

LOWER TOWNSHIP BOARD OF EDUCATION  
MINUTES-7/28/2020

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Steve Lewis  
Michael Mader  
Charles Utsch  
Jonathan Vile  
Sally Yerk  
Patricia Smith  
Gary Douglass

**Also in Attendance:**

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

1. There was discussion on Employee #4238 - tenure charges.  
Board Members Conflicted: None  
Motion: DiVito Second: Lewis  
Voting Yes: DiVito, Lewis, Mader, Utsch, Vile, Yerk, Smith, & Douglass  
On the recommendation of the Superintendent, the Lower Township Board of Education certifies the filing of tenure charges against employee #4238.

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2. There was discussion on the process and the final selection the Elementary Principal.  
Board Members Conflicted: None
3. Mr. Samaniego reviewed HIB-Memorial #1-2019-2020.  
Board Members Conflicted: None
4. Mr. Vile and the board discussed the superintendent's evaluation and the follow up meeting with the Superintendent.  
Board Members Conflicted: Gary Douglass, Patricia Smith  
Sally Yerk,~were not present  
Mr. Samaniego was not present for the discussion
5. Mr. Hansen briefly discussed the status of Negotiations: LTEEA 2020-2023  
Board Members Conflicted: Gary Douglass, Patricia Smith  
Sally Yerk,~were not present

The close session concluded at approximately 7:00 pm.

Respectfully submitted,

*John J. Hansen*

John J. Hansen  
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION  
REGULAR MEETING  
MINUTES  
JULY 28, 2020**

Call to Order: Mr. Douglass called the meeting to order at 6:00 pm and announced that this meeting will be conducted as a virtual meeting using Google Meet.

Regular Meeting convenes immediately after the work session but not earlier than 7:00 p.m. as a virtual meeting.

**Roll Call:**

**Board Members Present:**

Monica DiVito  
Steve Lewis  
Michael Mader  
Jonathan Vile  
Sally Yerk  
Patricia Smith  
Gary Douglass

**Also in Attendance:**

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

**Board Members Absent:**

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

**1} EXECUTIVE SESSION: To discuss matters of personnel: Employee:  
#4238, #5284, #4348, Status of Negotiations, HIB #1-2019-2020**

**Motion: Vile    Second: Lewis    Discussion:**

**Voting Yes:**

Monica DiVito  
Steve Lewis  
Michael Mader  
Jonathan Vile  
Sally Yerk  
Patricia Smith  
Gary Douglass

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

**Mr. Hansen announced that there were two addendums to the 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.*

**1} APPROVAL OF MINUTES:**

June 23, 2020

Regular Meeting

Executive Session

**Motion: Vile Second: Lewis Discussion: None**

**Voting Yes:**

Monica DiVito

Steve Lewis

Michael Mader

Jonathan Vile

Sally Yerk

Patricia Smith

Gary Douglass

**2} REPORTS:**

A} Board President:

B} Superintendent: Mr. Samaniego reviewed Lower Township School District Reopening Plan for the 2020-2021 school year and various agenda items.

C} School Business Administrator: Mr. Hansen reviewed the various agenda items.

**3} CONSENT AGENDA:**

**Mr Hansen read the following:**

**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.*

*Routine Matters, Personnel, Harassment Intimidation & Bullying, Legislative and Internal Policies, Education, and Financial Matters 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.*

Mr. Hansen opened up the meeting to the public to discuss any agenda items. The following citizens raised questions:

Leonard Larkin-Erma asked questions about the process of determining when to move to the next phase and childcare concerns.

Theresa Anderton-North Cape May asked questions about PreK and the reopening plan.

Melissa Markovitz asked question the statistical data that constitutes the phased approach to the reopening plan.

Danielle Amanhauser-Erma asked questions about day care for staff.

**R. Routine Matters**

**R-1 Approval of Financial Statements:**

Secretary's and custodian's reports for **June 30, 2020**, 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: June 23, 2020-June 30, 2020 {19-20} & July 1, 2020-July 23, 2020 {20-21} {Backup R-3}**

**R-3 Approval of Bill List: June 23, 2020-June 30, 2020 {19-20} & July 1, 2020-July 23, 2020 {20-21} {Backup R-5}**

**R-4 Approval of Cafeteria Report: June 30, 2020 {Backup R-5}**

**R-5 Approval of Travel:**

**P. Personnel:**

1. On the recommendation of the Superintendent, that the following substitutes be approved for the 2020-2021 school year, pending receipt of required documentation: (Backup P-1)

**SUBSTITUTES AVAILABLE TO WORK**

**SUBSTITUTE TEACHER**

*Shiella Sevilla-Small*

**SUBSTITUTE CLASSROOM AIDE**

*Nicole Keefe*

**SUBSTITUTE BUS AIDE**

*Leeann Okezie*

2. 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 2020-2021 school year: (Backup P-2)

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the transfer of an Art Teacher at Carl T. Mitnick School to Art/STEM Teacher at David C. Douglass Veterans Memorial School, effective September 1, 2020.
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following for the 2020-2021 school year, pending receipt of required documentation: (Backup P-4)

<b><u>NAME</u></b>	<b><u>POSITION</u></b>
<i>Catherine Hoffman</i>	<i>PreK Teacher at Memorial School</i>
<i>Jennifer Boyle</i>	<i>PreK Teacher at Memorial School</i>
<i>Jessica Caruso</i>	<i>Spec. Ed. LLD Teacher @ Mitnick School</i>
<i>Emily Champion</i>	<i>1<sup>st</sup> Gr. Teacher-Maternity Leave Position (9/8/20-11/20/20)</i>
<i>Nicole DeHosey Leusner</i>	<i>4<sup>th</sup> Gr. Teacher-Maternity Leave Position (9/8/20-1/15/21)</i>
<i>Dorothy Marshall</i>	<i>Nurse's Clerk @ Mitnick School</i>

5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Christina Granero as Principal at the Carl T. Mitnick School, effective July 29, 2020, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Brinley Edwards, as Vocal Music Teacher at the Carl T. Mitnick School, effective July 1, 2020. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Heather Garagozzo, 3<sup>rd</sup> Grade BSIP Teacher at the Maud Abrams School, effective July 29, 2020. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Eileen Gianakopoulos, 3<sup>rd</sup> Grade Teacher at the Maud Abrams School, for placement of MA+45 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective September 1, 2020. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the amendment of the Agreement between Lower Township Administrators' Association and Lower Township Board of Education. (Backup P-9)
10. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following pay rates for the part time employees for the 2020-2021 school year:

	<u>2019-2020</u>	<u>2020-2021**</u>
<b><u>Per Hour-On Call</u></b>		
Aide-60 Cr. w/60 Cr. and County Sub Cert.	\$13.25 per hr	\$13.60
Aide-Classroom w/o 60 Cr. and County Sub Cert.	\$12.25 per hr	\$12.60
Bus Aide	\$12.00 per hr	\$12.30
Bus Driver (CDL Certified) 5 ½ hrs/day	\$20.40 per hr	\$21.50
Cafeteria Aide	\$12.00 per hr	\$12.30
Clerks	\$13.25 per hr	\$13.60
Custodian	\$14.00 per hr	\$14.50
Day Care Lead w/Teacher Cert.	\$14.40 per hr	\$15.00
Day Care Lead w/o Teacher Cert.	\$13.35 per hr	\$13.70
Day Care Worker	\$12.75 per hr	\$13.00
Food Service Worker	\$12.00 per hr	\$12.30
 <b><u>Per Hour-Regularly Scheduled</u></b>		
Aide-Instructional w/County Sub. Cert.	\$15.42 per hr*	
Aide-Classroom w/o County Sub. Cert.	\$13.88 per hr*	
Paraprofessional-Preschool w/60 Cr. & Qualifications Per LTEEA contract	\$17.48 per hr*	
 <b><u>Per Diem</u></b>		
Secretary	\$ 84.00 per day	\$ 86.00
Security Guards	\$125.00 per day(8 hr)	\$125.00
Teacher	\$ 94.00 per day	\$100.00
Teacher-Long Term Sub-First 60 Days and/or sub filling for a EMSL absence	\$120.00 per day	\$125.00
Teacher-Long Term Sub-61 <sup>st</sup> Day Forward	BA Step 1/200 per day	BA Step 1/200
 <b><u>ESY Hourly Rates</u></b>		
Teachers – 4 1/2 hr day (Includes ½ hr prep per day)	\$35.00 per hr	\$35.00
Substitute Teacher-Contracted	\$35.00 per hr	\$35.00
Substitute Teacher-Non Contracted	\$15.42 per hr	\$15.42
Personal Aide (Full Time Yearly) 4 hrs/day	\$17.50 per hr	\$17.50
Personal Aide/Instruction Aide		
-W/60 Cr. and Sub. Cert.	\$15.42 per hr*	
-W/O 60 Cr. and NO Sub. Cert.	\$13.88 per hr*	
*Per LTEEA contract		
**Effective 8/1/2020		

- 11.** On the recommendation of the Superintendent, that the Lower Township Board of Education authorize the Superintendent to make personnel transfers and assignments in order to fulfill the policy objectives of Policy #1648 and the Lower Township Reopening Plan. The aforementioned transfers and assignments will be communicated at the earliest time possible to the affected staff and confirmed at the August Board Meeting, consistent with the emergency provisions in the LTEEA and regulations set forth by the NJDOE.

12. On the recommendation of the Superintendent, that the Lower Township Board of Education authorizes the suspension of Employee #4238, without pay, effective September 1, 2020.
13. ADDENDUM: On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Jordan Caplan, as Art Teacher at the Carl T. Mitnick School.

**H. Harassment, Intimidation & Bullying:**

1. REMOVED

**L Legislative and Internal Policies:**

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Job Descriptions for Supervisor of Custodians and Supervisor of Maintenance and the modification to the Supervisor of Buildings and Grounds. (Backup L-1)
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)

<b>NUMBER</b>	<b>TYPE</b>	<b>TITLE</b>
1581	Policy & Regulation	Domestic Violence
2422	Policy	Health and Physical Education
5330	Policy & Regulation	Administration of Medication
7243	Policy	Supervision of Construction
8210	Policy	School Year
8220	Policy	School Day
8220	Regulation	School Closings
8462	Policy	Reporting Potentially Missing or Abused Children
1649	Policy	Federal Families First Coronavirus (COVID-19) Response Act (FFCRA)
2270	Policy	Religion in Schools
2431.3	Policy	Heat Participation Policy for Student-Athlete Safety

2622	Policy	Student Assessment
5111	Policy & Regulation	Eligibility of Resident/Nonresident Students
5200	Policy & Regulation	Attendance
5320	Policy & Regulation	Immunization
5330.04	Policy & Regulation	Administering an Opioid Antidote
5610	Policy	Suspension
5610	Regulation	Suspension Procedures
5620	Policy	Expulsion
8320	Policy & Regulation	Personnel Records

3. On the recommendation of the Superintendent, the Lower Township Board of Education endorses the District's Pandemic Response Team Phase 1 recommendation for the restart of the school year and said plan can be modified as the school year progresses.

**E. Education:** None.

**F. Finance:**

1. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the joining of the Camden County Educational Services Commission. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the School Business Administrator, in consultation with Garrison Architect, Architect of Record, to negotiate a Purchase Order Contract to W.J. Gross, Inc. for the construction services relative to the foundation work at the Modular Office Unit. (Backup F-2)
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the Tuition Contract with Woods Services Inc., for fiscal year 2021. (Backup F-3)
4. On the recommendation of the School Business Administrator that the Lower Township Board of Education authorizes the zeroing out of all negative balances on student accounts for the 2019-2020 school year. (Backup F-4)



- 5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following, awarded as Professional Services Contract, for the fiscal year July 1, 2020 through June 30, 2021, as listed: (Backup F-5)

Speech-Language Pathologist – Monica LaSalle-Footit

- 6. On the recommendation of the School Business Administrator, that the Lower Township Board of Education confirms the acquisition of two (2) 54 passenger school buses to increase the transportation fleet for the upcoming 2020-2021 school year, and regulations per COVID-19. (Backup F-6)
- 7. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education confirms and fully supports the submittal of a Grant (due 7/22/20) with the State of NJ Department of Environmental Protection for the acquisition of up to four (4) electric school buses and the associated charging equipment in exchange for putting four (4) diesel school buses out of service.
- 8. On the recommendation of School Business Administrator, that the Lower Township Board of Education authorize the amendment of the 2019-2020 Cares Grant as follows:

Instructional Supplies	\$357,807
Support Salaries	\$ 25,000
Benefits	<u>\$ 1,912</u>
	\$384,719

- 9. On the recommendation of the Superintendent and School Business Administrator, that the Lower Township Board of Education requests approval by the Executive County Superintendent of Schools to transfer \$100,000 from the Capital Reserve Account for expenses for the purpose of construction of the Board Office space at Carl T. Mitnick School. (Backup F-9)
- 10. ADDENDUM: On the recommendation of the Superintendent and the School Business Administrator, that the Lower Township Board of Education authorize the School Business Administrator to acquire, through state contract sources, approximately 410 Chrome Books for K and PreK, and approximately 155 lap tops with camera capability, to upgrade the teachers devices in order that they can properly present live virtual learning sessions as a result of the changing COVID-19 reopening guidelines.

**MOTION ON CONSENT AGENDA:**

**Routine Matters: R-1 to R-5**

**Personnel: P-1 to P-13**

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

**Education: None**

**Financial: F-1 to F-10**

**Motion: Vile Second: Mader Discussion: None**

**Voting Yes:**

Monica DiVito

Steve Lewis

Michael Mader

Jonathan Vile

Sally Yerck-abstained p9

Patricia Smith-abstained p9

Gary Douglass-abstained p5 & p9

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

**5} OLD/NEW BUSINESS: Various board members complemented the administrative staff and employees dealing with all of the issues relative to the COVID19.**

**6} OPEN MEETING TO THE PUBLIC: (public comment rules as read above apply):  
Motion to close public comment: Smith Second: Vile All voted in favor**

**7} GOOD OF THE ORDER:**

**A}** Next Board Meeting: Regular Meeting – August 25, 2020-Mr. Douglass suggested that this meeting be held as normal and all board members agreed.

**8} ADJOURNMENT:**

**MOTION TO ADJOURN THE MEETING**

**Motion: Lewis Second: Vile**

**All voted in favor:**

**Time: 7:55 pm**

**Respectfully submitted,**

*John J. Hansen*

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

**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   5   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 July 28, 2020 at 6:40 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

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**"(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

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\_\_\_\_\_;

**"(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 #1-2019-2020

"(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" Status of Negotiations

"(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

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"(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

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"(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

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**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 #4238, #5284, #4348

**“(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

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**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.