

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT  
MINUTES  
WORK SESSION AND REGULAR MEETING  
MARCH 16, 2021**

Call to Order: Mr. Douglass called the meeting to order at 6:00 pm.

**Work Session:**

**Work Session Meeting:**

**Roll Call:**

**Board Members present:**

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

**Also in Attendance:**

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

**Agenda Items:** Board Discussion: Board discussed goals and objectives.

**Other Items:** Overview of 2021-2022 Budget-for submittal to the county: Mr. Hansen reviewed the budget in detail, describing the loss of state aid, utilization of the levy cap, management of class size, and the use of ESSER-II funding.

**EXECUTIVE SESSION: {started at 6:25 pm}**

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

**Motion: Yerk Second: Lewis Discussion: None**

Voted all in favor:

**Motion to reopen the regular meeting: Lewis Second: Koch Discussion: None**

Voted all in favor:

**Regular Meeting:**

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Nichole Koch  
Steve Lewis  
Michael Mader  
Joseph Thomas  
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: Smith Second: Lewis Discussion: None**

**Voting Yes:**

Monica DiVito

Nichole Koch

Steve Lewis

Michael Mader

Joseph Thomas

Sally Yerk

Patricia Smith

Gary Douglass

**2} REPORTS:**

A} Board President: None

B} Superintendent: Mr. Samaniego reviewed the school activities for the past month and school after the break.

C} School Business Administrator: None

**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**

<b><u>Employee #</u></b>	<b><u>Position</u></b>	<b><u>Reason</u></b>	<b><u>Effective Dates</u></b>
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 3<sup>rd</sup>/4<sup>th</sup> 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)

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

**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: Douglass Second: Yerk Discussion: None**

**Vote:**

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

**4} NON-CONSENT AGENDA: None**

**5} EXECUTIVE SESSION: None**

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

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

**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:**

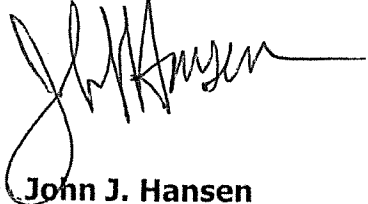
**MOTION TO ADJOURN THE MEETING**

**Motion: Douglass Second: Lewis**

**All voted in favor:**

**Time: 7:15 pm**

**Respectfully submitted,**



**John J. Hansen**

**School Business Administrator/Board Secretary**

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 6:25 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."**

**“(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 30 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.

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT  
MINUTES  
CLOSE SESSION MEETING  
MARCH 16, 2021**

Call to Order: Mr. Douglass called the meeting to order at 6:25 pm.

**Close Session Meeting:**

**Roll Call:**

**Board Members present:**

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

**Also in Attendance:**

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

**EXECUTIVE SESSION: {started at 6:25 pm}**

Mr. Hansen reviewed the ongoing Administrator's Contract.  
Mr. Hansen and Mr. Gorman reviewed the agreed actions relative to the Unfair Labor Practice.  
Mr. Hansen reviewed the issues relative to joining a lawsuit against the State of NJ relative to the Unfunded Mandate of Chapter 44.  
Mr. Gorman discussed the Association's request to represent additional part time employees.  
Mr. Samaniego reviewed the following:  
H.I.B. Maud Abrams #1 2020-2021

The board returned to the regular meeting at approximately 7:00 pm.

**Respectfully Submitted,**

  
**John J. Hansen  
School Business Administrator/Board Secretary**

---