

**May 17, 2010**

A Special Meeting of the Township Council of the Township of Roxbury was held on May 17, 2010, in the auditorium of the Roxbury High School, 1 Bryant Drive, Succasunna, New Jersey at 7:30PM. The defeated 2010/2011 School Budget was discussed and acted upon.

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETING STATEMENT**

Notice is hereby given that a Special Meeting of the Township Council of the Township of Roxbury will be held jointly with the Township of Roxbury Board of Education, on Monday, May 17, 2010 at 7:30 PM in the auditorium of Roxbury High School located at One Bryant Drive, in Succasunna, New Jersey for the purpose of discussing the defeated 2010/2011 school budget. The Council may convene into executive session. Action may be taken.

Adequate notice of this special meeting of the Township Council of the Township of Roxbury was given as required by the Open Public Meetings Act as follows: notice was faxed to the Daily Record, the Newark Star Ledger, the Roxbury Register and posted on the bulletin board in the main hallway of the Municipal Building on May 10, 2010; notice was published in the Daily Record on May 12, 2010.

**ROLL CALL (Present):** Councilman Gary Behrens, Councilwoman Kathy DeFillippo, Deputy Mayor Fred Hall, Councilman Martin Schmidt, Councilman Tim Smith, Councilman Richard Zoschak, Mayor Jim Rilee

**Also Present:** Christopher Rath, Township Manager; Anthony Bucco, Esq., Township Attorney; Amy Rhead, Acting Township Clerk

**BOE Members Present:** Mrs. Maureen Castriotta, Mrs. Liz D'Abbraccio, Mrs. Terry D'Agostino, Mrs. Jennnifer Marchesi, Mrs. Patricia Miller, Mr. Chris Rogers, Ms. Carol Scheneck, Mr. Greg Somjen, Mr. John Moschella

**BOE Member Absent:** Mrs. Annette Brooks

**Administration Present:** Dr. Michael Rossi, Superintendent; Dr. James Heinegg, Dr. Gregory McGann; Mr. Anthony Mistretta, Interim Business Administrator; Mr. Paul Stabile

**Others Present:** Ms. Nathanya Simon, SSEC&Z, LLC.

Mr. Moschella, Board of Education President, announced that, at the end of the meeting the Board would be voting on a resolution to amend the start time of the May 24, 2010 Board meeting.

Mayor Rilee outlined the format for the joint meeting.

**REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS**

**A. New Business**

**B. Old Business**

**MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK**

**A. Review of Auditors Report and Recommendation**

Ms. Judith Tutela of Carr, Daley, Sullivan & Weir, PC, the firm hired by the Township Council, discussed the process and sources of information involved in the review of the defeated school budget. She itemized \$1,213,500 worth of recommended budgetary reductions. The areas targeted for reduction included utilities, legal services, health benefits, supplies and materials, fund balance and administrative salary. Ms. Tutela then identified an additional \$350,000 worth of

possible cuts to non instructional staff that the Mayor and Council could consider if they determined further cuts were necessary. She noted that the school district had not had an opportunity to discuss what the impact of the reductions might be if they were implemented.

### **B. Review of Independent Report**

Mr. Ronald DeFilippis introduced himself and the four other certified public accountants who volunteered to review the defeated Roxbury school budget. He summarized the process used to analyze the school budget and suggested areas where \$1,768,200 worth of reductions could be implemented.

Ms. Tutela compared the similarities and differences between the two reports.

Mr. Mistretta, Interim School Business Administrator, reviewed the Board's position regarding the budget.

### **Mayor Rilee opened the meeting to the public.**

#### **PUBLIC PORTION**

##### **Cynthia Feeney**

Ms. Feeney stated that she is an alumnus, a resident, and teacher. She spoke in opposition of the elimination of kindergarten and music.

##### **Joe Perfetti**

Mr. Perfetti stated that he has worked in Roxbury for forty-four years. He spoke in opposition of privatization and he claimed that the classrooms would not be able to accommodate larger class sizes.

##### **Ralph Nappi**

Mr. Nappi commented on the analysis done by the auditor and the committee and stated that he was of the opinion that there are too many administrators in the school district. He also asked Mr. Mistretta for an explanation of "unencumbered funds" totaling 2.4 million dollars.

##### **Jeff Moeller**

Mr. Moeller thanked the volunteers for their time and effort. He spoke of a systemic problem regarding the lack of employee contributions to health care costs and the unwillingness of the Union to consider a pay freeze. He further commented that he would not support the budget if the teachers and their union were not willing to address the issues that needed to be corrected.

##### **Virginia Mushinski**

Ms. Mushinski, a Roxbury resident for twenty-seven years, spoke about the responsibility of the citizens of Roxbury to ensure that elected officials are held accountable for the money that is spent.

##### **Nicholas Savino**

Roxbury student, Nicholas Savino, said that the budget should be more clear and easier to understand.

##### **Fran Day**

Mrs. Day thanked the volunteers for reviewing the budget. She said that the administration and cafeteria workers were the only employees who contribute toward their health care costs. She asked how much employees are paid if they opt out of health coverage. She asked if kindergarten classes were in jeopardy of being eliminated. She expressed disappointment that the Board did not implement the recommendations that the Council made for reductions the previous year. She also spoke about the importance of keeping the classrooms intact.

##### **Nancy Gage**

Ms. Gage asked if the staff was told that positions could be saved if agreements were made for a pay freeze and/or contributing to health benefit costs. Dr. Rossi responded

to the implication that “threats” had been made. He said that concessions would have to go through the proper channel of the bargaining unit, but that any realized savings would help keep teachers in the classrooms. Mayor Rilee read a letter that he sent to the REA that expressed the Council’s respect for the teachers and their profession and the desire to negotiate an agreement that would keep budget cuts from affecting the students’ classroom instruction.

**Alfonse Rispoli**

Mr. Rispoli expressed the importance to “meet in the middle” for the sake of the children.

**Dennis Wine**

Mr. Wine suggested that the Board of Education present a budget with a zero percent tax increase sometime.

**Ann Mauro**

Ms. Mauro referenced a letter she had previously written to the Board regarding questions about the status of the possibility of privatizing certain departments. She claimed that the teachers refused to accept a wage freeze because the administration would not guarantee that their positions would be reinstated if they did.

**Craig Pedersen**

Mr. Pedersen spoke about the importance and necessity of having a transparent fiscal system with an open budget process and understandable details. He spoke about the REA salary increases and said they should not get more than one percent during the next round of negotiations. He mentioned that class sizes were within the state adequacy range. He said that Roxbury taxes are too high.

**Ryan Woods**

Senior high school student, Ryan Woods, asked that programs not be cut.

**Anthony Petridis**

Mr. Petridis spoke about the NJEA needing to adapt and accept change. He asked what share Roxbury would have gotten had the “Race to the Top” application been successful. Dr. Rossi said that it would have been approximately \$20,000. Mr. Petridis asked why Roxbury staff would not accept a salary freeze when other districts had. Dr. Rossi said that all of the Roxbury administrators had accepted pay freezes and would not be getting an increase. Mr. Petridis spoke in favor of the recommendations given by the independent review team and urged the Board to implement their suggested cuts.

**Barbara Kinback**

Ms. Kinback asked for clarification of Dr. Rossi’s wage freeze and asked if his salary would be proportionately increased the following year. Dr. Rossi said that his salary would remain the same and there would not be any attempt to make up the difference at a later date.

**Student**

A Junior student of the Roxbury High School spoke in favor of keeping teachers.

**Chris Laureys**

Mr. Laureys spoke about how the district is being run and what the REA needs to do to help.

**John Vaccaro**

Mr. Vaccaro spoke about the value of a good education. He said that if the proposed budget costs taxpayers approximately \$2.50 a week and that is not too much to spend.

**Mayor Rilee closed the meeting for public comment.**

Dr. Rossi, Superintendent, addressed some of the questions that had been asked. He said that the \$71,000 position that was listed in a category titled “other than above” on the Department of Education’s website was for the Transition Coordinator within the

Special Education Department. While stating his opposition to most of their statements, Dr. Rossi thanked the Township, the auditor and the volunteers for their efforts in reviewing the budget. He said that the figures used as the per-pupil costs were outdated; therefore, inaccurate. He spoke about the indicators that were used for the comparative spending analyses for classroom and instruction. He also discussed the high quality teachers that Roxbury employs and the advantages of maintaining small class sizes. Dr. Rossi said that he would do whatever he could to protect the integrity of the district while responding to the needs of the students of Roxbury.

Mayor Rilee asked the Council to review and discuss the auditor's report and projected cuts. Councilman Schmidt asked for clarification of how the natural gas and electric costs were figured. Ms. Tutela responded that the amount was derived from taking actual expenditures and encumbrances to date and extrapolating them out to the end of the year. Councilman Smith asked about the process used to come up with the reduction recommendation in the materials and supplies line item. Ms. Tutela said that she compared previous costs associated with general materials and supplies and subtracted small percentages. Councilman Zoschak asked if the two hundred thousand dollar reduction in the health benefits line item was inclusive of recommended layoffs. Ms. Tutela stated that the health benefit savings that would be realized by the reduction in staff was factored in to the line item. Councilman Behrens pointed out line items where he felt further reductions could take place. Deputy Mayor Hall asked about student transportation & miscellaneous supplies. Ms. Tutela responded. Discussion took place regarding the calculations used to determine the tuition expense for students who attend Vo-Tech. Mr. Mistretta stated that the Vo-Tech figures were projected based on previous years and expected enrollment.

Mayor Rilee asked Mr. DeFilippis to review his committee's recommendations. Mr. DeFilippis compared the findings from the two reports. Differences between the projected transportation costs were discussed between the Board, Council and Business Administrator. Councilman Smith asked for Mr. Mistretta to explain "unencumbered funds" and for the reason why it was referenced in the two auditors' reports. Mr. Mistretta could not give details about the discrepancies between the two reports or specific questions because he did not have the figures in front of him; however, he gave general examples and recited some of the rules that the schools need to follow. He stated that that the Board can only make payments once services are actually rendered. Mr. DeFilippis disagreed with the Board's process to account for their unexpended funds that should have been previously encumbered.

Council members asked what type of products and/or services certain line items encompass. Discussion took place regarding the possibility of the elimination of an Assistant Principal, an administrator and/or secretarial staff. It was ultimately decided to recommend the elimination of an assistant superintendent and a board secretary position; to leave the high school vice principal in place for the time being.

Council members agreed to reduce the transportation line item, eliminate the assistant superintendent position and board secretary position. It was also decided to reduce the fund balance by \$500,000.

The Superintendent spoke in opposition of the recommendations. Mr. Mistretta cautioned that the transportation budget had already been reduced.

In total, the Council agreed to reduce the school budget by \$1,300,500.

Mayor Rilee asked School Board members to make any comments prior to the Council voting on the resolution.

Mr. Moschella, Board President, stated that the Board of Education would be meeting on May 24, 2010, at which time they would decide whether they would accept any of the Council recommendations.

Mr. Rogers thanked the Council, professionals and residents. He made a statement that the School Board was fully responsible for the budget and that neither the residents nor the REA are to blame for the budget cuts.

Ms. Scheneck claimed that the decisions made by the Council were irresponsible and that people are not going to want to live in a municipality that has the worst school system in the County. She thanked Councilman Smith, Councilman Schmidt and Deputy Mayor Hall for disagreeing with reducing the fund balance.

Mrs. Castriotta spoke in favor of the decision made by the Council. She thanked the members of the Council and the individuals on the independent review committee. She asked if the County Superintendent and the Department of Education had been made aware of the recommendations set forth in the committee's report. It was stated that the County Superintendent had not seen the report, but that Brett Schundler and former U.S. Senator, Dick Zimmer, had.

Members of the Council commented on the difficulty involved in the defeated budget process and expressed hope that their recommendations would be accepted. The Council thanked everyone for their efforts.

## **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**10-134** A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY PURSUANT TO N.J.S.A. 18A:22-37 CERTIFYING TO THE MORRIS COUNTY BOARD OF TAXATION AN AMOUNT FOR GENERAL FUND EXPENSES AND FOR DEBT SERVICE TO BE RAISED BY REAL PROPERTY TAXATION TO PROVIDE A THOROUGH AND EFFICIENT SYSTEM OF EDUCATION FOR THE ROXBURY TOWNSHIP SCHOOL DISTRICT FOR THE FISCAL YEAR 2010-2011

Anthony Bucco, Township Attorney, read Resolution No.10-134 in its entirety.

Councilman Zoschak made a motion to adopt Resolution No.10-134. Councilman Behrens seconded the motion.

Roll Call: Councilman Behrens – Yes Councilwoman DeFillippo – Yes  
Deputy Mayor Hall – No Councilman Schmidt – No  
Councilman Smith – No Councilman Zoschak – Yes  
Mayor Rilee – Yes

Motion carried 4 to 3.

Board of Education Resolution No.502-10 announcing the meeting times of 5:00 p.m. for Executive Session and 8:00 p.m. for the Regular Meeting to be held at the Lincoln Roosevelt School on May 24, 2010.

Ms. Scheneck made a motion to adopt Board Resolution No.502-10. Mrs. D'Abbraccio seconded the motion.

Mrs. Maureen Castriotta – Abstain  
Mrs. Liz D'Abbraccio – Yes  
Mrs. Terry D'Agostino – Yes  
Mrs. Jennnifer Marchesi – Yes  
Mrs. Patricia Miller – Yes  
Mr. Chris Rogers – Yes  
Ms. Carol Scheneck – Yes  
Mr. Greg Somjen – Yes  
Mr. John Moschella – Yes

The motion was approved by roll call vote.

**ADJOURNMENT**

At 11:05PM, Councilman Schmidt made a motion to adjourn the meeting. Councilman Zoschak seconded the motion.

Roll Call: All in Favor – Yes

Motion Carried 7 to 0.

At 11:06PM, Mrs. D’Agostino made a motion to adjourn the meeting. Mrs. D’Abbraccio seconded the motion.

The motion was approved by voice vote.

Submitted By:

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Amy E. Rhead  
Acting Township Clerk

**MINUTES APPROVED BY COUNCIL**

**DATE:** July 12, 2011

**ROLL CALL:** Councilwoman DeFillippo – Yes  
Councilman Schmidt – Yes  
Councilman Zoschak – Yes  
Mayor Rilee – Yes