

LEBANON BOROUGH SCHOOL DISTRICT
Board of Education
Regular Business Meeting Minutes
October 5, 2021 6:30 pm
Lebanon Borough School Library

CALL TO ORDER: D. Elwell *Called the meeting to order at 6:30 pm.*

PUBLICATION

OF NOTICE:

In accordance with the provisions of the New Jersey Open Public Meetings Act, Chapter 231, Laws of 1975, adequate notice of this meeting was provided through a public notice on September 14, 2021:

- a. Faxing to 2 Newspapers designated by the Board – The Hunterdon County Democrat and the Express Times*
- b. Posting to the District Website, posting on the main bulletin board in the main office,*
- c. Faxing to the Clerk of Lebanon Borough.*

ROLL CALL:

Board Members:

Dan Elwell, President

Jacklyn Carruthers, Vice President

David Abeles

Danielle Nugent

District Administrators:

Mr. Bruce Arcurio, Chief School Administrator

Mrs. Patricia Duell, School Business Administrator/Board Secretary

ALSO PRESENT: *Michael Pattanite, Special Council, Lennox Law Firm*

PLEDGE OF

ALLEGIANCE: D. Elwell *led the Board in the Pledge of Allegiance.*

PRESIDENT'S COMMENTS:

None

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 Lebanon Borough 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 Lebanon Borough Board of Education has determined that the following issues are permitted by N.J.S.A. 10: 4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session.

WHEREAS, any pending 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 nature of the matter, described as specifically as possible without undermining the need for confidentiality is to discuss the following:

Matters under Attorney/Client Privilege

WHEREAS, the length of the Executive Session is estimated to be fifteen (30) minutes after which the meeting shall reconvene and proceed with business.

NOW, THEREFORE, BE IT RESOLVED that the Lebanon Borough 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 will be made public at such time as the reason for confidentiality no longer exists.

Action will be taken upon return.

Motion to enter Executive Session:

Motion by D. Abeles, Second by D. Nugent. The resolution is adopted by the full membership of the Board at 6:31 pm.

Motion to exit Executive Session:

Motion by J. Carruthers, Second by D. Abeles. The resolution is adopted by the full membership of the Board at 6:49 pm.

REPORT OF THE CHIEF SCHOOL ADMINISTRATOR

ACHIEVEMENT REPORT

Action Item 22-CSA-01:

BE IT RESOLVED that the Board of Education hereby accepts the **HIB** report for the month of September 2021.

Motion for Action Items 22-CSA-01:

Motion by J. Carruthers, Second by D. Nugent. The resolution is adopted by the Board on a roll call vote as follows: 4 ayes, 0 nay, 0 abstain.

CSA Discussion:

Discussion on the upcoming “Start Strong” assessments.

Discussion on renovating the kitchen and hot lunch program.

POLICY REVIEW-First Reading

<i>Policy #</i>	<i>Title</i>	<i>Regulation #</i>	<i>Title</i>
2422	<i>Comprehensive Health and Physical Education (M)</i>		
2467	<i>Surrogate Parents and Resource Family Parents (M)</i>		
5111	<i>Eligibility of Resident/Non-Resident students (M)</i>		
5114	<i>Children displaced by Domestic Violence (M)</i>		
5116	<i>Education of Homeless Children</i>		
7432	<i>Eye Protection (M)</i>	7432	<i>Eye Protection (M)</i>
8420	<i>Emergency and Crisis Situations(M)</i>		
8420.1	<i>Fire and Fire Drills (M)</i>		
8540	<i>Child Nutrition Programs (M)</i>		
8600	<i>Student Transportation (M)</i>		
8810	<i>Religious Holidays (Abolished)</i>		
6115.01	<i>Federal Awards/Funds Internal Controls-</i>		

	<i>Allowability of Costs (M)</i>		
6115.02	<i>Federal Awards/Funds Internal Controls – Mandatory Disclosures (M)</i>		
6115.03	<i>Federal Awards/Funds Internal Controls – Conflict of Interest</i>		
6311	<i>Contracts for Goods or Services Funded by Federal Grants (M)</i>		
1648	<i>Restart and Recovery Plan (Abolished)</i>		
1648.02	<i>Remote Learning Options for Families (Abolished)</i>		
1648.03	<i>Restart and Recovery Plan-Full Time Remote Instruction (Abolished)</i>		
1648.11	<i>The Road Forward COVID-19-Health and Safety (M)</i>		

Report of the School Business Administrator:

Informational: The next meeting is Thursday, November 11, 2021 at 6:30 pm. Reminder that this is the second Thursday of the month due to the NJEA convention.

NJ SMART – All of the student, staff and special education records have been uploaded and are ready for the 10/15 snapshot date. Our new student information system has made this process much easier than it was in the past.

ESSER Funds – We have been allocated additional funds from the American Rescue Plan totaling, \$252,305 which is on the agenda to accept tonight. This is in addition to the \$106,474 which had previously been awarded. We have been meeting regularly to discuss the best way to use it.

ACTION ITEMS 22-BA-11 THROUGH 21-BA-15:**Action 22-BA-11:**

BE IT RESOLVED, That the Board of Education hereby **approves the following Board Meeting Minutes for:**

Minutes: Regular Session

September 7, 2021

Action 22-BA-12:

BE IT RESOLVED, That the Board of Education hereby **approves the Board Secretary Reports for the period ending:**

August 31, 2021

Action 22-BA-13:

BE IT RESOLVED, That the Board of Education hereby **approves the Treasurer's Reports for the period ending:**

August 31, 2021

Action 22-BA-14:

BE IT RESOLVED, That the Board of Education hereby **approves Line item transfers for the period ending:**

August 31, 2021

Action 22-BA-15:

BE IT RESOLVED, That the Board of Education does hereby certify that as of the date of these reports, no line item account has encumbrances and/or expenditures which in total exceed the line item appropriation in violation of NJAC 6A:23-2.1:

AND BE IT RESOLVED, that the Chief School Administrator recommends that the Lebanon Borough Board of Education **accept the monthly financial reports of the Secretary and Treasurer of School Monies for the following periods:**

August 31, 2021

AND FURTHER RECOMMENDS, in compliance NJAC 6A:23-2.11c (4), that the Board of Education certify that no major account has been over-expended in violation of NJAC 6A:23-2.11(b) and that as of this report date, sufficient funds are available to meet the district's financial obligations for the remainder of the school year.

Motion for Action Items 22-BA-11 through 22-BA-15:

Motion by D. Nugent, Second by J. Carruthers. The resolution is adopted by the Board on a roll call vote as follows: 4 ayes, 0 nay, 0 abstain.

BA Discussion:

Discussion about the date for the November board meeting.

OLD BUSINESS:

None

PUBLIC COMMENTS: AGENDA ITEMS

Please note that as a practice the Board limits public comments to three minutes.

District's Policy 0167 - Public Participation in Board Meetings. The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest. In order to permit the fair and orderly expression of such comment, the Board shall provide for two periods of public comments at every regularly scheduled meeting of the Board. Public participation shall be governed by the following rules:

- 1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his or her name, place of residence, and group affiliation, if appropriate.*
- 2. Each statement made by a participant shall be limited to a reasonable time as determined by the presiding officer.*
- 3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard.*
- 4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.*
- 5. The presiding officer may*
 - (a) Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant to the district;*
 - (b) Request any individual to leave the meeting when that person does not observe reasonable decorum;*
 - (c) Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;*
 - (d) Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such*

action; and waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.

Marlene Baldinger – Welcomed Michael Pepe to the school. Questioned if the achievement report can be posted on the website. Commented on the website “Nitch” which gives ratings of area schools.

Ava Baldinger – Questioned the uses for the ARP funds and warming of food for lunch if the kitchen is renovated.

FACILITY/FINANCE/POLICY:

Action Items 22-FFP-18 through 21-FFP-28:

Action item 22-FFP-18:

BE IT RESOLVED that the Board of Education hereby approves the **payment of bills** for the period ending **October 5, 2021 in the amount of \$ 345,902.14**

Action item 22-FFP-19:

BE IT RESOLVED that the Board of Education hereby **approves the school facility use for the Lebanon Borough School PTA for the following dates:**

<i>PTA Ice Cream Social</i>	<i>9/17/2021 6 – 7 pm</i>
<i>PTA Meetings</i>	<i>9/13/2021</i>
	<i>10/4/2021</i>
	<i>11/8/2021</i>
	<i>12/6/2021</i>
	<i>1/10/2022</i>
	<i>2/7/2022</i>
	<i>3/7/2022</i>
	<i>4/4/2022</i>
	<i>5/2/2022</i>
	<i>6/6/2022</i>

Action item 21-FFP-20:

BE IT RESOLVED that the Board of Education hereby ***approves the first reading of the following policies and regulations:***

<i>Policy #</i>	<i>Title</i>	<i>Regulation #</i>	<i>Title</i>
2422	<i>Comprehensive Health and Physical Education (M)</i>		
2467	<i>Surrogate Parents and Resource Family Parents (M)</i>		
5111	<i>Eligibility of Resident/Non-Resident students (M)</i>		
5114	<i>Children displaced by Domestic Violence (M)</i>		
5116	<i>Education of Homeless Children</i>		
7432	<i>Eye Protection (M)</i>	7432	<i>Eye Protection (M)</i>
8420	<i>Emergency and Crisis Situations(M)</i>		
8420.1	<i>Fire and Fire Drills (M)</i>		
8540	<i>Child Nutrition Programs (M)</i>		
8600	<i>Student Transportation (M)</i>		
8810	<i>Religious Holidays (Abolished)</i>		
6115.01	<i>Federal Awards/Funds Internal Controls-Allowability of Costs (M)</i>		
6115.02	<i>Federal Awards/Funds Internal Controls – Mandatory Disclosures (M)</i>		
6115.03	<i>Federal Awards/Funds Internal Controls – Conflict of Interest</i>		

6311	Contracts for Goods or Services Funded by Federal Grants (M)		
1648	Restart and Recovery Plan (Abolished)		
1648.02	Remote Learning Options for Families (Abolished)		
1648.03	Restart and Recovery Plan-Full Time Remote Instruction (Abolished)		
1648.11	The Road Forward COVID-19-Health and Safety (M)		

Action item 22-FFP-21:

BE IT RESOLVED that the Board of Education hereby approves the following requests for **employee/board member travel** in accordance with the School District Accountability Act and Board of Education policy 6471 "School District Travel". Only overnight stays are eligible to meal reimbursement. Mileage, meals and lodging reimbursements shall be in accordance with NJ Statute, Administrative Code and NJ Dept. of Treasury guidelines and the OMB mileage reimbursement rate of \$0.35 per mile. Where more than 5 individuals from the district are to attend the same out-of-state conference, the school district shall obtain the prior written approval of the Executive County Superintendent.

Employee/Board Member:	Program / Location	Date:	Cost:	Mileage:	Lodging/Meals:
J. Haag	Hunterdon/Warren Buildings & Grounds Association Meetings	Second Wednesday of each month	N/A	OMB	N/A

Action item 22-FFP-22:

BE IT RESOLVED that the Board of Education hereby approves **shared services agreement with the Clinton-Glen Gardner School District for Speech services** for the 2021/2022 school year as attached.

Action item 22-FFP-23:

BE IT RESOLVED that the Board of Education hereby approves the **Emergency Virtual or Remote Instruction Plan** for the 2021-2022 school year as attached.

Action item 22-FFP-24:

BE IT RESOLVED that the Board of Education hereby approves the **Comprehensive Maintenance Plan and Schedule M-1** as attached for the 2021/2022 school year.

Action item 22-FFP-25:

BE IT RESOLVED that the Board of Education hereby accepts the American Rescue Plan non-Title I ESSER sub grant funds in the following amounts, for use through June 30, 2023:

Category	Amount
ESSER III	72,947
Mental Health Support	45,000
Accelerated Learning/Educator Support	50,000
Beyond the School Day	40,000
Summer Learning	40,000

Action item 22-FFP-26:

BE IT RESOLVED that the Board of Education hereby accepts the ARP-IDEA Consolidated grant funds in the amounts as follows:

IDEA Basic (age 6-21)	4,015
IDEA Preschool (age 3-5)	343

Action item 22-FFP-27:

BE IT RESOLVED that the Board of Education hereby approves the Nursing Services Plan as attached for the 2021/2022 school year.

Action item 22-FFP-28:

BE IT RESOLVED that the Board of Education hereby approves the contract with Glasberg Behavioral Consulting Services LLC not to exceed 5 hours per week of behavioral consultation as needed at the rate of \$165 per hour for the 2021/2022 school year.

Motion for Action Items 22-FFP-18 through 21-FFP-28:

Motion by D. Abeles, Second by J. Carruthers. The resolution is adopted by the Board on a roll call vote as follows: 4 ayes, 0 nay, 0 abstain.

FFP Discussion:

Discussion the value of the school building on our insurance schedule and the Comprehensive Maintenance Plan.

Discussion on the Nursing Services Plan.

Discussion on the Shared services agreement.

RECOGNITION OF PUBLIC:

Please refer to Lebanon Borough BOE policy 0167 for public comment guidelines

Marlene Baldinger – Requested timely posting the minutes on the school website.
Commented on the nursing service plan.

Ava Baldinger – gave positive feedback on the Wingman program from the student’s perspective. Commented on the need for special area substitute teachers.

Michael Pepe – Introduced himself to the Board as the new leave replacement teacher.

NEW BUSINESS:

D. Nugent commented that she would like to see more student involvement in getting their opinions of what the school needs/can use ARP funds on.

PERSONNEL/NEGOTIATIONS/CURRICULUM/COMMUNICATIONS:***Action Items 22-PNCC-08 through 21-PNCC-12:*****Action Item 21-PNCC-08:**

WHEREAS, the Lebanon Borough School District Board of Education (the "Board") has been involved in litigation regarding a legal dispute with Leah Driscoll ("Driscoll") (the Board and Driscoll herein "the parties"); and

WHEREAS, Driscoll initiated two separate legal matters including a civil lawsuit and a New Jersey Department of Education claim, against the Board arising out of a former employment captioned as Leah Driscoll v. Lebanon Borough School District Board of Education, venued in the Hunterdon County Superior Court, Docket No. HNT – L – 333 - 19; and

WHEREAS, pursuant to discussions among all Parties, the Parties now desire to amicably resolve their disputes; and

WHEREAS, in order to memorialize this settlement, all Parties have agreed to the terms of a Settlement Agreement which is attached to this Resolution.

NOW, THEREFORE BE IT RESOLVED that:

- 1. The Board agrees to the terms of the attached settlement agreement and release including consent to the payment set forth in the settlement agreement that requires specific Board consent and approval.*
- 2. The Board Secretary or other authorized person is now authorized to execute the Settlement Agreement on behalf of the Board.*
- 3. The Board Secretary, and any other necessary Board employees, are authorized to take any actions as necessary to satisfy the terms of the Settlement Agreement.*

Action Item 22-PNCC-09:

BE IT RESOLVED that the Board of Education hereby **approves the following appointments for stipend positions for the 2021/2022 school year:**

<i>Student Council</i>	<i>Joyce Petty & Suzanne Lawn</i>
<i>Reading Olympics</i>	<i>Joyce Petty, Suzanne Lawn, Mayan Barkel</i>
<i>Safety Patrol</i>	<i>Tammi Sarnoski</i>
<i>Girls on the Run</i>	<i>Elizabeth Farrell, Mayan Barkel, Lila Kosciolek</i>
<i>Yearbook</i>	<i>Amy Adamaitis</i>
<i>Drama Club</i>	<i>Lyndsey Schaefer</i>

Action Item 22-PNCC-10:

BE IT RESOLVED that the Board of Education hereby approves **Melissa Volturo as a substitute nurse for the 2021/2022 school year at the rate of \$200 per diem.**

Action Item 22-PNCC-11:

BE IT RESOLVED that the Board of Education hereby approves the **job description for Basic Skills Teacher as attached for the 2021/2022 school year.**

Action Item 22-PNCC-12:

BE IT RESOLVED that the Board of Education hereby approves **Michael Pepe as long term leave replacement for the period September 14, 2021 through December 23, 2021 at the rate of \$288.33 per diem.**

Motion for Action Items 22-PNCC-08 through 22-PNCC-12:

Motion by J. Carruthers, Second by D. Abeles. The resolution is adopted by the Board on a roll call vote as follows: 4 ayes, 0 nay, 0 abstain.

PNCC Discussion:

Congratulations were offered to Mr. Pepe

Discussion on the nurse substitute

Discussion on the Basic Skills job description

Discussion on the settlement agreement – Mr. Elwell commented to the public that all funds are coming from our insurance company to cover the cost associated with the settlement agreement. Our deductible was met 2 years ago and local tax funds are not needed to close this case out. Due to our low incidence of insurance claims, this case should not negatively affect our premiums in the near future.

ADJOURNMENT:

Action Item 22-AD-03:

BE IT RESOLVED that the Board of Education adjourns this meeting.

Motion by D. Abeles, Second by J. Carruthers; The resolution is adopted by the full membership of the Board at 7:47 pm.

Respectfully Submitted:

*Patricia Duell
School Business Administrator/Board Secretary*

Minutes prepared 10/6/2021

Minutes remain unofficial until formally approved by the Board.

*Daniel Elwell
Board President*

Date