

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

**OFFICIAL MINUTES**

**Reorganization Meeting**  
**April 28, 2009**

I. Call To Order

The Annual Reorganization Meeting held by the Bradley Beach Board of Education was called to order at 8:02 p.m. by President Charette at the school, 515 Brinley Avenue, Bradley Beach, NJ.

II. Open Public Meetings Act

In accordance with the Open Public Meeting 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.

III. Roll Call and Flag Salute

Present:       Mrs. Feeley                               Mr. Migdon  
                  Mr. Johnson                           Mr. Charette  
                  Mrs. McClymont  
                  Dr. Turner, Superintendent/Principal  
                  David Tonzola, Business Administrator/Board Secretary

Absent:         Mr. Mandina

IV. Administration of Oath of Office to Newly Elected Board Members

Mr. Tonzola administered the oath of office to Mr. Bardinas, Mr. Gerdes and Mr. Gorry.

V. Roll Call

Present:       Mr. Bardinas                           Mr. Johnson  
                  Mrs. Feeley                           Mrs. McClymont  
                  Mr. Gerdes                            Mr. Migdon  
                  Mr. Gorry                             Mr. Charette  
                  Dr. Turner, Superintendent/Principal  
                  David Tonzola, Business Administrator/Board Secretary

Absent:         Mr. Mandina

VI. Business Administrator/Board Secretary's Report

Mr. Tonzola as President, pro-tem, stated that nominations are now in order for the position of President of the Bradley Beach Board of Education.

A. Nomination and Election of Board President

Resolved: I nominate as President of the Bradley Beach Board of Education:

1. Paul Charette MOTION: Mr. Johnson

(Title 18A:15.1)

Resolved: That all nominations be closed and roll call vote be taken on the election of the Board President

MOTION: Mr. Johnson SECOND: Mrs. McClymont VOTE: 8-0

Roll call vote results:

1. Nominee: Paul Charette # Votes 8

Mr. Paul Charette has received a majority of the votes and is hereby declared to be duly elected as President of Bradley Beach Board of Education.

Mr. Tonzola, as President, pro-tem, turned over the conduct of the remainder of the meeting to the duly elected President.

B. Nomination and Election of Board Vice President

Resolved: I nominate as Vice President of the Bradley Beach Board of Education:

1. Todd Migdon MOTION: Mr. Johnson

(Title 18A:15.1)

Resolved: That all nominations be closed and roll call vote be taken on the election of the Board Vice President

MOTION: Mr. Johnson SECOND: Mr. Gerdes VOTE: 8-0

Roll call vote results:

1. Nominee Todd Migdon # Votes 8

Mr. Todd Migdon has received a majority of the votes and is hereby declared to be duly elected as Vice President of Bradley Beach Board of Education.

C. Approval of Parliamentary Procedures (2009-2010)

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 2009-2010 school year.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

D. Approval of Tax Requisition Schedule (2009-2010)

Resolved: That the Board hereby approve the tax requisition schedule for the 2009/2010 school year as listed on Attachment D.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

E. Result of Annual School Election – April 21, 2009

Resolved: That the Board make the following Combined Statement of Results of the Annual School Election of the Bradley Beach Board of Education, held on April 21, 2009, part of the reorganization minutes. (Attachment E)

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

F. Bank Resolutions

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  
Referendum Account  
Student Council Activity Account  
School Account

2. Resolved: That for investment purposes, the following banks are 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  
Beneficial Bank

Bradley Beach, NJ  
Philadelphia, PA

3. Resolved: That the following warrant signatures (signatures may be original or facsimile) are hereby authorized for the accounts specified:

General Account – 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

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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

G. Designation of Advertising Media

Resolved: That the following resolution is hereby adopted:

WHEREAS, The Open Public Meetings Act (Chapter 231, P.L. 1975) N.J.S.A. 10:4.6 et seq. requires that certain notice of meetings be submitted to two newspapers, one of which shall be the official newspaper, and

WHEREAS, The second newspaper designated by this Board must be one which has the greatest likelihood of informing the public within the jurisdictional boundaries of the Board of Education of such meetings, and

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

1. *The Asbury Park Press* is hereby designated as the official newspaper to receive all notices of meetings.
2. Either *The Coast Star* or *The New Coaster* is hereby designated as the second newspaper having the greatest likelihood of informing the public within the jurisdictional area of the Board of Education of notice of meetings designated to receive all notices of meetings as required by the Open Public Meetings Act.
3. *The Asbury Park Press* and/or *The Coast Star* and *The New Coaster* are hereby designated as the newspapers for legal advertisements.

This resolution shall take effect immediately.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

H. Designation of Board Meeting Nights

Resolved: That the following resolution is hereby adopted:

RESOLVED: That the Board of Education of the Borough of Bradley Beach, in accordance with the Schedule of Meetings, shall hold its Workshop/Regular Meetings on the third Tuesday of each month, except as noted and during holiday periods.

Formal action will be taken at all meetings.

All meetings will commence at 7:00 p.m., prevailing time, in the Bradley Beach Elementary School, 515 Brinley Avenue, Bradley Beach, N. J.

BE IT FURTHER RESOLVED that in accordance with provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975, Annual Notice of said Workshop/Regular Meetings be given in the form as required by said Open Public Meetings Act.

BE IT FURTHER RESOLVED that the Annual Notice of the Board's Workshop/Regular Meetings Schedule be posted publicly on the bulletin board at the Bradley Beach Elementary School, 515 Brinley Avenue, Bradley Beach, County of Monmouth, State of New Jersey, and said notice be sent to *The Asbury Park Press* and the Clerk of the Borough of Bradley Beach within seven days of the date of this resolution.

(Schedule of Board Meetings 2009/2010 - Attachment VI-H)

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Discussion: Mr. Tonzola stated that the June meeting will be held on the fourth Tuesday of the month rather than the third.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

I. Appointment of Authorized Agent for Federal and State Funds

Resolved: That the following resolution is hereby adopted:

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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

J. 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, Campbell and Pruchnik, 130 Maple Ave., PO Box 8610, Red Bank, N. J. 07710

WHEREAS, funds in the amount of \$5,000 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, Campbell and Pruchnik, is hereby appointed as Board Attorney at \$130 per hour for the period July 1, 2009 to June 30, 2010.
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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

K. Appointment of School Board Auditor

Resolved: That the following resolution is hereby adopted:

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

WHEREAS, there exists a need for auditing services for the Bradley Beach Board of Education; and

WHEREAS, such auditing services can be provided only by a Certified Public Accountant and is so recognized as such; and Robert Allison of Hutchins, Farrell, Meyer and Allison, PA, 912 Highway 33, Suite 2, Freehold, NJ 07728

WHEREAS, the fees for the audit will be \$17,100.00 annually;

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

1. Robert Allison of Hutchins, Farrell, Meyer and Allison, PA, is hereby appointed as Board Auditor for the period July 1, 2009 to June 30, 2010.
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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

L. Appointment of School Physician

Resolved: That Dr. Bernard Adler is hereby reappointed as School Physician for the 2009/2010 school year at an annual fee of \$6,630.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

M. Appointment of Treasurer of School Funds

Resolved: That Bruce Rodman is hereby reappointed as Treasurer of School Funds for the 2009/2010 school year at an annual fee of \$2,500.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

N. Approval of Educational Service Providers

Resolved: That the Board approve the following educational service providers:

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1. Gabor Barabas, MD and Ronald Barabas, MD of Child Neurology Associates, P.A. 3350 Highway 138W, Bldg.1 Suite 117, Wall, NJ 07719. Dr. Gabor Barabas and Dr. Ronald Barabas charge a fee of \$375.00 for a neurological consultation and report.
2. Sandra Fields Kuhn of West Long Branch Speech and Hearing Center, 223 Monmouth Road (Highway 71) West Long Branch, NJ (732) 229-4089 for a fee of \$395.00 for auditory testing and reports.
3. Dr. Peter Ganime, Jersey Shore University Medical Center, and 1945 Route 33 Neptune NJ, 07754 (732) 643-4362 for a Psychiatric evaluations and reports at a fee of \$295.00.
4. Dr. Noah Gilson of Neurology Specialists, 107 Monmouth Rd., West Long Branch, NJ 07740. Dr. Noah Gilson charges a fee of \$300.00 for a neurological consultation and report.
5. Deborah Conklin of Deborah Conklin, OTR, 2207 North Rd., Pt. Pleasant, NJ, 08742 to provide occupational therapy services at a rate of \$70 per hour.
6. Michael and Barbara Franzetti-O'Boyle of A. A. Physical Therapy Services LLC, 60 Ocean Ave., Manasquan, NJ 08736, to provide physical therapy services at a rate of \$70 per hour.
7. Thomas W. Hurley of School Psychology Services LLC, 32 Fourth Ave., Neptune City, NJ 07753 to provide in-district psychology services at a rate of \$300.00 per day.
8. Dr. Ankur Desai of Premium Psychiatry Services of Central Jersey, LLC, 400 West Main St., Freehold, NJ 07728 at a fee of \$400.00/case which includes the production of a written diagnostic report.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

O. Approval of 403b Tax Shelter Providers

Resolved: That the Board approve the following list of 403b Tax Shelter Providers for the 2009/2010 school year:

**Tax Shelter Provider**

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

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

P. Approval of Additional Appointments/Reappointments

Resolved: That the Board approve the additional following appointments/reappointments for the 2009-2010 school year:



504 Officer	Frances Pondaco
BSI Contact Person	Dr. Wayne Turner
Right To Know Contact Person	Samuel Bullock
AHERA Representative	Samuel Bullock
Integrated Pest Mgmt. Contact Person	Samuel Bullock
Petty Cash Fund	Sandra Lampinen
Public Agency Compliance Officer	David Tonzola
Open Public Records Administrator	David Tonzola
Affirmative Action Officer	David Tonzola
Substance Abuse Coordinator	Alison Zylinski
Purchasing Agent	David Tonzola

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

Q. Approval of Resolution Authorizing the Procurement of Goods and Services Through State Agency for the 2009-2010 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 2009-2010 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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

R. Approval of Authorization to Award Contracts Up to the Bid Threshold and Set the Quote and Verification of Claims Thresholds

Resolved: That the Board approve the authorization to award contracts up to the bid threshold of \$21,000 pursuant to N.J.S.A. 18A:18A-2 and set the quote and

verification of claims thresholds to 15% of the bid threshold pursuant to N.J.S.A. 18A:18A-37 and 18A:19-3 respectively.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

S. Approval of Board Policies and Regulations

Resolved: That the policies and regulations governing the actions of the Bradley Beach Board of Education are hereby readopted.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

T. Approval of the Uniform Minimum Chart of Accounts for 2009-2010 School Year

Resolved: That the Board adopt the Uniform Minimum Chart of Accounts (Handbook 2R2, 2008 Edition) for New Jersey Public Schools for the 2009-2010 school year.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

U. Approval of Travel and Related Expense Reimbursement 2009-2010

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 2009-2010 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 \$7,550 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: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

V. Approval of Petty Cash Fund for 2009-2010 School Year

Resolved: That the Board approve the Petty Cash Fund in the amount of \$200.00 with a set maximum allowable individual expenditure of \$50.00.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

W. Approval of Superintendent and Business Administrator/Board Secretary to Implement 2009-10 Budget

Resolved: That the Board approve the Superintendent and Business Administrator/Board Secretary to have authority to implement the budget pursuant to local and state policies.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

X. Approval of Doctrine of Necessity

Resolved: That the Board approve the following resolution:

WHEREAS, the School Ethics Act, N.J.S.A. 18AA:12-21 et seq. 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 N.J.S.A. 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.

Discussion: Mr. Gorry asked about this resolution and the need to pass it. Mr. Tonzola explained the need to pass this resolution to the Board.

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

Y. Approval of Code of Ethics Training

Resolved: That the Board of Education Members receive the required Code of Ethics PowerPoint Training as required under N.J.A.C. 6:3-1.3 and N.J.A.C.6A:30 and that signatures from each Board Member be obtained by the Board Secretary. (Attachment Y)

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

Z. Approval of New Jersey School Boards Association "Code of Ethics"

Resolved: That the New Jersey School Boards Association "Code of Ethics" shall be considered the official Code of Ethics of the Bradley Beach Board of Education:

**CODE OF ETHICS**

1. I will uphold and enforce all laws, state board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
2. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
3. I will confine my Board action to policy-making, planning, and appraisal and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
4. I will carry out my responsibility, not to administer the schools, but together with my fellow Board Members, to see that they are well run.

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5. I will recognize that authority rests with the Board of Education and will make no personal promises, nor take any private action, which may compromise the Board.
6. I will refuse to surrender my independent judgment to special interest or partisan, political groups or to use the schools for personal gain or for the gain of friends.
7. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow Board Members, interpret to the staff the aspirations of the community for its schools.
8. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. I will support and protect school personnel in proper performance of their duties.
10. I will refer all complaints to the chief administrative officer and will act on such complaints at public meetings only after failure of an administrative solution.

Discussion: Mrs. McClymont wanted to stress the importance of the Board's responsibility to uphold the Code of Ethics. To stress the importance of the Code of Ethics President Charette read the ten points to the Board and stressed that the Board read the powerpoint presentation issued by New Jersey School Boards

MOTION: Mrs. McClymont SECOND: Mr. Migdon VOTE: 8-0

VII. Public Comments – None

VIII. Adjournment

By a unanimous voice vote the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

David Tonzola  
Business Administrator/Board Secretary