

BRIELLE BOARD OF EDUCATION
Regular Action & Reorganization Meeting Minutes
Brielle, New Jersey
January 5, 2022

1. **Announcement** – There has been adequate notice of this meeting provided by the Board of Education January 13, 2022 notice in *The Coast Star* setting forth the date, time and place for this meeting. Similar notice has been posted in the Town Hall, the Brielle School Web Site, and the Borough Clerk has been notified.

2. **Flag Salute**

3. **Election Results and Oath of Office**

Dawn Cherry, Business Administrator/Board Secretary read the election results and gave the Oath of Office to the following newly elected Board Members:

Mrs. Sarah McDevitt – 3 year term –1,573 votes

Mr. Joseph Milancewich – 3 year term – 1,568 votes

Mrs. Juliana Rieth – 3 year term- 1,532 votes

4. **Roll Call**

Present: Mr. Becker, Dr. D’Ambrosio, Mrs. Jones, Dr. LaValva, Mrs. McDevitt, Mr. Milancewich, Mrs. Rieth, Mr. Vitale, Mr. Wohltman

Also Present: Mrs. Carlson, Ms. Cherry

2022 Brielle Board of Education

Board Member	Term Expires
Mr. Kurt Becker	December 31, 2022
Dr. David D’Ambrosio	December 31, 2022
Mrs. Madaly Jones	December 31, 2023
Dr. Stephen LaValva	December 31, 2022
Mrs. Sarah McDevitt	December 31, 2024
Mr. Joseph Milancewich	December 31, 2024
Mrs. Juliana Rieth	December 31, 2024
Mr. Tedd M. Vitale	December 31, 2023
Mr. Sean Wohltman	December 31, 2023

5. Code of Ethics

Ms. Cherry distributed the Code of Ethics. Board members were asked to review the information and sign a statement that they had reviewed the data.

6. Election of President

Ms. Cherry call for nominations for President of the Board. A second to a nomination is not required. A candidate must receive a majority of those Board Members present to be elected. The newly elected President will preside over the remainder of the meeting.

Mr. Milancewich nominated Mr. Jones for President.

The board casts a unanimous vote for Mrs. Jones for President. Mrs. Jones assumed the position of President.

7. Election of Vice President

The President will call for nominations for Vice President of the Board. A second to a nomination is not required. A candidate must receive a majority of those Board Members present to be elected.

Mrs. Jones nominated Mr. Milancewich for Vice President.

The board casts a unanimous vote for Mr. Milancewich for Vice President. Mr. Milancewich assumed the position of Vice President.

8. President's Statement – Mrs. Jones thanked the members for their vote of confidence in her role as board president. Mrs. Jones vows her commitment to development solutions from the outcomes of the toll the pandemic had on the children and the emotional toll it has on the education of the children

9. Visitor's Business – Visitors are permitted to speak on agenda items only. – NONE

10. Correspondence - NONE

11. Reorganization Agenda Items – One roll call vote is sufficient for the set of Reorganization Agenda items unless a Board Member requests an individual roll call vote on a specific item.

Motion to approve the following Reorganization Agenda Items:

a. Appointment of Professional Services for the 2022 calendar year:

Professional Service	Firm/Individual	Rate/Fee Schedule
Board Attorney	Cherie Adams, Adams, Gutierrez & Lattiboudere, LLC	\$165 per hour
Negotiations Attorney	Andrew Brown, Adams, Gutierrez & Lattiboudere, LLC	\$165 per hour/principal
Special Education Attorney	Cherie Adams, Adams, Gutierrez & Lattiboudere, LLC	\$165 per hour – Attorney \$95 per hour - Paralegal
Auditor	Robert A. Hulsart & Company	Not to exceed \$15,000
Medical Director	Dr. Jessica Wood	\$4,000 annually for medical services performed
General Insurance Broker of Record	Robert Jeffery, Holmes & McDowell, Inc.	Set by insurer and included in premiums paid by district
Health Insurance Broker of Record	Gary Goldfarb, Brown & Brown	Set by insurer and included in premiums paid by district
Workers Comp Broker of Record	Robert Jeffery, Holmes & McDowell, Inc.	Set by insurer and included in premiums paid by district
Architect of Record	Tokarski Millemann Architects, LLC	Fees will be established based on projects
Continuing Disclosure Agent	Phoenix Advisors, LLC	\$1,000.00 per year
Independent Registered Municipal Advisor (IRMA)	Phoenix Advisors, LLC	No fee
Educational Services Commissions	Monmouth Ocean ECS, Middlesex	Fees as per agreements

	Regional ESC, and Hunterdon ESC	
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b. Open Public Meetings Act – Establish Meeting Dates, Time and Place –

RESOLVED that the Brielle Board of Education, pursuant to Chapter 231, PAL. (Open Public Meetings Act) does hereby proclaim the public meetings of the Board of Education will be held in the Brielle Elementary School, 605 Union Lane, Brielle, in the Media Center, at 7:00 p.m. as well as live streamed as set forth below unless indicated otherwise:

BE IT FURTHER RESOLVED that the purpose of the Regular Meetings shall be the normal conduct of business of the Board of Education and any other items brought to the Board’s attention by the Board Members, Board Attorney, Superintendent and Business Administrator/Board Secretary

BE IT FURTHER RESOLVED that the Board of Education does hereby designate the Coast Star and the Asbury Park Press as the official newspapers to receive notices of meetings; and

BE IT FURTHER RESOLVED that notices of meetings of the Board of Education will be posted in the Borough of Brielle Town Hall Administration Office and posted on the District website.

BE IT FURTHER RESOLVED that the Board of Education reserves the right to adjourn or recess a meeting at any time to discuss such matters that may be considered in closed session. However, the Board will first adopt a resolution stating the general nature of the subject to be discussed, and, as precisely as possible, the time and circumstances under which disclosure to the public will be made; and

BE IT FURTHER RESOLVED that, in order to conduct its meetings properly and efficiently, the Board shall require the following procedures pertaining to public participation at Board meetings:

- Any individual desiring to speak shall give his or her name, address, and the group, if any, that is represented.
- The presentation shall be as brief as possible but no more than three (3) minutes per individual.
- The Board vests in its president, or other presiding officer, authority to terminate the remarks of any individual if he/she deems it in the best interest of those present to do so.

BE IT FURTHER RESOLVED that individuals or organizations desiring notification of Board Meetings shall request such notification through the Board Secretary’s Office and be charged an annual fee of \$25.00, paid in advance.

BE IT FURTHER RESOLVED that the Board of Education will meet on the following dates:
2022-2023

NOTICE OF SCHEDULED MEETINGS FOR THE YEAR 2022-2023

(Wednesdays unless noted)

January 26, 2022

February 23, 2022

March 16, 2022
 ***Thursday**, April 28, 2022 – Public Hearing on Budget
 May 25, 2022
 June 29, 2022
 July 20, 2022
 August 24, 2022
 September 21, 2022
 October 19, 2022
 November 16, 2022
 December 14, 2022
 January 4, 2023 (Re-Organization Meeting)

Notice of any additions to the above schedule or changes in the time, date or place of any scheduled meeting will be posted in the Brielle Borough Clerk’s office, the Brielle School website and main office, and in either the Coast Star or Asbury Park Press newspaper.

- c. **Depositories and Signatures** Resolved that Ocean First Bank be designated as approved depositories for Brielle School District funds and that the financial institution be required to be insured by either the SLIC or the FDIC and/or as required by both Federal and State statutes.

Depositories	Funds	Signatures
Ocean First Bank	Warrant Account	President or Vice President/ Treasurer and Board Secretary
Ocean First Bank	Payroll Account	Treasurer and Board Secretary
Ocean First Bank	Payroll Agency	Treasurer and Board Secretary
Ocean First Bank	Cafeteria Account	Treasurer and Board Secretary or Superintendent
Ocean First Bank	Unemployment Trust Account	Treasurer and Board Secretary
Ocean First Bank	School Fund	Superintendent or Vice Principal or Board Secretary (2 signatures required)

Ocean First Bank	Yearbook Account	Yearbook Advisor and Board Secretary or Superintendent
Ocean First Bank	Student Council	Student Council Advisor and Board Secretary or Superintendent
Ocean First Bank	Beacon – After Care	Treasurer or Board Secretary
Ocean First Bank	Alt Scholarship	Treasurer or Board Secretary
Ocean First Bank	Petty Cash	Superintendent or Board Secretary
Ocean First Bank	Kelly Gordon Memorial Scholarship	Board Secretary or Superintendent or Vice Principal

d. Tax Shelter Companies & Plan Administrator

- AIG Retirement Services
- Metropolitan Life
- AXA – Equitable Advisors
- GWN Securities
- Third Party Administrator for Tax Shelter Companies – PenServ Plan Services, Inc.

e. Uniform Minimum Chart of Account – adopt the uniform Minimum Chart of Accounts, 2021-22 Edition.

f. Other Staff appointments for the calendar year 2022

Position	Individual/Title
Affirmative Action Officer	Colin Sabia
Public Agency Compliance Officer (P.A.C.O.)	Colin Sabia
504 Officer	Elizabeth O’Reilly
Attendance Officer	Kereth Looney
Treasurer of School Monies	Loretta Hill
Board Secretary	Dawn Cherry
Custodian of Public Records	Business Administrator/Board Secretary

Right to Know Officer	Business Administrator/Board Secretary
Integrated Pest Management Officer (IPM)	Dawn Cherry
Open Public Records Act (OPRA) custodian	Dawn Cherry
School Safety Specialist	Colin Sabia

- g. Request Federal and State Funds** – grant Business Administrator authority to request Federal and State funds
- h. Investment of School Funds** – grant Business Administrator authority to invest school funds
- i. Approve payment of bills between Board Meetings** – grant Business Administrator authority to approve bills in accordance with NJSA 18A:19.1.
- j. Travel limited for regular business** – approve travel limitation for regular business at \$2,000 per item
- k. Designation of Official School Newspapers** – designate the *Coast Star* and *The Asbury Park Press*
- l. Re-adoption of Code of Ethics** – Code of Ethics.
- m. Re-adoption of Policy Manual** – Move that all current written policies, by-laws and rules/regulations in the official Policy Manual of the Brielle School District be readopted for the period from the date of this Organization Meeting until the Organization Meeting in the next calendar year unless modified by the Board of Education in accordance with those applicable policies, by-laws and/or rules/regulations.
- n. Adoption of School Curriculum** – Move that all current written curriculum, courses, textbooks, workbooks, and ancillary materials of the District, on file in the offices of the Superintendent, be adopted for the period from the date of this Organization Meeting until the Organization Meeting in the next calendar year, unless modified upon recommendation of the Superintendent.

Subject	Grade Levels
Financial Literacy	6-8
Language Arts	K-8
Social Studies	K-8
Science	K-8
Robotics	5
Mathematics	K-8
Pre-Algebra	7-8
Algebra Readiness	8
Algebra I	7-8
Geometry	7-8
World Language – Spanish	Pre K - 8
Health & Physical Education	K-8
Music	Pre K - 8
Art	K-8
Technology	4-8
Media Curriculum	K-3
STEM	K-8
English Language Learners	K-8

- o. State Contract Purchasing-** Grant Business Administrator/Qualified Purchasing Agent approval to utilize State Contract purchasing agreements.
- p. Adoption of District Organizational Chart** – attached

q. Approval of Committees – The newly elected Board President may appoint committee members and chairs or defer such appointment until a subsequent meeting.

r. Doctrine of Necessity –

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 school 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 Advisory Opinion A03-98 (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 the 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, then 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 for the 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 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.

s. Attorney Counsel/Retainer Agreement for the 2022 calendar year:

Resolved, that the Board appoints the law firm Adams, Gutierrez & Lattiboudere, LLC as counsel for board attorney, special education, and negotiation matters, at the hourly rate of \$165.00 for Partners and at the hourly rate of \$130.00 for Associates. Work by law clerks and paralegals shall be billed at the hourly rate of \$95.00, through the Board's organization meeting in January 2022; and

Be it further resolved, that the Board President is authorized to execute the retainer agreement with the law firm.

A motion was made by Mrs. Jones and seconded by Dr. D'Ambrosio to approve the Reorganization Agenda items 11.a through 11.p and 11.r through 11.s and carried by a unanimous roll call vote of 9-0.

Agenda item 11.q was deferred until the January 26 meeting with the exception of Mr. Vitale being appointed the Brielle representative to Manasquan.

12. Resolution of the Brielle Board of Education:

Whereas, The Inter-local Services Agreement (N.J.S.A.40:B-1 et.seq.) authorizes Municipalities and school boards to enter into agreements for the sharing of services, and

Whereas, The Brielle Elementary School Board of Education and the Borough of Brielle wish to enter into such an agreement for their mutual benefit and to provide a more cost effective expenditure of public funds, and

Now Therefore Be It Resolved, that the Brielle Board of Education does hereby authorize the Superintendent and Business Administrator to execute an Inter-local Service Agreement with the Borough of Brielle and the Brielle Board of Education to begin the implementation of said agreement upon its execution by both parties.

Now Therefore Be It Further Agreed, as follows:

1. The Brielle School will share in potential future capital purchases by the Borough of Brielle with the equipment being owned and maintained by the Borough. The Brielle Board of Education will approve the amount of outlay prior to the purchase of such equipment by the Brielle Borough.

2. This shared agreement will be reviewed and approved by each party annually.

A motion was made by Mrs. Jones and seconded by Dr. LaValva to approve the Resolution 12 and carried by a unanimous roll call vote of 9-0.

13. **Visitor’s Business – Visitors are permitted to comment on agenda and non-agenda items at this time.**
 – Mrs. Valentine inquired about the cost of student lunches being higher. Ms. Cherry answered that Brielle costs are higher for a variety of reasons which are as follows: We do not get reimbursed by the federal government because we are not part of the school lunch program along with the price inflation of the labor and supplies. Mr. Milancewich suggested to go out for and RFP to see if the school lunch prices will be lower. However, the RFP will result in the only management fees and the actual cost of the program and not the cost of the lunches.

14. **Discussion – Mr. Wohltman inquired about the appointment of the professional services on how they are advertised and appointed etc. Mr. Wohltman also asked the specific services Dr. Wood, school appointed doctor, provides. Mrs. Carlson stated she provides services to our free and reduced children, advice during the pandemic, physicals for children without insurance. Mr. Wohltman asked the estimate number or hours during the year Dr. Wood worked. Mrs. Carlson didn’t have the estimate but added that her hours far exceeded the \$4,000 she earned during the year.**

Mr. Wohltman inquired about the architect of record and his role as the professional service. Mr. Milancewich expressed that Tokarski and Millemann’s costs was one of the highest.

15. **Executive Session**
 BE IT RESOLVED that in accordance with the provisions of the Open Public Meetings Act (Act) the Brielle Board of Education shall conduct a closed executive session pursuant to the Personnel and Legal exceptions(s) prescribed by N.J.S.A. 10:4-12 for the purpose of discussing (category to be disclosed if Executive Session is called by the Board President or Superintendent):

 BE IT FURTHER RESOLVED that the minutes of the executive session will be released when the need for confidentiality in accordance with N.J.S.A. 10:4-2 no longer applies. There is no Executive Session planned.

16. Adjournment

A motion to adjourn was made by Mr. Milancewich and seconded by Mr. Wohltman.
Meeting adjourned at 8:05 pm.

Respectfully Submitted,

Dawn Cherry

Dawn Cherry
Business Administrator/Board Secretary