

**CLOSED SESSION MINUTES**

**February 25, 2020**

**6:30 p.m.**

**Roll Call – Board Members:**

Gary Douglass, President  
Patricia Smith, Vice President  
Monica DiVito  
Steve Lewis  
Nichole Koch  
Michael Mader  
Charles Utsch  
Jonathan Vile  
Sally Yerk

**Also in Attendance:**

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

**The following were discussed during close session:**

1. Mr. Samaniego: Mr. Samaniego reviewed the situation with Employee #4238. Mr. Gorman reviewed the timetable and process moving forward.
2. Mr. Samaniego and Mr. Hansen reviewed the potential shared services agreement with LCMR. They responded to questions by the board on the subject.

**Motion to Adjourn close session:**

**MOTION: Vile Second: Lewis**

**All in Favor**

**Time 7:00 p.m.**

Respectfully submitted,

John J. Hansen  
School Business Administrator/Board Secretary

**WORK SESSION MINUTES – 2/25/2020**

**6:00 pm**

**Call to Order:**

**Roll Call:**

**Roll Call – Board Members:**

Gary Douglass, President  
Patricia Smith, Vice President  
Monica DiVito  
Steve Lewis  
Nichole Koch  
Michael Mader  
Charles Utsch  
Jonathan Vile  
Sally Yerk

**Also in Attendance:**

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

**1) Administration:**

- a) Mr. Samaniego:
- b) Mr. Hansen:

-Curriculum/Instruction

-Finance/Facilities

2020-2021 Budget-Discussion on Motion to send to county

-Personnel/Management/Transportation

Update on LRFP submittal/planning board notification/Modular Administrative  
Offices

**2) Old Business:**

**3) New Business:**

**4) Policies:**

DP 6471-School District Policy

**5) Close Session:**

**MOTION: Second:**

**All in Favor**

Employees #4238

Interlocal: LCMR  
Contract Negotiations

**6) Board Comment:**

Work session concludes and proceeds to Regular Business Meeting no earlier than 6:45 PM.

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

**MOTION: Second:**

**Time: p.m.**

**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   3   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 **March 10, 2020** 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

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**“(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”** Contract Negotiations

**“(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

**“(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: Interlocal:LCMR

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“(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: Employee #4238

“(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 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 BOARD OF EDUCATION  
MINUTES  
REGULAR MEETING  
FEBRUARY 25, 2020**

Regular Meeting was called to order 7:00 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204.

**Roll Call:**

**PRESENT:**

Monica DiVito  
Nichole Koch  
Steve Lewis  
Michael Mader  
Charles Utsch  
Jonathan Vile  
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, 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.”*

**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.*

**REGULAR MEETING:**

**1} REPORTS:**

- A} Board President: None
- B} Superintendent: Mr. Samaniego reviewed school activities.
- C} School Business Administrator: Mr. Hansen reviewed agenda items.
- D} Presentations: Mr. Christopher Shivers, Principal, Mitnick Presentation  
Mr. Van Cathcart, Principal, Sandman recognized Alana Wright and Kylie Saltzman, two students who created a program sharing their cash.  
Annie Performance

**2} ROUTINE MATTERS:**

**R-1 Approval of Minutes:**

January 28, 2020  
Work Session  
Regular Meeting  
Closed Session

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

Secretary's and custodian's reports for **January 31, 2020**, 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:** January 29, 2020 - February 25, 2020 {Backup R-3}

**R-4 Approval of Bill List:** January 29, 2020 - February 25, 2020 {Backup R-4}

**R-5 Approval of Cafeteria Report:** February 2020 {Backup R-5}

**R-6 Approval of Travel:** March 2020 {Backup R-6}

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

**Motion: Yerk Second: Lewis**

**Discussion: None**

**Voting Yes:**

Monica DiVito

Nichole Koch

Steve Lewis

Michael Mader

Charles Utsch

Jonathan Vile

Sally Yerk

Patricia Smith

Gary Douglass

**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)

**SUBSTITUTE WITH COMPLETE DOCUMENTATION**

**SUBSTITUTE BUS AIDE/FOOD SERVICE WORKER**

*Janet Burke*

**SUBSTITUTES NEEDING MORE DOCUMENTATION**

**SUBSTITUTE TEACHERS**

*Stephanie Zuzulock, Shiela Marie Sevilla-Small, Diana Stevenson*

**SUBSTITUTE INSTRUCTIONAL AIDE**

*Justine Suttmoeller*

**SUBSTITUTE SECRETARY/CLERK**

*Georgia Jordan*



**SUBSTITUTE BUS DRIVER/BUS AIDE**

*Daniel Meehan*

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approves Karen Bender as Custodian at the Carl T. Mitnick School, effective March 2, 2020, pending receipt of required documentation. (Backup P-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Doug Milstead, Special Education Teacher at Sandman Consolidated School, for placement of MA+15 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to his degree, effective July 1, 2020. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Jillian Harris, BSIP Teacher at the Sandman Consolidated School, for placement of MA on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective July 1, 2020. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Krista James, Physical Education Teacher at the David C. Douglass Veterans Memorial School for FMLA, effective March 25, 2020 to April 22, 2020. (Backup P-5)

**H. Harassment, Intimidation & Bullying:**

1. The Board affirms the actions taken by the Superintendent and the School Safety Teams, for Sandman H.I.B. #2 – 2019-2020 and Maud Abrams H.I.B. #1 – 2019-2020. (Backup H-1)

**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>
6220	Policy	Budget Preparation
0166	Policy	Executive Session

2. 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-2)

<i>NUMBER</i>	<i>TYPE</i>	<i>TITLE</i>
0151	Policy	Organization Meeting
0153	Policy	Annual Appointments
0154	Policy	Annual Motions and Designations
5331	Policy & Reg.	Anaphylaxis of Food and Other Substances

**E. Education: None**

**MOTION: P-1 to P-5/H-1/L-1 & L2**

**Motion: Vile Second: Smith**

**Discussion: None**

**Voting Yes:**

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

**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 School Business Administrator, that the Lower Township Board of Education approves the execution of the 2019-2020 Intensive Staffing Contract

with the Cape May County Special Services School District. (Backup F-1)

2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the submittal of an Amendment to the ESEA 2019-2020 Grant as follows: (Backup F-2)

TITLE I

SW:100-101-00-080 <\$ 5,000>

SW:100-101-06-080 <\$ 5,000>

SUPPLIES:100-610-04-080 \$10,000

TITLE III

{RECLASS \$2,677.50 TO ACCOUNT 20-249-200-101}

SW:100-100 <\$7,400>

SW:200-100 \$3,300

SUPPLIES:100-610 \$4,100

3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education confirms the Side Bar Agreement between the Lower Township Board of Education and the Lower Township Elementary Education Association. (Backup F-3)
4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Agreement between Frontline Technologies Group, LLC and the Lower Township Elementary School District for translation services, effective February 26, 2019. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize a Professional Services Contract with Maxim Healthcare Services, to provide both RN & LPN services from February 26, 2020 to June 30, 2020, pending receipt of required documentation. (Backup F-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education authorize the Superintendent and the School Business Administrator to make application to the Lower Township Planning Board for the placement of one 64' x 128' modular unit to serve as the Lower Township Elementary School Administrative Building and seek any other approvals that may be necessary. (Backup F-6)
7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Renewal Contract with Frontline Education effective July 1, 2020 to June 30, 2021. (Backup F-7)

**MOTION: F-1 to F-7**

**Motion: Utsch Second: Lewis**

**Discussion: None**

**Voting Yes:**

Monica DiVito

Nichole Koch {Abstain F-3}

Steve Lewis

Michael Mader

Charles Utsch

Jonathan Vile

Sally Yerk {Abstain F-3}

Patricia Smith {Abstain F-3}

Gary Douglass {Abstain F-3}

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

**5} OPEN MEETING TO THE PUBLIC: None**

**6} EXECUTIVE SESSION: None**

**7} Good of the Order:**

**A}** Next Board Meeting: Work session: March 10, 2020 @ Note Regular Session commences immediately after the Work Session, but not earlier than 6:45 pm

**B}** Emergency Drill: 2/19/20 Lockdown Drill  
Fire Drills: 2/3/20 - Mitnick School; 2/4/20 - Memorial School;  
2/10/20 - Sandman School; 2/12/20 - Maud Abrams School

**8} ADJOURNMENT**

**MOTION TO ADJOURN THE MEETING**

**Motion: Douglass Second: Utsch**

**All in Favor: X Opposed:**

**Time: 7:41 p.m.**

Respectfully Submitted,

John J. Hansen, School Business Administrator/Board Secretary