

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
BOARD MEETING
WEDNESDAY, MAY 1, 2019 AT 9:00 A.M.
32 E. FRONT STREET, TRENTON, NJ
BOARD ROOM**

- 1. NOTICE OF PUBLIC MEETING**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. AUTHORITY MATTERS**
 - a. Appointment of Interim CEO
 - b. Appointment of Interim Records Custodian
- 5. PUBLIC COMMENTS**
- 6. ADJOURNMENT**

AUTHORITY MATTERS

APPOINTMENT OF INTERIM CEO



32 EAST FRONT STREET
P.O. BOX 991
TRENTON, NJ 08625-0991
609-858-5395

MEMORANDUM

TO: Members of the Authority

FROM: Robert Nixon, Chairman of the Board

DATE: May 1, 2019

SUBJECT: New Jersey Schools Development Authority-Election of Interim CEO

The New Jersey Schools Development Authority was statutorily established in 2007 (N.J.S.A. 52:18A-235 et seq.). Thereafter, the Authority adopted Bylaws to govern its affairs at its first Organizational meeting held August 15, 2007.

Section 4.1 of the Bylaws provides that the Members of the Authority shall elect a Chief Executive Officer (CEO) to manage the affairs of the Authority. Section 4.3 of the Bylaws authorizes the Board to fill any vacancy that might occur in the Chief Executive Officer position.

The resignation of SDA CEO Lizette Delgado Polanco was effective April 26, 2019 with the result that it is necessary for the Board to identify an individual to serve as the Authority's Interim CEO for such period of time until a new CEO shall be elected by the Board.

Therefore, consistent with Sections 4.1 and 4.3 of the Authority's Bylaws, the Members are requested to elect SDA Vice President of Construction Operations Manuel Da Silva to serve as Interim Chief Executive Officer of the Authority until such time as a permanent CEO shall be elected by the Board.

/s/ Jane F. Kelly
Jane F. Kelly, Assistant Secretary
For Robert Nixon, Chairman

Resolution — 4a.**Election of Interim Chief Executive Officer
New Jersey Schools Development Authority****Resolution**

WHEREAS, the New Jersey Schools Development Authority (SDA or the Authority) was established pursuant to P.L.2007, C.137 (N.J.S.A. 52:18A-235 et. seq.) as an entity “in but not of” the New Jersey State Department of the Treasury; and

WHEREAS, By-laws to govern the affairs and organization of the Authority were adopted by the Members of the Authority at its first organizational meeting held August 15, 2007; and

WHEREAS, Section 4.1 of the By-laws provides that the Members of the Authority shall elect an individual to serve as Chief Executive Officer of the Authority; and

WHEREAS, Section 4.3 of the By-laws provides that, in the event that any office of the Authority established under Section 4.1 becomes vacant, including the office of the Chief Executive Officer, the Members may, at any meeting, elect an individual to fill such vacancy until the election of that individual’s successor; and

WHEREAS, pursuant to Sections 4.1 and 4.3 of the By-laws, the Members of the Authority have determined to elect SDA Vice President of Construction Operations Manuel Da Silva to serve as the Authority’s Interim Chief Executive Officer until such time as his successor shall be elected.

NOW, THEREFORE, BE IT RESOLVED, that, consistent with the memorandum presented to the Board on this date, the Members of the Authority hereby elect SDA Vice President of Construction Operations Manuel Da Silva to serve as Interim Chief Executive Officer of the New Jersey Schools Development Authority and authorize him to serve in that office until his successor shall be elected by the Board, or until such earlier time as provided in Section 4.3 of the Authority’s By-Laws.

Attached: Election of Interim SDA Chief Executive Officer, dated May 1, 2019
Date: May 1, 2019

APPOINTMENT OF INTERIM RECORDS CUSTODIAN



32 EAST FRONT STREET
P.O. BOX 991
TRENTON, NJ 08625-0991
609-858-5395

To: Members of the Authority
From: Jane F. Kelly, Vice President, Corporate Governance & Legal Affairs
Date: May 1, 2019
Subject: Appointment of Interim Records Custodian

Pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.), requests by members of the public for public documents shall be handled by a public entity's "Records Custodian". The Act defines "Records Custodian as the "...officer officially designated by formal action of that agency's director or governing body..." to perform this function.

In a meeting held July 8, 2008, the Board designated Richard Yarsinsky to serve as the SDA's Records Custodian. With Mr. Yarsinsky's retirement effective April 30, 2019, it is necessary that the Members of the Authority designate an individual to assume the Records Custodian's responsibilities on an interim basis. Management recommends that SDA Director of Policy Kristen MacLean be elected by the Members to assume this role.

From 2010 through April 2, 2019, Ms. MacLean oversaw the Authority's OPRA function and is thus well qualified to serve as Interim Records Custodian for the Authority.

Management recommends that the Members of the Authority elect Kristen MacLean to serve as the Authority's Interim Records Custodian.

Resolution — 4b.**Election of Interim Records Custodian
New Jersey Schools Development Authority****Resolution**

WHEREAS, the New Jersey Schools Development Authority (SDA or the Authority), a public entity, is subject to the requirements of New Jersey's Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq.; and

WHEREAS, the OPRA provides that requests by members of the public for public documents shall be handled by a public entity's Records Custodian who shall be officially designated by formal action of that entity's governing body; and

WHEREAS, the SDA's most recent Records Custodian has retired from state service effective April 30, 2019 and it is thus necessary that the Board elect an individual to assume the Records Custodian's responsibilities on an interim basis; and

WHEREAS, between 2010 and April 2, 2019, Kristen MacLean oversaw and was significantly involved with the SDA OPRA function and is thus well qualified to serve as the Interim Records Custodian for the Authority; and

WHEREAS, Management recommends that the Members of the Authority elect Kristen MacLean to serve as the Authority's Records Custodian until such time as a successor shall be elected by the Board.

NOW, THEREFORE, BE IT RESOLVED, that, consistent with the memorandum presented to the Board on this date, the Members of the Authority hereby elect SDA Policy Director Kristen MacLean to serve as Interim Records Custodian and authorize her to serve in that role until her successor shall be elected by the Board.

Attached: Election of Interim SDA Records Custodian, dated May 1, 2019

Date: May 1, 2019

PUBLIC COMMENT STATEMENT

We will now begin the Public Comment Portion of the Meeting consistent with the New Jersey Open Public Meetings Act.

We would ask that any member of the public who wishes to address the Board limit their comments to 3 minutes. If there are multiple individuals from the same organization or district who wish to address the Board on the same matter, we would ask that you come up together to offer your remarks.

Please keep in mind that public comment is to afford citizens the opportunity to comment on matters pertinent to the Authority's business. Should you seek answers to questions on any topic, please contact the Authority at 609-943-4585 at your convenience.