

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
SPECIAL MEETING
JULY 16, 2019**

Regular Meeting convenes at 5:30 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204.

Call to Order:

Roll Call:

Roll Call – Board Members:

Gary Douglass, President
Patricia Smith, Vice President
Monica DiVito
Steve Lewis
Joseph McKenna
Joseph Thomas
Jonathan Vile

Also in Attendance:

Jeff Samaniego, Superintendent
John Hansen, Board Secretary

Absent:

Michael Mader
Charles Utsch

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, and posted at the Municipal Building, and a copy thereof delivered to the Township Clerk; in accordance with the Open Public Meetings Act.

EXECUTIVE SESSION: Discussion of the Solicitor position for 2019-2020

Motion: Smith Second: Vile

Discussion:

Voting Yes:

Monica DiVito
Stephen Lewis
Joseph McKenna
Joseph Thomas
Jonathan Vile
Patricia Smith, Vice President
Gary Douglass, President

7/16/2019

Absent:

Michael Mader
Charles Utsch

PUBLIC COMMENT AGENDA ITEMS: *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.*

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 School Business Administrator, that the Lower Township Board of Education approve the award of a Professional Services Contract, for the fiscal year July 17, 2019 through June 30, 2020, as listed: (Backup F-1)
 - a. **Solicitor-Brett Gorman, Parker McKay**– Awarded on a Fair and Open Process.

MOTION: Finance F-1

Motion: Smith Second: DiVito

Discussion:

Voting Yes:

Monica DiVito
Stephen Lewis
Joseph McKenna
Jonathan Vile
Patricia Smith, Vice President
Gary Douglass, President

Voting No:

Joseph Thomas

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

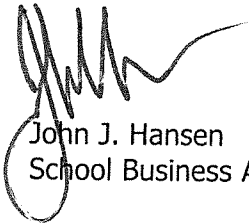
ADJOURNMENT

MOTION TO ADJOURN THE MEETING

7/16/2019

**Motion: Vile Second: McKenna
Time: 5:50 pm
All in Favor**

Respectfully submitted,



John J. Hansen
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION
RESOLUTION
AUTHORIZING EXECUTIVE SESSION-7/16/2019**

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 1 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 July 16, 2019 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."

"(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 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

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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: Board Solicitor

1

"(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 20 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.

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.

EXECUTIVE SESSION MINUTES – 7/16/19

5:30 pm

Roll Call – Board Members:

Gary Douglass, President
Patricia Smith, Vice President
Monica DiVito
Steve Lewis
Joseph McKenna
Joseph Thomas
Jonathan Vile

Also in Attendance:

Jeff Samaniego, Superintendent
John Hansen, Board Secretary

Absent:

Michael Mader
Charles Utsch

Close Session: See Authorizing Executive Session 7/16/19

The Board discussed the position of Board Solicitor. Each member expressed their position on either retaining the current solicitor or making a change.

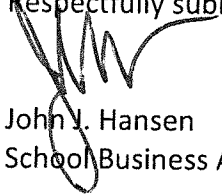
Motion to Adjourn and return to Special Meeting

Motion: Smith Second: McKenna

Time 5:45 pm

All In Favor

Respectfully submitted,



John J. Hansen
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
REGULAR MEETING
JULY 23, 2019**

Regular Meeting convened at 7:00 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204.

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.

2018-2020 Board Goals:

"Engage and facilitate the district staff and community stakeholders in a strategic planning process with the intent of developing a long-term action plan focused on common goals."

2018-2019 Board Goals:

"Increase Board Member understanding of the Lower Township School District finances and broad base categories that make up the school budget, which will carry out the educational plan in a thorough and efficient manner."

2018-2020 District Goals:

"To decrease the percentage of Below Grade Level students in Reading by 10% annually over the next two years."

2018-2019 District Goals:

"To continue to foster effective communication and positive relationships with students, parents, staff and the community."

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1} REPORTS:

- A} Board President:
- B} Superintendent:
- C} School Business Administrator:
- D} Presentations: **Kurt Himstedt, Supervisor of Food Service Programs** –Food Service report for the 2018-2019 school year.
Mary Ann Friedman, School Boards Assoc., Strategic Planning – The Strategic Planning Report was reviewed with the board and the members of the public.

PUBLIC COMMENT AGENDA ITEMS: *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.*

2} ROUTINE MATTERS

R-1 Approval of Minutes:

June 25, 2019
Work Session
Regular Meeting
Close Session

R-2 Approval of Financial Statements:

Secretary's and custodian's reports for June 30, 2019, 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: 2018-2019 June 25, 2019 to June 30, 2019
2019-2020 July 1, 2019-July 23, 2019 {Backup R-3}**

**R-4 Approval of Bill List: 2018-2019 June 25, 2019 to June 30, 2019
2019-2020 July 1, 2019-July 23, 2019{Backup R-4}**

R-5 Approval of Cafeteria Report: June & July, 2019{Backup R-5}

R-6 Approval of Travel:

MOTION ON ROUTINE MATTERS R-1 TO R-6

Motion: Vile Second: McKenna

Voting Yes:

Monica DiVito
Stephen Lewis
Michael Mader
Joseph McKenna
Joseph Thomas
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President (Abstain #415389)

3} SUGGESTED MOTIONS:

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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 Lower Township Board of Education approve the attached list of on-call daily substitutes being rehired for the 2019-2020 school year, pending receipt of required documentation: (Backup to be supplied)
2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Sarah King, 6th Grade Teacher at Sandman Consolidated School, for placement of Masters on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective, September 1, 2019. (Backup P-2)
3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Allyson O'Shea, 5th Grade Teacher at the Sandman Consolidated School, for placement of MA+15 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective September 1, 2019. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Eileen Gianakopoulos, 3rd Grade Teacher at the Maud Abrams School, for placement of MA+30 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective September 1, 2019. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Erin Meehan, as Preschool Disabled Teacher at the David C. Douglass Veterans Memorial School, effective September 1, 2019, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Joseph Filachek as School Psychologist/Case Manager, at the Carl T. Mitnick School, effective September 1, 2019, pending receipt of required documentation. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a Contract to approve Sherry Bosch, as Interim Principal at the David C. Douglass Veterans Memorial School, for the period of July 24, 2019 to June 30, 2020, at a rate of \$375.00 per day, pending receipt of required documentation. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Amanda Vassar, as Preschool Teacher at the Carl T. Mitnick School, effective September 1, 2019, pending receipt of required documentation. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Maternity Leave of Absence/FLMA for Jillian Harris, 6th Grade Basic Skills Teacher at the Sandman Consolidated School, effective October 25, 2019 until January 24, 2020. (Backup P-9)

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10. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Karen Wadding/Alliance of Therapy Dogs, for dog therapy program at the David C. Douglass Veterans Memorial School and Carl T. Mitnick School for the 2019-2020 school year. (Backup P-10)
11. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following transfers for the 2019-2020 school year:

<u>STAFF</u>	<u>CURRENT POSITION</u>	<u>TRANSFERRED TO</u>
Lori Brion	PreK Special Ed. @ Memorial	PreK Special Ed @ Mitnick

12. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Kelly Edmunds as Temporary Kindergarten Teacher at the David C. Douglass Veterans Memorial School, effective September 16, 2019 to November 27, 2019, replacing Stephanie Abrams on a Maternity Leave of Absence, pending receipt of required documentation. (Backup P-13)
13. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Leah Yost as Temporary 2nd grade Teacher at the Carl T. Mitnick School, effective September 1, 2019 to October 29, 2019, replacing Michelle Keeler on a Maternity Leave of Absence, pending receipt of required documentation. (Backup P-14).

H. Harassment, Intimidation & Bullying: None

L. Legislative and Internal Policies: None.

E. Education:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placement for the 2019-2020 school year: (Backup E-1)

Case #4743-A – Five year old, kindergarten special education student transferred into the district and is continuing placement at the Cape May County Special Services School District at Ocean Academy.

Case #4742-A – Six year old, 1st grade special education student transferred into the district and is continuing placement at the Cape May County Special Services School District at Ocean Academy.

MOTIONS: P-1 to P-11 Addendums P-12 & P-13/E-1

Motion: Vile Second: DiVito

Voting Yes:

7/23/2019

Monica DiVito
Stephen Lewis
Michael Mader
Joseph McKenna
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President

Voting No:

Joseph Thomas

Personnel:

14. Motion to deny the level 3 grievance and affirm the Superintendent’s recommendation and Board action to withhold the increment of employee #4417.

MOTION: Addendum P-14

Motion: McKenna Second: Vile

Voting Yes:

Stephen Lewis
Michael Mader
Joseph McKenna
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President

Voting No:

Monica DiVito
Joseph Thomas

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 School Business Administrator, that the Lower Township Board of Education approve the following hourly paid rates:

Daily:

Cafeteria Aides	\$12.00
Clerks	\$13.25
Food Service Workers	\$12.00

Day Care:

Aide	\$12.75
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Lead Aide	\$13.00
Lead Aide with Certification	\$14.00
<u>Custodians (Part-Time):</u>	\$14.00
<u>Transportation:</u>	
Driver-Part Time (Hourly)	\$20.40
Driver-Part Time (Run)	\$14.00
Bus Aide-Part Time (Hourly)	\$12.00
Bus Aide-Part Time (Run)	\$ 8.25
<u>On Call Substitutes:</u>	
Substitute Teacher	\$94.00 per diem
Instruction Aide w/60 Credits & Sub Teacher Cert.	\$13.25 hr
Classroom Aide w/o 60 Credits & Sub Teacher Cert.	\$12.25 hr
Substitute Secretary	\$12.00 hr or \$84.00 per diem
<u>ESY Staff Hourly Rates: (On-Call Per Diem):</u>	
Substitute Teacher (Certified)	\$13.25 hr
Personal Instructional Aide w/Teacher Sub. Cert.	\$13.25
Classroom Aide w/o Teacher Sub. Cert.	\$12.25

2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the increase of 2.8% to the non-affiliated full time staff.
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the School Business Administrator to dispose of the following items, as deemed obsolete and any surplus items, using GovDeals:

Tractor
Other Items Deemed Obsolete

4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Fund 20 allocations for ESSA/NCLB Title IA allocations: (Backup F-4)

<u>Name</u>	<u>Primary Account</u>	<u>ESSA/TITLE 1A</u>	<u>LOCAL</u>
Amanda Cardaci	20-231-100-101-00-080	75%	25%
Heather Roth	20-231-100-101-00-080	75%	25%
Rebecca Johnson	20-231-100-101-00-080	75%	25%
Patricia McDevitt	20-231-100-101-00-080	75%	25%
Erica O'Neill	20-231-100-101-00-080	75%	25%

5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes an Inter-Local Agreement between the Lower Township Board of Education and the Wildwood Crest Board of Education to provide Security Supervision for the 2019-2020 school year in the amount of \$8,000.00. (Backup F-5)
6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the 2019-2020 Inter-Local Agreement between the Lower Township School District and Lower Cape May Regional School District to be amended to reflect a pro-

7/23/2019

rated portion for Wildwood Crest for Security Supervision for the 2019-2020 school year as follows: (Backup F-6)

Total Salaries, Benefit and Car:	\$58,124
Less W.C. Contribution:	<\$ 8,000>
	\$50,124
LCMR @ 50%	\$25,062

7. On the recommendation of the School Business Administrator, that the Lower Township Board of Education does not apply for Emergency Aid due to Guidance on Application for 2019-2020 Emergency Aide, dated July 9, 2019, that all options available to the school district must be considered prior to submittal reflecting fiscal distress. (Backup F-7)

MOTION: Finance F-1 to F-7

Motion: McKenna Second: Vile

Voting Yes:

Monica DiVito
Stephen Lewis
Michael Mader
Joseph McKenna
Joseph Thomas
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President

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: Regular Meeting – August 27, 2019

8} ADJOURNMENT

7/23/2019

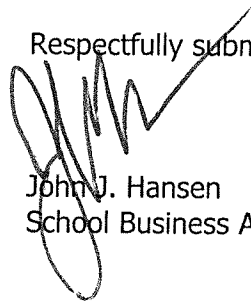
MOTION TO ADJOURN THE MEETING

Motion: Vile Second: McKenna

All in Favor

Time: 7:45 pm

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John J. Hansen", written over the typed name.

John J. Hansen
School Business Administrator/Board Secretary

WORK SESSION MINUTES – 7/23/2019

6:00 pm

Call to Order: Board President called the meeting to order.

Roll Call:

Roll Call – Board Members:

Patricia Smith, Vice President

Monica DiVito

Steve Lewis

Michael Mader

Joseph McKenna

Joseph Thomas

Charles Utsch

Jonathan Vile

Absent:

Gary Douglass, President

Also in Attendance:

Jeff Samaniego, Superintendent

John Hansen, Board Secretary

Brett Gorman, Board Attorney

1) Administration:

- a) Mr. Samaniego: Mr. Samaniego - discussed activities, and advised the board of the need for another PreK classroom.
- b) Mr. Hansen: Discussed the motion on the agenda relative to the Emergency Aid and that the school district as of 6/30/19 was not in fiscal distress by the definitions in the guidance.

- 2) **New Business:** Mrs. Smith introduced Mr. Brett Gorman, Parker McCay as the new Board solicitor.

- 3) **Board Comment:** Mrs. Smith – Discussed the process of the board naming appointing a delegate and alternate delegate representative at the New Jersey School Boards Delegate Assembly.

4) Close Session: See Authorizing Executive Session 7/23/2019

MOTION: Vile Second: Lewis

All in Favor

Employees #4417 & #4238

Discussion of Rice Notice Procedure

Motion to Adjourn and proceed to Regular Meeting:

MOTION: McKenna Second: Thomas

All in Favor

Time: 6:54 pm

Respectfully submitted,

John J. Hansen
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION
RESOLUTION
AUTHORIZING EXECUTIVE SESSION-7/23/19**

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 3 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 July 23, 2019 at 6:08 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”

“(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:

3

“(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 #4417 & #4238 and Rice Notice Procedure



“(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 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.

EXECUTIVE SESSION MINUTES – 7/23/2019

6:08 pm

Roll Call – Board Members:

Patricia Smith, Vice President
Monica DiVito
Steve Lewis
Michael Mader
Joseph McKenna
Joseph Thomas
Charles Utsch
Jonathan Vile

Also in Attendance:

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

Absent:

Gary Douglass, President

Ms. Lori Brion and Mrs. Stacy Salerno were present for item #1 -the discussion on the Level 3 Grievance.

Close Session: See Authorizing Executive Session 7/23/2019

- 1) Employee #4417: Level 3 Grievance:
 - a) Mr. Samaniego - Reviewed the situation relative to which caused the Board to withhold the increment of employee #4417 for the 2019-2020 school year. There were questions by the board as to the policy and procedures that had been followed. A motion was discussed by Mr. Gorman that would be voted in the regular session, whereby an affirmative vote denied the level 3 grievance.
- 2) Mr. Gorman, reviewed the "Just Cause" standard with the board.
- 3) Employee #4238 – Mr. Samaniego reviewed status.
- 4) Rice Notice – Mr. Gorman reviewed the current LTES policy which allows Riced employees to be in the close session. The district's current Rice Notice language will be modified.

Motion to Adjourn and proceed to Regular Meeting:

MOTION: McKenna Second: Lewis

All in Favor

Time: 6:52 pm

Respectfully submitted,


John J. Hansen
School Business Administrator/Board Secretary