

**SHREWSBURY BOROUGH BOARD OF EDUCATION
SHREWSBURY, NEW JERSEY
SPECIAL MEETING
WEDNESDAY, AUGUST 31, 2011
MINUTES**

1.0 Opening Procedures

1.1 Call to order at 6:30 p.m.

1.2 Flag Salute

1.3 Opening Statement

"Public notice of this meeting has been faxed to the Asbury Park Press on Monday, August 29 , 2011 in accordance with the Open Public Meetings Act PL 1975 CH 231, effective January 16, 1976. Notice has been posted in the Fern Ross entrance and Bell Foyer entrance to Shrewsbury Borough School. A copy of this notice is also on file in the office of the Borough Clerk."

1.4 Roll Call

Mrs. Barnes

Mr. Costa

Ms. Hennelly - absent

Mrs. Kachinski - absent

Mrs. Keale

Mrs. Konefal - absent

Mr. Nelson – absent

Mrs. Rieger

Mr. Smallwood

Mr. MacConnell, Superintendent

Ms. Avento, Business Administrator

Carl Tanksley, Board Attorney

2.0 Finance

It was motioned by Mr. Costa, and seconded by Mrs. Rieger, to approve item 2.1 as amended:

2.1 Recommend that the Board of Education approve the following settlement agreement pursuant to OAL Docket Numbers: EDS 2239-2011 S and EDS 2340-2011 S and Agency Docket Numbers: 2011-16759 and 2011-16828 for the 2011-2012 school year as follows:

WHEREAS, the Board of Education has a statutory duty to provide students residing within the district and eligible for special education and related services with a free and appropriate public education; and

WHEREAS, a dispute has arisen between the Board of Education and the above residents who claim entitlement to a free and appropriate public education; and

WHEREAS, litigation has been initiated within the New Jersey Department of Education, Office of Special Education Program in regard to the provision of said services, and

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2.1 Continued:

WHEREAS, the parties to the litigation have determined that it would be in the best interests of the child and the Board of Education to amicably resolve the dispute by open and effective communication; and

WHEREAS, the parties to the dispute acknowledge that the merits of the controversy are in dispute and have not been adjudicated and that neither party admits liability with respect to the underlying dispute; and

WHEREAS, the Settlement Agreement provides for specific special education and related services including compensatory education, the formulation of the IEP goals and objectives for the 2011-12 school year by specified individuals, and the payment of attorney's fees in the amount of \$19,916.00, which amount includes attorney's fees of \$14,769.34 previously authorized by the Board on August 16, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education hereby:

1. Approves the Settlement Agreement between the parties, executed on August 23, 2011;
2. Directs and authorizes Shrewsbury Borough school district administrators who have educational responsibility for the subject of the litigation to fully implement the terms of the Settlement Agreement.

	AYE	NAY	ABSTAIN	ABSENT	COMMENTS
Mrs. Barnes	X				
Ms. Hennelly				X	
Mrs. Kachinski				X	
Mrs. Keale	X				
Mrs. Konefal				X	
Mr. Nelson				X	
Mr. Smallwood	X				
Mrs. Rieger	X				
Mr. Costa	X				

On a roll call vote five (5) members voted yes, four (4) members were absent.

3.0 Personnel

It was motioned by Mr. Smallwood, and seconded by Mrs. Keale to approve item 3.1 through 3.3 as amended:

- 3.1 Recommend that the Board of Education rescind the appointment of Erin Ullman as Instructional Aide at the rate of \$15.08/hr for a total cost of \$17,624.75 for the 2011-2012 school year.

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- 3.2 Recommend that the Board of Education approve Nicole Freitas as Instructional Aide at the rate of \$15.08/hr for a total cost of \$17,624.75 for the 2011-2012 school year.
- 3.3 Recommend that the Board of Education accept the letter of retirement from Mrs. Joan DeGrande as of September 30, 2011.

	AYE	NAY	ABSTAIN	ABSENT	COMMENTS
Mrs. Barnes	X				
Ms. Hennelly				X	
Mrs. Kachinski				X	
Mrs. Keale	X				
Mrs. Konefal				X	
Mr. Nelson				X	
Mr. Smallwood	X				
Mrs. Rieger	X				
Mr. Costa	X				

On a roll call vote five (5) members voted yes, four (4) members were absent.

4.0 Adjournment

- 4.1 It was motioned by Mrs. Rieger, seconded by Mrs. Barnes to adjourn the meeting at 6:52 p.m.

	AYE	NAY	ABSTAIN	ABSENT	COMMENTS
Mrs. Barnes	X				
Ms. Hennelly				X	
Mrs. Kachinski				X	
Mrs. Keale	X				
Mrs. Konefal				X	
Mr. Nelson				X	
Mr. Smallwood	X				
Mrs. Rieger	X				
Mr. Costa	X				

On a voice vote five (5) members voted yes, four (4) members were absent.

Respectfully Submitted,

Debora Avento
Business Administrator/Board Secretary