

**LOWER CAPE MAY REGIONAL SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
December 15, 2022
AGENDA**

1. Call to order.
2. Roll call.
3. Pledge of allegiance.
4. Correspondence (4).
5. Committee Reports and Member Comments:
 - I. Finance / Negotiations
 - II. Curriculum (12-7-22 minutes) /Personnel/Affirmative Action
 - III. Policy /Public Relations/Articulation/Special Projects & Community
 - IV. Building & Grounds /Transportation/Athletics & Extra-Curricular
 - V. NJSBA/Legislative/County School Board
6. Accept questions and comments from the public on agenda items.
7. Staff Reports (HS, RMT).
8. Approve work session & regular meeting minutes from the November 17, 2022 Board of Education meeting (11-17-22 minutes).
9. CONSENT AGENDA: The following items are believed to be of a routine nature requiring no discussion, 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 these items removed for discussion by so indicating, prior to the vote to be taken on the consent agenda:

FINANCE

- a. Approve Preliminary Monthly Budget Summary Report for the 2022-2023 school year through October 31, 2022, pending audit. Pursuant to N.J.A.C.6A:23-2.11(c).3 the Board Secretary certifies that as of October 31, 2022 no budgetary line item account has obligations and payments (contractual orders) which in total exceed the amount appropriated by the district Board of Education pursuant to N.J.A.C. 6A:23-2.11(a) (FIN A).
- b. Approve Board Secretary Report for October 2022, pending audit. Pursuant to N.J.A.C.6A:23-2(c)4 the Board of Education certifies that as of October 31, 2022, after review of the Secretary's monthly financial report (appropriations section) and upon consultation with the appropriate district officials, to the best of our knowledge no major

account or fund has been over-expended in violation of N.J.A.C.6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year (FIN B).

- c. Approve the October 2022 Bank Reconciliation Report, in agreement with the October 2022 Board Secretary Report, pending audit (FIN C).
- d. Approve transfers made by the Superintendent pursuant to Title 18A:22-8.1 (FIN D).
- e. Approve payment of bills (Brought to meeting).
- f. Approve list of out of district staff development workshops and professional development activities.
- g. Approve list of field trip requests.
- h. Approve the following school fundraising activities:
- i. Approve the contract with InSite Health, a comprehensive telepsychiatry service provider.
- j. Approve authorization for records disposal to be shredded as per State guidelines with State approval.
- k. Approve the use of 1 bus/driver to transport the West Cape May Elementary 5th grade class to/from the Nature Center of Cape May on June 5th, 2023 with a rain date of June 6th, 2023. All further arrangements will be coordinated with Jo Ann Laputka.
- l. Approve the resolution to purchase natural gas services through the Alliance for Competitive Energy Services (ACES).

**A RESOLUTION BINDING THE BOARD OF EDUCATION OF THE LOWER CAPE MAY
REGIONAL SCHOOL DISTRICT TO PURCHASE NATURAL GAS SERVICES THROUGH THE
ALLIANCE FOR COMPETITIVE ENERGY SERVICES ("ACES") Bid Cooperative Pricing System
ID#E8801-ACESCPS**

WHEREAS, the Alliance For Competitive Energy Services (hereinafter referred to as "ACES"), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as "NJSBA"), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from natural gas suppliers for retail natural gas supply services including interstate transportation to the local natural gas distribution utility company (Natural Gas Supply Services) through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801- ACESCPS in accordance with the "Public School Contracts Law", N.J.S.A. 18A:18A-1 et seq., and the Electric Discount

and Energy Competition Act, N.J.S.A. 48:3-49 et seq. (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Board of Education of the Lower Cape May Regional School District is a Participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain natural gas services for its own use through one or more contracts to be awarded to natural gas suppliers following said bids for natural gas services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2028, hereinafter referred to as “Effective Period”) issue one or more Requests for Bids for natural gas services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for Natural Gas Supply Service in each service territory to one or more natural gas suppliers that submits bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous natural gas usage and utility provided Basic Gas Supply Service rates; and

WHEREAS, the Lead Agency will only award contracts for said Natural Gas Supply Services to natural gas suppliers that submit bids with pricing reasonably estimated to be lower than the utility- provided basic gas supply service; and

WHEREAS, the District agrees to purchase all Natural Gas Supply Services for its own use during the Effective Period through any natural gas supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Public School Contracts Law; and

WHEREAS, the Lead Agency will notify the Department of Community Affairs’ Division of Local Government Services by mail prior to the issuance a Request for Bids for natural gas supply services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW, therefore, be it RESOLVED that the District binds itself to the ACES Cooperative Pricing System ##E8801- ACESCPS to purchase all natural gas supply services needed for its own use during the Effective Period from the natural gas supplier or suppliers awarded a contract for natural Gas supply services by the Lead Agency; and, be it

FURTHER RESOLVED, that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase natural gas at the terms and conditions stated therein with a third-party

supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801-ACESCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the districts relative to the price charged for basic gas supply service by the natural gas public utility that would otherwise provide such service; and, be it

FURTHER RESOLVED, that ACES is authorized to continue to bid to obtain natural gas services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and **FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11- 11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C.:34-7.1 et seq.) shall be valid until May, 2028 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

- m. Approve the resolution to purchase electric generation services through the Alliance for Competitive Energy Services (ACES).

A RESOLUTION BINDING THE BOARD OF EDUCATION OF THE LOWER CAPE MAY REGIONAL SCHOOL DISTRICT TO PURCHASE ELECTRIC GENERATION SERVICES THROUGH THE ALLIANCE FOR COMPETITIVE ENERGY SERVICES (“ACES”) Bid Cooperative Pricing System ID#E8801-ACESCPS

WHEREAS, the Alliance For Competitive Energy Services (hereinafter referred to as “ACES”), an alliance composed of the New Jersey School Boards Association (hereinafter referred to as “NJSBA”), the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will from time to time during the Effective Period as defined below solicit bids from electric power suppliers for electric generation services through an energy aggregation program in which NJSBA will act as Lead Agency of the ACES Cooperative Pricing System #E8801-ACESCPS in accordance with the “Public School Contracts Law”, N.J.S.A. 18A:18A-1 et seq., and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49 et seq. (“EDECA”) and the regulations promulgated thereunder; and

WHEREAS, the Board of Education of the Lower Cape May Regional School District is a Participating member of the ACES Cooperative Pricing System and is eligible thereby to obtain electric generation services for its own use through one or more contracts to be awarded to electric power suppliers following said bids for electric generation services pursuant to the aggregation program; and

WHEREAS, the Lead Agency will from time to time during the Effective Period (from date of adoption through May, 2028 hereinafter referred to as “Effective Period”) issue one or more Requests for Bids for electric generation services on behalf of the ACES Cooperative Pricing System pursuant to the Public School Contracts Law and EDECA; and

WHEREAS, due to significant volatility and the potential for price increases in the wholesale electric market, Participating Members will preauthorize the Lead Agency to award contracts for Electric Generation Service in each service territory to one or more electric power suppliers that submit bids which are reasonably forecasted to provide estimated savings to the Participating Member based upon its previous electric usage and utility provided Basic Generation Service rates; and

WHEREAS, the Lead Agency will only award contracts for said electric generation services to electric power suppliers that submit bids with pricing reasonably estimated to be lower than the utility- provided basic generation service; and

WHEREAS, the District agrees to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period through any electric power supplier(s) awarded a contract, it being understood that the term of any one contract shall be subject to the provisions of Public School Contracts Law;

WHEREAS, the Lead Agency will notify the Department of Community Affairs’ Division of Local Government Services by mail prior to the issuance a Request for Bids for electric generation services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids.

NOW THEREFORE BE IT RESOLVED, that the District binds itself to the ACES Cooperative Pricing System ##E8801- ACESCPS to purchase all electric power needed for its own use (exclusive of on-site electric generation sources) during the Effective Period from the electric power supplier or suppliers awarded a contract for electric generation services by the Lead Agency; and, be it

FURTHER RESOLVED, that the Lead Agency of the ACES Cooperative Pricing System is hereby authorized to execute a master performance agreement that obligates the district to purchase electricity at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the ACES Cooperative Pricing System #E8801- ACESCPS (or any CPS number to be assigned in the future), and provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Districts relative to the price charged for basic generation service by the electric public utility that would otherwise provide such service; and, be it

FURTHER RESOLVED, that ACES is authorized to continue to bid to obtain electric generation services at any time during the Effective Period on behalf of the ACES Cooperative Pricing System including, for example, a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and

FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage. The authorization provided to the NJSBA pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11- 11(5)), and the Local Public and Public School Contracts Laws Administrative Code (N.J.A.C. 5:34-7.1 et seq.) shall be valid until May, 2028 (the Effective Period) at which time the Cooperative Pricing System will be subject to renewal. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

- n. Approve the resolution to award a three-year contract for a Broker of Record for the Southern Coastal Regional Employees Benefit Fund effective January 1, 2021 to J. Byrne Agency at a cost of 1.5% commission (FIN N).

RESOLUTION APPOINTING HEALTH INSURANCE BROKER

WHEREAS, the Lower Cape May Regional School District hereinafter referred to as DISTRICT, is a member of the Southern Coastal Regional Employee Benefits Fund, a self-insurance pooling fund; and

WHEREAS, the Bylaws of said Fund require that each DISTRICT appoint a Health Insurance Broker to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Health Insurance Broker will be compensated at a 1.5% broker commission, which expenditure represents reasonable compensation for the services required and was included in the cost considered by the DISTRICT; and

WHEREAS, the Public School Contracts Law (NJSA 18A:18A-5(a)10) defines Insurance as an Extraordinary Unspecifiable Service requiring that the awarding of contracts without competitive bidding must be approved by resolution of this DISTRICT;

NOW THEREFORE, be it resolved that the DISTRICT does hereby appoint the J. Byrne Agency as its Health Insurance Broker from January 1, 2023 to December 31, 2025;

BE IT FURTHER RESOLVED, that the DISTRICT's Business Official/Board Secretary is hereby authorized and directed to execute the Health Insurance Broker Agreement annexed hereto. A copy of this Resolution shall be published in the CAPE MAY STAR AND WAVE as required by law within twenty days of its passage.

- o. Approve the resolution to withdraw Maintenance Reserve Funds.

RESOLUTION TO WITHDRAW MAINTENANCE RESERVE FUNDS

WHEREAS, NJSA 6A:23A-14.2(d) permits Board of Education to withdraw such funds from the maintenance reserve account and appropriate into the required maintenance account lines at budget time or any time during the year for use on required maintenance activities for a school facility as reported in the comprehensive maintenance plan pursuant to N.J.A.C. 6A:26A-4.

WHEREAS, the aforementioned statutes authorizes procedures, under the authority of the Commissioner of Education, which permit a board of education to withdraw funds from a district's Maintenance Reserve Account any time during the year by resolution, and

WHEREAS, the Lower Cape May Regional Board of Education is desirous to withdraw funds from the Maintenance Reserve Account and appropriate said funds into the required maintenance account line in the general fund in the amount of \$500,000 to **Replace Interior Door Locks, Hardware and Doors in the High School and the Richard M. Teitelman School; Replace/Upgrade Security Cameras in the High School and the Richard M. Teitelman School; and Build a Glass Wall Partition in the Vestibule of the High School and the Richard M. Teitelman School**, and

WHEREAS, according to 6A:23A-14.2(e), the Lower Cape May Regional Board of Education shall restore any unexpended required maintenance appropriations up to the amount of maintenance reserve account funds withdrawn, to the maintenance reserve account at year-end.

NOW THEREFORE BE IT RESOLVED, that the Lower Cape May Regional Board of Education hereby authorizes the district's School Business Administrator to make the necessary transfer consistent with all applicable laws and regulations.

- p. Approve the following resolution for Change Order #1 for the Lower Cape May Regional High School and RMT Middle School 2023 HVAC Renovations (FIN P):

WHEREAS, G.B.I. Inc. T/A Thermal Piping was awarded the bid for the 2022 Lower Cape May Regional High School Locker Rooms at a cost of \$11,044,000; and

WHEREAS, Change Order #1 totaling \$47,332.97 will insulate the pipes in the high school crawl spaces down A, B, C, D & M wings with insulation, and

WHEREAS, Garrison Architects and Greyhawk approve Change Order #1 for the total amount of \$47,332.97; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Lower Cape May Regional School District, that Change Order #1 totaling \$47,332.97, which is being deducted from the Allowance, for a total project cost of \$11,044,000, is hereby approved at the Board of Education meeting held on this 15^h day of December, 2022.

CURRICULUM & INSTRUCTION

- a. Approve AVIT140/Drones Concurrent Course in conjunction with Atlantic Cape Community College to run at LCMR Jan 17-May 3, Monday and Thursday at no cost to the district.
- b. Approve the Middle School Career Exploration Program to run January 21- April 4 on Tuesdays and Saturdays at LCMR for 5th-7th grade students, funded via The Middle Grades Career Exploration Grant.
- c. Approve the following homebound case(s):

<u>CASE#</u>	<u>DATE</u>
EM070709	12/1/22

POLICY

- a. Approve the Second Reading and Adoption of revised Policy 0155 to add a Safety & Security Committee and have Special Projects as an ad hoc committee.
- b. Approve the administrative actions for the following completed HIB incidents(s):

<u>HIB Identifier#(s)</u>
JB111622
JW120522

PERSONNEL

- a. Accept Matthew Suter's letter of retirement as Teacher of the Handicapped at the High School, effective June 30, 2023.
- b. Accept Richard Demer's letter of retirement as a Teacher at the High School, effective June 30, 2023.
- c. Accept the resignation of Gregg Cardaci as Licensed Plumber, effective January 2, 2023.
- d. Approve Gina Bronson as the AVIT140/Drones instructor at no cost to the district.
- e. Approve Elizabeth Johnson's leave of absence, effective mid-January 2023 to mid-April 2023 using FMLA

ATHLETICS & EXTRA-CURRICULAR

- a. Approve Janice Utsch as LCMR Book Club Advisor and Barbara Kimsey as Co-Advisor at no cost to the District.

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- b. Approve the following staff members to work as club advisors for the Middle School Career Exploration Program: Kelly Hussey, Dave Pacevich, Gina Bronson, and Jeff Schwartz. Funded via the Middle Grades Career Exploration Grant.
- c. Approve Steve Selby as Vol. Asst. Boys Basketball Coach at RMT.
- d. Approve the following Coaches for the 2022-2023 school year:

2022-23 Spring Coaches	LCMR
Head Baseball Coach	Ryan Slaney
Asst. Baseball Coach	Justin Nicholas
Vol. Asst. Baseball Coach	Tod Shoffler
Vol. Asst. Baseball Coach	Billy Kocis
Head Boys Lacrosse Coach	Cole Blackley
Vol. Asst. Boys Lacrosse Coach	Sam Gellura
Vol. Asst. Boys Lacrosse Coach	Jarryd Hill
Head Girls Lacrosse Coach	JoAnn Mclaughlin
Asst. Girls Lacrosse Coach	Devon Blackley
Head Softball Coach	Keirsten Price
Asst. Softball Coach	Judy McCoulough
Tennis Coach	Jason Felsing
Tennis Coach	Kyle Holt
Head Boys Track Coach	Bill Damiana
Asst. Boys Track	Paul Baruffi
Head Girls Track Coach	Dave Pacevich
Asst. Girls Track Coach	Lilly Swan
2022-23 Spring Coaches	RMT
Head Baseball Coach	Steve Camposio
Head Softball Coach	Syd Peterkin
Asst. Softball Coach	Barb Kimsey
Head Boys Track Coach	Mark Ridgway
Head Girls Track Coach	Nikki Wright
Asst. Track Coach	Gary Douglass, Jr.
Head Girls Volleyball Coach	Jess McCann

BUILDINGS & GROUNDS

- a. Approve Cape Swell LLC to use the Field House and Lacrosse Fields for youth field hockey and lacrosse clinics December 2022 – March 2023 with dates and times to be determined based on availability. This is pending the required certificate of insurance with policy

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endorsement and contingent upon no conflicts with our own school district activities. All further arrangements will be coordinated with Erik Simonsen and Roy Olsen.

- b. Approve Cape Swell LLC to use the Field House for lacrosse workouts December 2022 – March 2023 with dates and times to be determined based on availability. This is pending the required certificate of insurance with policy endorsement and contingent upon no conflicts with our own school district activities. All further arrangements will be coordinated with Erik Simonsen and Roy Olsen.

10. Consideration of additional items that may be properly presented to the Board of Education at this time.
11. Receive comments from the public in accordance with the Board of Education's policy on participation at Board meetings. Each statement made by a participant shall be limited to five minutes' duration.
12. BE IT RESOLVED that the Board go into closed session to discuss personnel matters, labor relations, litigation, and matters within the attorney client privilege, the general nature of which listed below and that these matters will be disclosed to the public when the particular items under discussion have been concluded: