

DEMAREST BOARD OF EDUCATION REORGANIZATION MEETING AGENDA

County Road School – Media Center
January 3, 2023
5:30 P.M.

I. OPENING

- A. Meeting called to order by the board secretary as temporary chairman.
- B. Board Secretary's 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 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, on the district website, and by notifying in writing two newspapers: The Record and The Suburbanite.

- C. Roll Call: Brillhart, Cantatore, Lee, Holzberg
Board Members Elect: Choi, Governale, Verna
- D. Flag Salute

II. ELECTION RESULTS ARE CERTIFIED BY THE BERGEN COUNTY CLERK

Election Results (3 year term):

Name	Vote Tally
Jennifer Choi	939
Sheila Verna	864
Christen Governale	822

III. ADMINISTER OATH TO ELECTED BOARD MEMBERS

IV. STATEMENT OF BOARD COMPOSITION FOR DEMAREST BOARD OF EDUCATION 2023

Board Members	Term Expires
Erica Cantatore	2023
Diane Holzberg	2023
Kyusoon Lee	2024
Gabriela Brillhart	2024
Jennifer Choi	2025
Christen Governale	2025
Sheila Verna	2025

V. ELECTION OF OFFICERS

- A. Election of President
 1. The secretary calls for nominations for president.
 2. Move to close nominations.
 3. Vote for the president.

B. Election of Vice President

1. The president calls for nominations for the vice president.
2. Move to close nominations.
3. Vote for the vice president.

VI. REVIEW OF AGENDA

- A. Board members review the items.

VII. PUBLIC COMMENT (AGENDA ITEMS ONLY)

- A. Move to open the meeting to public comment limited to agenda items.
- B. Public comment.
- C. Move to close the meeting to public comment.

VIII. ACTIONS

1. Move 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

Move 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 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 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 as 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 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 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. Move 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. Move to adopt Robert's 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. Move 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, and 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. Move 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. Move 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 2023 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 17, 2023	COW & Regular Meeting	CRS
February 7, 2023	COW & Regular Meeting	CRS
March 7, 2023+	COW Meeting (5:30 P.M.)	CRS
March 14, 2023	Preliminary Budget and Regular Meeting	CRS
April 18, 2023+	COW Meeting (5:30 P.M.)	CRS
April 25, 2023	Public Budget Hearing and Regular Meeting	CRS
May 16, 2023	COW and Regular Meeting	CRS
June 13, 2023	COW and Regular Meeting	CRS
July 11, 2023	COW and Regular Meeting	CRS
August 22, 2023	COW and Regular Meeting	CRS
September 19, 2023	COW and Regular Meeting	CRS
October 17, 2023	COW and Regular Meeting	CRS
November 14, 2023	COW and Regular Meeting	CRS
December 12, 2023	COW and Regular Meeting	CRS
January 2, 2024+	Reorganization Meeting (5:30 P.M)	CRS

+ Meeting times other than 6:30.
 COW (Committee-of-the-Whole)
 CRS - County Road School - 130 County 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.

8. Move to approve the resubmission of the schematic design update for the project application of the proposed Demarest Middle School Gym Addition, as recommended by the Chief School Administrator. The project should be considered as an Other Capital Project .

IX. PUBLIC COMMENT

- A. Move to open the meeting to public comment.
- B. Move to close the meeting to public comment.

- X. EXECUTIVE SESSION (if necessary)
 - A. Move to enter the Executive Session to discuss personnel/legal matters/negotiations.
 - B. Move to close the Executive Session and reenter the Public Session.

- XI. ADJOURNMENT
 - A. Move to adjourn.