

BOARD OF EDUCATION
REORGANIZATION MEETING

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January 5, 2022

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ADJOURNMENT

Board of Education
Reorganization Meeting
January 5, 2022
7:00 p.m.

The Board Secretary will read the following statement at the beginning of the meeting:

“Ladies and Gentlemen, good evening. This is the annual reorganization meeting of the Board of Education.

Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting using an on-line platform was sent to The Star Ledger and Cablevision of Elizabeth on December 31, 2021. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth, New Jersey.

There will be an on-line public portion for citizens to address the Board. Participants for the public portion must register on-line up to the start of the meeting so that they may have the opportunity to speak. The public participation form states the name and email of the person who wants to comment. Members of the public who prefer not to, or do not have the means to, participate using the on-line platform, may continue to participate by emailing statements relative to agenda items and/or educational matters to the Secretary of the Board at kennedha@epsnj.org. All statements received will be read into the record during the Meeting’s Public Comment Portion. All emails must be submitted and received by the Secretary of the Board up to the start of the meeting and, as is always the case must include the public member’s full name for the record. Each statement submitted by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to 60 minutes. Emails received but not read after the 60 minute duration will be spread in full in the Official Board Minutes of this meeting.

As included in the aforementioned December 31, 2021 public notice of this meeting, the oath of office to the three elected Board Members, Charlene B. Dorgely, Stephanie Goncalves Pestana and Iliana Chevres was previously administered privately via video streaming technology by persons duly authorized to give oaths. The oath is accompanied by a signed certificate required for swearing into office and seating of elected Board Members and accordingly qualifies each of them to be seated at this meeting. The oath of office and accompanying certificates will be hereby entered into the record of this meeting.”

Secretary calls the roll.

OPENING CALENDAR

January 5, 2022

PUBLIC SESSION

**Opening of Reorganization Meeting
Harold E. Kennedy, Jr., School Business Administrator/Board Secretary**

**Election of Board President
Election of Vice President**

ORDER OF BUSINESS

BOARD SECRETARY presides for the First Order of Business

1. ELECTION OF PRESIDENT

- a. Nominations
- b. Motion and Second to close nominations
- c. Roll Call vote to close nominations
- d. Roll Call vote for President

ORDER OF BUSINESS

2. PRESIDENT presides for the Second Order of Business and remainder of meeting

ELECTION OF BOARD VICE PRESIDENT

- a. Nominations
- b. Motion and second to close nominations
- c. Roll Call vote to close nominations
- d. Roll Call vote for Board Vice President

BOARD OF EDUCATION**RESOLUTION****APPOINTMENT OF CO-GENERAL COUNSEL**

WHEREAS, the Elizabeth Board of Education requires professional legal services; and

WHEREAS, the nature of the services to be performed meet the definition of “professional services” as defined by the Public School Contract Law, N.J.S.A. 18A:18A-1, et seq.; and

WHEREAS, the Elizabeth Board of Education is authorized by the Public School Contract Law N.J.S.A. 18A:18A-5, to award a professional services contract by the adoption of a resolution at a public meeting, without having to publicly advertise for competitive bids; and

WHEREAS, due to the inherent complexity of the legal issues facing school districts in this State, the Elizabeth Board of Education has decided that the appointment of two firms to serve as co-general counsel is necessary to serve the legal interests of the school district; and

WHEREAS, the firms that are being appointed have the legal expertise to provide the requested legal services and satisfy the legal definition of “professional services” as the services that they shall perform on the District’s behalf shall be by those persons authorized by law to practice a recognized profession; and

WHEREAS, the Elizabeth Board of Education intends for this appointment to commence immediately at its reorganization meeting of January 5, 2022.

NOW, THEREFORE, BE IT RESOLVED, that Mr. Jonathan Williams, Esq. of DeCotiis, FitzPatrick & Cole, LLP and Mr. Robert F. Varady, Esq. of LaCorte, Bundy, Varady & Kinsella shall be appointed as Co-General Counsel for the Board of Education for a term that shall commence immediately (January 5, 2022) and until the next reorganization of the Elizabeth Board of Education in January 2023, in accordance with the following rates \$175.00 per hour.

BE IT FURTHER RESOLVED that the Board President shall be authorized to execute a contract with DeCotiis, FitzPatrick & Cole, LLP and LaCorte, Bundy, Varady & Kinsella in accordance with the terms of this appointment.

BE IT FURTHER RESOLVED that these appointments shall be advertised in accordance with the Public School Contract Law, N.J.S.A. 18A:18A-5a(1).

This resolution and related contracts shall be maintained in the file of the Elizabeth School District and shall be made available for public inspection at the offices of the Elizabeth Board of Education.

BOARD OF EDUCATION**RESOLUTION****INTRODUCTION OF RULES OF GOVERNANCE**

WHEREAS, the Elizabeth Board of Education seeks to adopt Policies for the governance of the Board of Education and members therein; and

WHEREAS, it is the Board's obligation to oversee operation of the Elizabeth School District through goal setting, policy development and evaluation; to provide financial support for the educational and related programs; and to fulfill such other obligations as are imposed by law; and

WHEREAS, the Board believes that the model "Policies" created by the New Jersey School Boards Association clearly define the role and duties of boards of education and are consistent with the requirements of New Jersey Statutes and Regulations, including voting requirements; and

WHEREAS, the Board seeks to supplement those "Policies" with Roberts Rules of Order as the official parliamentary procedure manual to be used to conduct meetings.

NOW, THEREFORE, BE IT RESOLVED that the Elizabeth Board of Education adopts the policies created by the New Jersey School Boards Association as amended by the Board; and

BE IT FURTHER RESOLVED that the Board adopts Robert Rules of Order and the parliamentary procedures defined therein in supplement to these Policies as the official parliamentary procedure manual to be used to conduct meetings.

PUBLIC PARTICIPATION

Citizens may address the Board.

“At this time, the microphones are open for public comment to those who have personally signed in prior to the start of public participation. I shall call individuals to the microphone based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to 60 minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board Members individually. The following rules for public participation shall apply:

1. Time limits will be strictly enforced;
2. No personal attacks on individuals;
3. No vulgar or indecent language;
4. A person may address the Board no more than once during a single meeting;
5. Speakers should refrain from naming individuals;
6. Comments or questions posed during public participation will not be debated.

As a reminder this is a meeting of the Board in public, not a meeting of the public.”

“At this time, I close the public comment portion of this meeting.”

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Y**BOARD OF EDUCATION****RESOLUTION****OFFICIAL RESULTS OF THE SCHOOL
BOARD ELECTION HELD ON NOVEMBER 2, 2021**

NOW BE IT RESOLVED, that the Official Results of the School Board Election held on November 2, 2021, have been certified and sent to the Union County Executive Superintendent's Office in accordance with N.J.S.A. 19:60-1 et seq.

Charlene Bathelus	6367
Stephanie Goncalves	6499
Iliana Chevres	5979

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Y**BOARD OF EDUCATION****RESOLUTION****DESIGNATION OF OFFICIAL MEDIA SERVICES**

RESOLVED, that the media listed below, be officially designated by the Elizabeth Board of Education to receive notices of meetings.

The Star Ledger
MSG Network
Cablevision of Elizabeth
Luso Americano
News Record
La Tribuna Hispana
24 Horas
La Voz
Vistazo Hispano

BE IT FURTHER RESOLVED, that the Star Ledger be designated the official newspaper of the Elizabeth Board of Education.

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Y**BOARD OF EDUCATION****RESOLUTION****DESIGNATION OF DEPOSITORIES
FOR SCHOOL FUNDS**

RESOLVED, that in compliance with N.J.S.A. 18A:17-34, the following Depositories are hereby designated wherein shall be kept all school funds of the Board of Education of the City of Elizabeth.

Bank of America/Merrill Lynch, New Jersey
Capital One
JP Morgan Chase, New Jersey
TD Bank, New Jersey
New Jersey Cash Management Fund
Northfield Bank, NJ
Santander Bank, New Jersey
Wells Fargo, N.A., New Jersey
Garden State Community Bank
Investors Bank
PNC Bank
Crown Bank
Banco Popular
Sterling National Bank

FURTHER RESOLVED, that the School Business Administrator/Board Secretary acquire and maintain on file a copy of the Community Reinvestment Act Report, Annual Report/Statement of Solvency and Current Rating by a National Rating Service for each approved depository.

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Y**BOARD OF EDUCATION****RESOLUTION****APPOINTMENT OF INSURANCE/HEALTH BENEFITS CONSULTANT**

RESOLVED, that the Elizabeth Board of Education appoint Economic Planning Group, 333 Thornall Street, Suite 9B, Edison, New Jersey, as the Elizabeth Board of Education insurance/health benefit consultant, in an amount not to exceed \$85,000.00.

This contract shall be in effect from this date and shall terminate as of the Reorganization Meeting of 2023.

BOARD OF EDUCATION**RESOLUTION****APPOINTMENT OF AUDITORS**

WHEREAS, the Elizabeth Board of Education requires professional auditing services; and

WHEREAS, the nature of the services to be performed meet the definition of “professional services” as defined by the Public School Contract Law, N.J.S.A. 18A:18A-1, et seq.; and

WHEREAS, the Elizabeth Board of Education is authorized by the Public School Contract Law N.J.S.A. 18A:18A-5, to award a professional services contract by the adoption of a resolution at a public meeting, without having to publicly advertise for competitive bids; and

WHEREAS, there are sufficient funds available for the payment of such professional services within the budget of the Elizabeth School District; and

WHEREAS, the Elizabeth Board of Education have decided that the appointment of two firms to serve in an auditing capacity; and

WHEREAS, the firms that are being appointed have the professional expertise to provide the requested legal services, as well as are certified to provide auditing and accounting services for school districts in the State of New Jersey; and

WHEREAS, the Elizabeth Board of Education intends for this appointment to commence immediately at its reorganization meeting of January 5, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Elizabeth Board of Education appoint Suplee, Clooney & Co., Westfield, New Jersey, as the District’s Auditor to provide professional accounting and auditing services related to the District’s Comprehensive Annual Financial Report, as of and for the year ended June 30, 2022, in an amount not to exceed \$185,600.00 plus reimbursable expenses.

BE IT FURTHER RESOLVED, that Suplee, Clooney & Co., be authorized to provide consulting services to the Business Office for the additional audit services prescribed by the Governmental Accounting Standard Board reporting requirements, as necessary.

BE IT FURTHER RESOLVED, that Lerch, Vinci & Higgins, LLP shall provide accounting, auditing, labor and litigation support for the District for a term that shall commence immediately (January 5, 2022) and until the next reorganization of the Elizabeth Board of Education in January 2023, in accordance with the following rates: \$140.00 per hour, not to exceed a total of \$125,000.00 without further Board approval.

BE IT FURTHER RESOLVED, that the Board President shall be authorized to execute contracts with the aforementioned companies, in accordance with the terms of this appointment.

BE IT FURTHER RESOLVED, that these appointments shall be advertised in accordance with the Public School Contract Law, N.J.S.A. 18A:18A-5.

This resolution and related contracts shall be maintained in the files of the Elizabeth School District and shall be made available for public inspection at the office of the Elizabeth Board of Education.

These contracts shall be in effect from this date and shall terminate as of the Reorganization Meeting of 2023.

BOARD OF EDUCATION

RESOLUTION

APPOINTMENT OF CHIEF MEDICAL INSPECTOR

RESOLVED: That the Elizabeth Board of Education appoint Guillermo Munoz, D.O., as Chief Medical Inspector effective this date on a month to month basis contingent upon submission of documentation of malpractice insurance coverage and execution of a medical service agreement in accordance with the fee schedule on file in the Office of the School Business Administrator/Board Secretary, in an amount not to exceed \$2,100.00 per month.

BOARD OF EDUCATION

RESOLUTION

APPOINTMENT OF MEDICAL INSPECTORS

RECOMMENDED: That the Elizabeth Board of Education appoint the below listed doctors as Medical Inspectors effective this date on a month to month basis contingent upon submission of documentation of malpractice insurance coverage and execution of a medical service agreement in accordance with the fee schedule on file in the Office of the School Business Administrator/Board Secretary.

James Perez, M.D.
Guillermo Munoz, D.O.
Union County Healthcare Associates, LLC

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BOARD OF EDUCATION

RESOLUTION

APPOINTMENT OF TREASURER OF SCHOOL MONIES

RECOMMENDED: That the Elizabeth Board of Education appoint, Louis C. Mai, CPA and Associates, Treasurer of School Monies, in an amount not to exceed \$48,900.00 annually.

This contract shall be in effect from this date and shall terminate as of the Reorganization Meeting of 2023.

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Y**BOARD OF EDUCATION****RESOLUTION****SCHEDULE OF BOARD MEETINGS**

Resolved, that the setting of the following dates and time for the holding of the public meeting sessions for the ensuing year to be held at 6:30 p.m. in the Auditorium of Elizabeth High School-Frank J. Cicarell Academy, 40 Morrell Street, Elizabeth, New Jersey 07202, be and is hereby submitted.

AGENDA/BUSINESS

January 27, 2022
February 24, 2022
March 24, 2022
April 21, 2022
May 12, 2022
June 16, 2022
July 14, 2022
August 25, 2022
September 22, 2022
October 20, 2022
November 22, 2022
December 15, 2022

Be It Further Resolved that the deadline for completion of the agenda in final form for the Meeting and delivery of the agenda to Board Members is 72 hours prior to the scheduled start of the meeting. The agenda shall be made available to the public 24 hours prior to the scheduled start of the meeting.

BOARD OF EDUCATION

RESOLUTION

QUALIFYING AND APPOINTING A PUBLIC RELATIONS FIRM TO REPRESENT
THE ELIZABETH BOARD OF EDUCATION

WHEREAS, in order to carry out the business and responsibilities of the Board, the Board has determined that it will require the provision of certain general and specialized consulting and professional services relating to public relations (the “Services”), for the Board commencing January 5, 2022; and

WHEREAS, the Board understands that good communication is the basis of any productive and healthy school-community relationship; and

WHEREAS, such Services constitute specialized work for which the school district does not possess adequate in-house resources or in-house expertise to conduct and which can only be provided by a public relations company; and

WHEREAS, the contracting for such services are exempt from public bidding requirements as an extraordinary unspecifiable service pursuant to N.J.S.A. 18A:18A-5(a)(2); and

WHEREAS, the Board Administrator has submitted a Standard Certification Declaration for an Extraordinary Unspecifiable Service (the “Certification”), in form satisfactory to the Board and attached hereto, and has recommended Strategic Message Management, Inc. to be appointed the Board’s Public Relations Firm.

NOW, THEREFORE, BE IT RESOLVED by the Elizabeth Board of Education as follows:

1. The aforesaid recitals are incorporated herein as if set forth at length; and
2. **Strategic Message Management, Inc.** (with offices located in Cranford, NJ) is deemed qualified to provide Public Relations Services to the Board of Education for a term to commence January 5, 2022 until the next reorganization meeting of the Elizabeth Board of Education in January 2023.
3. **Strategic Message Management, Inc.** is appointed to be the Board’s Public Relations Firm as assigned by this Board or its designee in accordance with N.J.A.C. 6A:23A-5.2 and Board policy.
4. The Board’s counsel shall prepare a contract for such services to be presented and approved by the Board at its next regular meeting, such contract to provide for an hourly rate of \$150.00 not to exceed \$125,000.00 for the term.

5. The Board Secretary shall promptly cause a brief notice to be placed in an official newspaper, stating the nature, duration, service and amount of the contract, and that a copy of the resolution and contract are on file and available for public inspection in the office of the Board, pursuant to N.J.S.A. 18A:18A-5(a)(2).
6. All previous Resolutions and/or orders and directives of Board employees or officials, which are contrary or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.
7. This Resolution shall take effect immediately.