

**SEASIDE PARK BOARD OF EDUCATION**

**MINUTES**

**REGULAR MEETING MONDAY, MARCH 9, 2015**

MINUTES of the REGULAR MEETING of the SEASIDE PARK BOARD OF EDUCATION of the BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, held MONDAY EVENING, MARCH 9, 2015.

The meeting was called to order by the President, Mr. Charles Appleby at 6:40 P.M. in the Seaside Park Elementary School Multi-Purpose Room located at 313 S.W. Central Avenue, Seaside Park.

**ANNOUNCEMENT BY BOARD PRESIDENT**

In compliance with the Open Public Meeting Act of the State of New Jersey, adequate notice of this meeting of the Board of Education of the Borough of Seaside Park was provided in the following manner:

- On January 6, 2015, advance written notice was e-mailed to the Asbury Park Press for publication on January 8, 2015
- On January 6, 2015, advance written notice was posted at the Seaside Park Municipal Building
- On January 6, 2015, advance written notice was filed with the Borough Clerk of the Borough of Seaside Park

A roll call of attendance indicated the following Board Members were present: Charles Appleby, Gary Yedman, Ronald Neal, and Gina Condos. Norma DeNoia was absent.

Also in attendance were Barry J. Parlman, Business Administrator/Board Secretary and Robert Budesca, Board Attorney.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**EXECUTIVE SESSION RESOLUTION**

Upon motion of Mr. Yedman, seconded by Dr. Neal, the following resolution was approved:

RESOLVED, That the Board of Education enter into Closed Session at 7:41 P.M. for the purpose of contract discussion.

All members present voting Aye.

**RETURN TO REGULAR SESSION**

Upon motion of Mr. Yedman, seconded by Mrs. Condos, the Board returned to Regular Session at 8:20 P.M.

All members present voting Aye.

**PRESENTATION OF THE FEASIBILITY STUDY**

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion Mr. Yedman, seconded by Dr. Neal, the following resolution was approved:

RESOLVED, That the Board of Education approve the minutes of the following meeting as prepared by the Board Secretary:

January 5, 2015 - Regular & Annual Reorganization Meeting

All members present voting Aye.

**COMMUNICATIONS**

- A. Letter dated February 25, 2015 from Abby Yedman, PTA Treasurer re: Seaside Park Families

**PUBLIC COMMENTS ON AGENDA ITEMS**

There were no public comments.

**RESOLUTIONS**

Upon motion of Mr. Yedman, seconded by Dr. Neal, the following resolution was approved:

**A. RESOLUTION OF THE SEASIDE PARK BOARD OF EDUCATION INVOKING THE DOCTRINE OF NECESSITY**

WHEREAS, the School Ethics Act, N.J.S.A. 18A:12-21, et seq., was enacted by the New Jersey State Legislature to insure and preserve public confidences in School Board members and school administrators, and to provide specific ethical standards to guide their conduct; and

WHEREAS, questions arose 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 (“Commission”) provides guidance in Public Advisory Opinion A03-9 (April 1, 1998) regarding this issue; 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 an action is necessary and the specific nature of the conflicts of interest; and

WHEREAS, the School Ethics Commission, by Resolution dated February 23, 2003, clarified and required a Board of Education invoking 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

WHEREAS, the School Ethics Commission further directed Boards of Education that invoke the Doctrine to read the resolution at a regularly scheduled public meeting, post it where it posts public notices for thirty (30) days and provide the Commission with a copy; and

WHEREAS, the Seaside Park Board of Education currently has a send-receive agreement with the Toms River Board of Education (“Toms River”) wherein Toms River educates Seaside Park’s K-6 students; and

WHEREAS, the Board wished to explore other educational options for its K-6 students, in particular with regard to a barrier island location for such education; and

WHEREAS, the Board has received a preliminary study indicating that K-6 students from Seaside Park could receive a thorough and efficient education at the Lavallette public school; and

WHEREAS, the Lavallette Board of Education (“Lavallette”) has expressed a desire to enter into a send-receive agreement with the Board; and

WHEREAS, the Board desires to file a petition to establish a send-receive relationship with Lavallette in addition to its current send-receive relationship with Toms River; and

WHEREAS, it has been determined that such action cannot be taken due to the fact that the following Board members have a conflict of interest which would prohibit them from voting on this application; and

WHEREAS, the five (5) Board member conflicts are as follows:

1. Charles Appleby has children who are attending the Lavallette Elementary School on a parent paid tuition basis.
2. Gina Condos has children who are attending the Lavallette Elementary School on a parent paid tuition basis.
3. Dr. Ronald Neal has children who are attending the Lavallette Elementary School on a parent paid tuition basis.
4. Gary Yedman has children who are attending the Lavallette Elementary School on a parent paid tuition basis.
5. Norma DeNoia is an administrator employed by the Toms River Board of Education; and

WHEREAS, if an additional send-receive relationship were to be approved there would be a financial impact on the afore-mentioned tuition paying board members and would be deemed to be in violation of the School Ethics Act; and

WHEREAS, an additional send-receive relationship with Lavallette could result in a conflict between the Board and Toms River; and

WHEREAS, the above-referenced conflicts apply to every member of the Board and would make it impossible for the Board to act on the filing of a petition to establish a send-receive relationship with Lavallette without invoking the Doctrine of Necessity:

NOW, THEREFORE, BE IT RESOLVED by the Seaside Park Board of Education, County of Ocean, State of New Jersey, this \_\_\_\_\_ day \_\_\_\_\_ 2015, as follows:

1. That the five (5) Board members as noted above would be prohibited from voting on the filing of a petition for an additional send-receive relationship with the Lavallette Board of Education and, therefore, the Board invokes the Doctrine of Necessity in order to vote on said application.
2. That this Resolution shall be read at a regularly scheduled public meeting of the Board and posted in the usual locations regarding Board notices for a period of thirty (30) days.
3. That a copy of this Resolution shall be forwarded to the School Ethics Commission.

CERTIFICATION

I hereby certify that I, the undersigned, am the Seaside Park Board of Education Business Administrator/Secretary and am duly authorized to certify Resolutions by the Board of Education and the above Resolution was passed at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Barry Parliman, BA/Secretary

All members present voting Aye.

Upon motion of Mr. Yedman, seconded by Mrs. Condos, the following resolution was approved:

**B. AUTHORIZATION TO ACCEPT RESOLUTION**

WHEREAS, the Seaside Park Board of Education (“the Board”) has a sending-receiving agreement with the Toms River Board of Education (“Toms River”), whereby Seaside Park’s students in grades K-6 are educated at facilities administered under the authority of Toms River; and

WHEREAS, in recent years, the Board has had increasing concerns with regard to the continuity of education its students receive at Toms River and an increasing desire to provide its community with an educational option on the barrier island; and

WHEREAS, in an effort to explore appropriate educational options to offer its students, the Board retained Statistical Forecasting, LLC, James L. Kirtland, CPA, and Lloyd Leschuk, Ed.D., for the purpose of conducting a feasibility study on the possibility of entering into an additional sending-receiving agreement with the Lavallette Board of Education (“Lavallette”); and

WHEREAS, the Board received a preliminary verbal report from these experts that its students can receive a thorough and efficient education at the K-6 level from Lavallette; and

WHEREAS, in the meantime, the Board entered into a dialogue with Lavallette for the purpose of exploring a potential sending-receiving agreement between Lavallette and Seaside Park; and

WHEREAS, Lavallette has expressed its interest in discussing the establishment of a sending-receiving relationship with the Board,

NOW THEREFORE BE IT RESOLVED that, after due consideration, the Board has determined that its students can receive a thorough and efficient education at the K-6 level from Lavallette; and

BE IT FURTHER RESOLVED that, upon authorization from the Commissioner of Education, the Board will enter into an appropriate sending-receiving agreement with Lavallette to provide its K-6 students with a choice between Lavallette and Toms River; and

BE IT FURTHER RESOLVED that, the Board authorizes its special counsel, Porzio, Bromberg, & Newman, P.C., to prepare and negotiate a contingent sending-receiving agreement with Lavallette; and

BE IT FURTHER RESOLVED that, upon completion of the feasibility study, the Board authorizes its special counsel, Porzio, Bromberg, & Newman, P.C., to prepare and submit a petition to the Commissioner of Education seeking to establish an additional sending-receiving agreement between the Board and Lavallette, and to take any and all appropriate action to obtain the required authorization from the Commissioner of Education and to implement same.

All members present voting Aye.

Upon motion of Dr. Neal, seconded by Mrs. Condos, the following resolution was approved:

**C. AUTHORIZATION TO ADVERTISE**

RESOLVED, That the Board of Education authorize the advertisement for the following:

2015-2016 Kindergarten Registration  
 2015-2016 Preschool Registration  
 Child Find (Ages 3 – 21)

All members present voting Aye.

Upon motion of Mr. Yedman, seconded by Dr. Neal, the following resolution was approved:

**D. AUTHORIZATION FOR USE OF BUILDING**

RESOLVED, That the Board of Education authorize use of the school building by the Seaside Park PTA as follows:

Thursday, May 28, 2015 – 6:00 PM – 8:30 PM – Multi Purpose Room – Fish Hat Workshop  
 Sunday, May 31, 2015 – 12:00 PM – 3:00 PM – Playground – Fish Hat Parade & Activities  
 Parade rain date – June 7, 2015

All members present voting Aye.

Upon motion of Dr. Neal, seconded by Mr. Yedman, the following resolution was approved:

**E. CONFIRMATION OF 2014-2015 PURCHASE ORDERS**

RESOLVED, That the Board of Education confirm the following 2014-2015 purchase orders in the various categories and amounts shown for a total of \$98,273.74.

<u>P.O. #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
1415-093	Ricoh	Communications	11-999-230-530	137.80
1415-094	AT&T	Communications	11-999-230-530	268.59
1415-095	Hydroscience, Inc.	Outside Maintenance	11-999-261-420	1,700.00
1415-096	Asbury Park Press	Advertising	11-999-230-530	18.00
1415-100	Shore Logic	Technical Services	11-999-252-330	45.00
1415-101	BDM Electric	Outside Maintenance	11-999-261-420	200.00
1415-102	Berry, Sahradnik et al	Legal Services	11-999-230-331	218.75
1415-104	NJNG	Gas Supply	11-999-262-621	1,382.53
1415-105	AT&T	Communications	11-999-230-530	267.30
1415-106	Cablevision	Employee Benefits	11-999-230-530	79.90
1415-107	Allied Boiler	Outside Maintenance	11-999-261-420	835.65
1415-108	Hydroscience, Inc.	Outside Maintenance	11-999-261-420	1,700.00
1415-110	TRBOE	Tuition	11-999-100-561	34,612.60
1415-110	TRBOE	Tuition	11-999-100-562	1,506.30
1415-110	TRBOE	Transportation	11-999-270-513	112.86
1415-111	Berry, Sahradnik et al	Legal Services	11-999-230-331	85.00
1415-112	Asbury Park Press	Advertising	11-999-230-530	40.50
1415-113	Ricoh	Communications	11-999-230-530	137.80
1415-115	Asbury Park Press	Advertising	11-999-230-530	15.75
1415-116	JCP&L	Electricity	11-999-262-622	1,156.61
1415-117	Staples	Gen'l Admin. Supplies	11-999-230-610	107.98
1415-117	Staples	Bd. Meeting Supplies	11-999-230-630	17.99

<u>P.O. #</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
1415-118	Gina Condos	Bd. Supplies	11-999-230-895	67.20
1415-119	Denise Bliszczyk	Postage	11-999-230-530	7.91
1415-119	Denise Bliszczyk	Custodial Supplies	11-999-262-610	184.92
1415-120	NJNG	Gas Supply	11-999-262-621	1,751.09
1415-121	Asbury Park Press	Advertising	11-999-230-530	20.25
1415-122	Lezbus Corp.	Outside Maintenance	11-999-261-420	1,170.00
1415-125	Staples	Gen'l Admin. Supplies	11-999-230-610	177.32
1415-126	Berry, Sahradnik et al	Legal Services	11-999-230-331	576.25
1415-127	Simplex	Outside Maintenance	11-999-261-420	1,794.79
1415-128	Ricoh	Communications	11-999-230-530	144.70
1415-129	Avaya	Communications	11-999-230-530	252.53
1415-130	AT&T	Communications	11-999-230-530	273.45
1415-131	Cablevision	Communications	11-999-230-530	79.90
1415-132	Allied Boiler	Outside Maintenance	11-999-261-420	7,525.00
1415-133	JCP&L	Electricity	11-999-262-622	7.10
1415-134	Asbury Park Press	Advertising	11-999-230-530	15.75
1415-135	Cablevision	Communications	11-999-230-530	79.90
1415-136	Asbury Park Press	Advertising	11-999-230-530	21.00
1415-137	Shore Logic	Technical Services	11-999-252-330	45.00
1415-138	NJNG	Gas Supply	11-999-262-621	2,000.48
1415-139	TRBOE	Tuition	11-999-100-561	32,863.29
1415-139	TRBOE	Tuition	11-999-100-562	1,506.30
1415-139	TRBOE	Transportation	11-999-270-513	3,062.70

All members present voting Aye.

**SCHOOL BUSINESS ADMINISTRATOR REPORT**  
**Mr. Barry J. Parlman**

Upon motion of Dr. Neal, seconded by Mr. Yedman, the following resolution was approved:

**A. APPROVAL OF FINANCIAL REPORTS**

RESOLVED, That the Board of Education accept and file the following financial reports for the period ended December 31, 2014 and January 31, 2015; copy to follow in the minutes of this meeting:

- Secretary's Report of Expenditure
- Treasurer of School Monies Report

All members present voting Aye.

Upon motion of Dr. Neal, seconded by Mrs. Condos, the following resolution was approved:

**B. APPROVAL OF BUDGET LINE ITEM REPORT**

RESOLVED, That the Board of Education, pursuant to N.J.A.C. 6:20-2.113(e)\*, do hereby certify that as of December 31, 2014 and January 31, 2015, after review of the Secretary's monthly financial reports (appropriations section) and upon consultation with the appropriate district officials, that to the best of our knowledge no major account or fund has been over expended in violation of N.J.A.C. 6:20-2.12(b)\* and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

All members present voting Aye.

Upon motion of Dr. Neal, seconded by Mr. Yedman, the following resolution was approved:

**C. APPROVAL OF CURRENT EXPENSE TRANSFER**

RESOLVED, That the Board of Education approve the appropriation adjustment for February 2015.

All members present voting Aye.

**PAYMENT OF BILLS**

Upon motion of Dr. Neal, seconded by Mr. Yedman, the following resolution was approved:

RESOLVED, That the Board of Education authorize payment of the bills as shown on the bill list dated March 9, 2015, when signed by a majority of the members, in the total amount of \$110,810.91; copy to follow in the minutes.

All members present voting Aye.

**ANNOUNCEMENTS**

Monday, May 11, 2015- Regular Meeting – 6:30 P.M.

**SUPERINTENDENT COMMENTS**

Mrs. MacIntosh, Superintendent from Washington Street School has been in contact with the Board Members keeping them informed of what is happening in the school. PARCC Testing began last week.

**BOARD COMMENTS**

Gary Yedman and Gina Condos met with the Ocean County YMCA in anticipation of them possibly using the school building.

**PUBLIC COMMENTS**

Gail Coleman asked Mr. Healy if there was a possibility that Toms River would become a Choice School.

**ADJOURNMENT**

Upon motion of Mr. Yedman, seconded by Dr. Neal, the Regular Meeting of the Board of Education was adjourned at 8:56 P.M.

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Barry J. Parlman  
Business Administration/  
Board Secretary