

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
WORK SESSION AND REGULAR MEETING
AUGUST 25, 2020**

Call to Order: Mr. Douglass called the August 25th work session at 6:30 pm and regular meeting at 6:30 pm. Mr. Douglass announced that the regular meeting would convene immediately after the work session but not earlier than 7:00 p.m. in the Carl T. Mitnick School, 905 Seashore Road, Cape May, NJ 08204. Members of the public desiring to listen to and participate in the Board of Education Meeting will be able to access the meeting virtually.

Note: the minutes do not reflect the order of events.

Work session:

Mr. Hansen discussed the financial agenda items.

Regular Meeting:

Roll Call:

Board Members Present:

Monica DiVito
Nichole Koch
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

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."

2019-2020 District Goal:

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

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:

July 28, 2020

Regular Meeting

Executive Session

Motion: Vile Second: Lewis Discussion: None

Voting Yes:

Monica DiVito

Nichole Koch

Steve Lewis

Michael Mader

Charles Utsch

Jonathan Vile

Sally Yerk

Patricia Smith

Gary Douglass

2} REPORTS:

A} Superintendent: Mr. Smaniego discussed the agenda items as well as the reopening of the school for the 2020-2021 school year.

3} CONSENT AGENDA:

PUBLIC COMMENT ON AGENDA ITEMS: *Each speaker shall identify him/herself by giving their name and address and identify the agenda item that they are speaking on.*

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.

R. Routine Matters

R-1 Approval of Financial Statements:

Secretary's and custodian's reports for **July 31, 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: July 29, 2020-August 25, 2020 {Backup R-3}

R-3 Approval of Bill List: July 29, 2020-August 25, 2020{Backup R-5}

R-4 Approval of Cafeteria Report: NONE

R-5 Approval of Travel: NONE

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 WITH COMPLETE DOCUMENTATION

SUBSTITUTE BUS AIDES

Candice Keating, Paula Aita, Margaret Valone

SUBSTITUTE NEEDING MORE DOCUMENTATION

SUBSTITUTE PARAPROFESSIONAL

Nicole DeWald

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following transfers for the 2020-2021 school year:

Staff

Jennifer Camillo
Barbara Bur
Robin Tsosie
Nicole DeHorsey

Transfer From

Music Teacher @ Sandman
Preschool Master Teacher
Preschool Master Teacher
4th Gr. Teacher-Maternity Leave Position

Transfer To

Music Teacher @ Mitnick
Kindergarten Teacher
Spec. Ed. Teacher @ Memorial
3rd/4th Gr. Teacher @ Maud

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Taylor Franchville as 3rd/4th Grade Special Education Teacher at the Maud Abrams School for the 2020-2021 school year, pending receipt of required documentation. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of Jordan Caplan, Art Teacher at the Carl T. Mitnick School, effective July 29, 2020. (Backup P-4)
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Jennifer Abate, as Art Teacher at the Carl T. Mitnick School, effective September 1, 2020, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Katie Panamarenko, as Temporary Special Education Teacher at the Maud Abrams School, effective September 8, 2020 to December 11, 2020, pending receipt of required documentation. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Teresa Guido, as Temporary 4th Grade Teacher at the Maud Abrams School, effective September 8, 2020 – January 15, 2021, pending receipt of required documentation. (Backup P-7)
8. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Julia Mills, as Art Teacher at the David C. Douglass Veterans Memorial School for the 2020-2021 school year, pending receipt of required documentation. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Sarah Jane Jackson as STEM Teacher at the David C. Douglass Veterans Memorial School for the 2020-2021 school year, pending receipt of required documentation. (Backup P-9)
10. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Mentors for the 2020-2021 school year:

<u>Mentor</u>	<u>Staff</u>	<u>Position</u>
John King	Christina Granero	Principal @ Mitnick
Cari Eckel	Jessica Caruso	Special Ed. L.L.D. Teacher @ Mitnick
Bonnie Barcas	Taylor Franchville	3 rd /4 th Gr. Spec. Ed. Teacher
Nicole Parkinson	Catherine Hoffman	Preschool Teacher @ Memorial
Rachelle Voumard	Jennifer Boyle	Preschool Teacher @ Memorial

Janeen Lindsay	Jennifer Abate	Art Teacher @ Mitnick
Jill Cucci-Smith	Julia Mills	Art Teacher @ Memorial
Cynthia Rosenberg	Nicole DeHorsey	3 rd /4 th Gr. Teacher
TBD	Sarah Jane Jackson	STEM Teacher @ Memorial
Catie D'Aleo	Katie Panamarenko	Temp. Spec. Ed. @ Maud
Teresa Vance	Theresa Guido	Temp. 4 th Gr. Teacher @ Maud
Beth DeShields	Emily Champion	Temp. 2 nd Gr. Teacher @ Mitnick

- 11.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve the transfer of the following custodians to day shift, beginning August 27, 2020:

Donna Williamson @ Carl T. Mitnick School
Dean Hunter @ Maud Abrams School
Robert Cooper @ David C. Douglass Veterans Memorial School
Hannah Gioulis @ Sandman Consolidated School

- 12.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve Victoria Davenport, School Social Worker, for placement of MA on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective March 1, 2020. (Backup P-12)
- 13.** On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Barbara Bur, Kindergarten at the David C. Douglass Veterans Memorial School, effective September 1, 2020. (Backup P-13)
- 14.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve Kacey Chism, Preschool Teacher at the David C. Douglass Veterans Memorial School, for a Maternity Leave of Absence, tentatively effective November 2, 2020 to January 31, 2021. (Backup P-14)
- 15.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve Ann Marissa Ambacher, 6th Grade Teacher at the Sandman Consolidated School, for placement of MA on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective March 1, 2020. (Backup P-15)
- 16.** On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following Physical Education Teachers be compensated on the teacher's salary guide for five (5) teacher workdays per week effective September 1, 2020:

Matthew Danze Sandman School

Gerald Griffin
Krista James

Carl T. Mitnick School
David C. Douglass Veterans Memorial School

17. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Leanne Scheff, BSIP Teacher at the David C. Douglass Veterans Memorial School, for a Federal Medical Leave of Absence effective September 8, 2020 to December 7, 2020, pending receipt of proper documentation. (Backup P-17)
18. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Danielle Rechner, ESL Teacher at the Sandman Consolidated School, for placement of MA on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to her degree, effective March 1, 2020, pending receipt of required documentation. (Backup P-18)
19. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Teresa Morris, 3rd Grade Teacher at the Maud Abrams School, for a Federal Medical Leave of Absence effective September 8, 2020, return date to be determined upon receipt of required documentation. (Backup P-19)
20. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Miken Sheets, BSIP Teacher at the Carl T. Mitnick School, for Federal Medical Leave of Absence effective September 8, 2020 to return date to be determined upon receipt of required documentation. (Backup to be supplied)
21. On the recommendation of the Superintendent, that the Lower Township Board of Education authorizes the Superintendent to offer employment contracts to temporary teachers to fill unanticipated FMLA requests with Board confirmation at the September 22, 2020 Board Meeting.

H. Harassment, Intimidation & Bullying:

1. The Board affirms the actions taken by the Superintendent and the School Safety Teams, for Memorial H.I.B. #1 – (2019-2020). (Backup H-1)

L Legislative and Internal Policies:

1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the first reading for the following revisions to existing or new Policies and Regulations: (Backup L-1)

<i>NUMBER</i>	<i>TYPE</i>	<i>TITLE</i>
<i>1648</i> <i>1648.02</i>	<i>Policy</i>	<i>Restart and Recovery Plan</i>

1648.03		
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2. 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-2)

NUMBER	TYPE	TITLE
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

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:

Case #4406-A: A seven year old, 2nd grade special education student who is awaiting placement at Cape May County Special Services School District, Ocean Academy.

Case #4707-A: A four year old, preschool special education student who is awaiting placement at Cape May County Special Services School District, Ocean Academy.

F. Finance:

1. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the submittal and acceptance of the 2020-2021 Digital Divide Grant in the amount of \$280,069. (Backup F-1)
2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the following as Professional Services Contracts, for the fiscal year July 1, 2020 through June 30, 2021, as listed:

Therapy Source, Inc. – Child Study Team Services
Dignity Nursing Solutions-Nursing Services

3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve a Transportation Jointure with Wildwood Board of Education to provide transportation to Wildwood students attending Lower Township Elementary School's Choice Program for the 2020-2021 school year.
4. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes the Shared Services Agreement between the Lower Township School District and the County of Cape May for the resale of gasoline and diesel fuel as part of a community resale system.
5. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Karen Wadding of Alliance of Therapy Dogs (ATD), to provide volunteer visitation services with her two therapy dogs for the 2020-2021 school year. (Backup F-5)

MOTION ON CONSENT AGENDA:

Routine Matters: R-1 to R-5

Personnel: P-1 to P-21

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

Education: E-1

Financial: F-1 to F-5

Motion: Smith Second: Lewis Discussion: None

Voting Yes:

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

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

5} **EXECUTIVE SESSION:** To discuss matters of labor litigation and HIB Sandman
2019-2020 #2

Motion to enter Executive Session at 6:35pm: Yerk Second: Utsch

Discussion: None

Voting Yes:

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

6} **OLD/NEW BUSINESS:** The board was updated on the county meetings. Also, the Board complemented the Administration and entire staff on reopening process.

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

8} **GOOD OF THE ORDER:**

A} Next Board Meeting: Regular Meeting – September 22, 2020

9} **ADJOURNMENT:**

MOTION TO ADJOURN THE MEETING

Motion: Douglass Second: Lewis

Discussion: None

All in favor: @ 7:18 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 2 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 August 25, 2020 at 6:35 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,

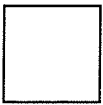
described as specifically as possible without undermining the need for confidentiality is

“(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 2019-2020 #2

“(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” Labor Litigation

“(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:



“(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 be discussed.

BE IT FURTHER RESOLVED that the Board Secretary, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
EXECUTIVE MEETING
AUGUST 25, 2020**

Call to Order: Mr. Douglass called the August 25th executive session at 6:35 pm.

Executive Meeting:

Roll Call:

Board Members Present:

Monica DiVito
Nichole Koch
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

Mr. Samaniego reviewed and answered questions relative to Sandman HIB 2019-2020 #2.

Mr. Gorman answered a legal question on the reopening of schools and potential litigation.

The Board returned to the worksession at 6:50.

Respectfully submitted,

John J. Hansen

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