

JACKSON TOWNSHIP BOARD OF EDUCATION
REORGANIZATION MEETING
JANUARY 3, 2024
Central Office, 151 Don Connor Blvd, Jackson, NJ

The Reorganization Meeting of the Jackson Township Board of Education was held in compliance with the Open Public Meeting Law and was called to order by the Board Secretary/Business Administrator, Daniel Baginski at 5:30 P.M. in the Conference Room at Central Office, 151 Don Connor Blvd, Jackson, NJ.

After the salute to the flag and the Certification of the meeting according to the tenets of the Open Public Meeting Law, Mr. Baginski made the following statement: "This Reorganization meeting was duly authorized and is in compliance with the Open Public Meeting Law and has been advertised in the newspaper as an Official Meeting."

Roll Call: Present: Mrs. Gardella arrived 5:38
Mr. McCarron
Mrs. Barocas
Dr. Osmond
Mrs. Rivera
Mrs. Kas
Mr. Palmeri

Also present: Mrs. N. Pormilli, Superintendent of Schools; Mr. R. Rotante, Assistant Superintendent; Mr. M. Zitomer, Board Attorney.

At this time Board Secretary, Mr. Baginski announced the Official Election Results from the Ocean County Clerk's office for the November 7th, 2023 School Board Election. Tara Rivera received 5,737 votes and Brian McCarron received 6,132 votes for the three-year term. These results are certified by the County Board of Elections. Mr. Baginski administered the Oath of Office and swore in elected Board Members Brian McCarron and Tara Rivera as members of the Jackson Board of Education.

ELECTION OF OFFICERS

At this time, nominations for the President of the Board were requested by the Board Secretary.

Nominations for President

Mr. McCarron nominated Mr. Palmeri for President.

Mrs. Kas made a motion to close nominations for President, Mrs. Barocas seconded the motion.

The Board Secretary closed the nominations for President and proceeded with the roll call vote for President nominee, Mr. Palmeri.

Roll Call Vote: Mrs. Gardella voted yes for Mr. Palmeri as President.
Mr. McCarron voted yes for Mr. Palmeri as President.
Mrs. Barocas voted yes for Mr. Palmeri as President.
Dr. Osmond voted yes for Mr. Palmeri as President.
Mrs. Rivera voted yes for Mr. Palmeri as President.
Mrs. Kas voted yes for Mr. Palmeri as President.
Mr. Palmeri voted yes for himself as President.

Votes Received: Seven Yes Votes for Mr. Giuseppe Palmeri

MR. PALMERI WAS ELECTED PRESIDENT OF THE BOARD

Mr. Baginski turned the meeting over to President Giuseppe Palmeri.

At this time, nominations for the Vice President of the Board were requested by Mr. Palmeri.

Nominations for Vice President

Mr. McCarron nominated Mrs. Kas for Vice President.

Mrs. Rivera made a motion to close nominations for Vice President, Mrs. Kas seconded the motion.

The President closed the nominations for Vice President and proceeded with the roll call vote for Vice President nominee, Mrs. Tina Kas.

Roll Call Vote: Mrs. Gardella voted yes for Mrs. Kas as Vice President.
Mr. McCarron voted yes for Mrs. Kas as Vice President.
Mrs. Barocas voted yes for Mrs. Kas as Vice President.
Dr. Osmond voted yes for Mrs. Kas as Vice President.
Mrs. Rivera voted yes for Mrs. Kas as Vice President.
Mrs. Kas voted yes for herself as Vice President.
Mr. Palmeri voted yes for Mrs. Kas as Vice President.

Votes Received: Seven Yes Votes for Mrs. Kas.

MRS. KAS WAS ELECTED VICE PRESIDENT OF THE BOARD

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the Board of Education approved the reorganization agenda with addenda as submitted by the Superintendent of Schools.

Roll Call: Yes: Mrs. Gardella
 Mr. McCarron
 Mrs. Barocas
 Dr. Osmond
 Mrs. Rivera
 Mrs. Kas
 Mr. Palmeri

MOTION CARRIED

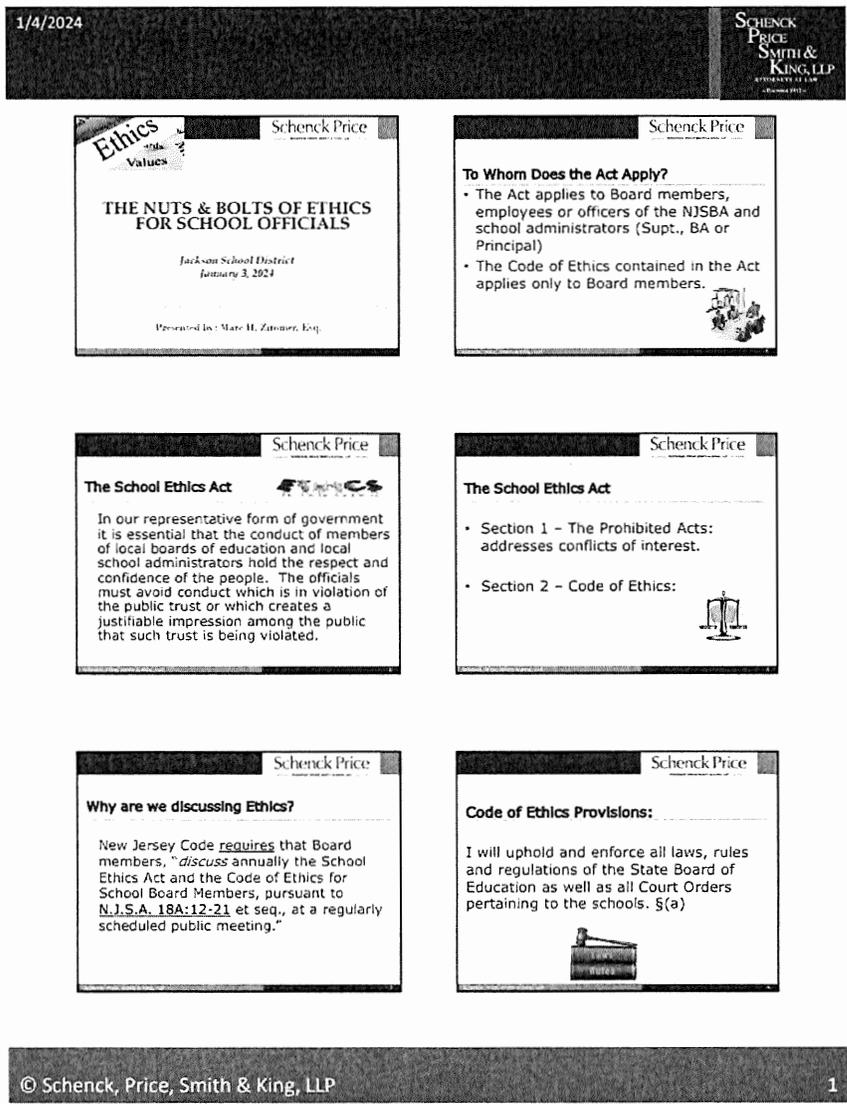
Mr. Palmeri turned the meeting over to Mrs. Pormilli.

Mrs. Pormilli congratulated the new Board Members. She congratulated the new President and Vice President and stated that she was looking forward to working with everyone.

She then turned the meeting over to Mr. Zitomer to provide the Board of Education Code of Ethics.

Board Attorney Advisement - Code of Ethics

Mr. Zitomer welcomed the new Board of Education members and gave a PowerPoint presentation on the Code of Ethics.



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Code of Ethics Provisions:

I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, color, sex or social standing. §(b)

Schenck Price

To prove violation:

One must show that Respondent(s) gave a direct order to school personnel or became directly involved in activities or functions that are the responsibility of school personnel or the day-to-day administration of the school district. *WAC 5A.26-6.4(a)(4)*

SEC found a violation of this section where a board member asked for copies of SAT reports directly from the guidance secretary, inspected lockers in the boys' locker room and instructed staff on the supervision of students. In the *Matter of Lahn, Delisa Bd. of Ed., C25-05* (December 20, 2005)

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Code of Ethics Provisions:

I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them. §(c).



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Code of Ethics Provisions:

I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board. §(e).



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Code of Ethics Provisions:

I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run. §(d).



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Code of Ethics Provisions:

I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or the gain of friends. §(f)

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Code of Ethics Provisions:

I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters I will provide *accurate* information. §(g)



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Code of Ethics Provisions:

I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution §(j)



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Code of Ethics Provisions:

I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief school administrator §(h)

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Who Can File A Complaint?

- Any person may file a complaint alleging a violation of the Act or Code.
- A Board of Education cannot file a complaint, but individual members can do so.
- There is a 6 month statute of limitations for filing complaints.



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Code of Ethics Provisions:

- I will support and protect school personnel in proper performance of their duties. §(i)
- Factual evidence of a violation of this Code provision shall include evidence that the respondent(s) took deliberate action which resulted in *undermining, opposing, compromising or harming* school personnel in the proper performance of their duties.

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The School Ethics Commission:

- The SEC is the only entity that can determine whether a school official's conduct violated the Act.
- Any school official may request an advisory opinion from the SEC about his/her own conduct. If the opinion relates to the conduct of another school official, that school official must be copied and may file a response.



1/4/2024



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Sanctions for Violations of the Act:

- Reprimand;
- Censure;
- Suspension; or
- Removal.



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Free Speech Continued:

- Members shall not represent his/her personal opinion as the position of the Board and shall include in all formal expressions in which his/her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, and the like, a statement that he/she is a member of the Board, is speaking as a private citizen and the opinions expressed do not necessarily represent those of the Board. (See Policy 0146, 0169)
- Disclaimer should be utilized.

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Indemnification:

N.J.S.A. 18A:12-20 provides:
Whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding has been or shall be brought against any person for any act or omission arising out of and in the course of the performance of his duties as a member of a board of education . . . the board of education shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and shall save harmless and protect such person from any financial loss resulting therefrom. (emphasis added)

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Sample Disclaimer Language:

THE FOLLOWING STATEMENTS ARE MADE IN MY CAPACITY AS A PRIVATE CITIZEN, AND NOT IN MY CAPACITY AS A BOARD MEMBER. THESE STATEMENTS ARE ALSO NOT REPRESENTATIVE OF THE BOARD OR ITS INDIVIDUAL MEMBERS, AND SOLELY REPRESENT MY OWN PERSONAL OPINIONS.



Disclaimer

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BOE Member Free Speech Issues:

- Board members have a First Amendment to express themselves, however, according to the Ethics Code, they may not disclose information which is inaccurate, confidential or which has the potential to compromise the Board.
- Members should not publicly criticize the staff.



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True or False?

1. A Board member violated sections (d) & (e) of the Code when she emailed the district teacher from her private email and texted her asking her why the choir and band were not participating in UNICO's (Italian American Service Organization) Columbus day event. The Board member was a member of UNICO. The teacher responded that the school Principal said they would not be able to participate. The member then proceeded to interrogate the teacher about the Principal's directive.

True
-or-
False

Chapman et al. v. Boyle, S. Plainfield Bd. of Ed., 041: 08-21 (9/24/23)

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True or False?

2. A Board member violated N.J.S.A. 18A:12-24(b) & (c) of the Ethics Act when she attended an executive session of the Board while her husband's candidacy for an open Board seat was discussed?

True
-or-
False

EM/Q Mastrelli vs. Lodi Bd. of Ed., Dkt. No. C97-23 (Nov. 28, 2023)

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True or False?

5. A board member violated sections (e) & (v) of the Act when she emailed vendors falsely claiming she was reaching out on behalf of the Board and then requested price quotes for Chromebook devices. She also contacted the PAS from neighboring districts stating she was a member of the Board and asking to know about their experiences with Chromebook devices.

True
-or-
False

Argenziano v. Fable, Northern Valley Reg. Bd. of Ed., Dkt. No. C20-20 (July 25, 2023).

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True or False?

3. A board member violated sections (e) & (g) of the Code when he forwarded the Superintendent's email to the Board to the Town Council/Mayor. In this email, the Superintendent informed the Board that the NFL was seeking approval to film an event at the school's football stadium. The matter was not public and the matter was still under deliberation by the Board.

True
-or-
False

Tarver v. Wingfield, Orange Bd. of Ed., Dkt. C98-21 (9/26/23)

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True or False?

6. A Board member whose spouse is a member of the Borough Council would violate the (c) Act if she were to vote on the shared services agreement between the Board and the Board to employ a School Resource Officer to serve the District.

True
-or-
False

Public Advisory A02-23 (2023)

Schenck Price

True or False?

4. A board member violated sections (e) & (h) of the Code when she sent an email from her board email account to her contact at the Progressive Democrats of N.J. about a ball rally at one of the District's schools. The event was not sponsored or hosted by the District. The email stated . . . Last between you and me, there's a ball rally at the works for education. For a board member, showcasing at Simon Hall during political science and J phone banking for the progressive candidate in district 6 is exciting it. It'll be at high school north end of June. It had her to get you the number and maybe you could assist her in advice about the rally and for making the club set on full more active. Thought you'd be a great member for that!

True
-or-
False

Heston v. Roberts, et al., Dkt. No. C97-23 (Sept. 26, 2023)

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True or False?

7. A Board member would violate the School Ethics Act by serving as an advocate for the local Special Education Parent Advisory Group (SEPA). The Board member was a retired school advocate, the Board member would participate in IEP meetings representing families of students with disabilities who are seeking to initiate an IEP or to request related services, individualizations, or accommodations to an IEP on behalf of their child.

True
-or-
False

Public Advisory A03-23 (2023)



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True or False?
3. A board member violated sections (a)(d) and/or (f) of the Code when the Board member, along with three other unaffiliated Board members, voted "not" on a motion to approve the health and physical education curriculum resulting in a tie and the motion failed to carry, thereby leaving the district out of compliance with the New Jersey Student Learning Standards (NJSLS).
True
-on
False
Doris V. Cronin, Jr., Warren Township Bd. of Ed., Dist. No. CD7-22 (January 31, 2023).

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True or False?
3. A Board member who is employed in another school district (District B) as a bus driver is precluded from being involved in all aspects of contract negotiations with the Bus Drivers Association (NLEA) in District A where he is a Board member even though the Board member is a non-duty acting member of the same Association (also NLEA) in District B.
True
-on
False
Advisory Opinion A13-22, School Ethics Commission, (February 4, 2022).

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QUESTIONS?

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After presenting, Mr. Zitomer asked the Board if they had any questions.

No questions were asked by the Board. Mr. Zitomer instructed the Board to reach out to him with any future questions on this presentation.

Roll Call: Yes: Mrs. Gardella
 Mr. McCarron
 Mrs. Barocas
 Dr. Osmond
 Mrs. Rivera
 Mrs. Kas
 Mr. Palmeri

**SEPARATE BOARD MOTION & VOTE ON MOTION #1E
SCHOOL ETHICS ACT AND CODE OF ETHICS**

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the Board of Education reaffirmed the School Ethics Act and Code of Ethics for School Board Members.

Document A.

Roll Call: Yes: Mrs. Gardella
 Mr. McCarron
 Mrs. Barocas
 Dr. Osmond
 Mrs. Rivera
 Mrs. Kas
 Mr. Palmeri

MOTION CARRIED

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the Board of Education approved the following motions 1F through 1BB in block formation:

- F. The Board of Education authorizes the use of electronic equipment to record all official board meetings for the period of February 1, 2024 through January 31, 2025 for the purpose of preparing the official minutes, such recordings to be maintained for 45-days.

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- G. The Board of Education designates the cost of \$15.00 per year for disseminating the annual notice (as provided in the Guidelines, re: Open Public Meeting Law), to any person requesting same, other than those so designated in the law. Designated recipients by law are: township clerk and the newspaper being officially designated by the Board.
- H. The Board of Education designates the Asbury Park Press as official newspaper of the Board of Education.
- I. The Board of Education reaffirms the Board's rules and regulations, policies, curriculum and employee labor contracts as they now exist.
- J. The Board of Education reaffirms the Robert's Rules of Order, Newly Revised, as the guide for the conduct of all meetings when specific statutory guidance is lacking.
- K. The Board of Education recognizes appointments of committees by the Chair.
- L. Designates the following banks as official banks of the Jackson Board of Education for the period of February 1, 2024 through January 31, 2025:
 - Ocean First Bank
 - Bank of America
 - New Jersey ARM
 - NJ Cash Management Fund
 - TD Bank
 - U.S. Bank
 - BciCapital/First Hope Bank
 - Sterling National Bank
 - BNY Mellon
 - JP Morgan Chase

- M. The Board of Education approves the following Resolution authorizing direct deposit for the period of February 1, 2024 through January 31, 2025:

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN AUTHORIZING DIRECT DEPOSIT OF EMPLOYEES' COMPENSATION

WHEREAS, on March 14, 2013, Governor Chris Christie signed N.J.S.A. 52:14-15h, which requires direct deposit for all State employee compensation on and after July 1, 2014 and allows counties, county colleges, municipalities, and local school districts to opt for mandatory direct deposit for all employee compensation on or after July 1, 2014 into law; and

WHEREAS, P.L. 2013 c. 38 further provides that a local school district is authorized to grant an exemption from the requirements adopted pursuant thereto, on such terms and conditions as the district may deem necessary, which exemption includes seasonal and temporary employees as may be deemed necessary; and

WHEREAS, the Jackson Township Board of Education has implemented this system since May 2014 as part of its payroll account procedures for all School District employees; and

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Jackson and the County of Ocean, New Jersey, as follows:

1. The Jackson Township Board of Education authorizes the Business Administrator/Board Secretary to continue to implement a system for direct deposit of net pay for all employees, pursuant to N.J.S.A. 52:14-15h.
2. The Board Secretary and the Board Attorney shall take all further action necessary to effectuate the direct deposit of net pay for all employees directly deposited in a specific banking institution in a checking account, savings account, or share account designated in writing by the employee.
3. The Board shall make available for such employees who have net pay directly deposited as described hereinabove, all information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable federal law, only on the Internet with restricted access and policies and procedures to protect the integrity and confidentiality of the information.
4. The Board is authorized to grant an exemption from the requirements adopted pursuant to N.J.S.A. 52:14-15h, on such terms and conditions as the Board may deem necessary.
5. The Board is authorized to grant an exemption for seasonal and temporary employees as the Board may deem necessary.
6. The Board's current designated banking institution is Ocean First Bank which shall implement the direct deposit program for banking purposes.

<u>Date</u>	<u>Type of Meeting</u>	<u>Time</u>	<u>Location</u>
January 3, 2024	Reorganization	5:30 PM	Administration Building Conference Room
January 17, 2024	Business Meeting	6:30 PM	JMHS Fine Arts Auditorium
February 21, 2024	Business Meeting	6:30 PM	JMHS Fine Arts Auditorium
March 20, 2024	Business Meeting/ Adopt Tentative 2024-2025 Budget	6:30 PM	JMHS Fine Arts Auditorium
April 24, 2024	Business Meeting/ 2024-2025 Budget Hearing	6:30 PM	JMHS Fine Arts Auditorium
May 15, 2024	Business Meeting	6:30 PM	JMHS Fine Arts Auditorium
June 26, 2024**	Business Meeting	6:00 PM	JMHS Fine Arts Auditorium
July 17, 2024	Business Meeting	6:00 PM	JMHS Fine Arts Auditorium
August 21, 2024	Business Meeting	6:00 PM	JMHS Fine Arts Auditorium

PUBLIC FORUM

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the public forum was opened by acclamation.

Seeing no one come forward, on a motion by Mrs. Rivera, seconded by Mrs. Kas, the public forum was closed by acclamation. Mr. Palmeri asked if all were in favor. All Board members responded yes.

RESOLUTION FOR ACTION

Based on the recommendation of the Superintendent of Schools, the following resolutions are presented for formal approval by the Board of Education.

STUDENTS:

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the Board of Education approved the following motions.

1. The Board of Education approves a contract for the 2023-2024 school year, effective January 2, 2024, with Soliant Health LLC, to provide speech services to Jackson students at a rate of \$101.00 per hour/Overtime Bill Rate of \$151.50 per hour, total cost not to exceed \$50,000.00 (11-000-217-320-09-210000).

Roll Call: Yes: Mrs. Gardella
 Mr. McCarron
 Mrs. Barocas
 Dr. Osmond
 Mrs. Rivera
 Mrs. Kas
 Mr. Palmeri

MOTION CARRIED

On a motion by Mrs. Rivera, seconded by Mrs. Kas, the Board of Education approved the following motions.

PERSONNEL:

1. The Board of Education approves the following substitutes and daily rates for the 2023-2024 school year, to include one (1) day orientation at their daily rate:

	Last Name	First Name	Paraprofessional \$110.00 per day	Paraprofessional with 60 credits \$130.00 per day	Teacher (Substitute Certification-60 credits) \$130.00 per day	Teacher (Substitute Certification- BA/MA) \$150.00 per day	Teacher (CE/CEAS/ Standard) \$170.00 per day	Teacher-Long Term Leave/ > 8 weeks \$225.00 per day
a .	Garcia	Lauren					X	X

2. The Board of Education accepts the resignation of the following employees:
 - a. Michael Makofsky, Driver-Transportation/District, effective December 14, 2023.

Roll Call: Yes: Mrs. Gardella
 Mr. McCarron
 Mrs. Barocas
 Dr. Osmond
 Mrs. Rivera
 Mrs. Kas
 Mr. Palmeri

MOTION CARRIED

BOARD COMMENTS

Mrs. Gardella said she is looking forward to working with everyone and all the activities planned for the school year. She wished everyone a Happy New Year.

Mr. McCarron said he is thankful for the reappointment looking forward to this year and working with the Board for three more years.

Mrs. Barocas congratulated Mr. McCarron and Mrs. Rivera on their reelection. She said she looks forward to continuing working with everyone this year and wished everyone a Happy New Year.

Dr. Osmond congratulated the new Board members and wished everyone a Happy New Year.

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Mrs. Rivera stated she is humbled by her reappointment for the next three years and wished everyone a good night.

Mrs. Kas congratulated Mr. McCarron and Mrs. Rivera on their reelection. She stated that she is looking forward to working with a great group of Board Members.

Mr. Palmeri thanked all the Board members for entrusting him with the position of President. He thanked Councilman Burnstein for coming to the meeting. He congratulated Mr. McCarron and Mrs. Rivera on their reelection. He is humbled and thankful to be entrusted with the position of President again this year. He said he is honored to be unanimously voted into the position of President. He stated it will be a lot of work but he looks forward to working with everyone. He wished Mr. Baginski good luck in his new position as Business Administrator/ Board Secretary.

There being no further discussion, on a motion by Mrs. Rivera, seconded by Mrs. Kas, the meeting was adjourned by acclamation at 6:15 p.m.

Respectfully Submitted,



Daniel Baginski
Business Administrator/
Board Secretary