#### BRADLEY BEACH BOARD OF EDUCATION 515 Brinley Avenue Bradley Beach, NJ 07720

#### **OFFICIAL MINUTES**

# Special Meeting/Public Hearing May 6, 2025

#### **Bradley Beach Mission Statement**

The mission of the Bradley Beach Elementary School is to provide a supportive learning environment to a diverse student community, where student success is defined through the demonstration of academic, emotional, and social growth. Our students will develop critical thinking skills to become valued members in today's society, while mastering the skills necessary to pursue future educational achievement.

#### I. <u>Call To Order</u>

The workshop portion of the meeting held by the Bradley Beach Board of Education was called to order at 6:05 p.m.by President Franks at the school, 515 Brinley Avenue, Bradley Beach, NJ.

#### II. <u>Roll Call</u>

Present:	Ms. Caruso Walker	Ms. Sacci		
	Ms. Davis	Ms. Saldutti		
	Ms. Devane	Ms. Weinberg		
	Ms. Flynn	Dr. Franks		
	Dr. Heidelberg, Superintendent/Principal			
	Mr. Tonzola, Busines	ss Administrator/Board Secretary		

Absent: Ms. Walleston

#### III. <u>Announcement of Notice – Open Public Meetings Act</u>

In accordance with the Open Public Meetings Act, notice of this meeting has been given to the designated newspapers, *The Asbury Park Press and the Coast Star*, and posted in the school in a place reserved for this kind of notice.

## IV. Flag Salute

- V. <u>Discussion Items</u>
  - Formal Public Hearing and Presentation of the Proposed 2025/2026 School Budget

During the public hearing portion of the meeting, Dr. Heidelberg and Mr. Tonzola reviewed the Budget PowerPoint Presentation with the Board and the public. Dr. Heidelberg addressed the educational impact that the 2025-2026 budget will have on the district, while Mr. Tonzola reviewed the fiscal budget with the Board.

Mr. Tonzola stated that the general fund budget would increase by \$132,359. Mr. Tonzola indicated that the Board would increase the general fund tax levy by 2.78% to \$7,191,693. Mr. Tonzola reviewed the revenue sources and the appropriations funded by the various revenues. Mr. Tonzola also discussed the tax rate and the tax rate's effect on an average residential assessed home in Bradley Beach. The tax rate for the general fund will be \$0.2950 per \$100 of the assessed valuation. Therefore, the annual tax, including the general fund and debt service fund on an average assessed home of \$1,132,412, would be \$3,340.62, representing a yearly increase of \$102.58 over last year.

VI. <u>President's Report</u>

Dr. Franks acknowledged all the teachers of Bradley Beach as the district celebrates Teacher Appreciation Week. Moreover, Dr. Franks, on behalf of the entire Board, wanted to thank both Dr. Heidelberg and Mr. Tonzola in development of the 2025-2026 budget.

- VII. <u>Student Representative's Report</u> None
- VIII. Superintendent's Report None
- IX. <u>Committee Reports</u> None
- X. <u>Public Comments Agenda Items Only</u> None
- XI. <u>Executive Session</u> (if needed) None
- XII. Workshop Agenda Items

After the President's report, Dr. Heidelberg and Mr. Tonzola reviewed their respective agenda items.

On a unanimous voice vote the workshop portion of the meeting adjourned at 6:54 p.m.

XIII. Regular Meeting

The Special Public Meeting was called to order by President Franks at 6:55 p.m.

Present:	Ms. Caruso Walker	Ms. Sacci		
	Ms. Davis	Ms. Saldutti		
	Ms. Devane	Ms. Weinberg		
	Ms. Flynn	Dr. Franks		
	Dr. Heidelberg, Superintendent/Principal			
	Mr. Tonzola, Busines	ss Administrator/Board Secretary		
	Ms. Devane Ms. Flynn Dr. Heidelberg, Supe	Ms. Weinberg Dr. Franks rrintendent/Principal		

Absent: Ms. Walleston

XIV. Approval of Minutes - None

#### XV. <u>Regular Meeting - Superintendent</u>

- A. <u>Personnel</u> The superintendent recommends:
- Note: All appointments of district staff are contingent upon satisfying the requirements of the New Jersey Criminal History Background Check Status
- 1. Resolved: That the Board approve the reappointments of non-tenured certificated staff for the 2025/2026 school year as on file in the office of the Superintendent. (Attachment XV-A.1)

MOTION: <u>Ms. Davis</u> SECOND: <u>Ms. Flynn</u> VOTE: <u>8-0</u>

#### XVI. <u>Regular Meeting – Business Administrator/Board Secretary</u>

- A. <u>The Superintendent Recommends the Approval of School Budget 2025/2026 School Year</u>
- Resolved: That the Board approve the following resolution:

WHEREAS, the Bradley Beach Board of Education adopted a tentative budget on March 18, 2025, and submitted it to the Executive County Superintendent of Schools for approval, and

WHEREAS, the tentative budget was approved by the Executive County Superintendent of Schools on April 16, 2025, and

WHEREAS, the tentative budget was advertised in the legal section of the Asbury Park Press on April 30, 2025, and

WHEREAS, the final budget was presented to the public during a hearing held in the Bradley Beach School Auditorium, Bradley Beach, NJ on May 6, 2025,

NOW THEREFORE BE IT RESOLVED, that the Bradley Beach Board of Education hereby adopts the following final budget for the SY 2025/2026:

		Special	Debt	
	<b>General Fund</b>	Revenue	Service	Total
2025/2026 Total Expenditures	\$8,020,846	\$693,428	\$0	\$8,714,274
Less: Anticipated Revenues	829,153	693,428	\$0	1,522,581
Taxes to be Raised	\$7,191,693	\$0	\$0	\$7,191,693

MOTION:	Ms. Caruso Walker	SECOND:	<u>Ms. Davis</u>	VOTE:	<u>8-0</u>
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## B. <u>The Superintendent Recommends the Approval of General & Debt Service Funds' Tax Levies –</u> 2025/2026 School Year

Resolved: That the Board approve the following amounts to be raised by taxes:

General Fund	\$7,191,693
Debt Service	0

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

C. The Superintendent Recommends the Approval of Maintenance Reserve Withdrawal

Resolved: That as per N.J.AC. 6A:23A-14.2(d) the general fund appropriations include a \$35,000 withdrawal from the Maintenance Reserve Account for use on required maintenance activities for a school facility as reported in the comprehensive maintenance plan pursuant to N.J.A.C. 6A:26-20.5.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

D. The Superintendent Recommends the approval of the Health Care Cost Adjustment

Resolved: That the Bradley Beach Board of Education includes in the final budget the adjustment for increased costs of health benefits in the amount of \$54,653. The additional funds will be used to pay for the additional increases in health benefit premiums.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

E. <u>The Superintendent Recommends the Approval of Maximum General Fund Travel Expenditure</u>

Resolved: That the Board approve the following resolution:

WHEREAS, the Bradley Beach Board of Education recognizes that school staff and Board members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6A:23A-7.3 et seq. requires Board members to receive approval of these expenses by a majority of the full voting membership of the Board, and staff members to receive prior approval of these expenses by the Superintendent of Schools and a majority of the full voting membership of the Board; and

WHEREAS, the Bradley Beach Board of Education established \$15,000 as the maximum travel amount for the current school year and has expended \$4,344.79 as of this date; now

THEREFORE BE IT RESOLVED, that the Bradley Beach Board of Education approves travel and related expense reimbursements in accordance with N.J.A.C. 6A:23A-7.3, to a maximum expenditure of \$15,000 for the 2025/2026 school year.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- F. <u>The Superintendent Recommends the Approval of the District's General Fund Professional</u> <u>Services Appropriation Budget</u>
- Resolved: That in accordance with the New Jersey Accountability Regulations the 2025/2026 general fund professional services appropriation budget be set for the amount of:

<b>Professional Services</b>	Amount
Legal	\$ 9,700.00
Auditing	25,000.00
Architectural/Engineering	5,000.00
Occupational Therapist	40,000.00
Physician	2,000.00

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- G. <u>The Superintendent Recommends the Approval of the District's Special Revenue Fund</u> <u>Professional Services Appropriation Budget</u>
- Resolved: That in accordance with the New Jersey Accountability Regulations the 2025/2026 special revenue fund professional services appropriation budget be set for the amount of:

<b>Professional Services</b>	Amount
Physical Therapy	\$ 10,000.00

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- H. <u>The Superintendent Recommends the Approval of the District's General Fund Co-Curricular</u> <u>Appropriation Budget</u>
- Resolved: That in accordance with the New Jersey Accountability Regulations the 2025/2026 general fund co-curricular appropriation budget be established as follows:

Co-Curricular Activities	Salaries
Safety Patrol	\$ 2,997.00
Yearbook	2,997.00
Yearbook Tech. Advisor	2,997.00
Environmental Club	2,997.00
Computer Club	2,997.00
Newspaper Relations	2,997.00
Music Director	3,438.00

DJ	2,997.00
Student Government	2,997.00
Drama Club	2,997.00
8 <sup>TH</sup> Grade Trip Advisor	2,997.00
Webmaster	2,997.00
Washington Stipend	1,200.00
Total	\$37,605.00

Co-Curricular Activities	Supplies
Safety Patrol	\$ 201.38
Yearbook	201.38
Environmental Club	201.38
Computer Club	201.38
Newspaper Club	201.37
Choral Director	201.37
Student Government	201.37
Drama Club	201.37
Total	\$1,611.00

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- I. <u>The Superintendent Recommends the Approval of the District's General Fund Athletics</u> <u>Appropriation Budget</u>
- Resolved: That in accordance with the New Jersey Accountability Regulations the 2025/2026 general fund athletics appropriation budget be established as follows:

Athletics	Salaries
Baseball	\$3,834.00
Softball	3,834.00
Girls Basketball	3,834.00
Boys Soccer	3,834.00
Girls Soccer	3,834.00
Athletic Director	2,997.00
Cheerleaders	3,834.00
Total	\$26,001.00

Athletics	Purchased Services (Board Subsidy e.g. transportation & officials)
Baseball	\$ 3,103.00
Softball	3,103.00
Boys Basketball	3,103.00
Girls Basketball	3,103.00
Boys Soccer	3,104.00
Girls Soccer	3,104.00

Cheerleaders	n/a
Total	\$18,620.00
Athletics	Supplies
Baseball	<b>Supplies</b> \$ 357.14
Softball	357.14
Boys Basketball	357.14
Girls Basketball	357.14
Boys Soccer	357.14
Girls Soccer	357.14
Cheerleaders	357.16
Total	\$2,500.00

I.1 <u>The Superintendent Recommends the Approval of the District's General Fund Athletics</u> <u>Appropriation Budget</u>

Resolved: That in accordance with the New Jersey Accountability Regulations the 2025/2026 general fund athletics appropriation budget be established as follows:

Athletics	Salaries	
Boys Basketball	\$3,834.0	
Total	\$3,834.00	

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Flynn</u> VOTE: <u>6-0-2</u> Ms. Caruso Walker recused Dr. Franks recused

J. The Superintendent Recommends the Approval of Parliamentary Procedures (2025/2026)

Resolved: That the Board adopt Roberts Rules of Order as the official parliamentary procedure manual to be used to conduct meetings and appoint the Board Secretary to act as the parliamentarian for the 2025/2026 school year.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

K. <u>The Superintendent Recommends the Approval of Implementation of the 2025/2026 Budget</u>

Resolved: That the Board authorize the Superintendent and Business Administrator/Board Secretary to implement the 2025/2026 budget pursuant with local and state policies and regulations.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- L. The Superintendent Recommends the Approval of Tax Requisition Schedule (2025/2026)
- Resolved: That the Board hereby approve the tax requisition schedule for the 2025/2026 school year as listed on Attachment XVI-L.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- M. <u>The Superintendent Recommends the Bank Resolutions</u>
- 1. Resolved: That the following bank for the specific accounts, as listed, is continued as depository of school funds:

#### Bank of America, Bradley Beach

General Account Payroll Account Payroll Agency Account Unemployment Tax Trust Account Cafeteria Account Student Council Activity Account School Account

2. Resolved: That for investment purposes, the following bank is hereby approved and that the Business Administrator/Board Secretary be authorized to amend this initial list predicated on prevailing interest rates and investment activity when such additions and/or deletions present an investment enhancement for the Bradley Beach Board of Education:

Bank of America

Bradley Beach, NJ

- 3. Resolved: That the following warrant signatures (signatures may be original or facsimile) are hereby authorized for the accounts specified: <u>General Account</u> – Three (3) Signatures Required
  - 1. Board President
  - 2. Treasurer of School Funds
  - 3. Business Administrator or Superintendent

Payroll Account – One (1) Signature Required

1. Treasurer of School Funds or Business Administrator

Payroll Agency Account - Two (2) Signatures Required

- 1. Business Administrator/Board Secretary or Superintendent
- 2. Treasurer of School Funds

> Cafeteria Account - Two (2) Signatures Required 1. Business Administrator/Board Secretary 2. Treasurer of School Funds School Account - Two (2) Signatures Required 1. Treasurer of School Funds 2. Superintendent or Business Administrator/Board Secretary Unemployment Account - Two (2) Signatures Required 1. Treasurer of School Funds 2. Superintendent or Business Administrator/Board Secretary Student Council Account - Two (2) Signatures Required 1. Treasurer of School Funds 2. Superintendent or Business Administrator/Board Secretary MOTION: Ms. Caruso Walker SECOND: Ms. Davis VOTE: 8-0 The Superintendent Recommends the Appointment of Authorized Agent for Federal and

- N. State Funds
- That the following resolution is hereby adopted: **Resolved:**

BE IT RESOLVED that the Business Administrator/Board Secretary of the Bradley Beach Board of Education is hereby designated as the Board's authorized agent to file applications and requests for State and Federal Funds under existing State and Federal laws.

**MOTION:** Ms. Caruso Walker VOTE: 8-0 SECOND: Ms. Davis

- О. The Superintendent Recommends the Appointment of Architect of Record
- Resolved: That the firm of Di Cara/Rubino Architects, Wayne, NJ, is hereby reappointed as Architect of Record for the 2025/2026 school year.

MOTION: Ms. Caruso Walker SECOND: VOTE: Ms. Davis 8-0

- P. <u>The Superintendent Recommends the Appointment of Property/Liability and Worker</u> <u>Compensation Insurance Advisor</u>
- Resolved: That the Board approve the firm of Arthur J. Gallagher & Co., Princeton, NJ as its Property/Liability and Worker Comp. Insurance Advisor for the 2025/2026 school year.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- Q. The Superintendent Recommends the Appointment of Health/Dental Insurance Advisor
- Resolved: That the Board approve the firm of Brown & Brown Benefit Advisors, Shrewsbury, NJ, as their Health/Dental Insurance Advisor for the 2025/2026 school year.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- R. The Superintendent Recommends the Appointment of School Board Attorney
- Resolved: That the following resolution is hereby adopted:

RESOLUTION AUTHORIZING AN AGREEMENT FOR LEGAL SERVICES ADOPTED BY THE BRADLEY BEACH BOARD OF EDUCATION IN THE COUNTY OF MONMOUTH.

- WHEREAS, there exists a need for legal services for the Bradley Beach Board of Education; and
- WHEREAS, such legal services can be provided only by a licensed attorney and is so recognized as such; and Michael Gross of Kenny, Gross, Kovats, and Parton, 130 Maple Ave., PO Box 8610, Red Bank, N. J. 07701
- WHEREAS, funds in the amount of \$9,700 annually are available for this purpose;

NOW THEREFORE, BE IT RESOLVED, BY THE BRADLEY BEACH BOARD OF EDUCATION, IN THE COUNTY OF MONMOUTH, AS FOLLOWS:

- 1. Michael Gross of Kenny, Gross, Kovats, and Parton, is hereby appointed as Board Attorney at \$130 per hour for the period July 1, 2025 to June 30, 2026.
- 2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Public School contracts Law, N.J.S.A. 18A:18A (a)(1), because it is for services performed by persons authorized by law to practice a recognized profession.
- 3. A copy of this resolution shall be placed on file with the Secretary of the Board.

MOTION:	Ms. Caruso Walker	SECOND:	<u>Ms. Davis</u>	VOTE:	<u>8-0</u>
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- S. The Superintendent Recommends the Appointment of Treasurer of School Funds
- Resolved: That Bruce Rodman is hereby reappointed as Treasurer of School Funds for the 2025/2026 school year at an annual fee of \$2,965.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- T. The Superintendent Recommends the Approval of 403b and 457 Tax Shelter Providers
- Resolved: That the Board approve the following list of 403b and 457 Tax Shelter Providers for the 2025/2026 school year:

## 403b Tax Shelter Provider457 Tax Shelter Provider

1. Axa Equitable

- 1. Axa Equitable
- 2. Great American Life Insurance Co.
- 3. Siracusa
- 4. Tax Deferred Services

MOTION:	Ms. Caruso Walker	SECOND:	Ms. Davis	VOTE:	<u>8-0</u>
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- U. <u>The Superintendent Recommends the Approval of Resolution Authorizing the Procurement of</u> Goods and Services Through State Agency for the 2025/2026 School Year
- Resolved: That the following resolution is hereby adopted:

WHEREAS, Title 18A:18A-10 provides that "a board of education, without advertising for bids, or after having rejected all bids obtained pursuant to advertising therefore, by resolution may purchase any goods or services pursuant to a contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property, and

WHEREAS, The Bradley Beach Board of Education has the need, on a timely basis, to procure goods and services utilizing state contracts, and

WHEREAS, The Bradley Beach Board of Education desires to authorize its purchasing agent for the 2025/2026 school year to make any and all purchases necessary to meet the needs of the school district throughout the school year."

NOW, THEREFORE, BE IT RESOLVED that the Bradley Beach Board of Education does hereby authorize the district purchasing agent to make purchases of goods and services entered into on behalf of the State by the Division of Purchase and Property utilizing various vendors that have State Contracts. The Purchasing Agent shall make known to the Board the Commodity/Service, Vendor and State Contract Number utilized.

MOTION:	Ms. Caruso Walker	SECOND:	<u>Ms. Davis</u>	VOTE:	<u>8-0</u>
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- V. <u>The Superintendent Recommends the Approval of Procurement of Goods and Services through</u> <u>the Monmouth-Ocean Educational Services Commission</u>
- Resolved: That the Board authorizes the district purchasing agent to make purchases of goods and services entered into on behalf of the Monmouth-Ocean Educational Services Commission Cooperative Pricing System utilizing various vendors that have participating contracts for the 2025/2026 school year.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- W. <u>The Superintendent Recommends the Approval of Procurement of Goods and Services through</u> <u>the Hunterdon County Educational Services Commission</u>
- Resolved: That the Board authorizes the district purchasing agent to make purchases of goods and services entered into on behalf of the Hunterdon County Educational Services Commission Cooperative Pricing System utilizing various vendors that have participating contracts for the 2025/2026 school year.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- X. <u>The Superintendent Recommends the Approval of Procurement of Goods and Services through</u> <u>the Educational Services Commission of New Jersey</u>

Resolved: That the Board authorizes the district purchasing agent to make purchases of goods and services entered into on behalf of the Educational Services Commission of New Jersey Cooperative Pricing System utilizing various vendors that have participating contracts for the 2025/2026 school year.

- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- Y. <u>The Superintendent Recommends the Approval of Authorization to Award Contracts Up to the</u> <u>Bid Threshold and Set the Quote and Verification of Claims Thresholds</u>
- Resolved: That the Board approve the authorization to award contracts up to the bid threshold of \$44,000 pursuant to N.J.S.A. 18A:18A-2 and set the quote and verification of claims threshold to 15% of the bid threshold pursuant to N.J.S.A. 18A:18A-37 and 18A:19-3 respectively.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>
- Z. <u>The Superintendent Recommends the Approval of Board Policies and Regulations</u>
- Resolved: That the policies and regulations governing the actions of the Bradley Beach Board of Education are hereby readopted.
- MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- AA. <u>The Superintendent Recommends the Approval of the Uniform Minimum Chart of Accounts for</u> 2025/2026 School Year
- Resolved: That the Board adopt the Uniform Minimum Chart of Accounts (Handbook 2R2, July 1, 2024 Edition) for New Jersey Public Schools for the 2025/2026 school year.

MOTION: <u>Ms. Caruso Walker</u> SECOND: <u>Ms. Davis</u> VOTE: <u>8-0</u>

- BB. <u>The Superintendent Recommends the Approval of Travel and Related Expense</u> <u>Reimbursement 2025/2026</u>
- Resolved: That the following resolution is hereby adopted:

WHEREAS, the Bradley Beach Board of Education recognizes school staff and Board Members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6a:23b-1.1 et seq. requires Board Members to receive approval of these expenses by a majority of the full voting membership of the Board and staff members to receive prior approval of these expenses by the Superintendent of Schools; and

WHEREAS, the Bradley Beach Board of Education has established in its annual school general fund budget a maximum amount that may be allotted for such travel and expense reimbursement for the 2025/2026 school year; now

THEREFORE, BE IT RESOLVED, the Board of Education approves travel and related expense reimbursements in accordance with N.J.A.C. 6a:23B-1.2(b), to a maximum expenditure of \$15,000 for all staff and Board Members; and

BE IT FURTHER RESOLVED, that the School Business Administrator shall track and record these costs to insure that the maximum amount is not exceeded.

MOTION:	<u>Ms. Caruso Walker</u>	SECOND:	<u>Ms. Davis</u>	VOTE:	<u>8-0</u>
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CC. The Superintendent Recommends the Approval of Doctrine of Necessity

Resolved: That the Board approve the following resolution:

WHEREAS, the School Ethics Act, <u>N.J.S.A.</u> 18AA:12-21 <u>et seq</u>. was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

WHEREAS, questions have arisen regarding how a Board should invoke the Doctrine of Necessity when a quorum of a board of education has conflicts of interest on a matter required to be voted upon; and

WHEREAS, the School Ethics Commission has provided some guidance in Public Advisory Opinion A03-98 (April 1, 1998) but finds that there is a need to repeat and clarify its opinion; and

WHEREAS, the opinion set forth that, when it is necessary for a Board to invoke the Doctrine of Necessity, the Board should state publicly that it is doing so, the reason that such action is necessary and the specific nature of the conflicts of interest; and

WHEREAS, the opinion further provided that if the Board must invoke the Doctrine of Necessity not just to vote, but also to form a negotiations committee because it is without even three members to serve as a committee, then the Board must determine whether to act as a committee of the whole or to choose a smaller negotiations committee from among its members after stating publicly its reason for doing so as set forth above; and

WHEREAS, in keeping with the Legislative purpose as set for the in <u>N.J.S.A.</u> 18A:12-22(a) the School Ethics Commission views public disclosure of conflicts of interest to be paramount when it is necessary to invoke the Doctrine of Necessity;

NOW THEREFORE BE IT RESOLVED, that the School Ethics Commission hereby requires Boards of Education and Charter School Boards of Trustees that must invoke the Doctrine of Necessity to adopt a resolution setting forth that they are invoking the Doctrine, the reason for doing so and the specific nature of the conflicts of interest; and

BE IT FURTHER RESOLVED, that Boards of Education and Charter School Boards of Trustees that invoke the Doctrine are directed to read the resolution at a regularly scheduled public meeting, post it where it posts public notices for 30 days and provide the Commission with a copy;

BE IT FURTHER RESOLVED, that the Commission shall distribute this Resolution to the county superintendents for distribution to the school districts and charter schools, the New Jersey School Boards Association, the New Jersey Principals and Supervisors Association, the New Jersey Association of School Administrators, the New Jersey Association of School Business Officials and the New Jersey Education Association.

MOTION:	Ms. Caruso Walker	SECOND:	<u>Ms. Davis</u>	VOTE:	<u>8-0</u>
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- XVII. <u>Regular Meeting Old Business</u> None
- XVIII. Regular Meeting New Business None
- XIX. Public Comments None
- XX. Executive Session

President Franks called for an Executive Session at 6:57 p.m. to discuss personnel matters.

Resolved: That the Board agree to a Confidential Executive Session.

MOTION: <u>Ms. Davis</u> SECOND: <u>Ms. Caruso Walker</u> VOTE: <u>8-0</u>

## XXI. Adjournment

By a unanimous voice vote the meeting was adjourned from the Executive Session at 8:15 p.m.

Respectfully submitted,

David Tonzola Business Administrator/Board Secretary