

**LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT
AGENDA
WORK SESSION AND REGULAR MEETING
MAY 25, 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:
Report on Ad Hoc Meeting of Wednesday, May 19, 2021
Board Policy:

<i>8451</i>	<i>Policy</i>	<i>Control of Communicable Diseases</i>
<i>0177</i>	<i>Policy</i>	<i>Professional Services</i>
<i>9130</i>	<i>Policy</i>	<i>Public Complaints and Grievances</i>

EXECUTIVE SESSION:

- School Business Administrator Contract - #5548
- Reduction in Force-Part Time Speech Teacher - #4907
- Buildings & Grounds Reorganization - #5180, #4708, #5156, #5557
- Transfers/Personnel Matters - #5356, #4662, #5372, #5228, #5779, #5705, #5745, #4116, #5336, #5671, #5709, #5233, #5439, #5511, #4348, #4839, #4702, #4100
- Pending Retirement Issue-Administrator - #4275
- H.I.B. Sandman #3 – 2020-2021 School Year
- LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters - #5105, #5557
- Superintendent's Evaluation - #5284

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."

1} APPROVAL OF MINUTES:

April 27, 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:

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. 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 **April 30, 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: April 27, 2021-May 25, 2021{Backup R-2}

R-3 Approval of Bill List: April 27, 2021-May 25, 2021{Backup R-3}

R-4 Approval of Cafeteria Report: April, 2021 {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 remainder of the 2020-2021 school year, pending receipt of required documentation: (Backup P-1)

SUBSTITUTE AVAILABLE TO WORK

SUBSTITUTE TEACHER

Devon Blackley

SUBSTITUTES NEEDED MORE DOCUMENTATION

SUBSTITUTE CLERK/SECRETARY

Courtney Hamilton

2. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Robin Tsosie, Preschool Master Teacher at the David C. Douglass Veterans Memorial School, effective July 1, 2021. (Backup P-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Emily Champion as Temporary 2nd Grade Teacher for Employee #4698 at the Carl T. Mitnick School, effective May 21, 2021 to June 11, 2021.
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Lower Township Administrator's Contract for the period of July 1, 2021 – June 30, 2024. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a cost of living increase of 2.90% to the Unaffiliated Employees effective July 1, 2021 – June 30, 2022.

6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the submittal of the School Business Administrator/Board Secretary Contract to the executive county superintendent for review. The contract period is for the period of July 1, 2021 – June 30, 2022. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Kristin Sterling as Secretary for Office of Curriculum & Instruction/Child Study Team, effective June 21, 2021, pending receipt of required documentation. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Terry Morris, 3rd Grade Teacher at the Maud Abrams School, effective July 1, 2021. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Leave of Absence:

FMLA

<u>Employee #</u>	<u>Position</u>	<u>Effective Dates</u>
4907	Speech Teacher	5/18/21 – 6/17/21 (3 days per wk)
5712	Speech Teacher	5/26/21 – 6/17/21

10. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following transfer for the 2021-2022 school year:

<u>STAFF</u>	<u>CURRENT POSITION</u>	<u>TRANSFERRED TO:</u>
Greta Pacevich	4 th Grade Teacher	5 th Grade Teacher

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 Facilities Use Form for the 6th Grade Stepping Up Ceremony on the football field at the Lower Cape May Regional High School for June 15, 2021.
2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the job description for the Secretary for Office of Curriculum & Instruction/Child Study Team. (Backup L-2)

3. On the recommendation of the Superintendent, that the Lower Township Board of Education acknowledges that the Medicaid Annual Notification Regarding Parental Consent was mailed via USPS on Friday, April 30, 2021, to the parents of all Special Education students.

E. Education:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placements for the 2020-2021 school year: (Backup E-1)

Case #4821-A – Six year old, 1st grade special education student awaiting placement at Cape May County Special Services School District, Ocean Academy.

Case #4912-A – Seven year old, 2nd grade special education student transferred into the district and is continuing placement at the Cape May County Special Services District at Ocean Academy.

F. Finance and Insurance:

Regular Business:

1. On the recommendation of the School Business Administrator, pursuant to PL 2015, Chapter 47, the Lower Township Board of Education intends to renew, award, or permit to expire the following Contracts previously awarded by the Board of Education. These Contracts are, have been, and will continue to be, in full compliance with all State and Federal Statutes and Regulations; in particular: New Jersey Title 18A:18. Et seq. NJAC Chapter 23, and Federal Regulations 2CFR Part 200.317 et. Seq. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Supervisor of School Security, School Security Officers (as listed below) and and/all Substitute School Security Officers, to carry firearms while on duty on school grounds, in accordance with N.J. Statue and Code:

Darrin Hickok – Supervisor of School Security

John Herman – School Security Officer/Behavior Management Specialist - Sandman School

Kevin Boyle – School Security Officer – Memorial School

Albert Flitcroft – School Security Officer – Maud School

Marlin Hedum – School Security Officer – Mitnick School

SUBSTITUTES SECURITY

Chris Winter – Substitute Security

Thomas Connelly – Substitute Security

Jim Dietterich – Substitute Security

Mike Hickman – Substitute Security

Eric Lashley – Substitute Security

3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as Professional Services Contracts, for the fiscal year July 1, 2021 through June 30, 2022, as listed:

- a. **Auditors** – Inverso & Stewart, LLC – Awarded on a Fair and Open Process.
- b. **Solicitor** – Brett Gorman, Parker McCay LLC – Awarded on a Fair and Open Process.
- c. **Behavior Therapy Specialist** – Brett Dinovi & Associates, LLC & Interactive Kids – Awarded on a Fair and Open Process.
- d. **Bond Counsel** – Parker McCay LLC – Awarded on a Fair and Open Process.
- e. **Nursing Services** – Preferred Home Health Care & Nursing Services & Bayada Home Health Care, Inc. – Awarded on a Fair and Open Process.
- f. **Medical Inspector** – Atlanticare – Awarded on a Fair and Open Process.
- g. **Occupational Therapy** – Kim Vona – Awarded on a Fair and Open Process.
- h. **Architect of Record** – Garrison Architects- Awarded on a Fair and Open Process.
- i. **Child Study Team Services** – Cumberland Therapy Services, LLC - Awarded on a Fair and Open Process.
- j. **Employee Assistance Program** - Shore Counseling, LLC. - Awarded on a Fair and Open Process.

4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022, and execute any contracts between the Lower Township Board of Education and the Joint Insurance Fund as listed: (Backup F-4)

Risk Management Consultant (RMC)/Liability Insurance Broker – {JIF} J. Bryne Agency

5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022: (Backup F-5)

Risk Management Consultant (RMC)/Health Insurance Broker – Southern Coastal HIF – J. Bryne Agency.

6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as an Extraordinary and Unspecified Service (EUS) for the fiscal year July 1, 2021 through June 30, 2022: (Backup F-6)

Risk Management Consultant (RMC)/Dental Insurance Broker – Self Insured Dental Program- Marsh & McLennan

7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education adopt the 2021-2022 Board of Education Meeting dates. (Backup F-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education authorizes the submittal of the 2021-2022 Extra Ordinary Aide Application. (Backup F-8)
9. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education authorizes the continuation of the Seamless Summer Food Distribution Program. (Backup F-9)
10. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the transfer of \$16,000 from the Warrant Account to the Food Service Account to cover the Seamless Summer Food Distribution Program.
11. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the acceptance of a donation of a platform truck from the Township of Lower. (Backup F-11)
12. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve for the Principals, and Unaffiliated Administrative Staff:

Due to the on-going state of emergency declared by the Governor in relation to COVID-19, Administrators were unable to take some or all of their vacation time. Therefore, the Board will permit Administrators to sell back up to the first eight days of unused vacation time with each of these days valued at \$300 per day and payment will be made no later than June 30, 2021 with proper notification to the School Business Administrator by May 31, 2021. As of August 31, 2021, the Administrators be required to either use their balance of vacation days above the allowable carryover of fifteen, or sell only six of the remaining unused vacations back with each of these days valued at \$100 per day, and any remaining unused vacation days over the allowable carryover shall be forfeited. This payment will be made no later than September 30, 2021.

13. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the closure of the Sterling National Bank Escrow Account. (Backup F-13)
14. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves John J. Hansen, School Business Administrator as the QPA for the period June 1, 2021 – June 30, 2021, and July 1, 2021 – June 30, 2022.
15. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves the removal of Christine Conley, Purchasing Agent, as signor on any/all bank accounts for the district, due to her retirement and add Tricia Ryan, Fiscal Manager: Accounting/Payroll/Accounts Payable Supervisor as a signor.
16. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve Aydan High Quality Healthcare Agency, LLC for the period May 26, 2021 – June 30, 2021 and July 1, 2021-June 30, 2022. (Backup F-16)
17. On the recommendation of the School Business Administrator, that the Lower Township Board of Education accept the 2021 Grant Application for the Lower Township Elementary School District Wellness Program. (Backup F-17)
18. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the reduction of five (5) vacation days, thus changing the accrual from twenty (20) to fifteen (15) vacation days for unaffiliated administrators in exchange for a contribution of \$1,500 to the unaffiliated Administrator’s 403 (b) account.

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-10

Harassment, Intimidation & Bullying: None

Legislative and Internal Policies: L-1 to L-3

Education: E-1

Finance and Insurance: F-1 to F-18

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:

1. On the recommendation of the Lower Township Board of Education approve for the Superintendent and School Business Administrator/Board Secretary the following:

Due to the on-going state of emergency declared by the Governor in relation to COVID-19, Administrators were unable to take some or all of their vacation time. Therefore, the Board will permit Administrators to sell back up to the first eight days of unused vacation time with each of these days valued at \$300 per day and payment will be made no later than June 30, 2021 with proper notification to the School Business Administrator by May 31, 2021. As of August 31, 2021, the administrators be required to either use their balance of vacation days above the allowable carryover of twenty, or sell only six of the remaining unused vacations back with each of these days valued at \$100 per day, and any remaining unused vacation days over the allowable carryover shall be forfeited. This payment will be made no later than September 30, 2021.

PUBLIC HEARING:

Motion to open Public Hearing: _____ **Second:** _____

All In Favor: _____

Motion to close Public Hearing: _____ **Second:** _____

All In Favor: _____

Discussion:

Motion to approve motion: _____ **Second:** _____

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

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: June 22, 2021
- B}** Fire Drills: 5/3/21 – Memorial School; 5/10/21 – Mitnick School; Sandman & Maud - TBD
- Emergency Drills: 5/19/21 Active Shooter/Lockdown

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 – To be supplied
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 8 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 May 25, 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." HIB Sandman 2020-2021 #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"

-LTEEA Contractual Issue-Sidebar Agreement and Other Personnel Matters - #5105, #5557

"(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:

- School Business Administrator Contract - #5548
- Reduction in Force-Part Time Speech Teacher - #4907
- Buildings & Grounds Reorganization - #5180, #4708, #5156, #5557
- Transfers/Personnel Matters - #5356, #4662, #5372, #5228, #5779, #5705, #5745, #4116, #5336, #5671, #5709, #5233, #5439, #5511, #4348, #4839, #4702, #4100
- Pending Retirement Issue-Administrator - #4275
- Superintendent's Evaluation - #5284

“(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.