

# LOWER TOWNSHIP BOARD OF EDUCATION

## BOARD MINUTES

### EXECUTIVE SESSION

September 27, 2016

Meeting convened at 6:35 p.m.

Present at meeting were:

Mr. Ralph Bakley

Mrs. Monica DiVito

Mr. Gary Douglass

Dr. James Rochford

Mrs. Patricia Smith

Mr. Joseph Thomas

Mr. Charles Utsch

Mr. Jonathan Vile

Mr. Shaun Whittington - ABSENT

Jeff Samaniego, Superintendent

Frank Onorato, Board Secretary

*The following was discussed:*

- The solicitor briefed the Board of Education on transgender laws and issues related.
- The discussion of an employee and circumstances of return to work.
- Mrs. DiVito commented on the process for completing the Superintendent's evaluation. (Mrs. Smith and Mr. Douglass exited).
- The solicitor updated the Board of Education on contract negotiations. (Mrs. DiVito exited).

On a Motion by Mr. Thomas and seconded by Mr. Vile and the unanimous consent of the Board that the meeting returned to open session at 7:00 p.m.

Respectfully submitted,



Frank A. Onorato  
Board Secretary

# LOWER TOWNSHIP BOARD OF EDUCATION

## BOARD MINUTES

### REGULAR MEETING

SEPTEMBER 27, 2016

Meeting convened at 7:00 p.m.

#### Salute to the Flag

Mr. Ralph Bakley  
Mrs. Monica DiVito  
Mr. Gary Douglass  
Dr. James Rochford  
Mrs. Patricia Smith  
Mr. Joseph Thomas  
Mr. Charles Utsch  
Mr. Jonathan Vile  
Mr. Shaun Whittington - ABSENT

Jeff Samaniego, Superintendent  
Frank Onorato, Board Secretary

#### 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 Atlantic City Press, posted at the Municipal Building, and a copy thereof delivered to the Township Clerk; in accordance with the Open Meeting Act.

#### District Mission Statement:

##### **“It Takes a Community of Learners to Educate a Student”**

*It is the mission of the Lower Township Elementary School District to provide quality educational programs, capable of supporting all learners to achieve proficiency in the Common Core State Standards in English, Language Arts and Mathematics and the New Jersey Core Curriculum Content Standards in all other content areas.*

*Through the establishment of collaboration within and outside of the school community, we will support the sharing of resources to foster an environment, which will enable students to make informed decisions that prepare them to engage as active citizens in a dynamic global society and to successfully meet the challenges and opportunities of the 21<sup>st</sup> century global workplace.*

#### Board Goals

- 1. Increase Board Member's knowledge and understanding of by-laws, district policies and regulations.*
- 2. To proactively support appropriate activities and events throughout the district with increased Board Member attendance.*

**District Goals**

1. *To foster effective communication and positive relationships with students, parents, staff and the community.*
2. *To increase measures that educate parents and students about the importance of school attendance and its link to student achievement.*

**Board Member Comments:**

- Mr. Vile spoke on bus incident on Fishing Creek Road and the great response by the transportation department.
- Mrs. Smith and Mrs. DiVito commented on Back to School Nights.

Public comment regarding agenda items only.

On a motion by Mr. Bakley and seconded by Mr. Vile and the unanimous consent of the Board, the minutes of the Regular Board Meeting and Executive Meeting held on August 23, 2016 were approved.

On a motion by Mrs. Smith and seconded by Mr. Vile and the unanimous consent of the Board, the Board approved the secretary’s and treasurer’s reports for August 31, 2016, which are in agreement as certified by the Board Secretary, that no account has been over expended in violation of NJAC 6:20-2.12(a), (d).

On a Motion by Mr. Vile and seconded by Mr. Thomas and the unanimous consent of the Board the Board passed the following resolution at 6:35 p.m.

**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 4 issues are 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, 201 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.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

**“(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”**  
The solicitor updated the BOE on contract 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:

**“(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 that the solar contracts were discussed. The solicitor briefed the BOE on transgender laws and issues related.

2

“(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:

1. Discussion of an employee and circumstances of return to work.
2. Mrs. DiVito commented on the process for completing the Superintendent’s evaluation.

“(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 25 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.

The Board returned from Executive Session at 7:00 p.m. on a motion by Mr. Thomas and seconded by Mr. Vile and the unanimous consent of the Board that the meeting return to the work session.

Work session began at 6:00 p.m. Mr. Samaniego discussed the following with the Board:

- Adjustment to the August 23, 2016 Executive Minutes
- The many projects that the PTA has contributed
- Back to School Nights and the Family Wellness Run scheduled for October 16<sup>th</sup>
- The School District Goal on student attendance
- Mrs. Smith spoke on the old Administration building and disposition of same.
- Mrs. Smith discussed the transgender policy and water testing.

- The various funding formula proposals
- The NJSBS new Board of Education Member information available.

**Superintendent’s Report:**

*The following items were shared with the public:*

1. First week of school. Thank you teachers and staff, students and of course parents and guardians.
2. Inservice days were extremely informative for our staff. Thank you to Mrs. Muller, Miss Bowman, Mrs. Keeler and the rest of our Administrative team.
3. Our Back to School Nights were very successful.
4. Each school has grasped our District Attendance Goal, emphasizing the attendance link with academic achievement, and recognizing the students with positive attendance.
5. The PTA playground will be delivered the week of October 10<sup>th</sup>.
6. The Week of Respect is recognized in New Jersey the week of October 10<sup>th</sup>. Each of our four schools will have the same theme for each day.
7. Our Wellness Committee “Step it Up” 5K Walk/Run will be on October 16<sup>th</sup>. The fee is \$5.00 per person.

**Presentation:** Sabina Muller, Supervisor of Curriculum and Instruction

**P. Personnel**

**Approved – Substitutes**

1. On the recommendation of the Superintendent, that the following substitutes in each category be approved for the 2016-2017 school year, pending receipt of required documentation.

**SUBSTITUTE TEACHERS**

Maureen Byk, Tracy Vaught, Martin Malloy, Kymberly Holland

**SUBSTITUTE CLASSROOM AIDES**

Cori Nardi, Lisa Cardillo, Danielle DiCola, Tanya Roque

**SUBSTITUTE DAY CARE AIDES**

Danielle DiCola, Krista Faircloth

**SUBSTITUTE CAFETERIA AIDE**

Carolyn Narciso

**SUBSTITUTE FOOD SERVICE WORKER**

Carolyn Narciso

**SUBSTITUTE BUS AIDE**

Helen Gray

**SUBSTITUTE BUS DRIVERS**

Helen Gray, William Toewe, Joseph Moore

**SUBSTITUTE CUSTODIAN**

Thomas Hatala

First – Mr. Bakley

Second – Mrs. Smith

Mr. Bakley	YES
Mrs. DiVito	YES
Mr. Douglass	YES
Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	ABSTAIN
Mr. Utsch	YES
Mr. Vile	YES
Mr. Whittington	ABSENT

**Approved –Retirement**

2. On the recommendation of the Superintendent, that the Board accept the retirement of Sherry Bosch, Principal at the David C. Douglass Veterans Memorial School, with regret, effective January 1, 2017

First – Mr. Utsch

Second – Mrs. Smith

Mr. Bakley	YES
Mrs. DiVito	YES
Mr. Douglass	YES
Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	ABSTAIN
Mr. Utsch	YES
Mr. Vile	YES
Mr. Whittington	ABSENT

**Approved –Increase of Credits**

3. On the recommendation of the Superintendent, that David Morrison, Music Teacher at the Maud Abrams School, be approved for placement of BA+15 on the LTEEA Teachers' Salary Guide, to reflect an increase of credits to his degree, effective October 1, 2016.

First – Mrs. Smith

Second – Mrs. DiVito

Mr. Bakley	YES
Mrs. DiVito	YES
Mr. Douglass	YES
Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	ABSTAIN
Mr. Utsch	YES
Mr. Vile	YES
Mr. Whittington	ABSENT

**Approved –Temporary**

4. On the recommendation of the Superintendent, that Stephanie Abrams, be appointed as a Temporary Kindergarten Teacher, replacing Stephanie Kehoe who will be on a maternity leave of absence from October 27, 2016 until April 2017, pending receipt of required documentation.

First – Mr. Douglass		Second – Mr. Utsch
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	ABSTAIN	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved –Appointment**

5. On the recommendation of the Superintendent, that Albert Flitcroft be appointed as School Security Officer, in the District, effective September 28, 2016, pending receipt of required documentation.

First – Mr. Vile		Second – Mr. Utsch
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	ABSTAIN	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved –Clerk**

6. On the recommendation of the Superintendent, that Kimberly Brooks be appointed as Clerk, in the David C. Douglass Veterans Memorial School, effective September 28, 2016, pending receipt of required documentation.

First – Mrs. DiVito		Second – Mrs. Smith
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	ABSTAIN	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	



**Approved –Maternity Leave of Absence**

7. On the recommendation of the Superintendent, that Jillian Harris, Basic Skills Teacher at the Sandman Consolidated School, be approved for a maternity leave of absence from approximately January 23, 2017 until April 2017, pending receipt of required documentation.

First – Mrs. Smith

Second – Mr. Douglass

Mr. Bakley	YES
Mrs. DiVito	YES
Mr. Douglass	YES
Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	ABSTAIN
Mr. Utsch	YES
Mr. Vile	YES
Mr. Whittington	ABSENT

**E. Education**

**Approved – Programs**

1. On the recommendation of the Superintendent, that approval of the curricula be given for the following programs and educational services offered in grades Preschool through Grade 6 for the 2016-2017 school year, as listed below:

**Programs**

Art Education	Special Education-Resource Program
Basic Skills Instruction	Special Education-Self-Contained
Comprehensive Health and Physical Education	Special Education-Preschool Disabled
	Technology/STEM
Advanced Skills	Vocal Music
Handwriting	World Language/Spanish
Instrumental Music/Strings	Social Studies
Language Arts Literacy	21 <sup>st</sup> Century Life & Career Skills
Library/Media	
Mathematics	
Science	

**Services**

Child Study Team	School Nursing
Guidance/Counseling	Speech

First – Mr. Vile

Second – Mrs. DiVito

Mr. Bakley	YES
Mrs. DiVito	YES
Mr. Douglass	YES
Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	YES
Mr. Utsch	YES
Mr. Vile	YES

Mr. Whittington      ABSENT

**Approved – Schedule**

2.      On the recommendation of the Superintendent, that approval be given for the five-year curriculum evaluation schedule for all content areas at all grade levels.

First – Mr. Bakley		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**L. Legislative & Internal Policies**

**Approved – Description**

1.      On the recommendation of the Superintendent, that the Board approve the job description for Special Education Aide.

First – Mrs. Smith		Second – Mr. Douglass
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**F. Finance**

**The following items are believed to be items of a routine nature requiring no discussion and which are to be voted upon by a single roll call vote of the Board of Education. Any single member of the Board of Education may have any of the items on the consent agenda removed for discussion merely by so indicating prior to the vote to be taken on the consent agenda.**

**Approved – Fund**

1.      On the recommendation of the School Business Administrator, that pursuant to NJAC 6A:23-2:11(c), the Board certifies that as of August 31, 2016, to the best of our knowledge, no major account or fund has been over expended and no major revenue is anticipating a shortfall.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	

Dr. Rochford	YES
Mrs. Smith	YES
Mr. Thomas	YES
Mr. Utsch	YES
Mr. Vile	YES
Mr. Whittington	ABSENT

**Approved – Bills**

2. On the recommendation of the School Business Administrator that all bills approved and certified be paid.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Report**

3. On the recommendation of the School Business Administrator that the cafeteria report be accepted as presented for August 31, 2016.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Transfers**

4. Pursuant to Title 18:22-8.1 that line item transfers made by the Superintendent be approved as presented in Board backup.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	

Mr. Vile YES  
 Mr. Whittington ABSENT

**Approved – Agreement**

5. On the recommendation of the Superintendent, that approval be given to enter into a Joint Transportation Agreement with Lower Cape May Regional School District for the transportation of Non-Public Students for SY 2016-17.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Grant**

6. On the recommendation of the Superintendent, that approval be given to accept funds for Fiscal Year 2017 Individuals with Disabilities Education Act (IDEA) Grant covered programs for the purposes described in the application as listed below:

Basic Application:	\$479,418.00
Preschool Application	<u>\$ 26,362.00</u>
	\$505,780.00

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Grant**

7. On the recommendation of the Superintendent, that approval be given to accept funds for Fiscal Year 2017 No Child Left Behind Consolidated Application (NCLB) Grant covered programs for the purposes described in the application as listed below:

Title 1	(Monies prorated for the LEA, Cape Trinity and Cape Christian Academy based on low income data)	\$479,049.00
---------	---	--------------

Title 11 Part A		\$102,130.00
Title 111	(Consortium with Wildwood City School District)	
Total		<u>\$ 9,910.00</u> \$591,089.00

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Agreement**

8. On the recommendation of the Superintendent, that approval be given to enter into an inter-local agreement to provide Security Supervision and related services to the Lower Cape May Regional School District. For the period 08/23/2016 – 06/15/2017.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Agreement**

9. On the recommendation of the School Business Administrator, that approval be given to enter into a tuition agreement for a student (DC&P placement), with the Vineland Board of Education for the 2015-16 School Year. Note: 17 Days 05/24/2016 – 06/16/2016.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Agreement**

10. On the recommendation of the School Business Administrator, that approval be given to enter into a tuition agreement for a student (DC&P placement), with the Vineland Board of Education for the 2016-17 School Year.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

**Approved – Agreement**

11. On the recommendation of the School Business Administrator, that approval be given to enter into a Shared Services Transportation Agreement with the Cape May County Special Services School District for SY 2016-2017.

First – Mr. Thomas		Second – Mr. Vile
Mr. Bakley	YES	
Mrs. DiVito	YES	
Mr. Douglass	YES	
Dr. Rochford	YES	
Mrs. Smith	YES	
Mr. Thomas	YES	
Mr. Utsch	YES	
Mr. Vile	YES	
Mr. Whittington	ABSENT	

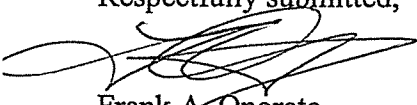
**OPEN MEETING TO THE PUBLIC** – Dr. Rochford asked, “Are there any questions or comments from the public?”

Barbara Bur, President of the LTEEA  
Cyndi Rosenberg, Negotiations Chairperson  
*Spoke of negotiations and the lack of meetings.*

John Skowronski: *Questioned the progress of the roofing and parking lot projects.*

On a Motion by Mr. Thomas and seconded by Mr. Vile and the unanimous consent of the Board that the meeting be adjourned at 7:40 p.m.

Respectfully submitted,



Frank A. Onorato  
Board Secretary