

**DEMAREST BOARD OF EDUCATION**  
**REGULAR SESSION MEETING MINUTES**  
County Road School – Media Center  
April 25, 2023  
7:00 P.M.

I. OPENING

- A. The meeting was called to order by President Holzberg at 6:30 pm.
- B. Present: Brillhart, Cantatore, Choi, Governale, Lee, Verna, Holzberg.  
Absent: None  
Also present: Mr. Fox/ Superintendent and Ms. Kelly Business Administrator/ Board Secretary

II. ADJOURN TO EXECUTIVE SESSION

- A. The Board determined it will enter into executive session for the following reasons:
  - 1. Personnel
  - 2. Student matter - discipline
- B. It was moved by Verna seconded by Choi and approved by unanimous voice vote of those present to approve the following resolution to enter the executive session:

**WHEREAS**, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed;

**WHEREAS**, the length of the closed executive session is estimated to be thirty minutes, after which the Regular Public Meeting will reconvene and proceed with business where formal action may or may not be taken;

**NOW THEREFORE BE IT RESOLVED**, that consistent with the provision of N.J.S.A. 10:4-12(b), the Board of Education will now adjourn to executive session to discuss items stated above; and

**BE IT FURTHER RESOLVED**, that the Board hereby declares that its discussion of the aforementioned subjects will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure.

- C. It was moved by Choi, seconded by Governale and approved by unanimous voice vote of those present to convene executive session at 6:45 P.M.

III. REOPEN PUBLIC MEETING

- A. It was moved by Choi, seconded by Governale to reopen the Regular Meeting to the public at 7:00 P.M.
- B. President Holzberg read the following announcement:  
The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon.

In accordance with the provisions of this Act, the Demarest Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted at the Borough Hall and at the Middle School and by notifying in writing two newspapers: The Record and The Suburbanite.

IV. FLAG SALUTE

A. President Holzberg led the flag salute.

V. ROLL CALL

Present: Brillhart, Cantatore, Choi, Governale, Lee, Verna, Holzberg.

Absent: None

Also present: Mr. Fox, Superintendent and Ms. Kelly Business Administrator/ Board Secretary

VI. APPROVAL OF MINUTES OF THE MEETINGS

A. It was moved by Choi, seconded by Governale and approved by unanimous voice vote of those present to approve:

- March 7, 2023 COW Meeting Minutes
- March 14, 2023 Regular Meeting Minutes
- March 7, 2023 Executive Session Meeting Minutes
- March 14, 2023 Executive Session Meeting Minutes

VII. CORRESPONDENCE

None at this time.

VIII. BOARD PRESIDENT'S REPORT

A. President Holzberg welcomed the Boy Scout Troop.

IX. SUPERINTENDENT'S REPORT

See presentations.

X. COMMITTEE REPORTS

None at this time.

XI. PRESENTATIONS

A. Public hearing for the 2023/2024 budget - Mr. Fox reviewed the districts 2022/2023 budget accomplishments and the proposed significant 2023/2024 budget appropriations. Ms. Kelly reviewed the revenues, appropriations, and tax impact of the budget to the community. There were no questions from the public.

B. Public hearing for the lease purchase financing of the Demarest Middle School gymnasium and wellness center addition - Ms. Kelly reviewed the potential financing of a lease purchase agreement for the project. The total project cost is not to exceed \$7,000,000.00 total capital reserve funding is not to exceed \$3,000,000.00 and total lease purchase financing is not to exceed \$4,000,000.00. There were no questions from the public.

XII. OTHER REPORTS

None at this time.

XIII. REVIEW OF AGENDA

- A. Board members reviewed the items.

XIV. PUBLIC COMMENT (AGENDA ITEMS ONLY)

- A. It was moved by Verna and seconded by Lee to open the meeting to the public comment..  
B. Erica Song asked if the board ever disagrees on the approval of the budget. President Holzberg stated that we have various committees. The committees report back to the full board with their recommendation. The board has always been unanimous on budget approval.  
C. It was moved by Governale and seconded by Lee to close the meeting to public comment.

XV. ACTIONS

A. Instruction – Staffing

1. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the provisional employment of the following substitute teachers for the 2022/2023 school year, as recommended by the Chief School Administrator. Employment status would become effective upon candidate's compliance with P.L. 1986, c.116 (revised 6/30/98) and N.J.S.A. 19A:6-7.7.
  - Elizabeth Salerno
  - Sarah Severini
2. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the employment of the following substitute teacher for the 2022/2023 school year, as recommended by the Chief School Administrator:
  - Ava Rinaldi
3. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the provisional employment of Veronica Conover, MA+60, Step 4, County Road School Guidance Counselor, for the 2023/2024 school year, as recommended by Chief School Administrator. Employment status would become effective upon candidate's compliance with P.L. 1986, c.116 (revised 6/30/98) and N.J.S.A. 18A:6-7.7.
4. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the provisional employment of Jennifer Goldmuntz, MA, Step 7, Special Education teacher of the LLD program at Demarest Middle School, for the 2023/2024 school year, as recommended by Chief School Administrator. Employment status would become effective upon candidate's compliance with P.L. 1986, c.116 (revised 6/30/98) and N.J.S.A. 18A:6-7.7.
5. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the resignation of Andrew Lefer as lunchroom coordinator at Demarest Middle School, effective March 20, 2023, as recommended by the Chief School Administrator.

6. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the appointment of Victoria Zimmerman as lunchroom coordinator (.5) at Demarest Middle School, effective March 21, 2023, prorated for the remainder of the 2022/2023 school year, as recommended by the Chief School Administrator.
7. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the longevity stipend for Cynthia Paspalas, nurse at Luther Lee Emerson School, beginning her 21st year of service on May 1, 2023, prorated, as recommended by the Chief School Administrator.
8. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the request of Danielle Scheuring, seventh grade teacher at Demarest Middle School, for paid sick leave from May 12, 2023 through June 20, 2023, unpaid FMLA/NJFLA leave from August 30, 2023 through November 17, 2023, unpaid leave from November 20, 2023 through November 30, 2023, returning to work on December 1, 2023, as recommended by the Chief School Administrator.
9. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the request of Carly Garbatow, preschool teacher at County Road School, for paid sick leave from May 8, 2023 through June 20, 2023, returning to work on the first day of the 2023-2024 school year, as recommended by the Chief School Administrator.
10. It was moved by Brillhart, seconded by Choi and approved by unanimous roll call vote of those present to approve the request for an unpaid leave of absence, for Heather Picinich, District Social Worker, for the 2023-2024 school year, returning to work on the first day of the 2024-2025 school year, as recommended by the Chief School Administrator.

**B. Instruction – Pupils/Programs**

1. It was moved by Choi seconded by Governale and approved by unanimous roll call vote of those present to approve the following field trips, as recommended by the Chief School Administrator:

<b>Location</b>	<b>Date</b>	<b>Grade/Group</b>
Liberty Science Center Jersey City	May 2, 2023	4th grade
Rising Above Bakery Nyack NY	to attend between April 26, 2023, and May 31, 2023	LLD class
Field day Wakelee Field Demarest	June 9, 2023 rain date June 14, 2023	5th-8th grades
Demarest Borough Hall Demarest	to attend between April 26, 2023, and May 31, 2023	1st grade
Middlesex County College Academy for Science Edison	April 22, 2023	DMS Science & Engineering Team
Demarest Nature Center	May 17, 2023	Kindergarten

Demarest		
Closter Nature Center Closter	May 18, 2023	1st grade

2. It was moved by Choi seconded by Governale and approved by unanimous roll call vote of those present to approve athletic schedules for soccer, boys volleyball, boys basketball and track as attached, for the 2023/2024 school year, as recommended by the Chief School Administrator.
3. It was moved by Choi seconded by Governale and approved by unanimous roll call vote of those present to approve home instruction for SID 4647119208 by the staff listed below, not to exceed ten\* hours a week to continue as needed, as recommended by the Chief School Administrator:  
\*modified from March 14, 2023 D.1.

Joseph Polvere
Victoria Zimmerman
Ellen Ricciutti
Hyewon Mohanram
Corinne Conti*
Nancy Mliczek*
Kristin Konight*

C. Support Services – Staffing

1. It was moved by Lee seconded by Cantatore and approved by unanimous roll call vote of those present to approve the request of Sami Dervisi, custodian at County Road School, for an extended unpaid medical leave of absence from April 10, 2023, through June 30, 2023, as recommended by the Chief School Administrator.
2. It was moved by Lee seconded by Cantatore and approved by unanimous roll call vote of those present to rescind the approved request of Neilin Cabrera, custodian at County Road School, for unpaid FMLA medical leave of absence from March 6, 2023, through March 31, 2023, as recommended by the Chief School Administrator.
3. It was moved by Lee seconded by Cantatore and approved by unanimous roll call vote of those present to approve the request of Neilin Cabrera, custodian at County Road School, for an extended unpaid medical leave of absence from March 6, 2023, through June 6, 2023, as recommended by the Chief School Administrator.
4. It was moved by Lee seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following teachers as chaperones for the overnight student field trips in the amount of \$150.00 per person, per night, as recommended by the Chief School Administrator:

<b>Fairview Lake</b>
Elvia Acosta
Michael Main
Karleen McDermott
Joseph Polvere
Carl Quillen*
Caitlin Ross
Jon Regan^
Bridget DiMartini+

\*additional \$150.00 for trip coordinator, ^administrator - no compensation, +modified from March 14, 2023 C.4.

**D. Support Services – Board of Education**

1. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the second reading and adoption or abolishment of the following policies/regulations, as recommended by the Chief School Administrator:

- 2415.05 - Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment - Policy (M)
- 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries - Policy & Regulation (M)
- 2460.30 - Additional/Compensatory Special Education and Related Services – Regulation (M) (NEW)
- 2622 - Student Assessment - Policy (M)
- 2622 – Student Assessment - Regulation (M) (NEW)
- 3233 - Political Activities - Policy
- 5541 - Anti-Hazing - Policy (M) (NEW)
- 7540 - Joint Use of Facilities - Policy
- 8465 - Bias Crimes and Bias-Related Acts Policy & Regulation (M)
- 9560 - Administration of School Surveys - Policy (M)
- P 1648.14 Safety Plan for Healthcare Settings in School Buildings – COVID-19 (M) (Abolished)
- P 1648.15 Recordkeeping for Healthcare Settings in School Buildings – COVID-19 (M) (New)
- P 2417 Student Intervention and Referral Services (M) (Revised)
- P 3161 Examination for Cause (Revised)
- P 4161 Examination for Cause (Revised)

P& R-7410 Maintenance and Repair (M) (Revised)  
 R 7410.01 Facilities Maintenance, Repair Scheduling, and Accounting (M) (Revised)  
 P 8420 Emergency and Crisis Situations (M) (Revised)  
 P & R 9320 Cooperation with Law Enforcement Agencies (M) (Revised)  
 0163 - Quorum - Bylaw  
 1511 - Board of Education Website Accessibility - Policy (M)  
 2415 - Every Student Succeeds Act - Policy (M)  
 2432 - School Sponsored Publications - Policy & Regulation (M) (ABOLISHED)  
 3216 - Dress and Grooming – Policy  
 3270 - Professional Responsibilities - Policy  
 3270 - Lesson Plans and Plan Books - Regulation  
 4216 - Dress and Grooming (NEW)  
 5513 - Care of School Property - Policy & Regulation (M)  
 5722 - Student Journalism – Policy (M) (NEW)  
 0152 Board Officers - Bylaw  
 0161 Call, Adjournment, and Cancellation - Bylaw  
 0162 Notice of Board Meetings - Bylaw  
 1648.11 The Road Forward COVID-19 – Health and Safety – Policy (M) (ABOLISHED)  
 1648.13 School Employee Vaccination Requirements - Policy (M) (ABOLISHED)  
 2423 Bilingual and ESL Education - Policy & Regulation (M)  
 2425 Emergency Virtual or Remote Instruction Program – Regulation (M) (NEW)  
 5200 Attendance - Policy & Regulation (M)  
 8140 Student Enrollments - Policy (M)  
 8140 Enrollment Accounting – Regulation (M)  
 8330 Student Records – Policy & Regulation (M)  
 8420.2 Bomb Threats – Regulation (M)  
 8420.7 Lockdown Procedures – Regulation (M)  
 8420.10 Active Shooter – Regulation (M)

2. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the following request for facilities use on the following dates, in accordance with policy 7510, as recommended by the Chief School Administrator:

Event	Date(s) and time	Location
PTO International Heritage Day	May 19, 2023 3:05 PM-9:00 PM May 20, 2023	LLE gymnasium and APR

	8:00AM - 6:00PM	
Mamanet (Catchball)	April 28, 2023 4:00 PM-10:00 PM April 29-30 2023 9:00AM-10:00PM	DMS gym

3. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the attendance of the following workshops, with all hotel, meals, and travel reimbursed at the statutory rates per NJ OMB guidelines, as recommended by the Chief School Administrator:

Name/Title	Event	Registration Fee
Michael Fox Superintendent of Schools	NJASA Spring Conference May 17, 2023-May 19, 2023 Atlantic City, NJ	\$599.00
Antoinette Kelly Business Administrator/Board Secretary	NJASBO Conference June 6, 2023-June 9, 2023 Atlantic City, NJ	\$275.00
Anna Kuzdraj Director of Special Education	QBS/Safety Care Training May 16, 2023-May 18, 2023 Parsippany, NJ	\$1,850.00
Lisa Carson Assistant to Business Administrator	NJASBO Administrative Assistant Workshop May 23, 2023 Whippany, NJ	\$250.00
Kathleen Forma Fourth Grade Teacher	NJ State Bar Association Social Emotional Character Development April 19, 2023 New Brunswick, NJ	No cost
Kathleen Forma Fourth Grade Teacher	The Goodness Model for Education May 4, 2023 Ramapo College Mahwah, NJ	99.00

4. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the following students to participate in the Work Place Learning Program for the 2022/2023 school year, as recommended by the Chief School Administrator:

Demarest Middle School	Luther Lee Emerson School	County Road School
Lilly Dipple	Ava Actman	Ariel Goldberg



Andrew Tandler	Emika Lulu Sorenson	Hunter DiResta
Hana Cami	Rhea Goodman	Jenna Jacobson
Harrison White	Ava Goodman	Chase Marks
Luca Dipple	Rachel Kim	Gianna Galli
Kurt Onal		Lilly Mehrnia
Alison Chin		
Wyatt Besnoy		
Hara Kyriacou		
Walker Reiss		
Sarah Slowikowski		

5. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to accept the Roberto Clemente Award prizes, as recommended by the Chief School Administrator.
6. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the modified 2022/2023 calendar, as attached, as recommended by the Chief School Administrator.
7. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the eighth grade graduation date of June 19, 2023, as recommended by the Chief School Administrator.
8. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to approve the District Statement of Assurance (SOA) Comprehensive Equity Plan (as on file in the superintendent's office) for the 2023/2024 school year and submit it to the Bergen County Executive Superintendent, as recommended by the Chief School Administrator.
9. It was moved by Governale seconded by Lee and approved by unanimous roll call vote of those present to affirm the superintendent's decision pertaining to the following HIB cases:
  - 2223-01
  - 2223-02
  - 2223-03
  - 2223-04

E. Support Services—Fiscal Management

1. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to confirm the following March 2023 payrolls as recommended by the Chief School Administrator:

March 15	\$ 502,828.22
March 31	\$ 455,099.09

2. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the April 25, 2023 bill list as follows, as recommended by the Chief School Administrator:

<u>Subtotal Per Fund</u>	<u>Amount</u>
11 General Current Expense	\$ 659,129.45
12 Capital Outlay	\$ 1,030.00
20 Special Revenue Fund	\$ 51,827.56
21 Student Activity Fund	\$ 50,722.69
22 Athletic Fund	\$ 130.00
60 Cafeteria Fund	\$ 20,763.90
61 Laptop Fund	\$ 4,843.72
Total Bills:	\$ 788,447.32

3. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following resolution, as recommended by the Chief School Administrator:

Receipt of Certification from Board Secretary

Pursuant to N.J.A.C. 6:20-2.13 (d), I, Antoinette Kelly, certify that as of March 31, 2023, no budgetary line item account has obligations or payments (contractual orders) that, in total, exceed the amount appropriated by the district Board of Education pursuant to N.J.S.A. 18A:22-8 and 18A:22-8.1.

4. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following resolution, as recommended by the Chief School Administrator:

Certification of Board of Education

Pursuant to N.J.A.C. 6:20-2.13 (e), we certify that as of March 31, 2023, after review of the secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district official, to the best of our knowledge, no major account or fund has been over-extended in violation of NJAC 6:20-2.13 (b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

5. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to acknowledge receipt of the March 2023 Report of the Board Secretary, A148 and the Report of the Treasurer, A-149, as recommended by the Chief School Administrator.
6. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to confirm the following budget transfer for March 2023, as recommended by the Chief School Administrator:

To:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
11-000-218-580	Guidance Travel	10.00
11-000-219-890	CST Misc Expense	413.00
11-000-270-420	Transportation-Repairs and Maintenance	156.00
11-105-100-110	Preschool-Substitute Salaries	200.00

11-150-100-101	Reg Programs Home Instruction Salaries	600.00
11-219-100-320	Spec Education Home Instruction Prof Services	1,000.00
12-000-261-730	Required Maintenance- Equipment	9,300.00

**From:**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
11-000-218-610	Guidance Supplies	10.00
11-000-219-390	CST Other Purch. Professional Services	413.00
11-000-270-390	Transportation-Other Purch. Prof Services	156.00
11-110-100-110	Kindergarten-Substitute Salaries	200.00
11-150-100-320	Reg Programs-Home Instruction Prof Services	600.00
11-219-100-101	Spec. Education Home Instruction Salaries	1,000.00
11-000-261-610	Required Maintenance-General Supplies	9,300.00

7. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following resolution, as recommended by the Chief School Administrator:

BE IT RESOLVED, that the Board of Education of Demarest, upon the recommendation of the Chief

School Administrator, approves the following final 2023/2024 school year budget using the 2023/2024 state aid amounts and authorizes the Business Administrator/Board Secretary to submit

the final 2023/2024 school year budget to the Executive County Superintendent for approval within the statutory submission date:

General Fund	\$22,871,303
Special Revenue Fund	296,339
Debt Service Fund	616,500
Total Appropriations	\$23,784,142

BE IT FURTHER RESOLVED, that the General Fund tax levy of \$16,733,818 is approved to support General Fund Expenses and \$616,500 is approved to support the Debt Service Fund for the 2023/2024 school year.

BE IT FURTHER RESOLVED, that the budget is approved to include use of Enrollment Adjustment in the amount of \$702,221. The adjustment is to help support the addition of 5 new staff members including teacher salaries, aides salaries, benefits, equipment, and supplies and materials to support the increase in enrollment and the addition of a new special education program. The adjustment is to also support the increase in health benefit costs.

BE IT FURTHER RESOLVED, that the budget is approved to include budgeted withdrawal from Maintenance Reserve in the amount of \$100,000 for required maintenance expenditures.

BE IT FURTHER RESOLVED, that the budget is approved to include budgeted withdrawal from Capital Reserve – Excess Cost and Other Capital Projects in the amount of \$3,200,000 for the following projects:

Demarest Middle School Gym Addition  
Demarest Middle School HVAC Upgrades  
Luther Lee Elementary HVAC Upgrades

8. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following resolution, as recommended by the Chief School Administrator:

WHEREAS, The Board of Education of the Borough of Demarest in the County of Bergen, New Jersey (the "Board" when referring to the governing body and the "School District" when referring to the territorial boundaries governed by the Board) has determined to undertake a capital improvement project pursuant to N.J.S.A. 18A:20-17, consisting of the construction and equipping of an addition at the Demarest Middle School (the "Project") for an estimated total project cost of \$7,000,000, such cost to be funded by a capital reserve contribution in an amount not to exceed \$3,000,000, and through entering into a lease purchase agreement, as permitted by N.J.S.A. 18A:20-4.2(f), in amount not to exceed \$4,000,000 (the "Lease Purchase"); and

WHEREAS, the Board desires to finance a portion of the Project pursuant to the Lease Purchase in an amount not to exceed \$4,000,000; and

WHEREAS, pursuant to N.J.A.C. 6A:26-10.3, the Board is required to conduct a public hearing on the Project and the proposed Lease Purchase; and

WHEREAS, notice of such public hearing was advertised on or about April 14, 2023 in The Record; and

WHEREAS, the Board has conducted such public hearing on the date hereof; and

WHEREAS, the Board now seeks to take certain steps to authorize such Lease Purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BOROUGH OF DEMAREST IN THE COUNTY OF BERGEN, NEW JERSEY (by the affirmative vote of at least two-thirds of the full membership of the Board), as follows:

Section 1. The Board hereby authorizes a capital reserve contribution in an amount not to exceed \$3,000,000, and endorses the financing of a portion of the Project through a lease purchase financing and approves a maximum funding level of \$4,000,000 for the Lease Purchase.

Section 2. Wilentz, Goldman & Spitzer, P.A., Bond Counsel and Phoenix Advisors, Municipal Advisor are hereby authorized to advertise the advertisement for proposals for the selection of a lessor for the Lease Purchase. Any publication that may have occurred prior to this resolution is hereby ratified by the Board.

Section 3. Wilentz, Goldman & Spitzer, P.A., Bond Counsel and Phoenix Advisors, Municipal Advisor are hereby authorized and directed to prepare and to submit an application to the New Jersey Department of Education ("NJDOE") to obtain approval of the Lease Purchase. The Board hereby authorizes that a title search be completed on the site of the Project in connection with the abovementioned application.

Section 4. Upon receipt of NJDOE approval, the Business Administrator/Board Secretary, is authorized to award the Lease Purchase to the lessor which proposed the most economically advantageous proposal to the Board. The term of the Lease shall not exceed five (5) years. In consultation with Bond Counsel, the Board President, the Board Vice President, the Superintendent and the Business Administrator/Board Secretary are each hereby authorized and directed to execute all documents including, but not limited to, a lease purchase agreement, a ground lease, if required, an escrow agreement, as applicable, and all closing documents in connection with the Lease Purchase and are hereby authorized to take any other action necessary therefor or incidental thereto.

Section 5. To the best of its knowledge, the Board hereby confirms that the annual lease payments and any operating expenses related to the agreement can be included within the School District's net budget spending growth limitations and will not result in the need for approval by the voters of additional spending proposals to maintain existing instructional programs or extracurricular activities.

Section 6. The Board hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Lease, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease Purchase.

Section 7. The Lease will be designated as a "qualified tax-exempt obligation" for purposes of Section 265(b) (3) (B) (ii) of the Code.

Section 8. The Board reasonably expects to reimburse its expenditure of Project costs paid prior to the issuance of the Lease with proceeds of the Lease. This resolution is intended to be and hereby is a declaration of the Board's official intent to reimburse the expenditure of ESP Costs paid prior to the issuance of the Lease with the proceeds of the Lease, in accordance with Treasury Regulations §150-2. The maximum principal amount of the Lease expected to be issued to finance the Project is \$4,000,000. The Project costs to be reimbursed with the proceeds of the Lease will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Lease used to reimburse the Board for Project costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of the Lease or another issue of debt obligations of the Board, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Lease is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 9. This resolution shall take effect immediately.

9. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the following resolution, as recommended by the Chief School Administrator:

WHEREAS, Wojchik Electric, Inc., and Daskal, LLC, provided materials and labor on a public project at the County Road School for the Demarest Board of Education; and

WHEREAS, Wojchik Electric Inc. filed a Notice of Claim against Daskal, LLC under the Municipal Mechanics' Lien Law, pursuant to N.J.S.A. 2A:44-125, governing public improvement projects for public entities on or about March 15, 2023; and

WHEREAS, the amount due from Daskal, LLC to Wojchik Electric, Inc. is in the amount of \$32,923.54 for work related to supplying and installing electrical materials, lighting fixtures, fire alarm system, etc. for the public project on 130 County Road; and

WHEREAS, N.J.S.A. 2A:44-136 provides that a public entity may pay the lien claim and the amount paid is credited to the amount of the contract.

WHEREAS, pursuant to N.J.S.A 2A:44-136, Demarest Board of Education will proceed to pay the lien claim and the amount paid will be credited to the amount of the contract between Demarest Board of Education and Daskal, LLC.

NOW, THEREFORE BE IT RESOLVED by Demarest Board of Education that payment of \$32,923.54 directly to Wojchik Electric, Inc. is hereby approved and shall be deducted from any amount owed to Daskal, LLC pursuant to N.J.S.A.

10. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve change order #9 for Addition and Renovations at County Road School with contractor Daskal, NJDOE #1070-030-21-1000, for a credit in the amount of \$26,770.99 as recommended by the Chief School Administrator.

11. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve final change order #10 for Addition and Renovations at County Road School with contractor Daskal, NJDOE #1070-030-21-1000, for a credit in the amount of \$32,923.54 for resolving the mechanic's lien against the contract, as recommended by the Chief School Administrator. This amount will be paid directly to Wojchik Electric.
12. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve Phoenix Advisors, LLC as Municipal Advisor for the school facilities lease purchase financing for the Middle School gymnasium and wellness center addition, in the amount of \$7,500.00, as recommended by the Chief School Administrator.
13. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve additional work by Express Heating to the boilers and compressor at County Road School, in the amount of \$9,800.00, as recommended by the Chief School Administrator.
14. It was moved by Verna seconded by Cantatore and approved by unanimous roll call vote of those present to approve the Demarest Middle School paving project under bid number EDS Bid # 10980, Macadam Repair, with Crossroads Pavement Maintenance LLC, in the amount of \$64,460.00, as recommended by the Chief School Administrator.

XVI. PUBLIC COMMENT

- A. It was moved by Verna and seconded by Governale to open the meeting to public comment.
- B. Erica Song asked what the graduation date is and the last day of school is. The last day of school is June 20th and graduation is June 19th.
- C. It was moved by Cantatore and seconded by Brillhart to close the meeting to public comment.

XVII. NEW BUSINESS  
None at this time.

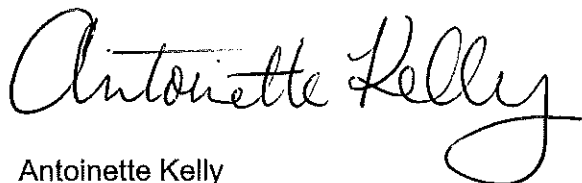
XVIII. EXECUTIVE SESSION

- A. There was no motion to enter the executive session.

XIX. ADJOURNMENT

- A. It was moved by Verna, seconded by Canatore approved by unanimous voice vote to adjourn the meeting at 8:00 P.M.

Sincerely,



Antoinette Kelly  
Business Administrator and Board Secretary