

**HACKENSACK BOARD OF EDUCATION**  
**191 Second Street, Hackensack, NJ 07601**  
**SPECIAL PUBLIC MEETING**  
**Minutes**  
**January 11, 2021**

**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. The purpose of the special meeting is to:

- a. Conduct a Board Retreat
- b. Interview candidates to fill the Board vacancy

I hereby call to order the Special Public Meeting, Monday, January 11, 2021, in the Hackensack High School Media Center, at 5:30 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 (Maywood Rep)			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 (6:48 p.m)	

**II. Board Retreat**

Mr. Matthew Lee, Field Representative from New Jersey School Boards Association led the Board in ethics training. conflicts of interest, role of Board in relation to the administrative team

**III. Executive Session**

**Be It Resolved**, that the Hackensack Board of Education determines it is necessary to meet in Executive Session on Monday, January 11, 2021 to discuss potential litigation and;

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

January 11, 2021  
 Special Meeting  
 Conducted Via Zoom Teleconference

**Motion:** Trustee Powell      **Second:** Trustee Oates

*The Board convened into Executive Session at 6:56 p.m. and reconvened into public session at 8:03 p.m.*

<i>Board Member</i>	<i>Present</i>	<i>Participating Via Remote Conference</i>	<i>Absent</i>
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 (6:48 p.m)	

**IV. Candidate Applicants To Fill Board Vacancy**

Each of the five candidates addressed the Trustees and spoke to his/her qualifications and interest in serving on the Board.

**V. Superintendent Statement**

**VI. 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.

This procedure 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.

1. Each statement made by a participant shall be limited to three (3) minutes' duration during 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.

*Trustee Powell motioned , seconded by Trustee Oates, all in favor.*

### **VII. Public Comments - Duration: 8:03 - 10:05 p.m.**

In addition to the 69 public comments sent via email and summarized by the Board Secretary, approximately 30 members of the public made comments related to the ongoing pandemic in opposition to the resumption of in person student instruction, preferring to continue with remote learning. During this time, in accordance with By-Law #0164 and on a motion by Mr. James-Vickery and second by Mr. Coleman, the Board unanimously adopted a resolution to extend the meeting past the 10:00 p.m. time frame.

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**VIII. Trustee Candidate Discussion**

Trustees discussed the candidates, noting all were excellent and made the selection process difficult. Following the discussion the Board voted to fill the vacancy.

**IX. Appointment to BOE Vacancy**

**Whereas**, upon the resignation of Trustee Cogelja on November 24, 2020, a Board vacancy was created, and

**Whereas**, By Law 0143 speaks to the process to fill the vacancy, and

**Whereas**, the Trustees have 65 days from the date of the resignation to appoint a replacement, and

**Whereas**, applications were received from eight, candidates,

**Whereas**, the Board interviewed the candidates earlier during public session,

**Now, Therefore Be It Resolved**, that Trustee Powell nominates Zonie LeSane to fill the vacancy, and serve until the next school election.

<i>Appointment to fill BOE Vacancy</i>				
<i>Motion: Trustee Powell</i>	<i>Second: Trustee DeNully</i>			
	<i>Yes</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
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			

**X. Board Secretary Administers Oath of Office** - Will be administered at the January 25 Board Meeting.

**XI. Board Comments**

- The Trustees congratulated Ms. Zonie LeSane on her appointment to the Board and also thanked the other outstanding candidates, which made for a difficult selection process.
- Several Trustees spoke to the compelling passion on both sides of the decision to return to in person student instruction. The pandemic is very real. The Trustees take all the comments extremely seriously and understand it is a difficult decision for the superintendent to make.

**XII. Adjournment @10:40 p.m.**

*Trustee Powell motioned to adjourn at 10:40 p.m., seconded by Trustee Oates, all in favor.*