

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT
AGENDA
WORK SESSION AND REGULAR MEETING
MARCH 16, 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

Other Items: Overview of 2021-2022 Budget-for submittal to the County

EXECUTIVE SESSION:

Labor Relations-Administrator Contract, ULP, and other personnel matters
H.I.B. Maud Abrams #1 2020-2021

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."

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."

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:

February 23, 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 CONSENT AGENDA 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 **February 28, 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: February 23, 2021-March 16, 2021{Backup R-2}

R-3 Approval of Bill List: February 23, 2021-March 16, 2021{Backup R-3}

R-4 Approval of Cafeteria Report: February, 2021 {Backup R-4}

R-5 Approval of Travel: February, 2021 {Backup R-5}

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 AVAILABLE TO WORK

Substitute Classroom Aide/Food Service Worker/Day Care Aide

Brianna Bedell

SUBSTITUTE TEACHER

Megan Verycken

SUBSTITUTES NEEDING MORE DOCUMENTATION

Substitute Teachers

Samantha Gilbert, Kathleen Teti

SUBSTITUTE FOOD SERVICE WORKER

Lisa McAlonan

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

FMLA

None

2021 DISTRICT EMPLOYEES APPROVED COVID RELATED LEAVES

<u>Employee #</u>	<u>Position</u>	<u>Reason</u>	<u>Effective Dates</u>
5758	Bus Aide	Quarantine	1/21/21 – 2/4/21
4035	Secretary	Quarantine	2/1/21 – 2/11/21
4090	Food Service	Quarantine	2/11/21 – 2/24/21

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Bethany Kaplan as temporary 3rd/4th Grade Special Education Teacher at the Maud Abrams School, effective March 15, 2021 to June 17, 2021. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Fred Fala, Supervisor of Buildings and Grounds, effective July 1, 2021. (Backup P-4)

H. Harassment, Intimidation & Bullying:

1. The Board affirms the actions taken by the Superintendent and the School Safety Teams, for the following H.I.B.'s; Mitnick #1 – 2020-2021, Sandman #2 – 2020-2021 and Mitnick #2 – 2020-2021. (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)

NUMBER	TYPE	TITLE
0145	Policy	Board Member Resignation and Removal
0164.6	Policy	Remote Public Board Meetings During a Declared Emergency
1642	Regulation	Earned Sick Leave Law
1643	Policy	Family Leave
7425	Policy/Regulation	Lead Testing of Water in Schools
2415	Policy	Every Student Succeeds Act
2415.02	Policy	Title 1 Fiscal Responsibilities
2415.05	Policy	Student Surveys, Analysis and/or Evaluations
2415.20	Policy/Regulation	Every Student Succeeds Act Complaints
4125	Policy	Employment of Support Staff Members
6360	Policy	Political Contributions
8330	Policy	Student Records

- E. Education: None**

F. Finance:

1. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the settlement of the 2021 Unfair Labor Practice. Tentative (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves a donation of thirty-eight (38) Ionizers from the TriState HVAC Equipment and the application to the NJ Clean Energy Rebate Program by TriState on behalf of the Lower Township School District. (Backup F-2)

3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes a Tuition Agreement between the Lower Township Board of Education and Middle Township Board of Education for two (2) students placed by DCP&P. {Backup F-3}
4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education confirm a 2020-2021 purchase order contingent on 2020-2021 budget funding with Wolfington Body Company, Inc. for the acquisition of one (1) 2021 54 passenger bus, in the amount of \$110,000. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes counsel, Chief School Administrator, Board President, Board Secretary and/or their designees, consistent with the requirements of P.L. 1996, Chapter 24, Section 12, to take any and all steps necessary to file a Complaint with the Council on Local Mandates, to challenge the unfunded mandate created by P.L. 2020, Chapter 44.
6. On the recommendation of the Superintendent, that the following Resolution be approved: (Backup F-6)

BE IT FURTHER RESOLVED, to approve the submittal of the **2021-2022 Lower Township Elementary School Budget** to the Executive County Superintendent and establish April 27, 2021, as the date for public hearing:

		<u>Local Tax Levy</u>
General Fund	\$26,463,239	\$18,369,015
Special Revenue Fund	\$ 4,179,698	
Debt Service Fund	\$ 339,000	\$ 220,761
Total Budget	\$31,481,937	\$18,589,776

BE IT FURTHER RESOLVED, to acknowledge that the 2021-2022 School Budget, as described above, results in a General Fund Tax Levy of **\$18,369,015**;

BE IT FURTHER RESOLVED, that the district establish a maximum of \$17,000 in the 2021-2022 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)..

BE IT FURTHER RESOLVED, that the district approves the withdrawal of \$500,000 from Capital Reserve to fund two (2) capital projects as follows:

2021-2022 #1-HVAC IMPROVEMENTS-Local Share \$400,000

Architectural/Engineering Services	\$ 75,000
Construction Services	\$325,000

2021-2022#2 PAVING OF PARKING LOT AND BASKETBALL COURT-MITNICK-\$100,000

Architectural/Engineering Services	\$ 25,000
Construction Services	\$ 75,000

7. 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 17, 2021 to next Board Meeting on April 27, 2021, and to report payments to the Board at the April, 27, 2021 Meeting.

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-7

Personnel: P-1 to P-4

Harassment, Intimidation & Bullying: H-1

Legislative and Internal Policies: L-1

Education: None

Financial: F-1 to F-7

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 Yerk
- ___ 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: April 27, 2021

B} Fire Drills: 3/9/21 – Mitnick and Maud Abrams Schools; 3/10/21 – Sandman School

Emergency Drill: 3/12/21 – Simulated Lockdown (Each school Principal will go over procedures with students after their arrival times)

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 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 March 16, 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 Abrams #1 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” Administrator Contract, ULP

“(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: 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.