

CLOSED SESSION MINUTES –3/10/2020

6:39 p.m.

Roll Call – Board Members:

Gary Douglass, President
Patricia Smith, Vice President
Monica DiVito
Steve Lewis
Nichole Kock
Michael Mader
Jonathan Vile

Also in Attendance:

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

The following were discussed during close session:

1. Mr. Samaniego: Reviewed HIB Report Sandman 2019-2020 #3
2. Mr. Samaniego: Employees #4238, #5593, #5657, #4092, #5092, #4232. Transfers to PreK
3. Mr. Samaniego:
 - a. Food Service Agreement in concept with LCMR: Shared Services.
 - b. Mr. Samaniego and Mr. Gorman continued ongoing situation relative to employee #4238. There was discussion to move to the next phase of the process.
 - c. Mr. Gorman and Mr. Hansen: Discussed the status of Contract Negotiations.

Note: Douglass, Smith, Lewis, and Lewis left the room for the discussion of item c.

Motion to Adjourn close session:

MOTION: Vile Second: Lewis

All in Favor

Time: 7:00 p.m.

Respectfully submitted,

John J. Hansen

John J. Hansen
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
REGULAR MEETING
MARCH 10, 2020**

Regular Meeting was called to order 7:05 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204.

Roll Call:

Board Members:

Monica DiVito
Nichole Koch
Steve Lewis
Michael Mader
Jonathan Vile
Patricia Smith
Gary Douglass

Also in Attendance:

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

Absent:

Charles Utsch
Sally Yerk

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:
- B} Superintendent: Mr. Samaniego discussed COVID-19 and the preparedness plan.
- C} School Business Administrator:
- D} Presentations: Mr. John King, Principal, Maud Abrams Presentation

2} ROUTINE MATTERS:

R-1 Approval of Minutes:

February 25, 2020
Work Session
Regular Meeting
Closed Session

R-2 Approval of Financial Statements:

Secretary's and custodian's reports for **February 29, 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: February 26, 2020 – March 10, 2020 {Backup R-3}

R-4 Approval of Bill List: February 26, 2020 – March 10, 2020 {Backup R-4}

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

R-6 Approval of Travel: April 2020 {Backup R-6}

MOTION ON ROUTINE MATTERS R-1 TO R-6

Motion: VILE Second: Lewis

Discussion: None

Voting Yes:

Monica DiVito
Nichole Koch
Steve Lewis
Michael Mader
Jonathan Vile
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
BUS AIDE/FOOD SERVICE WORKER/CAFETERIA AIDE

Elaine Dougherty

SUBSTITUTES NEEDING MORE DOCUMENTATION
BUS DRIVER/BUS AIDE

Wilbert Downing, Nicholas Mantzaris

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 second 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 and the School Business Administrator, that the following Policies have been reviewed by the Administration and Board of Education. (Backup L-2)

<i>NUMBER</i>	<i>TYPE</i>	<i>TITLE</i>
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0144	DP	Board Member Orientation and Training
0175	DP	Contracts with Independent Contractors
1320	DP	Duties of School Business Administrator/ Board Secretary

E. Education: None.

MOTION: P-1/L-1 & L-2

Motion: Smith Second: DiVito

Discussion: None

Voting Yes:

Monica DiVito
 Nichole Koch
 Steve Lewis
 Michael Mader
 Jonathan Vile
 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 Superintendent, that the following Resolution be Approved: (Backup F-1)

BE IT FURTHER RESOLVED, to approve the submittal of the **2020-2021 Lower Township Elementary School Budget** to the Executive County Superintendent and establish April 28, 2020, as the date for public hearing:

		<u>Local Tax Levy</u>
General Fund	\$27,697,411	\$18,008,838
Special Revenue Fund	\$ 4,191,202	
Debt Service Fund	\$ 317,500	\$ 207,902
Total Budget	\$32,206,113	\$18,216,740

BE IT FURTHER RESOLVED, to acknowledge that the 2020-2021 School Budget, as described above, results in a General Fund Tax Levy of **\$18,008,838 {revised by county review}**;

BE IT FURTHER RESOLVED, that the district establish a maximum of \$17,000 in the 2020-2021 school year for travel related expenditures.

BE IT FURTHER RESOLVED, that the district approves the withdrawal of \$300,000 from Maintenance Reserve per NJAC 6A:23A-14.2 (d)..

2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the School Business Administrator to pay bills from March 11, 2020 to next Board Meeting on April 28, 2020, and to report payments to the Board at the April, 28, 2020 Meeting.
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Tuition Contract between Lower Township Board of Education and Willingboro Board of Education for the 2019-2020 school year. (Backup F-3)

MOTION: F-1 to F-3

Motion: Douglass Second: Smith

Discussion: None

Voting Yes:

Monica DiVito
Nichole Koch
Steve Lewis
Michael Mader
Jonathan Vile
Patricia Smith
Gary Douglass

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: April 28, 2020 @ Note Regular Session commences immediately after the Work Session, but not earlier than 6:45 pm

**B} Emergency Drill: TBD
Fire Drills: 3/3/20 - Mitnick School, Memorial School**

8} ADJOURNMENT

MOTION TO ADJOURN THE MEETING

Motion: Vile Second: Lewis

All in Favor: X Opposed:

Time: 7:30 p.m.

Respectfully Submitted,

John J. Hansen

John J. Hansen, School Business Administrator/Board Secretary

WORK SESSION MINUTES – 3/10/2020

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
Jonathan Vile

Also in Attendance:

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

1) Administration:

- a) Mr. Samaniego: Mr. Samaniego reviewed the school's plan relative to COVID-19, with the board. The board asked several questions about the plan, and the impact on the students and staff.

-Finance/Facilities

- a) Mr Hansen discussed the 2020-2021 Budget and the process of introducing the budget and forwarding it to the county for their review.

-Personnel/Management/Transportation

- a) Mr. Hansen discussed the update on LRFP submittal and the presentation before the Lower Township Planning Board on April 16, 2020, relative to the modular administrative offices.

2) Old Business: None

3) New Business: None

4) Policies: DP 6471 - School District Policy- Travel

- 1) Mr. Hansen will review and revise and bring that revision to the board at a later date due to the complexity of the policy.

5) **Close Session:**

MOTION: Vile SECOND: Lewis

All in Favor

Time: 6:38 p.m.

Employees #4238, #5593, #5657, #4092, #5092, #4232

Interlocal: LCMR

Contract Negotiations

HIB Report Sandman 2019-2020 #3

6) **Board Comment:**

Motion to Adjourn and proceed to Regular Meeting:

MOTION: Vile SECOND: Koch

All in Favor

Time: 7:05 p.m.

Respectfully submitted,

John J. Hansen

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 9 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 6:39 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

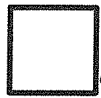
_____;

“(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.” HIB Sandman 2019-2020 #3

“(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



“(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**



“(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 #4238, #5593, #5657, #4092, #5092, #4232.

“(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 25 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; and

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.