

Minutes of **Tuesday, March 14, 2018 Public Board Meeting** of the Orange Board Of Education held at 7:00 p.m., Orange Preparatory Academy, 400 Central Avenue, Orange, New Jersey.

E. Lydell Carter is presiding over tonight's meeting.

Mr. Jeffrey Wingfield
Dr. Courtne Thomas
Ms. Cristina Mateo
Mr. Jarreau Israel
Ms. Rhoda Irodia
Ms. Kylesha Hill (**absent**)
Mr. E. Lydell Carter

ROLL CALL: (6) PRESENT (1) ABSENT

ALSO PRESENT:

- Mr. Ronald C. Lee, Interim Superintendent of Schools
- Mrs. Shebra Dismuke HR Talent Officer
- Dr. Paula E. Howard, Deputy Superintendent of Schools
- Mr. Adekunle James, School Business Administrator/Board Secretary
- Mr. Akindele Ayodele, Assistant School Business Administrator/Board Secretary
- Mr. Ronald Hunt, School Board Attorney with the firm of Hunt, Hamlin & Ridley

In conformance with the **Board of Education Policy 1120-1 and Open Public Meeting Act, Chapter 231**, this is to announce that this Public Board Meeting of the Orange Board of Education is being convened with adequate notice. Notice of this meeting has been posted at the Administrative Office, filed with the City Clerk's Office of the City of Orange Township and delivered to the Orange Transcript and the Star Ledger.

The City of Orange Township Board of Education encourages the participation and input from members of the public at its board meetings. However, in accordance with Board Policy, verbal attacks against individual staff members or members of the Board are not permitted. Persons are encouraged to address the Board regarding comments relating to agenda items or issues concerning the educational process. Public comments are limited to one (1) per attendee for a maximum duration of three (3) minutes. The Board of Education thanks you for your cooperation.

FLAG SALUTE

The following Rosa Parks Community School Student will lead the public in the Flag Salute:
Ruby Sanchez

PRESENTATIONS

Dance- "Earthquake"

Elen Antwi
Keinia Booker
JaNya Booker
Angela Davis
Sabrina Israel
Josena Sarah Noel

Let America Be America by Langston Hughes

Ikenna Obikulu

Can You Stand The Rain

Gideon Antwi
Daniel Bonneau

Steven Cambisaca
Nickson Desir
Kemsley Francois
Wensterley Gelin
Anthony Gomez
Danny Merales
Henderson Mercedat
Edwin Merino

"Thomas O'Malley Cat" from Aristocats Kids

O'Malley

Therry Francois

Chorus

Elisha Ayim
Amadi Bondurant
Nevaeh Cordon
Zineb Hassani
Goodness Iwuchukwa
Khloi Louis
Makayla McDonald
Karen Nievecela
Abigail Rochelin
Ruby Sanchez

Dancer

Amanda Desir
Modeline Jean Mary
Lydie Quiroa Roca
Kiah Smith

2018 District Spelling Bee Champions

1st Place - Brinny Morocho (grade 6) from **Rosa Parks Community School**

2nd Place - Arielle Hamilton (grade 6) from **Cleveland Street School**

3rd Place - Guadalupe Giles (grade 7) from **Cleveland Street School**

Grade Level Winners

1st Grade - **Christian Rambaran** – Forest Street
2nd Grade - **Riley Stewart** – Forest Street
3rd Grade - **Godloves-Nathan Nguetcho-Patio** – Rosa Parks Community
4th Grade - **Jaden Moinvil** – Park Avenue
5th Grade - **Noah Hicks** – Forest Street
6th Grade - **Brinny Morocho** – Rosa Parks Community
7th Grade - **Guadalupe Giles** – Cleveland Street

Superintendent's Report

Mr. Ronald Lee, Interim Superintendent of Schools

Update on District Facilities Renovations

Mr. Adekunle James, Business Administrator

BOARD MINUTES

February 13, 2018 - Closed Meeting
February 13, 2018 - Public Meeting

BOARD COMMENTS

- Mr. Adekunle James, (Board Secretary) performed the roll call to start the public session at about 7:08pm followed by the Flag Salute and a short presentation/play by the students of Rosa parks Community School.

- Ms. Alcantara rendered a poem to the public.
- Mr. Lee formally announced that the STEM Innovation Academy of the Oranges has opened. Awards and recognition were bestowed upon the Students and Parent of the Month
- Mr. James rendered a presentation on Facilities Maintenance District-Wide.

PUBLIC COMMENTS

- Mr. Jeffery Feld, sent in a written document to be read to board members and the public because he could not attend the meeting (see attached).

BOARD RESOLUTIONS

A18-007 RESOLUTION TO APPROVE THE CONTRACT WITH MAXIM HEALTH CARE SERVICES, INC., AND THE ORANGE BOARD OF EDUCATION TO PROVIDE NURSING SERVICES FOR THE 2017-2018 SCHOOL YEAR

WHEREAS, the Orange Board of Education has agreed to contract Maxim Health Care Services, Inc., to conduct Nursing Services at the rate of \$52.00 per hour for RN and \$47.00 per hour for LPN; and

WHEREAS, the contract specifies the type of service to be provided by Maxim Health Care Services Inc.; and

WHEREAS, a copy of the contract for this resolution is on file in the Department of Special Services.

NOW, THEREFORE BE IT RESOLVED, that the Orange Board of Education enters into a contract agreement with Maxim Healthcare Services to provide Nursing Services for the 2017-2018 School Year.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

C18-012 RESOLUTION TO APPROVE THE PAYMENT OF BILLS FOR FEBRUARY 2018

WHEREAS, the Orange School District request the payment of the attached detailed bills for February 2018, whose totals are summarized as follows:

<u>FUNDS</u>	<u>CHECKS</u>	<u>BILLS</u>	<u>TOTALS</u>
Fund 11 - General Current Expense	\$1,173,726.26	\$1,684,842.41	\$2,858,568.67
Fund 12 – Capital Outlay	0.00	22,328.69	22,328.69
Fund 15 – Whole School Reform	7,047.98	80,513.04	87,561.02
Fund 20 – Special Revenue Funds	14,346.93	654,513.51	668,860.44
Grand Total	\$1,195,121.17	\$2,442,197.65	\$3,637,318.82

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby approves the total payment of district bills in the amount of **\$3,637,318.82**

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

**C18-013 RESOLUTION TO ACCEPT THE BOARD SECRETARY'S
REPORT FOR THE MONTH OF JANUARY 2018**

WHEREAS, the School Business Administrator/Board Secretary, hereby submits the Board Secretary's Financial Report for the month of January 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education, after review of such report, hereby accepts the January 2018 Board Secretary's Financial Report.

BE IT FURTHER RESOLVED, that a copy of this report be on file in the Business Office

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

**C18-014 RESOLUTION TO ACCEPT THE TREASURER OF SCHOOL
FUNDS REPORT FOR THE MONTH OF JANUARY 2018**

WHEREAS, under statute regulations the Treasurer of School Funds is required to reconcile bank accounts and the Board Secretary Report and said reports have been submitted.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby accepts the Treasurer of School Funds Report for the month of January 2018.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

**C18-015 RESOLUTION TO APPROVE THE BOARD OF EDUCATION'S
MONTHLY CERTIFICATION OF BUDGETARY MAJOR
ACCOUNT/FUND STATUS FOR
JANUARY 2018**

WHEREAS, pursuant to N.J.A.C. 6:20-2.3(3), we (the Board) certify that as of January 2018, after review of the Board Secretary's Financial Report (appropriate sections) and upon consultation with appropriate Official, to the best of our knowledge, no major account of funds has been over-expended in violation of N.J.A.C. 6:20-1.13(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education, hereby approves its Monthly Certification of Budgetary Major Account/Fund Status, as indicated above.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

**C18-016 RESOLUTION TO APPROVE THE TRANSFER OF FUNDS
(FUND 11) FOR THE 2017-2018 SCHOOL YEAR**

WHEREAS, the Orange School District requires budgetary transfers to meet the encumbrances for the 2017-2018 school year, as per the attached.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby approves the Transfer of Funds.

BE IT FURTHER RESOLVED, that the 2017-2018 budget be adjusted accordingly.
Moved by Jeffery Wingfield. Seconded by Cristina Mateo.
ROLL CALL: (6) YEA (0) NAY

**D18-002 RESOLUTION TO ACCEPT BUILDING CAPACITY FOR
CAREER PATHWAYS GRANT AWARD: YEAR 3**

WHEREAS, the Orange Board of Education approved the GRANT for the BUILDING CAPACITY FOR CAREER PATHWAYS; A PILOT PROGRAM FOR COMPREHENSIVE HIGH SCHOOL: YEAR 3 on January 9, 2018; and,

WHEREAS, the BUILDING CAPACITY FOR CAREER PATHWAYS; A PILOT PROGRAM FOR COMPREHENSIVE HIGH SCHOOL (\$500,000.00) was developed, submitted, and approved by the New Jersey Department of Education, focusing on Career and Technical Education; and,

WHEREAS, the BUILDING CAPACITY FOR CAREER PATHWAYS GRANT AWARD must be submitted for approval annually, according to the GRANT schedule; and,

WHEREAS, the third year of the BUILDING CAPACITY FOR CAREER PATHWAYS; A PILOT PROGRAM FOR COMPREHENSIVE HIGH SCHOOL: YEAR 3 was submitted to and approved by the New Jersey Department of Education;

NOW, THEREFORE BE IT RESOLVED, that the Orange Board of Education approves the RESOLUTION TO ACCEPT BUILDING CAPACITY FOR CAREER PATHWAYS GRANT AWARD: YEAR 3.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.
ROLL CALL: (6) YEA (0) NAY

**E18-007 RESOLUTION TO APPROVE THE REQUEST OF MR.
TERRANCE BOYD TO UTILIZE PARK AVENUE SCHOOL GYM
TO HOST ITS AAU BASKETBALL LEAGUE**

WHEREAS, Mr. Terrance Boyd is requesting to utilize the following:

PARK AVENUE GYM

AAU BASKETBALL LEAGUE

March 21, 22, 23, 28, & 29, 2018

April 11, 12, 13, 18, 19, 20, 25, 26 & 27, 2018

May 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 29, 30 & 31, 2018

June 5, 6, 7, 12, 13 & 14, 2018

Tues, Wed, Thur

6:00 p.m. – 9:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby approves the request of Mr. Terrance Boyd, as indicated above, pending the receipt of the signed copy of the Hold Harmless Agreement, Request for Use of District Facilities Forms, proof of insurance.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.
ROLL CALL: (6) YEA (0) NAY

E18-008 RESOLUTION TO APPROVE THE REQUEST OF MS. WENDY SYKES TO UTILIZE OPA AUDITORIUM TO HOST HER PRAISE DANCE PRODUCTION

WHEREAS, Ms. Wendy Sykes is requesting to utilize the following:

OPA AUDITORIUM
PRAISE DANCE PRODUCTION
July 21, 2018
11:00 a.m. – 3:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby approves the request of Ms. Wendy Sykes, as indicated above, pending the receipt of the signed copy of the Hold Harmless Agreement, Request for Use of District Facilities Forms, proof of insurance and payment of fees in the amount of \$898.64.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

E18-009 RESOLUTION TO APPROVE THE REQUEST OF MR. KRISTOPHER MCCLUNEY TO UTILIZE OPA AUDITORIUM TO HOST A FILM SHOOT

WHEREAS, Mr. Kristopher McCluney is requesting to utilize the following:

OPA AUDITORIUM
FILM SHOOT
March 17, 2-18
2:00 a.m. – 8:30 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education hereby approves the request of Mr. Kristopher McCluney, as indicated above, pending the receipt of the signed copy of the Hold Harmless Agreement, Request for Use of District Facilities Forms, proof of insurance and payment of fees in the amount of \$397.26.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

F18-006 RESOLUTION TO APPROVE DISTRICT-WIDE WORKSHOPS/CONFERENCES

WHEREAS, the Orange Board of Education seeks to expand educational opportunities by providing alternative non-traditional experiences.

NOW, THEREFORE BE IT RESOLVED, that the Orange Board Of Education approves the Field Trips as per attached summary.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

F18-007 RESOLUTION TO APPROVE DISTRICT-WIDE FIELD TRIPS

WHEREAS, the Orange Board of Education seeks to expand educational opportunities by providing alternative non-traditional experiences.

NOW, THEREFORE BE IT RESOLVED, that the Orange Board of Education approves the field trips as per the attached summary.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

F18-008 RESOLUTION TO ADOPT VARIOUS STATE MANDATED, DISTRICT NEW AND REVISED POLICIES (SECOND READING)

WHEREAS, the Orange Board of Education is required by the State of New Jersey, Department of Education, to adopt and implement for all Public Schools within the district the following new and revised policies:

- P 2700 Services to Nonpublic School Students (M) (**Revised**)
- P & R 7100 Long Range Facilities Plan (M) (**Revised**)
- P & R 7101 Educational Adequacy of Capital Projects (**Revised**)
- P 7102 Site Selection and Acquisition (**Revised**)
- R 7102 Site Selection and Acquisition (**New**)
- P 7130 School Closing (**Revised**)
- P 7300 Disposition of Property (**Revised**)
- R 7300.1 Disposition of Instructional Property (**Abolished**)
- R 7300.2 Disposition of Land (Revised)
- R 7300.3 Disposition of Personal Property (**Revised**)
- R 7300.4 Disposition of Federal Property (**Revised**)
- P 0169.02 Board Member Use of Social Networks (**New**)
- P 3437 Military Leave (**Revised**)
- P 4437 Military Leave (**Revised**)
- R 5460.1 High School Transcripts (**Revised**)
- P 5516.01 Student Tracking Devices (**New**)
- R 7101 Educational Adequacy of Capital Projects (**Revised**)
- P 7425 Lead Testing of Water in Schools (**New**)
- P & R 7440 School District Security (M) (**Revised**)
- P & R 7441 Electronic Surveillance in School Buildings and on School Grounds (M) (**Revised**)
- P 8507 Breakfast Offer Versus Serve (OVS) (M) (**Revised**)
- P 8630 Bus Driver/Bus Aide Responsibility (M) (**Revised**)
- R 8630 Emergency School Bus Procedures (M) (**Revised**)
- P 9242 Use of Electronic Signatures (**New**)
- P 0143 Board Member Election and Appointment (**New**)
- P 0151 Organization Meeting (**New**)
- P 0110 Identification (**Revised**)
- P 0141 Board Member Number and Term (**New**)

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education approves the above mentioned new and revised policies for the Orange Public School District (Second Reading)

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

F18-009 RESOLUTION TO APPROVE THE JOB DESCRIPTION FOR COMPUTER LITERACY/APPLICATIONS/PROGRAMMING TEACHER, GRADES 9-12

WHEREAS, the District is seeking the approval of the job description for the position of Computer Literacy/Applications/Programming Teacher, Grades 9-12 to the students attending schools the Orange School District; and

WHEREAS, a job description has been developed for this position; hereby attached, detailing and delineating the responsibilities, as well as, the qualifications for this position; and

WHEREAS, the job description describes the terms of employment and reporting function; and

WHEREAS, employees hired in this position are represented by the Orange Education Association.

NOW, THEREFORE BE IT RESOLVED, upon the recommendation of the Interim Superintendent, the Board of Education of the City of Orange Township; hereby approves the job description of Computer Literacy/Applications/Programming Teacher, Grades 9-12.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

F18-010 RESOLUTION TO APPROVE THE 2018-2019 SCHOOL CALENDAR

WHEREAS, the Orange Board of Education annually approves the School Calendar for the ensuing school year; and

WHEREAS, the 2018-2019 school calendar has been collaboratively developed by the Orange Board of Education and the Orange Administrators, Supervisors, Association and the Orange Education Association.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education, hereby adopt the calendar for the 2018-2019 school year.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

G18-007 RESOLUTION TO APPROVE ORANGE HIGH SCHOOL TO HOST ITS' 2018 COMMENCEMENT EXERCISE AT THE RICHARD CODEY ARENA AT SOUTH MOUNTAIN

WHEREAS, the Richard Codey Arena at South Mountain provides a suitable location and facility to host the 2018 Orange High School Commencement rain or shine; and

WHEREAS, the Orange High School Principal, the Orange High School Graduation Committee, Superintendent of Schools and his Committee has deemed the location suitable, dignifying and appropriate to host the 2018 Orange High School Commencement or future graduation ceremonies at this location.

NOW, THEREFORE, BE IT RESOLVED, that the Orange Board of Education, hereby approves Orange High School to host its' 2014 Commencement Exercise at the Richard Codey Arena at South Mountain on Wednesday, June 20, 2018

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

**G18-008 RESOLUTION TO APPROVE THAT THE NJSDA AND THE
NJDOE SHOULD LEASE THE OLV SCHOOL BUILDING TO
BE USED AS A SWING SPACE BY THE CLEVELAND
ELEMENTARY SCHOOL DURING THE RENOVATION AND
ADDITION PROJECT PERIOD**

WHEREAS, the Orange Board of Education approved construction of the Cleveland Street Elementary School (Cleveland ES) addition and renovation project and that project requires the students and faculty to vacate the current building during the construction; and

WHEREAS, the District and the New Jersey Schools Development Authority (SDA) formulated a Temporary Facilities plan to house the students attending the Cleveland Street School during that construction period. The plan calls for the use of two floors of classrooms and other facilities at the Our Lady of the Valley School (OLV) at 518 Valley Street in Orange NJ to replace the spaces at the Cleveland Street School; and

WHEREAS, the New Jersey Schools Development Authority has agreed to fund the costs of leasing the entire OLV building as well funding as certain improvements on those two floors to be used by the Cleveland Street School as agreed by the District, SDA, and New Jersey Department of Education (NJDOE) to be necessary to support educational programs;

NOW, THEREFORE BE IT RESOLVED, that the Orange Board of Education, as recommended by the Interim Superintendent of Schools and the School Business Administrator hereby authorizes the Schools Development Authority to prepare an Application for a Temporary Facility Project use and have the Interim Superintendent and Board President to sign and submit the Temporary Facilities Project Application to the NJ Department of Education and complete other steps as may be necessary to secure approval for the use of such facilities.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

H. Case Numbers

Home Instruction Cases

#’s 826, 829, 830, 831, 832, 833, 834, 835, 836

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

Out-of-District Placement Cases

#’s

H.I.B Cases

Substantiated #’s OMS022618001, CSS02138001

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

HUMAN RESOURCE AGENDA

- ☐ Leaves of Absence
- ☐ Separations: Retirements/Resignations
- ☐ Appointments
- ☐ Stipends
- ☐ Other Personnel Actions
- ☐ For The Records

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

DISTRICT MEETINGS

- ☐ Next scheduled meetings are as follows:

Public

- Facilities Committee Meeting – Monday, April 9, 2018 at 2:30 p.m., 451 Lincoln Avenue
- Public Board Meeting – Wednesday, April 10, 2018 at 7:00 p.m., Orange Preparatory Academy, 380 Central Avenue
- Curriculum Committee Meeting – March 27, 2018 at 5:00 p.m., 451 Lincoln Avenue

Closed

- Human Resource Committee Meeting – Monday, April 9, 2018 at 4:00 p.m.

CORRESPONDENCES
COMMITTEE REPORTS
BOARD COMMENTS

Pursuant to N.J.S.A. 10:4-12 and in conformance with the Board of Education Policy 1120-1 **and Open Public Meeting Act, Chapter 231**, this is to announce that the Orange Board Of Education will hold its next regularly scheduled **Meeting on April 10, 2018** Closed Session at 5:30 p.m. and Public Session at 7:00 p.m. It is expected that the discussion undertaken in the closed session board meeting can be made public at the time official action is taken or when its confidentiality is no longer required.

Motion to adjourn Public Session.

Moved by Jeffery Wingfield. Seconded by Cristina Mateo.

ROLL CALL: (6) YEA (0) NAY

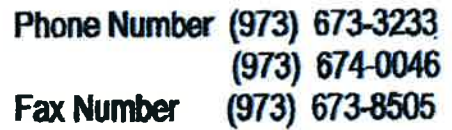
APPROVAL DATE: April 10, 2018

ATTESTED TO BY:



**School Business Administrator/
Board Secretary**

**268 Main Street
Orange, NJ 07050
TRUE VALUE # 06-6836-1**



To: Adekunle James Date: 3/12/18
From: Jeffrey Feld PO#: _____
Fax: 973-673-0535 Number of Pages: 3

Message:

Jeffrey S. Feld, Esq.
268 Main Street
Orange, New Jersey 07050
973.673.3233 (tele)
973.673.8505 (fax)
hardwaredad@aol.com (email)

March 12, 2018

(Fax: 973.673.0535 and Regular Mail)
Mr. Adekunle James
City of Orange Township Public Schools
451 Lincoln Avenue
Orange, New Jersey 07050

Re: BOE March 14, 2018 Public Comments

Dear Mr. James:

Because of a conflict, I am unable to attend Wednesday's BOE Rescheduled Regular Meeting. Consequently, I respectfully request that this letter be distributed to all BOE members and that the following comments and questions be inserted into the official March 14, 2018 BOE public record.

Much has transpired since the BOE's last February 13, 2018 regular meeting. The STEM Academy in South Orange finally opened. Based upon comments contained in the Record-Transcript, the STEM Academy principal advocated that all stakeholders move on and that any investigation of the STEM Academy transaction be suppressed. Our State Supreme Court Working Group Report on Private Citizen Municipal Criminal Complaints dated December 7, 2017 was published. In my humble opinion, this State Supreme Court Working Group Report validates the need for professional prosecutors to investigate the appointment of the mayor's brother as Orange's new police director without any public comment. Orange's B.A. publicly gutted Orange's Finance Department. Orange failed to comply with extended CY 2018 Budget filing deadlines. Orange's Municipal Clerk refused to certify (on residency grounds) two nominating petitions filed by two candidates loyal to our mayor-one of which was for a current BOE member. Councilperson Wooten issued an open letter calling for more city-wide transparency and stakeholder participation.

Accordingly, I respectfully request prompt responses to the following questions:

1. When will the BOE begin to post its annual audits on its public website?
2. Who opined as to the validity of the amending resolution restricting the aggregate amount of agenda and non-agenda public comments to just three minutes under State law?

3. Did counsel compare the public comment policies and procedures in Summit, Millburn and Livingston?
4. Why aren't BOE regular meetings broadcasted, recorded and rebroadcasted on the City's public access channel?
5. Where in the BOE's June 30, 2017 Audit Report are the three Orange Educational Foundation Leases disclosed?
6. Where in the BOE's June 30, 2017 Audit is the STEM Academy Lease disclosed?
7. Why does the BOE's June 30, 2017 Audit footnote regarding the impact of long term tax exemptions conflict with the City's CY 2016 Audit footnote?
8. Why has the BOE failed to produce an accounting of its use of all bond anticipation note proceeds issued and received pursuant to Orange's Offering Statement dated November 30, 2017?
9. When will the BOE produce an accounting of all monies expended in connection with the acquisition, lease, renovation and delayed opening of the STEM Academy located in South Orange?
10. Are the BOE regular meeting audio tapes "governmental records" under the Open Public Records Act and subject to production pursuant to OPRA? See, *Libertarians for Transparent Government v. The Ocean County Prosecutor's Office*, A-1608-16T1 (App. Div. Jan. 4, 2018) (Judges Messano, Accurso and Vernoia remanding to the trial court to assess whether the record custodian conducted required search for the requested records)
11. As fiduciaries of a public trust, are all BOE "public servants" subject to the equitable remedy of disgorgement? See, Editorial: "Clawback a Just Penalty for Employee Disloyalty," *New Jersey Law Journal*, 223 N.J.L.J. 3826 (Dec. 25, 2017) ("Economically harmed or not, an employer who is victimized by a dishonorable employee should have the right to recapture compensation paid during the time of the employee's disloyalty. A dishonest employee should not be allowed to go unpunished because of the fortuity of his employer's lack of loss. The integrity of our marketplace demands a full panoply of remedies for judges.")

Respectfully submitted,


Jeffrey S. Feld

cc: All local BOE members
Ronald C. Hunt, Esq. (Fax 973.242.8295)
City Clerk
City Attorney
City Business Administrator
All City Council Members

Jeffrey Feld

1. Publishing Audit on public website – under consideration
2. Information sought is unclear – Orange has elected to permit 3 minutes per speaker
– Open Public Meeting Act permits the public entity exercise its discretion and set a reasonable time frame as they see fit.
3. No, nor do I doubt that other municipalities compared their policies and protocols regarding public comments with the Orange Boe.
4. Public broadcast of regular public meetings is under consideration.
5. Inquiry has been made with the district auditors.
6. Inquiry has been made to the district auditors, if this a required audit note item.
7. This information has been provided with previous inquiry
8. Question is unclear – who else has requested an accounting of the Board's use of bonds? This information was previously asked by Mr. Feld and was provided.
9. Monies expended for S.T.E.M. should be provided in some fashion to the public.
10. Public Meetings are subject to production from the public entity at a cost to the public.
11. Question is unintelligible - if reworded and request a response, the Board will respond.

