

**BOARD OF EDUCATION  
CITY OF LONG BRANCH  
NEW JERSEY**

**MINUTES**

**MAY 28, 2014**

The Special Meeting of the Long Branch Board of Education was held at 540 Broadway, Long Branch, New Jersey. The meeting was called to order by Mrs. Perez, Board President, at 6:00 P.M.

**A. ROLL CALL**

Mrs. Perez - President	Mr. Grant - absent	Mr. Parnell
Mr. Dangler - Vice President - 6:10 P.M.	Mrs. Critelli	Mr. Menkin
Mrs. George	Mr. Zambrano	Mr. Covin

**Administrators Present**

Mr. Salvatore	Mr. Genovese
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**Also Present** – Richard D. McOmbler, Esq. – Board attorney.

**A-1. STATEMENT OF THE MANNER OF NOTIFICATION OF THE MEETING**

Peter E. Genovese III, RSBO, QPA, School Business Administrator/Board Secretary made the following announcement: Adequate notice of this Special Meeting of the Long Branch Board of Education was published in the Asbury Park Press and sent to the Atlanticville and the Link News in accordance with law. Notice of this meeting was also posted in the Board of Education Office and the Office of the City Clerk, Long Branch, New Jersey.

Fire exits are located in the direction indicated. In case of fire, you will be signaled by bell and/or public address system. If so alerted to fire, please move in a calm and orderly fashion to the nearest smoke-free exit.

**A-2. OBJECTIONS, IF ANY, TO THE VALIDITY OF THE MEETING**

Mr. Genovese stated that the objecting member must give supporting reasons.

**B. FLAG SALUTE AND PLEDGE OF ALLEGIANCE**

**Lucille Perez**, Board President, saluted the flag and led the Pledge of Allegiance.

**C-1. STATEMENT TO THE PUBLIC**

Mrs. Perez made the following announcement: Often times it may appear to members of our audience that the Board of Education takes action with very little comment and in many cases by unanimous vote. Before a matter is placed on the agenda at a public meeting, the administration has thoroughly reviewed the matter with the Superintendent of Schools. If the Superintendent of Schools is satisfied that the matter is ready to be presented to the Board of Education, it is then referred to the appropriate board committee. The members of the board committee work with the administration and Superintendent to assure that the members fully understand the matter. When the committee is satisfied with the matter, it is presented to the Board of Education for discussion before any final action is taken. Only then is it placed on the agenda for action at a public meeting.

**C-1. STATEMENT TO THE PUBLIC (continued)**

Time may be allocated for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Board shall be recognized by the presiding officer and shall give their names, addresses and the group, if any, that they represent. Although the Board encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not in keeping with the conduct of a proper and efficient meeting. The Board will not, during the public portion of this meeting, discuss matters involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific or prospective or current employee.

**C -2. OPPORTUNITY TO ADDRESS THE BOARD RELATING TO AGENDA ITEMS**

No one addressed the Board.

**D. ACTION ITEMS**

Mr. Salvatore distributed computer tablets to the Board members and gave a brief demonstration on how they are able to access the Friday packet and information for Board of Education meetings.

Mr. Dangler arrived at 6:10 P.M.

Motion was made by Mr. Covin, seconded by Mr. Dangler and carried by roll call vote that the Board approve the following item (1).

Ayes (8), Nays (0), Absent (1) Mr. Grant

**1. APPROVAL OF RESOLUTION FOR DOCTRINE OF NECESSITY**

That the Board approve the following Resolution:

**RESOLUTION**

A. The Board of Education of the City of Long Branch, in the County of Monmouth (herein referred to as "Board") is planning to take action to evaluate the Superintendent of Schools and to renew, amend or modify the contract of the Superintendent of Schools on May 28, 2014, which action requires a vote by a majority of the full Board.

B. The Board attorney has identified several potential conflicts of interest based on an Advisory Opinion received by the Board and the applicable New Jersey State statutes, regulations and Board policies, as hereafter listed, that would normally preclude certain members of the Board from participating in that action.

C. Nepotism Bylaw 0142.1 of the Board defines "relative" as: an individual's spouse, by marriage or civil union pursuant to N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption. (N.J.A.C. 6A:23A-1.2).

D. **ACTION ITEMS (continued)**

1. **APPROVAL OF RESOLUTION FOR DOCTRINE OF NECESSITY (continued)**

D. Said conflicts of interest would prevent the Board from having the requisite quorum for the purposes of voting on said evaluation and contract.

E. The following identifies the conflicts of interest:

1. Lucille Perez has a daughter employed in the school district;
2. Mary George has a son and daughter employed in the school district;
3. Michele Critelli has a son employed in the school district;
4. James N. Parnell's spouse's uncle is employed in the school district;
5. Armand Zambrano has a niece employed in the school district.

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. The Recitals above set forth are incorporated into and made a part of this Resolution.
2. Based on the opinion of the Board attorney, the Board has only four (4) possible members who are legally entitled to vote on the evaluation of and a contract with the Superintendent of Schools.
3. The Board hereby invokes the Doctrine of Necessity to allow for proper action to be taken on the contract between the Board and the Superintendent of Schools.
4. The evaluation of and contract with the Superintendent of Schools require five (5) affirmative votes of the members of the Board.
5. A copy of Resolution should be filed with the School Ethics Commission.

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Peter E. Genovese III, QPA  
School Business Administrator/Board Secretary

Ayes: 8  
Nays: 0  
Absent: 1 (Mr. Grant)  
Date: May 28, 2014

D. **ACTION ITEMS (continued)**

Mrs. Perez discussed with the Board the process with respect to Mr. Salvatore's evaluation.

Motion was made by Mr. Menkin, seconded by Mr. Dangler and carried by roll call vote that the Board approve the following item (2)

Ayes (8), Nays (0), Absent (1) Mr. Grant

2. **RESOLUTION FOR CLOSED EXECUTIVE SESSION – 6:19 P.M.**

**WHEREAS**, the Open Public Meetings Act (Chapter 231, P.L. 1975) allows for the exclusion from discussion at the public portion of a meeting of certain matters which might endanger the public interest or risk the deprivation of individual rights, and;

**WHEREAS**, the Long Branch Board of Education wishes to discuss the **Superintendent of Schools evaluation and possible modification/amendment of his employment contract** with the resulting action being made public when a proper conclusion has been reached and there is no longer a need for confidentiality;

**NOW, THEREFORE, BE IT RESOLVED**, the Long Branch Board of Education will hold a closed executive session immediately in the Board Conference Room, 540 Broadway, Long Branch, New Jersey. It is anticipated that the closed session will not last longer than 90 minutes. Action may be taken in the public portion of the meeting upon recessing of this Executive Session back into the open public meeting.

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Peter E. Genovese III, RSBO, QPA  
School Business Administrator/Board Secretary

Ayes: 8  
Nays: 0  
Absent: 1 (Mr. Grant)  
Date: May 28, 2014

The Board returned to open session at 7:08 P.M.

**ROLL CALL**

Mrs. Perez - President	Mr. Grant - absent	Mr. Parnell
Mr. Dangler - Vice President	Mrs. Critelli	Mr. Menkin
Mrs. George	Mr. Zambrano	Mr. Covin

Mrs. Perez requested a motion to open the floor for possible discussion regarding Mr. Salvatore's contract.

Motion was made by Mr. Parnell, seconded by Mr. Covin and carried by roll call vote that the Board open up the floor for discussion regarding the Superintendent's 5 year contract.

Ayes (8), Nays (0), Absent (1) Mr. Grant

D. **ACTION ITEMS (continued)**

There being no public comment during the Public Hearing, Mrs. Perez requested a motion to close the Public Hearing on the Superintendent's 5 year contract.

Motion was made by Mr. Parnell, seconded by Mr. Covin and carried by roll call vote that the Board approve to close the Public Hearing on the Superintendent's 5 year contract.

Ayes (8), Nays (0), Absent (1) Mr. Grant

Motion was made by Mr. Dangler, seconded by Mr. Covin and carried by roll call vote that the Board approve the following item (3).

Ayes (8), Nays (0), Absent (1) Mr. Grant

3. **APPROVAL OF SUPERINTENDENT'S 5 YEAR CONTRACT – (FY15 – FY19)**

That the Board approve a five (5) year contract for the Superintendent of Schools commencing July 1, 2014 through June 30, 2019.

Mr. Zambrano – What was the bid for?

Mr. Genovese – Partial roof replacement at the Lenna W. Conrow School.

Motion was made by Mrs. Critelli, seconded by Mrs. George and carried by roll call vote that the Board approve the following items (4 – 5).

Ayes (8), Nays (0), Absent (1) Mr. Grant

4. **APPROVAL OF SHARED SERVICES AGREEMENT WITH DEAL BOARD OF EDUCATION**

That the Board approve the form of contract for the sharing of the Superintendent of Schools services with the Deal Board of Education.

5. **APPROVAL OF LENNA W. CONROW SCHOOL – PARTIAL ROOF REPLACEMENT BID**

The following bids for the Lenna W. Conrow School – partial roof replacement were received:

<b>COMPANY NAME</b>	<b>BASE BID</b>	<b>UNIT PRICE</b>
Arch Concept Construction	\$149,210	\$160
Chris Anderson Roofing	\$183,940	\$65
Circle 3 LLC	\$148,600	\$150
D.A. Nolt Inc.	\$230,400	\$225
<b>M.T.B., LLC</b>	<b>\$103,000</b>	<b>\$115</b>
Roof Management	\$136,000	\$104

That the Board approve the low bid of **M.T.B., LLC** in the amount of **\$103,000**.

## DISCUSSION

Mr. Menkin asked for clarification regarding the law suit notice that was included in the Friday packet.

Mr. Salvatore – We get these from time to time. It is in regard to Terminal Construction and their lack of payment to a sub contractor which they are responsible to resolve.

Mr. Parnell – I received a telephone call from our insurance carrier regarding the individual who fell in the High School parking lot.

Due to the fact that the Board is in the middle of litigation regarding this matter, no further discussion took place.

Mr. Salvatore – Today we received litigation from Seman Tov regarding the changes of school times for next year. Mr. McOmber will review the documentation and answer the complaint.

### E. ADJOURNMENT – 7:18 P.M.

There being no further discussion, motion was made by Mrs. Critelli, seconded by Mr. Covin and carried by roll call vote that the Board adjourn the meeting at 7:18 P.M.  
Ayes (8), Nays (0), Absent (1) Mr. Grant

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Peter E. Genovese III, RSBO, QPA  
School Business Administrator/Board Secretary