

**LOWER TOWNSHIP BOARD OF EDUCATION
AGENDA
WORK SESSION AND REGULAR MEETING
MARCH 22, 2022**

Call to Order:

Work Session: {Starts at 6:00 p.m.}

Work Session Meeting:

Roll Call:

Monica DiVito
Nichole Koch
Sally Yerk
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
Gary Douglass

Also in Attendance:

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

Agenda Items: Board Discussion on Agenda Items:

EXECUTIVE SESSION:

Personnel Matters: Employee #5284, #5548, #5356
H.I.B. Maud Abrams #2 2021-2022

Motion: _____ **Second:** _____

Discussion:

All in Favor: _____

Motion to return to Regular Meeting:

Motion: _____ **Second:** _____

All In Favor:

Regular Meeting: {Starts no earlier then 6:30 pm but no later then 7:15 pm}

3/22/2022

Roll Call:

Monica DiVito
Nichole Koch
Sally Yerk
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
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.

Vision Statement:

Every Student, Every Day, Learning, Teaching, Exploring, Succeeding.

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.

2021-2023 Board Goal:

GOAL:

The Lower Township Board of Education is committed to ensuring that we are providing a safe and supportive environment for our students as well as staff members. We recognize that a healthy workplace environment can have a positive impact on school district programs, ultimately having a positive impact on student achievement.

This meeting will be conducted in accordance with:

District Policy: #0164 Conduct of Board Meetings
District Policy: #0167 Public Participation in Board Meetings

1} REPORTS:

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

3/22/2022

2} APPROVAL OF MINUTES:
February 22, 2022
Regular Meeting & Executive Meeting

Motion: _____ **Second:** _____

Discussion:

Vote:

Monica DiVito
Nichole Koch
Sally Yerck
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
Gary Douglass

3} CONSENT AGENDA:

OPEN MEETING TO THE PUBLIC TO SPEAK ON CONSENT ITEMS ONLY:

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. Prior to the roll call vote, any member of the board 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, 2022**, 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 22, 2022—March 22, 2022{Backup R-2}

R-3 Approval of Bill List: February 22, 2022—March 22, 2022 {Backup R-3}

R-4 Approval of Cafeteria Report: February 2022 {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 2021-2022 school year, pending receipt of required documentation:
(Backup P-1)

SUBSTITUTES AVAILABLE TO WORK

SUBSTITUTE TEACHER

Linda McGinley

SUBSTITUTE BUS AIDE

Alijah Broadnax

SUBSTITUTES NEEDING MORE DOCUMENTATION

SUBSTITUTE BUS DRIVER

Jenna Monaghan

- 2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following for Family Medical Leave of Absence:

<u>EMPLOYEE #</u>	<u>POSITION</u>	<u>EFFECTIVE DATES</u>
#4122	Teacher	9/6/22 to 12/22/22

- 3. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of employee #5618, daily/part-time food service aide, effective June 17, 2022.
- 4. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Donna Gittings, Instructional Aide at the Maud Abrams School, effective July 1, 2022. (Backup P-4)
- 5. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Barbara Hart, 5th Grade Teacher at the Sandman Consolidated School, effective October 1, 2022. (Backup P-5)
- 6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Devon Blackley as temporary Physical Education Teacher at the Carl T. Mitnick School, effective April 25, 2022 to June 17, 2022. (Backup P-6)
- 7. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of John Hansen, Business Administrator, in the district, effective June 30, 2022. (Backup P-7)
- 8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the transfer of Joseph Bridgeman, 4th Grade Teacher at the Maud Abrams School, to STEM Teacher at the Maud Abrams School, effective September 1, 2022.

H. Harassment, Intimidation & Bullying:

- 1. The Board affirms the actions taken by the Superintendent and the School Safety Teams, for H.I.B. #1 – Sandman 2021-2022.

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)

3/22/2022

NUMBER	TYPE	TITLE
3421.13	Policy	Teacher Staff Members Postnatal Accommodations
4421.13	Policy	Support Staff Members Postnatal Accommodations

2. 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-2)

NUMBER	TYPE	TITLE
2415.05	Policy	Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment
2622	Policy	Student Assessment
2622	Regulation	Student Assessment
3233	Policy	Political Activities
7540	Policy	Joint Use of Facilities
8465	Policy/ Regulation	Bias Crimes and Bias-Related Acts
9560	Policy	Administration of School Surveys
1648.11	Policy	The Road Forward COVID-19 – Health and Safety

E. Education:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placement for the 2021-2022 school year: (Backup E-1)

Case #4917-A: A 9 year old, 4th grade special education student awaiting placement at Cape May County Special Services School District, Ocean Academy.

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 without 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 **2022-2023 Lower Township Elementary School Budget** to the Executive County Superintendent and establish April 26, 2022, as the date for public hearing:

		Local Tax Levy
General Fund	\$25,859,748	\$18,736,395
Special Revenue Fund	\$ 4,608,555	
Debt Service Fund	\$ 838,813	\$ 547,756
Total Budget	\$31,307,116	\$19,284,151

3/22/2022

BE IT FURTHER RESOLVED, to acknowledge that the 2022-2023 School Budget, as described above, results in a General Fund Tax Levy of **\$18,736,395**;

BE IT FURTHER RESOLVED, that the district establish a maximum of \$17,000 in the 2022-2023 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 \$100,000 from Emergency Reserve per NJAC 6A:23A-14.4 (d).

BE IT FURTHER RESOLVED, that the district approves the withdrawal of \$25,000 from Capital Reserve per NJAC 6A:23A-14.1 (d).

BE IT FURTHER RESOLVED, that the district approves the withdrawal of \$166,112 from the debt service fund to reduce the interest payment of the April 1, 2016 \$5,121,000 debt issue.

2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education confirms the award of a Contract to Turn-Key Technologies for Aruba Network switching per Form 470 #220013797 Proposal – E-RATE Funded. (Backup F-2)
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves a Tuition Contract between the Lower Township Board of Education and Cape May City Board of Education for student #18370. (Backup F-3)
4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve a Tuition Contract between the Lower Township Board of Education and Cape May County Special Services School District for the 2022-2023 school year. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves the awarding of the Roofing Contract to Patriot Roofing, Inc., for the Memorial School roof as follows:

Base Bid	\$1,703,980
Alternate #1	\$ 178,000

Including any allowances and unit prices as per the bid documents and submittal
Note: Stabilization Funds will be used for this project. (Backup F-5)

6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizing the issuance and sale of school bonds in the aggregate principal amount of up to \$15,625,000; making certain covenants to maintain the exemption of interest on said bonds from federal income taxation; and authorizing such

3/22/2022

determinations as may be necessary or appropriate to effect the issuance and sale of said bonds. (Backup F-6)

7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the opening of a bank account to maintain the Bond Proceeds of May 1, 2022 and associated funds at Sturdy Bank and/or at NJARM.
8. On the recommendation of the School Business Administrator, that the Lower Township approve the submittal of the 2022-2023 Preschool Budget. (Backup P-8)
9. On the recommendation of the School Business Administrator, that the Annual Audit for the fiscal year ending June 30, 2021, is reviewed and accepted and the Recommendations and Corrective Action Plan be read into the public record: (Complete document distributed under separate cover)

FYE 6/30/2021 Annual School Audit Lower Twp. Schools

Finding & Recommendations:

- #1. Administrative Practices and Procedures – None.
- #2. Financial Planning, Accounting and Reporting – None.
- #3. School Purchasing Programs – None.
- #4. School Food Service – None.
- #5. Student Body Activities – None.
- #6. Application for State School Aide – None.
- #7. Pupil Transportation – None.
- #8. Facilities and Capital Assets – None.
- #9. Miscellaneous – None.
- #10. Status of Prior Year Audit Findings/Recommendations – None.

FYE 6/30/2021 Annual School Audit Lower Twp. Schools

Findings: None.

Recommendation: None.

Corrective Action Plan: None.

MOTION ON CONSENT AGENDA ON ALL MOTIONS LISTED BELOW:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-8

Harassment, Intimidation & Bullying: H-1

Legislative and Internal Policies: L-1 & L-2

Education: E-1

Finance and Insurance: F-1 to F-9

Motion: _____ Second: _____

Discussion:

Vote:

Monica DiVito

3/22/2022

Nichole Koch
Sally Yerk
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
Gary Douglass

4} NON-CONSENT AGENDA:

5} COMMITTEE REPORTS:

Building and Grounds Committee – 2022 Lower Township Special School Election
YES - 872 NO -2 78
Curriculum Committee:
Finance Committee: Per budget introduction.

6} EXECUTIVE SESSION:

Motion: _____ **Second:** _____

Discussion:

Vote:

Monica DiVito
Nichole Koch
Sally Yerk
Lindsey Selby
Patricia Smith
Charles Utsch
Joseph Thomas
Michael Mader
Gary Douglass

7} OLD/NEW BUSINESS:

8} OPEN MEETING TO THE PUBLIC: (*public comment rules as read above apply*):

9} GOOD OF THE ORDER:

- A}** Next Board Meeting: April 26, 2022
- B}** Fire Drills: 3/7/22 – Mitnick School & Sandman School; 3/8/22 – Maud Abrams School; 3/15/22 – Memorial School
Emergency Drill: 3/24/22 – Lockdown Drill
Bus Evacuations: Week of March 7, 2022 (Attached)

3/22/2022

10} 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 Reports

**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 _____ 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 22, 2022 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.

3/22/2022

“(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 #2 2021-2022

“(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 _____;

3/22/2022

“(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: Employee #5284, #5548, 5356

“(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)

3/22/2022

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.