

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT  
MINUTES  
EXECUTIVE SESSION  
MAY 25, 2021**

**Executive Session Meeting:**

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Nichole Koch  
Michael Mader  
Joseph Thomas  
Charles Utsch  
Sally Yerk  
Patricia Smith  
Gary Douglass  
Steve Lewis

**Also in Attendance:**

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

**Absent:**

Steve Lewis

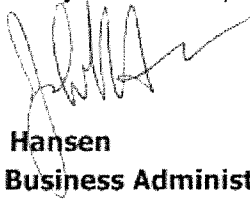
**EXECUTIVE SESSION:**

The following items were discussed in close session:

- School Business Administrator Contract – {Mr. Hansen was not present}
- Reduction in Force-Part Time Speech Teacher – Mr. Gorman discussed the reason for this action.
- Buildings & Grounds Reorganization – Mr. Samaniego and Mr. Hansen spoke on the process of replacing the retiring Building and Grounds Supervisor.
- Transfers/Personnel Matters – Mr. Samaniego reviewed the April and May personnel transfers and answered questions of the board.
- Pending Retirement Issue-Administrator – Mr. Hansen and Mr. Gorman discussed the issue of sick leave payment and answered questions of the board. {Mrs. Koch was not present}
- H.I.B. Sandman #3 – 2020-2021 School Year Mr. Samaniego reviewed this HIB.
- LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters – Mr. Hansen and Mr. Gorman advised the board on the issues relative to this LTEEA contractual issue. {Mr. Douglass, Mrs. Yerk, and Mrs. Smith were not present}
- Superintendent's Evaluation – Mr. Hansen reviewed the superintendent evaluation with the board. {Mr. Samaniego, Mr. Douglass, Mrs. Yerk, and Mrs. Smith were not present}

The executive session ended at 7:15 pm.

Respectfully submitted,



John J. Hansen

School Business Administrator/School Board Secretary

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 8 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 May 25, 2021 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

\_\_\_\_\_  
\_\_\_\_\_;

X

**"(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." HIB Sandman 2020-2021 #3**

X

**"(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"**

-LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters - #5105, #5557

**"(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 Personnel matters**

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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:

X

**“(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:

- School Business Administrator Contract - #5548
- Reduction in Force-Part Time Speech Teacher - #4907
- Buildings & Grounds Reorganization - #5180, #4708, #5156, #5557
- Transfers/Personnel Matters - #5356, #4662, #5372, #5228, #5779, #5705, #5745, #4116, #5336, #5671, #5709, #5233, #5439, #5511, #4348, #4839, #4702, #4100
- Pending Retirement Issue-Administrator - #4275
- Superintendent’s Evaluation - #5284

**“(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.

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT  
MINUTES  
WORK SESSION AND REGULAR MEETING  
MAY 25, 2021**

Call to Order: Mr. Douglass called the meeting to order at 6:00 p.m.

**Work Session:**

**Work Session Meeting:**

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Nichole Koch  
Michael Mader  
Joseph Thomas  
Charles Utsch  
Sally Yerk  
Patricia Smith  
Gary Douglass  
Steve Lewis

**Also in Attendance:**

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

**Absent:**

Steve Lewis

**Agenda Items:**

Board Discussion on Agenda Items: None

Mr. Samaniego made a brief Report on Ad Hoc Meeting of Wednesday,  
May 19, 2021

Board Policy:

<i>8451</i>	<i>Policy</i>	<i>Control of Communicable Diseases</i>
<i>0177</i>	<i>Policy</i>	<i>Professional Services</i>
<i>9130</i>	<i>Policy</i>	<i>Public Complaints and Grievances</i>

**EXECUTIVE SESSION:**

- School Business Administrator Contract - #5548
- Reduction in Force-Part Time Speech Teacher - #4907
- Buildings & Grounds Reorganization - #5180, #4708, #5156, #5557
- Transfers/Personnel Matters - #5356, #4662, #5372, #5228, #5779, #5705, #5745, #4116, #5336, #5671, #5709, #5233, #5439, #5511, #4348, #4839, #4702, #4100
- Pending Retirement Issue-Administrator - #4275
- H.I.B. Sandman #3 – 2020-2021 School Year
- LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters - #5105, #5557
- Superintendent's Evaluation - #5284

**Motion: Yerk Second: Utsch Discussion: None**  
**All voted in favor:**

Motion to come out of executive session:

**Motion: Utsch Second: Smith Discussion: None**

**All voted in favor:**

**Regular Meeting:** {Starts no earlier than 6:45 pm}

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Nichole Koch  
Michael Mader  
Joseph Thomas  
Charles Utsch  
Sally Yerk  
Patricia Smith  
Gary Douglass  
Steve Lewis

**Also in Attendance:**

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

**Absent:**

Steve Lewis

**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."*

**2021 District Goal:**

*"To implement the Units of Study in Reading (K-6), Writing (K-6) and Phonics (K-2) Workshop. Teachers will work with a Teachers College staff developer to learn best practices in workshop instruction, how to utilize their assessment of student understanding to inform instruction and help children move forward along the progressions of learning."*

**1} APPROVAL OF MINUTES:**

April 27, 2021

Regular Meeting & Executive Meeting

**Motion: Yerk Second: Mader**

**Discussion: None**

**Voting Yes:**

Monica DiVito  
Nichole Koch  
Michael Mader  
Joseph Thomas  
Charles Utsch  
Sally Yerk  
Patricia Smith  
Gary Douglass

**2} REPORTS:**

**A}** Board President: Mr. Douglass turned over the meeting to Mrs. Smith who discussed the possible creation of an Ad Hoc Curriculum.

**B}** Superintendent: Mr. Samaniego reported on various topics, including the upcoming summer programs.

**C}** School Business Administrator: None

**3} CONSENT AGENDA:**

**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. Prior to the roll call vote, any member of the board 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 **April 30, 2021**, 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: April 27, 2021-May 25, 2021**{Backup R-2}

**R-3 Approval of Bill List: April 27, 2021-May 25, 2021**{Backup R-3}

**R-4 Approval of Cafeteria Report: April, 2021** {Backup R-4}

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

**P. Personnel:**

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

**SUBSTITUTE AVAILABLE TO WORK**

**SUBSTITUTE TEACHER**

*Devon Blackley*

**SUBSTITUTES NEEDED MORE DOCUMENTATION**

**SUBSTITUTE CLERK/SECRETARY**

*Courtney Hamilton*

2. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Robin Tsosie, Preschool Master Teacher at the David C. Douglass Veterans Memorial School, effective July 1, 2021. (Backup P-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Emily Champion as Temporary 2<sup>nd</sup> Grade Teacher for Employee #4698 at the Carl T. Mitnick School, effective May 21, 2021 to June 11, 2021.
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Lower Township Administrator's Contract for the period of July 1, 2021 – June 30, 2024. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a cost of living increase of 2.90% to the Unaffiliated Employees effective July 1, 2021 – June 30, 2022.
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the submittal of the School Business Administrator/Board Secretary

Contract to the executive county superintendent for review. The contract period is for the period of July 1, 2021 – June 30, 2022. (Backup P-6)

7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Kristin Sterling as Secretary for Office of Curriculum & Instruction/ Child Study Team, effective June 21, 2021, pending receipt of required documentation. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Terry Morris, 3<sup>rd</sup> Grade Teacher at the Maud Abrams School, effective July 1, 2021. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Leave of Absence:

**FMLA**

<b><u>Employee #</u></b>	<b><u>Position</u></b>	<b><u>Effective Dates</u></b>
4907	Speech Teacher	5/18/21 – 6/17/21 (3 days per wk)
5712	Speech Teacher	5/26/21 – 6/17/21

10. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following transfer for the 2021-2022 school year:

<b><u>STAFF</u></b>	<b><u>CURRENT POSITION</u></b>	<b><u>TRANSFERRED TO:</u></b>
Greta Pacevich	5 <sup>th</sup> Grade Teacher	4 <sup>th</sup> Grade Teacher

**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 Facilities Use Form for the 6<sup>th</sup> Grade Stepping Up Ceremony on the football field at the Lower Cape May Regional High School for June 15, 2021.
2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the job description for the Secretary for Office of Curriculum & Instruction/Child Study Team. (Backup L-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education acknowledges that the Medicaid Annual Notification Regarding Parental

Consent was mailed via USPS on Friday, April 30, 2021, to the parents of all Special Education students.

**E. Education:**

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placements for the 2020-2021 school year: (Backup E-1)

**Case #4821-A** – Six year old, 1<sup>st</sup> grade special education student awaiting placement at Cape May County Special Services School District, Ocean Academy.

**Case #4912-A** – Seven year old, 2<sup>nd</sup> grade special education student transferred into the district and is continuing placement at the Cape May County Special Services District at Ocean Academy.

**F. Finance and Insurance:**

**Regular Business:**

1. On the recommendation of the School Business Administrator, pursuant to PL 2015, Chapter 47, the Lower Township Board of Education intends to renew, award, or permit to expire the following Contracts previously awarded by the Board of Education. These Contracts are, have been, and will continue to be, in full compliance with all State and Federal Statutes and Regulations; in particular: New Jersey Title 18A:18. Et seq. NJAC Chapter 23, and Federal Regulations 2CFR Part 200.317 et. Seq. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Supervisor of School Security, School Security Officers (as listed below) and and/all Substitute School Security Officers, to carry firearms while on duty on school grounds, in accordance with N.J. Statue and Code:

Darrin Hickok – Supervisor of School Security

John Herman – School Security Officer/Behavior Management Specialist - Sandman School

Kevin Boyle – School Security Officer – Memorial School

Albert Flitcroft – School Security Officer – Maud School

Marlin Hedum – School Security Officer – Mitnick School

**SUBSTITUTES SECURITY**

Chris Winter – Substitute Security

Thomas Connelly – Substitute Security

Jim Dietterich – Substitute Security

Mike Hickman – Substitute Security

Eric Lashley – Substitute Security

3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as Professional Services Contracts, for the fiscal year July 1, 2021 through June 30, 2022, as listed:

- a. **Auditors** – Inverso & Stewart, LLC – Awarded on a Fair and Open Process.
- b. **Solicitor** – Brett Gorman, Parker McCay LLC – Awarded on a Fair and Open Process.
- c. **Behavior Therapy Specialist** – Brett Dinovi & Associates, LLC & Interactive Kids – Awarded on a Fair and Open Process.
- d. **Bond Counsel** – Parker McCay LLC – Awarded on a Fair and Open Process.
- e. **Nursing Services** – Preferred Home Health Care & Nursing Services & Bayada Home Health Care, Inc. – Awarded on a Fair and Open Process.
- f. **Medical Inspector** – Atlanticare – Awarded on a Fair and Open Process.
- g. **Occupational Therapy** – Kim Vona – Awarded on a Fair and Open Process.
- h. **Architect of Record** – Garrison Architects- Awarded on a Fair and Open Process.
- i. **Child Study Team Services** – Cumberland Therapy Services, LLC - Awarded on a Fair and Open Process.
- j. **Employee Assistance Program** - Shore Counseling, LLC. - Awarded on a Fair and Open Process.

4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022, and execute any contracts between the Lower Township Board of Education and the Joint Insurance Fund as listed: (Backup F-4)

**Risk Management Consultant (RMC)/Liability Insurance Broker** – {JIF} J. Bryne Agency

5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022: (Backup F-5)

**Risk Management Consultant (RMC)/Health Insurance Broker** – Southern Coastal HIF – J. Bryne Agency.

6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022: (Backup F-6)

**Risk Management Consultant (RMC)/Dental Insurance Broker** – Self Insured Dental Program- Marsh & McLennan

7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education adopt the 2021-2022 Board of Education Meeting dates. (Backup F-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education authorizes the submittal of the 2021-2022 Extra Ordinary Aide Application. (Backup F-8)
9. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education authorizes the continuation of the Seamless Summer Food Distribution Program. (Backup F-9)
10. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the transfer of \$16,000 from the Warrant Account to the Food Service Account to cover the Seamless Summer Food Distribution Program.
11. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the acceptance of a donation of a platform truck from the Township of Lower. (Backup F-11)
12. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve for the Principals, and Unaffiliated Administrative Staff:

**Due to the on-going state of emergency declared by the Governor in relation to COVID-19, Administrators were unable to take some or all of their vacation time. Therefore, the Board will permit Administrators** to sell back up to the first eight days of unused vacation time with each of these days valued at \$300 per day and payment will be made no later than June 30, 2021 with proper notification to the School Business Administrator by May 31, 2021. As of August 31, 2021, the Administrators be required to either use their balance of vacation days above the allowable carryover of fifteen, or sell only six of the remaining unused vacations back with each of these days valued at \$100 per day, and any remaining unused vacation days over the allowable carryover shall be forfeited. This payment will be made no later than September 30, 2021.

13. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the closure of the Sterling National Bank Escrow Account. (Backup F-13)
14. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves John J. Hansen, School Business Administrator as the QPA for the period June 1, 2021 – June 30, 2021, and July 1, 2021 – June 30, 2022.

15. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves the removal of Christine Conley, Purchasing Agent, as signor on any/all bank accounts for the district, due to her retirement and add Tricia Ryan, Fiscal Manager: Accounting/Payroll/Accounts Payable Supervisor as a signor.
16. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve Aydan High Quality Healthcare Agency, LLC for the period May 26, 2021 – June 30, 2021 and July 1, 2021-June 30, 2022. (Backup F-16)
17. On the recommendation of the School Business Administrator, that the Lower Township Board of Education accept the 2021 Grant Application for the Lower Township Elementary School District Wellness Program. (Backup F-17)
18. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the reduction of five (5) vacation days, thus changing the accrual from twenty (20) to fifteen (15) vacation days for unaffiliated administrators in exchange for a contribution of \$1,500 to the unaffiliated Administrator's 403 (b) account.

**ADDENDUM #1** RESOLUTION ABOLISHING POSITION FOR REASONS OF PROGRAM NEEDS AND TERMINATING THE EMPLOYMENT OF THE INDIVIDUAL CURRENTLY HOLDING THE POSITION

**WHEREAS**, the Superintendent of Schools has consulted with and recommended to the Lower Township Elementary Board of Education that, for reasons of program needs, it is necessary to abolish a certain position in the Lower Township Elementary School District; and

**WHEREAS**, the Lower Township Elementary Board of Education has determined that, due to program needs, it is necessary to abolish a certain position; and

**WHEREAS**, the Lower Township Elementary Board of Education is legally permitted to do so in accordance with the provisions of N.J.S.A 18A:28-9, *et seq.*; and

**WHEREAS**, as a result of the elimination of the position, the Lower Township Elementary Board of Education is required to terminate the employment of the individual currently holding the position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Lower Township Elementary Board of Education as follows:

1. The Ten Month Part-Time Speech-Language Specialist position in the Lower Township Elementary School District is hereby abolished.
2. The abolishment of this position shall be effective as of June 30, 2021.

3. The employment of the individual currently holding the abolished position is hereby terminated, effective June 30, 2021.
4. The Superintendent and Board Secretary are authorized and directed to take all necessary and appropriate actions with respect to the abolishment of the position and to notify the affected individual of the termination of their employment in said position.

**ADDENDUM #2** RESOLUTION CREATING NEW POSITION

**WHEREAS**, the Superintendent of Schools has consulted with and recommended to the Lower Township Elementary Board of Education that, for reasons of program needs, it is necessary to create a certain new position in the Lower Township Elementary School District; and

**WHEREAS**, the Lower Township Elementary Board of Education has determined that, due to program needs, it is necessary to create such new position; and

**WHEREAS**, as a result of the creation of the position, the Lower Township Elementary Board of Education is required to fill the position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Lower Township Elementary Board of Education as follows:

1. The position of a Ten Month Full-Time Speech-Language Specialist is hereby created.
2. The creation of the position shall be effective as of July 1, 2021.
3. The Board shall fill the position for the 2021-2022 school year.

**ADDENDUM #3** On the recommendation of the Superintendent and the School Business Administrator that the Lower Township Board of Education appoint Gary O'Shea as the interim Building and Grounds Supervisor effective July 1, 2021.

**MOTION ON CONSENT AGENDA:**

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

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

**Harassment, Intimidation & Bullying: None**

**Legislative and Internal Policies: L-1 to L-3**

**Education: E-1**

**Finance and Insurance: F-1 to F-18**

**Addendum 1-3**

**Motion: Smith Second: Douglass**

**Discussion: None**

**Voting Yes:**

Monica DiVito

Nichole Koch

Michael Mader

Joseph Thomas No:F1-F18

Charles Utsch

Sally Yerk Abstained P4 & P5 and F12 &18

Patricia Smith Abstained P4 & P5 and F12 &18

Gary Douglass Abstained P4 & P5 and F5 12 &18

**4} NON-CONSENT AGENDA:**

1. On the recommendation of the Lower Township Board of Education approve for the Superintendent and School Business Administrator/Board Secretary the following:

**Due to the on-going state of emergency declared by the Governor in relation to COVID-19, Administrators were unable to take some or all of their vacation time. Therefore, the Board will permit Administrators** to sell back up to the first eight days of unused vacation time with each of these days valued at \$300 per day and payment will be made no later than June 30, 2021 with proper notification to the School Business Administrator by May 31, 2021. As of August 31, 2021, the administrators be required to either use their balance of vacation days above the allowable carryover of twenty, or sell only six of the remaining unused vacations back with each of these days valued at \$100 per day, and any remaining unused vacation days over the allowable carryover shall be forfeited. This payment will be made no later than September 30, 2021.

**Mr. Douglass asked the public if anyone had a comment on this motion.**

There was no public comments.

**Motion to approve motion: DiVito Second: Douglass**

**Discussion: None**

**Voting Yes:**

Monica DiVito

Nichole Koch

Michael Mader

Joseph Thomas

Charles Utsch

Sally Yerk Abstained

Patricia Smith Abstained

Gary Douglass Abstained



5} **EXECUTIVE SESSION: None**

6} **OLD/NEW BUSINESS: None**

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

During the public comment, several members of the public addressed the board as follows:

Teresa Strunk-discussed the mask issue.

Kelly Johns-public law that was recently enacted about the curriculum

Denise Barrett-a book that he child read that she felt was inappropriate.

Patti O'Shea-responded to comments that were made on the masking of students.

Teresa Anderton-discussed the mask issue.

Heather Lauriello-discussed the mask issue.

Robin Leidy-discussed the mask issue.

Holden Golden-responded to concerns on the mask issue, and supported the efforts of the school district how COVID was handled.

Tom Monzo-discussed the mask issue and ask board if it would consider an motion on the subject.

Pastor Lackey-discussed the curriculum, and supported the previous position.

Karen Smith-thanked the board, and indicated that everyone wanted the best for the students.

8} **GOOD OF THE ORDER:**

A} Next Board Meeting: June 22, 2021

B} Fire Drills: 5/3/21 – Memorial School; 5/10/21 – Mitnick School; Sandman & Maud - TBD

Emergency Drills: 5/19/21 Active Shooter/Lockdown

9} **ADJOURNMENT:**

**MOTION TO ADJOURN THE MEETING**

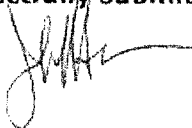
**Motion: Utsch Second: Douglass**

**Discussion: None**

**All in favor:**

**Time: 8:15 p.m.**

Respectfully submitted,



**John J. Hansen**

**School Business Administrator/School Board Secretary**

**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 8 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 May 25, 2021 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.” HIB Sandman 2020-2021 #3

☒ X

**“(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”**

-LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters - #5105, #5557

☐ **“(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 Personnel matters

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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:

☒ X **“(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:

- School Business Administrator Contract - #5548
- Reduction in Force-Part Time Speech Teacher - #4907
- Buildings & Grounds Reorganization - #5180, #4708, #5156, #5557
- Transfers/Personnel Matters - #5356, #4662, #5372, #5228, #5779, #5705, #5745, #4116, #5336, #5671, #5709, #5233, #5439, #5511, #4348, #4839, #4702, #4100
- Pending Retirement Issue-Administrator - #4275
- Superintendent's Evaluation - #5284

**"(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.