

**LOWER TOWNSHIP BOARD OF EDUCATION
MINUTES
REGULAR MEETING
AUGUST 28, 2018**

Regular Meeting convened at 7:30 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.

2017-2019 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."

2017-2018 Board Goals:

"To proactively support appropriate activities and events throughout the district with increased board member attendance."

District Goals:

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

"To increase measures that educate parents and students, about the importance of school attendance and its link to student achievement."

8/28/2018

1} REPORTS:

- A} Board President:
- B} Superintendent: Mr. Samaniego reported on the start of school, and thanked the support staff for all of the activities associated with the opening of school and the district's award of the Preschool Education Expansion Aid Grant.
- C} School Business Administrator: Mr. Hansen reviewed the agenda items.

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:

July 24, 2018
Work Session
Regular
Close Session

R-2 Approval of Financial Statements:

Secretary's and custodian's reports for **July 31, 2018**, 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: July 27th, 2018-August 28th, 2018{Backup R-3}

R-4 Approval of Bill List: July 27th, 2018-August 28th, 2018 {Backup R-4}

R-5 Approval of Cafeteria Report: None

R-6 Approval of Travel: July & August

MOTION ON ROUTINE MATTERS #R-1 TO #R-6

**Motion: Vile Second: McKenna
Voting Yes:**

Monica DiVito
Stephen Lewis
Joseph McKenna
Joseph Thomas
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President – abstain R-4 #414213
Gary Douglass, President

3} SUGGESTED MOTIONS:

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 following substitutes be approved for the 2018-2019 school year, pending receipt of required documentation: (Backup P-1)

SUBSTITUTES WITH COMPLETE DOCUMENTATION

SUBSTITUTE PRESCHOOL TEACHER

Leanna Petrillo

SUBSTITUTE INSTRUCTIONAL AIDES

Kaitlin Rodia

SUBSTITUTE CLASSROOM AIDE

Virginia Rutherford

SUBSTITUTE BUS AIDE

Elizabeth Vass, Sonia Wysocki

SUBSTITUTE CAFETERIA AIDE

Elizabeth Vass

SUBSTITUTE FOOD SERVICE WORKERS

Linda Hilvert, Maryann Palek, Saizu Scheyhing, MaryLynn Frandino

SUBSTITUTES NEEDING MORE DOCUMENTATION

SUBSTITUTE TEACHER

Darlene Tschopp

SUBSTITUTE PRESCHOOL PARAPROFESSIONAL/KINDERGARTEN SUPPORT AIDES

Denielle Young, Leah Yost, Lindsey Harner

SUBSTITUTE INSTRUCTIONAL AIDE

Amanda Crafts, Rhiannon Nicas

SUBSTITUTE CLASSROOM AIDE

Debbie Payad

SUBSTITUTE SECRETARY

Kirsten Nelson

SUBSTITUTE BUS AIDE

Kathleen Bakanauskas

SUBSTITUTE FOOD SERVICE WORKER

Lorraine Zuccato

SUBSTITUTE BUS DRIVER

Christian Titerence

2. On the recommendation of the Superintendent, that the Lower Township Board of Education approve Jennifer Abate as the Three-Year Old Visitation Program (3VP) for the 2018-2019 school year, at the David C. Douglass Veterans Memorial School, effective September 1, 2018, pending receipt of required documentation.

3. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following, as of September 1, 2018, contingent on the approval of the District's 2018-2019 Preschool Education Expansion Aid {PEEA} Grant, by the New Jersey Department of Education and pending receipt of required documentation: (Backup P-3)

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Abrams, Stephanie	Kindergarten	S. Matteucci – BSIP (Salerno)
Haring, Sarah	1 st Grade –SC	E. Adams transferring
Kolojeski, Megan	Speech @ Memorial	S. Temple transferring
Vassar, Amanda	3 rd Grade – 1 Year	H. LaVancher on 1 yr leave
Viscomi, Elena	6 th Grade	J. Harris (Going back to BSIP)

4. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the following, effective September 1, 2018, contingent on the approval of the District's 2018-2019 Preschool Education Expansion Aid {PEEA} grant by the New Jersey Department of Education and pending receipt of required documentation: (Backup P-4)

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Barr, Jane	Preschool Teacher	Preschool Grant
Chey, Alexandra	School Psychologist	Replacing J. Blum (PIRT)
Chism, Kasey	PreSchool Teacher	Preschool Grant
Grimes, Jamie	PIRT	Preschool Grant
Hand, Emily	PreSchool Teacher	Preschool Grant
Hughes, Tammy	PreSchool Teacher	Preschool Grant
Mann, Meagan	PreSchool Teacher	Preschool Grant
McCormick, Amanda	PreSchool Teacher	Preschool Grant
Merrill, Casey	PreSchool Teacher	Preschool Grant

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5. On the recommendation of the Superintendent, that the Lower Township Board of Education, approve the following transfers as of September 1, 2018 contingent on the approval of the District's 2018-2019 Preschool Education Expansion Aid {PEEA} grant by the New Jersey Department of Education:

<u>NAME</u>	<u>CURRENT POSITION</u>	<u>TRANSFERRED TO</u>
Adams, Emily	1 st Gr. S/C	Preschool Teacher
Blum, Jennifer	School Psychologist	PIRT*
Brion, Lori	Kindergarten Teacher	Special Ed. @ Memorial
Bur, Barbara	Half-Day Preschool	Preschool Master Teacher
Harris, Jillian	6 th Gr.	BSIP @ Sandman
Hotaling, Stacey	Half-Day Preschool	Preschool Teacher
Keeler, Michelle	3 rd Gr.	2 nd Gr. (L. Richman)
Mastalski, Carolann	K - Self-Contained	Special Ed. @ Memorial
Matteucci, Sharon	Kindergarten	BSIP @ Memorial (S. Salerno)
O'Shea, Patricia	4 th Grade Teacher	Preschool Teacher
Parkinson, Nicole	Half-Day Preschool	Preschool Teacher
Risley, Krista	Speech @ Sandman	Speech @ Memorial-PIRT
Salerno, Stacey	BSIP @ Memorial	Preschool Teacher
Tsosie, Robin	Preschool Teacher	Preschool Specialized Master Teacher
Voumard, Rachelle	Half-Day Preschool	Preschool Teacher

6. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the retirement of Jacqueline Wagner, Classroom/Cafeteria Aide at Maud Abrams School, effective July 1, 2018. (Backup P-6)
7. On the recommendation of the Superintendent, that the Lower Township Board of Education approve a paid medical leave of absence for employee #4755, effective September 1, 2018 through September 30, 2018.
8. On the recommendation of the Superintendent, that the Lower Township Board of Education accept, with regret, the resignation of employee #4755, effective September 30, 2018.
9. On the recommendation of the Superintendent, that the Lower Township Board of Education approve the Separation Agreement and Release with employee #4755, effective September 30, 2018.
10. On the recommendation of the Superintendent, that the Lower Township Board of Education reinstate Employee #4238.

H. Harassment, Intimidation & Bullying: NONE

L. Legislative and Internal Policies:

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- 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)

NUMBER	TYPE	TITLE
2423	Policy & Regulation	Bilingual and ESL Education
1240	Policy	Evaluation of Superintendent: Addendum to Regulation #1240

- 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 Polices and Regulations: (Backup L-2)

NUMBER	TYPE	TITLE
1613	Policy & Regulation	Disclosure and Review of Applicant's Employment History
5512	Policy	Harassment, Intimidation and Bullying

E. Education: NONE

MOTION: P-1 to P-9/ L-1 to L-2 and Addendum P 10

**Motion: Vile Second: Smith
Voting Yes:**

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

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 Fund 20 allocations for ESSA/NCLB TILE IA allocations:(Backup F-1)

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<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%
Diane Carson	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%

2. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize the School Business Administrator to execute the Consent to Assignment of Power Purchase Agreement between Lower Township Elementary School District Board of Education and Marina Energy, LLC, dated April 12, 2013, subject to the submittal of appropriate documentation. (Backup F-2)
3. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approves a Contract between Lower Township Board of Education and Paul's Commodity Hauling, Inc. for the 2018-2019 school year for hauling State Commodities from Safeway Cold Storage. (Backup F-3)
4. On the recommendation of the Superintendent, that the Lower Township Board of Education authorize Jeff Samaniego, Superintendent to sign the Comprehensive Equity Plan Annual Statement of Assurance. (Backup F-4)
5. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorize a 2018-2019 Tuition Contract including Tuition and Extraordinary Services with Coastal Learning Center Atlantic Corp. (Backup F-5)
6. 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 2018-2019 Emergency Aide, dated August 3, 2019, that all options available to the school district must be considered. (Backup F-6)
7. On the recommendation of the Superintendent, School Business Administrator, Supervisor of Building and Grounds and Garrison Architect, that the Lower Township Board of Education declare an emergency situation relative to Sandman Consolidated Elementary School's boiler room joist as approved by the Interim Executive County Superintendent and that the School Business Administrator may negotiate and award contracts, without public advertising, associated with the emergency. (Backup F-7)
8. On the recommendation of the School Business Administrator that the Lower Township Board of Education authorize the transfer of \$600,000.00 from the Capital reserve account, to the 2018-2019 budget, for the following capital project: Boiler room joist and roof replacement. (Backup F-8)
9. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve DCO Application #5, in the amount of 679,604.28. (Backup F-9)

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2.0	Design Engineering	\$ 19,534.94
3.0	Construction Mgt	\$ 14,703.93
5.0	System Commissioning	\$ 7,835.25
6.	Equipment Initial Training	\$ 5,761.50
7.	ESCO Overhead	\$ 13,441.92
8.	ESCO Profit	\$ 10,458.54
9.1	LED lighting ESIP	\$104,086.23
9.2	LED lighting DI	\$ 52,809.03
9.3	District Wide Energy Mgt	\$208,242.31
9.5	Hot Water Unit Ventilator	\$ 45,577.40
9.6	Premium Efficiency Pumps	\$ 8,000.00
9.8	Combined Heat/Power	\$ 82,000.00
Change Order #1	TriState:DI:Abrams	\$ 21,698.94
Change Order #2	TriState:DI:Mitnick	\$ 3,799.22
Change Order #1	Surety:Maud B Wing	\$ 29,560.10
Change Order #2	Surety:DWG ME-101	\$ 1,169.34
Change Order #3	Surety:Thermostats "wired"	\$ 55,692.25
Change Order #4	Surety:Power for UV Maud	\$ 9,277.06
	This period	<u>\$693,597.96</u>
	Less: Retainage	<u><\$ 13,993.68></u>
	This payment	<u>\$679,604.28</u>

10. On the recommendation of the School Business Administrator, that the Lower Township Board of Education agrees to enter into a Shared Service Agreement by and Between the Township of Lower and the Lower Township Elementary Schools. (Backup F-10)
11. On the recommendation of the School Business Administrator, that the Lower Township Board of Education authorizes and confirms that the School Business Administrator to execute a Standard Service Agreement (EGS) with South Jersey Gas for a gas meter installation at Sandman School for service to the CHP unit {ESIP project}. (Backup F-11)
12. On the recommendation of the Superintendent, that the Lower Township Board of Education accept the 2018-2019 Preschool Education Expansion Act Grant (PEEA) funds, as awarded. (Backup F-12)
13. On the recommendation of the School Business Administrator, that the Lower Township Board of Education approve the 2018-2019 Joint Transportation Agreement with Lower Cape May Regional School Board of Education. (Backup F-13)

MOTION: Finance F-#1 to F-#11 and Addendum {revised F2&F9} and Addendum F12-13

Motion: DiVito Second: McKenna

Vote Yes:

Monica DiVito
Stephen Lewis

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Joseph McKenna
Joseph Thomas
Charles Utsch
Jonathan Vile
Patricia Smith, Vice President
Gary Douglass, 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 September 25, 2018 @ 7:30 pm

8} ADJOURNMENT

MOTION TO ADJOURN THE MEETING.

Motion: Thomas Second: McKenna

All in Favor

Time: 7:50 p.m.

Respectfully submitted,


John J. Hansen
School Business Administrator/Board Secretary

WORK SESSION MINUTES – 8/28/2018

6:00 pm

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

Roll Call: Board Secretary called the roll.

Roll Call – Board Members:

Gary Douglass, President
Patricia Smith, Vice President
Monica DiVito
Steve Lewis
Joseph McKenna @ 6:02 pm
Joseph Thomas
Charles Utsch
Jonathan Vile

Also in Attendance:

Jeff Samaniego, Superintendent
John Hansen, Board Secretary
Taylor Ruilova, Board Attorney

Absent

Shaun Whittington

1) Administration:

- a) Mr. Samaniego:
Discussed the process of recognizing new hires at subsequent meeting of hiring.
Reviewed PEEA Grant
- b) Mr. Hansen:
Review status of ESIP Project.
Reviewed status of Sandman Boiler Room Joist Failure and emergency.

2) Close Session: See Authorizing Executive Session 8/28/2018 – as amended Rice Notice Question

MOTION: Thomas Second: McKenna

Employee #4052
Employee #4238
Employee #4755
Employee #4839
Employee #5284
Rice Notice Procedure
Docket: CPM-L-213-16

Work session concludes no later than 7:25 pm and proceeds to School Board Presentation & Regular Business Meeting

Motion to Adjourn and proceed to Regular Meeting:

MOTION: Vile Second: Lewis @ 7:28 p.m.

All in Favor

Respectfully submitted,


John J. Hansen
School Business Administrator/Board Secretary

**LOWER TOWNSHIP BOARD OF EDUCATION
RESOLUTION
AUTHORIZING EXECUTIVE SESSION-8/28/2018**

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 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 August 28, 2018 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

"(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: **Docket No.:CPM-L-213-16**

“(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:
Employee #4052, Employee #4238, Employee #4755, Employee #4839, & Employee #5284 & 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 40 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.

CLOSED SESSION MINUTES – 8/28/2018

6:30 p.m.

Roll Call – Board Members:

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

Absent

Shaun Whittington

Also in Attendance:

Jeff Samaniego, Superintendent
John Hansen, Board Secretary
Taylor Ruilova, Board Attorney

Closed Session: See Authorizing Executive Session 8/28/18

- a) Mr. Ruilova reviewed the details relative to Employee #4755 medical leave of absence, resignation letter, and separation agreement.
- b) Mr. Samaniego reviewed the details relative to Employee #4238. He stated that the employee has accepted the corrective action plan.
- c) Mr. Samaniego reviewed the details relative to an anonymous letter concerning an incident that occurred previously with Employees #4052 as well as the procedure and discipline at that time. The board commented on the details of the anonymous letter. Further, the board raised concerns regarding employee discipline, questioned the board's policy regarding the notification to the board relative to employee discipline. Mr. Samaniego stated that he has apprised the Board President of all personnel matter. The Board will be informed on employee discipline.
- d) The board asked question about the Rice Notice and the policy of permitting the riced person to attend the close session. Mr. Ruilova told the board that this is a courtesy, and can be done on a case by case basis.
- e) Mr. Hansen reviewed the information on case known as CPM-L-213-16.

Motion to Adjourn and proceed to Regular Meeting:

Motion: Vile Second: Lewis @7:26 p.m.

All in Favor

Respectfully submitted,


John U. Hansen

School Business Administrator/Board Secretary