

**LITTLE EGG HARBOR BOARD OF EDUCATION**  
**SPECIAL MEETING**  
**FRIDAY, MAY 25, 2018**  
**MEDIA CENTER, FROG POND ELEMENTARY SCHOOL**  
**3:30 PM**

**I. CALL MEETING TO ORDER**

Mr. Daleo will preside and voice the call to order.

**Roll Call:**

**Mr. Becker** \_\_\_\_\_ **Mr. Bellone** \_\_\_\_\_ **Dr. Gross** \_\_\_\_\_ **Mr. Maleski** \_\_\_\_\_  
**Mr. Moncrief** \_\_\_\_\_ **Mrs. Palan** \_\_\_\_\_ **Mr. Daleo** \_\_\_\_\_

**II. PLEDGE OF ALLEGIANCE**

**III. OPEN PUBLIC MEETINGS ACT**

This is to advise the general public that in compliance with the open public meetings act the Little Egg Harbor Board of Education caused to be posted at the office of the Board of Education located at 307 Frog Pond Road, Little Egg Harbor, NJ and faxed on May 23, 2018 to the Asbury Park Press and to the office of the Municipal Clerk of Little Egg Harbor, a meeting notice setting forth the time, date, and location of this meeting.

**IV. BE IT HEREBY RESOLVED BY THE LITTLE EGG HARBOR BOARD OF EDUCATION** at the Special Board of Education meeting held on May 25, 2018 accept the following doctrine of necessity resolution:

**WHEREAS**, the Township of Little Egg Harbor Board of Education (the “Board” or “District”) is a body politic and corporate in the State of New Jersey, legally designated as a local educational agency, and charged with the responsibility of operating the public schools in the Township of Little Egg Harbor and providing a thorough and efficient education for students of the Township of Little Egg Harbor; and

**WHEREAS**, the Board, in discharging its obligations, and pursuant to Title 18A of the New Jersey Statutes is authorized by New Jersey law, New Jersey Department of Education rules and regulations and Board policy, rules, and regulations to enter into Shared Services Agreements for a Shared Superintendent (“SSA”) and approve a Shared Superintendent of Schools (the “Shared Superintendent”); and

**WHEREAS**, the Board received approval from the Commissioner of Education to enter into the SSA for a Shared Superintendent with Pinelands Regional School District (“PRSD”); and

**WHEREAS**, as a result of the various conflicts of interest, a quorum of the Board would be prohibited under the School Ethics Act to consider or otherwise vote on the these matters; and

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**WHEREAS**, in accordance with School Ethics Commission (the “Commission”) Advisory Opinions, the School Ethics Act N.J.S.A. § 18A:12-21, et seq., and the School District Fiscal Accountability Regulations N.J.A.C. § 6A:23A-1.1, et seq., a board member who has an immediate family member, relative, spouse, or “other” employed within the school district in which they are on the board is otherwise precluded from discussing or voting on matters that affects or may affect their employment including matters regarding the employment of individuals who supervise or evaluate them or who may supervise or evaluate them such as the SSA and the Shared Superintendent and in accordance with the Advisory Opinions, Laws and Regulations listed above and in accordance with but not limited to N.J.S.A. § 18A:12-24 (c) if a board member or a member of his immediate family is employed by PRSD or has some type of personal involvement that creates a benefit to the board member from PRSD the board member would be precluded from discussing or voting on matters that affects or may affect their own personal involvement and employment with PRSD including but not limited to matters regarding the employment of individuals who supervise or evaluate them or who may supervise or evaluate them such as the SSA and Shared Superintendent; and

**WHEREAS**, as a result of various conflicts of interest, a quorum of the Board would be prohibited under the School Ethics Act to consider or otherwise vote on these matters; and

**WHEREAS**, specifically, the following conflicts of interest exist:

- Mr. Matthew Maleski: is employed as an Assistant Principal at the Pinelands Regional School District, is supervised by the Superintendent, and as such could be perceived as a direct or indirect beneficiary from the appointment of the Prospective Shared Superintendent and the Shared Services Agreement for Shared Superintendent between Little Egg Harbor School District and Pinelands Regional School District, Michelle Maleski, Wife, is employed as a Teacher at the Pinelands Regional School District, and is supervised by the Superintendent, and as such could be perceived as a direct or indirect beneficiary from the appointment of the Prospective Shared Superintendent and the Shared Services Agreement for Shared Superintendent between Little Egg Harbor School District and Pinelands Regional School District.
- Mr. James Becker: is employed as a Teacher at the Pinelands Regional School District, is supervised by the Superintendent, and as such could be perceived as a direct or indirect beneficiary from the appointment of the Prospective Shared Superintendent and the Shared Services Agreement for Shared Superintendent between Little Egg Harbor School District and Pinelands Regional School District

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- Mrs. Matha “June” Palen: Trina Reigelman, Daughter is employed as a Para Professional (Aide) and Energy Education Specialist in the Little Egg Harbor School District, is supervised by the Superintendent, and as such could be perceived as a direct or indirect beneficiary from the appointment of the Prospective Shared Superintendent and the Shared Services Agreement for Shared Superintendent between Little Egg Harbor School District and Pinelands Regional School District
- Mr. John Bellone: was hired as the new Facilities Manager for the Pinelands Regional School District during the April 18, 2018 Pinelands Regional Board of Education Meeting, the Facilities Manager is ultimately supervised by the Superintendent, and as such could be perceived as a direct or indirect beneficiary from the appointment of the Prospective Shared Superintendent and the Shared Services Agreement for Shared Superintendent between Little Egg Harbor School District and Pinelands Regional School District.

**WHEREAS**, with a quorum of the Board prevented from reviewing and discussing the Board’s Prospective Shared Superintendent and SSA the Board would not be able to take formal action thereon; and

**WHEREAS**, the SEC beginning with Advisory Opinion A03-98 (April 1, 1998) and continuing with its Resolution of February 25, 2003, has advised school boards facing similar circumstances with respect to invoking the Doctrine of Necessity so as to allow formal action to be taken by the Board, any conflicts of interest notwithstanding; and

**WHEREAS**, the Board determines in this instance that it is appropriate to invoke the Doctrine of Necessity so as to allow the Board to review and take formal action as appropriate to approve the SSA and Shared Superintendent; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Township of Little Egg Harbor, County of Ocean and State of New Jersey that, in light of the conflicts of interest recited herein, the Board invokes the Doctrine of Necessity in accordance with the guidance provided by the SEC so as to allow all Board Members to: (1) review and take formal action to approve the SSA and Shared Superintendent. This Resolution shall be read at a regularly scheduled public meeting of the Board, and shall be posted by the Board Secretary in a location where other public notices are posted for a period of no less than thirty (30) days. A certified copy of this Resolution shall be filed by the Board Secretary and with the SEC forthwith.

**Roll Call:**

**Mr. Becker**\_\_\_\_ **Mr. Bellone** \_\_\_\_ **Dr. Gross** \_\_\_\_ **Mr. Maleski** \_\_\_\_  
**Mr. Moncrief** \_\_\_\_ **Mrs. Palan** \_\_\_\_ **Mr. Daleo** \_\_\_\_

**Motion Carries: Yes** \_\_\_\_ **No** \_\_\_\_

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**V. PERSONNEL**

**UPON RECOMMENDATION OF THE LITTLE EGG HARBOR BOARD OF EDUCATION TO APPROVE ITEM IV-A 1 AND 2**

A. **RESOLVED**, that pursuant to N.J.S.A. 18A:17-24.1 Boards of Education of two or more school districts may share a Superintendent, that such request must be made jointly by both schools and subject to the approval of the Commissioner of Education;

**RESOLVED**, the Little Egg Harbor Board of Education (LEHBOE) is of the opinion that the services of a Superintendent of Schools can be more efficiently and economically provided by sharing a Superintendent with Pinelands Regional Board of Education (PRBOE) and pursuant to that, authorized a shared services agreement With PRBOE to be sent to the Executive County Superintendent of Schools and the Commissioner of Education for approval;

**RESOLVED**, that the Executive County Superintendent of Schools and the Commissioner of Education for the State of New Jersey has approved the Shared Services Agreement for a Superintendent between LEHBOE and PRBOE;

**THEREFORE, BE IT RESOLVED THAT THE LEHBOE:**

1. Enter into and Approve the Shared Services Agreement with the PRBOE to share a Superintendent as of June 1, 2018 to June 30, 2022 pending approval of the shared services agreement with PRBOE
2. Rescind the current contract between LEHBOE and Dr. Melissa McCooley pending approval of the shared services agreement with PRBOE
3. Approve the Contract for Shared Superintendent between Dr. Melissa McCooley and LEHBOE and PRBOE, from June 1, 2018 to June 30, 2022 pending approval of the shared services agreement with PRBOE

**Roll Call:**

**Mr. Becker** \_\_\_ **Mr. Bellone** \_\_\_ **Dr. Gross** \_\_\_ **Mr. Maleski** \_\_\_  
**Mr. Moncrief** \_\_\_ **Mrs. Palan** \_\_\_ **Mr. Daleo** \_\_\_

**Motion Carries: Yes** \_\_\_ **No** \_\_\_

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**UPON RECOMMENDATION OF THE SUPERINTENDENT OF SCHOOLS**  
**TO APPROVE ITEMS IV-B THROUGH IV-D**

**RESOLVED** that the Board of Education approve and/or accept the following appointment(s) upon recommendation of the Superintendent of Schools. (Appointment(s) and salaries are contingent upon verified documentation.) Attachments # AR 3, 4)

- B. Ms. Ausenda Brown , P/T Cafeteria Playground Aide, FPE, effective on 5/21/2018 - 6/30/2018. \$11.93 per hour x 3 hours x 180 days = \$6,442.00 pro-rated. Ms. Ausenda Brown is replacing Mrs. Denise DeVito . This is not a tenurable position. Time accrued will not go towards tenure.
  
- C. Ms. Melissa Moscato, Special Education Teacher, GJM, effective 9/1/2018 through 6/30/2019, as per the LEHTEA salary guide BA Step 1 \$56,784.00 pending negotiations. Ms. Moscato will be replacing Mrs. Lindsay Critelli who was transferred to a Regular Education position. This is a tenurable position. Time accrued will go towards tenure.
  
- D. Mr. Michael Cofer, P/T (on call) CDL Bus Driver, District, effective 7/1/2018 through 6/30/2019. Salary is \$25/hour and hours are flexible. This is a 12 month position on an as needed basis only. This is a non-tenurable position and time accrued will not go towards tenure.

**Roll Call:**

**Mr. Becker** \_\_\_\_\_ **Mr. Daleo** \_\_\_\_\_ **Dr. Gross** \_\_\_\_\_ **Mr. Maleski** \_\_\_\_\_  
**Mr. Moncrief** \_\_\_\_\_ **Mrs. Palan** \_\_\_\_\_ **Ms. Frasca** \_\_\_\_\_

**Motion Carries: Yes** \_\_\_ **No** \_\_\_

**UPON RECOMMENDATION OF THE SUPERINTENDENT OF SCHOOLS**  
**TO APPROVE ITEM IV-E**

- E. Mrs. Pamela Mason, 1st Grade Teacher, FPE, is requesting 2 and ½ days without pay May 25 (½ day) Tuesday May 29th and Wednesday May 30th.

**Roll Call:**

**Mr. Becker** \_\_\_\_\_ **Mr. Daleo** \_\_\_\_\_ **Dr. Gross** \_\_\_\_\_ **Mr. Maleski** \_\_\_\_\_  
**Mr. Moncrief** \_\_\_\_\_ **Mrs. Palan** \_\_\_\_\_ **Ms. Frasca** \_\_\_\_\_

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**Motion Carries: Yes \_\_\_ No \_\_\_**

**V. OPEN TO THE PUBLIC**

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express with each statement made by a participant limited to three minutes as cited in Policy No. 0167.

The public may comment on any item on the agenda at this time. General public comment will occur later in the meeting.

**VI. NEW BUSINESS**

**VII. PUBLIC COMMENT**

The floor is now open to members of the public. The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express with each statement made by a participant limited to three minutes as cited in Policy No. 0167. There is a sign-in sheet located on the podium. Please sign in before you speak.

**VIII. EXECUTIVE SESSION (IF NEEDED)**

**BE IT HEREBY RESOLVED BY THE LITTLE EGG HARBOR BOARD OF EDUCATION** to enter into a closed executive session for the purpose of discussing the matters checked below. Action may or may not be taken upon return to regular session. (check as applicable):

- Matters involving personnel
- Contractual Matters
- Negotiations
- Anticipated Litigation

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Safety and Security  
 OTHER:  Statutory Confidential Matter  Right to Receive  
Government Funds  Invasion of Individual Privacy  Collective Bargaining  
Agreement or Negotiations  Acquisition of Property  Investigations of Violations  
 Attorney-Client Privilege  Public Hearing Deliberations

**Roll Call:**

**Mr. Becker**  **Mr. Bellone**  **Dr. Gross**  **Mr. Maleski**   
**Mr. Moncrief**  **Mrs. Palan**  **Mr. Daleo**

**Motion Carries: Yes**  **No**

**IX. ADJOURNMENT**

**BE IT HEREBY RESOLVED BY THE LITTLE EGG HARBOR BOARD OF  
EDUCATION** to adjourn at \_\_\_\_\_ p.m.

**VOTE: YES**  **NO**  **ABSTAIN**  **ABSENT**