

**HACKENSACK BOARD OF EDUCATION**  
**191 Second Street, Hackensack, NJ 07601**  
**MINUTES**  
**December 14, 2020**

**I. Flag Salute / Moment of Silence / Sunshine Statement / Call to Order / Roll Call**

In accordance with the Open Public Meetings, *N.J.S.A. 10:4-6 et seq.*, adequate notification of this meeting has been provided by advertising in the Record and posting notice in the Board of Education Administration Building (Padovano Education Center) and filing notice with the City Clerk. I hereby call to order the Regular Public Meeting, Monday, December 14, 2020, in the Hackensack High School Media Center, at 6:16 pm.

*Special Note: As a result of the limitations placed on public assemblies due to the Corona Virus related restrictions, this meeting is being conducted via Zoom. The district website contains information on public participation.*

<i>Board Member</i>	<i>Present</i>	<i>Participating Via Remote Conference</i>	<i>Absent</i>
Mr. Bendezu (Julio) (Departed @7:50 p.m.)	X		
Mr. Coleman (Christopher)	X		
Ms. DeNully (Detra)	X		
Mr. Goodman (Ira)	X		
Mr. Oates (Michael)	X		
Mr. Rodriguez (Anthony)			X
Mr. Velez (Carlos) (arrived @6:23 pm)	X		
Mr. James-Vickery (Scott), Vice President	X		
Mr. Powell (Lancelot), President	X		

**II. Be It Resolved**, that the Hackensack Board of Education determines it is necessary to meet in Executive Session on Monday, December 14, 2020, to discuss **Legal, Personnel, HIB Reports and Negotiations**; and

**Be It Further Resolved**, that these matters will be made public when the need for confidentiality no longer exists.

*Trustee Goodman motioned to go into Executive Session at 6:23 p.m., seconded by Trustee Powell*

**III. Approve Minutes**

**Be It Resolved**, that the Hackensack Board of Education approves the Regular Meeting Minutes and Closed Session Minutes of November 23, 2020, as submitted.

<b>Approve Minutes</b>				
<i>Motion: Trustee James-Vickery</i>	<i>Second: Trustee Oates</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)			X	
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)			X	
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**IV. Presentations**

- A. **Holiday Musical Program**, Hackensack High School, teachers, Julie Platte (Chorus) and Lisa MacVicar (Band) will introduce their respective pre-recorded student performances.
- B. **Special Teacher Recognition**, Nellie K Parker School Principal, Lillian Whitaker, will introduce Toney Jackson, who has been recognized as a 2020 New Jersey Exemplary Educator.
- V. **Student Board Member Report - Will Commence @ January 25, 2021 Meeting**

**VI. Superintendent's Report**

**A. Enrollment Report**

<i>Enrollment as of November 30, 2020</i>	<i>Enrollment</i>	<i>Attendance (%)</i>
High School	1,804	95.20
Middle School	1,566	94.72
Fairmount	555	95.37
Hillers	438	94.50
Jackson	396	89.96
Parker	454	91.37
ECDC	207	89.07
<b>Total</b>	<b>5420</b>	<b>92.88</b>

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**B. Residency Report**

	<i>November 2020</i>	<i>Year to Date</i>
Number of Residency Cases Received	9	51
Residency Cases Investigated	18	41
In-Home Visits Unverified	5	17
Parent Provided Updated In-District Proof of Residency	4	14
Students Withdrawn as a Result of Residency Investigation	1	3

**C. Harassment, Intimidation, and Bullying Report**

**Completed Investigations: November 24, 2020 - December 10, 2020**

SCHOOL	FITS HIB DEFINITION	INCONCLUSIVE	NO EVIDENCE OF HIB	DOES NOT FIT HIB DEFINITION	TOTAL
Fairmount	0	0	0	0	0
Parker	0	0	0	0	0
Hillers	0	0	0	0	0
Jackson	0	0	0	1	1
Middle	1	0	0	2	3
High	0	0	0	0	0
<b>TOTALS</b>	1	0	0	3	4

<b>HIB Report</b>				
<i>Motion: Trustee James-Vickery</i>	<i>Second: Trustee Velez</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)	X			
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)				
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

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## **VII. Public Comments**

### **Dictating The Standard Procedures and Requirements For Oral and Written Public Comments During A Remote Public Meeting, and the Regulation Of Conduct Of The Members Of The Public Meeting In Accordance With N.J.A.C. 5:39-1.4(h)**

**Whereas**, the Governor of the State of New Jersey, Philip Murphy, Issued Executive Order No. 103 on March 9, 2020, proclaiming a Public Health Emergency and State of Emergency due to the Coronavirus Disease 2019 (“COVID-19”) Pandemic.

**Whereas**, the Public Health Emergency and State of Emergency has been renewed by executive order eight times since said date, the latest renewal occurring on October 25, 2020 through Executive Order No. 191.

**Whereas**, in accordance with the Center for Disease Control, the New Jersey Department of Health, and other Federal, State and local requirements, the Board has determined that due to this declared public health emergency and state emergency, a public meeting of the Board cannot safely be held in a physical location and has therefore been conducting public meetings via remote means.

**Whereas**, on or about September 24, 2020 the State of New Jersey Department of Community Affairs promulgated emergency regulations modified as N.J.A.C. 5:39-1.1 through 1.7 addressing the minimum procedures for a local public body, such as this Board, to conduct a public meeting via remote means during a declared emergency.

**Whereas**, these emergency regulations were proposed for permanent adoption on October 19, 2020.

**Whereas**, N.J.A.C. 5:39-1.4(h) requires the Board to adopt a resolution dictating:

- 1) The standard procedures and requirements for public comments made during a remote public meeting;
- 2) The standard procedures and requirements for public comments submitted in writing ahead of the remote public meeting; and
- 3) Regulation of conduct by members of the public on a remote public meeting.

**Now, Therefore, Be It Resolved**, that the Board adopts the following standard procedures and requirements during a declared state of emergency:

#### **Procedures for Oral Public Comments Made During a Remote Public Meeting**

1. All public portions of the meeting shall be conducted via audio and video.
2. The public may access and participate in the remote public meeting via video and audio by and through the Zoom Video Conferencing Platform using a link published on the District website, <https://www.hackensackschools.org>. The link to the meeting will be available on the website approximately three (3) days prior to the meeting date.
  - a. A member of the public may indicate their desire to provide a public comment using the “Raise Hand” feature in the Webinar Controls.
  - b. Participants who indicate they wish to provide public comments are automatically added to a queue.

3. The public may access and participate in the remote public meeting via audio only by and through the Dial-in information provided in the meeting notice available on the District website at <https://www.hackensackschools.org>.
  - a. A member of the public may indicate their desire to provide a public comment by pressing \*9.
  - b. Participants who indicate they wish to provide public comments are automatically added to a queue.

**Procedures for Written Public Comments Submitted Prior to a Remote Public Meeting**

1. Members of the public may also submit public comments in writing to the Board Secretary either by email at [publiccomments@hackensackschools.org](mailto:publiccomments@hackensackschools.org) or by regular mail to the following address:

191 Second Street, Hackensack, NJ 07601

2. Written comments must be received by the Board Secretary 24-hours in advance of the date and time of the next scheduled public meeting.
3. Written comments shall be read at the public meeting, from the beginning, verbatim and in full, EXCEPT when, in accordance with District Policy:
  - a. The Board has placed reasonable time limits on public comments, in which case each individual written comment shall be read until the time limit is reached.
  - b. The written comments contain obscenities or vulgar language where such obscenities or vulgarities would not otherwise be permitted by Board Policy. Under such circumstances, the Board will read all substantive portions of the comments and indicate where vulgarities or obscenities were removed.
  - c. Multiple public comments are duplicative in content, in which case the Board may choose to summarize the duplicative comments.

**Conduct of the Public During a Remote Public Meeting and During Public Comments**

1. All aspects of District Policy 0167 “Public Participation in Board meetings” remain in effect. In addition:
  - a. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comments, the member of the local public body charged with running the remote public meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
  - b. A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comments.
  - c. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting or removed from the remote public meeting.
2. All members of the Public are required to mute their communication devices unless actively providing public comments.

### **Order of Comments**

Public comments shall be provided in the following order:

1. Written comments to be read in full;
2. Summarized duplicative written comments;
3. In-person oral comments (if applicable);
4. Remote oral comments; and
5. Oral comments of those who have already spoken or who submitted written comments.

The Board shall facilitate a dialogue with each commenter to the extent permitted by the electronic communications technology and the law.

**Be It Further Resolved**, that this resolution does not apply when there is no declared state of emergency, or when Executive Order No. 103 is no longer in effect or when the Board can accommodate the reasonably expected public at a physical location.

### **Be It Further Resolved, that**

1. Each statement made by a participant shall be limited to three (3) minutes' duration during the public session;
2. All statements, questions, or inquiries shall be directed to the presiding officer and any questions or inquiries directed by a participant to another Board member shall be redirected to the presiding officer who shall determine if such statement, question, or inquiry shall be addressed by the presiding officer on behalf of the Board or by the individual Board member; and
3. All Board and/or Superintendent responses to questions or inquiries shall be held until the end of public participation.

### **Public Comments:**

- A member of the public commented on the large number of chromebooks that are in need of repair
- Suggestions were made on the following matters:
  - The selection of the candidate to fill the Board vacancy
  - Public comments should be permitted both before and after formal Board action
  - The decision on when to hold a school election should be a question on the ballot
- Comments were made regarding the wonderful student choral performances
- An assertion was made regarding Trustees allegedly being influenced by City Council Members

## **VIII. Resolutions**

### **A. Personnel**

**Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent, approves the following personnel actions **A1 A - M**:

- A.1** Motion to take action on personnel matters, as listed below; and appoint and submit to the Executive County Superintendent applications for emergent hiring and the applicant's attestation that he/she has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18A:6-7.1 et. Seq., N.J.S.A. 18A:39-17 et. seq., or N.J.S.A. 18A:6-4.13 et. seq. for those employees listed below:

(All appointments are contingent upon receipt of proper teaching certification and all salary placements are pending receipt of college transcripts verifying degree status and letter stating years of service in other districts).

<b>A. INSTRUCTIONAL</b>									
	<b>Name</b>	<b>Nature of Action</b>	<b>Position/Control Number</b>	<b>Deg/Step</b>	<b>Salary</b>	<b>Location</b>	<b>Date Effective</b>	<b>Date Termin.</b>	<b>Discussion</b>
1.	Tara Leibman	Appoint	Instructional Coach	MA/14	\$104,325	Middle	2/1/21	6/30/21	New Position; ESSA Title I Grant Funded
2.	Karoleena Padron	Appoint	LR Teacher	Col. 1/Step1	\$57,550	Fairmount	1/20/21	6/30/21	Leave Replacement

<b>B. NON-INSTRUCTIONAL</b>									
	<b>Name</b>	<b>Nature of Action</b>	<b>Position/Control Number</b>	<b>Step</b>	<b>Salary</b>	<b>Location</b>	<b>Date Effective</b>	<b>Date Termin</b>	<b>Discussion</b>
1.	Araceli Reyes de Martinez	Appoint	Administrative Assistant 30-08-08/ckj	A -1	\$48,155.	Special Services	1/4/21	6/30/21	Replacing P. Sheridan

<b>C. RESIGNATIONS, LEAVES, and OTHER ACTION</b>						
	<b>Name</b>	<b>Nature of Action</b>	<b>Position</b>	<b>Location</b>	<b>Date Effective</b>	<b>Discussion</b>
1	Staff ID# 1821	Revised Leave of Absence	Administrative Assistant	Jackson	8/31/20	Revised: FMLA 8/31/20-1/14/21 paid w/ benefits
2	Staff ID# 0536	Revised Leave of Absence	Teacher	Middle	9/17/20	Revised: FMLA 9/17/20-2/1/21 paid w/ benefits
3	Staff ID# 2984	Leave of Absence	Teacher	Middle	10/22/20	Revised: FMLA 10/22/20-11/30/20 paid w/ benefits
4	Staff ID# 5342	Leave of Absence	P/T Para	ECDC	12/14/20	FMLA 12/14/20-1/8/21 unpaid w/o benefits
5	Staff ID# 0113	Leave of Absence	Teacher	High	12/7/20	FMLA 12/7/20-2/12/21 paid w/ benefits

**D. Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the annual stipend for Wendy Lamparelli, District Lead Nurse, for 2020-2021 school year, \$5,442.25, in accordance with HEA/HBOE Agreement, Schedule N, Factor 0.091.

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**E. Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the following Hackensack High School After School Bilingual Graduation Tutorials, salary as per HBOE/HEA Agreement, Article 26, Section G, to be paid from the Federal CARES Grant, account #20-100-100-000-90:

	<b>Name</b>	<b>Hours Not to Exceed</b>
1.	Johanna Espinal	50

**F. Whereas**, said contract was approved by the Interim Executive County Superintendent on November 24; now **Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the updated contract of Rosemary Marks, Assistant Superintendent, effective July 1, 2020 thru June 30, 2021.

**Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the updated contract of Andrea Oates-Parchment, Assistant Superintendent, effective July 1, 2020 thru June 30, 2021.

**G. Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the following salary adjustments for 2020-2021 school year:

	<b>Name</b>	<b>Nature of Action</b>	<b>Position/Control Number</b>	<b>Salary</b>	<b>Date Effective</b>	<b>End Date</b>
1.	Diana Bermudez	Salary Adjustment	Parent Outreach Facilitator 95-70-70/bsss	\$72,775	9/1/20	6/30/21
2.	Katty Ubillus Joza	Salary Adjustment	Parent Outreach Paraprofessional 16-06-06/crb	\$19,475	9/1/20	6/30/21

**H. Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the following ESSA Grant funded positions, pending Grant funding, salary as per HBOE/HEA Agreement, Article 26, Section G:

	<b>Name</b>	<b>Position &amp; Location</b>	<b>Hours Not to Exceed</b>
1.	Diane Eames	Title I Fairmount Mad Science Support Teacher	8



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2.	Marivel Quinones	Title I Fanny M. Hillers Mad Science Support Teacher	8
3.	Colleen Rullo	Title I Jackson Avenue Mad Science Support Teacher	8
4.	Melissa Saldana	Title I Nellie K. Parker Mad Science Support Teacher	8
5.	Yiralda Taveras	Title III Bilingual Elementary School Tutorials	22

**I. Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the following SBYP Family Friendly Grant positions at Jackson Avenue School, pending Grant funding, for the 2020-2021 school year, salary as per HBOE/HEA Agreement, Article 26, Section G:

	Name	Position	Hours Not to Exceed
1.	Allison Cammarata	Family Friendly Academic/Intervention Teacher	45
2.	Sarah Kim	Family Friendly Academic/Intervention Teacher	45
3.	Timothy Kerrisk	Family Friendly Academic/Intervention Teacher	45
4.	Jose Jordan	Family Friendly Academic/Intervention Teacher	45
5.	Albania Mejia	Family Friendly Academic/Intervention Teacher	45
6.	Jessica Luciano	Family Friendly Academic/Intervention Teacher	45

**J. Approve** the following terminal leave payment:

	Staff Member	Number/Days	Payment
1.	Donna Fuscaldo	8.5	\$533.38

**K. Be It Resolved,** that the Board President is hereby authorized to execute a Collective Bargaining Agreement by and between the Hackensack Board of Education and the Hackensack Association of School Administrators, effective July 1, 2018 through June 30, 2022.

**L. Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the settlement agreement and mutual release between the Hackensack Board of Education and the Hackensack Association of Office Professionals as it relates to Article 22, Section B of the Collective Bargaining Agreement on behalf of employee #5079, in the amount of \$1,500.

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**M. Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the settlement agreement executed by Plaintiff to resolve the matter of Pollio v. The Hackensack Board of Education is hereby ratified and approved. (Payable into a post separation tax-deferred program.)

**N. Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves the settlement agreement between the Hackensack Board of Education and the Hackensack Education Association regarding AR-2020-356.

**Whereas,** the Hackensack Board of Education (“Board”) and the Hackensack Education Association (“Association”) were scheduled for arbitration to address a grievance filed by the Association (AR-2020-356); and

**Whereas,** the Board and Association have agreed to settle the underlying grievance; and

**Whereas,** the Board and the Association have negotiated a Settlement Agreement to resolve all disputed claims between the Parties related to the grievance; and

**Whereas,** the Board has reviewed the Settlement Agreement and has determined that it is in its best interest to settle this matter without incurring additional costs through further litigation.

**Now, Therefore, Be It Resolved** that the Board approves the terms and conditions of the attached Settlement Agreement and authorizes the execution of the Settlement Agreement and any further steps as may be necessary to effectuate the within Settlement Agreement.

Personnel actions A1-A -N				
<i>Motion: Trustee James-Vickery</i>	<i>Second: Trustee DeNully</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)				X
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)	X			
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**B. Policy**

**B1 Policies for First Reading:**

**Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves first reading of the following Policies and Regulations:

1. P2270 Religion in Our Schools

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**B2 Policies for Second Reading:**

**Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent of Schools, approves second reading of the following Policies and Regulations:

1. 1620 Administrative Employment Contracts
2. 2464 Gifted and Talented Students

Policy Resolutions <b>B1 – B2</b>				
<i>Motion: Trustee Oates</i>	<i>Second: Trustee Goodman</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)				X
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)	X			
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**C. Curriculum**

**C1 Travel Reimbursements (none)**

**C2 Professional Development (none)**

**C3 Field Trips (none)**

**C4 Be it Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent, approves the following internships, field experience, and student practicums for the 2020-2021 school year:

<i>School</i>	<i>Administrator</i>	<i>Candidate</i>	<i>Observation /Placement</i>	<i>Assignment</i>	<i>University</i>	<i>Date</i>
ECDC	S. Golam	Sevalee Ayvaliotis	M. Downes	Pre-K	William Paterson	Spring 2021
ECDC	S. Golam	Savannah Gathers	S. Burfeind	Pre-K only	William Paterson	Spring 2021
ECDC	S. Golam	Adrian Lucero	S. Matari	Pre-K - 3	William Paterson	Spring 2021

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**C5 Be it Resolved**, that the Board of Education of the City of Hackensack, upon the recommendation of the Superintendent, approves an agreement with G&H 2813 LLC for Gloria Andrade, PhD., to provide three webinars in Spanish on social-emotional learning for Preschool parents and High School parents. The cost of \$1500 will be paid for with Title I account #20-231-200-300-050-00.

**C6 Be it Resolved**, that the Board of Education of the City of Hackensack, upon the recommendation of the Superintendent, approves an agreement with Suzanne Badawi, MSW, LCSW to provide four online parent workshops in English on social-emotional learning; two for Preschool parents and two for High School parents. The cost of \$2,000 (\$500 ea) will be paid for with Title I account #20-231-200-300-050-00.

**C7 Be it Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent, approves the following services:

<u>TYPE</u>	<u>SCHOOL</u>	<u>Tuition</u>	<u>ID #</u>	<u>CLASSIFIED</u>	<u>COMMENT</u>
NonPub	East Mountain	\$58,140.00	484072	X	Court placed, tuition prorated
NonPub	High Point	\$62,696.50	482919	X	Tuition prorated

**HOME INSTRUCTION**

<u>STUDENT</u>	<u>MEDICAL</u>
470893	X

Curriculum Resolutions C4 - C7				
<i>Motion: Trustee Coleman</i>	<i>Second: Trustee Powell</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)				X
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)	X			
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**D. Finance and Budget**

**D1 Now Therefore, Be It Resolved**, that the Hackensack Board of Education, in accordance with *N.J.A.C. 23A:16-10*, upon the recommendation of the Interim SBA/Board Secretary, accepts and approves the Board Secretary’s Report and Cash Reconciliation Report for the months of October and November 2020;

**Be It Resolved**, that the Board of Education and Board Secretary certify that no budgetary line item account has been over-expended and that there are sufficient funds available to meet the District financial obligations for 2020/2021 school year (*Attachment D1*).

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**D2 Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Interim SBA/Board Secretary, approves the payment of bills and claims, November 19 through December 10, 2020, in the total amount of \$7,265,573.85 (*Attachment D2*):

Fund 10	General Fund	\$ 576,156.30
Fund 11	Current General Expense	\$5,767,706.06
Fund 12	Capital Outlay	\$ 51,721.48
Fund 20	Special Revenue	\$ 863,904.40
Fund 40	Debt Service	\$0
Fund 60	Enterprise Fund	\$ 6,085.61

**D3 Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim SBA/Board Secretary, approves the attached List of Budget Transfers #7700 thru #7734 for the month of October 2020, total amount of \$1,682,950.88 (*Attachment D3*).

**D4 Whereas,** in accordance with 6A:23A-13-3, the October 2020 State Transfer Report includes transfers that exceeded ten percent of the advertised appropriation accounts and therefore must be submitted to the Bergen County Executive Superintendent for approval,

**Now, Therefore, Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim SBA/Board Secretary, approve the transfer request from the 2020-21 budget in the amount of \$171,040 from function 230, General Administration to function 252 Central Services & Administrative Information Technology, which exceeded 10% in the 230 General Administration category, so that no budgetary line account has been over-expended and that sufficient funds are available to meet the District’s financial obligations, and submits this request to the New Jersey Department of Education for review and approval.

**D5 Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent, approves Fundraiser and Flyer Distributions.

	<i>SCHOOL</i>	<i>GROUP</i>	<i>ADVISOR(S)</i>	<i>FUNDRAISER/FLYER TYPE</i>	<i>DATE(S)</i>	<i>PURPOSE</i>
1.	District	Habitat for Humanity	District	Desks 4 Homes	12/07/2020	To raise funds for Habitat for Humanity- Desks 4 homes program

**D6 Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim SBA/Board Secretary, accepts the CARES Act funding from the County of Bergen in the amount of \$291,659.40, which will be allocated to offset the lease payment costs of the 3,200 ChromeBooks ordered earlier this school year.

**D7 Be It Resolved,** that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim SBA/Board Secretary, amends the June 15, 2020 resolution D16 to transfer \$1,000,000 from the employee health benefit line, account code 11-000-291-270-002-00 to the unemployment account 11-000-291-250-002-00 and then transfer the \$1,000,000 to the Unemployment Trust Account. (*clarifies the sequential process*)

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**D8 Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim SBA/Board Secretary, accepts the donation from the Second Reform Church of Hackensack in the amount of \$4,000, to offset connectivity challenges, such as internet, wireless, etc., in student homes.

**D9 Establishing the Election of Members of the Hackensack Board of Education (the “Board”) as the First Tuesday after the First Monday in November**

**Whereas**, P.L. 2011, c. 202 authorizes changing the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (the “General Election”); and

**Whereas**, such action requires the adoption of a resolution by a school district or the municipality constituting such district, as set forth in P.L. 2011, c. 202; and

**Whereas**, P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

**Whereas**, P.L. 2011, c. 202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are elected at the General Election; and

**Whereas**, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

**Whereas**, the Board believes that the financial interest of its constituents is safeguarded by the state’s tax levy cap and the thorough review of the proposed school budget by the Executive County Superintendent and the Executive County School Business Administrator; and

**Whereas**, the Board believes that more citizens will participate in the selection of school board members at the General Election than on the third Tuesday in April and that the higher level of participation will foster positive interest in our public schools; and

**Whereas**, the Board is committed to the non-partisan status of school board membership and the non-partisan conduct of school elections, and believes this principle will not be compromised by conducting board member elections in November.

**Now, Therefore, Be It Resolved**, that, pursuant to P.L. 2011, c. 202, the Board changes the annual election date for school board members from the third Tuesday in April to the November General Election, beginning in 2021; and be it further

**Resolved**, that, pursuant to P.L. 2011, c. 202, the annual organization meeting of the Board will take place in the first week of January following the November General Election and that the Board’s next organization meeting will take place in the first week of January 2022; and be it further

**Resolved**, that, pursuant to P.L. 2011, c. 202, members of the Board whose terms would have expired by May 2021 will continue to serve in office until the January 2022 organization meeting; and be it further

**Resolved**, that this resolution be transmitted to the Bergen County Clerk; the Bergen County Board of Elections and/or Superintendent of Elections; the Hackensack municipal clerk and school board secretary; the Department of

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State, Division of Elections; the Department of Education’s Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services; and be it further

**Resolved**, that a copy of this resolution also be provided to the New Jersey School Boards Association and New Jersey State League of Municipalities.

Finance and Budget Resolutions <b>D1 – D9</b>				
<b>Motion: Trustee James-Vickery</b>	<b>Second: Trustee Velez</b>			
	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Mr. Bendezu (Julio)				X
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)	X			
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**E. Buildings/Grounds**

**E1 Use of School Facilities - In accordance with District Policy**

**E2 Be It Resolved**, by the Hackensack Public Schools, and upon the recommendation of the Superintendent and Interim School Business Administrator, to authorize the firm of **DMR Architects** to **continue to manage the Energy Savings Improvement Program** during the following phases (iii) Investment Grade Audit, development of an Energy Saving Plan (ESP) and third party verification of ESP cost savings; (iv) approval of the Energy Savings Plan; (v) financing; (vi) design – construction of energy efficient capital improvements; (vii) commissioning; and (viii) verification. at a cost of \$30,000 as detailed in their November 20, 2020 proposal. *(Phase (i) BPU Energy Audit and (ii) solicitation and retention of an ESCO already included in a prior proposal and is complete). See attached.*

**E3 Be It Resolved**, by the Hackensack Public Schools, and upon the recommendation of the Superintendent and Interim School Business Administrator, to authorize the firm of DMR Architects to participate in all aspects of the solar Purchase Power Agreement (PPA) to be prepared by Johnson Controls, including assistance with and attendance at the Planning Board meeting, at a cost of \$10,000 as detailed in their November 20, 2020 proposal.

**E4 To approve a Resolution of the Board of Education of Hackensack in the County of Bergen, New Jersey Authorizing the use of Competitive Contracting for the solicitation of Proposals for a Solar Power Purchase Agreement in connection with its Energy Savings Improvement Program, as follows:**

**Whereas**, the Board of Education of Hackensack in the County of Bergen, New Jersey (the "Board" when referring to the governing body and the "School District" when referring to the legal entity and territorial area governed by the Board) has selected Johnson Controls, Inc. to serve as its Energy Services Company (ESCO) to assist with the implementation of its Energy Savings Improvement Program, which is expected to include provision for a solar power purchase agreement among its proposed energy conservation measures; and

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**Whereas**, pursuant to N.J.S.A. 18A:18A-4.1 et seq. and as prescribed by Local Finance Notice 2009-10, dated June 12, 2009, the Board may use competitive contracting in lieu of public bidding for procurement of a solar power purchase agreement; and

**Whereas**, pursuant to N.J.S.A. 18A:18A-4.3(a) the Board is required to pass a resolution authorizing the use of competitive contracting; and

**Whereas**, Pursuant to N.J.S.A. 18A:18A-4.3(a), 4.4, 4.5 and 4.6, the competitive contracting process, including the preparation of a request for proposals (the "ESCO RFP"), solicitation of proposals, and award of a contract based upon the methodology set forth in the aforesaid RFP, must be administered by the Board's purchasing agent, legal counsel or business administrator with the assistance of its ESCO;

**Now, Therefore, Be It Resolved**, by the Board of Education of Hackensack in the County of Bergen, New Jersey, as follows:

**Section 1.** This Board of Education hereby determines to use competitive contracting pursuant to N.J.S.A. 18A:18A-4.1 et seq. and as prescribed by Local Finance Notice 2009-10 dated June 12, 2009, for the selection of a qualified power purchase agreement provider ("PPA Provider") to assist with a proposed solar project to be undertaken in accordance with the School District's Energy Savings Improvement Program and authorizes its ESCO, Johnson Controls, Inc., to assist in preparing a request for proposals (RFP) for the solicitation of the PPA Provider, to publish such solicitation as required by law and to take other steps necessary to enable the School District to enter into a power purchase agreement with the provider selected in accordance with the RFP. Other appropriate representatives of the School District are authorized to assist in the preparation, publication and review of the RFP and the proposals as permitted and required by law.

**E5 Be It Resolved**, by the Hackensack Public Schools, and upon the recommendation of the Superintendent and Interim School Business Administrator and Board Attorney, to authorize the district to pay a fee of \$5,000 for legal costs associated with the monitoring containers to be installed at the Parisian Beauty Academy.

**E6 Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim School Business Administrator, authorizes the Interim SBA/Board Secretary to enter into an agreement with Phoenix Advisors, LLC, Bordentown, NJ (duly registered Municipal Advisor), to provide financial advisory services related to the Energy Savings Improvement Program, in accordance their proposal in the not to exceed amount of \$17,500.

**E7 Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim School Business Administrator, authorizes the Interim SBA/Board Secretary to enter into an agreement with Lerch, Vinci & Higgins, Fairlawn, NJ, to prepare financial related documentation required prior to the issuance of bonds related to the Energy Savings Improvement Plan, in accordance with their proposal in the amount not to exceed \$17,000, plus out of pocket expenses.

**E8 Be It Resolved**, that the Hackensack Board of Education, upon the recommendation of the Superintendent and Interim School Business Administrator, authorizes the Interim SBA/Board Secretary to enter into an agreement with Wilentz, Goldman & Spitzer, P.A. Woodbridge, NJ, to perform services as Bond Counsel related to the issuance of bonds to fund an Energy Savings Improvement Program, in accordance with their proposal.



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Buildings and Grounds Resolutions <b>E2 – E8</b>				
	<i>Second: Trustee Oates</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
Mr. Bendezu (Julio)				X
Mr. Coleman (Christopher)	X			
Ms. DeNully (Detra)	X			
Mr. Goodman (Ira)	X			
Mr. Oates (Michael)	X			
Mr. Rodriguez (Anthony)				X
Mr. Velez (Carlos)	X			
Mr. James-Vickery (Scott), Vice President	X			
Mr. Powell (Lancelot), President	X			

**IX. Board Comments**

- Several members were complimentary of the musical student performances
- Several wished all a happy and safe holiday season
- Congratulations to Mr. Toney Jackson on his recognition as a exemplary teacher
- Gratitude for the Board’s commitment to cultural diversity
- Gratitude for donations from the 2nd Church
- Congratulations to the student art award winners
- Board Candidate vacancy process will be transparent
- Disclaimer by several Trustees regarding the allegation of taking direction from the City Council
- Appreciation of the hard work and dedication of staff

**X. Adjournment** -Trustee Powell motioned to adjourn Board meeting @ 8:47 p.m., seconded by Trustee James-Vickery

Submitted by: Dora E. Zeno,  
 Interim School Business Administrator