

MINUTES OF REGULAR MEETING

June 22, 2021

AT 7:00 P.M. Held Electronically via Remote Access

PRESENT: Francis Brunke, John Conklin, David Dreifus, Michael Frangipane (arrived at 7:02 P.M.), Timothy Gillen, Tricia Schels, Brianne Zicarelli, Sheila Frayko, Vice President, Robert Jones, President

ABSENT: None

5 Members of the Public

The Board President **opened the meeting at 7:00 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."

APPROVAL OF THE MINUTES

On motion by Mrs. Frayko, seconded by Mr. Dreifus, and carried by the following voice vote, **approved the 25 May 2021 Board meeting minutes.**

Yes	-	7
No	-	0
Abstain	-	Mr. Brunke

CORRESPONDENCE

Mr. Jones reviewed correspondence dated May 27, 2021 from the New Jersey Department of Education, The Final Eligible Cost Determination Letter [approval] for the Hamburg Elementary School Miscellaneous Renovations Referendum Project. A brief discussion ensued.

No other correspondence was received from the public.

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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 state your name and address before making your statement to the Board.

On motion by Mrs. Frayko, seconded by Mr. Conklin, and carried unanimously by voice vote, **opened the meeting to the public for comment at 7:03 P.M.**

No one addressed the Board.

On motion by Mrs. Frayko, seconded by Mr. Dreifus, and carried unanimously by voice vote, **closed the meeting to the public for comment at 7:03 P.M.**

COMMITTEE REPORTS

State & County School Boards – Mr. Frangipane summarized the recent New Jersey School Board's meeting highlights.

Sussex County Educational Services Commission – Mr. Jones reported that he was appointed as a Director to the Sussex County Educational Services Commission and he would be attending their monthly Board meetings.

Liaison with the Hamburg Borough Council – Mrs. Frayko stated that starting in July, the Borough will be holding their meetings in person.

Building & Grounds –

Mr. Gillen discussed on the first Referendum Informational Meeting on Wednesday 9 June 2021, and noted that Mayor Marino was the only person from the public in attendance.

On motion by Mr. Gillen, seconded by Mrs. Frayko, and carried unanimously by roll call vote, after considerable discussion, **adopted the following Resolution:**

**RESOLUTION PROVIDING FOR THE SUBMISSION OF A
BOND PROPOSAL QUESTION AT THE ANNUAL
SCHOOL ELECTION ON NOVEMBER 2, 2021 FOR**

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CONSIDERATION BY THE LEGALLY QUALIFIED VOTERS OF THE SCHOOL DISTRICT.

1. It is hereby determined that a bond proposal question will be submitted for voter approval at the Annual School Election to be held on November 2, 2021. The form of the bond proposal question to be submitted to the voters will read substantially as follows with such changes as bond counsel may require:

BOND PROPOSAL QUESTION

The Board of Education of the Borough of Hamburg in the County of Sussex, New Jersey is authorized: (a) to provide for renovations, alterations and improvements at Hamburg Borough Elementary School, including acquisition and installation of fixtures and equipment, site work and related costs; (b) to appropriate \$4,201,800 for such purposes; and (c) to issue bonds of the school district in the principal amount of \$4,201,800.

The final eligible costs of the project approved by the Commissioner of Education are \$4,201,800. The proposed improvements include \$0 for elements in addition to the facilities efficiency standards developed by the Commissioner of Education or not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g). The State debt service aid percentage will equal 40% of the annual debt service due with respect to the final eligible costs of the project. The Board of Education is authorized to transfer funds among the purposes approved at this annual election.

Do you approve this bond proposal?

2. This Board of Education hereby approves and adopts the bond proposal set forth above, and, subject to the approval of the legal voters of the school district, hereby determines to carry out the improvements described therein (the "Project").

3. This Board of Education hereby acknowledges and confirms that in accordance with N.J.S.A. 18A:24-16 and 18A:24-17 a supplemental debt statement has been prepared by the chief financial officer of the Borough of Hamburg (the "Borough"), giving effect to the proposed authorization of bonds of the school district in the maximum amount of bonds authorized in the proposal. The supplemental debt statement has been filed in the office of the Municipal Clerk and in the office of the Business Administrator/Board Secretary of this Board of Education prior to the adoption of the proposal and will be filed in the office of the Director of the Division of Local

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Government Services in the Department of Community Affairs prior to the date of the election.

4. The Business Administrator/Board Secretary is hereby authorized and directed to send a certified copy of the bond proposal question to the County Clerk as required by N.J.S.A. 19:60-2 and to request the County Clerk to submit the bond proposal question to the voters at the annual school district election scheduled for November 2, 2021.

5. The Board of Education hereby acknowledges receipt of the Preliminary Eligible Costs (PEC) letters for the Project from the Department of Education. The Board hereby elects to receive debt service aid pursuant to Section 9 of the Educational Facilities Construction and Financing Act, N.J.S.A. 18A:7G-1 *et seq.* (the "Act"). The Board further agrees to accept the determination of the space eligible for State support and the preliminary eligible costs as final eligible costs as set forth in the PEC letters by the Department of Education and not to appeal. The Business Administrator/Board Secretary is authorized, if necessary, to notify the Department of Education of the Board's election with respect to the eligible spaces and costs and its election to receive debt service aid.

6. Parette Somjen Architects, the School District's appointed architect for the Project (the "Project Architect"), has heretofore been authorized and delegated the responsibility to prepare the plans and specifications for the Project in consultation with and under the supervision of the Business Administrator/Board Secretary, who has heretofore been delegated the responsibility to work with the Project Architect for this purpose on behalf of the Board of Education, in accordance with the requirements of N.J.S.A. 18A:18A-16, and such authorizations and delegations are hereof reconfirmed.

7. The educational plans, where required, and the schematic plans for the construction of the Project have heretofore been approved by this Board of Education, and such approval is hereby reconfirmed.

8. The Board President, the Superintendent of Schools, the Business Administrator/Board Secretary, the Project Architect, Bond Counsel and other appropriate representatives of the Board of Education (the "Board Representatives") have heretofore been authorized, and such authorization is hereby reconfirmed, to submit the educational plans, where required, and the schematic plans for the Project, together with such other information as may be required, to the State Department of Education for approval and to make application to the Commissioner of Education for approval of the educational plans, where required, the schematic plans and the Project and, if necessary, any required amendment to the long-range facilities plan, in accordance with the requirements of the Act and N.J.A.C. 6A:26-2.1(f), 6A:26-2.3(c), 6A:26-3.1 and 6A:26-3.2, as appropriate.

9. The Board Representatives have heretofore been and are hereby further authorized and directed to submit the plans and any other required information to the Planning Board and the Department of Environmental Protection for review and comment as necessary, and such authorization and direction are hereby reconfirmed.

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10. This Board of Education hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Business Administrator/Board Secretary through a public offering or private placement or through a conduit borrower on a tax-exempt basis. The Board of Education hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on its bonds or notes if issued as tax exempt, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on its bonds or notes. The Business Administrator/Board Secretary is hereby authorized to act on behalf of the Board of Education to deem any obligations authorized herein as Bank Qualified for the purposes of Section 265 of the Code, when appropriate. The Board of Education hereby declares the intent of the Board of Education to issue bonds or temporary notes in the amount not to exceed the amount set forth in the bond proposal approved by the voters as set forth in Section 1 and to use the proceeds to pay or to reimburse expenditures for the costs of the school capital project authorized therein. This resolution is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

11. The Board Representatives are hereby authorized to take all steps necessary to implement this resolution. Any actions authorized herein and taken prior hereto are hereby ratified. The Business Administrator/Board Secretary is further authorized to act on behalf of the Board of Education to make such determinations required of the Board of Education for the conduct of the election as may become necessary.

12. The reference to officers of this school district herein includes any interim, acting or successor officer holding that position.

13. This resolution shall take effect immediately.

Education & Policy – Mrs. Schels had no report but stated a committee meeting is scheduled for 20 July 2021 at 6:30 P.M.

Negotiations & Personnel –

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, after some discussion, approved the FY2021-24 Collective Bargaining Agreement between the Hamburg Education Association and the Hamburg Borough Board of Education [DOCUMENT A].

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, after some discussion, approved the FY 2021-22 individual contracts for Custodians, Secretaries, Aides and the Treasurer of School Monies [DOCUMENT B].

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On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, after some discussion, **approved Melissa Garris as Guidance Counselor, MA Step 1 at \$62,760.00*. *This salary is listed under the 2018-2021 Hamburg CBA [subject to change] effective 1 September 201 through 30 June 2022. This position does qualify for benefits.**

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, **approved a FY 2021-2022 stipend of \$6,000 for Louise Murphy to complete the NJSMART data management uploads for Hamburg School.**

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, **approved Substitute/Summer Custodian[s] – Caleb DelGuidice at \$12.00 per hour pending receipt of paperwork.**

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, **approved Melissa Garris, Guidance/Social Emotional Counselor at \$30.00 per hour not to exceed 40 hours for the Hamburg School Summer Academy Program [funded by ESSER-II funding [July 5-29, 2021] running on Tuesdays & Thursdays].**

Finance Committee –

On motion by Mr. Dreifus, seconded by Mr. Gillen, and carried unanimously by roll call vote, after some discussion **approved, accepted, announced and/or certified items a through f:**

- a. **Approved the May 2021 bills in the amount of \$584,676.19 and the bills from June 1 to June 22, 2021 in the amount of \$570,154.69.**
- b. **Approved the bills for the Cafeteria Account in the amount of \$13,993.75.**
- c. **Accepted the Board Secretary's and Treasurer's Reports for 31 May 2021.**
- d. **Approved the Transfers made by the Superintendent after the 25 May 2021 Board Meeting, with fund 10 debits totaling \$81,000 as depicted on [DOCUMENT C] and the Board acknowledges that these transfers may increase/decrease the maximum dollar limit established as part of the 2020-2021 budget process for various professional services.**
- e. **Pursuant to N.J.A.C. 6A:23A-16.10, the Board Administrator/Board Secretary certifies that as of 31 May 2021, no budgetary line item account has been over-expended violating N.J.A.C. 6A:23-2.12(a).**

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- f. 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 May 2021
DATE

OLD BUSINESS

The Board Secretary stated that if anyone is interested in filing a nominating petition to run for the Board of Education at the 2 November 2021 Annual Election, the nominating petition forms are available on the Sussex County Clerk's website. The deadline for candidates to submit their nominating petition to the County Clerk is 4 p.m., 26 July 2021.

Mr. Jones reminded the Board to do their required Board member training and to contact Mrs. Toni Dykstra in the Business Office to register for any classes.

NEW BUSINESS

No New Business

BOARD SECRETARY'S REPORT

The Board Secretary discussed the year end transfer of money to the Capital Reserve Account [this can only occur by BOE resolution in the month of June or during the budget process].

On motion by Mr. Gillen, seconded by Mr. Conklin, and carried unanimously by roll call vote, adopted the following Resolution:

WHEREAS, NJSA 18A:21-2 and NJSA 18A:7G-13 permit a Board of Education to establish and/or deposit into certain reserve accounts at year end, and

WHEREAS, the aforementioned statutes authorize procedures, under the authority of the Commissioner of Education, which permit a board of education to transfer anticipated excess current revenue or unexpended appropriations into reserve accounts during the month of June by board resolution, and

WHEREAS, Hamburg Borough Board of Education wishes to deposit anticipated

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current year excess surplus into a Capital Reserve account at year end; and

WHEREAS, the Hamburg Borough Board of Education has determined that not to exceed \$ 200,000 is available for such purpose of transfer;

NOW THEREFORE BE IT RESOLVED by the Hamburg Borough Board of Education that it hereby authorizes the district's School Business Administrator to make this transfer consistent with all applicable laws and regulations.

On motion by Mr. Dreifus, seconded by Mr. Gillen, and carried unanimously by roll call vote, approved the FY 2021-22 cafeteria price list [DOCUMENT D].

On motion by Mrs. Frayko, seconded by Mr. Conklin, and carried unanimously by roll call vote, after some discussion, approved the offering of meals [Breakfast and Lunch] to the Hamburg Elementary School students and the surrounding community [18 years of age or less] under the New Department of Agriculture's Seamless Summer Option [SSO] for the months of July and August 2021 and during the FY 2021-22 school year, Hamburg Elementary School students would be offered free Breakfast and Lunch under the Seamless Summer Option.

On motion by Mr. Gillen, seconded by Mr. Conklin, and carried unanimously by roll call vote, approved Michelle Bifano to continue to offer delivery of meals for the FY 2021-22 to the Hamburg Elementary School students, using her personal vehicle, starting on or about 1 July 2021 and ending on or about 30 June 2022, at a rate of \$18.55 per hour and 35 cents per mile reimbursement, at a one (1) hour minimum rate, with additional time to be paid in fifteen (15) minute increments.

On motion by Mr. Gillen, seconded by Mrs. Frayko, and carried unanimously by roll call vote, approved the group registration for Board Members, Administrators and other school employees as determined by the Superintendent, to attend the New Jersey School Boards Virtual Workshop to be held from October 26-28, 2021, in the amount of \$900.

The Board Secretary reported, pursuant to PL 2015, Chapter 47 the Hamburg Board of Education intends to renew, award, or permit to expire the following contracts previously awarded by the board of education. These contracts are, have been, and will continue to be in full compliance with all state and federal statutes and regulations; in particular, New Jersey Title 18A:18. et. seq, NJAC Chapter 23, and Federal Uniform Administrative Requirements 2CFR, Part200.

- **Maschio's Food Service, Inc.**
- **Horizon Dental/Fortitude Insurance Group**

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- New Jersey Schools Insurance Group/Arthur J. Gallagher/Morville Agency
- Alliance for Competitive Energy Services
- Educational Consortium for Telecommunications Savings
- Educational Data Services, Inc./Morris County ESC
- Hunterdon County Educational Services Commission
- The Educational Services Commission of New Jersey
- Camden County Educational Services Commission
- Sussex County Regional Transportation Cooperative
- The New Jersey School Boards Association Cooperative Pricing System
- Cleary, Giacobbe, Alfieri & Jacobs
- McManimon, Scotland & Baumann, LLC
- Nisivoccia LLC
- Parette Somjen Architects LLC
- Phoenix Advisors, LLC
- J & B Therapy, LLC
- Gurbir S. Saluja, M.D.
- CDK Systems, Inc.
- PenTele Data
- T.A. Mountford Co.
- R & L DataCenter, Inc.
- Windsor Learning Center

SUPERINTENDENT'S REPORT

On motion by Mrs. Frayko, seconded by Mr. Conklin, and carried unanimously by roll call vote, as per the Superintendent's recommendation, **approved three [3] Instances of Harassment, Intimidation or Bullying [HIB] from 24 May 2021 through 17 June 2021, two [2] Unconfirmed and one [1] Confirmed.**

- **HIB001 – Unconfirmed**
- **HIB002 – Unconfirmed**
- **HIB003 - Confirmed**

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by roll call vote, as per the Superintendent's recommendation, **approved the combined Professional Development/Field Trip/Substitute and Facility Use as depicted on DOCUMENT E.**

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On motion by Mr. Gillen, seconded by Mrs. Frayko, and carried unanimously by roll call vote, as per the Superintendent's recommendation, **approved:**

19 July 2021 HazCom-RTK, AHERA & BBP Training @\$100.00/each and Aerial Lift Safety Training @\$150/00/total for:

- T. Niedjiewick
- F. Babcock
- W. Wyman

On motion by Mr. Gillen, seconded by Mrs. Frayko, and carried by the following roll call vote, after some discussion, as per the Superintendent's recommendation, **approved the Cyber Protection Insurance coverage in the amount of \$10,000.**

Mr. Conklin left the meeting at 7:50 pm.

Mr. Conklin logged back into the meeting at 7:52 pm. due to technical issues.

Mrs. Sigman reported on the Fire/Evacuation/Safety Drills as follows:

- 5/28/2021 – Non-Evacuation Fire Drill – 5 Min
- 6/10/2021 – School-wide bus-evacuation Drill

Mrs. Sigman reported:

- Algebra Instruction for Grades 7-8 students will be supported by Hamburg staff. This coming school year Hamburg will not be sending 7th or 8th graders to Wallkill Valley Regional High School for Algebra 1 class.
- Hamburg School will serve as an open meal facility during the Summer 2021 months with Maschio's staff providing breakfast and lunch for children/students within the Wallkill region.
- Hamburg School will continue free meal service for our students [breakfast and lunch] for the 2021-2022 school year.
- Hamburg School Open House [June 8-9] was well received. Approximate attendance was 53 parents.
- Board meeting guidance from Dr. Carrick, Executive County Superintendent:

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- After June 4, there will be no social distancing nor mask requirements for BOE meetings. Unvaccinated people are encouraged, but not required, to wear a mask.
 - Boards can require masks or social distancing at their meetings if they so choose. They should consult with their Board Attorney and local public health officer in doing so.
 - If the Board is going to keep a hybrid aspect in place for their meetings, they will still need to abide by the emergency regulations issued by the DCA in September/October 2020. If they are going fully in person, they do not have to offer a livestream or any of the requirements that those regulations outlined.
-
- The July 27, 2011 Board Meeting is being scheduled for in-person in the school cafeteria
 - #FinishStrong Updates.

After considerable discussion, it was the consensus of the Board to put signage up at the Board meetings to request unvaccinated people to wear a mask and to socially distance at Board meetings.

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 state your name and address before making your statement to the Board.

On motion by Mr. Gillen, seconded by Mrs. Frayko, and carried unanimously by voice vote, **opened the meeting to the public for comment at 8:22 P.M.**

No one addressed the Board.

On motion by Mr. Gillen, seconded by Mrs. Zicarelli, and carried unanimously by voice vote, **closed the meeting to the public for comment at 8:22 P.M.**

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Mrs. Frayko commented on how good the graduation ceremony was outside. Various Board members also commented positively on the outside graduation ceremony.

EXECUTIVE SESSION

On motion by Mrs. Frayko, seconded by Mr. Gillen, and carried unanimously by voice vote, **closed the meeting to the public at 8:22 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);

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 – **CSA Evaluation**
- ☐ Appointment of a public official
- ☐ Matters covered by the attorney-client privilege –
- ☐ Pending or anticipated litigation
- ☐ 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.

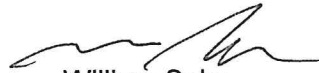
On motion by Mr. Dreifus, seconded by Mr. Conklin, and carried unanimously by voice vote, **that the Board returned to Regular Session at 8:49 P.M.**

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On motion by Mrs. Frayko, seconded by Mrs. Zicarelli, and carried unanimously by voice vote,
that the Board adjourned the meeting at 8:49 P.M.

Respectfully submitted,



William Sabo
Interim Business Administrator/
Board Secretary