

RESOLUTION INVOKING THE DOCTRINE OF NECESSITY
Washington Township Board Of Education

WHEREAS, the Washington Township Board of Education (the “Board”) is a nine-member board of education organized and operating pursuant to Title 18A of the New Jersey Statutes; and

WHEREAS, certain matters concerning the Superintendent of Schools, Dr. Eric Hibbs, require Board action at its meeting scheduled for September 15, 2026, and appear on the agenda for that meeting at Section M, Items 42 through 47 and 50, specifically: (a) the Board’s determination as to whether the Superintendent achieved his approved 2024–2025 merit goals and the corresponding authorization of merit bonus payment(s) (Agenda Items M-42 through M-45); (b) authorization of carry-over of up to twenty (20) unused vacation days for the Superintendent from the 2025–2026 contract year to the 2026–2027 contract year, as permitted by N.J.S.A. 18A:30-9.1 (Agenda Item M-46); (c) approval of the Superintendent’s merit goals for the 2026–2027 school year (Agenda Item M-47); and (d) to approve the non-renewal of the Superintendent’s contract pursuant to N.J.S.A. 18A:17-20.1 and for the Board to provide notice of the non-renewal to the Superintendent (Agenda Item M-50) (collectively, the “Superintendent Matters”); and

WHEREAS, six (6) of the nine (9) members of the Board have disqualifying conflicts of interest with respect to the Superintendent Matters under N.J.S.A. 18A:12-21 et seq. and the regulations and advisory opinions of the School Ethics Commission; and

WHEREAS, the specific conflicts of interest are identified as follows, in compliance with the School Ethics Commission’s Resolution on Invoking the Doctrine of Necessity dated June 25, 2018:

- Patricia Blome — Ms. Blome’s daughter, Kristen Howell, is employed by the District as a Teacher, within the chain of command of the Superintendent; additionally, Ms. Blome is an individually named defendant in the matter of Hibbs v. Board of Education of the Township of Washington, et al- Docket No.: GLO-L-714-25 (hereinafter the “Hibbs Lawsuit”), a lawsuit filed by the Superintendent against the Board and several of its Board members;
- Julie Kozempel — Ms. Kozempel is an individually named defendant in the Hibbs Lawsuit;
- Ralph Ross — Mr. Ross is an individually named defendant in the Hibbs Lawsuit;
- Connie Baker — Ms. Baker is an individually named defendant in the Hibbs Lawsuit;
- Steven Serrano — Mr. Serrano is an individually named defendant in the Hibbs Lawsuit;
- Linda Hartong — Ms. Hartong’s sibling, Dana Zelechowski, is employed by the District as a Clerical Assistant, within the chain of command of the Superintendent.

WHEREAS, by reason of the foregoing conflicts of interest, only three (3) members of the Board (Terri Schechter, Scott Laliberte, and Elayne Clancy) are not conflicted with respect to the Superintendent Matters; and

WHEREAS, action by the Board on the Superintendent Matters requires the affirmative vote of a majority of the full membership of the Board, namely five (5) affirmative votes, pursuant to N.J.S.A. 18A:27-4.1, applicable Board bylaws, and by contract; and

WHEREAS, the three (3) non-conflicted members are unable to provide the five (5) affirmative votes necessary for the Board to take action on the Superintendent Matters, with the result that the Board is unable to act in the absence of the participation of conflicted members; and

WHEREAS, no alternative body or decision-maker has statutory authority to act on the Superintendent Matters in the place of the Board; and

WHEREAS, the Doctrine of Necessity, as recognized by the New Jersey School Ethics Commission and the courts of this State, permits otherwise-disqualified members of a board of education to participate to the limited extent necessary to permit the Board to take official action where the Board would otherwise be unable to act; and

WHEREAS, consistent with guidance from the School Ethics Commission the Doctrine of Necessity authorizes voting only and does not authorize conflicted members to deliberate, discuss, consider, or negotiate the Superintendent Matters; and

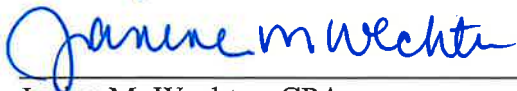
WHEREAS, the Board has determined that invocation of the Doctrine of Necessity is appropriate and necessary in order to permit the Board to take action on the Superintendent Matters;

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Board of Education, at its public meeting held on September 15, 2026, as follows:

1. The Board hereby invokes the Doctrine of Necessity for the purpose of permitting the six (6) conflicted members identified herein to cast votes on the Superintendent Matters, specifically: (a) the determination of whether the Superintendent achieved his approved 2024–2025 merit goals and the authorization of the corresponding merit bonus payment(s), as set forth at Agenda Items M-42 through M-45; (b) the authorization of carry-over of up to twenty (20) unused vacation days for the Superintendent from the 2025–2026 contract year to the 2026–2027 contract year, as set forth at Agenda Item M-46; (c) the approval of the Superintendent’s merit goals for the 2026–2027 school year, as set forth at Agenda Item M-47; and (d) to approve the non-renewal of the Superintendent’s contract pursuant to N.J.S.A. 18A:17-20.1 and for the Board to provide notice of the non-renewal to the Superintendent (Agenda Item M-50).

2. The invocation of the Doctrine of Necessity is limited to voting on the Superintendent Matters identified in Paragraph 1 above. The Doctrine of Necessity does not authorize, and conflicted members shall not engage in, any deliberation, discussion, or negotiation with respect to the Superintendent Matters, including without limitation any executive session discussion, committee participation, or informal communication regarding the substance of the Superintendent Matters.
3. Deliberation and consideration of the Superintendent Matters (a) through (c) has been conducted by a committee of the three (3) non-conflicted members of the Board and, to the extent permissible, information related to the Superintendent Matters has been provided to the full Board prior to the votes authorized hereunder.
4. This Resolution shall be read aloud at the public meeting of the Board on September 15, 2026, posted in the places that the Board posts public notices for a period of thirty (30) days following adoption, and a copy provided to the School Ethics Commission.
5. This Resolution shall take effect immediately upon adoption.

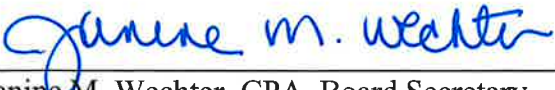
ADOPTED this 15th day of September, 2026.



Janine M. Wechter, CPA
Board Secretary

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Washington Township Board of Education at its public meeting held on September 15, 2026.



Janine M. Wechter, CPA, Board Secretary