

The Board of Education of the Borough of Essex Fells, in the County of Essex, New Jersey, convened in a Regular Public Meeting held in the Media Center and live streamed on April 6, 2022. The meeting was called to order by the Board President, Mrs. Amanda Haber, at 7:30 P.M. Mrs. Haber read the following Statement of Compliance with the Open Public Meetings Act: "In compliance with Chapter 231 of the Laws of 1975, a notice for this meeting was posted at the respective offices of the Essex Fells School as of January 5th, 2022. Agendas were mailed to the Clerk of the Borough of Essex Fells, the Progress, and the Star Ledger.

I. Call to Order – 7:30 P.M.

- The meeting was called to order by the Board President.

II. Roll Call

Mrs. Amanda Haber, President-Present
Mr. John Toth, Vice-President-Present
Mrs. Kris Huegel-Present
Mr. Raj Mehta-Present
Mr. Theodore Skopak-Absent

Also present: Dr. Michelle V. Gadaleta, Superintendent/Principal; Mr. Steven J. Lella, Business Administrator/Board Secretary; and 1 Member of the Public. Approximately 40 Members of the Public logged in to live stream.

III. Flag Salute

- The Board President led the salute to the flag.

IV. President's Report

Welcome to everyone joining us this evening.

This has been a tremendously difficult week due to the loss of our beloved Mr. Viggiano or Mr. V as he was known at EFS. On behalf of the board and the community we represent, I want to share my deepest condolences to the Viggiano family. As special as he was to our lives -Mr. V. was a father, husband, brother and uncle first. Any conversation I had with Mr. V., he would talk about his family as he beamed with pride. I thank his family for sharing him with us to make the lives of all of our children that much more enriched.

Additionally, I want to acknowledge and thank the staff, counselors, PTA, Foundation, families, friends of EFS and Dr. Gadaleta for putting forth such a tremendous effort to comfort our children over these past few days. The way that you have all come together so quickly has been so important. There was a level of anxiousness that was greatly relieved by the amount of support prepared to transition our children back into school. I can't imagine how difficult this week has been as you navigated your own grief all while being a support to the children.

Mr. V was a dedicated and loving educator with a great sense of humor. His commitment to our children was unparalleled. He was an incredible role model who made a tremendous impact on our children that will carry them throughout their lives.

The mark of an incredible educator isn't based solely on the lessons that are taught; but by the relationships that are created and most importantly the way that they make children feel. Mr. V. had the ability to make every single student feel special. He was a presence at the school. He took that commitment seriously and went above and beyond the scope of his position. Often he could be found teaching enrichment classes, working lunch and recess, preparing fun events for the students and helping with the play afterschool. He had a passion for teaching and understood how important his role was in laying the foundation for strong character, respect and responsibility for our children.

Over the past few days I have heard endless stories of how Mr. V. led with kindness, care, and empathy. So many families have shared instances where Mr. V. made a difference for their child. Whether it was giving them some extra encouragement on the playground, buying them a comic book to brighten their day, or sharing stories with kids to

make them feel seen and special. Many nights with my own children would excitedly share stories of how funny Mr. V. was or what activity he had planned that they couldn't wait to participate in.

I hope that by continuing to share these stories with each other and remembering him with fondness will help bring us all some peace and maybe even a smile. It is a great comfort to have such a strong community around to lift each other up. The work that was done by Mr. V. will always be greatly appreciated and he will be sorely missed.

In tonight's meeting we will also be voting to accept the retirement of Mrs. Kelly DaCosta. Mrs. DaCosta is an exceptional educator that has made an enduring and tremendous impact on so many lives. She is thoughtful and careful with her craft. She always took the time to provide students the interventions or enrichment they needed to succeed. She has provided our students with wonder, joy, compassion, laughter and love. I couldn't dream of a better teacher and role model. She has demonstrated grace and strength through her own personal trials and tribulations. Her dedication was unwavering. Through it all, children left her classroom better than they were when they entered.

We deeply appreciate all that you have done to serve our school community. All of the families at Essex Fells School are so fortunate to know that our children were in your care, for the greater part of their days, in the most impactful years of their childhood. Thank you.

V. Public Comment on Agenda Items Only

- None

VI. Superintendent's Report

- Dr. Gadaleta read a statement about Mr. Viggiano and spoke about the week so far at EFS. Dr. Gadaleta thanked the Essex County Traumatic Loss Organization for coming out to the district on Monday as well as West Essex for sending counselors. She thanked the Essex Fells Fire Department for setting up a larger tent over the memorial for Mr. V, which will remain up through spring break, at which time items will be returned to the family, and the flowers will be planted as part of a memorial garden. The family has been very thankful for the memorial that has been set up. The Student Council and Families will have a ribbon ceremony for the trees on campus and ribbons will be sent home for the children to place on trees at their home. Mrs. McNish is working on an art piece for dedication and there has been talks about making a memorial on the baseball field as well in memory of Mr. V. A video montage is being prepared and tomorrow The Comfort Zone will provide sessions in place of class meetings.
- Dr. Gadaleta discussed the expanded STEAM job description as we abolish the Technology teaching position.
- Dr. Gadaleta reported that the stone wall near the pre-school and kindergarten entrance will be removed due to safety concerns.
- Songwriting Residency, which was planned to come to EFS pre-covid, will be coming to the district in May.
- Dr. Gadaleta discussed the 40k and 40k EFS is receiving in ESSER 3 funding for Summer ESY and extension of the school day programs. She will be meeting with the staff to discuss.
- Dr. Gadaleta noted the resolution to approve the retirement of Kelly DaCosta (Mitchell) and read a statement about Mrs. DaCosta thanking her for her years of service at Essex Fells. Dr. Gadaleta read the following letter from Mrs. DaCosta:

Dear Dr. Gadaleta and Members of the Board of Education,

This letter has come much sooner than anticipated, yet it is with profound admiration and warmth for the Essex Fells School community that I announce my retirement effective July 1, 2022. Reflecting on my initial days in 2004 when I stepped into a fifth grade classroom, I could have never imagined the depth of the relationships I would form and the knowledge I would gain as a member of this school faculty. The outpouring of support and understanding from each of you over the past two years is deeply appreciated by my family and me. It makes the decision a difficult one when it is your second family you need to step away from.

Over these past eighteen years, I have looked into the eyes of fifth graders and laughed alongside toothless first graders. I've wiped the hands and held those of our littlest preschoolers and cheered on the accomplishments of second graders. Each of these classroom experiences brought with it a treasure trove of memories that bring me peace and comfort. I grew as an educator with each new day and my friendship circle expanded, too. My colleagues have become an extension of my family and the families of my students have cared for me as if I was part of theirs. What a very special place for me to have spent my career.

Again, I want to thank each of you for the encouragement and positivity you have shown me during this difficult time. May you accept this letter of retirement knowing that I wish my days in the halls of EFS could have been more, but I step through them holding everyone in my heart.

Yours Truly,

Mrs. Kelly DaCosta

VII. Superintendents Resolutions

RESOLVED that the Board of Education approves Superintendent Resolutions #01 –09.

1. RESOLVED that the Board of Education accepts and approves, as recommended by the Superintendent, the payment of the following travel related expenses in accordance with the travel policy 6471 for Professional Development:

Staff Member(s): Katie McNish
 Event: NAEA National Convention Art + Design = STEAM
 Location: Virtual
 Date: 4/11/22
 Cost: \$0.00

Staff Member(s): Katie McNish
 Event: NAEA National Convention Art Education
 Location: Virtual
 Date: 5/20/22
 Cost: \$0.00

Staff Member(s): Deana Hromoko
 Event: Maximize the Power of Guided Math to Increase Student Math Learning (Grades K-3)
 Location: Virtual
 Date: TBD
 Cost: \$279.00

Staff Member(s): Michelle Truchel
 Event: Strengthening Students Writing Skills While Significantly

EFFEE Meeting Dates
4/5/22, 5/10/22, 6/7/22
Media Center

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

7. **RESOLVED** that the Board of Education accepts and approves, as recommended by the Superintendent, the Use of Facilities Request for the following:

Jain Center of NJ
September 2022 – June 2023 (alternate Sunday's)
10am-12:00pm or 3:00pm – 5:00pm
6 Classrooms

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

****TABLED****

8. **RESOLVED** that the Board of Education accepts and approves, as recommended by the Superintendent, the Comprehensive Equity Plan Statement of Assurance.

NOTE: CEP Attached

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

9. **RESOLVED** that the Board of Education accepts and approves, as recommended by the Superintendent, the Maternity/Disability Leave of Absence for Lauren Brzostowski from June 6, 2022, through February 20, 2023, using the following days:

June 6, 2022-June 23, 2022 = 20 sick days
September 6, 2022-November 30, 2022 = FMLA
December 1, 2022-February 21, 2023 = 50 days unpaid Leave of Absence

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

VIII. Business Administrator's Report

- Mr. Lella explained the additional resolutions outside of the normal monthly resolutions.
- Mr. Lella provided the Board members with a draft of the 2022-23 Budget Presentation for May 4th.
- Mr. Lella noted that due to spring break and only 1 meeting in April, we will run a second bills list on April 13th that will be approved in May.

IX. Business Resolutions

RESOLVED that the Board of Education approves Business Resolutions #01-08.

1. **RESOLVED** that the Board of Education accepts the minutes of the following meeting(s):

| | |
|---------------------------|-----------------------|
| Regular Meeting Minutes | 3/16/22 |
| Executive Session Minutes | 3/16/22 |
| Moved by: Mrs. Huegel | Seconded by: Mr. Toth |
| Ayes: 4 | Nays: 0 |

2. **RESOLVED** that the Board of Education approves bills and claims for April in the amount of \$143,508.25 as certified by the Business Administrator/Board Secretary; and

BE IT FURTHER RESOLVED, that the Board of Education approves the payroll for March as certified by the Business Administrator and approved by the Superintendent and Board President in the total amount of \$356,060.00, including \$331,835.06 for the gross payroll, \$5,161.12 for the Board’s share of FICA/Medicare and \$19,063.82 for the State’s share of FICA/Medicare.

| | |
|-----------------------|-----------------------|
| Moved by: Mrs. Huegel | Seconded by: Mr. Toth |
| Ayes: 4 | Nays: 0 |

3. **WHEREAS**, the Board of Education has received the Reports of the Board Secretary (Secretary) and the Custodian of School Monies (Treasurer) for the Month of February;

WHEREAS, in compliance with N.J.A.C.6A:23-2.11(c)3, the Secretary has certified that as of the date of the reports, no budgetary line-item account, in accordance with the minimum chart of accounts as established by the New Jersey Department of Education, has obligations and payments which in total exceed the amount appropriated by the Board of Education;

NOW, THEREFORE, BE IT RESOLVED, that in compliance with N.J.A.C.6A:23-2.11(c)4, the Board of Education certifies that, after review of the Secretary’s monthly financial report, and upon consultation with the appropriate district officials, to the best of its knowledge, no major account or fund has been over expended in violation of N.J.A.C.6A:23-2.11(c)4, and that sufficient funds are available to meet the district’s financial obligations for the remainder of the year; and

BE IT FURTHER RESOLVED, that pursuant to P.L. 2004 C73, the Board certifies that after review of the Secretary’s monthly financial report and certification, that there are no budgetary transfers that cumulatively exceed 10% that would require the approval of the Commissioner of Education; and

BE IT FURTHER RESOLVED, that the financial reports for the months be accepted and shall become a part of the official minutes of this meeting.

| | |
|-----------------------|-----------------------|
| Moved by: Mrs. Huegel | Seconded by: Mr. Toth |
| Ayes: 4 | Nays: 0 |

4. **RESOLVED** that the Board of Education approves the transfer of funds for the month of March as certified by the Business Administrator and authorized by the Superintendent of Schools.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

5. **BE IT RESOLVED** that the Essex Fells Board of Education in the County of Essex, New Jersey, approves the 2022-23 preliminary school district budget for submission to the Executive County Superintendent as follows:

| | <u>Budget</u> | <u>Local Tax Levy</u> |
|------------------|-----------------------|-----------------------|
| General Fund: | \$6,560,497.14 | \$5,573,001.14 |
| Special Revenue: | \$359,506.20 | 0.00 |
| Debt Service: | 0.00 | 0.00 |
| TOTAL: | <u>\$6,920,003.34</u> | <u>\$5,573,001.14</u> |

BE IT FURTHER RESOLVED that included in the budget is the use of banked cap in the amount of \$27,400.00 to address out of district placement

BE IT FURTHER RESOLVED that included in the budget is the withdrawal of Capital Reserve in the amount of \$445,000 for Essex Fells Roof Replacement Project 1400-050-22-1000

RESOLVED that the Essex Fells Board of Education approve the total travel expenditures for the District at a maximum of \$20,000.00 for the 2022-23 school year; and

RESOLVED that the Business Administrator keep an accounting of all expenditures to ensure compliance with the approved amount; and

BE IT FURTHER RESOLVED that the Board authorizes the Superintendent and Business Administrator/Board Secretary to submit the preliminary budget to the Essex County Executive Superintendent of Schools for review and approval, to advertise the preliminary budget in the district’s official newspaper, and establish a public presentation and adoption of the final budget for the 2022-2023 school year on May 4th, 2022, at 7:30 P.M.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

6. **RESOLVED** that the Board of Education acknowledge receipt of and accepts the Comprehensive Annual Financial Report (CAFR) of the Essex Fells School District and the Auditors’ Management Report, prepared by the auditing firm of Samuel Klein and Company for the fiscal year ending June 30, 2021.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

7. **BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BOROUGH OF ESSEX FELLS IN THE COUNTY OF ESSEX, NEW JERSEY,** as follows:

SECTION 1. The \$600,000 School Bonds of The Board of Education of the Borough of Essex Fells, in the County of Essex, New Jersey (the "Board" when referring to the governing body and the "School District" when referring to the territorial boundaries governed by the Board) authorized by virtue of a proposal adopted by the Board on February 16, 2022, and approved by the affirmative vote of a majority of the legal voters present and voting at a special School District election held on March 8, 2022 pursuant to N.J.S.A. 18A:24-1 et seq., as amended and supplemented (the "School Bond Law"), shall be issued as School Bonds (the "Bonds"), and the Board hereby determines to issue, pursuant to this resolution, the Bonds in an aggregate principal amount not to exceed \$600,000 as described below in Section 2.

SECTION 2. The Bonds are hereby authorized to be sold to a purchaser, as selected by the Business Administrator/Board Secretary, in consultation with Phoenix Advisors, LLC, Bordentown, New Jersey (the "Municipal Advisor") after a solicitation process, upon the terms set forth herein.

The Bonds shall be payable with respect to principal and interest in any coin or currency of the United States of America which at the respective dates of payment thereof, is legal tender for the payment of public and private debts, shall be issued in a form to be designated by the Business Administrator/Board Secretary. The Bonds shall be dated, shall mature in each of the years, shall bear interest from their date of issuance and shall contain such other terms, including but not limited to redemption provisions, as shall be determined by the Business Administrator/Board Secretary, upon the advice of Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the Board ("Bond Counsel") and the Municipal Advisor.

Subject to the limitations of the School Bond Law, all matters in connection with the sale and issuance of the Bonds shall be determined by the Business Administrator/Board Secretary, including but not limited to, the following:

- (a) the sale of the Bonds at private sale to a purchaser, provided that the purchase price paid by the purchaser thereof shall not be less than the principal amount of the Bonds so sold;
- (b) the principal amount of the Bonds to be issued, provided that such amount shall not exceed \$600,000;
- (c) the date of the Bonds, the maturity dates (provided such bonds mature within seven (7) years of the date of issuance), interest payment dates, record dates and the principal amount of maturity of the Bonds;
- (d) the denomination or denominations of and the manner of numbering and lettering of the Bonds; provided that all Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;
- (e) provisions for the sale or exchange of the Bonds and for the delivery thereof;
- (f) the redemption provisions for the Bonds;
- (g) direction for the application and investment of the proceeds of the Bonds;
and
- (h) any other provisions deemed advisable by the Business Administrator/Board Secretary, upon the advice of Bond Counsel, which are not inconsistent with the provisions of the School Bond Law.

The Business Administrator/Board Secretary shall execute the Award Certificate evidencing the determinations or other actions taken and such Award Certificate, as subsequently approved by the Board, shall be conclusive evidence of the

actions or determinations of the Business Administrator/Board Secretary as to the matters stated therein.

SECTION 5. The Business Administrator/Board Secretary is hereby authorized and directed, in consultation with Bond Counsel, to negotiate and approve the terms of the Bonds with the purchaser, other than those set forth herein, upon advice of the Municipal Advisor. The Bonds are hereby authorized to be sold to the purchaser in accordance with the terms of the Award Certificate.

SECTION 6. The Bonds shall have affixed thereto a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel to the Board.

SECTION 7. The Board hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the Code"), in order to preserve the exemption from taxation of interest on the Bonds, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds.

SECTION 8. The Board hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate (the "Certificate"), if required by law, which will set forth the obligation of the Board to file budgetary, financial and operating data and notices of certain enumerated events deemed material in accordance with the provisions of the Rule. The Business Administrator/Board Secretary is hereby authorized and directed to execute and deliver the Certificate evidencing the Board's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Board to comply with the Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance to cause the Board to comply with its obligations hereunder.

SECTION 9. The Board President, the Business Administrator/Board Secretary is hereby authorized and directed to determine all matters in connection with the issuance of the Bonds by the Board not determined by this or a subsequent resolution, all in consultation with Bond Counsel and the manual or facsimile signature of the Board President or the Business Administrator/Board Secretary upon any documents shall be conclusive as to all such determinations. The Board President, the Business Administrator/Board Secretary and any other Board representative, including but not limited to, Bond Counsel and the Board Attorney, are each hereby authorized and directed to take such actions or refrain from such actions as are necessary to consummate the transaction contemplated by the issuance of the Bonds by the Board and any and all such actions or inactions heretofore taken by the Board President, the Business Administrator/Board Secretary and any other Board representative, including, but not limited to Bond Counsel, the Municipal Advisor and the Board Attorney, are hereby ratified and confirmed. Wherever herein the Board President is authorized and directed to act or execute and deliver documents, including the Bonds, the Board Vice President is hereby authorized and directed to do same in the Board President's place.

SECTION 10. The Bonds will be designated as "qualified tax-exempt obligations" for purposes of section 265(b)(3)(B)(ii) of the Code.

SECTION 11. This resolution shall take effect immediately.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

8. **BE IT RESOLVED** that the Essex Fells BOE approves the donation of one (1) retired HP Elite 1 PC to the Essex Fells Police Department with no compensation to the Essex Fells BOE, to utilize for security purposes in connection with the Essex Fells BOE.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

IX. Old Business / Board Discussion

- Policy 8601 regarding Pupil Supervision After School Dismissal will be revised by the attorney and go out to the public.
- The sides of the tents and heaters will be removed after spring break.
- Dr. Gadaleta reported to the Board that the attorney did not agree to approve the submitted contract by Swing Education for substitute services. We will continue to look for a provider.
- Dr. Gadaleta reported that there were 10 covid cases last week and that we must remain vigilant with our precautions. Dr. Gadaleta noted that there were some families who didn't agree with the Test to Stay guidelines and were deciding to keep children home on their own. The Board agreed live instruction would not be provided if you decided on your own to stay home.

X. New Business / Board Discussion

- Dr. Gadaleta reported that an actual live shelter in place was called at EFS by the EFPD. The event went very well.
- Dr. Gadaleta asked the Board if they would allow for a 12:45 pm dismissal on Friday, April 8th so that staff and families could attend the wake for Mr. Viggiano. The Board agreed.

XI. Public Comment

- None

XIII. Resolution to Enter Executive Session

At 8:09 P.M. the Board made a motion to enter into Executive Session to discuss personnel and legal matters. The items discussed in Executive Session will be disclosed to the public when the need to maintain their confidentiality no longer exists.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

XIV. Adjournment

At 8:40 P. M. the Board made a motion to adjourn. The next regular business meeting of the Board of Education and 22- 23 Budget Presentation will be held on **Wednesday, May 4, 2022 at 7:30 P.M.** in the Media Center.

