

**LOWER TOWNSHIP BOARD OF EDUCATION  
MINUTES  
WORK SESSION AND REGULAR MEETING  
SEPTEMBER 27, 2022**

Call to Order: Meeting was called to order at 6:00 pm.

**Work Session Meeting:**

**Roll Call:**

**Present:**

Monica DiVito  
Sally Yerk  
Lindsey Selby  
Charles Utsch  
Joseph Thomas  
Michael Mader  
Gary Douglass

**Absent:**

Patricia Smith  
Nicole Koch

**Also in Attendance:**

Jeff Samaniego, Superintendent  
Frank Onorato, Interim School Business Administrator  
Patricia Ryan, Board Secretary  
Brett Gorman, Board Attorney

**Agenda Items:**

**Board Discussion on Agenda Items:**

Mrs. DiVito wanted clarification on the total number of Choice seats the district offered to students this school year. Mrs. Ryan responded that there are 72 seats offered.

Mr. Thomas asked Mr. Samaniego if all parties agreed on the Technology Coordinator job description, in which Mr. Samaniego responded that all parties agreed.

Mr. Mader had some concerns of hiring the Social Worker position as a shared service with CMCSSSD and whether the district will receive the required services needed for our students. Mr. Samaniego confirmed that the Social Worker will cover the district's needs.

Mr. Utsch addressed his concern with school security within the district.

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**EXECUTIVE SESSION: Commenced at 6:17 pm**

Personnel Matters:

Employees #5284 and #5173

H.I.B. Maud #1 2022-23, H.I.B. Sandman #1 2022-23 and H.I.B. Sandman #2 2022-2023

Other Personnel Matters- Conflicted members exited room (Douglass, Onorato, Yerk, Samaniego) prior to discussion of Employee #5284

**Motion: Utsch      Second: Mader**

**Discussion: None**

**All Voted in Favor**

**Motion to return to Regular Meeting:**

**Motion: Yerk      Second: Thomas**

**All Voted in Favor:**

**Regular Meeting: {Meeting commenced at 6:47 pm}**

**Roll Call:**

**Present:**

Monica DiVito

Sally Yerk

Lindsey Selby

Charles Utsch

Joseph Thomas

Michael Mader

Gary Douglass

**Absent:**

Patricia Smith

Nicole Koch

**Also in Attendance:**

Jeff Samaniego, Superintendent

Frank Onorato, Interim School Business Administrator

Patricia Ryan, Assistant School Business Administrator/Board Secretary

Brett Gorman, Board Attorney

**Salute to the Flag.**

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**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.*

**2022-2024 Board Goal:**

Establish a system with district leadership to ensure that board policies are consistently being implemented and enforced.

**2021-2023 Board Goal:**

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

**This meeting will be conducted in accordance with:**

District Policy: #0164 Conduct of Board Meetings

District Policy: #0167 Public Participation in Board Meetings

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**1} REPORTS:**

**A}** Board President: None

**B}** Superintendent: Mr. Samaniego informed the board of the Freedom Flag Ceremony at the Maud Abrams school. Back to School night was also very successful.

Mr. Samaniego congratulated all recent retirees, resignations and newly hired staff. Mr. Samaniego and Mr. Mader recognized 2<sup>nd</sup> Grader, Kendall Thomas, for her efforts in raising \$800 to assist families who are in need of shoes. Mr. Mader matched her funds for this cause. Mr. Samaniego also thanked the Lunch with Lynch Foundation for their donation as well.

**C}** Interim School Business Administrator: None

**D}** Committee Reports

**Building and Grounds Committee:** None

**Curriculum Committee:** Reported the state changes in Preschool Master Teacher to Preschool Instructional Coach and PIRT has been changed to PIRS. Reported the significant increase in ESL students in the district. The state of NJ curriculum standards has been updated for Visual/Performing Arts, Computer Science, World Languages, Science, Social Studies and Career Readiness.

**Finance Committee:** None

**E}** Board Member Comments: None

**2} APPROVAL OF MINUTES:**

August 23, 2022

Regular Meeting & Executive Meeting

**Motion:** Yerk      **Second:** Mader

**Discussion:** None

**Voting Yes:**

Monica DiVito

Sally Yerk

Lindsey Selby

Charles Utsch

Joseph Thomas

Michael Mader

Gary Douglass

**Absent**

Patricia Smith

Nichole Koch

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**3} CONSENT AGENDA:**

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

**PLEASE NOTE:** *Each speaker shall identify him/herself by giving their name and address and will be allowed to speak once for a period not to exceed four minutes. The public comment portion of all Board Meetings shall not exceed forty minutes in total. Prior to the roll call vote, any member of the board may ask for discussion on any of the items within the block.*

*The following items are believed to be items of a routine nature and will be moved as a block of action items. Prior to the roll call vote, any member may ask for discussion on any of the items without the block.*

**R. Routine Matters**

**R-1 Approval of Financial Statements:** Secretary's and custodian's reports for **July 31, 2022** (to be supplied) and **Revised June 30, 2022** reports, 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). {Backup R-1}

**R-2 Approval of Transfers: August 23, 2022-September 27, 2022 and Revised June 28, 2022 - July 26, 2022** {Backup R-2}

**R-3 Approval of Bill List: August 23, 2022-September 27, 2022** {Backup R-3}

**R-4 Approval of Cafeteria Report: September 2022** {Backup R-4}

**R-5 Approval of Travel: None**

**P. Personnel:**

**1.** On the recommendation of the Superintendent, that the following substitute be approved for the 2022-2023 school year, pending receipt of required documentation: (Backup P-1)

**SUBSTITUTE TEACHERS**

*Olivia Levin, Frank Guido, Susan Reilly, Kayla Fritz, Christian Montero*

**SUBSTITUTE PARAPROFESSIONAL**

*Nancy McCloskey, Tina Bencivengo, Kayla Fritz, Jennifer Wilson*

**SUBSTITUTE 60 CREDIT CLASSROOM AIDES**

*Rian Lawley, Kemalynn Giles, Brandy DeMarzo*

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**SUBSTITUTE CLASSROOM AIDE**

*Brandy DeMarzo, Kemalynn Giles, Donna Guido, Susan Reilly, Kayla Fritz, Jessica Mallek,  
Jennifer Wilson, Samantha Gonzalez*

**SUBSTITUTE FOOD SERVICE WORKERS**

*Patricia Purcell, Brandee Rodia, Kemalynn Giles, Kelli Newby, Kadi Newby, Diane Cooper*

**SUBSTITUTE CAFETERIA AIDES**

*Patricia Purcell, Brandee Rodia, Sophia LaValley, Elizabeth McIlhenney, Angelina Bolton,  
Kemalynn Giles, Tina Bencivengo, Samantha Gonzalez*

**SUBSTITUTE DAY CARE AIDES**

*Sadie Ervine, Chelsea Morrissey, Christine Watson, Brandee Rodia, Rian Lawley, Angela  
Isaacson, Angelina Bolton, Kemalynn Giles, Alexandria Archer, Miranda Macklin, Jennifer Wilson,  
Samantha Gonzalez, Jasmine Levengood*

**SUBSTITUTE BUS AIDE**

*Angela Isaacson, Kemalynn Giles, Kathleen Breuninger, Leslie Morales-Lopez*

**SUBSTITUTE SECRETARIES**

*Donna Guido, Brandy DeMarzo*

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following job descriptions: (Backup P-2)  
  
Technology Coordinator  
Food Service Worker  
Food Service- Cook/Baker
3. On the recommendation of the Superintendent, that the Lower Township Board of Education accepts, with regret, the resignation of Maria Hoff, Food Service Cook at the David C. Douglass Veterans Memorial School, effective October 31, 2022. (Backup P-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education approves Linda Machamer as Temporary FMLA-LOA BSIP Teacher at the Carl T. Mitnick School, effective September 6, 2022 to December 12, 2022. (Backup P-4)

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5. On the recommendation of the Superintendent, that the Lower Township Board of Education approves Lisa Borchardt, as School Social Worker/Case Manager, effective October 3, 2022 to June 30, 2023, pending receipt of required documentation. (Backup P-5)
6. On the recommendation of the Superintendent, that the Lower Township Board of Education approves Stephen McIntyre as Physical Education/Health Teacher at the Sandman Consolidated School and David C. Douglass Veterans Memorial School, effective September 28, 2022, pending receipt of required documentation. (Backup P-6)
7. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorize the following revised hourly rates:

**SUBSTITUTE DAYCARE WORKERS**

Daycare Worker- \$14.50 per hour

Daycare Lead with County Substitute Teaching Certificate \$15.15 per hour

Daycare Lead with Teacher Certification \$15.90 per hour

8. On the recommendation of the Superintendent, that the Lower Township Board of Education to approve the Sidebar Agreement to include the job title of Technology Coordinator to Article I-Recognition clause of the collective bargaining agreement covering July 1, 2020 through June 30, 2023. (Backup P-8)
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approves Thomas Connelly as School Security at the Sandman School, effective date TBD. (Backup P-9)

**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 second reading for the following revisions to existing or new policy: (Backup L-1)

<b><u>NUMBER</u></b>	<b><u>TYPE</u></b>	<b><u>TITLE</u></b>
1648.11	Policy	<i>The Road Forward COVID 19 Health &amp; Safety</i>

2. On the recommendation of the Superintendent, that the Lower Township Board of

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Education approve the first reading for the following revisions to existing or new policies: (Backup L-2)

<b><u>NUMBER</u></b>	<b><u>TYPE</u></b>	<b><u>TITLE</u></b>
2560	Policy	Live Animals In School
5512.01	Policy	Harassment, Intimidation and Bullying
2425	Policy	Emergency Virtual or Remote Instruction Program

- 3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the LTES Remote Learning Plan for the 2022-2023 school year. (Backup L-3)

**E. Education:**

- 1. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following placements for the 2022-2023 school year:(Backup E-1)

**Case #4904-A:** A 6.1 year old, 1st grade special education student who is awaiting placement at Cape May County Special Services School District, Ocean Academy.

**Case #4644-A:** A 6.4 year old, 1st grade special education student who is awaiting placement at Cape May County Special Services School District, Ocean Academy.

- 2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following curricula, in alignment to the 2020 Standards for the 2022-2023 school year as listed below:

Visual Performing Arts	Computer Science and Design Thinking
Social Studies	Science
World Languages	Career Readiness, Life Literacies and Key Skills

- 3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following programs and educational services offered in grades Preschool through Grade 6 for the 2022-2023 school year, as listed below: (Backup E-3)

**Programs**

Visual and Performing Arts (Art and Music)	Special Education - Resource Programs
Basic Skills Instruction	Special Education - Self Contained
Comprehensive Health and Physical Education	Special Education - Preschool Disabled



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Advanced Skills

Handwriting

Instrumental Music/Strings

Language Arts Literacy

-Reading

-Writing

Library/Media

Mathematics

Science

Technology/STEM

Social Studies

World Language/Spanish

**Services**

Child Study Team

English as a Second Language

Guidance Counseling

School Nursing

Speech

4. On the recommendation of the Superintendent, that the approve be given for the five-year curriculum evaluation schedule for all content areas at all grade levels. (Backup E-4)

**F. Finance and Insurance:**

1. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorizes the Interlocal Agreement with Cape May County Special Services School District for part-time School Social Worker/Case Manager services effective October 3, 2022 through June 16, 2023. (Backup F-1)
2. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorizes a Transportation Jointure with the Wildwood Board of Education to provide transportation to Wildwood students attending Lower Township Elementary School's Choice Program for the 2022-2023 school year. (Backup F-2)
3. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorizes a Transportation Jointure with the Middle Township Board of Education to provide transportation to Middle students attending Lower Township Elementary School's Choice Program for the 2022-2023 school year. (Backup F-3)
4. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorizes a Transportation Jointure with the Cape May City Board of Education to provide transportation to Cape May City students attending Lower Township Elementary School's Choice Program for the 2022-2023 school year. (Backup F-4)

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5. On the recommendation of the Assistant School Business Administrator, that the Lower Township Board of Education authorizes a Transportation Jointure with the North Wildwood Board of Education to provide transportation to North Wildwood students attending Lower Township Elementary School's Choice Program for the 2022-2023 school year. (Backup F-5)
  
6. On the recommendation of the Superintendent and the Interim School Business Administrator, that the Lower Township Board of Education authorizes the Superintendent to submit an application for Stabilization Aid in the amount of \$6,603,157 (\$1,316,845 budgetary operations and \$5,286,312 HVAC and Capital Improvements) to offset the state aide S-2 reductions of \$1,561,338 in the current 2022-2023 school year. The Lower Township Board of Education has experienced reductions in state aid and will confront a structural budgetary imbalance associated with the continuation of state aid reductions in fiscal years 2023-2025.
  
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Cape May Star & Wave newspaper as a district approved newspaper, on an as needed basis.

**MOTION ON CONSENT AGENDA ON ALL MOTIONS LISTED BELOW:**

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

**Personnel: P-1 to P-9**

**Harassment, Intimidation & Bullying: None**

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

**Education: E-1 to E-4**

**Finance and Insurance: F-1 to F-7**

**Motion: Thomas Second: Mader**

**Discussion: None**

**Voting Yes:**

Monica DiVito

Sally Yerk

Lindsey Selby

Charles Utsch

Joseph Thomas

Michael Mader

Gary Douglass

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**Absent**

Patricia Smith

Nichole Koch

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

**5} EXECUTIVE SESSION: None**

**6} OLD/NEW BUSINESS: None**

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

Mr. Monzo stated his disapproval of the NJ Health/Physical Education standards and the board's decision on the new curriculum.

Mr. Burow states his issues with the NJ Health/Physical Education standards and the board's decision on the new curriculum.

Mrs. Randall stated her appreciation and approval of the new curriculum which was thoroughly posted on district website.

Mr. Douglass commented that he believes that new curriculum is sufficient and that he approves the new curriculum.

Mr. Mader stated that the new curriculum standards are posted on the website and he supports the curriculum as written.

Mrs. Yerk commented that the administration and teachers have created a phenomenal curriculum for our students.

**8} GOOD OF THE ORDER:**

**A}** Next Board Meeting: October 18, 2022

**B}** Fire Drills: 9/14/22 - Maud Abrams School

9/15/22 - Sandman School and Mitnick School

9/16/22 - Memorial School

Monthly Emergency Drill: 9/23/22 - Evacuation Drill

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9} **ADJOURNMENT:**

**MOTION TO ADJOURN THE MEETING**

**Motion: Utsch      Second: Mader**

**Discussion: None**

**All in Voted in Favor:**

**Time: 7:12 pm**

Respectfully submitted:

A handwritten signature in black ink that reads "Patricia Ryan". The signature is written in a cursive, flowing style.

Patricia A. Ryan  
Assistant School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION  
MINUTES  
EXECUTIVE SESSION  
SEPTEMBER 27, 2022**

Meeting was called to order at 6:17 pm.

**Members Present:**

Monica DiVito  
Sally Yerk  
Lindsey Selby  
Charles Utsch  
Joseph Thomas  
Michael Mader  
Gary Douglass

**Absent:**

Patricia Smith  
Nichole Koch

**Also in Attendance:**

Jeff Samaniego, Superintendent  
Frank Onorato, Interim School Business Administrator  
Patricia Ryan, Board Secretary  
Brett Gorman, Board Attorney

**EXECUTIVE SESSION:**

There was discussion by Mr. Samaniego informing the board of process changes involved in reporting a H.I.B.

H.I.B. Maud #1 2022-23

H.I.B. Sandman #1 2022-23 and H.I.B. Sandman #2 2022-2023

Mr. Samaniego discussed each of these H.I.B. situations and outlined the findings and the steps conducted in determining whether they were considered H.I.B.

Mr. Samaniego discussed Employee #5173 behavior at work with board members.

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Superintendent's Evaluation Process: Employee #5284

Conflicted members exited room (Douglass, Onorato, Yerk, Samaniego) prior to discussion of Employee #5284

Mr. Mader conducted further discussion on mentoring program for Employee #5284 with the present board members. Mr. Gorman will look further into mentor options.

This session concluded at 6:45 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Patricia Ryan". The signature is written in a cursive, flowing style.

Patricia A. Ryan  
Assistant School Business Administrator/Board Secretary

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**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 3 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 September 27, 2022 at 6:17 pm 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**

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**individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." H.I.B. Maud Abrams #1 2022-2023, H.I.B. Sandman #1 2022-2023 and H.I.B. Sandman #2 2022-2023**

**"(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"**

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**"(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**



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**public officer or employee or current public officer or employee 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 #5284 and #5173



**“(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 \_\_\_\_ 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.

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**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.