

EDUCATIONAL SERVICES COMMISSION OF MORRIS COUNTY
P.O. Box 1944, Morristown, NJ 07962-1944
(973) 540-8844

MINUTES –ORGANIZATION AND BOARD OF DIRECTORS MEETING
JUNE 4, 2014

CALL TO ORDER

The Regular Meeting of the Board of Directors of the Educational Services Commission of Morris County was called to order by the Business Administrator/Board Secretary, Catarina Bilotta at 8:45 pm on June 4, 2014 at the Commission Office, 520 Speedwell Avenue, Suite 200, 2nd Floor, Morris Plains.

ROLL CALL

The Business Administrator/Board Secretary noted the roll from the prior meeting. Denise McCarthy, Lincoln Park left at 8:40 pm. John Morella, Montville Township left at 9:02 pm.

NOTICE

The Business Administrator/Board Secretary noted the legal notice from the prior meeting.

1. NOMINATION FOR ELECTION OF BOARD OF DIRECTORS PRESIDENT

The Business Administrator/Board Secretary took nominations for the office of President. Barry Brantner made the nomination to nominate Perry Kwok as President which was then seconded by Irene LeFebvre. There were no other nominations made.

2. CLOSE NOMINATIONS

Hearing no further nominations for the office of President, the Business Administrator/Board Secretary closed the nominations, which was moved by Michael Bertram and seconded by Tom Salerno. All were in favor.

3. ELECTION OF PRESIDENT BY ROLL CALL VOTE

The Business Administrator/Board Secretary called the vote for Perry Kwok as President of the Board of Directors, which was moved by Karen Nyquist and seconded by Barry Brantner. The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions
Perry Kwok accepted this position.

4. NOMINATION FOR ELECTION OF BOARD OF DIRECTORS VICE PRESIDENT

The President will take nominations for the office of Vice President. Michael Bertram made the nomination to nominate Karen Nyquist as Vice President which was then seconded by Irene LeFebvre. All were in favor.

5. CLOSE NOMINATIONS

Hearing no further nominations for the office of Vice President, the President closed the nominations, which was moved by Michael Bertram and seconded by Tom Salerno. All were in favor.

6. VOTE FOR VICE PRESIDENT

The Business Administrator/Board Secretary called the vote for Karen Nyquist as Vice President of the Board of Directors, which was moved by Michael Bertram and seconded by Tom Salerno. The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions
Karen Nyquist accepted this position.

7. ESTABLISH TIME AND PLACE OF PUBLIC MEETINGS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Commission calendar and meeting dates, as amended and listed below:

<u>Date</u>	<u>Meeting</u>	<u>Place</u>	<u>Time</u>
August 6, 2014	Board of Directors	Commission Office	7:30 pm
September 3, 2014	Board of Directors	Commission Office	7:30 pm
October 1, 2014	Board of Directors	Commission Office	7:30 pm

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November 5, 2014	Board of Directors	Commission Office	7:30 pm
December 3, 2014	Board of Directors	Commission Office	7:30 pm
January 7, 2015	Representative Assembly/ Board of Directors	Commission Office	7:30 pm
February 4, 2015	Board of Directors	Commission Office	7:30 pm
March 4, 2015	Board of Directors	Commission Office	7:30 pm
April 1, 2015	Board of Directors	Commission Office	7:30 pm
May 6, 2015	Board of Directors	Commission Office	7:30 pm
June 3, 2015	Representative Assembly/ Board of Directors	Commission Office	7:30 pm

Meetings held at: Commission Office, 520 Speedwell Avenue, Suite 200, 2nd Floor, Morris Plains, New Jersey 07950

Moved by Michael Bertram and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

8. DESIGNATION OF DEPOSITORY AND SIGNATURE REQUIREMENTS

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Bank of America be designated as the depository of the Educational Services Commission of Morris County and the Officers and Agents of this Commission be and hereby are, and each of them is, authorized to deposit any of the funds of this Commission in said Bank;

AND BE IT FURTHER RESOLVED that until the further order of this Board of Directors, any funds of this Commission deposited in said Bank be subject to withdrawal or charge at any time and from time to time upon checks, notes, drafts, bills of exchange, acceptances, undertakings, or other instruments of orders for the payment of money when signature or signatures, for this Commission as follows:

<u>Account</u>	<u>Required Signature</u>
1. <u>General Funds</u> Bank of America	Any <u>two</u> of the following with at least one Board member: President Superintendent Vice President Board Secretary
2. <u>Payroll</u> Bank of America	Any <u>one</u> of the following: Board Secretary (or phone transfer) Superintendent
3. <u>Payroll Agency</u> Bank of America	Any <u>one</u> of the following: Board Secretary (or phone transfer) Superintendent
4. <u>Lunch Fund</u> Bank of America	Any <u>two</u> of the following: Board Secretary Superintendent Board President
5. <u>Student Activities Fund</u> Bank of America	Any <u>two</u> of the following: Board Secretary Superintendent Board President

Moved by Karen Nyquist and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

9. **LEGAL DEPOSITORY FOR INVESTMENT FUNDS**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the Business Administrator/Board Secretary to deposit investment funds in any of the following depositories as they accumulate in the General Account, in accordance with the rules which govern investments of public funds:

Bank of America
Bank of New York

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

10. **DESIGNATION OF LEGAL NEWSPAPER**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to designate the Morris County Daily Record as the legal newspaper for the Educational Services Commission of Morris County.

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

11. **AUTHORIZATION OF EXECUTIVE COMMITTEE**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the Executive Committee be empowered to administer the affairs of the Board of Directors between regularly convened meetings of the Board in accordance with NJSA 18A:6-57 and Bylaw Article IV No. 040 Section 5.

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

12. **AUTHORIZATION TO PAY CLAIMS UPON PRESENTATION**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the Board Secretary be authorized to pay claims against the Board of Directors upon presentation and that all such authorized payments be listed and presented for Board ratification at the next regular meeting of the Board of Directors.

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

13. **RE-AFFIRMATION OF BY-LAWS, BOARD POLICY, CURRICULUM, AND ADMINISTRATIVE PROCEDURES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the existing By-Laws, Board Policy, Curriculum and Administrative Procedures be re-affirmed.

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

14. **USE OF FACSIMILE SIGNATURES**

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the use of facsimile signatures with the following guidelines:

1. May be used on checks, contracts and any official document.
2. That the facsimile stamp remains in the possession of the individual, or the individual's designee.
3. Facsimile stamps located at the Educational Services Commission office must be secured in the safe.

Moved by **Karen Nyquist** and seconded by **Barry Brantner**
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

15. APPOINTMENT OF PROFESSIONALS

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the following resolution be adopted:

WHEREAS, the Board of Directors of the Educational Services Commission of Morris County requires the professional services;

WHEREAS, these persons are licensed in the State of New Jersey and have offered professional services to the Commission;

WHEREAS, funds are available to obtain such professional services;

WHEREAS, the Local Public Contracts Law (R.S. 40A:11-1 et seq.) requires that the resolution authorizing the awarding of contracts for professional services without competitive bids must be publicly advertised and filed with the Morris County Clerk;

ACCORDINGLY, NOTICE IS GIVEN, that the Board of Directors of the Educational Services Commission of Morris County resolve and/or ratify the following:

- A. That the legal firm of Schenck, Price, Smith & King, LLP of Florham Park, NJ, be appointed as attorneys for the Educational Services Commission of Morris County for the period July 1, 2014 to June 30, 2015 at the following rates:
 - 1. A retainer of \$5,000 per annum to cover ordinary and routine services.
 - 2. A rate of \$165 per hour for any services rendered over and above the type covered by the retainer.
- B. That VM Associates, Inc. be appointed and retained at a fee of \$19,000.00 as auditor for the period July 1, 2014 to June 30, 2015.
- C. That the firm of Brown & Brown Benefit Advisors be appointed as the health benefits consultant for the period July 1, 2014 to June 30, 2015. Fee for such services is paid by insurance carriers.
- D. That the firm of Parette Somjen Architects, LLC be appointed as the architect for the Educational Services Commission school projects for the period July 1, 2014 to June 30, 2015 at the following rates:
 - 1. Principal Architect: \$175 per hour
 - 2. Senior Associate: \$139 per hour
 - 3. Associate: \$126 per hour
- E. That the Educational Data Services, Inc. of Saddle Brook, NJ, be appointed for the Educational Cooperative Pricing System for the period July 1, 2014 to June 30, 2015. Payment for these services are included in the pricing system membership fee.

These appointments are made without competitive bidding, as the services so retained are of a professional service nature as described in the Local Public Contracts Law encompassing professional services of a recognized licensed profession regulated by law. Such services are of a qualitative and specialized nature and, therefore, do not reasonably permit the drawing of specifications or receipt of competitive bids. This resolution shall forthwith be printed once in the Daily Record and a copy of this resolution shall be filed in the office of the Morris County Clerk.

Moved by Karen Nyquist and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

16. AUTHORIZE SUPERINTENDENT TO APPROVE LINE ITEM TRANSFERS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to authorize the Superintendent to approve the transfer of amounts among line items and program categories pursuant to Chapter 196, Laws of 1987. Any transfers approved by the administration will be reported to the Board of Directors for ratification and approval at the next regularly scheduled meeting and be recorded in the official minutes.

Moved by Karen Nyquist and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

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17. APPOINTMENT OF BOARD SECRETARY & QPA

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Catarina Bilotta be appointed as Board Secretary of the Educational Services Commission of Morris County Board of Directors from June 4, 2014 to June 3, 2015 and as Qualified Purchasing Agent, pursuant to N.J.A.C. 5:34-5.2, N.J.S.A. 18A:18A-3, 18A:18A-4.3 and P.L. 2009, c.166 with a bid threshold of \$36,000.

Moved by Karen Nyquist and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

18. APPOINTMENT OF AFFIRMATIVE ACTION OFFICER

BE IT RESOLVED BY THE BOARD OF DIRECTORS that Elizabeth Pentz be appointed as Affirmative Action Officer for the 2014-2015 school year.

Moved by Karen Nyquist and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

18A. APPROVE REVISED SUPERINTENDENT 2014-2015 GOALS

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the revised Superintendent Goals for the 2014-2015 school year.

Moved by Tom Salerno and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

SUPERINTENDENT'S REPORT

- Discussed summer school and Park Lake School and Regional Day School
- Discussed graduation dates and Park Lake School and Regional Day School
- Discussed goals for 2014-2015

PUBLIC – No Public

MINUTES

19. APPROVAL OF MINUTES OF THE BOARD OF DIRECTORS MEETING OF MAY 7, 2014

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Minutes of the Board of Directors Meeting of May 7, 2014.

Moved by Tom Salerno and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (John Morella)

20. APPROVAL OF CLOSED MINUTES OF THE BOARD OF DIRECTORS MEETING OF MAY 7, 2014

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Closed Minutes of the Board of Directors Meeting of May 7, 2014.

Moved by Tom Salerno and seconded by Michael Bertram

The motion was approved as follows: 8 yeas, 0 nays, 1 abstention (John Morella)

COMMISSION

21. APPROVAL OF LINE ACCOUNT TRANSFERS FOR THE 2013/2014 BUDGET

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the line account transfers to the 2013/2014 budget as detailed on the attached: EXHIBIT A

Moved by Alan Albin and seconded by John Morella

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

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22. APPROVAL OF THE BOARD SECRETARY'S AND TREASURER'S REPORT

BE IT RESOLVED BY THE BOARD OF DIRECTORS, that the Board acknowledges receipt of the certification from the Board Secretary that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of N.J.A.C.:6A:23-2.11(a) further the Board of Directors, after review of the Board Secretary's and Treasurer's monthly financial reports and upon consultation with the appropriate district, certifies that no major account or fund has been over expended in violation of N.J.A.C.:6A:23.2.11(b), and that sufficient funds are available to meet the Board of Director's financial obligations for the remainder of the fiscal year, therefore it is recommended that the Secretary's and Treasurer's Reports for the month ending April 30, 2014 showing a cash balance of \$647,095.15 be approved: EXHIBIT B

Moved by Alan Albin and seconded by John Morella
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

23. APPROVAL OF ACTION ON PAYMENT OF BILLS

BE IT RESOLVED BY THE BOARD OF DIRECTORS that the following List of Bills be approved: EXHIBIT C

MAY 31, 2014	-	\$2,552,037.94
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Moved by Alan Albin and seconded by John Morella
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

24. APPROVE AWARD OF BID FOR COOPERATIVE PURCHASING

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the award of the cooperative bid, as per the exhibit, in consultation with Ed Data Services: EXHIBIT D

Moved by Alan Albin and seconded by John Morella
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

25. APPROVE TEACH4NJ SHARED SERVICE AGREEMENT

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve TEACH4NJ Shared Service Agreement for the period September 1, 2014 to June 30, 2015 for the following school district:

- Denville Township Board of Education

Moved by Alan Albin and seconded by John Morella
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

ESC SCHOOLS

26. APPROVAL OF DISBURSEMENT FROM PARK LAKE LUNCH FUND

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the following disbursements from the Park Lake Lunch fund: EXHIBIT E

	<u>DISBURSEMENTS</u>	<u>CASH BALANCE</u>
April 30, 2014	\$3,599.35	\$456.60

Moved by Barry Brantner and seconded by John Morella
The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

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27. **APPROVAL OF DISBURSEMENT FROM REGIONAL DAY LUNCH FUND**
BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the following disbursements from the Regional Day Lunch fund: EXHIBIT E

	<u>DISBURSEMENTS</u>	<u>CASH BALANCE</u>
April 30, 2014	\$3,588.09	\$216.10

Moved by Barry Brantner and seconded by John Morella
 The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

28. **APPROVE AGREEMENT WITH CUMBERLAND THERAPY SERVICES**
BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Agreement between the Educational Services Commission of Morris County and Cumberland Therapy Services for Speech Services at Park Lake and Regional Day Schools, payable at a rate of \$84.00 an hour for 4 days a week starting June 2, 2014 to June 26, 2014.

Moved by Barry Brantner and seconded by John Morella
 The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

PERSONNEL

29. **APPROVE EMPLOYEE RATES OF PAY – 2014-2015 SCHOOL YEAR**
BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the Employee Rates of Pay for the 2014-2015 school year as follows:

<u>TITLE:</u>	<u>RATE OF PAY – 2014-2015</u>
Substitute Teacher – Park Lake & Regional Day	\$110.00 /day
Substitute Nurse – Park Lake & Regional Day	\$150.00 /day
Boiler Check (during heating season)	\$25.00 /day
Home Instruction – Public	\$37.50 /hour
Home Instruction – Non-Public	\$25.00 /hour

Moved by John Morella and seconded by Barry Brantner
 The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

30. **APPROVE ESC STAFF FOR 2013-2014**
BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the following staff for the school year 2013-2014, as recommended by the Superintendent:

<u>Name</u>	<u>Title</u>	<u>Amount</u>	<u>Effective</u>
Mary Ann McSkimming	In Class Support IDEA	\$17.80 per hour	05/08/14

Moved by John Morella and seconded by Barry Brantner
 The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

31. **NON-RENEWAL OF FEDERALLY FUNDED POSITIONS**
BE IT RESOLVED BY THE BOARD OF DIRECTORS to non-renew the following staff serving in funded positions, as recommended by the Superintendent:

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Mary Ann McSkimming	In Class Support IDEA	06/30/14

Moved by John Morella and seconded by Barry Brantner
 The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

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32. ACCEPT RESIGNATION OF STAFF

BE IT RESOLVED BY THE BOARD OF DIRECTORS to accept the resignation of the following staff:

<u>Name</u>	<u>Title</u>	<u>Resignation Effective</u>
Debra McNally	Social Worker	06/30/14

Moved by John Morella and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

33. APPROVE REVISION TO RENEWAL LIST IN MOTION 14 OF 5/7/14 MEETING

BE IT RESOLVED BY THE BOARD OF DIRECTORS to revise the contract renewal list, Motion #14 of the 5/7/14 meeting to remove a staff member and place that staff member on the RIF list which is available in the office of the Superintendent effective 5/7/14.

Moved by John Morella and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

34. TERMINATION OF PERSONNEL

BE IT RESOLVED BY THE BOARD OF DIRECTORS to terminate John Conheeney, PA at Regional Day School, effective May 15, 2014, as recommended by the Superintendent.

Moved by John Morella and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

35A. APPROVE UNPAID LEAVE

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the unpaid leave, as amended, for the following personnel for the 2013-2014 school year, as recommended by the Superintendent:

<u>Name</u>	<u>Title</u>	<u>Effective</u>
Virginia Garcia	PA – RDS	June 2, 2014 to June 20, 2014

Motion to table (removed name) - Moved by Tom Salerno and seconded by Karen Nyquist

Moved by John Morella and seconded by Barry Brantner

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

TRANSPORTATION

36. AWARD OF EMERGENCY AND NEGOTIATED TRANSPORTATION CONTRACTS – 2013/2014 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to award the emergency and negotiated transportation contracts for transportation of school pupils for the 2013/2014 school year as per the attached: EXHIBIT AA

Moved by Michael Bertram and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

37. APPROVE TRANSPORTATION CONTRACT ADDENDA – 2013/2014 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the transportation contract addenda for changes made to routes for the 2013/2014 school year as per the attached: EXHIBIT BB

Moved by Michael Bertram and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

38. ACCEPT CANCELLATION OF TRANSPORTATION CONTRACTS – 2013/2014 SCHOOL YEAR

BE IT RESOLVED BY THE BOARD OF DIRECTORS to accept the cancellation of transportation contracts for the 2013/2014 school year as per the attached: EXHIBIT CC

Moved by Michael Bertram and seconded by Karen Nyquist

The motion was approved as follows: 9 yeas, 0 nays, 0 abstentions

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PUBLIC – No Public

OTHER BUSINESS – No Other Business

GENERAL BOARD DISCUSSION – No Board Discussion

39. CLOSED SESSION

BE IT RESOLVED BY THE BOARD OF DIRECTORS to recess this public meeting and enter into closed session, where the public will be excluded, for the purpose of personnel matters and status of negotiations, which comes within the provisions of NJSA 10:4-12, Chap. 231 of P.L. 1975. The matters discussed in closed session will be disclosed to the public when circumstances permit.

Moved by Tom Salerno and seconded by Irene LeFebvre. The meeting was moved into closed session at 9:02 pm and was carried by a unanimous roll call.

40. RETURN TO REGULAR SESSION FROM CLOSED SESSION

BE IT RESOLVED BY THE BOARD OF DIRECTORS to return to the regular session of the Board of Directors meeting from the closed session.

Moved by Karen Nyquist and seconded by Michael Bertram. The meeting was returned to regular session at 9:26 pm and was carried by a unanimous roll call.

35B. APPROVE UNPAID LEAVE

BE IT RESOLVED BY THE BOARD OF DIRECTORS to approve the unpaid leave, as amended, for the following personnel for the 2013-2014 school year, as recommended by the Superintendent:

<u>Name</u>	<u>Title</u>	<u>Effective</u>
Elizabeth Stripp	PA – RDS	April 3, 2014 until further notice

Moved by Barry Brantner and seconded by Irene LeFebvre
The motion was approved as follows: 8 yeas, 0 nays, 0 abstentions

ADJOURNMENT

There being no further business a motion was made by Barry Brantner and seconded by Irene LeFebvre to adjourn at 9:27 pm and was carried by a unanimous roll call.

Respectfully Submitted By,

Catarina Bilotta
Business Administrator/Board Secretary

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ATTACHMENTS

EXHIBITS

A	Line Account Transfers - April 2014
B	Board Secretary's & Treasurer's Report-April 30, 2014
C	Payment of Bills – May 31, 2014
D	Award of Bid – Educational Data Services
E	Lunch Fund – Park Lake School – April 2014
E	Lunch Fund – Regional Day School – April 2014
AA-CC	Transportation