

**LOWER TOWNSHIP BOARD OF EDUCATION
AGENDA
WORK SESSION AND REGULAR MEETING
OCTOBER 18, 2022**

Call to Order:

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

Work Session Meeting:

Roll Call:

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

Also in Attendance:

Jeff Samaniego, Superintendent
Frank Onorato, Interim School Business Administrator
Patricia Ryan, Board Secretary
Brett Gorman, Board Attorney

Agenda Items: Board Discussion on Agenda Items

EXECUTIVE SESSION: Personnel: Employees #5284 and #5173
H.I.B. Maud Abrams #2 2022-2023; H.I.B. Maud Abrams #3
2022-2023; H.I.B. Mitnick #1 2022-2023; H.I.B. Mitnick #2
2022-2023; H.I.B. Sandman #3 2022-2023; and H.I.B. Sandman
#4 2022-2023

Motion: _____ **Second:** _____

Discussion:

All in Favor: _____

Motion to return to Regular Meeting:

Motion: _____ **Second:** _____

All In Favor:

10/18/2022

Regular Meeting: {Starts no earlier than 6:30 pm but no later than 7:15 pm}

Roll Call:

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

Also in Attendance:

Jeff Samaniego, Superintendent
Frank Onorato, Interim School Business Administrator
Patricia Ryan, Assistant Business Administrator/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 and Cape May Star and Wave, 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.

2022-2024 Board Goal:

Establish a system with district leadership to ensure that board policies are consistently being implemented and enforced.

10/18/2022

2021-2023 Board 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} REPORTS:

- A}** Board President:
- B}** Superintendent:
- C}** Interim School Business Administrator:
- D}** Presentations: Mrs. Sabina Muller, Supervisor of Curriculum and Instruction
- E}** Committee Reports:
 - Building and Grounds Committee:
 - Curriculum Committee:
 - Finance Committee:
- F}** Board Comment:

2} APPROVAL OF MINUTES:

September 27, 2022
Regular Meeting & Executive Meeting

Motion: _____ **Second:** _____

Discussion:

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

10/18/2022

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.

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.

R. Routine Matters

- R-1 Approval of Financial Statements:** Secretary's and custodian's reports for August 30, 2022 reports, 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). {Backup R-1 to be supplied}
- R-2 Approval of Transfers: September 27, 2022 - October 18, 2022** {Backup R-2}
- R-3 Approval of Bill List: September 27, 2022 - October 18, 2022** {Backup R-3}
- R-4 Approval of Cafeteria Report: October 2022** {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 2022-2023 school year, pending receipt of required documentation: (Backup P-1)

SUBSTITUTE PARAPROFESSIONAL

Foteini Bilios

SUBSTITUTE CLASSROOM AIDES

Foteini Bilios, Michael Lewalski

SUBSTITUTE FOOD SERVICE WORKERS

Michael Lewalski, Margaret Bowen

SUBSTITUTE CAFETERIA AIDE

Margaret Bowen

10/18/2022

SUBSTITUTE DAY CARE AIDES

Michael Lewalski, Margaret Bowen

SUBSTITUTE BUS AIDES

Margaret Bowen, Kristine Baxter

SUBSTITUTE SCHOOL NURSE

Amy Vanaman

SUBSTITUTE SCHOOL SECURITY

Douglas Whitten

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Rebecca Emery as Music Teacher at the Maud Abrams School, effective Tuesday, October 11, 2022, pending receipt of required documentation. (Backup P-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve JoAnne McLaughlin, 6th Grade Teacher at the Sandman Consolidated School, for placement of BA+45 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective November 1, 2022. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Christopher Winter as School Security Officer (Floating) for the District, effective October 31, 2022. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Patrick Corbett as Food Service Head Cook in the district, effective October 19, 2022, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a Family Medical Leave of Absence for Employee #4343, effective November 28, 2022 to January 20, 2023.
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Mentors for the 2022-2023 school year:

New Teacher

Rebecca Emery
Lisa Borchardt

Mentor

Carlos Morales
Allison Paras

Position

Music Teacher @ Maud Abrams
School Social Worker @ Memorial

10/18/2022

Stephen McIntyre Doug Milstead Physical Ed./Health Teacher @ Sandman

8. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Patricia Smith, Board Member, effective October 19, 2022. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the job title of Technology Coordinator to Joseph Leipert.

H. Harassment, Intimidation & Bullying:

1. The Board affirms the actions taken by the Superintendent and the School Safety Teams, for H.I.B. Maud Abrams #1 2022-2023; H.I.B. Sandman #1 2022-2023 and H.I.B. Sandman #2 2022-2023. (Backup H-1)
2. On the recommendation of the Superintendent, that the Board approve the H.I.B. School Self-Assessment scores for the 2021-2022 school year. (Backup H-2)

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.: (Backup L-1)

<u>NUMBER</u>	<u>TYPE</u>	<u>TITLE</u>
2560	Policy	Live Animals In School
5512.01	Policy	Harassment, Intimidation and Bullying
2425	Policy	Emergency Virtual or Remote Instruction Program

2. 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 2022-2023:

Darrin Hickok – Supervisor of Security	Christopher Winters - Floating Security
Thomas Connelly - Sandman School	Jim Dietterich - Sub. Security
Albert Flitcroft - Maud Abrams School	Doug Whitten - Sub. Security

Marlin Hedum - Mitnick School
Kevin Boyle - Memorial School

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the update to Policy 1648.11- Restart and Recover Plan to Reopen Schools. (Backup L-3)

10/18/2022

E. Education:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placement for the 2022-2023 school year:(Backup E-1)

Case #4231 - A - 11.9 year old, 6th grade special education student awaiting placement at Cape May County Special Services School District, Ocean Academy.

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Nursing Services Plan for the 2022-2023 school year. (Backup E-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Julia Sangillo and her certified Therapy Dog, Daisy, to provide dog therapy at the David C. Douglass Veterans Memorial School for the 2022-23 school year, on an as needed basis. (Backup E-3)

F. Finance and Insurance:

1. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve the Substitute Security Officer rate to \$150 per day, effective September 1, 2022.
2. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve the issuance of check payments between board meetings, when necessary.
3. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorize the amendment of the 2022-23 Title IIA grant fund allocations.
4. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve the carryover of Title IA (Non-public-Cape Christian) funds from the 2021-22 SY.
5. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve services by Greyhawk for Construction Management and Mechanical Commissioning Services, for the district HVAC project, at a cost of \$313,518.58. (Backup F-5)

10/18/2022

6. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve services by Wachter, Inc. for engineering configuration for the new intercom system at the Carl Mitnick School, at a cost of \$7,162.50. (Backup F-6)

7. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education approve the resolution awarding the 2023 HVAC renovations contract to G.B.I., Inc. T/A Thermal Piping (Resolution #2022-3) in the amount of \$16,610,000. (Backup F-7)

MOTION ON CONSENT AGENDA ON ALL MOTIONS LISTED BELOW:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-9

Harassment, Intimidation & Bullying: H-1 & H-2

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

Education: E-1 to E-3

Finance and Insurance: F-1 to F-7

Motion: _____ Second: _____

Discussion:

Vote:

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

4} NON-CONSENT AGENDA:

5} EXECUTIVE SESSION:

Motion: _____ Second: _____

Discussion:

10/18/2022

Vote:

Monica DiVito
Nichole Koch
Sally Yerk
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
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: November 22, 2022
- B}** Fire Drills: 10/7/2022 - Maud Abrams School; TBD - Sandman School; Mitnick School and Memorial School
Monthly Emergency Drill: TBD

9} ADJOURNMENT:

MOTION TO ADJOURN THE MEETING

Motion: _____ **Second:** _____

Discussion:

All in favor: _____

Time:_____

**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 ____ 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 18, 2022 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.” H.I.B. Maud Abrams #2 2022-2023; H.I.B. Maud Abrams #3 2022-2023; H.I.B. Mitnick #1 2022-2023; H.I.B. Mitnick #2; H.I.B. Sandman #3 2022-2023; and H.I.B. Sandman #4 2022-2023

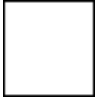
“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body”

“(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: Employees #5284 and #5173

10/18/2022



“(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

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.

10/18/2022

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.