

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT
MINUTES
WORK SESSION AND REGULAR MEETING
OCTOBER 26, 2021**

Work Session:

Work Session Meeting:

Roll Call:

Board Members:

Monica DiVito
Nichole Koch
Steve Lewis
Michael Mader
Joseph Thomas
Charles Utsch
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:

Board to discuss request to the Governor to allow families/students to go mask optional.

Each member of the Board made comments relative to the proposed mask resolution.

District Policies: There questions on the policies included on the agenda for second reading.

EXECUTIVE SESSION:

Personnel Matter
Employee #4868 and #5671

Motion: _Yerk_ Second: Thomas Discussion: NONE

Voting Yes:

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

Motion to open the Regular Meeting:

Motion: Lewis Second: Lewis

All in favor

@ 6:45

Roll Call:

Board Members:

Monica DiVito
Nichole Koch
Steve Lewis
Michael Mader
Joseph Thomas
Charles Utsch
Sally Yerck
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."

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.”

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:

September 28, 2021

Regular Meeting & Executive Meeting

Motion: Yerk Second: Lewis

Discussion: None

Voting Yes:

Monica DiVito

Nichole Koch

Steve Lewis

Michael Mader

Charles Utsch

Sally Yerk

Patricia Smith

Gary Douglass

Voting No:

Joseph Thomas

2} REPORTS:

A} Board President:

B} Superintendent: Mr. Samaniego reviewed the activities of the school as well as his position on issue of masks.

C} School Business Administrator: Mr. Hansen reviewed the motion for submitting the Capital Improvement Plan for its approval in advance of a bond referendum.

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 **September 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: September 28, 2021-October 26, 2021{Backup R-2}

R-3 Approval of Bill List: September 28, 2021-October 26, 2021{Backup R-3}

R-4 Approval of Cafeteria Report: September, 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 PARAPROFESSIONAL

Mary Miller

SUBSTITUTE CLASSROOM AIDES

Maisy Howarth, Ashley Cacella

SUBSTITUTE DAY CARE AIDE/SUBSTITUTE FOOD SERVICE/SUBSTITUTE CLERK

Ashley Cacella

SUBSTITUTES NEEDING MORE DOCUMENTATION

SUBSTITUTE TEACHER

Brian Hall

SUBSTITUTE 60 CREDIT AIDE

Lauren Place

SUBSTITUTE CLASSROOM AIDES

Erica Young, Devin Santacroce

SUBSTITUTE DAY CARE AIDES

Collette Potter, Helena Roesing

SUBSTITUTE CLERK

Helena Roesing

SUBSTITUTE BUS DRIVER/BUS AIDE

Daniel McNanamara

- 2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a revised Medical Leave of Absence for the following:

<u>Employee</u>	<u>Position</u>	<u>Effective Dates:</u>
#4829	Teacher	9/24/21 – 11/12/21 {revised}

- 3. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education approve the removal of the "Interim" status of

Gary O'Shea, Building and Grounds Supervisor, effective November 1, 2021 contingent on a formal evaluation.

4. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Sharon Matteucci, Kindergarten Teacher at the David C. Douglass Veterans Memorial School, effective February 1, 2022. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Linda Cardaci, School Secretary at the Carl T. Mitnick School, effective June 30, 2022. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Debra Jacob, Principal's Secretary at the David C. Douglass Veterans Memorial School, effective June 30, 2022. (Backup P-6)

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)

NUMBER	TYPE	TITLE
<i>Appendices A, B, C, D, E, F, G, H, I, J, K, L</i>	<i>Appendices</i>	<i>Restart and Recovery Plan</i>

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) **tabled**

NUMBER	TYPE	TITLE
<i>2425</i>	<i>Policy</i>	<i>Emergency Virtual or Remote Instruction Program</i>
<i>5751</i>	<i>Policy</i>	<i>Sexual Harassment of Students</i>

3. On the recommendation of the Superintendent, that the Lower Township Board of Education appoint a COVID-19 Safety Coordinator {TBD} as per Policy #1648.14, Safety Plan for Health Care Settings in school buildings COVID-19 (to be approved on first reading at the November 23, 2021 Board Meeting).

- 4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Nursing Services Plan for the 2021-2022 school year: (Backup L-4)

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: (Backup E-1)

Case #4582-A – 6 year old, 1st grade special education student who is awaiting placement at Cape May County Special Services School District, Ocean Academy.

F. Finance and Insurance:

Regular Business:

- 1. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes a professional service contract with Preferred Home Care and Nursing Services for the school year 2021-2022: (Backup F-1)

LPN	\$55.00 pr hr
RN	\$60.00 pr hr

- 2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize a Tuition Contract for homeless student #19029 from Stillwater, N.J. (Backup F-2)
- 3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the appropriate school district officials and professional advisors to prepare and submit documentation to the appropriate state and local agencies in connection with a proposed capital improvement program. (Backup F-3)
- 4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Three-Year (2021-2022, 2022-2023, 2023-2024) Facility Maintenance Plan, as submitted. (Backup F-4)
- 5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the revision of the American Rescue Plan Grant Application and submittal for the years 3/11/21 – 8/30/24: (Backup F-5)

ESSR	\$3,542,208
Accelerated Learning Coaching & Educator Support Grant	\$ 145,666
Evidence-Based Summer Learning and Enrichment Activities Grant	\$ 40,000
Evidence-Base Comprehensive Beyond the	

School Day Activities Grant	\$ 40,000
NJTSS Mental Health Support Staffing Grant	\$ 45,000

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-6

Harassment, Intimidation & Bullying: None

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

Education: E-1

Finance and Insurance: F-1 to F-5

Motion: Yerk Second: Lewis

Discussion:

Voting Yes:

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

ADDENDUM

1. On the recommendation of the Superintendent and the Lower Township Board of Education, that the Lower Township Board of Educations requests 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: Thomas Second: Lewis

Discussion:

Voting Yes:

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

Voting No:

Joseph Thomas

4} **NON-CONSENT AGENDA: None**

5} **COMMITTEE REPORTS:**

Curriculum Committee – Mrs. Pat Smith reviewed in detail the curriculum’s committee meeting report.

Building & Grounds Committee: Mr. Hansen mentioned during the meeting about the bond referendum.

Finance Committee - No report

6} **EXECUTIVE SESSION: None**

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

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

Mrs. Strunk thanked the board about the mask resolution and made comments about the various ESSER funds.

Mr. Monzo discussed the mask resolution and asked about requiring vaccinations.

One other person, whose name was not made clear spoke on the mask resolution and also referenced a previous comment on the budget deficit.

9} **GOOD OF THE ORDER:**

A} Next Board Meeting: **November 23, 2021**

B} Fire Drills: – 10/14/21 - Maud Abrams School; 10/15/21 – Mitnick School;
10/20/21 – Sandman School; 10/21/21 - Memorial School
Monthly Emergency Drill – TBD

10} **ADJOURNMENT:**

MOTION TO ADJOURN THE MEETING

Motion: Utsch Second: Mader

Discussion: None

All in favor: Yes

Time: 7:15 pm

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 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 26, 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."

“(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: 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 ____ 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-EXECUTIVE SESSION:
OCTOBER 26, 2021**

Call to Order:

Meeting was called to order at 6:30 pm.

Roll Call:

Board Members:

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

Also in Attendance:

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

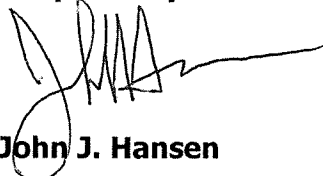
The personnel matters that were discussed by Mr. Samaniego, Mr. Hansen, and Mr. Gorman were as follows:

Personnel Matter

- Employee #4868- Discipline matter-employee has been leaving the workplace and not following proper procedures.
- Employee #5671- employee has requested that the Superintendent grant her a twelve week unpaid leave of absence to take care of her child.
- Discussion on dealing with employees who fail to comply with the testing mandate.
- Letter from a former employee's attorney requesting a full payout of sick time.

Meeting ended at 6:45 pm.

Respectfully submitted,



**John J. Hansen
School Business Administrator/Board Secretary**