

DEMAREST BOARD OF EDUCATION

REORGANIZATION MEETING MINUTES

Luther Lee Emerson School – Gymnasium
January 4, 2022
5:30 P.M.

I. OPENING

- A. Meeting called to order at 5:30 by the board secretary as temporary chairman.
- B. Board Secretary read the following announcement
The New Jersey Open Public Meetings Law was enacted to insure 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, the district website and by notifying in writing two newspapers: The Record and The Suburbanite.
- C. Roll Call: Cantatore, Choi, Governale, Verna, Holzberg
Board Members Elect: Lee, Brillhart
- D. Flag Salute

II. ELECTION RESULTS ARE CERTIFIED BY THE BERGEN COUNTY CLERK

Election Results (3 year term):

Name	Vote Tally
Kyusoon Lee	574
Gabriela Brillhart	525
Laura Schliem	514

III. OATH ADMINISTERED TO ELECTED BOARD MEMBERS

Ms. Kelly, Business Administrator/Board Secretary administered the oath of office to Gabriela Brillhart and Kyusoon Lee.

IV. STATEMENT OF BOARD COMPOSITION FOR DEMAREST BOARD OF EDUCATION 2022

Board Members	Term Expires
Jennifer Choi	2022
Christen Governale	2022
Sheila Verna	2022
Erica Cantatore	2023
Diane Holzberg	2023
Kyusoon Lee	2024
Gabriela Brillhart	2024

V. ELECTION OF OFFICERS

A. Election of President

1. The Board Secretary called for nominations for President.
2. Board member Verna nominated Diane Holzberg for President. Board member Governale seconded the motion.
3. There were no other nominations.
4. Board member Governale moved to close the nominations. Board member Verna seconded the motion.
5. Vote for President.
Ayes: Brillhart, Choi, Cantatore, Governale, Lee, Verna, Holzberg
Absent: None
Nays: None

B. Election of Vice President

1. President Holzberg called for nominations for Vice President.
2. Board member Cantatore nominated Sheila Verna for Vice President. Board member Governale seconded the nomination.
3. There were no other nominations.
4. Board member Governale moved to close the nominations. Board member Choi seconded the motion.
4. Vote for Vice-President.
Ayes: Brillhart, Choi, Cantatore, Governale, Lee, Verna, Holzberg
Absent: None
Nays: None

VI. REVIEW OF AGENDA

- A. Board members review the items.

VII. PUBLIC COMMENT (AGENDA ITEMS ONLY)

There was no motion for public comment being no one from the public was present.

VIII. ACTIONS

1. It was moved by Choi, seconded by Verna and approved by unanimous roll call vote of those present to adopt the Code of Ethics for School Board Members (P.L. 2001, Chapter 178 C: 18A:12- 24.1) to abide by as follows:
 - a. I **will** uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
 - b. I **will** make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
 - c. 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.
 - d. 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.
 - e. I **will** recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.

- f. 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.
- g. I will hold confidential all matters pertaining to the schools, which, if disclosed, would needlessly injure individuals or the schools. 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.
- h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i. I will support and protect school personnel in proper performance of their duties.
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

2. Doctrine of Necessity

It was moved by Choi, seconded by Verna and approved by unanimous roll call vote of those present to approve the following item:

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 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 Advisor Opinion A3-98 (April 1, 1998) but finds that there is a need to repeat and clarify its opinion; and

WHEREAS, the opinion set fourth 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 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, 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 a set forth above; and

WHEREAS, in keeping with the Legislative purpose as set forth 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 fourth 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 the 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.

- 3. It was moved by Lee, seconded by Verna and approved by unanimous roll call vote of those present to approve the Bergen Record, and The Suburbanite, to be adopted as the official

newspapers to be used for the advertisement of meetings, legal ads, and all other necessary public notifications, as recommended by the Chief School Administrator.

4. It was moved by Governale, seconded by Cantatore and approved by unanimous roll call vote of those present to adopt Roberts Rules of Order as the official parliamentary procedure manual to be used to conduct meetings and appoint the board secretary and board attorney to act as the parliamentarians, as recommended by the Chief School Administrator.
5. It was moved by Cantatore, seconded by Verna and approved by unanimous roll call vote of those present to approve the Demarest Board of Education, recognizing that it is responsible for providing a thorough and efficient free public education for the children of this school district, and recognizing that this Board is a non-continuous body subject to annual renewal, adopt the written Bylaws, Policies and Regulations of the predecessor Board for its operation and the operation of the school district. It is understood that this Board, during its own life, may amend or repeal such Bylaws and Policies and adopt new Policies as it deems necessary, 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 approve Antoinette Kelly School Business Administrator/Board Secretary, to serve as the Public Agency Compliance Officer (P.A.C.O.) for the Demarest Board of Education, as recommended by the Chief School Administrator.
7. It was moved by Brillhart, seconded by Governale and approved by unanimous roll call vote of those present to adopt the following resolution, as recommended by the Chief School Administrator:

BE IT RESOLVED as follows:

a) In compliance with the Open Public Meetings Act, L. 1975, c.231, public meetings of the Demarest Board of Education for the 2022 Calendar Year are hereby set forth below. All meetings will commence at **7:00 P.M.** unless otherwise noted with a (+). Executive Closed Sessions will be held before the scheduled Regular Public Meetings at 6:00 or 6:30 P.M. if necessary. The Board of Education may take action at any of their scheduled meetings.

DATE	SCHEDULED MEETING	SITE
January 18, 2022	COW & Regular Meeting	LLE
February 8, 2022	COW & Regular Meeting	LLE
March 8, 2022+	COW Meeting (5:30 P.M.)	LLE
March 15, 2022	Preliminary Budget and Regular Meeting	LLE
April 12, 2022+	COW Meeting (5:30 P.M.)	LLE
April 26, 2022	Public Budget Hearing and Regular Meeting	LLE
May 10, 2022	COW and Regular Meeting	LLE
June 14, 2022	COW and Regular Meeting	LLE
July 12, 2022	COW and Regular Meeting	LLE
August 23, 2022	COW and Regular Meeting	LLE
September 13, 2022+	COW Meeting (5:30 P.M)	LLE

September 20, 2022	Regular Meeting	LLE
October 11, 2022	COW and Regular Meeting	LLE
November 15, 2022	COW and Regular Meeting	LLE
December 13, 2022	COW and Regular Meeting	LLE
January 3, 2023+	Reorganization Meeting (5:30 P.M)	LLE

+ Meeting times other than 6:30.

COW (Committee-of-the-Whole)

LLE – Luther Lee Emerson School, 15 Columbus Road

b) Notice of the aforesaid meetings and of all other public meeting hereafter scheduled, whether rescheduled or additional meeting added, shall be given in accordance with the terms of said act by posting notices on the bulletin board in the front office of the Demarest Middle School, 568 Piermont Road, the district website, and by filing same with the borough clerk and by furnishing same to *The Record* and *The Suburbanite*, newspapers which are hereby designated as having the greatest likelihood of informing the public of such meetings.

c) This resolution shall take effect immediately.

IX. PUBLIC COMMENT

There was no motion for public comment being no one from the public was present.

X. EXECUTIVE SESSION

- A. It was moved by Verna, seconded by Choi and approved by unanimous roll call vote of those present to enter the Executive Session to discuss personnel matters at 5:49 P.M.
- B. It was moved by Verna, seconded by Cantatore and approved by unanimous roll call vote of those present to close the Executive Session at 5:57 P.M.

XI. ADJOURNMENT

- A. It was moved by Verna, seconded by Cantatore and approved by unanimous roll call vote of those present to adjourn at 5:58 P.M.

Sincerely,



Antoinette Kelly
Business Administrator and Board Secretary

