

# MINUTES OF REGULAR MEETING

August 27, 2019

AT 7:00 P.M. AT THE HAMBURG ELEMENTARY SCHOOL

PRESENT: Charlotte Ambrose, Jennifer Davis, Timothy Gillen, Brian Tobachnick, Robert Jones, President

ABSENT: June Cade, Mathew Christy, Sandra Cunningham, Sheila Frayko, Vice President  
6 Members of the Public

The Board President **opened the meeting at 7:23 P.M.**, with the Flag Salute and Pledge of Allegiance, which was followed by the following statement:

"This meeting is being conducted in compliance with the "Open Public Meeting Act-Chapter 231-Public Laws of 1975". Advance written notice of at least 48 hours was given specifying the time, date, and to the extent known, the agenda and stating whether formal action may or may not be taken and has been properly posted at the school, mailed to the Clerk/Administrator, mailed to the New Jersey Herald and the Sunday Herald and the Star Ledger."

## PRESENTATION TO THE BOARD

Mrs. Michele Sealander, teacher, did a presentation on Future Ready Schools.

On motion by Mr. Tobachnick, seconded by Mr. Gillen, and carried unanimously by roll call vote, **supported Future Ready Schools Initiative.**

## APPROVAL OF THE MINUTES

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried by the following voice vote, **approved the minutes of the 30 July 2019 Regular Board meeting and Executive Session meeting minutes.**

Yes	-	3
No	-	0
Abstain	-	Mrs. Ambrose, Mr. Tobachnick

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## CORRESPONDENCE

No correspondence.

## OPEN TO THE PUBLIC

*At this time, members of the public are invited to address the Board. Please note that public comments on the agenda items will be made in accordance with Policy 0167 – Public Presentation at Board Meetings. Each statement made by all participants may be limited to three minutes in duration. If you would like to address the Board, please raise your hand to be called upon. Once called, please stand and state your name and address before making your statement to the Board.*

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by voice vote, **opened the meeting to the public for comment at 7:27 P.M.**

No one addressed the Board.

On motion by Mrs. Davis, seconded by Mr. Gillen, and carried unanimously by voice vote, **closed the meeting to the public for comment at 7:27 P.M.**

## COMMITTEE REPORTS

**State & County School Boards** – No Report.

**Sussex County Educational Services Commission** – Mrs. Ambrose discussed the FY 2019-20 hourly rates for services for member and non-member districts. Additionally, Mrs. Ambrose reviewed the activities that have occurred during the summer at the Northern Hills Academy.

**Liaison with the Hamburg Borough Council** –No Report.

**Building & Grounds** – No Report.

**Education & Policy** – No Report.

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Negotiations & Personnel – No Report.

Finance Committee –

On motion by Mr. Tobachnick, seconded by Mr. Gillen, and carried unanimously by roll call vote, after some discussion approved, accepted, announced and/or certified items 1 through 6:

1. Approved the July 2019 bills in the amount of \$382,864.04 and the bills from August 1 to August 31, 2019 in the amount of \$672,940.16.
2. Approved the bills for the Cafeteria Account in the amount of \$0.
3. Accepted the Board Secretary's and Treasurer's Reports for 31 July 2019.
4. Approved the Transfers made by the Superintendent after the 30 July 2019 Board Meeting, with fund 10 debits totaling \$76,937 as depicted on DOCUMENT D and the Board acknowledges that these transfers may increase/decrease the maximum dollar limit established as part of the 2019-20 budget process for various professional services.
5. Pursuant to N.J.A.C. 6A:23A-16.10, the Board Administrator/Board Secretary certifies that as of 31 July 2019, no budgetary line item account has been over-expended violating N.J.A.C. 6A:23-2.12(a).
6. Pursuant to N.J.A.C. 6A:23A-16.10, the Board of Education certifies that no major account has been over-expended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

  
\_\_\_\_\_  
Business Administrator/Board Secretary

31 July 2019  
DATE

## OLD BUSINESS

No Old Business.

## NEW BUSINESS

No New Business.

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## BOARD SECRETARY'S REPORT

The Board Secretary updated the Board on the Cafeteria HVAC Project at the Hamburg School.

On motion by Mrs. Gillen, seconded by Mrs. Davis, and carried unanimously by roll call vote, approved payment request #4, as submitted by Echelon Services, Inc. for the Cafeteria HVAC Project at the Hamburg School, in the amount of \$78,998.58 and payment will be released upon approval by the architect as depicted on DOCUMENT D-1.

The Board Secretary reviewed the pictures of the fascia and gutter on the gymnasium as depicted on DOCUMENT E. A brief discussion ensued regarding securing the gutter until it can be replaced as the architect is scheduled to inspect the fascia/gutters on the gymnasium.

## SUPERINTENDENT'S REPORT

On motion by Mrs. Davis, seconded by Mr. Gillen, and carried unanimously by roll call vote, as per the Superintendent's recommendation, after some discussion, approved/accepted/appointed the following items a-i:

- a. Letter of resignation from Jacqueline Combs, classroom aide effective 8 August 2019.
- b. Substitutes, Field Trips, Professional Development and Building Use as depicted on DOCUMENT F.
- c. Student #24390 to attend the Autism-Spectrum Disorder Program at Stanhope School for the 2019-2020 school year at a cost of \$30,657.00, a personal aide at a cost of \$7,325.50 plus transportation and related services.
- d. Dorothy Smalley as Teacher-In-Charge for the 2019-2020 school year with an annual stipend of \$1,000.
- e. Michele Sealander as NJSLA Testing Coordinator for the 2019-2020 school year.
- f. Allison Pollison as part-time [3/5] Art teacher at MA Step 12 @ \$45,995/year. This position is not eligible for benefits.
- g. Lori Zwerver as part-time classroom aide, 5.5 hours per day inclusive of a ½ hour lunch at a rate of \$12.88/hour (annual salary of \$11,786) effective 1 September 2019. This position is not eligible for benefits.

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- h. The YMCA use of the building for an after-care program for the 2019-2020 school year.
- i. Sandra Hoover as full-time elementary teacher at MA Step 11 @ \$75,172. This position is eligible for benefits.

On motion by Mrs. Davis, seconded by Mr. Gillen, and carried unanimously by roll call vote, as per the Superintendent's recommendation, after some discussion, approved/accepted/appointed the following items a-e:

- a. Student #28740 to attend the Windsor School for the 2019-2020 school year at a cost of \$57,600 inclusive of any needed services, plus transportation.
- b. Remove Sandra Hoover as Computer Tech Advisor.
- c. Michele Sealander as Computer Tech Advisor at Step 1 @ \$1,350 for the 2019-2020 school year.
- d. Kia Paskas as Spanish teacher [2/5] at MA Step 2 @ \$25,232 for the 2019-2020 school year.
- e. Kia Paskas as substitute teacher and/or aide for the 2019-2020 school year.

Mr. Kraemer reported:

Fire/Evacuation/Safety Drills: July 31, 2019 - 2 min. 47 sec.

## OPEN TO THE PUBLIC

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On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by voice vote, opened the meeting to the public for comment at 7:50 P.M.

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Mr. John Burd, Hamburg Borough Councilman, addressed the Board regarding the number of students and the cost of these students attending the Charter School, and the personnel contracts that are on the agenda for approval – The Superintendent's contract for Mrs. Kimberly Sigman, the Vice-Principal contract for Mr. Robert J. Baumgartner and the interim Vice Principal contract for Mr. Joseph Kraemer.

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by voice vote, **closed the meeting to the public for comment at 7:59 P.M.**

At 8:00 P.M. Mr. Kraemer left the meeting to speak to the Board Attorney.

At 8:05 P.M. Mr. Jones and the Board Secretary were asked by Mr. Kraemer to step into the hallway to speak to the Board Attorney.

At 8:10 P.M. Mr. Jones and the Board Secretary returned to the meeting.

The Board Secretary read the following (Board Policy #163):

When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on the agenda for the public meeting in which the matter is to be voted upon.

The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.

Board members in conflict may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.

Board members in conflict may explain their reasons for not voting just before the vote.

At 8:17 P.M. Mr. Kraemer returned to the meeting.

Mr. Kraemer explained to the Board the Attorney's recommendations.

- To schedule a Special Board meeting as soon as possible to approve the proposed Superintendent's contract.
- To invoke the Doctrine of Necessity and approve Interim Superintendent Contract for Mr. Joseph Kraemer for the month of September 2019.

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Mr. Kraemer and the Board Secretary addressed the Board and the public on the problem on approving the Superintendent's contract for Mrs. Kimberly Sigman. The Superintendent's contract requires the majority of the full Board to approve it (five affirmative votes). There are five Board members present but Mr. Tobachnick is conflicted from voting because his wife is a teacher at the school. Mr. Kramer stated his Interim Superintendent contract expires on 31 August 2019.

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by roll call vote, after some discussion, approved to hold a **Special Meeting on 3 September 2019 at 9 A.M. to review and approve personnel contracts (Superintendent, Vice Principal and Interim Vice Principal).**

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried by the following roll call vote, approved:

Invoking the Doctrine of Necessity, upon recommendation of the Board Attorney, Mr. Matthew Giacobbe, and approved the Interim Superintendent contract for Mr. Joseph Kraemer for the period of 1 September 2019 through 30 September 2019 at a per diem rate of \$550, not to exceed 24 hours per week, or until the Board can hold a Special Meeting to appoint/approve the FY 2019-2024 Superintendent contract for Mrs. Kimberly Sigman. It was publicly discussed and noted that the Board of Education had to invoke this doctrine because the appointment of a Superintendent requires the affirmative vote of majority of the full Board; Mr. Kraemer's Interim Superintendent contract expires 31 August 2019 and; Mr. Tobachnick publically stated that he is conflicted because his wife is a teacher employed by the Hamburg Borough Board of Education.

Yes	5
No	0
Absent	0

## **EXECUTIVE SESSION**

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by voice vote, closed the meeting to the public at 8:27 P.M.

## **TO EXECUTIVE SESSION**

**WHEREAS**, pursuant to N.J.S.A. 10:4-12(b), the Board of Education may exclude the public from that portion of a public meeting at which the Board discusses any of the matters described at N.J.S.A. 10:4-12(b)(1)-(9);

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NOW, THEREFORE, BE IT RESOLVED that the Board of Education shall forthwith enter into closed session to discuss the following matter(s) concerning:

- Matters rendered confidential by state or federal law
- Personnel
- Appointment of a public official
- Matters covered by the attorney-client privilege
- Pending or anticipated litigation - Case 2015-16#1 & Case 2016-17#3
- Pending or anticipated contract negotiations
- Protection of the safety or property of the public
- Matters which would constitute an unwarranted invasion of privacy
- Matters in which the release of information would impair a right to receive Funds from the United States Government
- Matters concerning collective negotiations and/or the negotiation of terms and Conditions of employment of employees of the Board of Education
- Possible imposition of a civil penalty or suspension

BE IT FURTHER RESOLVED that said discussion may be disclosed to the public when the reasons for discussing and acting upon it in closed session no longer exist. Action may be taken upon return from executive session.

On motion by Mrs. Davis, seconded by Mr. Gillen, and carried unanimously by voice vote, that the Board returned to Regular Session at 8:38 P.M.

On motion by Mr. Gillen, seconded by Mrs. Davis, and carried unanimously by voice vote, that the Board adjourned the meeting at 8:38 P.M.

Respectfully submitted,



William Sabo  
Interim Business Administrator/  
Board Secretary