

**PLAINFIELD BOARD OF EDUCATION
PLAINFIELD, NEW JERSEY**

**CERTIFIED RESOLUTION FROM THE
JANUARY 23, 2024 BUSINESS MEETING**

**F1. PLAINFIELD PUBLIC SCHOOLS | NJ
DOCTRINE OF NECESSITY**

Whereas, The Plainfield Board of Education (“Board”) and the Plainfield Education Association (“PEA”), and the parties to a current Collective Bargaining Agreement (“CBA”) for the period July 1, 2021, through June 30, 2024; and

Whereas, On or about December 8, 2023, the Board and the PEA, through their respective negotiations committees negotiated a Memorandum of Understanding with Tentative Agreements and revised Salary Guides for the period July 1, 2024, through June 30, 2029, for ratification by their respective governing bodies; and

Whereas, Pursuant to Board Policy 9325.4 provides that Board action may only be taken at meetings at which a quorum defined as five members of the nine-member board is present; and

Whereas, The Plainfield Board of Education held its annual organization meeting on January 4, 2024, whereby new members were sworn in to positions as Members of the Board of Education of the City of Plainfield, Union County, New Jersey; and

Whereas, Upon review of the various conflicts of interests of the current Board Members it has been determined that five of the members have conflicts of interest pursuant to the New Jersey School Ethics Act and Board Policy 4112.8/4212.8 governing Nepotism and other Conflicts of Interest; and

Whereas, pursuant to Policy 4112.8/4212.8 When a quorum of the Board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted Board members to participate and vote only when the Board of Education has fewer non-conflicted Board members than are required, pursuant to statute, to take action; and

Whereas, When invoking the doctrine of necessity the Board shall state publicly that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest; and

Whereas, The Board Policy further provides that it shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days, and provide the School Ethics Commission with a copy of the resolution; and

Whereas, the School Ethics Act, N.J.S.A. 18A:12-21, et seq., was enacted by the New Jersey State Legislature to ensure and preserve public confidence in School Board Members and School Administrators and to provide specific ethical standards to guide their conduct; and

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Whereas, the School Ethics Commission has provided guidance regarding the invocation of the Doctrine of Necessity when a quorum of the Board of Education is not available because members of the Board of Education have conflicts of interest on a matter required to be discussed and voted upon; and

Whereas, the Board intends to have discussions concerning the Memorandum of Understanding and Salary Guides with the PEA and take action regarding the same;

Whereas, members of the Board have conflicts of interest that would prevent their participation in and vote on the Memorandum of Understanding with the PEA as follows:

1. Hanae M. Wyatt's sister Asha McCray is a Security Officer employed by the Plainfield Board of Education.
2. Willie Hembree's niece Jasmine Hembree is a teacher and her step-sister Debra Calvit is a custodian both employed by the Plainfield Board of Education.
3. Victor L. Webb, Jr.'s mother Icilda Richards is a custodian employed by the Plainfield Board of Education.
4. Terrence Johnson's stepdaughter Nicole Blackmon is a security guard, stepson Eric Blackmon-Hayes is a Basketball coach, niece Quanisha Johnson is an Assistant Cheerleading coach, and his cousin Darryl Kennedy is a football coach employed by the Plainfield Board of Education.
5. Sincere Malone's father Harrold Malone is a Transportation Assistant employed by the Plainfield Board of Education; and

Whereas, as a result of the foregoing, the Board does not have a quorum to vote on the and the Board has determined that it is necessary to invoke the Doctrine of Necessity;

NOW, THEREFORE, BE IT RESOLVED that the above paragraphs are hereby incorporated by reference; and be it

Further Resolved, by the Plainfield Board of Education that the Doctrine of Necessity is hereby invoked with respect to the Board's deliberation on and the public vote related to the CBA; and be it

Further Resolved, that a copy of this Resolution, having been read at a public meeting of the Board on January 23, 2024, be posted in accordance with the Board's standard procedures for not less than thirty (30) days and that the Board Secretary reflect the same in the minutes of the meeting; and be it

Further Resolved, that a copy of this Resolution be provided to the School Ethics Commission.

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The motion carried on a roll-call vote with, Mrs. Wyatt, Mr. Webb, Mr. Andrews, Mr. Johnson, Mr. Malone, Ms. Smith, and Mrs. Virgo in favor. Mrs. Hembree abstained, and Mr. Gray was opposed.

THE FOREGOING RESOLUTION IS A
CORRECT COPY OF THE MINUTES OF THE
PLAINFIELD BOARD OF EDUCATION
BUSINESS MEETING CONDUCTED ON
JANUARY 23, 2024.

CEC/bsc



A handwritten signature in blue ink, reading "Cameron E. Cox", is written over a horizontal line.

Cameron E. Cox, Board Secretary