

**BERKELEY HEIGHTS BOARD OF EDUCATION
REORGANIZATION MEETING
AGENDA
JANUARY 5, 2023**

CALL TO ORDER

FLAG SALUTE

MEETING NOTICE STATEMENT

Adequate notice of this meeting of the Berkeley Heights Board of Education was given as required by the Open Public Meetings Act as follows:

Notice of the revised 2022 Board of Education Meeting schedule was sent to the Star Ledger and the Courier News on February 2, 2022. On September 15, 2022 Notice of the amended Board of Education Meetings through January 5, 2023, was sent to the Star Ledger and the Courier News and was also provided to all schools, PTO Presidents, the BHEA President, and posted at the Administration Building. A copy was also provided to the Public Library and filed with the Municipal Clerk.

ELECTION RESULTS

In the annual election, held on November 8, 2022 the following individuals were elected to serve on the Board of Education:

<u>Candidate</u>	<u>Term Limit</u>	<u>Votes</u>
Gale Bradford	3 Years	2,090
Dipti Khanna	3 Years	2,371
Angela Penna	3 Years	2,655

ADMINISTRATION OF THE OATH OF OFFICE

- Ms. Kot administers the Oaths of Office and installs the newly elected Board Members

ROLL CALL

Ms. Gale Bradford _____

Ms. Dipti Khanna _____

Mr. Robert Cianciulli _____

Mrs. Angela Penna _____

Dr. Thomas Foregger _____

Mrs. Pamela Stanley _____

Mr. Jordan Hyman _____

Mrs. Joy Young _____

ELECTION OF BOARD PRESIDENT (Conducted by Board Secretary)

Nominations for Board President (no second required)

_____ nominates _____
_____ nominates _____
_____ nominates _____

Note: Depending on the number of total nominees, a nominee for an officer position must receive either a majority vote of those voting and present or a plurality of same.

Motion to close nominations: _____ Seconded by _____

Vote:

Ms. Gale Bradford _____ **Ms. Dipti Khanna** _____
Mr. Robert Cianciulli _____ **Mrs. Angela Penna** _____
Dr. Thomas Foregger _____ **Mrs. Pamela Stanley** _____
Mr. Jordan Hyman _____ **Mrs. Joy Young** _____

- The Board Secretary turns the meeting over to the new Board President.

ELECTION OF BOARD VICE-PRESIDENT (Conducted by Board President)

Nominations for Board Vice President (no second required)

_____ nominates _____
_____ nominates _____
_____ nominates _____

Note: Depending on the number of total nominees, a nominee for an officer position must receive either a majority vote of those voting and present or a plurality of same.

Motion to close nominations: _____ Seconded by _____

Vote:

Ms. Gale Bradford _____ **Ms. Dipti Khanna** _____
Mr. Robert Cianciulli _____ **Mrs. Angela Penna** _____
Dr. Thomas Foregger _____ **Mrs. Pamela Stanley** _____
Mr. Jordan Hyman _____ **Mrs. Joy Young** _____

RESOLUTIONS - REORGANIZATION

I. CODE OF ETHICS **Resolution A: All Board Members.**

A. ADOPTION OF NJSBA BOARD MEMBER CODE OF ETHICS

RESOLVED, that the Berkeley Heights Board of Education adopts and agrees to abide by the New Jersey School Boards Association Board Member Code of Ethics as set forth in N.J.S.A 18A:12-24.1:

CODE OF ETHICS

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
- b. 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, sex, or social standing.
- c. 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.
- d. 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.
- e. 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.
- f. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- g. 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 and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
- h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i. I will support and protect school personnel in proper performance of their duties.
- j. 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.

BE IT FURTHER RESOLVED, that each Board Member shall sign documentation that he/she received a copy of the Code of Ethics and has read and understood it.

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II. 2023 BOARD OF EDUCATION MEETING CALENDAR Resolution A: All Board Members.

A. APPROVAL OF MEETING DATES

RESOLVED, that Berkeley Heights Board of Education establishes the following meeting dates for 2023. (All dates are Thursdays unless otherwise specified):

<u>Date*</u>	<u>Type</u>	<u>Location</u>	<u>Executive Session</u>	<u>Public Session</u>
January 19, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:30 PM	7:30 PM
February 2, 2023	Regular Meeting & NJSBA Training	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
February 9, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
March 13, 2023 (Monday)	Regular Meeting & Tentative Budget Adoption	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
April 27, 2023	Regular Meeting & Final Budget Adoption	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
May 11, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
June 5, 2023 (Monday)	Regular Meeting - End of Year/ Retiree Reception	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
August 10, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
September 14, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
October 12, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
November 16, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
December 14, 2023	Regular Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM
January 4, 2024	Reorganization Meeting	Governor Livingston HS Cafeteria	6:45 PM	7:30 PM

**Any changes will be published at least 48 hours prior to the scheduled meeting.*

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III. ANNUAL DESIGNATIONS, POLICIES AND RULES ADOPTION Resolution A - J: All Board Members.

A. APPROVAL OF BOARD POLICIES, BY-LAWS AND ADMINISTRATIVE GUIDELINES

RESOLVED, that the Berkeley Heights Board of Education approves and readopts all existing Board Policies, Regulations, By-Laws and Administrative Guidelines of the Berkeley Heights Township Board of Education.

B. ADOPTION OF ROBERT’S RULES OF ORDER

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, and in accordance with Bylaw #0164, hereby adopts and will operate in accordance with *Robert’s Rules of Order*, which shall govern all official deliberations of the Board to the extent not inconsistent with the statutes of the State of New Jersey, rules of the State Board of Education, or the Board’s bylaws.

C. DESIGNATION OF OFFICIAL NEWSPAPERS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, designates *The Courier News* as the official newspaper of the Board of Education from January 5, 2023 through January 4, 2024, with alternate use of the *The Star Ledger* and TAP into Berkeley Heights, as necessary.

D. DESIGNATION OF TAX-SHELTERED ANNUITY COMPANIES

RESOLVED, that the Berkeley Heights Township Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following tax-sheltered annuity companies to provide service to the employees of the Berkeley Heights Board of Education for the 2023 calendar year: Aspire, AXA Equitable, Lincoln, MetLife, and Valic.

E. DESIGNATION OF DEPOSITORIES FOR DISTRICT FUNDS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the designation of Investors Bank* as depository for all District funds of the Berkeley Heights Board of Education.

**NB: Investors Bank will become Citizens Bank on or about February 21, 2023.*

F. DESIGNATION OF SIGNATORIES FOR DISTRICT FUNDS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following signatures for checks drawn from the identified accounts:

<u>Account Name</u>	<u>Number of Signatures Required</u>	<u>Authorized Signatories</u>
School Monies Account	Three	1 - President or Vice President 1 - Board Secretary or Budget, Accounting & Reporting Specialist 1 - Treasurer

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Payroll Accounts	One	1 - Treasurer or Board Secretary
Cash Account	Two	1 - Board Secretary 1 - Payroll Specialist
SUI Trust Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
CMP Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
FSA Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
Cafeteria Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
Capital Reserve Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
Maintenance Reserve Account	Two	1 - Board Secretary or Payroll Specialist 1 - Treasurer
Athletic Account	Two	1 - Board Secretary or Payroll Specialist 1 - Athletic Director
Student Activity Fee	One	1 - Board Secretary or Payroll Specialist
The Difference Card	Two	1 - Board Secretary 1 - Payroll Specialist

BE IF FURTHER RESOLVED that the Board Secretary and/or the Payroll Specialist and/or the Treasurer of School Monies can authorize wire transfers to/from any of the aforementioned accounts, and

BE IT FURTHER RESOLVED that the Berkeley Heights Board of Education approves the use of facsimile signatures for the Board President or Vice President, the Board Secretary or the Payroll Specialist and the Treasurer of School Monies on all checking accounts, and

BE IT FURTHER RESOLVED that all checks, drafts or other orders for payment or withdrawal of money from said accounts be signed by the person holding the appropriate title as listed above.

G. DESIGNATION OF OTHER DEPOSITORIES AND SIGNATORIES

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves the following depositories and signatures for the the identified Scholarship and Student Activities Accounts:

<u>Account Name</u>	<u>Number of Signatures Required</u>	<u>Authorized Signatories</u>	<u>Depository</u>
Mary Kay McMillin Memorial Scholarship Fund	One	Board Secretary or Payroll Specialist or Business Office Bookkeeper	Investors Bank*

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<u>Account Name</u>	<u>Number of Signatures Required</u>	<u>Authorized Signatories</u>	<u>Depository</u>
Jonathan Gross Memorial Fund	One	Board Secretary or Payroll Specialist or Business Office Bookkeeper	Investors Bank*
Governor Livingston Student Activity Account	Two	High School Principal, Asst. Principal, Student Activity Bookkeeper, and/or Board Secretary	Investors Bank*
School Student Activity Accounts	One	School Principal, Asst. Principal, School Secretary, or MKM ECC Nurse	Haven Savings Bank or Investors Bank*

**NB: Investors Bank will become Citizens Bank on or about February 21, 2023.*

BE IT FURTHER RESOLVED that all checks, drafts or other orders for payment or withdrawal of money from said accounts be signed by the person holding the appropriate title as listed above.

H. DESIGNATION OF INSURANCE CARRIER PROVIDERS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, designate the following insurance carrier providers for the 2023 calendar year:

Health: CIGNA

Dental: CIGNA

Prescription: CIGNA

I. DESIGNATION OF WAGWORKS TO ADMINISTER COBRA

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, designate WageWorks as Third-Party Administrator of the Consolidated Omnibus Budget Reconciliation Act (COBRA) for the 2023 calendar year.

J. DESIGNATION OF HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY TO ADMINISTER FLEXIBLE SPENDING ACCOUNT PLAN

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and Business Administrator, designate Horizon Blue Cross Blue Shield of New Jersey to provide Third-Party Administrative services for the Flexible Spending Account (FSA) Plan, covering Medical and Dependent Care options, offered to employees for the 2023 calendar year.

VI. ANNUAL APPOINTMENTS Resolution A-E: All Board Members.

A. APPROVAL OF ANNUAL APPOINTMENTS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approves the following annual appointments:

Board Secretary	Julie A. Kot
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Qualified Purchasing Agent	Julie A. Kot
Affirmative Action Officer	David Greer
504 Officers	Robert Nixon - Governor Livingston HS Paul Kobliska- Columbia MS Jonathan Morisseau - Mountain Park School Jessica Nardi - Thomas P. Hughes School Brenda Marley - William Woodruff School Anne Corley-Hand - Mary Kay McMillin ECC
Right to Know Officer	Richard Romano
Public Agency Compliance Officer (P.A.C.O.)	Julie A. Kot
Homeless Liaison	Jon Morriseau
English as a Second Language Officer	Stephen Hopkins
Indoor Air Quality Designee	Richard Romano
Chemical Hygiene Designee	Richard Romano
Asbestos Management/AHERA Coordinator	Richard Romano
School Safety Officer	Brenda Marley
Attendance Officers	Jacqueline Bartlett - Governor Livingston HS Grace Acosta - Columbia Middle School Jonathan Morisseau - Mountain Park School Jessica Nardi - Thomas P. Hughes School Brenda Marley - William Woodruff School Anne Corley-Hand - Mary Kay McMillin ECC
Integrated Pest Management (IPM) Coordinator	Richard Romano

B. APPOINTMENT OF REPRESENTATIVES REQUESTING FEDERAL AND STATE FUNDS

RESOLVED, that the Berkeley Heights Board of Education designates the Superintendent of Schools and the Business Administrator/Board Secretary, or their designees, as the Board’s agents to request state and federal funds under the existing State and Federal Laws for the 2023 calendar year.

C. APPOINTMENT OF PURCHASING AGENT

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, appoints the School Business Administrator as the Board’s Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 18A:18A, et seq. and grants authority, responsibility, and accountability of the purchasing activity of the Berkeley Heights Board Education.

D. APPOINTMENT OF BOARD SECRETARY PRO TEM

RESOLVED, that the Berkeley Heights Board of Education appoints Lisa McAdam as Board Secretary Pro Tem for emergency purposes or in the absence of the Business Administrator/Board Secretary.

E. APPOINTMENT OF INVESTMENT OFFICER

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, appoints the Business Administrator/Board Secretary, as Investment Officer.

V. PROFESSIONAL SERVICE APPOINTMENTS Resolution A-J: All Board Members.

A. APPOINTMENT OF HEALTH BENEFITS BROKERS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Alliant Employee Benefits, 1301 Dove Street, Suite 200, Newport Beach, CA, as Health Benefits Brokers for the District for the 2023 calendar year.

B. APPOINTMENT OF DENTAL INSURANCE BENEFITS BROKERS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Centric Benefits Consulting, 219 South Street, Suite 103, New Providence, NJ, as Health Benefits Brokers for Dental Insurance for the District for the 2023 calendar year.

C. APPOINTMENT OF INSURANCE AGENT OF RECORD-PROPERTY/LIABILITY

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Richland Knowles Agency, 803 Springfield Avenue, Suite 2, Summit, NJ, as the Broker of Record and Risk Management Consultant for its Property and Casualty Insurance for the 2023 calendar year.

D. APPOINTMENT OF BOARD ATTORNEY

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Cleary, Giaccobe, Alfieri, Jacobs, LLC, 955 State Rte 34, Suite 200, Matawan, NJ, as Board Attorneys of Record for the 2023 calendar year, with Matthew Giaccobe, Esq. serving as lead and coordinating attorney. The Board further authorizes the Business Administrator to enter into an agreement with Cleary, Giaccobe, Alfieri, Jacobs, LLC, for services billed at a rate of \$165.00 per hour for attorneys and \$90.00 per hour for law clerks and paralegals.

E. APPOINTMENT OF ALTERNATE BOARD ATTORNEY

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Porzio, Bromberg, Newman, P.C., 100 Southgate Parkway, Morristown, NJ, as alternate Board Attorneys of Record for the 2023 calendar year. The Board further authorizes the Business Administrator to enter into an agreement with Porzio, Bromberg, Newman, P.C., for services billed at a rate of \$210.00 per hour for attorneys and \$145.00 per hour for law clerks and paralegals.

F. APPOINTMENT OF SPECIAL EDUCATION COUNCIL

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, the Business Administrator, and the Director of Special Services, appoints Chaudry Law, LLC, 33 Wood Avenue South, Iselin, NJ, as Special Council for Special Education for the 2023 calendar year. The Board further authorizes the Business Administrator to enter into an agreement with Chaudry Law, LLC, for services billed at a rate of \$165.00 per hour for attorney fees.

G. APPOINTMENT OF BOND COUNSEL

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, NJ, as Bond Counsel for the 2023 calendar year, with Tony Solimine, Esq. serving as lead and coordinating attorney. The Board further authorizes the Business Administrator to enter into an agreement with Wilentz, Goldman & Spitzer, P.A., for services as needed.

H. APPOINTMENT OF ARCHITECT OF RECORD

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Solutions Architecture, LLC, 96 Pompton Avenue, Verona, NJ, as the Architect of Record for the 2023 calendar year.

I. APPOINTMENT OF AUDITOR

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Suplee, Clooney & Company, 308 E. Broad Street, Westfield, NJ, as Auditor for the fiscal year ending June 30, 2023.

J. APPOINTMENT OF SCHOOL PHYSICIAN OF RECORD

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, appoints Dr. Richard Bezozo, Care Station Medical Group, 90 US 22, Springfield, NJ, as School Physician of Record for the 2023 calendar year.

VI. ANNUAL AUTHORIZATIONS Resolution A-D: All Board Members.

A. AUTHORIZE BONDING OF BOARD SECRETARY

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent and the Business Administrator, approves a Surety Bond in the amount of \$300,000 for the Business Administrator/Board Secretary for the period January 1, 2023 through June 30, 2023.

B. AUTHORIZE STATE CONTRACT PURCHASING

WHEREAS, N.J.S.A. 18A:18A-10 provides that “A Board of Education, without advertising for bids, or having rejected all bids obtained pursuant to advertising therefore, by resolution may purchase any goods or services pursuant to a contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property”, and

WHEREAS, the Berkeley Heights Board of Education has the need, on a timely basis, to procure goods and services utilizing state contracts, and

WHEREAS the Berkeley Heights Board of Education desires to authorize its purchasing agent to make any and all purchases necessary to meet the needs of the school district throughout the school year.

NOW, THEREFORE, BE IT RESOLVED that the Berkeley Heights Board of Education does hereby authorize the district purchasing agent to make purchases of goods and services entered into on behalf of the State by the Division of Purchase and Property utilizing various vendors that have State Contracts. The Purchasing Agent shall make known to the Board the Commodity/Service, Vendor and State Contract Number utilized.

C. AUTHORIZE PAYMENT OF BILLS BETWEEN BOARD MEETINGS

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, designates the School Business Administrator to audit, approve and direct pre-payment of claims prior to presentation to the Board for Debt Service, Payroll, fixed charges any other claim or demand which would be in the best interest of the Board to pay promptly. Any such approval shall be presented to the Board for ratification at their next regular meeting as per N.J.S.A. 18A:19-4.1.

D. DESIGNATION OF BUSINESS ADMINISTRATOR TRANSFER AUTHORITY

RESOLVED, that the Berkeley Heights Board of Education, upon the recommendation of the Superintendent, approves, as provided for in N.J.S.A. 18A:22-8.1, that the School Business Administrator be designated to approve such line item budget transfers as are necessary between Board of Education meetings, and that such transfers shall be reported to the Board of Education, ratified, and duly recorded in the minutes of such meeting not less than monthly.

COMMENTS FROM THE PUBLIC ON ANY TOPIC

During this portion of the meeting, district residents and staff are invited to address the Board of Education on any topic.

The Board requests that individuals state their name and town of residence (or school of attendance) for the record. All comments should be directed to the Board President and depending upon the nature and complexity of the question, it may or may not be answered during the meeting by the Administration. If so, the response would occur after this public portion of the meeting has concluded. Although the Board may not respond to all items raised during the public forum, all public comments will be considered.

The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding personnel matters are discouraged and cannot be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public.

Please note that if any member of the public becomes disruptive during the meeting the Board President may terminate the participant's statement. Continued disruptions may result in removal from, or adjournment of, the meeting.

Each speaker's statement will be limited to three (3) minutes in duration.

NEW BUSINESS

- COMMITTEE/LIAISON APPOINTMENTS DISCUSSION

ADJOURNMENT