

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT
AGENDA
WORK SESSION AND REGULAR MEETING
NOVEMBER 23, 2021**

Call to Order:

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

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:
District Policies:

EXECUTIVE SESSION: Personnel Matter:
Employees: #4155 - Requested Open Session
#5037; #5180; #5530
Other Personnel Matters

HIB #2021-2022 Maud #1

Motion: _____ **Second:** _____ **Discussion:**

Vote:

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

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

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:

October 26, 2021

Regular Meeting & Executive Meeting

Motion: _____ **Second:** _____

Discussion:

Vote:

___ Monica DiVito

___ Nichole Koch

___ Steve Lewis

___ Michael Mader

___ Joseph Thomas

___ Charles Utsch

___ Sally Yerik

___ Patricia Smith

___ Gary Douglass

2} REPORTS:

A} Board President:

B} Superintendent:

C} School Business Administrator:

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 **October 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: October 26, 2021-November 23, 2021{Backup R-2}

R-3 Approval of Bill List: October 26, 2021-November 23, 2021{Backup R-3}

R-4 Approval of Cafeteria Report: October, 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 NEEDING MORE DOCUMENTATION

SUBSTITUTE DAY CARE AIDES

Abigail Bitting, Carlee Gansert, Bridget O'Sullivan

SUBSTITUTE FOOD SERVICE AIDES

Sharon Cox, Carolyn Qualters

SUBSTITUTE BUS AIDES

Abigail Bitting, Gail Murphy

SUBSTITUTE CLASSROOM AIDES

Abigail Bitting, Bridget O'Sullivan

SUBSTITUTE 60 CREDIT AIDE

Brianna Battaglia

- 2.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following FMLA, pending receipt of required documentation:

| <u>Employee</u> | <u>Position</u> | <u>Effective Dates</u> |
|------------------------|------------------------|-------------------------------|
| #5671 | Teacher | 11/29/21 – 2/4/2022 |

- 3.** On the recommendation of the Superintendent, that the Lower Township Board of Education authorize the Superintendent to have approval to make an offer of employment for a temporary Prek position based on the applications, which closes November 29, 2021.
- 4.** On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve Erin West, Special Education Teacher at the Sandman Consolidated School, be granted a horizontal salary adjustment to BA+30, for the payroll period commencing January 1, 2022, paid in December 2021. (Backup P-4)

5. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Karen Smith, STEM/Computer Teacher at the Maud Abrams School, effective June 30, 2022. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve, retro to November 15, 2021, the termination of Employee #5037.
7. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Gregory Young, BSIP Teacher at the Maud Abrams School, effective July 1, 2022. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Matthew Reidenbach, 3rd Grade Teacher at the Maud Abrams School, effective July 1, 2022. (Backup P-8)

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)

| <i>NUMBER</i> | <i>TYPE</i> | <i>TITLE</i> |
|----------------------|--------------------|--------------------------------------------------------------------------|
| <i>1648.14</i> | <i>Policy</i> | <i>Safety Plan for Health Care Settings in School Buildings COVID-19</i> |

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the deletion of Policy 1649, as it has expired. (Backup L-2)
3. On the recommendation of the Superintendent and Supervisor of Academic Achievement, that the Lower Township Board of Education approve the Annual Preschool Operational Plan Update and the Statement of Assurances: (Backup L-3)
4. On the recommendation of the Board of Education, that the Lower Township Board of Education authorize the change in Goals to reflect mental health and wellness of both students and staff.

E. Education:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placements for the 2021-2022 school year: (Backup E-1)

Case #4231-A – A 10 yr. old, 5th grade special education student who is waiting placement at Cape May County Special Services School District, Ocean Academy.

Case #4591-A – A 7 yr. old, 2nd grade special education student who is waiting placement at Cape May County Special Services School District, Ocean Academy.

2. On the prior recommendation of the Superintendent, that the Lower Township Board of Education approves the Superintendent's recommendation that the book "Black and White" is not age appropriate for the Lower Township School District. (Backup E-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the 2021 Access and Alternate Access Score Reports. (Backup E-3)

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 Phoenix Advisors to serve as Financial Advisor in the proposed Bond Referendum. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the submittal of an amendment to the original school security grant to capture all funds available in the School Security Grant in EWEG, contingent on grant guidelines. (Backup F-2)
3. On the recommendation of the Superintendent and the School Business Administrator, that the Lower Township Board of Education acknowledges and accepts the stabilization aid award of \$2,114,525 and said funds will be used to offset the Capital Improvement Program, known as Other Capital Projects/Memorial Roof Replacement and Mitnick veneer refurbishment. (Backup F-3)
4. On the recommendation of the School Business Administrator and Supervisor of Special Services, that the Lower Township Board of Education approve the acquisition of four (4) therapy dogs, for the purpose of, due to the pandemic, assisting with mental health concerns among students and staff in each school, with dog acquisition and initial therapy dog training and training for host and building handlers as charged to the ARP-Grant/Mental Health and the district responsibilities would include normal and reasonable veterinary expenses and food. Said acquisition would be contingent of the approval of the ARP Mental Health sub-grant.
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the payment of warrants and bills between the November and January meetings, and said payments will be reported at the January 4th, 2022 Reorganization Meeting.

6. On the recommendation of the Superintendent, that the Lower Township Board of Education appoint Susan Smeltzer, Nurse at the Carl T. Mitnick School, as COVID-19 Safety Coordinator as per Policy #1648.14, Safety Plan for Health Care Settings in School Buildings.

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-8

Harassment, Intimidation & Bullying: None

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

Education: E-1 to E-3

Finance and Insurance: F-1 to F-6

Motion: _____ Second: _____

Discussion:

Vote:

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

4} NON-CONSENT AGENDA:

5} COMMITTEE REPORTS:

- Curriculum Committee: Attached
- Building & Grounds Committee: Attached
- Finance Committee: No report

6} EXECUTIVE SESSION:

Motion: _____ Second: _____

Discussion:

Vote:

- ___ Monica DiVito
- ___ Nichole Koch
- ___ Steve Lewis

- ___ Michael Mader
- ___ Joseph Thomas
- ___ Charles Utsch
- ___ Sally Yerk
- ___ Patricia Smith
- ___ Gary Douglass

7} OLD/NEW BUSINESS:

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

9} GOOD OF THE ORDER:

- A}** Next Board Meeting: January 4, 2022 - Reorganization Meeting
- B}** Election Results for Three Year Term Effective 1/1/2022 – 12/31/2024:
Monica M. DiVito – 2,894 / Lindsay Selby – 2,338 / Michael P. Mader – 2,183
- C}** Fire Drills: 11/8/21 – Mitnick; 11/9/21 - Maud Abrams & Memorial
11/10/21 - Sandman
11/11/21 - Monthly Emergency Drill – Lockdown Drill

10} ADJOURNMENT:

MOTION TO ADJOURN THE MEETING

Motion: _____ **Second:** _____

Discussion:

All in favor: _____

Time: _____

F.Y.I.

1. Enrollment
2. Sandman School Reports
3. Maud Abrams School Reports
4. Mitnick School Reports
5. Memorial School Reports
6. Supervisor of Special Services Reports
7. Supervisor of Buildings & Grounds Reports
8. Supervisor of Transportation Reports
9. Supervisor of Food Service Reports
10. N/A
11. Supervisor of Curriculum & Instruction Report
12. Supervisor of Academic Achievement Report
13. Supervisor of Day Care Reports

**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 November 23, 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." H.I.B. Maud #1 2021-2022

“(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: #5037; #5180; #5530, 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 ____ 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.