

# DEMAREST BOARD OF EDUCATION

## REORGANIZATION MEETING MINUTES

**Luther Lee Emerson - Gymnasium**  
**January 5, 2021**  
**5:30 P.M.**

I. OPENING

- A. The meeting was called to order at 5:30 by Board Secretary Kelly as temporary chairman.
- B. The 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 and by notifying in writing two newspapers: The Record and The Suburbanite.
- C. Roll Call: Choi, Governale, Schliem, Verna  
 Board Members Elect: Cantatore, Holzberg  
 Absent: Lee  
 Also present: Ms. Kelly, Business Administrator/Board Secretary  
 Absent: Mr. Fox, Superintendent of Schools
- D. Board Secretary Kelly led the flag salute.

II. ELECTION RESULTS ARE CERTIFIED BY THE BERGEN COUNTY CLERK

Election Results (3 year term):

Name	Vote tally
Diane Holzberg	1,589
Erica Cantatore	1,486

III. OATH ADMINISTERED TO ELECTED BOARD MEMBERS

Ms. Kelly, Business Administrator/Board Secretary administered the Oath of office to Diane Holzberg and Erica Cantatore.

IV. STATEMENT OF BOARD COMPOSITION FOR DEMAREST BOARD OF EDUCATION 2021:

Board Members	Term Expires
Jennifer Choi	2022
Christen Governale	2022
Sheila Verna	2022
Kyusoon Lee	2021
Laura Schliem	2021
Erica Cantatore	2023
Diane Holzberg	2023

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 Schliem seconded the motion.
3. There were no other nominations.
4. Board member Verna moved to close the nominations. Board member Governale seconded the motion.
5. Vote for President.  
Ayes: Choi, Cantatore, Governale, Schliem, Verna, Holzberg  
Absent: Lee  
Nayes: None

B. Election of Vice President

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

VI. REVIEW OF AGENDA

- A. Board members reviewed the items.

VIII. PUBLIC COMMENT

There was no motion for public comment, being that 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 Schliem, seconded by Choi 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 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. It was moved by Governale, 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 Cantatore, seconded by Verna 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 Verna, seconded by Governale 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 Choi, seconded by Verna 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 Schliem, seconded by Choi and approved by unanimous roll call vote of those present to adopt Standard Operating Procedures (SOP) as attached, as recommended by the Chief School Administrator.
8. It was moved by Governale, seconded by Verna and approved by unanimous roll call vote of those present to adopt the Demarest School District Biosecurity Plan as attached, as recommended by the Chief School Administrator.
9. The board agreed to table the approval of the Board of Education Meeting Calendar for the 2021 Calendar Year. Several meeting dates need to be reviewed and revised. This revised resolution will be included on the agenda for the next board meeting.

IX. OTHER BUSINESS

1. It was moved by Verna, seconded by Cantatore and approved by unanimous roll call vote of those present to approve agreement with Curative COVID-19 Detection to provide test kits and COVID-19 testing for our staff members free of charge, as recommended by the Chief School Administrator.

2. Discussion of Committee Assignments. President Holzberg requested that the list of committees be sent to the board members for their review.

3. Discussion of such other matters as may be introduced by the Board.

- Vice-President Verna stated how excited she was about our Pre-K program and so glad that we have had such a great response for registration. Ms. Schliem also stated that is a good program and reasonably priced.
- President Holzberg stated that she would like the board to start thinking about creating a strategic plan for the district. The board has already discussed this before but because of COVID was put on hold. Ms. Holzberg stated that the community should be involved in the process of creating the strategic plan.

X. PUBLIC COMMENT

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

XI. EXECUTIVE SESSION

A. There was no motion to enter the Executive Session.

XII. ADJOURNMENT

A. It was moved by Verna, seconded by Schliem and approved by unanimous voice vote to adjourn the meeting at 6:00 P.M.

Sincerely,



Antoinette Kelly, CPA  
Business Administrator and Board Secretary

