

EXTRACT OF THE MINUTES OF A MEETING OF
THE BOARD OF EDUCATION OF
THE BOROUGH OF HASBROUCK HEIGHTS
COUNTY OF BERGEN, NEW JERSEY
AS RECORDED IN THE OFFICIAL MINUTE BOOK

The Board of Education of the Borough of Hasbrouck Heights, in the County of Bergen, New Jersey, convened in Regular Session on June 20, 2018 @ 7:30 p.m.

**RESOLUTION OF THE HASBROUCK HEIGHTS BOARD OF EDUCATION
COUNTY OF BERGEN
STATE OF NEW JERSEY
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 ensure and preserve public confidence 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”) provided guidance in Public Advisory Opinion A03-9 (April 1, 1998); 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 action is necessary, and the specific nature of the conflicts of interest; and

WHEREAS, the School Ethics Commission, by resolution dated February 25, 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 Hasbrouck Heights Board of Education (“Board”) needs to discuss and vote upon the final collective bargaining agreement with the Hasbrouck Heights Administrators Association for the period of July 1, 2018 through June 30, 2022; and

WHEREAS, the Board Attorney, Jessika Kleen, Esq., has reviewed the advisory decisions of the Commission and determined board member conflicts would otherwise prohibit four (4) of the nine (9) members of the Board from voting on said final agreement; and

WHEREAS, board member Robert Salerno has a mother-in-law and sister-in-law employed in the District, who is part of the collective bargaining unit; and

WHEREAS, board member Pat Caruso has a brother-in-law who works in another district and who is the president of his local NJEA association, as well as serves on the negotiating team; and

WHEREAS, board member Jillian Ferdinand has a second cousin who is a teacher in District; and

WHEREAS, board member Nicole Russo is a principal in the North Arlington school district; and

WHEREAS, the inability of the above four (4) board members to participate in this process results in the lack of a quorum of the Board members present tonight.

NOW, THEREFORE, BE IT RESOLVED, by the Hasbrouck Heights Board of Education, County of Bergen, State of New Jersey, as follows:

1. That the four (4) board members, as noted above, are in conflict by virtue of the reasons set forth above, the Board therefore invokes the Doctrine of Necessity in order to discuss and vote on the Collective Bargaining Agreement with the Hasbrouck Heights Administrators Association.

2. That this resolution shall be read at the public meeting of June 20, 2018, and shall be posted where it posts public notices for thirty (30) days.

3. That a copy of this resolution shall be forwarded to the School Ethics Commission by the Board Attorney.

MOTION: Mr. Salerno

SECOND: Mrs. Caruso

Roll Call:

Ayes: Mrs. Caruso, Mrs. Doheny, Mr. Faussette, Mrs. Ferdinand,
Mrs. Murray, Mr. Rinke, Ms. Russo, Mr. Salerno

Nays: None

Absent: Mr. Baker

Resolution Approved

STATE OF NEW JERSEY- COUNTY OF BERGEN

I, Dina Messery, Board Secretary of the Borough of Hasbrouck Heights Board of Education in the County of Bergen, State of New Jersey, hereby, certify that the foregoing extract from the minutes of the meeting of the Board of Education of said district duly called and held on June 20, 2018, has been compared by me with the original minutes as officially recorded in my Office in the Minute Book of said Borough of Hasbrouck Heights Board of Education, and is a true, complete copy thereof and of the whole of said original minutes so far as the same relate to the subject matter referred to in said extract. In witness I have hereunto set my hand and affixed the corporate seal of said Board of Education this 22nd day of June, 2018.



Dina Messery
Board Secretary