

**BOARD OF EDUCATION
WAYNE TOWNSHIP PUBLIC SCHOOLS
WAYNE, NEW JERSEY**

**SPECIAL MEETING
November 25, 2011**

The Special Meeting of the Wayne Board of Education Meeting was held on November 25, 2011 in the Wayne Board of Education Administration Building Conference Room, 50 Nellis Drive, Wayne, New Jersey 07470. The meeting was scheduled to begin at 10:00 a.m. pursuant to the terms of the Sunshine Law.

The meeting was called to order at 10:05 a.m. by Mr. Donald Pavlak, Jr., Board President.

"Adequate notice of this Special Meeting, setting forth time, date and location, has been provided in accordance with the requirements of the Open Public Meeting Act by:

STATEMENT OF COMPLIANCE

1. Prominently posting a copy on the bulletin board on November 23, 2011 in the lobby of the offices of the Board of Education, which is a public place reserved for such announcements.
2. Transmitting a copy of this notice to The Record and the Wayne Today on November 23, 2011
3. Transmitting a copy of this notice to the Municipal Clerk on November 23, 2011

ROLL CALL

ROLL CALL

PRESENT: Donald Pavlak, Jr., Mitchell Badiner, , Robert Ceberio, Franco Mazzei, Laura Stinziano, Allan Mordkoff, and Kim Essen

VIA CONFERENCE CALL: Jane Hutchison and Robyn Kingston

ALSO PRESENT WAS: Michael Roth, Interim Superintendent, Juanita A. Petty, School Business Administrator/Board Secretary, and Nathanya Simon and John Croot, Board General Counsel, and approximately 15 members of the public

ALSO PRESENT

Open to Public Agenda Items Only

OPEN TO PUBLIC ON AGENDA ITEMS ONLY

Members of the public may speak once for a maximum period of five minutes by the clock during this portion of the meeting. The public may speak on any agenda item during their five minutes.

Mr. Pavlak, Jr. advised that tape of the meeting may be provided to prosecutor's office.

PUBLIC COMMENTS

**PUBLIC
COMMENTS**

A motion was made to open the meeting to public comment on any item.

Motion: L. Stinziano Second: K. Essen Vote: 9-0

**MOTION TO OPI
MEETING TO
PUBLIC
COMMENT ON
ANY AGENDA
ITEM**

PUBLIC COMMENTS

**PUBLIC
COMMENTS**

- Darren Del Sardo – Damico, Del Sardo, & Montanari LLC - made statement regarding public pressure and obligation of Board.
- Kalman Harris Geist - Law Office of Kalman Harris Geist - represents a student. Offered testimony of his client. Asked BOE to let legal system try case, not the Board.
- George Abdy – Abdy & Kane Attorneys - represents minor student. Asked Board not to be influenced by public pressure.

Ms. Nathanya Simon clarified no hearings are being conducted today.

- Richard J. Baldi – Baldi & Marotta – represents minor student. Emphasized Prosecutor’s statement made in newspaper today that Board should not be investigating incident. Asked that stay not be reversed.
- Tim Collins – clarified what legal notice stated. Knows that staff members were RICED. Mr. Olsen asked that anything concerning him be held in public. President advised that Board Secretary has reported any responses by staff to RICE notification. Asked BOE to let legal system run its course. Do not let public opinion influence the Board’s decision. Very concerned that a news conference was pre-scheduled for today at 1:00 p.m.

As there were no other comments from the public, a motion was made to close to public comment.

Motion: R. Ceberio Second: L. Stinziano Vote: 9-0

**MOTION TO
CLOSE TO
PUBLIC
COMMENT**

Approval to Reconvene into Executive Session – **RECOMMENDED ACTION:** “that the Board approve to convene into Executive Session to discuss confidential matters, as attached.”

**SX-12-01
- Approved -**

Minutes.Special.11.25.2011

A motion was made to recess into Executive Session at 10:25 a.m. for the purpose of discussing legal-student matters.

**MOTION TO
RECESS INTO
EXECUTIVE
SESSION**

Motion: R. Ceberio Second: L. Stinziano Vote: 9-0

The Board reconvened into public 12:55 p.m. in the Administration Building Conference Room, 50 Nellis Drive, Wayne, New Jersey 07470. Mr. Pavlak, Jr. advised that the Board had been meeting in Executive Session for the purpose of discussing legal-student matters. Information regarding these matters will be made public if, and when, appropriate.

**RECONVENE
INTO PUBLIC**

ROLL CALL

ROLL CALL

PRESENT: Donald Pavlak, Jr., Mitchell Badiner, Robert Ceberio, Franco Mazzei, Laura Stinziano, Allan Mordkoff, and Kim Essen

VIA CONFERENCE CALL: Jane Hutchison and Robyn Kingston

ALSO PRESENT WAS: Michael Roth, Interim Superintendent, Juanita A. Petty, School Business Administrator/Board Secretary, and Nathanya Simon and John Croot, Board General Counsel, reporters, and approximately 40 members of the public

ALSO PRESENT

For the record, Mr. Pavlak, Jr. noted that Mrs. Kingston and Mrs. Hutchison are on speaker and have participated in all discussions.

Open to Public

**OPEN TO PUBLIC
ON ANY ITEM**

Members of the public may speak once for a maximum period of five minutes by the clock during this portion of the meeting. The public may speak on any agenda item during their five minutes.

PUBLIC COMMENT

**PUBLIC
COMMENT**

A Motion was made to open the meeting to public comment on any item.

**MOTION TO
OPEN MEETING
TO PUBLIC
COMMENT ON
ANY ITEM**

Motion: R. Ceberio Second: F. Mazzei Vote: 9-0

PUBLIC COMMENTS

- George Abdy – Abdy & Kane Attorneys - represents minor – hopes decision is based on facts, not public opinion.
- Tim Collins – to make everyone to go in parking lot for 2 ½ hours is ludicrous. Building is owned by Township. Please remember what your job is and don't succumb to public position.
- Darren Del Sardo - Damico, Del Sardo, & Montanari LLC – represents a minor – stated his client was not there. Board has responsibility to listen to facts. Trusts right decision will be made.

**PUBLIC
COMMENTS**

As there were no other comments from the public, a motion was made to close to public comment.

Motion: R. Ceberio Second: A. Mordkoff Vote: 9-0

**MOTION TO
CLOSE TO
PUBLIC
COMMENT****Action Item A-12-01:**

Approval to Lift Stay on Superintendent's Action – **RECOMMENDED ACTION:** “to stay the Superintendent's action is hereby lifted, and the nine students who have been charged with aggravated assault will be denied participation in all extra-curricular activities, including school sports teams, effective immediately and through a further legal determination. A significant basis for this determination is the reversal of the high school principals that this issue is disrupting the daily operation in the buildings.

**ACTION ITEM
A-12-01****BOARD COMMENTS**

Mr. Pavlak, Jr. made the comment that two high school principals came forth this past week to the Superintendent and advised that the results of the alleged incident are now having an impact in their respective buildings.

**BOARD
COMMENTS**

A motion was made to approve A-12-01 – Approval to Lift Stay on Superintendent's Action.

Motion: L. Stinziano Second: R. Ceberlo Vote: 9-0

**MOTION TO
APPROVE
A-12-01**

As there being no further business to come before the Board, a motion was made to adjourn at 1:02 p.m.

Motion: L. Stinziano Second: F. Mazzei Vote: 9-0

**MOTION TO
ADJOURN**

Respectfully Submitted,



Juanita A. Petty, RSBA
School Business Administrator/Board Secretary

JAP:plc

This page intentionally left blank.