

MORRIS SCHOOL DISTRICT
Minutes of January 5, 2022
MORRISTOWN HIGH SCHOOL

The reorganizational meeting of the Board of Education of the Morris School District, of Morris County, New Jersey was held in the Auditorium of the Morristown High School, Morristown, NJ on Wednesday evening, January 5, 2022 at 6:34 p.m.

Joan Frederick, Assistant Board Secretary, called the meeting to order and made the following announcement: The New Jersey Open Public Meeting 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 interest is discussed or acted upon. In accordance with the provisions of this Act the Board of Education of the Morris School District in the County of Morris has caused notice of this meeting to be published by having the date, time and place thereof posted. The notice was mailed to the Daily Record, and to those persons or entities requesting notification, posted on the district website and posted at the Administration Center, 31 Hazel Street, Morristown, New Jersey.

OATH OF OFFICE

Joan Frederick administered the Oath of Office to Dr. Vivian Rodriguez of Morristown, Ms. Linda K. Murphy of Morris Township and Mrs. Kathleen “Katie” Cole of Morris Township.

At the Roll Call, the following Board Members were present: Mrs. Nancy Bangiola (6:47 pm), Mrs. Katie Cole, Mrs. Meredith Davidson, *Ms. Lucia Galdi, Morris Plains Representative, Ms. Linda K. Murphy, Mrs. Susan Pedalino, Dr. Vivian Rodriguez, Mr. Alan Smith, Mrs. Melissa Spiotta, and Mrs. Beth Wall.

Also present at 6:30 pm, Dr. Thomas Ficarra, Interim Superintendent, Mrs. Joan Frederick, Assistant Business Administrator/Board Secretary, and Ms. Lora Clark, Director of Human Resources, Personnel & Equity.

The Board moved to go into closed session at 6:44 pm

EXECUTIVE SESSION

Motion #1 AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Morris School District Board of Education to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," without the public being permitted to attend, and

WHEREAS, the Board has determined that three (3) issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on January 5, 2022 at 6:30 P.M., and

WHEREAS, the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The nature of the matter, described as specifically as possible without undermining the need for confidentiality are: Student Matters

"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body." The collective bargaining contract(s) discussed are between (1) the Board and the Morris School District Administrators Association.

"(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

"(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

"(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

WHEREAS, the length of the Executive Session is estimated to be sixty (60) minutes after which the public meeting of the Board shall (select one) reconvene and immediately adjourn or reconvene and proceed with business where formal action will be taken.

NOW, THEREFORE, BE IT RESOLVED that the Morris School District Board of Education will go into Executive Session for only the above stated reasons; and

BE IT FURTHER RESOLVED that the Board hereby declares that its discussion of the aforementioned subject(s) 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.

EXECUTIVE SESSION (Motion #1)

Moved by Mrs. Spiotta, seconded by Mrs. Wall

AYES: Mrs. Cole, Mrs. Davidson, Ms. Galdi, Ms. Murphy, Mrs. Pedalino,
Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: None

ABSENT: Mrs. Bangiola

At 7:25 pm, Mrs. Bangiola moved to go into open session. Ms. Murphy seconded the motion which carried unanimously. Public Session began at 7:31 pm

There were approximately 4 members of the public, staff and local media in attendance.

PLEDGE OF ALLEGIANCE

Mrs. Frederick led the Board in the Pledge of Allegiance.

Mrs. Frederick introduced the re-elected Board members, Dr. Rodriguez, Ms. Murphy and, as well as the newly elected Board member, Mrs. Katie Cole, all with whom she administered the oath of office prior to closed session.

ELECTION OF PRESIDENT

Mrs. Frederick opened the floor to nominations for President.

Motion to nominate Mrs. Spiotta for President

Moved by Ms. Murphy, seconded by Mrs. Wall

A discussion ensued amongst the Board. There were no other nominations.

Roll call vote for Mrs. Spiotta for President

AYES: Mrs. Bangiola, Mrs. Cole, Ms. Galdi, Ms. Murphy, Mrs. Pedalino, Dr. Rodriguez,
Mrs. Spiotta, Mrs. Wall

NOES: Mrs. Davidson, Mr. Smith

ABSENT: None

Mrs. Spiotta was elected President

ELECTION OF VICE PRESIDENT

Mrs. Spiotta opened the floor to nominations for Vice President

Motion to nominate Ms. Murphy for Vice President

Moved by Mrs. Spiotta, seconded by Mr. Smith

There were no other nominations.

Roll call vote for Ms. Murphy for Vice President

AYES: Mrs. Bangiola, Mrs. Cole, Ms. Galdi, Mrs. Davidson, Ms. Murphy, Mrs. Pedalino,
Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSENT: None

Ms. Murphy was elected Vice President

ORGANIZATIONAL

4. **Appointment and Delegates**

Appointment, by the President, of alternate delegate to the New Jersey School Boards Association and the Morris County School Boards Association.

Delegate	<u>Board President</u>
State Alternate	<u>Mrs. Wall</u>
County Alternate	<u>Mrs. Wall</u>

Appointment, by the President, of a Member to the Morris County Educational Services Commission Board of Directors.

Member: **Mrs. Spiotta**

Appointment, by the President, of a Member to the Morris Educational Foundation.

Member: **Mrs. Cole**

SUPERINTENDENT’S REPORT

Dr. Ficarra thanked the staff for their help in keeping the district open. Additionally, Dr. Ficarra thanked the public for cooperating with all the changes to the COVID regulations and guidelines.

PRESIDENT’S REPORT

Mrs. Spiotta echoed Dr. Ficarra’s sentiments in thanking the staff for their aid in keeping the district open.

PUBLIC COMMENT

No members of the public came forward to make a comment.

ORGANIZATIONAL

5. **Code of Ethics**

Motion, that the Board of Education adopt the “Code of Ethics for School Board Members” as per the [attached](#).

6. **Parliamentary Procedures**

Motion that the Board of Education approve Robert’s Rules of Order as the official Guide for Parliamentary Procedure for the Morris School District.

7. **Policy**

Motion, that all policies, rules, regulations, handbooks and other legislative or regulatory action of this Board, in force immediately prior to this reorganization meeting, are hereby continued in force, as if the Board Year had not changed.

8. **Authorizations**

Motion, that the Assistant Board Secretary or in his/her absence, the President, or the Vice President, act as Board Secretary in the absence of the Board Secretary.

9. **Business Administrator Authorization**

Motion that the Board of Education approve the Business Administrator/Board Secretary to approve bids, approve account transfers, pay bills, approve construction change orders and approve travel in accordance with policies #0147, 0147A, 3440 and 4440, Board Member Travel Expenses; Staff Travel Expenses and N.J.S.A. 18A:11-12, in between board meetings on an emergency basis with list of such bids, transfers, payments, construction change orders and travel subject to presentation and ratification at the next business meeting of the board.

10. **Superintendent's Authorization**

Motion that the Board of Education approve the Superintendent of Schools or his designee to employ school personnel to fill vacancies in existing job classifications as they may occur in between board meetings on an emergency basis with a list of those employed subject to presentation and ratification at the next business meeting of the board.

11. **Charges for Reproducing Public Documents**

Motion, that the Board of Education approves the following rates for photocopying of public documents in compliance with NJSA 47:1A-1

Letter size or smaller	\$0.05/page
Legal size or larger	\$0.07/page

12. **Meeting Dates Designation**

Motion, that the meetings of the Board of Education shall be held on Monday evenings (as per [attached](#) schedule of meeting dates). The meetings will open at 6:30 p.m. and immediately adjourn to closed session until 7:30 when the regular business meeting will begin. In the event that said schedule is hereafter revised, the Board Secretary is hereby directed to post and direct notice to [The Daily Record](#) at least 48 hours before the revised meeting date.

13. **Official Newspaper**

Motion, that the Daily Record be designated as the official newspaper of the Morris School District. Other notices, which require a broader circulation, shall also be published in The Star Ledger.

14. **Board Committees**

Motion, that upon the recommendation of the Superintendent, the Board of Education approve the members of Board Committees as [attached](#).

REORGANIZATIONAL (Motions #5-14)

Moved by Ms. Murphy, seconded by Mrs. Davidson

AYES: Mrs. Bangiola, Mrs. Cole, Mrs. Davidson, Ms. Galdi, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: None

ABSENT: None

BUSINESS PORTION OF THE MEETING

MINUTES

Motion #1 that upon the recommendation of the Interim Superintendent, the Board of Education, approve executive session minutes from the regular business meeting of:

December 20, 2021

Motion #2 that upon the recommendation of the Interim Superintendent, the Board of Education, approve minutes from the regular business meeting of:

December 20, 2021

MINUTES (Motions #1-2)

Moved by Ms. Murphy, seconded by Mrs. Pedalino

AYES: Mrs. Bangiola, Mrs. Davidson, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: Mrs. Cole, Ms. Galdi

ABSENT: None

EDUCATIONAL MATTERS

HARASSMENT, INTIMIDATION, AND BULLYING REPORT

Motion #1 that, upon the recommendation of the Interim Superintendent, the Board of Education accept the Harassment, Intimidation, and Bullying report for the period ending, December 20, 2021.

EDUCATIONAL MATTERS (Motion #1)

Moved by Ms. Murphy, seconded by Mrs. Wall

AYES: Mrs. Bangiola, Mrs. Davidson, Ms. Galdi, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: Mrs. Cole

ABSENT: None

BUSINESS MATTERS

BILLS LIST 2021-2022

Motion #1 that, upon the recommendation of the Interim Superintendent, the Board of Education approve the attached 2021-2022 bills list for the period ending:

December 31, 2021 (payroll)

BUSINESS MATTERS (Motion #1)

Moved by Ms. Murphy, seconded by Mrs. Pedalino

AYES: Mrs. Bangiola, Mrs. Davidson, Ms. Galdi, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: Mrs. Cole, Mr. Smith

ABSENT: None

CLOSED SESSION (7:51 PM)

Moved by Mrs. Davidson, seconded by Dr. Rodriguez

AYES: Mrs. Bangiola, Mrs. Cole, Mrs. Davidson, Ms. Galdi, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: None

ABSENT: None

ADJOURNMENT (7:59 PM)

Moved by Mrs. Bangiola, seconded by Mrs. Spiotta

AYES: Mrs. Bangiola, Mrs. Cole, Mrs. Davidson, Ms. Galdi, Ms. Murphy,
Mrs. Pedalino, Dr. Rodriguez, Mr. Smith, Mrs. Spiotta, Mrs. Wall

NOES: None

ABSTAIN: None

ABSENT: None

Respectfully Submitted,

Joan Frederick
Assistant Business Administrator/
Assistant Board Secretary