

**LOWER TOWNSHIP BOARD OF EDUCATION  
AGENDA  
WORK SESSION AND REGULAR MEETING  
OCTOBER 27, 2020**

Call to Order:

Regular Meeting convenes immediately after the work session but not earlier than 6:45 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204.

**Work Session:** {Starts at 6:00 p.m.}

**Work Session Meeting:**

**Roll Call:**

**Board Members:**

☐ Monica DiVito  
☐ Nichole Koch  
☐ Steve Lewis  
☐ Michael Mader  
☐ Charles Utsch  
☐ Jonathan Vile  
☐ Sally Yerk  
☐ Patricia Smith  
☐ Gary Douglass

**Also in Attendance:**

Jeff Samaniego, Superintendent  
John Hansen, Board Secretary  
Brett Gorman, Board Attorney

**Agenda Items:** Board Discussion on Agenda Items

**Executive Session:**

Personnel Employees: #5284, #5548, #4275, 5731 & #4328  
Labor Relations - Contract Negotiations and Filing: Unfair Labor Practice

**Other Items:**

**Regular Meeting:** {Starts at 6:45 pm}

**Roll Call:**

**Board Members:**

☐ Monica DiVito  
☐ Nichole Koch  
☐ Steve Lewis  
☐ Michael Mader  
☐ Charles Utsch  
☐ Jonathan Vile  
☐ Sally Yerk  
☐ Patricia Smith  
☐ Gary Douglass

**Also in Attendance:**

Jeff Samaniego, Superintendent  
John Hansen, Board Secretary  
Brett Gorman, Board Attorney

## **Salute to the Flag**

### **Statement:**

Notice of this meeting of the Lower Township Board of Education, listing the Agenda as known, was duly sent to the Cape May County Herald - Times Newspaper, posted at the Municipal Building, and a copy thereof delivered to the Township Clerk; in accordance with the Open Public Meetings Act.

### **District Mission Statement:**

*"Dedicated to academic excellence, Lower Township Elementary Schools will nurture and challenge all students in a safe and innovative learning community. By encouraging respect and responsibility, students become self-directed, passionate, lifelong learners who will reach their potential. We are dedicated to supporting all students in exceeding the New Jersey Student Learning Standards."*

### **Vision Statement:**

*Every Student, Every Day, Learning, Teaching, Exploring, Succeeding.*

### **2019-2021 Board Goal:**

*"To continue the progression to become a highly functioning school board."*

### **2019-2022 Board Goal:**

*"Expand the knowledge and understanding of Board of Education Policies and its relationships to the effective management of this school district."*

### **2019-2021 District Goal:**

*"To maximize student achievement in our current challenging financial situation."*

### **2019-2020 District Goal:**

*"To decrease the percentage of Below Grade Level students in Reading by 10% annually over the next two years."*

### **OPEN MEETING TO THE PUBLIC**

***PLEASE NOTE:*** *Each speaker shall identify him/herself by giving their name and address and will be allowed to speak once for a period not to exceed four minutes. The public comment portion of all Board Meetings shall not exceed forty minutes in total.*

### **1} APPROVAL OF MINUTES:**

September 22, 2020  
Regular Meeting  
Executive Session

**Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Discussion:**

**Vote:**

\_\_\_ Monica DiVito  
\_\_\_ Nichole Koch  
\_\_\_ Steve Lewis  
\_\_\_ Michael Mader  
\_\_\_ Charles Utsch  
\_\_\_ Jonathan Vile  
\_\_\_ Sally Yerk  
\_\_\_ Patricia Smith  
\_\_\_ Gary Douglass

**2} REPORTS:**

- A} Board President:
- B} Superintendent:
- C} School Business Administrator:
- D} Presentation: **Sabina Muller, Supervisor of Curriculum and Instruction – Data Presentation**

**3} CONSENT AGENDA:**

**PUBLIC COMMENT ON AGENDA ITEMS:** *Each speaker shall identify him/herself by giving their name and address and identify the agenda item that they are speaking on Routine Matters, Personnel, Harassment Intimidation & Bullying, Legislative and Internal Policies, Education, and Financial matters are believed to be items of a routine nature and will be moved as a block of action items. Prior to the roll call vote, any member may ask for discussion on any of the items within the block.*

**R. Routine Matters**

**R-1 Approval of Financial Statements:**

Secretary's and custodian's reports for **September 30, 2020**, which are in agreement as certified by the Board Secretary, that no budgetary account has been over expended, in violation of NJAC 6:20-2.12 (a), (d).

**R-2 Approval of Transfers: September 22, 2020 - October 27, 2020 {Backup R-2}**

**R-3 Approval of Bill List: September 22, 2020 - October 27, 2020 {Backup R-3}**

**R-4 Approval of Cafeteria Report: July 2020 - September 30, 2020 {Backup R-4}**

**R-5 Approval of Travel: None.**

**P. Personnel:**

1. On the recommendation of the Superintendent, that the following substitutes be approved for the 2020-2021 school year, pending receipt of required documentation:  
(Backup P-1)

**SUBSTITUTES AVAILABLE TO WORK**

**Substitute Paraprofessionals**

*Samantha Pyffer, Clara Golley*

**SUBSTITUTES NEEDING MORE DOCUMENTATION**

**Substitute Teacher**

*Victoria Wolford*

**Substitute Paraprofessional**

*Angelina Montello*

**Substitute Instructional Aide**

*Bethanie Kaplan*

**Substitute School Nurse**

*Margaret Oleksiak*

**Substitute Day Care Aides**

*Angelina Bolton, Holly Cassidy*

**Substitute Classroom Aide**

*Ashley Cacella*

**Substitute Custodian**

*Thomas Ridgeway*

**Substitute School Security**

*Michael Hickman*

2. On the recommendation of the Superintendent, that the following Leaves of Absences are approved:

**FMLA**

<b><u>Employee #</u></b>	<b><u>Position</u></b>	<b><u>Effective Date</u></b>
5229	Teacher	9/21/20 – 10/2/20
4051	Custodian	9/21/20 – 10/8/20
4624	Secretary	11/2/20 – 1/3/21
5665	Teacher	10/27/20 – 1/29/21 (Amended)
5669	Teacher	11/2/20 – 1/31/21
5124	Teacher	9/8/20 – 12/7/20 (Amended)

**FAMILIES FIRST CORONA VIRUS RESPONSE ACT {part of FMLA}**

<b><u>Employee #</u></b>	<b><u>Position</u></b>	<b><u>Reason</u></b>	<b><u>Effective Dates</u></b>
4893	Teacher	Self Quarantine	9/11/20
5735	Classroom Aide	Self Quarantine	9/18/20
5755	Bus Aide	Self Quarantine	9/18/20
5221	Teacher	Self Quarantine	9/24/20
4857	Teacher	Self Quarantine	9/25/20
4072	Secretary	Self Quarantine	9/28/20 – 10/9/20
5646	Teacher	Self Quarantine	10/2/20
5230	Teacher	Self Quarantine	10/6/20 – 10/9/20
5665	Teacher	Self Quarantine	10/13/20 – 10/26/20
5669	Teacher	Self Quarantine	10/14/20 – 10/23/20
4300	Teacher	Self Quarantine	10/16/20 – 10/23/20
5283	Classroom Aide	Self Quarantine	10/19/20 – 10/30/20

3. On the recommendation of the Superintendent, that the Lower Township Board of Education accept the Separation Agreement between the Lower Township Board of Education and Employee #4238.
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Alexis Douglass at Temporary Preschool Teacher at the David C. Douglass Veterans Memorial School, effective October 13, 2020 to January 3, 2021, replacing Employee #5665 who is on a FMLA. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Jessica Elliott as Temporary Preschool Teacher at the David C. Douglass Veterans Memorial School, effective November 2, 2020 to January 31, 2021, replacing Employee #5669, who is on FMLA, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Herbert Chambers as Assistant Mechanic, in the District, effective date to be determined pending receipt of required documentation. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Leanne Scheff, Teacher at the David C. Douglass Veterans Memorial School, effective January 1, 2021. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Jeff Samaniego, Superintendent, to be appointed as the Day Care Director in the District.

9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Patricia O'Shea, Preschool Teacher, to mentor new teachers to the Preschool Program.
10. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of David Bur, 3<sup>rd</sup> Grade Teacher at the Maud Abrams School, effective July 1, 2021. (Backup P-10)

**H. Harassment, Intimidation & Bullying: None**

**L. Legislative and Internal Policies:**

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the second reading for the following revisions to existing or new Policies and Regulations: (Backup L-1)

<b>NUMBER</b>	<b>TYPE</b>	<b>TITLE</b>
2464	Policy	Gifted and Talented Students

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the first reading for the following revisions to existing or new Policies and Regulations: (Backup L-2)

<b>NUMBER</b>	<b>TYPE</b>	<b>TITLE</b>
1620	Policy	Administrative Employment Contracts
2431	Policy	Athletic Competition
2431.1	Regulation	Emergency Procedures for Sports and Other Athletic Activity
5330.05	Policy & Regulation	Seizure Action Plan
6440	Policy	Cooperative Purchasing
6470.01	Policy & Regulation	Electronic Funds Transfer and Claimant Certification
7440	Policy & Regulation	School District Security
7510	Policy & Regulation	Use of School Facilities
8420	Policy	Emergency and Crisis Situation
8561	Policy	Procurement Procedures for School Nutrition Programs

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Nursing Services Plan for the 2020-2021 school year: (Backup L-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the School Security Officers/Substitute School Security Officers, as listed below, to carry firearms while on duty on school grounds, in accordance with N.J. Statute and Code, for 2020-2021:

Darrin Hickok – Supervisor

John Herman – Sandman School

Albert Flitcroft – Maud Abrams School

Marlin Hedum – Mitnick School

Kevin Boyle – Memorial School

Jim Dietterich – Sub. Security

Christopher Winters – Sub. Security

Thomas Connelly – Sub. Security

**E. Education:** None.

**F. Finance:**

1. On the recommendation of the Superintendent and the School Business Administrator, that the Lower Township Board of Education approves the Shared Service Agreement, Resolution #2020-261, with the Township of Lower, regarding the Township of Lower sharing thirty (30) Google Chromebook Laptop Computers, due to the Corona Virus Pandemic. (Backup F-1)
2. On the recommendation of the AD HOC Health Committee, that the Lower Township Board of Education authorize: (Backup F-2)

**Become a Member of the Coastal HIF:**

- 1) To join the Southern Coastal Employee Benefits Fund, effective January 1, 2021.
  - 2) To approve the Southern Coastal Benefits Fund Indemnity and Trust Agreement effective January 1, 2021 – June 30, 2022.
  - 3) To appoint John J. Hansen, School Business Administrator, as Lower Township School District Fund Commissioner and Tricia Ryan or Donna Lahn, as alternate Fund Commissioner, effective January 1, 2021.
  - 4) To execute other documents as required relative to matters concerning the Coastal HIF.
3. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education accept the Corona Virus Relief Fund Grant in the amount of \$138,279 and allocate the funds to acquire Chromebooks for the teaching staff and other related items. (Backup F-3)

4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education amend the previous acceptance of the Digital Divide Grant and Amendment from August 25, 2020 to September 22, 2020. (Backup F-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education authorizes the School Business Administrator to take any necessary actions relative to the district self-insured program as the result of the move to the Coastal HIF (Medical).
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Tuition Contract Agreement between the Lower Township Board of Education and the Willingboro Board of Education, effective September 8, 2020 to June 28, 2021. (Backup F-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education authorize the submittal of 2021-2022 PEA Grant application. (Backup F-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Three-Year (2019-20, 2020-21, 2021-22) Facility Maintenance Plan, as submitted. (Backup F-8)

**MOTION ON CONSENT AGENDA:**

**Routine Matters: R-1 to R-5**

**Personnel: P-1 to P-10**

**Legislative and Internal Policies: L-1 to L-4**

**Education: None**

**Financial: F-1 to F-8**

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Discussion:**

**Vote:**

☐ Monica DiVito  
☐ Nichole Koch  
☐ Steve Lewis  
☐ Michael Mader  
☐ Charles Utsch  
☐ Jonathan Vile  
☐ Sally Yerk  
☐ Patricia Smith  
☐ Gary Douglass

**4} NON-CONSENT AGENDA:**

**5} EXECUTIVE SESSION:**

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Discussion:**

**Vote:**

\_\_\_\_ Monica DiVito  
\_\_\_\_ Nichole Koch  
\_\_\_\_ Steve Lewis  
\_\_\_\_ Michael Mader  
\_\_\_\_ Charles Utsch  
\_\_\_\_ Jonathan Vile  
\_\_\_\_ Sally Yerk  
\_\_\_\_ Patricia Smith  
\_\_\_\_ Gary Douglass

**6} OLD/NEW BUSINESS:**

**7} OPEN MEETING TO THE PUBLIC: *(public comment rules as read above apply):***

**8} GOOD OF THE ORDER:**

- A}** Next Board Meeting: Regular Meeting – November 24, 2020  
**B}** Fire Drills: 10/15/20 – Mitnick & Memorial Schools  
10/23/20 – Maud Abrams School  
TBD – Sandman School  
Emergency Drill: 10/22/20 – All Schools – Evacuation Drill

**9} ADJOURNMENT:**

**MOTION TO ADJOURN THE MEETING**

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_

**Discussion:**

**All in favor:** \_\_\_\_\_

**Time:** \_\_\_\_\_

F.Y.I.

1. Enrollment
2. Sandman School Reports
3. Maud Abrams School Reports
4. Mitnick School Reports
5. Memorial School Reports
6. Supervisor of Special Services Reports
7. Supervisor of Buildings & Grounds Reports
8. Supervisor of Transportation Reports
9. Supervisor of Food Service Reports

10. N/A
11. Supervisor of Curriculum & Instruction Report
12. Supervisor of Academic Achievement Report
13. Supervisor of Day Care Report

**LOWER TOWNSHIP BOARD OF EDUCATION  
RESOLUTION  
AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Lower Township Board of Education to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

**WHEREAS**, the Lower Township Board of Education has determined that   x   issues permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on October 27, 2020 at          P.M. and

**WHEREAS**, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

☐

**"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion."**

The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

☐

**"(2) Any matter in which the release of information would impair a right to receive funds from the federal government."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

☐

**"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information**

relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly."

☐

"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body" \_\_\_\_\_

☐

"(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

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"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

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"(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

☐

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority,

124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality:



**“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

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**WHEREAS**, the length of the Executive Session is estimated to be \_\_\_\_ minutes after which the public meeting of the Board shall reconvene and proceed with business.

**NOW, THEREFORE, BE IT RESOLVED** that the Lower Township Board of Education will go into Executive Session for **only** the above stated reasons;

**BE IT FURTHER RESOLVED** that the Board hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

**BE IT FURTHER RESOLVED** that the Board Secretary, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately be discussed.

**BE IT FURTHER RESOLVED** that the Board Secretary, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.