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WESTFIELD BOARD OF EDUCATION
JUNE 21, 2022

GOVERNANCE

1. Approve the following Resolution:

WHEREAS, N.J.S.A. 19:60-1.1(b)(1) sets forth the procedure for moving the date of school elections; and

WHEREAS, the election for members of the Westfield Board of Education was held on the first Tuesday in November for more than four years; and

WHEREAS, the date of the annual school election may be moved to the third Tuesday in April without voter approval, upon the adoption of a resolution by the Board of Education of a local or regional school district, and

WHEREAS, N.J.S.A. 19:60-1.1(b)(2) provides that in the event that the date of the annual school election is moved to the third Tuesday in April, a vote shall be held on the District's general fund tax levy for the budget year including any proposal for additional funds pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), the election of members of the Board of Education, and for any other purpose authorized by law; and

WHEREAS, the case law interpreting N.J.S.A. 19:60-1.1 precludes the shortening of Board members terms when moving the school elections from November to April and provides for extending Board members with terms expiring in December to serve an additional four months; and

WHEREAS, the Board wishes to make its decision before the nominating petition filing deadline for the November election of July 25, 2022.

THEREFORE, BE IT RESOLVED that the Westfield Board of Education approves the date of the annual school election be moved from the first Tuesday in November to the third Tuesday in April, beginning with moving the November 8, 2022 annual school election to the third Tuesday in April 2023; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 18A:13-12, the annual organization meeting of the Westfield Board of Education appropriately take place following the April election; and

BE IT FURTHER RESOLVED that Board members' terms be extended as follows: original terms expiring December 2022 be extended to the April 2023 reorganization; original terms expiring December 2023 be extended to the April 2024 reorganization; and original terms expiring December 2024 be extended to the April 2025 reorganization; and

BE IT FURTHER RESOLVED that the administration is to effectuate written notice of the change in the date of school election from November to April to the Union County Clerk accordingly; and

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BE IT FURTHER RESOLVED that this resolution be transmitted to the Union County Board of Elections; the Union County Superintendent of Elections; the Westfield Municipal Clerk and School Board Secretary; the Department of State, Division of Elections; the Department of Education's Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services.