

Montclair board may look at ways to lower legal fees

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Ward



Councilman William Hurlock, right, poses questions to Montclair School District Chief Operating Officer Brian Fleischer, while 3rd Ward Councilman Sean Spiller, left, listens. Below, from left, Board of Education member David Deutsch, Mayor Robert Jackson and Board of Education President Robin Kulwin chat with residents following Thursday night's Board of School Estimate public hearing.

Members of Montclair's Board of School Estimate may recommend that the Board of Education look at ways to lower its legal costs.

Third Ward Councilman Sean Spiller who serves on the five-member panel suggested Thursday that the Montclair School District might be able to save money by hiring a fulltime staff lawyer rather than continuing to use outside legal counsel exclusively.

"When you look at the numbers over the past few of years, it's \$160,000, \$130,000, then it jumps to more than \$300,000, and now it's \$500,000," Spiller told the Montclair Times. "That is unbelievable."

Spiller raised the concern at the board's public hearing Thursday night after learning that the district is looking at more than \$500,000 in legal fees so far during the current 2013-2014 school year. The district budgeted only \$200,000



for legal services.



First Ward Councilman William Hurlock agreed with Spiller.

"We looked at this at the township council level, and we moved some of the areas in-house to the township attorney to try to capture some of those savings," Hurlock explained.

"As an attorney myself, I know that this is an area that always has to be looked at, to see whether it makes more sense to move things in-house as opposed to going to outside counsel," he said.

Spiller and Hurlock serve on the Board of School Estimate along with Mayor Robert Jackson, who chairs the panel; Board of Education President Robin Kulwin, and Board of Education member David Deutsch.

"Half a million bucks is a pretty big number," Jackson said of the legal fees. "I think it's worthy of a look to see whether or not some of that work can be done in-house."

Kulwin said the Board of Education would consider hiring a staff attorney, but she cautioned that the suggestion might not be the solution to the district's growing legal fees.

She said the board calls on the its outside legal counsel Weiner Lesniak LLP for a wide variety of legal services ranging from negotiating labor agreements with the unions that represent its teachers, principals and school custodians, to providing opinions on legal issues.

"Much of our legal work involves negotiating agreements with the parents of special needs students," Kulwin explained. "That's a very specialized field."

The recommendation emerged Thursday night following the first of two public hearings on the Board of Education's proposed \$116 million budget for the 2014-2015 school year which begins July 1.

The 70-page spending plan, which was approved by the seven-member Board of Education last week, would increase school taxes by 4.41 percent. It would be the first hike in the school portion of the township's municipal property tax in four years.

Montclair School District Chief Operating Officer Brian Fleischer provided the five-member Board of School Estimate with a half-hour presentation detailing the elements of the budget that would provide operating funds for the district's 11 public schools. The district serves nearly 6,800 kindergarten-through-12th grade students.

Fleischer told the board that a homeowner with an average dwelling assessed at \$505,495, who now pays \$16,670 in total property taxes, can expect to see the property-tax bill increase approximately \$379.12 through a 12-month fiscal year period beginning July 1.

According to Fleischer, the budget includes additional funding for the equivalent of 4.5 new language teachers that will allow the district to resume world language instruction for its kindergarten-through-5th grade students.

In addition, Fleischer said the budget will fund the hiring of three new kindergarten teachers and three kindergarten teacher aides in a move that will reduce average kindergarten class size district-wide from 24 to 21 students.

Schools Superintendent Penny MacCormack said the Board of Education also approved a proposed \$2.8 million capital budget that includes funding for repairs to all of the district's schools. The board allocated up to \$1 million to upgrade digital technology in district schools.

Deutsch described Thursday's public hearing as a "productive night."

"Tonight is reflective of all the hard work that Brian [Fleischer] and Penny [MacCormack] have done," Deutsch

explained. "They've done an outstanding job organizing the budget and responding to people's questions in detail."

"They've been very transparent," he said.

Under Montclair's form of municipal government, the township has an appointed Board of Education whose members are selected by the mayor.

Unlike municipalities with elected boards of education, where public school budgets are approved by voters in an election, Montclair's public school budget goes before the Board of School Estimate for final approval.

Deutsch said that residents who have questions about the proposed budget, or who want to comment on it, can do so when the Board of School Estimate meets again this Monday, March 31, at 8 p.m. in the George Inness Annex, 141 Park St., for the second of its two public hearings.

The board has scheduled an approval vote on the budget for 8 p.m. on Monday, April 7, also in the George Inness Annex.

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