

**Special Action Meeting
February 18, 2010**

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The Board of Education of the Borough of Fair Lawn, New Jersey, held a Special Action Meeting in Conference Room of the Thomas Edison School, 37-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on **Thursday, February 18, 2010.**

The meeting was called to order by President Banta at 7:30 P.M.

ROLL CALL:

Members Present

Mr. Banta, Mr. Barbarulo, Mrs. Frenkel, Mr. Gillenson, Mr. Mancinelli, Mr. Rosenberg, Mrs. Yourman
Mrs. Yuskaitis

Members Absent

Mrs. Wallace

Others Present

Mr. Bruce Watson, Superintendent of Schools
Mrs. Joanne Wilson, Business Administrator/Board Secretary

Public

There were no members of the public present.

Flag Salute

The flag salute was led by President Banta.

Sunshine Statement - Chapter 231, Laws of 1975

President Banta read a statement that advance notice of this meeting, as well as the Agenda, had been distributed in accordance with the provisions of Chapter 231, Laws of 1975 (Sunshine Law).

SUPERINTENDENT'S COMMENTS:

Mr. Watson discussed the District's option to appeal the Governor's reduction in 2009/2010 State Aid of \$401,283. He explained the calculation and our suggested re-calculation based on the current surplus available.

**Special Action Meeting
February 18, 2010**

SUPERINTENDENT'S COMMENTS (continued):

The appeal process indicates Fair Lawn is in a position to ask the State to recognize our appropriation of \$980,000 in January. The amount appropriation covered 10% of the Health Benefits increase of 20.5% for 2009-2010. The appeal asks for the reduction to be \$156,283.

Mr. Watson shared the automatic tax adjustment available to districts for the 2010/2011 budget.

Discussion followed.

Superintendent's Report is as follows:

ACTION ITEM:

1. Approval of Request for Adjustment of State Aid Reduction

WHEREAS, Governor Christie, on February 11, 2010, issued Executive Order Number 14, which freezes a portion of State School Aid with less than five months remaining in the 2009-2010 school year; **AND**

WHEREAS, Governor Christie has ordered the Director, in consultation with the Commissioner of the Department of Education, to identify District surplus monies in their 2009-2010 school budgets that are **available** and **not budgeted** to support the District's current expense during the current period of fiscal emergency as defined in Executive Order Number 14, **AND**

WHEREAS, the calculation to determine the amounts to be withheld from Districts was taken from the June 30, 2009 School Audit, specifically from the submitted Audit Summary electronic transfer by the School Auditor; **AND**

WHEREAS, the Fair Lawn Public School District's calculation included the Audit Summary reported Total Unreserved/Undesignated Fund Balance, as of June 30, 2009, of \$2,361,582 and a Capital Reserve amount of \$61,432 and utilizing the District's projected 2009-2010 ending fund balance of \$817,882; **AND**

WHEREAS, the Department of Education, in its memo from Acting Commissioner, Bret Shundler, states: "if your district has activity between July 1, 2009 and February 10, 2010, which changed the amount available in these categories, the District may seek adjustments by application to the Executive County Superintendent no later than February 22, 2010," **AND**

WHEREAS, the Fair Lawn School District appropriated \$980,000 from their Unreserved/Undesignated June 30, 2009 Fund Balance in January of 2010, for the purpose of meeting its obligation in the funding of a 20.5% Health Benefit Premium increase for its employees for the 2009-2010 school year; **THEREFORE BE IT**

**Special Action Meeting
February 18, 2010**

Approval of Request for Adjustment of State Aid Reduction (continued):

RESOLVED, that the Fair Lawn Board of Education, upon the recommendation of the Superintendent, contests the calculation that the Department of Education used to determine Fair Lawn's State Aid Withholding amount of \$401,283 and requests that the Department of Education review the accompanying documents that support the January appropriation of \$980,000, **AND BE IT FURTHER**

RESOLVED, that the Commissioner accepts and approves the request for adjustment and that the Fair Lawn District's obligation under Executive Order Number 14 be reduced to \$156,283.

Mr. Gillenson moved and Mr. Rosenberg seconded motion to accept motion, all members voted in the affirmative.

8-0-0

Motion Carried

BOARD COMMENTS:

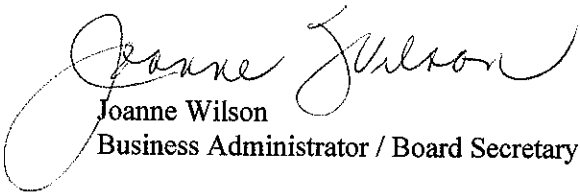
Administration was directed to ask New Jersey School Boards organization if a unified multi-district resolution on the reduction of aid is planned.

Mr. Banta asked for motion to adjourn. Mr. Rosenberg moved and Mrs. Yuskaitis seconded the motion to adjourn at 8:03 PM. All members voted in the affirmative.

8-0-0

Motion Carried

Respectfully Submitted,


Joanne Wilson
Business Administrator / Board Secretary

