

**RESOLUTION OF THE GLASSBORO BOARD OF EDUCATION INVOKING THE
DOCTRINE OF NECESSITY DUE TO CONFLICTS OF INTEREST OF CERTAIN
MEMBERS OF THE BOARD IN ACCORDANCE WITH THE “RESOLUTION ON
INVOKING THE DOCTRINE OF NECESSITY” ISSUED BY THE NEW JERSEY
SCHOOL ETHICS COMMISSION ON FEBRUARY 25, 2003.**

WHEREAS, five (5) members of the Glassboro Board of Education (“Board”) have conflicts of interest making them ineligible to participate in the review and approval of the recommendations of the Superintendent of Schools for the approval of staff appointments; and

WHEREAS, prior to the enactment of the Accountability Regulations, certain of the Board members were permitted to participate in the approval of staff appointments; and,

WHEREAS, Mr. Peter Calvo has a spouse who is employed as a secretary in one of Glassboro’s elementary schools; and

WHEREAS, Mr. Edward Keith has a spouse who is employed as a teacher in one of Glassboro’s elementary schools; and

WHEREAS, Mr. Alex Fanfarillo has a spouse who is an instructional assistant employed in one of Glassboro’s elementary schools; and

WHEREAS, Mr. Raymond Cibo has a cousin who is employed as a secretary in one of Glassboro’s elementary schools; and

WHEREAS, Mr. Christopher Esgro has an aunt who is employed as a bus driver in the Glassboro schools; and

WHEREAS, as a result of said conflicts, the Board does not have a quorum and is therefore unable to discuss the recommendations of the Superintendent for the approval of staff appointments; and

WHEREAS, the Doctrine of Necessity permits members of a public body who are otherwise in conflict to participate in the voting process where the public body would be unable to act without the participation of those members; and

WHEREAS, the New Jersey School Ethics Commission issued a “Resolution on Invoking the Doctrine of Necessity,” which permits boards of education to invoke the Doctrine of Necessity in situations involving the reviewing of and approval of the recommendation of the Superintendent of Schools regarding the appointment of staff, including the approval of annual contracts for staff; and

WHEREAS, the Board is satisfied that it is unable to discuss the recommendations of the Superintendent of Schools regarding the appointment of staff, including the approval of annual contracts for staff; and

WHEREAS, the Board has been provided with an opinion from its solicitor stating that it is appropriate to invoke the Doctrine of Necessity under these circumstances.

NOW, THEREFORE, BE IT RESOLVED, by the Glassboro Township Board of Education as follows:

1. The Board hereby declares that the Doctrine of Necessity must be invoked to permit the Board to take action on a pressing public issue and matters that the Board of Education are statutorily required to participate in and perform, the review and approval of the recommendation of the Superintendent of Schools regarding the appointment of staff, including the approval of annual contracts for staff;
2. The Board hereby declares that there is no alternative forum available to engage in the following actions:

- a. Reviewing and acting upon the recommendation of the Superintendent of Schools regarding the appointment of staff, including the approval of annual contracts for staff; and
 - b. Participate in executive session to discuss a. above
- 3. The Board further declares that it will be unable to act without the members in conflict and invoking the Doctrine of Necessity.
- 4. Upon adoption of this Resolution the Doctrine of Necessity, all members of the Board will be permitted to participate in the specific actions listed above.
- 5. All resolutions or parts of resolutions inconsistent with the provisions hereof are repealed to the extent of such inconsistency.
- 6. This Resolution shall take effect immediately.