incurred, to support the reimbursement request.
10. Term. The term of this Agreement shall be from the date of execution through **June 30, 2023**. However, as the intent of the parties is to continue this Agreement in the future, this Agreement may be extended or renewed by joint agreement of the parties for future one-year terms as necessary. The parties agree to meet and/or discuss the extension or termination of the Agreement, as the case may be, at least 30 days prior to the expiration of the term.



11. Termination. This Agreement may be terminated by either party upon 30 days written notice. Furthermore, either party may provide written notice to the other party of any material default in the terms of this Agreement or in the terms and conditions contained within CCM's Facility Policy or either CCM's or the Board's policies, which both parties agree to adhere by. The defaulting party shall have five working days to provide written confirmation satisfactory to the other party that the default has been fully cured and will not re-occur. In the event that the defaulting party fails to provide the written confirmation, or, after having provided same, the same material breach reoccurs, the non-defaulting party shall have the right to immediately terminate the Agreement.

12. Non-Discrimination. The parties each agree to comply with the anti-discrimination provisions of N.J.S.A. 10:2-1. et seq., the New Jersey Law Against Discrimination. N.J.S.A. 10:5-1. et seq., N.J.A.C. 17:27-1.1, et seq. and N.J.A.C. 6A-7.1, et seq., and shall guarantee to afford equal opportunity in access to the facilities for the purposes set forth herein in accordance with law.

13. Approval. This Agreement is subject to the approval of both the Board and CCM prior to becoming effective. Each person who signs this Agreement warrants that he or she does so with the full and legal authority to executive this Agreement on behalf of the respective parties. This Agreement may be modified or amended only by written agreement jointly executed by the parties.

RESOLUTION OPS 28-23: ELEMENTARY FACILITY USE REQUESTS

RESOLVED, the Board of Education approves the following application(s) for **use of facilities** for the **2022-2023** school year:

Date	Group	Event	Place	Classification/ App. #	Fee
5/3/2023	Butler PTA	Treps Marketplace	RBS Multipurpose Room 3:00 p.m. - 10:00 p.m.	B-51 SY 228/23	\$0.00
5/12/2023	Butler PTA	RBS Spring Plant Sale	RBS Hallway 9:30 a.m. - 1:30 p.m.	B-52 SY 22/23	\$0.00
2/15/2023	Butler PTA	K-1 Art Class (Make Up)	ADS Art Room 2:30 p.m. - 3:45 p.m.	B-53 SY 22/23	\$0.00
3/17/2023	Butler PTA	3rd and 4th Grade Shamrock Dance	ADS Multipurpose Room 6:00 p.m. - 9:00 p.m.	B-54 SY 22/23	\$0.00



5/11/2023	Butler PTA	ADS Spring Plant Sale	ADS Field or Breezeway 8:30 a.m. - 2:00 p.m.	B-55 SY 22/23	\$0.00
5/12/2023 through 5/19/2023	Butler PTA	ADS Spring Book Fair	ADS Library 5/12/23 - Setup 2:00 p.m. - 8:00 p.m. 5/15/23 - 5/19/23 8:00 a.m. - 2:30 p.m. 5/18/2023 3:30 p.m. - 7:00 p.m.	B-56 SY 22/23	\$0.00
3/8/2023, 3/15/2023, 3/29/2023, 4/5/2023, 4/26/2023, 5/10/2023	Butler PTA	Treps Workshops	RBS Multipurpose Room, Cafeteria, & STEAM Room 2:40 p.m. - 4:30 p.m.	B-58 SY 22/23	\$0.00
3/27/2023 through 3/31/2023	Butler PTA	RBS Spring Book Fair	RBS Media Center 3/27/2023 - 8:15 a.m. - 7:30 p.m. 3/28/2023 - 3/30/2023 - 10:00 a.m - 1:30 p.m. 3/31/2023 - 10:00 a.m. - 2:30 p.m.	B-59 SY 22/23	\$0.00
3/10/2023	Butler PTA	Family Fun Bingo Night	RBS Multipurpose Room 5:00 p.m. - 9:00 p.m.	B-60 SY 22/23	\$0.00
5/5/2023	Butler PTA	Science Festival	RBS Gym/Multipurpose Room 3:00 p.m. - 9:30 p.m.	B-61 SY 22/23	\$0.00
5/19/2023	Butler PTA	Pocketbook Bingo	RBS Multipurpose Room 4:30 p.m. - 10:30 p.m.	B-62 SY 22/23	\$0.00
3/7/2023 3/8/2023 4/4/2023 4/5/2023	Butler PTA	Scribble Garden	ADS Art Room 2:30 p.m. - 4:00 p.m.	B-63 SY 22/23	\$0.00



3/20/2023 3/21/2023 3/27/2023 3/28/2023 4/3/2023 4/4/2023 4/17/2023 4/18/2023	Butler PTA	PTA Zumba	ADS Music Room 2:20 p.m. - 4:00 p.m.	B-64 SY 22/23	\$0.00
3/20/2023 3/27/2023 4/3/2023 4/17/2023 4/24/2023 5/1/2023	Butler PTA	PTA BASE - Chess	ADS Library 2:30 p.m.- 4:00 p.m.	B-65 SY 22/23	\$0.00
3/31/2023 4/21/2023 4/28/2023 5/5/2023 5/12/2023 5/19/2023	Butler PTA	PTA BASE - Rubix	ADS Library and Art Room 2:30 p.m. - 4:00 p.m.	B-66 SY 22/23	\$0.00

RESOLUTION OPS 29-23: SCHOOL BUS EMERGENCY EVACUATION DRILL REPORT

RESOLVED, the Board of Education approves the following School Bus Emergency Evacuation Drill Reports for the 2022-2023 school year:

School	Location of Drill	Route #'s	Drill Supervisor
P.G. Chambers	Parking Lot	CS116	Debbie Fresco

UNFINISHED BUSINESS/FOLLOW UP PREVIOUS AGENDA:

NEW BUSINESS:

PUBLIC PARTICIPATION #2: None

MOTION TO ENTER CLOSED SESSION

Motion by K. Smith, seconded by J. Karpowich, that the Butler Board of Education adopt the following resolution:

BE IT RESOLVED, by the Butler Board of Education on this 23 day of February, 2023 at 7:46 p.m., as follows:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, provides for the



exclusion of the public from a meeting in certain circumstances, and;

WHEREAS, the Butler Board of Education is of the opinion that such circumstances exist to discuss Personnel and Finance which are exempt from public participation pursuant to New Jersey Public Law 1975, Chapter 231 "Open Public Meetings Act";

NOW THEREFORE, BE IT RESOLVED that the Butler Board of Education shall enter Executive Session on 2/23/2023 at 7:46 p.m.

The Board will reconvene in public session at the conclusion of the Executive Session. The information discussed during the Executive Session will be disclosed to the public as soon as it is determined by the Board that the information is no longer confidential.

1. The Board shall recess to closed session in accordance with the Open Public Meetings Law, N.J.S.A. 10:4-12b (1), (2), (6), (7) and (8). The general nature of the discussion will involve matters confidential by law, any investigations or tactics or techniques to protect persons or public property, litigation, anticipated litigation and attorney-client matters.
2. These matters will be disclosed to the public as soon as the need for confidentiality no longer applies.
3. This resolution shall take effect immediately.

By motion of K. Smith, seconded by J. Karpowich, the meeting was called back to public session at 8:36 PM.

FOR THE GOOD OF THE ORDER:

ADJOURNMENT:

Motion by A. Drucker, seconded by J. Karpowich, that the Butler Board of Education adopt the following resolution:

RESOLVED, that the Board of Education approves the motion to close the meeting of the Butler Board of Education at 8:37 p.m.

Respectfully submitted,

Pamela Vargas
Board Secretary