

**LOWER TOWNSHIP BOARD OF EDUCATION
WORK SESSION AND REGULAR MEETING
MINUTES
JANUARY 25, 2022**

Call to Order:

Work Session:

Work Session Meeting:

Roll Call:

Present:

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

Also in Attendance:

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

Agenda Items:

Board Discussion on Agenda Items:

The board asked questions on the motion F-2.

Discussion on mask motion sent to the Governor:

The board discussed the previous motion on the mask motion sent to the Governor and directed the Attorney to update the resolution.

District Policies:

#2700 – Services to Nonpublic School Students

#3282 – Use of Social Networking Sites

#6112 – Reimbursement of Federal and Other Grant Expenditures

Mr. Douglass reviewed the policies with the board.

Presentation: Start Strong Fall 2021

Mrs. Muller and Ms. Bowman reviewed in detail the Start Strong

Fall 2021 report.

EXECUTIVE SESSION: Personnel Matters: Employee #5284, #5798, #5592, #4348, #5439, #4341, #5823, #5782, #5724

Motion: Yerk Second: Smith Discussion: none

1/25/2022

All voted in favor

Motion to enter the regular meeting.

Motion: Utsch Second: Yerk

All voted in Favor

Regular Meeting: Started at 7:15 pm

Roll Call:

Present:

Monica DiVito

Nichole Koch

Sally Yerk

Lindsey Selby

Patricia Smith

Charles Utsch

Joseph Thomas

Michael Mader

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, The Press of Atlantic City, 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.

2019-2022 Board Goal:

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

1/25/2022

2021-2023 Board Goal:

GOAL:

The Lower Township Board of Education is committed to ensuring that we are providing a safe and supportive environment for our students as well as staff members. We recognize that a healthy workplace environment can have a positive impact on school district programs, ultimately having a positive impact on student achievement.

This meeting will be conducted in accordance with:

District Policy: #0164 Conduct of Board Meetings

District Policy: #0167 Public Participation in Board Meetings

1} APPROVAL OF MINUTES:

January 6, 2022

Reorganization/Regular Meeting & Executive Meeting

Motion: Douglass Second: Smith

Discussion: None

Voting Yes:

Monica DiVito

Nichole Koch

Sally Yerk

Lindsey Selby

Patricia Smith

Charles Utsch

Joseph Thomas

Michael Mader

Gary Douglass

2} REPORTS:

A} Board President:

B} Superintendent: Mr. Samaniego reviewed the activities of the school.

C} School Business Administrator: Mr. Hansen reviewed the specifics on the Special Election as per motion F-1.

3} CONSENT AGENDA:

OPEN MEETING TO THE PUBLIC TO SPEAK ON CONSENT ITEMS ONLY:

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 **December 31, 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: January 6, 2022 - January 22, 2022{Backup R-2}

R-3 Approval of Bill List: January 6, 2022 - January 22, 2022{Backup R-3}

R-4 Approval of Cafeteria Report: November & December, 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 2021-2022 school year, pending receipt of required documentation: (Backup P-1)

SUBSTITUTES AVAILABLE TO WORK

SUBSTITUTE TEACHERS

Melissa Millard, Kaitlyn French, Alexis Walton, Domonique DeCamillo, Alyssa Fazio

SUBSTITUTES NEEDING MORE DOCUMENTATION

SUBSTITUTE CUSTODIANS

Giovanni Venuto, Karen McCarraher, Heather Errickson

SUBSTITUTE CLASSROOM AIDES

Karen McCarraher, Desiree Moore, Hayley Pettit, Heather Errickson

SUBSTITUTE CAFETERIA AIDE

Desiree Moore, Heather Errickson

SUBSTITUTE CLERICAL/SUBSTITUTE BUS AIDE/SUBSTITUTE FOOD SERVICE

WORKER/SUBSTITUTE DAY CARE AIDE

Karen McCarraher, Heather Errickson

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

TEACHER

Heather LaVancher
Emma Breder
Amanda Sherretta

POSITION

Preschool Teacher
Kindergarten Teacher
Preschool Teacher

MENTOR

Tracy Rutherford
Chrystie Mahler
Meaghan Shedlock

3. On the recommendation of the Superintendent, that the Lower Township Board of Education accepts the resignation of Employee #5314, effective January 21, 2022. (Backup P-3)

1/25/2022

4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following transfers, effective 1/26/22:

<u>STAFF</u>	<u>CURRENT POSITION</u>	<u>TRANSFERRED TO</u>
Dorothy Marshall	Nurses Clerk @ Mitnick	Nurses Clerk @ Sandman
Meghann Kellaway	Nurses Clerk @ Sandman	Nurses Clerk @ Mitnick

5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Allyson O'Shea as Temporary Assistant Principal between Sandman Consolidated School and Maud Abrams School (funded by the grant), effective January 26, 2022 to June 16, 2022 and approve the filling of now vacant teachers position. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Jane Mestre, Kindergarten Teacher at the David C. Douglass Veterans Memorial School, effective June 30, 2022. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Donna Hill, Power School/NJSMART/Board Secretary, effective March 18, 2022. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Family Medical Leave of Absence for Employee #5286, effective February 7, 2022 to February 25, 2022.

H. Harassment, Intimidation & Bullying:

1. On the recommendation of the Superintendent, that the Board approve the H.I.B. School Self-Assessment scores for the 2020-2021 school year. (Backup H-1)

L. Legislative and Internal Policies: None

E. Education:

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

Case #4398-A – 10 year old, 4th grade special education student awaiting placement at YALE, Northfield Campus, 1000 Burton Ave., Northfield, NJ.

2. On the recommendation of the Supervisor of Academic Achievement, that the Lower Township Board of Education approves the 3-Year English Language Learners Plan (ELL) that will be submitted to the Department of Education.

1/25/2022

F. Finance and Insurance:

The following items 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 without the block.

Regular Business:

1. On the recommendation of the Lower Township Board of Education, Superintendent, School Business Administrator, that the Lower Township Board of Education approve the submission of a proposal to the voters of the school district at a special election to be held on Tuesday, March 8, 2022. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve a Purchase Order Contract with B-Safe for the installation of the new intercom system at the Carl T. Mitnick School. (Backup F-2)
3. On the recommendation of the School Business Administrator and the Supervisor of Food Service, that the Lower Township Board of Education authorize the acceptance of the NSLP Equipment Assistance Grant in the amount of \$18,200 for a walk-in freezer at the Sandman Consolidated School. (Backup F-3)
4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve a Tuition Contract between the Lower Township Board of Education and the Dennis Township Board of Education for student #1450074674. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the 2021--2022 Joint Transportation Agreement between Lower Township Board of Education and Cape May County Special Services Board of Education. (Backup F-5)
6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve a Tuition Contract between Lower Township Board of Education and Y.A.L.E. School East, Inc. for student J.D. (Backup F-6)

Addendum:

1. On the recommendation of the Superintendent and the Lower Township Board of Education, that the Lower Township Board of Education approves the dismissal of Employee #5798.
2. On the recommendation of the School Business Administrator that the Lower Township Board of Education authorizes a Shared Service Agreement between Clayton Board of Education and the Lower Township Board of Education to share the position of one board office employee, between the districts with said employee shared in Lower Township Elementary School District at an approximate rate of 40%.

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MOTION ON CONSENT AGENDA and ADDENDUM #1 & #2

Routine Matters: R-1 to R-5

Personnel: P-1 to P-8

Harassment, Intimidation & Bullying: H-1

Legislative and Internal Policies: None

Education: E-1 and E-2

Finance and Insurance: F-1 to F-6

Addendum 1 & 2

Motion: Thomas Second: Douglass

Discussion: None

Voting Yes:

Monica DiVito abstained F-4

Nichole Koch

Sally Yerk

Lindsey Selby

Patricia Smith

Charles Utsch

Joseph Thomas

Michael Mader

Gary Douglass

4} NON-CONSENT AGENDA:

RESOLUTION OF THE LOWER TOWNSHIP ELEMENTARY BOARD OF EDUCATION REQUESTING THAT GOVERNOR MURPHY AND THE NEW JERSEY DEPARTMENT OF EDUCATION MAKE THE MANDATE THAT FACE MASKS BE WORN IN PUBLIC SCHOOL BUILDINGS FOR REMAINDER OF THE 2021-2022 SCHOOL YEAR TO BE MADE AT THE LOCAL LEVEL

Motion: Douglass Second: Mader

Discussion: None

Voting Yes:

Monica DiVito

Nichole Koch

Sally Yerk

Lindsey Selby

Patricia Smith

Charles Utsch

Michael Mader

Gary Douglass

Voting No:

Joseph Thomas

1/25/2022

5} COMMITTEE REPORTS:

Curriculum Committee: Mrs. Smith reviewed the curriculum meeting.
Building & Grounds Committee: & Finance Committee: Mr. Hansen had discussed these committee discussions during the meeting.

6} EXECUTIVE SESSION: None

7} OLD/NEW BUSINESS:

8} OPEN MEETING TO THE PUBLIC:

Mrs. Cox discussed the requirements of students and masks.
Mrs. Strunk discussed the mask and finance issue.
Mrs. Barrett discussed the book Black/White issue.

9} GOOD OF THE ORDER:

- A}** Next Board Meeting: February 22, 2022
- B}** Fire Drills: 1/13/2022 – Sandman School; 1/14/22 – Maud Abrams and Memorial Schools; TBD – Mitnick
Emergency Drill: 1/27/22 – Active Shooter

10} ADJOURNMENT:

MOTION TO ADJOURN THE MEETING

Motion: Douglass Second: Mader

All voted in favor

Time: 7:45PM

Respectfully submitted:



John J. Hansen
School Business Administrator/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 4 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 January 25, 2022 at 6:30 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 Personnel matters

"(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

"(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:

1/25/2022

#5284, #5798, #5592, #4348, #5439, #4341, #5823, #5782, #5723 - Other Personnel Matters



“(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

WHEREAS, the length of the Executive Session is estimated to be 45 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 BOARD OF EDUCATION
MINUTES
EXECUTIVE SESSION**

JANUARY 25, 2022

Call to Order:

Roll Call:

Present:

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

Also in Attendance:

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

EXECUTIVE SESSION:

Personnel Matter: Employee

- 1} #5798: Mr. Samaniego discussed an employee's inappropriate use of internet

- 2} #5592: Mr. Hansen discussed the resignation of an employee of the board office and the district's ability to retain that employee through a shared services agreement with the Clayton School District.

- 3} Mr. Samaniego discussed the transfer of part time nurse positions between Mitnick and Sandman

#4348 #5439
#4341 #5823
#5782 #5724

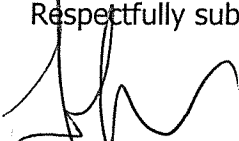
- 4} Mr. Catalano attorney for district and Mr. Gorman discussed in detail the merits of the complaint entitled: Lower Township o/b/o AB #5284

1/25/2022

Mr. Douglass, Mrs. Yerk, Mrs. Smith and employee#5284 were not present.

The meeting was adjourned to regular session at 7:15 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John J. Hansen', written over a circular stamp.

John J. Hansen
School Business Administrator/Board Secretary