

The Board of Education of the Borough of Essex Fells, in the County of Essex, New Jersey, convened in a Regular Meeting held in the Media Center and live streamed on February 16, 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: Mrs. Michelle V. Gadaleta, Superintendent/Principal; Mr. Steven J. Lella, Business Administrator/Board Secretary; and 5 Members of the Public. Approximately 33 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

Good Evening Everyone-
Thank you for joining us.
I want to highlight a few items on the agenda tonight.

1. We have a resolution on the agenda for the bond referendum question for the roof project. As Dr. Gadaleta and Mr. Lella will share, the process for finding a vendor and determining funding has been extensive. I want to acknowledge all the detailed attention that has been given to the project. Additionally, thank you to Mr. Toth and Mr. Mehta for taking the time to join in the conversations with the financial advisors and bond counsel to ensure that they were making the most responsible decisions for the project. Additionally, as a board, we were offered opportunities to discuss the different option with Dr. Gadaleta and Mr. Lella so we were all well informed. As you will hear again, this project is of top priority to our school’s ability to function.
2. I am also happy to announce that we have a resolution on the agenda to appoint Dr. Gadaleta as the Superintendent of Schools for the Essex Fells School District with her contract extending to June 30, 2027. Thank you for your service and dedication to our school community. We look forward to this continued partnership as you lead us “Full Steam Ahead.”

V. Public Comment on Agenda Items Only

- Mr. Lella read a comment from Mr. & Mrs. John and Maggie Rowan regarding lifting the current travel restrictions.

VI. Superintendent's Report

- Dr. Gadaleta thanked the BOE for her new contract and looks forward to continue working together.
- Dr. Gadaleta noted that the Governor was lifting the school mask mandate on March 7th. The Safe Return Committee will meet prior to that date to discuss making masks optional and the suspension of the travel quarantine. Currently, we have gone 15 days with no new cases, however we must remain vigilant. Dr. Gadaleta addressed the impact of masking on the children and their educational and social well-being.
- Dr. Gadaleta noted that for the 100th day of school we had a character education assembly where we able to break the school into 2 groups and gather in the gymnasium for the first time in almost 2 years. We will continue to keep moving forward to get back to the best environment possible while keeping everyone safe. We are also waiting on updated DOH guidelines.
 - Mrs. Haber noted that we've done the best we can and thanked everyone for their efforts.
 - Mrs. Huegel noted she had received super positive feedback about the assembly.
- Dr. Gadaleta explained the roof referendum resolution, amount and the proposed 7-year term option. The election will be held on March 8th.
 - Mr. Toth noted he was comfortable with the decision to utilize capital reserve and still keep a balance, noting we need to make the public aware this project is a necessity. Dr. Gadaleta noted there would be a flyer going out to the community. Mrs. Haber thanked everyone for their efforts.
- Mrs. Huegel thanked the BOE, Dr. Gadaleta, the community and staff in their efforts and support of resolution #9 and Dr. Gadaleta's contract.
- Mr. Toth asked if the rates in resolution #7 are in line with others. Dr. Gadaleta noted that they are.

VII. Superintendents Resolutions

RESOLVED that the Board of Education approves Superintendent Resolutions #01 –10.

- 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): Kristin Gann
 Event: 2022 NJECC Annual Technology Conference
 Location: Virtual
 Date: 3/9/2022
 Cost: \$0.00

Staff Member(s): Molly Livio
 Event: 2022 NJECC Annual Technology Conference
 Location: Virtual
 Date: 3/9/2022
 Cost: \$0.00
 Staff Member(s): Katie McNish

Event: 2022 NJECC Annual Technology Conference
Location: Montclair State University
Date: 3/8/2022 - 3/9/2022
Cost: \$4.76

Staff Member(s): Monica Craveiro
Event: 2022 NJECC Annual Technology Conference
Location: Montclair State University
Date: 3/8/2022
Cost: \$4.06

Staff Member(s): Monica Craveiro
Event: 1XL Live
Location: Elizabeth, NJ
Date: 3/31/2022
Cost: \$91.76

Staff Member(s): LeeAnn Smith
Event: Intro to Neuroeducation
Location: Virtual
Date: TBD
Cost: \$249.00

Staff Member(s): Rebecca Santin
Event: Expressive Therapies Summit: Creativity & The Arts in Healing
Location: Virtual
Date: 3/24/22 & 3/26/22
Cost: \$136.00

Staff Member(s): Rebecca Santin
Event: 12th Annual School Climate and Anti-Bullying
Location: Virtual
Date: 3/24/22 & 3/26/22
Cost: \$136.00

Staff Member(s): All Teachers and Paraprofessionals
Event: Dyslexia
Location: EFS
Date: 2/22/2022
Cost: \$1,200.00

Staff Member(s): All Staff
Event: CPR/AED Certification
Location: EFS
Date: 9/7/2022
Cost: \$1,925.00

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 services of Dr. Debora L. Buzinkai for the 2021-2022 school year for the following evaluations:

Dyslexia Evaluation	\$1,500
Dysgraphia Evaluation	\$1,500
Dyscalculia Evaluation	\$1,500
Psychological Evaluation (social-emotional only)	\$600
Cognitive Assessment (IQ only)	\$500
Complete Neuropsychological Evaluation	\$2,500 (and +)

*Evaluations can take place at either Dr. Buzinkai’s office or at the school. Please note, each visit to the school will incur an additional fee of \$150.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

8. **RESOLVED** that the Board of Education accepts and approves, as recommended by the Superintendent, the first reading of the following bylaws/regulations/policies:

- P 2415.05 Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment (M) (Revised)
- P & R 2431.4 Prevention and Treatment of Sports-Related Concussions and Head Injuries (M) (Revised)
- P 2451 Adult High School (M) (Revised)
- R 2460.30 Additional/Compensatory Special Education and Related Services (M) (New)
- P 2622 Student Assessment (M) (Revised)
- R 2622 Student Assessment (M) (New)
- P 3233 Political Activities (Revised)
- P 5460 High School Graduation (M) (Revised)
- P 5541 Anti-Hazing (M) (New)
- P 7540 Joint Use of Facilities (Revised)
- P & R 8465 Bias Crimes and Bias-Related Acts (M) (Revised)
- P 9560 Administration of School Surveys (M) (Revised)

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

9. **BE IT RESOLVED** that the Essex Fells Board of Education (hereinafter referred to as the "Board") appoints Dr. Michelle V. Gadaleta, as the Superintendent of Schools for the Essex Fells School District for the period beginning on July 1, 2022 and ending on June 30, 2027.

BE IT FURTHER RESOLVED that this Employment Agreement has been submitted to and approved by the Interim Executive County Superintendent, according to standards adopted by the Commissioner of Education, pursuant to N.J.S.A. 18A:7-8(j).

BE IT FURTHER RESOLVED that the Board approves the Employment Agreement with Dr. Gadaleta for the position of Superintendent of Schools for the foregoing period of

appointment, which Employment Agreement is attached to this Resolution and made a part hereof.

BE IT FURTHER RESOLVED that the Board hereby authorizes the Board President and the Business Administrator/Board Secretary to execute, on behalf of the Board, the Employment Agreement by and between the Board and Dr. Gadaleta.

Moved by: Mrs. Huegel Seconded by: Mr. Toth

Ayes: 4 Nays: 0

10. RESOLVED that the Board of Education accepts and approves, as recommended by the Superintendent the appointment of, Sonia Lawson, Substitute Custodian at rate of \$20.00 per hour for the school year 2021-2022.

Moved by: Mrs. Huegel Seconded by: Mr. Toth

Ayes: 4 Nays: 0

VIII. Business Administrator’s Report

- Mr. Lella explained resolution #6 regarding the ARP-ESSER Homeless Children & Youth Funding, which the district will be rejecting.
- Mr. Lella also noted that per the NJDOE Essex Fells is no longer eligible to receive Title I funding for the 2022-23 school year.
- Mr. Lella provided budget analysis for the BOE, but noted an additional out of district placement had been brought to his attention, so more cuts would be needed to accommodate and remain under the 2% tax levy. The Board asked if he could provide proposed cuts for further discussion. The Board is mindful of keeping the tax levy as low as possible for the community.

IX. Business Resolutions

RESOLVED that the Board of Education approves Business Resolutions #01-06.

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

Regular Meeting Minutes	January 5 th , 2022
Executive Session Minutes	January 5 th , 2022
Regular Meeting Minutes	January 19 th , 2022
Executive Session Minutes	January 19 th , 2022
Special Meeting Minutes	January 26 th , 2022

Moved by: Mrs. Huegel Seconded by: Mr. Toth

Ayes: 4 Nays: 0

2. RESOLVED that the Board of Education approves bills and claims for February in the amount of \$255,938.78 as certified by the Business Administrator/Board Secretary; and

BE IT FURTHER RESOLVED, that the Board of Education approves the payroll for January as certified by the Business Administrator and approved by the Superintendent and Board President in the total amount of \$455,506.50, including \$424,393.08 for the gross payroll, \$5,863.32 for the Board’s share of FICA/Medicare and \$25,250.10 for the State’s share of FICA/Medicare.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

- 3. **RESOLVED** that the Board of Education approves the transfer of funds for the month of January 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

- 4. **WHEREAS, N.J.S.A. 18A:18B-1, et seq.**, enables boards of education to join with other boards of education in school board insurance trusts for the purpose of forming self-insurance pools;

WHEREAS, the New Jersey Schools Insurance Group (“NJSIG”) is a joint insurance fund authorized by N.J.S.A. 18A:18B-1, et seq. to provide insurance coverage and risk management services for its members;

WHEREAS, the Essex Fells Board of Education, herein after referred to as the “Educational Institution,” has resolved to apply for and/or renew its membership with NJSIG

WHEREAS, the Educational Institution certifies that it has not defaulted on a claim, and has not been cancelled for non-payment of insurance premium for a period of at least two (2) years prior to the date of its application to NJSIG;

WHEREAS, the Educational Institution desires to secure protection, services, and savings relating to insurance and self-insurance for itself and its departments and employees; and,

WHEREAS, the Educational Institution finds that the best and most efficient way of securing this protection and services is by cooperating with other boards of education in the State of New Jersey.

NOW THEREFORE, BE IT RESOLVED, THAT:

- 1) This agreement is made by and between NJSIG and the Educational Institution;
- 2) The Educational Institution joins with other boards of education in organizing and becoming members of NJSIG pursuant to N.J.S.A. 18A:18B-3(a), for a period of three years, beginning on July 1, 2021, and ending July 1, 2024 at 12:01 a.m.;
- 3) In consideration of membership in NJSIG, the Educational Institution agrees that for those types of coverage in which it participates, the Educational Institution shall jointly and severally assume and discharge the liabilities of each and every member of NJSIG to such agreement arising from their participation in NJSIG. By execution hereof the full faith and credit of the Educational Institution is pledged to the punctual payment of any sums which shall become due to NJSIG in accordance with the bylaws thereof, the plan of risk management, this Agreement and any applicable statute or regulation;
- 4) The Educational Institution and NJSIG agree that NJSIG shall hold all monies paid by the Educational Institution to NJSIG as fiduciaries for the benefit of NJSIG claimants all in accordance with applicable statutes and/or regulations;
- 5) NJSIG shall establish and maintain Trust Accounts in accordance with N.J.S.A. 18A:18B-1, et seq. and such other statutes and regulations as may be applicable;
- 6) By adoption and signing of this resolution, the Educational Institution is hereby joining NJSIG in accordance with the terms of this Indemnity and Trust Agreement and Resolution to Join / Renew Membership, effective the date indicated below, for the types of insurance as indicated in the Insurance Binder issued by NJSIG;

- 7) The Educational Institution hereby ratifies and affirms the bylaws and other organizational and operational documents of NJSIG, and as from time to time amended by NJSIG and/or the State of New Jersey, Department of Banking and Insurance, in accordance with the applicable statutes and regulations as if each and every one of said documents were re-executed contemporaneously herewith;
- 8) The Educational Institution agrees to be a participating member of NJSIG for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership, including, but not limited to the NJSIG’s Plan of Risk Management;
- 9) The Educational Institution under its obligations as a member of NJSIG agrees to allow for safety inspections of its properties, to pay contributions in a timely fashion and to comply with the bylaws and standards of participation of NJSIG including the plan of risk management;
- 10) If NJSIG, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney’s fees and/or court costs, the Educational Institution agrees to reimburse NJSIG for all such reasonable expenses, fees and costs on demand;
- 11) The Business Administrator is hereby authorized in accordance with the Public School Contracts Law, N.J.S.A. 18A:18A-1, et seq., to execute such contracts and documentation with NJSIG as is necessary to effectuate this resolution; and,
- 12) The Business Administrator is directed to send a certified copy of this Indemnity and Trust Agreement and Resolution to Join / Renew Membership to NJSIG.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

5. BE IT RESOLVED BY The Board of Education of the Borough of Essex Fells in the County of Essex, New Jersey (the “Board”) (not less than a majority of the full membership of the Board concurring) as follows:

1. The following bond proposal (the "Proposal"), shall be submitted to the legal voters of the School District at a special School District election (the "Election") to be held on Tuesday, March 8, 2022 commencing at 6:00 a.m. for the purposes hereinafter provided. The polls shall remain open until 8:00 p.m. and as much longer as may be necessary to permit all the legal voters then present to vote and cast their ballot. The form of the Proposal will read substantially as follows except as otherwise may be set forth herein:

BOND PROPOSAL QUESTION

The Board of Education of the Borough of Essex Fells in the County of Essex, New Jersey is authorized (a) to replace the roof at Essex Fells Elementary School, including any related work; and (b) to appropriate \$1,045,000, partially funded by \$445,000 available from the Board’s capital reserve fund, and to issue bonds in an amount not to exceed \$600,000.

The final eligible costs for the project approved by the New Jersey Commissioner of Education are \$1,045,000. The project includes \$0 for school facility construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g). The State debt service aid percentage will equal 40% of the annual debt service due with respect to the final eligible costs of the project.

Do you approve Bond Proposal Question?

2. The Board hereby approves and adopts the Proposal set forth above and, subject to the approval of the legal voters of the School District, hereby determines to carry out the same as described therein (the “Project”). The Board authorizes the Business Administrator/Board Secretary, consistent with any advice received from bond counsel, to revise the proposal, if necessary, prior to the Election to conform to any applicable legal requirements.

3. The Board hereby acknowledges and confirms that, in accordance with the requirements of N.J.S.A. 18A:24-16 and N.J.S.A. 18A:24-17, a Supplemental Debt Statement has been prepared as of the date of this resolution by the Chief Financial Officer of

the Borough of Essex Fells, giving effect to the proposed total authorization of School Bonds of the School District in the maximum amount provided for in the Proposal, and that such Supplemental Debt Statement has been filed in the office of the Borough Clerk, in the office of the Business Administrator/Board Secretary prior to the adoption of this resolution, and will be filed in the office of the Director of the Division of Local Government Services, State of New Jersey, Department of Community Affairs prior to the date of the Election.

4. The Business Administrator/Board Secretary is hereby authorized and directed, in conjunction with Bond Counsel, to deliver a certified copy of this resolution and such other information as shall be necessary to the County Clerk as required by N.J.S.A. 19:60-2, to request the County Clerk to submit the Proposal to the voters at the Election and to seek the assistance of the county officials and the municipal clerk in conducting the Election.

5. The Board hereby: (i) accepts the determination of Preliminary Eligible Costs as set forth in the letter from the New Jersey Department of Education and agrees not to appeal such determinations made therein; (ii) determines to construct the Project itself; (iii) agrees to locally fund any excess costs, if any; and (iv) delegates the supervision of the Project to the Business Administrator/Board Secretary.

6. EI Associates, the School District’s appointed architect for the Project (the “Project Architect”), has heretofore been authorized and delegated the responsibility to prepare the plans and specifications for the Project in consultation with and under the supervision of the Business Administrator/Board Secretary, who has been delegated the responsibility to work with the Project Architect for this purposes on behalf of the Board, in accordance with the requirements of N.J.S.A. 18A:18A-16, and such authorizations and delegations are hereof reconfirmed.

7. The School Administration and such other officers, professionals and agents of the Board as are necessary, including Wilentz, Goldman & Spitzer, P.A., Bond Counsel, and the Project Architect, are each hereby authorized and directed to perform such acts, execute such documents and do such things as are necessary and proper for the submission of the Proposal to the voters of the School District at the Election.

8. This Board hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Business Administrator/Board Secretary through a public offering of private placement or through a conduit borrower on a tax exempt basis. 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 its bonds or notes if issued as tax exempt, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on its bonds or notes. The Business Administrator/Board Secretary is hereby authorized to act on behalf of the Board to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Board hereby declares its intent to issue bonds or notes in the amount set forth in the Proposal approved by the voters as set forth in Section 1 and to use the proceeds to pay or to reimburse expenditures for the costs of the Projects authorized herein. This resolution is a declaration of intent within the meaning and for the purposes of Treasury Regulations 1.150-2 or any successor provisions of federal income tax law,

9. This resolution shall take effect immediately.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

6. **WHEREAS**, the Essex Fells Board of Education has been allocated funds through The American Rescue Plan - Homeless Children and Youth (ARP-HCY) II Program, and

WHEREAS, Essex Fells was allocated \$370.00,

And

WHEREAS, in order to comply with the Requirements of ARP-HCY if the district’s allocation is less than \$5,000.00, the Board of Education must select one of the following:

- join a regional consortium to utilize the funding
- choose to decline the funding

NOW THEREFORE BE IT RESOLVED that the Essex Fells Board of Education will decline the American Rescue Plan – Homeless Children and Youth (ARP-HCY) II Program funding allocation in the amount of \$370.00 and authorizes the District’s School Business Administrator and Superintendent to complete the process required on the district’s behalf.

Moved by: Mrs. Huegel

Seconded by: Mr. Toth

Ayes: 4

Nays: 0

IX. Old Business / Board Discussion

- Dr. Gadaleta noted we had a full pre-school of 14 and 14 and there is a waiting list. There are 23 registered for kindergarten.
- The Board discussed Policy 8601 regarding school dismissal. We will contact the EFPD to see if additional signage is needed, and the Board will continue to review the existing policy.
- The Board discussed the livestream of BOE meetings, that was put in place to accommodate for covid. The Board will livestream the meetings, which are actionable, but not the workshops.
- Dr. Gadaleta noted that Gaggle had gone live on January 20th. There has been nothing to date at the alert level.

XI. New Business / Board Discussion

- None

XII. Public Comment

- None

XIII. Resolution to Enter Executive Session

At 8:13 P.M. the Board made a motion to enter into Executive Session to discuss personnel. 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 8:19 P. M. the Board made a motion to adjourn. The next meeting of the Board of Education will be held on **Wednesday, March 2, 2022, at 7:30 P.M.** in the Media Center.

Moved by: Mrs. Huegel

Seconded by: Mr. Mehta

Ayes: 4

Nays: 0

Respectfully Submitted,

Mr. Steven J. Lella
Business Administrator/
Board Secretary