

SUBJECT TO APPROVAL
LACEY TOWNSHIP BOARD OF EDUCATION
MINUTES SPECIAL MEETING
APRIL 29, 2025
LEGAL GUIDANCE/BUDGETARY (RE)SUBMISSION PROCESS

A1

CALL TO ORDER

The Special Meeting of the Lacey Township Board of Education was held on April 29, 2025 in the Lacey Township High School Media Center. The meeting was called to order by Board President Kim Klaus at 6:01 p.m.

PLEDGE OF ALLEGIANCE

Mrs. Klaus led all present in the Pledge of Allegiance.

STATEMENT OF ADEQUATE NOTICE

Adequate Notice of this meeting was advertised in the Asbury Park on Tuesday, April 29, 2025, and by posting the notice on the Lacey Township School District website, in the Forked River Post Office and the Lanoka Harbor Post Office, and by filing a copy of the notice with the Lacey Township Clerk as required by the Open Public Meeting Act.

ROLL CALL FOR ATTENDANCE

Members Present: Kim Klaus, President
 Jack Conaty, Vice President
 Linda A. Walker
 Cheryl Armato
 Dan Bell
 Harold "Skip" Peters, Jr.
 Salvatore Armato

Also Present: William W. Zylinski, Acting Superintendent
 Sharon Ormsbee, Business Administrator/Board Secretary
 Cameron Morgan, Board Attorney

RESOLUTION(S)

Move that the Board approve the following Resolution:

Motion by Mr. Armato, seconded by Mr. Bell. Roll call vote as follows:

Mr. Armato - aye

Mr. Peters - aye

Mr. Bell - aye

Mrs. Armato - aye

Mrs. Walker - aye

Mr. Conaty - aye

Mrs. Klaus - aye

RESOLUTION AUTHORIZING MEETING PURSUANT TO N.J.S.A. 10:4-9(b)

MOTION: WHEREAS, the Open Public Meetings Act, (“OPMA”), N.J.S.A. 10:4-6 et seq., establishes requirements for conducting meetings of public bodies to ensure transparency and public access; and

WHEREAS, N.J.S.A. 10:4-9(b) permits a public body to hold an emergency meeting, even when it is unable to comply with the usual requirement of forty-eight (48) hours’ notice, where urgent matters of importance to the public interest arise that could not have been foreseen and require immediate attention to avoid substantial harm to the public interest; and

WHEREAS, the Lacey Township Board of Education (“Board”) is facing a significant budget gap of over \$6 million in developing the 2025-2026 school year’s budget, with limited options for closing such gap and submitting a balanced budget to the State of New Jersey for said fiscal year, due to ongoing and continued losses of State Aid over the past ten (10) school years, increased costs, and other factors; and

WHEREAS, within the March 19 statutory timeline to do so, the Board submitted a tentative budget to the New Jersey Department of Education, through its County Office, which was not approved by that office; and

WHEREAS, local boards of education in New Jersey that hold school elections in November are required to hold a public hearing on their final budget submissions to the County Office by no later than May 7, 2025, and thereafter submit their final budget submissions to the County Office by May 14, with the tax levy certified by the county by May 19, 2025; and

WHEREAS, the Board may face a situation where it has insufficient revenues to close the budget gap without imposing severely austere cuts to its staffing and educational programs, as the May deadlines for submission of a final budget approach; and

WHEREAS, at a public meeting on April 17, 2025, local residents and community members urged the Board to continue working to try and submit a balanced budget to the County Office within the statutory timeframe, and do its utmost to explore those potential options available to it; and

WHEREAS, the Board and its administration wish to continue to explore potential options and continue working in good faith to meet the statutory deadline, if possible, and have endeavored to communicate openly and cooperatively with County and State officials as to the difficulty of its fiscal circumstances; and

WHEREAS, the Board has rescheduled a further public meeting on a possible further budget submission from April 29, 2025 to May 1, 2025, to permit additional time to develop a further budget option for the Board's consideration on that date; and

WHEREAS, despite its continued good faith efforts to develop a balanced budget, the possibility exists that the Board nevertheless may, or may not, be unable to garner sufficient majority support for any given budgetary scenario; and

WHEREAS, the Board has an urgent need, at this juncture, to be able to afford itself of the benefit of legal guidance for its members as to any legal consequences or ramifications that may flow from an inability to submit a balanced budget by the approaching May deadlines or timely hold its public hearing; and

WHEREAS, the purposes of the meeting shall be limited only to enabling the Board to discuss and receive attorney-client privileged guidance in executive session, and no action will be taken; and

WHEREAS, notice of this meeting was sent to following newspaper: Asbury Park Press on Thursday, April 24, 2025, but was unable to be published until today, April 29, 2025; and

WHEREAS, electronic notice of this meeting was posted online on Thursday, April 24, 2025 at 10:00 p.m.; and

WHEREAS, this resolution authorizing a public meeting is being considered, out of an overabundance of caution, and in an effort to ensure compliance with the OPMA in any case, even if the electronic notice for said meeting is deemed adequate by recent revisions to the OPMA statute;

NOW, THEREFORE, BE IT RESOLVED, that the Lacey Township Board of Education hereby authorizes a meeting pursuant to N.J.S.A. 10:4-6(b), even if on less than 48 hours' notice, limited solely to the purposes of enabling discussion of potential legal consequences and to permit the Board an opportunity to consult with counsel as a whole. No action will be taken.

EXECUTIVE SESSION

Be It Resolved, that an executive session be convened for the purpose of discussing:

- Confidential Legal Matters
- Purpose of discussing and obtaining legal guidance and/or attorney-client privileged communications and discussing strategy for next steps in regards to the budgetary submission/resubmission process.

The subject matter of these discussions will be disclosed to the public when the reason for confidentiality subsides. The length of the executive session is estimated to be approximately ninety (90) minutes after which the Board shall reconvene and proceed with business at 7:30 p.m. No action may be taken.

Motion to enter executive session.

Motion by Mr. Peters, seconded by Mrs. Klaus. All were in favor.

The Board entered executive session at 6:03 p.m.

Move to adjourn executive session.

Motion by Mr. Peters. All were in favor.

Executive session adjourned at 7:08 p.m.

SUPERINTENDENT REPORT

Mr. Zylinski welcomed all in attendance.

PUBLIC COMMENT

Public inquiry regarding deadline dates. Comment regarding Rutgers University budget and allocation of monies. Inquiry to re-examine applying for application and concerned about ramifications if the Board does not apply.

SUPERINTENDENT COMMENT

None.

BOARD COMMENT

None.

ADJOURNMENT

Move to adjourn the Special Meeting.

Motion by Mrs. Walker, seconded by Mr. Bell. All in favor.

The Special Meeting adjourned at 7:21 p.m

Respectfully submitted,



Sharon Ormsbee

Business Administrator/Board Secretary