

MINUTES

for

ORGANIZATION MEETING

JANUARY 6, 2022

**BOARD OF EDUCATION
Linden, New Jersey**

Dr. Marnie Hazelton
Superintendent of Schools

Denise Cleary
Assistant Superintendent

Kathleen A. Gaylord
Business Administrator/
Board Secretary

Dr. Karen Baldwin
Human Resources Manager

CALL MEETING TO ORDER

SALUTE TO FLAG

STATEMENT OF ADEQUATE NOTICE:

In accordance with the Open Public Meetings Act, Chapter 231, and 18A:10-3, adequate notice of this meeting has been provided as follows:

On December 20, 2021 and January 4, 2022, notice was sent to the Home News Tribune, Star Ledger, Union County Local Source, and the Clerk of the Municipality.

NO SMOKING NOTICE:

BY STATE LAW, THERE IS NO SMOKING PERMITTED IN THIS BUILDING AT ANY TIME.

ROLL CALL 7:06 p.m.:

Dr. Berghammer	P	Dr. Hazelton	P
Ms. Cintron	P	Mrs. Cleary	A
Mr. De La Cruz	P	Ms. Gaylord	P
Mrs. Flemming	P	Dr. Baldwin	A
Ms. Guillaume	A	Attorney, M. Wenczel	P
Mr. Martucci	A		
Ms. Pino	P		
Mr. Rivas	P		
Ms. Thomas	P		

The Board Secretary will act as temporary chair of this Organization Meeting until such time as a new president is elected.

ELECTION RESULTS

The following election was held on Tuesday, November 2, 2021 for three members to the Linden Board of Education for a (3) three-year term:

	<u>NO. OF VOTES</u>
MARLENE BERGHAMMER	3,988
LYMARI CINTRON	3,676
ANTOINETTE PINO	3,908

The Business Administrator/Board Secretary declares the following persons as duly elected Members of the Linden Board of Education as a result of the election held on Tuesday, November 2, 2021:

FOR A THREE-YEAR TERM

Marlene Berghammer

Lymari Cintron

Antoinette Pino

Administration of the Oath of Office to the newly elected Board Members:

BOARD MEMBER

Marlene Berghammer

Lymari Cintron

Antoinette Pino

1. Motion to approve the 2022 Linden Board of Education:

<u>Board Members</u>	<u>Term Expires</u>
Sheenaider Guillaume	2022
Gregory R. Martucci	2022
Carlos A. Rivas	2022
Samuel De La Cruz, Jr.	2023
Jennifer Flemming	2023
Malaysia Thomas	2023
Marlene Berghammer	2024
Lymari Cintron	2024
Antoinette Pino	2024

MOTION 1:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer	X		X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas		X	X		
Ms. Thomas			X		

Motion carried.

At this time the Business Administrator/Board Secretary entertains nominations for the Office of President of the Linden Board of Education.

2. Motion made by Malaysia Thomas to nominate Carlos Rivas for President. Carlos Rivas accepts the nomination as President.

The Business Administrator/Board Secretary conducts a roll call vote for Carlos Rivas as President of the Board.

	Yes	No	Abstain		Yes	No	Abstain
Dr. Berghammer	X			Mr. Martucci	A		
Ms. Cintron	X			Ms. Pino	X		
Mr. De La Cruz	X			Mr. Rivas			X
Mrs. Flemming	X			Ms. Thomas	X		
Ms. Guillaume	A						

The Business Administrator/Board Secretary declares election of the new President of the Board and turns the gavel over to Carlos Rivas to act as the presiding officer of the meeting.

At this time, the newly elected Board President entertains nominations for the Office of Vice-President of the Linden Board of Education.

3. Motion made by Samuel De La Cruz to nominate Marlene Berghammer for Vice-President.

Marlene Berghammer accepts the nomination as Vice-President.

The Business Administrator/Board Secretary conducts a roll call vote for Marlene Berghammer as Vice-President of the Board.

	Yes	No	Abstain		Yes	No	Abstain
Dr. Berghammer			X	Mr. Martucci	A		
Ms. Cintron	X			Ms. Pino	X		
Mr. De La Cruz	X			Mr. Rivas	X		
Mrs. Flemming	X			Ms. Thomas	X		
Ms. Guillaume	A						

At this time Mr. Rivas mandated a motion be added to appoint a Board Secretary for the 2022-2023 year.

4. a) Motion to appoint a Board Secretary for the 2022-2023 year.

MOTION 4 a):

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 4 a) carried.

Mr. Rivas then made the motion to appoint Kathleen A. Gaylord as the Board Secretary for the 2022-2023 year.

4. b) Appoint Kathleen A. Gaylord as the Board Secretary for the 2022-2023 year.

MOTION 4 b):

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer				X	
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming		X	X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 4 b) carried.

PARLIAMENTARY PROCEDURES

4. c) To adopt Roberts Rules of Order as the official parliamentary procedure manual to be used to conduct meetings, and appoint the board secretary and board attorney to act as the parliamentarians.

MOTION 4 c):

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz		X	X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 4 c) carried.

Dr. Berghammer asked for clarification on board secretary and attorney acting as parliamentarians. The board attorney explained.

BOARD POLICIES/REGULATIONS

5. Motion to adopt the Rules and Regulations of the Board of Education of the City of Linden, Bylaws, Policies and Regulations as stated in the Linden School District Policy Manual.

MOTION 5:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz		X	X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 5 carried.

ADOPTION OF OFFICIAL NEWSPAPERS

- To authorize the Home News-Tribune, Star Ledger, and Union County Local Source be adopted as the official newspapers to be used for the advertisement of meetings and legal ads, and all other necessary public notifications.

MOTION 6:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 6 carried.

ORDER OF BUSINESS

7. Motion to approve the Order of Business for 2022 as follows:

Linden Board of Education
ORDER OF BUSINESS – 2022

CALL MEETING TO ORDER
SALUTE TO FLAG
STATEMENT OF ADEQUATE NOTICE
ROLL CALL
APPROVAL OF MINUTES
COMMENTS FROM THE PUBLIC (Agenda items only)

REPORTS

Superintendent
Attorney

STANDING COMMITTEES (Agenda items requiring a vote)

Education Committee:

(Includes all items pertaining to the education, and physical welfare of students. It includes the purchase of all textbooks and instructional supplies/equipment, the development of educational programs, libraries and the training of professional staff. Additionally, this committee will also deal with matters of audiovisual support.).

Personnel Committee:

Personnel: (Includes all items pertaining to personnel, negotiations, security, public relations, and contracted professional services).

Finance Committee:

Finance: (Includes all matters pertaining to general finance, auditing of bills, official bonds, leases and contracts, insurance, and the annual budget of expenses of the schools. It also includes the cafeteria operation and transportation issues concerning the transportation of students and personnel).

7. Continued:

Buildings, Grounds and Security Committee:

(Includes all issues related to the construction of new buildings, acquisition of sites, and planning for future needs. It will also include all matters pertaining to the operation of buildings and grounds and all matters pertaining to the security of same.)

Planning & Policy Committee:

(Includes matters pertaining to long-range planning of the district initiatives, and shall also coordinate and maintain the district’s policies and board bylaws.)

REPORTS OF SPECIAL COMMITTEES/DELEGATES
COMMENTS FROM THE PUBLIC
NEW/UNFINISHED BUSINESS
BOARD MEMBER COMMENTS
ADJOURNMENT

MOTION 7:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas		X	X		

Motion 7 carried.

OPEN PUBLIC MEETINGS ACT

8. Motion to approve the Calendar of Board Meetings as follows:

Linden Board of Education
Calendar of Board Meetings
January 2022 – December 2022

(ACTION MAY BE TAKEN AT ANY MEETING)

Organization Meeting Thursday, January 6, 2022 6:00 p.m.			
<u>Work Session</u> Tuesday – 6:00 p.m.		<u>Regular Meeting</u> Thursday – 7:00 p.m.	
Month & Date	Location	Month & Date	Location
*January 20, 2022 (Thursday)	School #1 Gymnasium 728 N Wood Avenue Linden	*January 25, 2022 (Tuesday)	School #1 Gymnasium 728 N Wood Avenue Linden
February 22, 2022		February 24, 2022	
March 29, 2022		March 31, 2022	
April 26, 2022		April 28, 2022	
May 24, 2022		May 26, 2022	
June 28, 2022		June 30, 2022	
July 26, 2022		July 28, 2022	
August 23, 2022		August 25, 2022	
September 27, 2022		September 29, 2021	
October 25, 2022		October 27, 2022	
November 15, 2022		November 17, 2022	
There will be no December meeting unless deemed necessary.			

*January meetings to be held on the third Thursday and fourth Tuesday due to conferences.

MOTION 8:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer			X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas		X	X		

Motion 8 carried.

After the motion was made and seconded, but before roll call was taken, Dr. Berghammer asked why doesn't the date for the distribution of the agenda get voted on here. Mr. Rivas said it should be brought up at the next meeting for discussion.

Mr. Rivas then asked each board member to carefully look at the meeting dates, as they have had the agenda for several days, to make sure they are acceptable.

Dr. Berghammer asked if the meetings would continue to be virtual, or would it only apply to this meeting? Mr. Rivas said that would have to be looked into.

Roll call was then taken.

ETHICS

9. Pursuant to School Ethics Code N.J.S.A.18A:12-24.1, Code of Ethics for School Board Members, each member swears to and affirms the following:
- 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.

MOTION 9:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 9 carried.

10. **WHEREAS**, the Linden Board of Education is required pursuant to N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7 to adopt policy and approve travel expenditures by board members using local, State, or Federal funds to ensure that travel is educationally necessary and fiscally prudent; and

WHEREAS, the board of education has determined that the training and informational programs sponsored by New Jersey School Boards Association and Union County School Boards Association, and set forth below are directly related to and within the scope of the current responsibilities and the board’s professional development plan; and

WHEREAS, the board of education has determined that participation in the New Jersey School Boards Association and Union County School Boards Association training and informational programs requires school district travel expenditures and that this travel is critical to the instructional needs of the district and/or furthers the efficient operation of the district; and

WHEREAS, the board of education has determined that the school district travel expenditures to New Jersey School Boards Association and Union County School Boards Association programs are in compliance with State travel guidelines as established by the Department of the Treasury and within the guidelines established by the federal Office of Management and Budget (OMB), except as superseded by conflicting provision of Title 18A of the New Jersey Statutes; and

WHEREAS, the board of education finds that a mileage reimbursement rate equal to the OMB reimbursement rate of .35 cents per mile is a reasonable rate; and

WHEREAS, the board of education has determined that participation in the New Jersey School Boards Association and Union County School Boards Association training and informational programs are in compliance with the district policy on travel; therefore, be it

RESOLVED, that the board of education hereby approves the attendance of the listed number of school board members New Jersey School Boards Association and Union County School Boards Association training and informational programs, and the cost of attendance including all registration fees, and statutorily authorized travel expenditures, provided that such expenditures are within the annual maximum travel expenditure amount, as follows:

Marlene Berghammer	Gregory Martucci
Lymari Cintron	Antoinette Pino
Samuel De La Cruz	Carlos Rivas
Jennifer Flemming,	Malaysia Thomas
Sheenaider Guillaume	

10. MOTION 10:

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion 10 carried.

NEW/UNFINISHED BUSINESS:

Dr. Berghammer asked to discuss whether the board meetings would be live or virtual. Discussion ensued and it was agreed that they go by a month to month basis.

COMMENTS FROM THE PUBLIC:

Members of the public desiring to make a public comment may come forward at this time.

Please begin your comments by stating your name and address. Individuals are invited to speak on one topic at a time, and no individual will speak more than once, until all individuals so desiring have spoken once.

The public is reminded that to ensure the efficient and orderly operations of the meeting, members of the public will be limited to speaking on items for three minutes.

Tracey Birch
625 Beechwood Road

Mrs. Birch offered advice on being a board member. She congratulated Mr. Rivas and Dr. Berghammer on becoming President and Vice President of the board and then voiced her concerns about appointing a new board member to the position of Vice President. She said that if the board expects staff and students to be in person, then they should also attend meetings in person. She asked that the Fine and Performing Arts students get the same consideration as our athletes.

Robert Mangel, LEA President
232 Orange Road
Montclair, NJ

He congratulated the new board members. He echoed Mrs. Birch's comments, especially with regard to virtual vs. in-person.

Mayor Derek Armstead
City of Linden

Congratulations to the new board members. He said it's not about politics, it's about the children. Our ratings aren't high enough for the money we're spending. He asked that the money we're spending to educate our children be well spent. He said the idea is to leave it better than you found it. We've worked very hard to put people on these boards to be responsive to the needs of our children.

Barry Jarvick, City Councilman
345 Lafayette Street

He thanked the board for everything they have done for the children. He also congratulated everyone.

BOARD MEMBER COMMENTS:

Mr. De La Cruz, Mrs. Flemming and Ms. Thomas all congratulated and welcomed the new board members. They congratulated Mr. Rivas and Dr. Berghammer for being voted President and Vice President. Also, they stressed the importance of staying safe and keeping others safe during COVID.

Ms. Cintron thanked the citizens of Linden for voting for her. She gave a little background on her personal history.

Ms. Pino also thanked the citizens of Linden and said she is very humbled. She thanked her mom for encouraging her. All decisions of this board must be based on the children.

Dr. Berghammer thanked everyone and said she is honored to be working with an amazing group of people. It will always be about the students, parents, teachers, staff and the community. If you want change, you have to make drastic changes.

Mr. Rivas reiterated what everyone else said and thanked them for voting him in as president. He thanked the teachers, staff and the entire district for all they do, and we have heroes in our classrooms. Finally, he said we will all face the challenges to the best of our ability.

At 8:32 p.m., Mr. Rivas made a motion to adjourn, seconded by Dr. Berghammer.

Roll Call:

Board Members	Motion	Second	Aye	Nay	Abstain
Dr. Berghammer		X	X		
Ms. Cintron			X		
Mr. De La Cruz			X		
Mrs. Flemming			X		
Ms. Guillaume			Absent		
Mr. Martucci			Absent		
Ms. Pino			X		
Mr. Rivas	X		X		
Ms. Thomas			X		

Motion carried.

Kathleen A. Gaylord
Business Administrator/Board Secretary