

Minutes of the proceedings of the **SPECIAL PUBLIC MEETING** held on Wednesday, February 24, 2021, in the virtually via zoom app, at 8:00 PM. *Sebastian Rodriguez, Board President, presided.*

I. Salute to the Flag

II. Presiding Officer's Meeting Notice Statement

"I hereby call to order the Special Public Meeting of the Teaneck Board of Education, held on Wednesday, February 24, 2021, virtually via zoom app, at 8:00 PM. Adequate notice of this meeting has been sent to the Record, filed with the Municipal Clerk and posted on the school district website at www.teaneckschools.org, on February 10, 2021."

III. Roll Call

<i>Board Member</i>	<i>Present</i>	<i>Absent</i>
Mrs. Burns (Linda)	x	
Mr. Clark, Sr. (Harold)	x	
Mr. Cooper (Damen)	x	
Mrs. Fisher (Victoria)	x	
Mrs. Gee (Danielle)	x	
Mrs. Rappoport (Sarah)	x	
Mr. Reiner (Gerald)	x	
Mr. Rodriguez (Sebastian)	x	
Ms. Sanders (Denise)	x	

IV. Reaffirmation of District Goals

V. Board Presentations (If Needed)

Please click on the link below to see the presentation.

<https://eduvision.tv/l/?emRemtL>

1.
 - 2021-2022 Preliminary Budget Presentation, Ms. Melissa Simmons, School Business Administrator/Board Secretary

VI. Agenda Items

VII. Public Comment (Agenda and non-Agenda Items)

Please click the link below for public comments:

<https://eduvision.tv/l/?emRemtL>

VIII. Executive Session (If Needed)

Mrs. Rappoport motioned to adjourn the public meeting and convene into the Executive session at 9:48pm. Said motion was seconded by Mrs. Fisher and carried by unanimous vote.

Motion: S. Rappoport	Second: V. Fisher			
Board Member	Yes	No	Abstain	Absent
Mrs. Burns (Linda)	x			
Mr. Clark, Sr. (Harold)	x			
Mr. Cooper (Damen)	x			
Mrs. Fisher (Victoria)	x			
Ms. Gee (Danielle)	x			
Mrs. Rappoport (Sarah)	x			
Mr. Reiner (Gerald)	x			
Mr. Rodriguez (Sebastian)	x			
Ms. Sanders (Denise)	x			

Mrs. Burns motioned to adjourn the Executive session and convene back into the public meeting at 10:06pm. Said motion was seconded by Mrs. Rappoport and carried by unanimous vote.

Motion: L. Burns	Second: S. Rappoport			
Board Member	Yes	No	Abstain	Absent
Mrs. Burns (Linda)	x			
Mr. Clark, Sr. (Harold)	x			
Mr. Cooper (Damen)	x			
Mrs. Fisher (Victoria)	x			
Ms. Gee (Danielle)	x			
Mrs. Rappoport (Sarah)	x			
Mr. Reiner (Gerald)	x			
Mr. Rodriguez (Sebastian)	x			
Ms. Sanders (Denise)	x			

IX. Adjournment

Mrs. Fisher motioned to adjourn the public meeting at 10:11pm. Said motion was seconded by Mrs. Gee and carried by unanimous vote.

Motion: V. Fisher	Second: D. Gee			
Board Member	Yes	No	Abstain	Absent
Mrs. Burns (Linda)	x			
Mr. Clark, Sr. (Harold)	x			
Mr. Cooper (Damen)	x			
Mrs. Fisher (Victoria)	x			
Ms. Gee (Danielle)	x			
Mrs. Rappoport (Sarah)	x			
Mr. Reiner (Gerald)	x			
Mr. Rodriguez (Sebastian)	x			
Ms. Sanders (Denise)	x			

Respectfully submitted,

Melissa Simmons
Business Administrator/Board Secretary

Teaneck Public Schools

Mission: The Teaneck Public School District educates and empowers students by providing a high-quality, rigorous educational experience which prepares students for success within a diverse, global society.

Vision: The Teaneck Advantage: Educational Excellence for All

Board Goals

GOAL 1: Teachers and administrators in the Teaneck Public Schools will further elevate academic programs by creating varied learning pathways and by improving student supports.

GOAL 2: The Teaneck Public Schools will continue to improve facilities and technology in support of 21st Century learning opportunities.

GOAL 3: The Teaneck Public Schools will execute effective communications and solidify quality relationships with educational partners within and throughout the community.

GOAL 4: The Teaneck Public Schools will create equitable and inclusive learning opportunities for all students.

GOAL 5: The Teaneck Public Schools will ensure operational excellence in hiring, developing and retaining staff.

FINANCE AND BUDGET

FEBRUARY 24, 2021

Be It Resolved, that the Teaneck Board of Education, upon the recommendation of the Superintendent of Schools, approves the following Finance and Budget resolutions:

1. **RESOLUTION OF TEANECK BOARD OF EDUCATION APPROVING THE APPOINTMENT OF THE FIRM O'TOOLE SCRIVO, LLC TO PREPARE AND ISSUE AN INSURANCE COVERAGE OPINION**

WHEREAS, the Teaneck Board of Education is a party to a lawsuit under docket number BER-L-6032-20 concerning events that occurred during or before 2003 for which the District may face liability; and

WHEREAS, the Teaneck Board of Education has had multiple different insurance providers and policies during or following the events at issue in the litigation; and

WHEREAS, it is unknown which, if any, of the companies that issued insurance policies are no longer in business, which may lead to issues of coverage disputes; and

WHEREAS, the Board of Education has a need to determine and assess what insurance policy or policies were in effect during the events at issue in the litigation, as well as which providers, if any, are no longer in business, to limit liability; and

NOW, BE IT RESOLVED, the Teaneck Board of Education ("Board") appoints the firm of O'Toole Scrivo, LLC, located at 14 Park Village Road, Cedar Grove, NJ 07009 to prepare and issue a report identifying all insurance carriers, brokers, and policies in relation to civil matter docket number BER-L-6032-20.

TEANECK BOARD OF EDUCATION

By: _____

Date: _____

2. **RESOLUTION OF TEANECK BOARD OF EDUCATION APPROVING THE APPOINTMENT OF HENRY KLINGEMAN, ESQ. OF THE FIRM KLINGEMAN CERIMELE AS COUNSEL FOR**

WHEREAS, a lawsuit under docket number BER-L-6032-20 has been filed naming the Teaneck Board of Education, Lennox Small, and Charles Clark as Defendants; and

WHEREAS, a separate lawsuit concerning the same events at issue in the instant litigation was previously filed in which Mr. Small was represented by Mr. Klingeman; and

WHEREAS, Mr. Klingeman has extensive knowledge of the history and underlying facts of the instant and past litigation concerning the events at issue; and

WHEREAS, the individual defendants, Messrs. Small and Clark should retain separate counsel to avoid any potential conflicts of interest that may arise during the course of litigation; and

NOW, BE IT RESOLVED, the Teaneck Board of Education (“Board”) appoints Henry Klingeman, Esq. from the law firm of Klingeman Cerimele, located at 60 Park Place, Suite 1100, Newark, NJ 07102, for legal services in representing Lennox Small and Charles Clark for the lawsuit filed under docket number BER-L-6032-20.

3. **RESOLUTION OF TEANECK BOARD OF EDUCATION APPROVING THE AMENDMENT OF THE POWER PURCHASE AGREEMENT AND SITE LICENSE AGREEMENT WITH TEANECK SOLAR, LLC**

WHEREAS, Teaneck Solar, LLC (“Provider”) and the Teaneck Board of Education (“Board”) are readying for commencement of construction of the Systems referenced in Exhibit E of the Power Purchase Agreement (“PPA”) and are nearing completion of technical due diligence; and

WHEREAS, the Parties have determined that one of the Systems, to be installed at Benjamin Franklin Middle School (referenced as System No. 2 in Exhibit E), is ineligible for the generation of solar energy due to local conditions on the electrical grid; and

WHEREAS, the Parties have additionally determined that certain of the specifications contained in Exhibit E require adjustments, more accurately to reflect system capacities and other attributes; and

WHEREAS, the Parties desire to update the sites at which facilities will be installed, in order to conform to the PPA.

NOW, BE IT RESOLVED, the Teaneck Board of Education approves the amendment of the Power Purchase Agreement and the Site License Agreement to reflect the current project conditions as established through the Provider’s technical due diligence.

Motion: S. Rappoport	Second: D. Gee			
Board Member	Yes	No	Abstain	Absent
Mrs. Burns (Linda)	x			
Mr. Clark, Sr. (Harold)	x			
Mr. Cooper (Damen)	x			
Mrs. Fisher (Victoria)	x			
Ms. Gee (Danielle)	x			
Mrs. Rappoport (Sarah)	x			
Mr. Reiner (Gerald)				x
Mr. Rodriguez (Sebastian)	x			
Ms. Sanders (Denise)	x			

PERSONNEL

FEBRUARY 24, 2021

Be It Resolved, that the Teaneck Board of Education, upon the recommendation of the Superintendent of Schools, approves the following Personnel resolutions:

- 1. that the Board approve the following certificated staff appointment for the 2020-2021 school year, following a 90-day probationary period, effective date as indicated, pending criminal history review:
 - a. Abdoulaye Diallo, French Teacher, at an annual salary of \$63,600 (TTEA Guide MA/Step 4) Teaneck High School, effective April 26, 2021 through June 30, 2021, replacing EMPID#: 5106, necrology(PC#:10-12-06/ags).

<i>Motion: V. Fisher</i>	<i>Second: D. Sanders</i>			
<i>Board Member</i>	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mrs. Burns (Linda)	x			
Mr. Clark, Sr. (Harold)	x			
Mr. Cooper (Damen)	x			
Mrs. Fisher (Victoria)	x			
Ms. Gee (Danielle)	x			
Mrs. Rappoport (Sarah)	x			
Mr. Reiner (Gerald)				x
Mr. Rodriguez (Sebastian)	x			
Ms. Sanders (Denise)	x			

**FIRST AMENDMENT OF
PROJECT SITE LICENSE AGREEMENT**

MADE AS OF the 16 day of FEBRUARY, 2021, by and between Teaneck Board of Education, a body politic and corporate of the State of New Jersey (“Host”) and Teaneck Solar LLC, a New Jersey limited liability company (“Provider”), amending the Project Site License Agreement dated as of the 22nd day of September, 2020 (the “Site License”).

Capitalized terms in this First Amendment have the meaning set forth in the Site License unless defined otherwise herein.

WHEREAS, Provider is the successor to Teaneck LLC under the Power Purchase Agreement by duly executed and delivered Assignment and Assumption Agreement dated as of the 10th of September, 2020 (the "PPA"); and

WHEREAS, Provider and Host (hereinafter the “Parties”) are readying for commencement of construction of the Project and are nearing completion of technical due diligence; and

WHEREAS, the Parties desire to update the sites at which facilities will be installed, in order to conform to the PPA,

NOW, THEREFORE, for good and valuable consideration, the adequacy and receipt of which are acknowledged, the Parties agree to the following amendment of the Site License:

1. Exhibit B ("Premises and Sites") and Exhibit C ("Project Descriptions") are deemed to be amended to conform to the Amendatory Annex to this First Amendment, i.e. the Teaneck Administration Building is added to Premises and the Benjamin Franklin Middle School is removed therefrom.

All other terms of the Site License remain in full force and effect.

IN WITNESS WHEREOF, each of the Parties has set its hand to this First Amendment by duly authorized officers intending to legally bind his or her party.

TEANECK BOARD OF EDUCATION

TEANECK SOLAR LLC

BY: _____

BY: _____

NAME: _____

NAME: MICHAEL FISCHETTE

TITLE: _____

TITLE: MEMBER

AMENDATORY ANNEX

Site Name	Site Address	Nameplate Capacity (kWdc)	Year 1 Production (kWh)	PV Module Count	PV Module Make and Model	Inverter Count
Jefferson Middle School	655 Teaneck Rd	267.30	322,390	660	Trina TSM-DE15M406	8
Lacey School	1 Merrison St	36.45	44,332	90	Trina TSM-DE15M405	1
Lowell Elementary School	1025 Lincoln Pl	121.50	140,980	300	Trina TSM-DE15M407	4
Teaneck Administration Building	651 Teaneck Rd	103.275	115,800	255	Trina TSM-DE15M407	3
Teaneck High School	100 Elizabeth Ave	236.93	280,940	585	Trina TSM-DE15M408	7
Whittier Elementary School	491 W Englewood Ave	133.65	153,930	330	Trina TSM-DE15M409	4
		899.1	1,058,372	2,220	Trina TSM-DE15M409	27

**FIRST AMENDMENT OF
POWER PURCHASE AGREEMENT**

MADE AS OF the 10 day of February, 2021, by and between Teaneck Board of Education, a body politic and corporate of the State of New Jersey (“Host”) and Teaneck Solar LLC, a New Jersey limited liability company (“Provider”), amending the Power Purchase Agreement dated as of the 16th of July, 2020 (the “Power Purchase Agreement”).

Capitalized terms in this First Amendment have the meaning set forth in the Power Purchase Agreement unless defined otherwise herein.

WHEREAS, Provider is the successor to Teaneck LLC under the Power Purchase Agreement by duly executed and delivered Assignment and Assumption Agreement dated as of the 10th of September, 2020; and

WHEREAS, Provider and Host (hereinafter the “Parties”) are readying for commencement of construction of the Systems referenced in Exhibit E of the Power Purchase Agreement and are nearing completion of technical due diligence; and

WHEREAS, the Parties have determined that one of the Systems, to be installed at Benjamin Franklin Middle School (referenced as System No. 2 in Exhibit E), is ineligible for the generation of solar energy due to local conditions on the electrical grid; and

WHEREAS, the Parties have additionally determined that certain of the specifications contained in Exhibit E require adjustments, more accurately to reflect system capacities and other attributes,

NOW, THEREFORE, for good and valuable consideration, the adequacy and receipt of which are acknowledged, the Parties agree to the following amendments of the Power Purchase Agreement:

1. That portion of the Project contemplating the installation of a system at Benjamin Franklin Middle School (System 2) is removed from Work to be performed by Provider and shall provide no basis for the determination of any of the rights or obligations of the parties.
2. Exhibit B of the Power Purchase Agreement is replaced in its entirety by the Amended Exhibit B attached hereto.
3. The specifications set forth in Exhibit E that address the remaining Systems of the Project are adjusted to the extent provided in the attached Amendatory Annex.

All other terms of the Power Purchase Agreement remain in full force and effect.

IN WITNESS WHEREOF, each of the Parties has set its hand to this First Amendment by duly authorized officers intending to legally bind his or her party.

TEANECK BOARD OF EDUCATION

TEANECK SOLAR LLC

BY: _____

BY: _____

NAME: _____

NAME: Michael Fischette

TITLE: _____

TITLE: member

AMENDATORY ANNEX

Site Name	Site Address	Nameplate Capacity (kWdc)	Year 1 Production (kWh)	PV Module Count	PV Module Make and Model	Inverter Count
Jefferson Middle School	655 Teaneck Rd	267.30	322,390	660	Trina TSM-DE15M406	8
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Teaneck High School	100 Elizabeth Ave	236.93	280,940	585	Trina TSM-DE15M408	7
Whittier Elementary School	491 W Englewood Ave	133.65	153,930	330	Trina TSM-DE15M409	4
		899.1	1,058,372	2,220	Trina TSM-DE15M409	27

Amended Exhibit B

Operations Year	Termination Amount
1	\$4,054,659
2	\$3,675,719
3	\$3,334,673
4	\$3,031,521
5	\$2,677,843
6	\$2,324,166
7	\$2,197,853
8	\$2,058,908
9	\$1,907,332
10	\$1,743,124
11	\$1,591,548
12	\$1,465,235
13	\$1,338,922
14	\$1,111,558
15	\$764,104