

**LOWER TOWNSHIP BOARD OF EDUCATION  
MINUTES  
REGULAR MEETING  
OCTOBER 29, 2019**

**Call to Order:**

**Roll Call:**

**Roll Call – Board Members:**

Gary Douglass, President  
Patricia Smith, Vice President  
Monica DiVito  
Steve Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile

**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.*********

**2019-2021 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."*

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**2019-2020 District Goal:**

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

**1} REPORTS:**

- A} Board President:
- B} Superintendent: Mr. Samaniego reviewed the schools activities.
- C} School Business Administrator: Mr. Hansen reviewed agenda items. Mr. Hansen along with Ms. Sarah Bowman, Supervisor of Academic Achievement, reported on the PEA Grant application.
- D} Presentations: Ms. Sabina Muller, Supervisor of Curriculum and Instruction, reported on the NJ State report.

**PUBLIC COMMENT AGENDA ITEMS:** *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.*

**2} ROUTINE MATTERS**

**R-1 Approval of Minutes:**

September 24, 2019  
Work Session  
Regular Meeting  
Close Session

**R-2 Approval of Financial Statements:**

Secretary's and custodian's reports for September 30, 2019, 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-3 Approval of Transfers: September 25, 2019-October 29, 2019**{Backup R-3}

**R-4 Approval of Bill List: September 25, 2019-October 29, 2019**{Backup R-4}

**R-5 Approval of Cafeteria Report: September 25, 2019 – October 29, 2019** {Backup R-5}

**R-6 Approval of Travel: October 2019**

**MOTION ON ROUTINE MATTERS R-1 TO R-6**

**Motion: McKenna Second: Lewis**

**Voting Yes:**

Monica DiVito  
Stephen Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile  
Patricia Smith, Vice President  
Gary Douglass, President

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**3} SUGGESTED MOTIONS:**

**P. Personnel:**

*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 within the block.*

1. On the recommendation of the Superintendent, that the following substitutes be approved for the 2019-2020 school year, pending receipt of required documentation: (Backup P-1)

**SUBSTITUTES AVAILABLE TO WORK**

**SUBSTITUTE TEACHERS**

*Paige Cantz, Eileen Mathers*

**SUBSTITUTE CLASSROOM AIDE/CUSTODIAN/CAFETERIA AIDE/BUS AIDE**

*Heather LaSerre*

**SUBSTITUTE FOOD SERVICE WORKERS**

*Heather LaSerre, Susan Latevola*

**SUBSTITUTE NEEDING MORE DOCUMENTATION**

**SUBSTITUTE BUS AIDE/CLASSROOM AIDE/DAY CARE AIDE**

*Andrea Smith*

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the hiring of the following regularly scheduled daily part-time employees for the 2019-2020 school year, pending receipt of required documentation: (Backup P-2)

**BUS AIDE**

*Devin Richardson*

**DAY CARE AIDE**

*Heather LaSerre*

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Chrystie Mahler, BSIP Teacher at the David C. Douglass Veterans Memorial School, for a medical leave of absence beginning October 7, 2019 to October 18, 2019. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Patricia McDevitt, BSIP Teacher at the Carl T. Mitnick School, effective July 1, 2020. (Backup P-4)

**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 first reading for the following revisions to existing or new Policies and Regulations: (Backup L-1)

<b>NUMBER</b>	<b>TYPE</b>	<b>TITLE</b>
1642	Policy & Regulation	Earned Sick Leave Law
3159	Policy	Teaching Staff Member/School District Reporting Responsibilities
3218	Policy & Regulation	Use, Possession, or Distribution of Substances
4218	Policy & Regulation	Use, Possession, or Distribution of Substances
4219	Policy	Commercial Driver's License Controlled Substance and Alcohol Use Testing
6112	Policy & Regulation	Reimbursement of Federal and Other Grant Expenditures
7440	Policy & Regulation	School District Security
8600	Policy & Regulation	Student Transportation
8630	Policy	Bus Driver/Bus Aide Responsibility
8630	Regulation	Emergency School Bus Procedures
8670	Policy	Transportation of Special Needs Students
9210	Policy	Parent Organizations
9400	Policy	Media Relations
8550	Policy	Outstanding Food Service Charge
5517	Policy	School District Issued Student Identification Cards

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the School Safety and Security Plan Annual Review Statement of Assurance for the 2019-2020 school year. (Backup L-2)
3. 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:

Darrin Hickok – Supervisor  
 John Herman – Sandman School  
 Kevin Boyle – Memorial School  
 Albert Flitcroft – Maud Abrams School

Marlin Hedum – Mitnick School  
 Thomas Connelly – Sub. Security  
 Christopher Winters – Sub. Security  
 Jim Dietterich – Sub. Security

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**E. Education: None.**

**MOTION: P-1 to P-4/L-1 to L-3**

**Motion: Smith Second: Vile**

**Voting Yes:**

Monica DiVito  
Stephen Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile  
Patricia Smith, Vice President  
Gary Douglass, President

**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 within the block.*

**Regular Business:**

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the submittal of the 2020-2021 Preschool Expansion Aid (PEA) Grant Application and authorize the District Statement of Assurances. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the submittal of an Amendment to the FY20 ESEA Title 1A and Title IIA to budget the FY19 carryover as follows: (Backup F-2)

Title IA	\$12,751
Title IIA	\$ 1,862
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education accept a 2019 Music and Art Grant from California Casualty Management in the amount of \$250.00. (Backup F-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Three-Year (2018-2019, 2019-2020, 2020-2021) 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 a Joint Transportation Agreement with the Lower Cape May Regional School District for the 2019-2020 school year. (Backup F-5)

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6. On the recommendation of the School Business Administrator and the Supervisor of Buildings and Grounds, that the Lower Township Board of Education authorize the sale of a Ride Mower Model #MD21D-GHS+, on GovDeals. (Backup F-6)
7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the FMCSA Entry-Level Training Provider and that Kelly Hewitt, Supervisor of Transportation, be authorized to execute the application. (Backup F-7)
8. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the cancellation of the following stale dated warrants: (Backup F-8)

411739	\$ 36.00
412107	\$884.00
413853	\$350.00
9. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the execution of the Service Contract with the Commission with Bland and Visually Impaired, for the 2019-2020 school year. (Backup F-9)

**MOTION: Finance F-1 to F-9**

**Motion: McKenna Second: Smith**

**Voting Yes:**

Monica DiVito  
Stephen Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile  
Patricia Smith, Vice President  
Gary Douglass, President

**4} OLD/NEW BUSINESS:**

Mrs. Smith mentioned Cape May County Pride and the NJSBA Meeting December 9, 2019.

Mr. Douglass asked Mr. Thomas about the comments that he made in the Atlantic City Press and the source of those comments. Mr. Thomas indicated the source and cited the performance of our students. Also, Mr. Douglass questioned Mr. Thomas as to who he was referring to relative to the "Good Old Boys" comment. Mr. Thomas stated that Mr. Douglass was out of order. Mr. Douglass stated that he was proud of the accomplishments of the teachers, administrators, and boards, both past and present

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

**6} EXECUTIVE SESSION: None**

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**7} Good of the Order:**

**A} Next Board Meeting:** Regular Meeting – November 26, 2019

**B} Monthly Emergency Drill:** 10/17/19 – Active Shooter Drill @ Mitnick

**Fire Drills:**

10/1/19 – Memorial; 10/2/19 – Maud Abrams; 10/15/19 – Mitnick & Sandman

**Bus Evacuation Drills:**

9/30/19 @ 8:30 am – CMC Spec. Serv. School - Busses #16 & #2

10/7/19 @ 7:55 am – Sandman School – Routes 4,6,7,8,9,10,11,12,14,15,17,18,27,  
28,29,30

10/8/19 @ 8:25 am – Maud Abrams School – Routes 4,6,9,10,11,12,14,15,17,18,27,  
28,29,30

10/9/19 @ 9:00 am – Mitnick School – Routes 4,6,9,10,11,12,14,15,17,18,27,28,29,30

10/10/19 @ 9:30 am – Memorial School – Routes 4,9,10,11,12,14,17,18,27,28,29,30

**9} ADJOURNMENT**

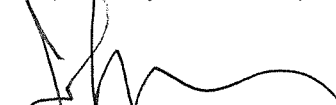
**MOTION TO ADJOURN THE MEETING**

**Motion: Utsch Second: Lewis**

**All in Favor**

**Time: 8:00 p.m.**

Respectfully submitted,



John J. Hansen,  
School Business Administrator/Board Secretary

**WORK SESSION MINUTES– 10/29/2019**

**6:00 pm**

**Call to Order:** Board President calls the meeting to order.

**Roll Call:** Board Secretary calls the roll.

**Roll Call – Board Members:**

Gary Douglass, President  
Patricia Smith, Vice President  
Monica DiVito  
Steve Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile

**Also in Attendance:**

Jeff Samaniego, Superintendent  
John J. Hansen, Business Administrator  
Brett Gorman, Board Attorney

**1) Administration:**

- a) Mr. Samaniego: Briefly discussed activities of the school.
- b) Mr. Hansen: No report.

-Curriculum/Instruction

Mrs. Muller reported on NJSLA scores and answered Board questions.

**2) Old Business:**

*2019-2022 & 2019-2021 Board Goals –discussion*

**3) New Business:**

Mrs. Smith reviewed policies and procedures and that Mr. Hansen will include by reference in the work session

Policies

District Policy 0155 Board Committees

Mr. Douglass reviewed Mrs. Smith's request about establishing Board Committee concept committees instead of acting as a Board of the whole. It will be discussed at a future meeting.

Other Policies:

District Policy 0165 Voting

District Policy 7410 Maintenance & Repair

**4) Close Session: See Authorizing Executive Session 10/29/19**

**MOTION: Vile Second: McKenna**

**All in Favor**

**Time 6:55 p.m.**



Employees #4417 + 4003

**Motion to Adjourn and proceed to Regular Meeting:**

**MOTION: Thomas Second: McKenna**

**All in Favor**

**Time: 7:10 p.m.**

Respectfully submitted,



John J. Hansen

School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION  
RESOLUTION  
AUTHORIZING EXECUTIVE SESSION-10/29/2019**

**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 2 issue 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 29<sup>th</sup>, 2019** at **6:55P.M.** and

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

**“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

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

\_\_\_\_\_ ;

**“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other**

**personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly."**

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

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

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

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

2

**"(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: Employees #4417 and #4003



“(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 10 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 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.

**CLOSED SESSION MINUTES – 10/29/2019**

**6:55 pm**

**Roll Call – Board Members:**

Gary Douglass, President  
Patricia Smith, Vice President  
Monica DiVito  
Steve Lewis  
Michael Mader  
Joseph McKenna  
Joseph Thomas  
Charles Utsch  
Jonathan Vile

**Also in Attendance:**

Jeff Samaniego, Superintendent  
John Hansen, Business Administrator  
Brett Gorman, Board Attorney

**Close Session: See Authorizing Executive Session 10/29/2019**

Employee #4417 – Mr. Samaniego discussed that we had made an offer to this employee to settle the grievance.

Employee #4003 – Mr. Samaniego, discussed the request made by this employee relative to the contract. There was discuss by the board. {Mr. Douglass and Mrs. Smith were not present for the discussion}

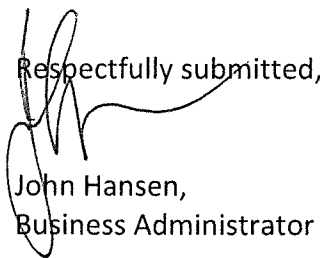
**Motion to Adjourn and proceed to Regular Meeting:**

**MOTION: Vile Second: Lewis**

**All in Favor**

**Time: 7:01 p.m.**

Respectfully submitted,



John Hansen,  
Business Administrator