

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT
AGENDA
WORK SESSION AND REGULAR MEETING
FEBRUARY 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
- Board Discussion on Mission Statement, Board and District Goals-Ad Hoc Committee
- Policies:
 - District Policy #1523 Comprehensive Plan
 - District Policy #7650 School Vehicle Assignment

Other Items:

Overview of 2021-2022 Budget

EXECUTIVE SESSION:

H.I.B.: Mitnick #1 – 2020-2021, Mitnick #2 – 2020-2021 and Sandman #2 – 2020-2021
Matters of Labor Relations

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 than 6:45 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."

2019-2020 District Goal:

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

OPEN MEETING TO THE PUBLIC

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.

1} APPROVAL OF MINUTES:

January 26, 2021

Regular Meeting & Executive Meeting

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

Vote:

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

2} REPORTS:

- A} Board President:
- B} Superintendent:
- C} School Business Administrator:
- D} Presentation:

3} CONSENT AGENDA:

PUBLIC COMMENT ON AGENDA ITEMS: Each speaker shall identify him/herself by giving their name and address and identify the agenda item that they are speaking on Routine Matters, Personnel, Harassment Intimidation & Bullying, Legislative and Internal Policies, Education, and Financial matters 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.

R. Routine Matters

R-1 Approval of Financial Statements:

Secretary's and custodian's reports for **January 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 26, 2021-February 23, 2021{Backup R-2}

R-3 Approval of Bill List: January 26, 2021-February 23, 2021{Backup R-3}

R-4 Approval of Cafeteria Report: December, 2020 {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 2020-2021 school year, pending receipt of required documentation: (Backup P-1)

SUBSTITUTE NEEDING MORE DOCUMENTATION

Substitute School Nurse

Jacqueline McCabe

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Leaves of Absences:

FMLA

<u>Employee #</u>	<u>Position</u>	<u>Effective Date</u>
5659	Teacher	4/23/21 – 6/17/21

FAMILIES FIRST CORONA VIRUS RESPONSE ACT {part of FMLA}

<u>Employee #</u>	<u>Position</u>	<u>Reason</u>	<u>Effective Dates</u>
5635	Custodian	Quarantining	12/7/20 – 12/15/20
4538	Custodian	Quarantining	12/11/20 – 12/23/20

2021 DISTRICT EMPLOYEES APPROVED COVID RELATED LEAVES

5744	Bus Aide	Quarantining	1/8/21 – 1/19/21
5203	Bus Driver	Quarantining	1/9/21 – 2/10/21
5547	Mechanic	Quarantining	1/19/21 – 1/24/21
5767	Bus Aide	Quarantining	1/21/21 – 1/22/21
5719	Food Service	Quarantining	2/11/21 – 2/24/21
5680	Food Service	Quarantining	2/11/21 – 2/24/21
5565	Food Service	Quarantining	2/11/21 – 2/24/21
5647	Food Service/ Day Care	Quarantining	2/11/21 – 2/24/21

3. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Christine Conley, Purchasing Agent, in the district, effective June 1, 2021. (Backup P-3)

H. Harassment, Intimidation & Bullying: None

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 2020-2021 school year: (Backup E-1)

Case #4783-A – Seven year old, 1st grade special education student awaiting placement at Cape May County Special Services School District, Ocean Academy.

F. Finance:

1. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the refinancing of the ESIP Lease Agreement between the Board and Sterling Bank, lowering the interest rate on said financing from 3.35% to 2.6% and authorizes the execution and delivery of the First Amendment Lease for the Sterling Bank Equipment Lease. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize an addendum to the Appointment of Phoenix Advisors in order to facilitate the refinancing of the ESIP Lease Agreement in the amount of \$3,500.00. (Backup F-2)
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the filing of the Special Education Medicaid Initiative (SEMI) corrective action plan. (Backup F-3)

SEMI Action Plan Component

COVID-19. The failure to achieve the revenue benchmark directly related to the State-wide declaration of a public health emergency, which resulted in school closures, thus reducing the number of Medicaid eligible services provided.

Statement that district will strive to deliver all required health-related direct and evaluation services in a safe manner and will submit for billing in a timely manner.

COVID-19: The failure to achieve the parental consent benchmark directly related to the State-wide declaration of a public health emergency, which resulted in school closures, thus limiting access to interaction with parents for obtaining parental request responses.

Statement that district will strive to pursue receipt of outstanding SEMI parental consent responses via U.S. mail or electronic submission of signed consent forms.

Parental Consent Forms: Procedures for obtaining.

District Activities for Compliance

Statement that district will strive to deliver all required health-related direct and evaluation services in a safe manner and will submit for billing in a timely manner.

Person Responsible: Susan Nelson

4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education confirm the Amendment to the 403(b) Plan. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the School Business Administrator to acquire a box van from the State of New Jersey State Contract in the amount of approximately \$30,000 to replace a 1998 Maintenance Truck. (Backup F-5)
6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the sale of the 1998 Maintenance Truck and obsolete items on Gov Deals. (Backup F-6)

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-3

Harassment, Intimidation & Bullying: None

Legislative and Internal Policies: None

Education: E-1

Financial: 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} EXECUTIVE SESSION:

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

Vote:

- ___ Monica DiVito
- ___ Nichole Koch
- ___ Steve Lewis
- ___ Michael Mader
- ___ Joseph Thomas
- ___ Charles Utsch
- ___ Sally Yerik
- ___ Patricia Smith
- ___ 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: March 16, 2021

B} Fire Drills: TBD

Emergency Drill: Tentative 2/24/21 Evacuation Drill – All Buildings

9} 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 Report

**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 February 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. Mitnick #1 – 2020-2021; Mitnick #2 – 2020-2021 and Sandman #2 2020-2021

“(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:



“(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.