

CLOSED EXECUTIVE SESSION MINUTES

July 30, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:40 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng
Ms. Carol Herts

Ms. Louisa Ho
Ms. Michele Kaish

Ms. Dana Krug
Mr. Martin Whitfield

Board members Anthony Fleres, Rachel Juliana, and Yu “Taylor” Zhong were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Mr. Patrick Duncan, Special Assistant for Labor Relations; and Ms. Charity Fues, Director of Human Resources. Also present was board attorney Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights; matters involving attorney-client privilege; matters involving quasi-judicial deliberations; matters involving negotiations, and matters involving anticipated or pending litigation.

1. Matter involving quasi-judicial deliberations, and specifically: HIB Case #GMS042919001.
Dr. Aderhold reported that the HIB interview of the student of the student involved in this matter was cancelled due to the power outage last week. It will be rescheduled on that date that is convenient for the District and the family (who are presently traveling).
2. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: SEC DKT No. C17-18, Commissioner Decision No. 152-19SEC.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

3. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: MERL-L-1828-17.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

Board member Anthony Fleres arrived at approximately 6:46 p.m.

4. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: Civil Action No: 3:17-CV-02071-FLW-TJB.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

5. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: MID-L-4068-19.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

6. Matter concerning negotiations, and specifically: WWPAA Negotiations. Mr. Duncan informed the Board that the preliminary meeting on the WWPAA negotiations will be held on Wednesday.
7. Matter concerning negotiations, and specifically: WWPEA Sidebar Agreement.

COLLECTIVE NEGOTIATIONS, CONFIDENTIAL PERSONNEL INFORMATION

8. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employments – Personnel Matter regarding Employee # .

COLLECTIVE NEGOTIATIONS, CONFIDENTIAL PERSONNEL INFORMATION

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Fleres and seconded by Ms. Ho. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:15 p.m., the Board adjourned to return to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

August 27, 2019

Board President Michele Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:45 p.m. in room C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres
Ms. Carol Herts

Ms. Rachel Juliana
Ms. Michele Kaish

Ms. Dana Krug
Mr. Martin Whitfield

Board members Isaac Cheng, Louisa Ho, and Yu “Taylor” Zhong were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; Mr. Patrick Duncan, Special Assistant for Labor Relations; and Ms. Charity Fues, Director of Human Resources. Also present was board attorney Jeffrey Caccese, Esq.

Purposes: Matters involving personal confidentiality rights; matters involving attorney-client privilege; matters involving quasi-judicial deliberations; matters involving negotiations, and matters involving anticipated or pending litigation.

2. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employments – Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL ISSUE

Board member Yu “Taylor” Zhong arrived at 7:00 p.m.

3. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employments – Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL ISSUE

- [REDACTED]
4. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employments – Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL ISSUE

5. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: MID-L-4068-19.

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

6. Matter involving anticipated or pending litigation, including matters of attorney-client privilege, and specifically: OAL Docket No.: EDS 07748-2019.

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION; STUDENT INFORMATION

7. Matter concerning negotiations, and specifically: WWPSA Agreement. There are two dates set up for negotiations.

Mr. James Earle, Assistant Superintendent for Pupil Services/Planning, arrived at approximately 7:22 p.m.

8. Matter concerning negotiations, and specifically: WWPA Negotiations.

CONFIDENTIAL COLLECTIVE NEGOTIATIONS INFORMATION

Board member Dana Krug left the room at 7:28 p.m.

1. Matter involving quasi-judicial deliberations, and specifically: HIB Case #

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION, STUDENT INFORMATION

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Whitfield and seconded by Mr. Zhong. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:35 p.m., the Board adjourned to return to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES
September 17, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres

Ms. Louisa Ho
Ms. Rachel Juliana
Ms. Michele Kaish

Ms. Dana Krug
Mr. Martin Whitfield

Board members Carol Herts and Yu “Taylor” Zhong were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; and Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorney, Jeffrey Caccese, Esq., and board attorney, Eric Harrison, Esq.

Purposes: Matters involving personal confidentiality rights and attorney-client privilege, HIB matter, matters concerning pending/resolved litigation, WWPSA and WWPAA negotiations, and matters concerning real property.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Case No. EDS-03079-14.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

At approximately 6:44 p.m., Board member Carol Herts and Assistant Superintendent for Curriculum and Instruction, Dr. Pamela Nathan, entered the room.

At approximately 6:45 p.m., Board member Yu “Taylor” Zhong entered the room.

2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket No. EDS 17336-2018.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OCR# 02-19-1038.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: 3:19-cv-12816

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

5. Matters concerning negotiations, and specifically: WWPAA Contract Negotiations.

CONFIDENTIAL INFORMATION REGARDING COLLECTIVE NEGOTIATIONS

6. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL MATTER

7. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL MATTER

8. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL MATTER

9. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL MATTER

Board member Dana Krug left the room at approximately 7:35pm.

10. Matters involving quasi-judicial deliberations, and specifically: HIB Case # GMS042919001.

CONFIDENTIAL STUDENT MATTER

At 7:43 pm, a motion to adjourn the executive session and return to open session was made by Mr. Fleres and seconded by Ms. Herts. All Board member that were present voted in favor of adjourning the executive session and returning to open session with the understanding that the Board would return to executive session later to discuss the remaining topics.

At 9:23 pm, the Board returned to closed executive session.

11. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: MER-L-1828-17.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

12. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: MID-L-4068-19.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

13. Matters concerning negotiations, and specifically: WWPSA Contract Negotiations. WWPSA negotiations are scheduled for September 25.

CONFIDENTIAL INFORMATION REGARDING COLLECTIVE NEGOTIATIONS

14. Matters involving the purchase of real property and/or the investment of public funds, and specifically: Discussion of Real Property.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION; CONFIDENTIAL PROPRIETARY INFORMATION

At 9:52 pm, a motion to adjourn the executive session and return to open session was made by Mr. Fleres and seconded by Mr. Zhong. All Board members present voted in favor of returning to open session to immediately adjourn the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES
October 1, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:44 p.m. in room C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng	Ms. Louisa Ho	Ms. Dana Krug
Mr. Anthony Fleres	Ms. Rachel Juliana	Mr. Martin Whitfield
Ms. Carol Herts	Ms. Michele Kaish	Mr. Yu "Taylor" Zhong

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; and Ms. Charity Fues, Director of Human Resources. Also present was board attorney, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney-client privilege, matters concerning pending/resolved litigation, matters involving negotiations, and matters concerning real property.

1. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

CONFIDENTIAL PERSONNEL INFORMATION

2. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding employee #

CONFIDENTIAL PERSONNEL INFORMATION

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: GRC No. 2016-241.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: MID-L-4068-19.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

5. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Potential Claim

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

6. Matters concerning negotiations, and specifically: WWPSA Contract Negotiations.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION; CONFIDENTIAL COLLECTIVE NEGOTIATIONS ISSUE

Assistant Superintendent for Curriculum & Instruction Dr. Pamela Nathan arrived at approximately 7:00 pm.

7. Matters involving the purchase of real property and/or the investment of public funds, and specifically: Discussion of Real Property.

ATTORNEY CLIENT PRIVILEGED COMMUNICATION; CONFIDENTIAL PROPRIETARY INFORMATION

At 7:35 pm, a motion to adjourn the executive session and return to open session was made by Mr. Fleres and seconded by Mr. Zhong. All Board members present voted in favor of returning to open session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES
October 29, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:39 p.m. in room C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Mr. Martin Whitfield
Mr. Yu "Taylor" Zhong

Board members Isaac Cheng and Carol Herts were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum & Instruction; Mr. Patrick Duncan, Special Assistant for Labor Relations; and, Ms. Charity Fues, Director of Human Resources. Also present was board attorney, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney-client privilege, matters involving negotiations, matters concerning pending/resolved litigation, and matters concerning real property.

- 1. Matters concerning negotiations, and specifically: WWPSA Contract Negotiations.

**COLLECTIVE
NEGOTIATION**

[REDACTED]

Board member Carol Herts arrived at approximately 6:42 p.m.

- 2. Matters concerning negotiations, and specifically: WWPEA Sidebar Agreement.

**COLLECTIVE
NEGOTIATION**

[REDACTED]

- 3. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

[REDACTED]

CONFIDENTIAL PERSONNEL MATTER

4. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

[REDACTED]

CONFIDENTIAL PERSONNEL MATTER

5. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket No. EDS 08390-2018.

[REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

6. Matters involving the purchase of real property and/or the investment of public funds, and specifically: Discussion of Real Property.

[REDACTED]

At 7:34 pm, a motion to adjourn the executive session and return to open session was made by Mr. Whitfield and seconded by Ms. Juliana. All Board members present voted in favor of returning to open session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES
November 19, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. in room C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres

Ms. Louisa Ho
Ms. Michele Kaish

Ms. Dana Krug
Mr. Martin Whitfield

Board members Carol Herts, Rachel Juliana, and Yu “Taylor” Zhong were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; and Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorney, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney-client privilege, matters involving negotiations, matters concerning pending/resolved litigation, and matters concerning real property.

1. Matters concerning negotiations, and specifically: WWPSA Negotiations and Non-Affiliate Prescription. Mr. Duncan shared that the WWP Service Association and Board negotiations team came to an agreement on terms and proposed salary guides. Mr. Duncan discussed the agreed upon terms in the Memorandum of Agreement and the proposed salary guides with the Board.

Board member Carol Herts arrived at approximately 6:38 p.m.

2. Matter involving personnel issues, including but not limited to, the employment, appointment, termination of employment, or terms and conditions of employment, and specifically: Personnel Matter regarding Employee #

[REDACTED]

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: GRC No. 2016-241.

[REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

- 4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: MID-L-4068-19. [REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

- 5. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket No. EDS 17336-2018 S. [REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

- 6. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OCR Case # 02-19-1310. [REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

- 7. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OCR Case # 02-19-1423. [REDACTED]

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

Board Attorney Mark Toscano left the room at approximately 7:01 p.m.

- 8. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Student Matter. [REDACTED]

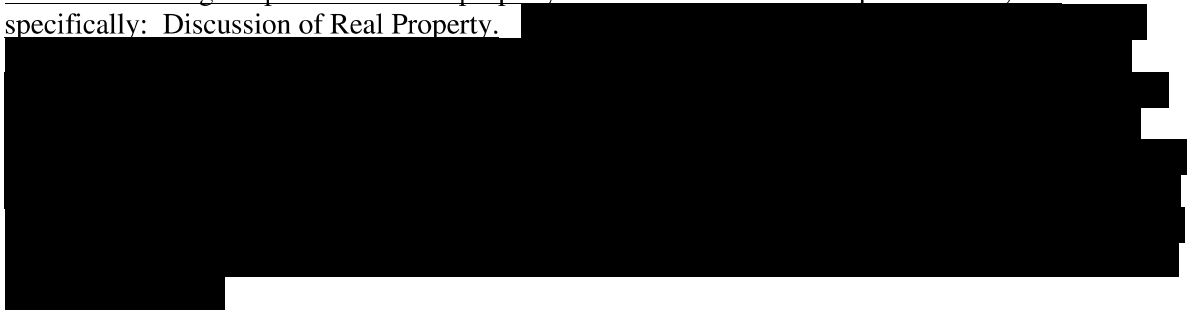
CONFIDENTIAL STUDENT INFORMATION

Board Attorney Mark Toscano returned at 7:14 pm.

- 9. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Student Matter. Dr. Aderhold explained to the Board that there was a meeting yesterday with the High School North Baseball Coach and Athletic Director at which students were informed that the coach is heading to High School South and the High School North team may not have a varsity team. High School North Baseball was successful in their JV season last year and there was hope that this year the team would be a varsity team. There are concerns that there may not be enough athletes to field a functional varsity team. The students athletes are under the impression that they

have already been notified that there is no varsity team this year. The recommendation needs to be reviewed, a plan determined, and a decision properly communicated. There will be a meeting on Monday with parents to discuss the matter. Sign-ups for baseball have not occurred yet. If enrollment doesn't increase, then North may have to compete at the JV level. The teams cannot be a co-op because South has a viable baseball team.

10. Matters involving the purchase of real property and/or the investment of public funds, and specifically: Discussion of Real Property.



ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL PROPRIETARY INFORMATION

At 7:27 pm, a motion to adjourn the executive session and return to open session was made by Ms. Ho and seconded by Ms. Krug. All Board members that were present voted in favor of adjourning the executive session and returning to open session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES
December 17, 2019

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:45 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres
Ms. Carol Herts

Ms. Louisa Ho
Ms. Rachel Juliana
Ms. Michele Kaish

Ms. Dana Krug
Mr. Martin Whitfield

Board members Isaac Cheng and Yu “Taylor” Zhong were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent, Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorney, Jeffrey Caccese, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, negotiations, matters concerning pending/resolved litigation, and purchase of real property.

1. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee # .

ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL MATTER

Ms. Charity Fues entered the room at 7:07 p.m.

2. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee # .

ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL MATTER

3. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel Matter regarding Employee # .

ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL MATTER

Mr. Cheng entered the room at 7:17 p.m.

4. Matter concerning negotiations, and specifically: WWPEA Negotiations regarding potential sidebar.

ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL COLLECTIVE NEGOTIATIONS

5. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Tuition Contract.

ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL STUDENT INFORMATION

6. Matter involving the purchase of real property and/or the investment of public funds, and specifically: Discussion of Real Property.

ATTORNEY/CLIENT COMMUNICATION

7. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Memorandum of Agreement for the Addition and Renovation at Maurice Hawk Elementary School.

ATTORNEY/CLIENT COMMUNICATION

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Fleres and seconded by Ms. Ho. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:46 p.m., the Board returned to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

January 7, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 8:33 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield
Ms. Robin Zovich

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; and, Ms. Charity Fues, Director of Human Resources. Also present was board attorney, Jeffrey Caccese, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege.

1. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter.

PRIVILEGED ATTORNEY/CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL MATTER

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Ho and seconded by Mr. Fleres. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 8:45 p.m., the Board returned to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

January 28, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:35 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres

Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Ms. Robin Zovich

Board members Isaac Cheng, Louisa Ho, Rachel Juliana, and Martin Whitfield were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorney, Jeffrey Caccese, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, personnel matters, matters concerning pending/resolved litigation, matters involving quasi-judicial deliberations, matters concerning negotiations and a WWPEA Sidebar Agreement.

1. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding employee #

CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION; PERSONNEL MATTER

2. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding employee #

CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION; PERSONNEL MATTER

a previous claim of putting his hand on the student's hand to allegedly move a computer mouse. The District must report to the police department and DCP&P allegations of this nature. The parent was notified. The parent followed up with an email that the student was appreciative that staff took the accusation seriously.

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OCR #02-19-1038. [REDACTED]

ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL STUDENT INFORMATION
Board member Isaac Cheng arrived at approximately 7:04 p.m.

4. Matter involving quasi-judicial deliberations, and specifically: HIB Case HSS120519001. Dr. Aderhold explained that the parents in a HIB case asked for a review of the matter after there was a finding of a HIB violation. Mr. Earle and Dr. McDonald reviewed the case and found that the incident should not have been a finding of a violation of HIB. The victim's family has left the State, so they could not be re-interviewed. The building administration felt the case was not a HIB matter. At the time of the incident, there was some miscommunication resulting in the case mistakenly being determined to be a HIB violation. The Case will be reaffirmed as a non-HIB matter. All staff involved have been re-trained. A new software system *HIBster* has been implemented in the District for reporting incidents and the new software requires multiple levels to sign-off on each incident.
5. Matter concerning negotiations, and specifically: WWPEA Negotiations regarding potential sidebar agreement. Mr. Duncan relayed information to the Board regarding a potential sidebar agreement with the West Windsor-Plainsboro Education Association (WWPEA). Recently it has been difficult for the district to be competitive when recruiting experienced nurses because the district does not give service credit for prior experience outside of a school. The District has also had difficulty recruiting nurses for field trip and extended day trip coverage. The proposed addendum provides for a \$300 stipend for trips and additional \$300 for the overnight portion of a trip for nurses. There is also a clause for additional pay for nurse work after hours. The sidebar also allows service credit for up to 8 additional years for outside service not in a school system in addition to any school experience. Nurses currently working in District that were not given this additional service credit will be given up to one year of additional credit for outside experience prior to hire if they can provide documentation that they have such experience. The WWPEA president has signed the addendum to the contract and it will be put to vote at tonight's meeting.
6. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Hawk Construction. [REDACTED]

A conflict of interest memo from the attorney was handed out to the members showing no conflicts.

CONFIDENTIAL

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Krug and seconded by Mr. Fleres. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:40 p.m., the Board returned to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

January 7, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 8:33 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield
Ms. Robin Zovich

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; and Ms. Charity Fues, Director of Human Resources. Also present was board attorney, Jeffrey Caccese, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege.

1. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter. Dr. Aderhold notified the Board that a staff member provided two medical notes indicating the staff member cannot work with special needs students. Working with special needs students in the basis of this employee's position. The staff member has not returned to work nor has the staff member taken any offers provided by the District.

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Ho and seconded by Mr. Fleres. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 8:45 p.m., the Board returned to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

February 11, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres
Ms. Rachel Juliana

Ms. Michele Kaish
Ms. Dana Krug
Ms. Graelynn McKeown

Mr. Martin Whitfield
Ms. Robin Zovich

Board members Isaac Cheng and Louisa Ho were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorney, Mark Toscano, Esq. Board attorney Eric Harrison, Esq. was present via Skype.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, personnel matters, matters concerning pending/resolved litigation, matters involving quasi-judicial deliberations, matters concerning negotiations and a WWPEA Sidebar Agreement.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket Nos. EDS 08629-2018, EDS 08630-2018, and EDS 08309-2018. Mr. Harrison provided the Board with the factual and procedural background of this matter. Mr. Harrison and the Administration recommended that the Board enter into a settlement agreement that will provide some additional services for the student.
2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket Nos. EDS 06833-19S/EDS 06481-19S. Mr. Harrison provided the Board with the factual and procedural background of this matter. Mr. Harrison and the Administration recommended that the Board enter into a settlement agreement with the parent and student.
3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: MER-L-10-16-18.

[REDACTED]

ATTORNEY CLIENT COMMUNICATION

4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Workers Compensation Claim #19WC04464V. Dr. Aderhold reported that this matter involved a claim involving a substitute teacher that claimed to have sustained a permanent injury while working in the District. Additional information will be provided as the matter progresses.
5. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding WWPSA employee grievance. Dr. Aderhold and Mr. Toscano reported that this matter involves a former member of WWPSA that was challenging their termination on the grounds that it was without just cause.
6. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Tort Claim JC vs. WW-P. Dr. Aderhold reported that a Tort Claim notice was received in connection with a bus accident between an East Windsor resident and one of the District's bus vendors.
7. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: HIB Case #GMS112619002. Mr. Toscano and Dr. Aderhold explained that a letter was received from an attorney representing the family of a student that is seeking to appeal a HIB determination. That hearing will take place at the Board's next meeting.
8. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding employee #8380.

[REDACTED]

- ATTORNEY CLIENT COMMUNICATION, COLLECTIVE NEGOTIATIONS
9. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding employee #8692.

[REDACTED]

10. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: personnel matter regarding employee #5166.

[REDACTED]

ATTORNEY CLIENT COMMUNICATION, CONFIDENTIAL PERSONNEL INFO.

11. Matter concerning negotiations, and specifically: WWPSA Negotiations regarding potential sidebar agreement. Mr. Duncan reported that the District is in discussions with the WWPSA to develop a sidebar to try to address the issue noted above with the staff member that had to take an extended leave of absence.

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Whitfield and seconded by Ms. Juliana. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:32 p.m., the Board returned to public session.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

February 25, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Isaac Cheng

Mr. Anthony Fleres

Ms. Louisa Ho

Ms. Rachel Juliana

Ms. Michele Kaish

Ms. Dana Krug

Ms. Graelynn McKeown

Ms. Robin Zovich

Board member Martin Whitfield was absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Dr. Pamela Nathan, Assistant Superintendent, Curriculum & Instruction; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; Mr. Patrick Duncan, Special Assistant for Labor Relations; and Dr. Lee McDonald, Director of Counseling, Health, and Wellness. Also present was board attorneys, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, HIB hearing, personnel matters, matters concerning pending/resolved litigation, and matters concerning negotiations and a WWPEA Sidebar Agreement.

2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Update on Maurice Hawk Construction Project.

PRIVILEGED ATTORNEY CLIENT COMMUNICATION

Board member Martin Whitfield arrived at approximately 6:36 p.m.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: HIB Case #GMS112619002.

PRIVILEGED ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL STUDENT INFORMATION

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OSEP Complaint.

PRIVILEGED ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL MATTER

4. Matter concerning negotiations, and specifically: WWPSA Negotiations regarding potential sidebar agreement. Mr. Duncan reported that the District and the WWPSA have created a sidebar agreement to address the issue regarding WWPSA members who need to take an extended leave of absence. The sidebar agreement will be brought to vote at this evening's meeting.

A motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Ho and seconded by Mr. Whitfield. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 7:45 p.m., the Board returned to public session.

At 8:58 pm, the Board returned to closed executive session. Board attorney, Mark Toscano, recorded the minutes in Dr. Russo's absence.

5. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Personnel Matters. The Board discussed the Superintendent's contract status in light of change in the law during the summer of 2019 that eliminated and prohibited any caps or maximum amounts for superintendent salaries, which triggered a provision in the Superintendent's current contract to enter into negotiations for a possible new employment contract. The consensus of the Board was to enter into negotiations with the Superintendent for a new employment contract and to request additional information from Board counsel of comparable salaries and terms and conditions of employment.

At 10:30 pm, a motion to adjourn the executive session and return to open session was made by Mr. Fleres and seconded by Mr. Whitfield. All Board members present voted in favor of returning to open session to immediately adjourn the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

March 10, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. in C110-111 at the District Administration Building. The following Board members were present:

Mr. Anthony Fleres
Ms. Louisa Ho
Ms. Rachel Juliana

Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield

Board members Isaac Cheng and Robin Zovich were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Also present was board attorneys, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, personnel matters, matters concerning pending/resolved litigation, matters involving quasi-judicial deliberations, matters concerning negotiations and a WWPEA Sidebar Agreement.

- .1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OSEP, LAD, and Worker's Compensation Complaint #2020-3544.

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION; PERSONNEL MATTER

Board member Robin Zovich entered the room at approximately 6:39 p.m.

2. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel matter regarding employee #4614.

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION; PERSONNEL MATTER

3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: HIB Case #GMS011320001 and #GMS01132002.

CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION; STUDENT INFORMATION

2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OAL Docket No. EDS 03079-14. Board Attorney Eric Harrison, Esq. entered the room at approximately 7:29 p.m. and provided the Board with a factual and procedural review of the matter – namely that it involved a dispute over an out of district placement dating back at least five school years. Mr. Harrison explained the financial components of a possible settlement and the consensus was to try to pursue a settlement at this point. Mr. Harrison left the room at approximately 7:43 p.m.
3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Buildings and Grounds Contract Award. Dr. Aderhold shared with the Board that ABM will be notified that 21 positions will be returned to the District for the upcoming school year and that Aramark employees today were notified of the agenda item on tonight's agenda as a courtesy.
4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Update on Maurice Hawk Construction Project. Dr. Aderhold shared information regarding the completion of the Maurice Hawk project. He reported that administration met with the company's attorney and bonding company representative and walked the building to explain the issues. All were in agreement that there should be a settlement and completion of the job. A resolution of the matter is expected for the next Board meeting.

At 7:45 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Fleres and seconded by Ms. Ho. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

At 9:38 pm, the Board returned to closed Executive Session. Board attorney, Mark Toscano, recorded the minutes in Dr. Russo's absence.

7. Matter involving personnel issues, including but not limited to the employment, appointment, termination of employment, terms and conditions of employment, and specifically: Personnel matter. The Board continued its discussion and negotiations with the Superintendent for a new employment contract in light of the change in the law during the summer of 2019 that eliminated and prohibited any caps or maximum amounts for superintendent salaries, and which triggered a provision in the Superintendent's current contract to enter into negotiations for a possible new employment contract. The Board reached a consensus on terms for a proposed employment contract and the Board President, Vice President and Attorney were authorized to propose those terms to Dr. Aderhold.

At 10:29 pm, a motion to adjourn the executive session and return to open session was made by Ms. Juliana and seconded by Mr. Fleres. All Board members present voted in favor of returning to open session to adjourn the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

March 31, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:35 p.m. via Zoom virtual meeting. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield
Ms. Robin Zovich

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum and Instruction; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Present also was board attorney, Mark Toscano, Esq.

Purposes: Matters involving personal confidentiality rights and attorney client privilege, personnel matters, matters concerning negotiations and a WWPSA Sidebar agreement, and matters concerning pending/resolved litigation.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: United States District Court of New Jersey Civil Action No. 8:19-cv-12816. Dr. Aderhold shared with the Board that insurance counsel had reached a settlement agreement for this matter, which involved out-of-district placement. The settlement agreement would bring to a close litigation started five (5) years ago. The settlement agreement will be voted on this evening.
2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Building and Grounds Addendum with ABM. Dr. Aderhold shared with the Board that there is an item on the agenda this evening to approve an addendum for ABM to start custodial services on May 1, 2020, which is two (2) months prior to the original agreement. There is also an agenda item to cancel the Aramark contract as of April 30. The District, ABM, and Aramark all agree to the changeover date. ABM has been able to interview existing Aramark staff resulting in seventy-two members of Aramark moving to ABM. This employee transition will be helpful in expediting the change for a number of reasons that were discussed.
3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Maurice Hawk Elementary School Construction Addendum. [REDACTED]

ATTORNEY CLIENT COMMUNICATION; COMPETITIVE BID INFORMATION

4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: CMS Bid Rejection. Dr. Aderhold reported that the Board's Architect and Construction counsel are recommending that the Board reject the Community Middle School Addition/Renovation project bids because they are all substantially over the budgeted amount. It is the District's intention to go out to bid again in three weeks with a potential bid award at the April 28 meeting.
5. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: HSS Phase 1 Site work Hold. Dr. Aderhold shared with the Board that as of today, the Delaware Raritan Canal Commission (DRCC) has not completed its review and approval of the High School South Site Work plans due to delays related to the Coronavirus pandemic. The State has allowed construction to continue, however, the State offices have been slow to review plans. Once the DRCC approves the High School South Site Work plans, the district can move forward with awarding the bid.
6. Matter concerning negotiations, and specifically: WWPSA Negotiations regarding potential sidebar. Mr. Duncan shared that a sidebar agreement is necessary to address the hiring of new staff members in new positions resulting from the decision to bring to back maintenance and grounds staff positions in-house. The Sidebar contains a provision for the Courier position setting forth a salary structure for the position. The Sidebar also reflects the Parties agreement that any building and grounds staff hired prior to July 1 would be paid according to the 2020-2021 salary guides, but would not receive a salary adjustment on July 1 for the 2020-2021 school year. The Sidebar Agreement will be brought to vote at this evening's meeting.
7. Matter concerning negotiations, and specifically: Non-Affiliate F – Auto Mechanic. Mr. Duncan shared that the Auto Mechanic job title needs to be added to the Non-affiliate F policy to clarify the terms and conditions of that position. This position exists with the Aramark staff but is significantly different from any previous district position.
8. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: WWPBOE – Resolution Opposing Delay in Funding.

[REDACTED]

ATTORNEY CLIENT COMMUNICATION

At 7:25 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Ho and seconded by Ms. Krug. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

April 28, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. via Zoom virtual meeting. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield
Ms. Robin Zovich

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum and Instruction; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations.

Purposes: Matters of personal confidentiality rights, matters concerning negotiations and a WWPEA Sidebar agreement, and matters involving anticipated or pending litigation, including matters of attorney client privilege.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Division of Civil Rights - EL13WE-67852.



ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL PERSONNEL INFO.

2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Worker's Compensation Claim # 19WC04464V. Mr. Duncan shared with the Board that this matter involves a worker's compensation claim brought by a substitute teacher that alleged to have suffered an injury while at work. The claimant is scheduled to see the Board's doctor in June, but has not yet done so.
3. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Community Middle School Bid - MER-C-693-20. Dr. Aderhold reported that the District prevailed in the bid challenge brought by Bennett Construction and was found to be legally justified in proceeding with a re-bid. The second bid occurred, and Bennett again was the lowest bidder, but the bid price again exceeded the project budget by more than 10% over budget. As such, there is a recommendation to reject the bids again during tonight's meeting. If the bids are rejected again then the Board can enter into negotiations with the bidders to try to reduce the price further to get the cost more in line with what was budgeted. It is anticipated that the negotiations will be complete for an award on the May 12 agenda.

4. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Third Circuit – ZK – No. 19-2570. Dr. Aderhold reported that the appeal of the Federal Court’s dismissal of the Complaint was upheld by the Third Circuit Court of Appeals. The claimant’s next step would be to try to appeal to the United States Supreme Court.
5. Matter concerning negotiations, and specifically: WWPEA Negotiations regarding potential sidebar agreement. Mr. Duncan shared that a sidebar agreement is necessary to address the hiring of a person who does not have a bachelor’s degree, but holds the appropriate certificate for the family and consumer science position and has the requisite experience due to the fact that the current agreement with the WWPEA does not have a salary guide column for non-degreed individuals. There was such a column prior to 1980, which was pegged at 90% of the BA guide; however, this paragraph is no longer contained in the negotiated agreement. This sidebar agreement will be for 90% of the salary of the BA guide in the contract for this individual position. An addendum to the agenda recommending approval of the sidebar agreement will be brought forth for vote this evening.
6. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Personnel Matter. Mr. Duncan shared that a staff member is requesting a leave of absence under article 14.13 of the WWPEA agreement. The staff member has a due date of June 13, and is non-tenured. As such, the staff member only has entitlement for a leave until June 30, 2020, a period of approximately 2 weeks. On the other hand, if the staff member were tenured, they would qualify for all of the next year school year and potentially another year. Since granting leave under article 14.13 is discretionary, the Administration recommended that the staff member use a leave under this article due to possible conflicts with the other methods. If approved, the staff member would start in late November and terminate in March of 2021. The request is for unpaid leave without benefits.

Board attorney, Mark Toscano, Esq. joined the meeting at 7:07 pm.

7. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Student Disciplinary Matter.

[REDACTED]

At 7:30 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Ho and seconded by Mr. Whitfield. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

May 12, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. via Zoom virtual meeting. The following Board members were present:

Mr. Anthony Fleres	Ms. Rachel Juliana	Mr. Martin Whitfield
Ms. Louisa Ho	Ms. Michele Kaish	Ms. Robin Zovich
	Ms. Dana Krug	

Board members Isaac Cheng and Graelynn McKeown were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum and Instruction; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Present also was Board attorney, Mark Toscano, Esq.

Purposes: Matters of personal confidentiality rights, including but not limited to, staff and/or student discipline matters; matters involving anticipated or pending litigation, including matters of attorney client privilege; and, matters involving quasi-judicial deliberations.

1. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: OCR Case #02-19-1038. Dr. Aderhold and Mr. Toscano provided the Board with an update on the Case, which is still pending. There have been teleconferences with the ALJ presiding over the matter and there is another teleconference scheduled for later in May.
2. Matter involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Community Middle School Bid - MER-C-693-20; No. 19-2570. Dr. Aderhold reported that the District entered into negotiations with the bidders to try to reduce the price further to get the projected costs more in line with what was budgeted. Despite those negotiations, the projected costs still exceed what was budgeted due to the fact that each contractor has valued individual credits differently for different pieces of the project. We are not ready to make a decision at this time.
3. Matter involving matters involving quasi-judicial deliberations, and specifically: HIB Case # 209492-HSN-04232020.

- ATTORNEY CLIENT COMMUNICATION; CONFIDENTIAL STUDENT INFO.
4. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Superintendent Evaluation Process. Mr. Toscano briefed the Board on the Superintendent evaluation process and timelines. He relayed that the Superintendent submitted the proper paperwork to NJSBA during the required timeframe for distribution to members for the evaluation process. Ms. Kaish shared that, given the current circumstances, NJSBA has notified her that the timeline may be a little delayed.

By motion of Ms. Ho, seconded by Ms. Zovich, it was the unanimous vote of all Board members present to return to public session at 7:25 PM.

The second Executive Session began at approximately 7:50 p.m. Participating Board members and Board attorney, Mark Toscano were present. No administrators attended the second executive session.

Mr. Toscano was asked to keep the minutes in Dr. Russo's absence.

5. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Personnel Matter. The Board continued its discussion and negotiations with the Superintendent for a new employment contract.

At 8:42 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Juliana and seconded by Mr. Fleres. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public portion of the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

May 26, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. via Zoom virtual meeting. The following Board members were present:

Mr. Anthony Fleres	Ms. Rachel Juliana	Ms. Graelynn McKeown
Ms. Louisa Ho	Ms. Michele Kaish	Mr. Martin Whitfield
	Ms. Dana Krug	Ms. Robin Zovich

Board members Isaac Cheng was absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum and Instruction; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Present also was Board attorney, Jeffrey Caccese, Esq.

Purposes: Matters of personal confidentiality rights, including but not limited to, staff and/or student discipline matters; matters involving anticipated or pending litigation, including matters of attorney client privilege; WWPEA sidebar, and, matters involving quasi-judicial deliberations.

1. Matters involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Community Middle School Construction Project. Dr. Aderhold reported that Bennett Company Construction was the low bidder in first bid and the rebid. Since the lowest bids for both bid openings were over 10% of the budgeted amount for the project, the District negotiated with the lowest three bidders. Bennett Company was still the lowest in the end.

At 6:35 p.m., Board member Isaac Cheng joined the meeting.



2. Matters of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Carryover Leave. Mr. Duncan shared that a resolution is being drafted for the Board's consideration, which would allow 12-month employees, other than Assistant Superintendents and the Superintendent, to carryover their accrued vacation time as per State law during a State emergency. Currently, there are caps on the time that is allowed to be carried over. In 2010, a law was passed that capped the amount of vacation time carried forward for employees hired after the date of the law. Pursuant to law, in a state of an emergency, these 12-month employees may carry additional time forward if a plan to do so is approved by the Board of Education. This proposed resolution would allow for an employee to carry up to 2 weeks (10 days) of this time until 2022, if

approved by the Superintendent. The vacation leave that is permitted to be carried over pursuant to the plan would not count toward retirement payout.

3. Matters concerning negotiations, and specifically: WWPEA Sidebar Agreement. This was not discussed.

At 7:00 p.m., by motion of Ms. Ho, seconded by Ms. Krug, all Board members present voted to adjourn the executive session and return to public session.

The second Executive Session began at approximately 8:29 p.m. All Board members and Board attorney, Jeffrey Caccese were present. No administrators attended the second executive session.

Mr. Caccese was asked to keep the minutes in Dr. Russo's absence.

4. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Superintendent Evaluation. The Board reviewed and discussed the Superintendent's draft evaluation in order to finalize the evaluation for review with the Superintendent.

At approximately 10:29 p.m., the Board temporarily returned to open session and by motion of Mr. Cheng, seconded by Mr. Whitfield, all Board members voted to allow the Board to continue the Closed Executive Session discussion of the Superintendents Evaluation past 10:30 p.m.

It was agreed that the final evaluation will be drafted based on the Board's discussion and review of the draft evaluation. Once the final evaluation document has been drafted, it will be distributed to the Board for final review. After final Board review, the evaluation will be presented to and discussed with the Superintendent in June.

At approximately 10:57 p.m., Mr. Fleres left the meeting.

At approximately 11:01 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Ms. Juliana and seconded by Ms. Krug. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public session to adjourn the meeting.

Dr. Christopher Russo, Board Secretary

CLOSED EXECUTIVE SESSION MINUTES

June 23, 2020

Board President Kaish called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:30 p.m. via Zoom virtual meeting. The following Board members were present:

Mr. Isaac Cheng
Mr. Anthony Fleres
Ms. Louisa Ho

Ms. Rachel Juliana
Ms. Michele Kaish
Ms. Dana Krug

Ms. Graelynn McKeown
Mr. Martin Whitfield
Ms. Robin Zovich

No Board members were absent. Present also were: Dr. David Aderhold, Superintendent of Schools; Dr. Christopher Russo, Assistant Superintendent for Finance/Board Secretary; Mr. James Earle, Assistant Superintendent for Pupil Services/Planning; Dr. Pamela Nathan, Assistant Superintendent for Curriculum and Instruction; Ms. Charity Fues, Director of Human Resources; and, Mr. Patrick Duncan, Special Assistant for Labor Relations. Present also was Board attorney, Mark Toscano, Esq.

Purposes: Matters of personal confidentiality rights, including but not limited to, staff and/or student discipline matters; matters involving anticipated or pending litigation, including matters of attorney client privilege; WWPEA sidebar, and, matters involving quasi-judicial deliberations.

1. Matters involving the purchase of real property and/or the investment of public funds, and specifically: Office of State Comptroller – NJOSC File No. 20-423 (HSS). Dr. Aderhold reported that the Office of State Comptroller approved the High School South project Phase 2 so the project may proceed to bid.
2. Matters involving anticipated or pending litigation, including matters of attorney client privilege, and specifically: Community Middle School Bid Award Protest MER-L-1010-20. Dr. Aderhold shared with the Board that Parlamas Construction challenged the Community Middle School bid award to Bennett Construction. The judge's decision was to allow the District to proceed with Bennett Construction.
3. Matters of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Job Description – Diversity, Inclusivity, and Equity Coordinator. Mr. Duncan shared the proposed new job description recommended for approval for a position to work with equity and diversity issues in the District. The position will be funded through the Title 1 grant.
4. Matters concerning negotiations, and specifically: WWPEA Nursing Sidebar. Mr. Duncan shared with the Board the proposed sidebar agreement with the WW-P Education Association to establish a pandemic specific nursing pay rate of \$47.09 per hour that will apply to work nurses do outside of their contractual work day or work year due to emergency pandemic conditions and increase the nursing stipend for the head nurse position in the District.
5. Matters involving personnel issues, including but not limited to, the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion or discipline of any public officer or employee, and specifically: Reduction in Force. Mr. Duncan shared with the Board that there are positions that need to be reduced due to a number of

factors including budget, low class enrollments and/or the reduced need for services. There are 6 instruction or instructional support positions and two clerical positions that will be reduced. In addition, the District is leaving 23 positions unfilled at this time due to the anticipated reduction in State aid.

At 7:23 p.m., by motion of Ms. Ho, seconded by Mr. Whitfield, all Board members present voted to adjourn the executive session and return to public session.

The second Executive Session began at approximately 8:37 p.m. All Board members and Board attorney, Mark Toscano were present. No administrators attended the second executive session.

Mr. Toscano was asked to keep the minutes in Dr. Russo's absence.

6. Matter of personal confidentiality rights, including but not limited to, staff and/or student discipline matters, and specifically: Superintendent Evaluation. The Board reviewed and discussed the final version of the Superintendent's evaluation. It was agreed that the evaluation will be presented to and discussed with the Superintendent.

At approximately 10:25 p.m., a motion to adjourn the Executive Session and return to the public portion of the meeting was made by Mr. Fleres and seconded by Ms. McKeown. All Board members that were present voted in favor of adjourning the Executive Session and returning to the public session to adjourn the meeting.

Dr. Christopher Russo, Board Secretary