

ANDREW W. LI, ESQUIRE
MEMBER NJ BAR

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May 8, 2023

VIA EMAIL [opra+request-42043-a7819c65@requests.opramachine.com]

John Paff

RE: OPRA Request

Dear Mr. Paff:

This letter is in response to your OPRA Request received by Little Egg Harbor School District (“the Board”) at 9:56 am on Thursday, April 27, 2023. The seventh business day by which the Board must respond to your request is Monday, May 8, 2023. This response is being provided in accordance with that time frame.

OPRA defines a “government record” of a public entity as “any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business ...” N.J.S.A. 47:1A-1.1. Accordingly, the Board is required to produce only those records which it maintains in the official course of business and which are not otherwise exempt from production. Pursuant to the definition of a government record, a public entity is not required by OPRA to research information and/or create records that do not exist in response to OPRA requests. See e.g., Mag Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 537 (App. Div. 2005).

Your requests seek access to the following:

1. The minutes of the five (5) most recent Little Egg Harbor Board of Education nonpublic (closed or executive) meetings for which minutes are available in whole or in part.
2. The resolutions that, in accordance with N.J.S.A. 10:4-13, authorized the nonpublic meetings for which minutes were disclosed in response to #1 above.

May 8, 2023

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Request #1

The minutes of the five (5) most recent Little Egg Harbor Board of Education nonpublic (closed or executive) meetings for which minutes are available in whole or in part.

Response #1

Attached hereto are the government records responsive to your request, Bates labeled LEH-JP-01–LEH-JP-06.

Attorney-client communications have been redacted from the documents pursuant to N.J.S.A. 47:1A-1.1. Additionally, specific information regarding personnel was redacted from LEH-JP-01 (Section B); LEH-JP-05 (Section 2); and LEH-JP-06 (Bullet Point “Personnel”) pursuant to N.J.S.A. 47:1A-10.

Request #2

The resolutions that, in accordance with N.J.S.A. 10:4-13, authorized the nonpublic meetings for which minutes were disclosed in response to #1 above.

Response #2

Attached hereto are the government records responsive to your request, Bates labeled LEH-JP-07–LEH-JP-11.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the District to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, or by e-mail at grc@dca.state.nj.us, or at their website at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Very truly yours,

COMEGNO LAW GROUP, P.C.

Andrew W. Li

By:

ANDREW W. LI, ESQUIRE

AWL/CD

LITTLE EGG HARBOR BOARD OF EDUCATION
January 24, 2023
EXECUTIVE MINUTES

Executive Session: 6:00pm - 6:47pm
Members Present: Dr. Snyder, Ms. Erber, Mr. Filiciello(arrived @ 6:02pm)
Ms. Martin, Mr. Berry(arrived at 6:04pm), Ms. Zeleznok,
Ms. Semler
Also present: Mr. Andrew Li, Board Attorney
Dr. McCooley, Superintendent
Robert Green, Business Administrator

The purpose of the meeting was to discuss harassment, intimidation and the bullying reports, negotiations and legal items.

A. HIB

1. Finalized HIB- 237591 FPE 11032022
2. Finalized HIB-238611 FPE 11232022
3. Finalized HIB- 239052 FPE 12062022
4. January HIB- 239932 FPE 12202022
5. January HIB-239969 FPE 12202022

Dr. McCooley explained the HIB process and what happens if a student is found to be an offender of three HIB offenses.

B. Negotiation Update

- Support Staff [REDACTED]

Dr. McCooley updated the Board on the status of finalizing the contract and that the District Administration had signed off on salary documents last October.

Robert Green, Business Administrator, provided an update regarding the [REDACTED] stipend and cost savings due to a personnel change and that it will be part of the negotiations for the Support Staff Contract.

C. Legal

- Attorney-Client Communication

Mr. Li updated the Board regarding [REDACTED]
The contract with Mr. Li and his firm was discussed. It is pending signatures.
Mr. Li provided clarification regarding [REDACTED]
Mr. Li noted the possible consequences of [REDACTED]

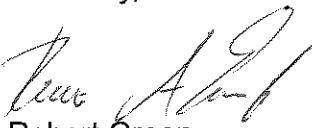
He

LITTLE EGG HARBOR BOARD OF EDUCATION
January 24, 2023
EXECUTIVE MINUTES

also spoke on the obligation of the District to [REDACTED]
[REDACTED]

Time was allowed for comments and questions from Board members.

Sincerely,



Robert Green
School Business Administrator/Board Secretary

LITTLE EGG HARBOR BOARD OF EDUCATION
February 17, 2023
EXECUTIVE MINUTES

Executive Session: 5:17pm - 6:08pm
Members Present: Dr. Snyder, Ms. Erber, Mr. Filiciello, Ms. Martin
Mr. Berry, Ms. Semler
Also present: Mr. Andrew Li, Board Attorney
Dr. McCooley, Superintendent
Robert Green, Business Administrator

The purpose of the meeting was to discuss attorney/client information.

Legal

1. Attorney-Client Communication

Mr. Li advised the Board regarding questions being asked during the public comment portion of the meeting.

He also explained why he will not provide legal advice during the public portion of the meeting.

He also advised the Board regarding [REDACTED]

[REDACTED]

Sincerely,



Robert Green
School Business Administrator/Board Secretary

LITTLE EGG HARBOR BOARD OF EDUCATION
February 21, 2023
EXECUTIVE MINUTES

Executive Session: 6:00pm - 6:36pm
Members Present: Dr. Snyder, Ms. Erber, Mr. Filiciello, Ms. Martin
Mr. Berry, Ms. Semler, Ms. Zeleznok
Also present: Mr. Andrew Li, Board Attorney
Dr. McCooley, Superintendent
Robert Green, Business Administrator

The purpose of the meeting was to discuss harassment, intimidation and the bullying reports and legal items.

1. HIB

- a. Finalized January HIB- 239932 FPE 12202022
- b. Finalized January HIB-239969 FPE 12202022
- c. February HIB-241704 FPE 01272023
- d. February HIB-241128 GJM 01192023
- e. February HIB-242350 GJM 02072023
- f. February HIB-242460 FPE 02092023

The Board Attorney explained some background regarding the HIB law.

2. Legal

Attorney-Client Communication

- The Board Attorney provided an overview of the timeline on [REDACTED] and the procedures that will be involved. A handout was provided with the milestone dates.
- The Board discussed the current negotiations for the Support Staff Contract.
- There was a discussion regarding the handout from a member of the public who requested a legal opinion. The Board Attorney provided an explanation regarding [REDACTED]
- The Board Attorney provided guidance regarding the announcement of public comment and the Board agenda.

Sincerely,



Robert Green
School Business Administrator/Board Secretary

LITTLE EGG HARBOR BOARD OF EDUCATION
March 14, 2023
EXECUTIVE MINUTES

Executive Session: 5:10 pm - 5:34pm
Members Present: Dr. Snyder(virtual), Ms. Erber, Mr. Filiciello, Ms. Martin
Mr. Berry, Ms. Semler(arrived at 5:17pm), Ms. Zeleznok
Also present: Taylor Ruilova, Board Attorney
Dr. McCooley, Superintendent
Robert Green, Business Administrator

The purpose of the meeting was to discuss harassment, intimidation and the bullying reports, personnel and legal items.

1. HIB

- a. [Finalized February HIB-241704 FPE 01272023](#)
- b. [Finalized February HIB-241128 GJM 01192023](#)
- c. [Finalized February HIB-242350 GJM 02072023](#)
- d. [Finalized February HIB-242460 FPE 02092023](#)
- e. [March HIB 243095 FPE 02162023](#)
- f. [March HIB 242686 FPE 02132023](#)

2. Personnel

- a. Employee # [REDACTED]

It was decided by the Board that the tuition would not have to be repaid.

- b. Employee ID # [REDACTED] Employee RICED 03.01.2023

The Superintendent updated the Board on the behavior and an incident regarding Employee ID # [REDACTED] and that the Board attorney is working out an agreement for the employee to leave. The District and attorney are trying [REDACTED]. The situation is pending. The Board attorney will keep the Board/Administration informed of the status.

3. Legal

- a. Attorney-Client Communication

It was noted that there is no update regarding the Employee # [REDACTED] matter.

Sincerely,



Robert Green
School Business Administrator/Board Secretary

LITTLE EGG HARBOR BOARD OF EDUCATION
March 28, 2023
EXECUTIVE MINUTES

Executive Session: 4:38 pm - 6:31pm
Members Present: Dr. Snyder, Ms. Erber, Mr. Filiciello, Ms. Martin
Ms. Zeleznok
Also present: Andrew Li, Board Attorney
Robert Green, Business Administrator

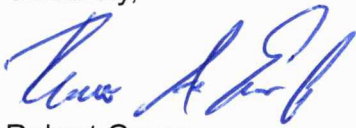
- **Personnel- RICE Notification given 3/23/2023**

- a. [REDACTED] (Employee# [REDACTED])

Andrew Li, Board Attorney, updated the Board regarding the recent resignation of [REDACTED] and a review of the employment contract. Questions were asked by Board members and Mr. Li provided legal guidance specifically with [REDACTED]. It was determined that the Board would not take action to accept the resignation of [REDACTED] at the meeting tonight. The Board requested more information regarding [REDACTED] and also expressed an interest in [REDACTED].

- **Legal**
 - ❖ **Attorney-Client Communication**

Sincerely,



Robert Green
School Business Administrator/Board Secretary

Little Egg Harbor Township School District
MONTHLY BOARD MEETING AGENDA
January 24, 2023
Frog Pond Elementary School - Multi-Purpose Room
Executive Session 6:00 PM - Public Session 6:30 PM
Minutes

1. **CALL TO ORDER** - The public meeting was called to order by Dr. Snyder at 6:48pm.

2. **RECOGNITION**

This is to advise the general public that in compliance with the open public meetings act the Little Egg Harbor Board of Education caused to be posted at the office of the Board of Education located at 307 Frog Pond Road, Little Egg Harbor, NJ and faxed on, January 4, 2023 to the Asbury Park Press, Atlantic City Press and to the office of the Municipal Clerk of Little Egg Harbor, a meeting notice setting forth the time, date, and location of this meeting.

3. **ROLL CALL**

Dr. Snyder _Yes_ Ms. Erber _Yes_ Mr. Filiciello _Yes_ Ms. Martin _Yes_
Mr. Berry _Yes_ Ms. Zeleznok _Yes_ Ms. Semler _Yes_

Also Present: Dr. McCooley, Superintendent
Robert Green, Business Administrator
Andrew Li, Board Attorney

4. **EXECUTIVE SESSION**

Motion by Dr. Snyder. Second by L. Semler.

To meet in closed session to discuss matters as listed below. Items(s) so discussed will be disclosed to the public providing it does not violate New Jersey statutes and regulations regarding disclosure of Information affecting this matter.

- A. Attorney Client Communications
- B. HIB

ROLL CALL

Dr. Snyder _Yes_ Ms. Erber _Yes_ Mr. Filiciello _Yes_ Ms. Martin _Yes_
Mr. Berry _Yes_ Ms. Zeleznok _Yes_ Ms. Semler _Yes_

The Board Secretary stated the motion carried.

5. **PLEDGE OF ALLEGIANCE**

6. **APPROVAL OF AGENDA**

Motion by L. Erber. Second by A. Marton to approve the agenda.

ROLL CALL

Dr. Snyder _Yes_ Ms. Erber _Yes_ Mr. Filiciello _Yes_ Ms. Martin _Yes_
Mr. Berry _Yes_ Ms. Zeleznok _Yes_ Ms. Semler _Yes_

The Board Secretary stated the motion carried.

**Little Egg Harbor Township School District
Board Workshop
February 17, 2023
Frog Pond Elementary School - Multi Purpose Room
Public Session 4:00 PM**

MINUTES

1. CALL TO ORDER - The meeting was called to order at 4:02 p.m.

2. PLEDGE OF ALLEGIANCE

3. RECOGNITION

This is to advise the general public that in compliance with the open public meetings act the Little Egg Harbor Board of Education caused to be posted at the office of the Board of Education located at 307 Frog Pond Road, Little Egg Harbor, NJ and faxed on February 2, 2023 to the Asbury Park Press, Atlantic City Press and to the office of the Municipal Clerk of Little Egg Harbor, a meeting notice setting forth the time, date, and location of this meeting.

4. ROLL CALL

Ms. Erber _Yes_ Mr. Filiciello _Yes_ Ms. Martin _Yes_

Mr. Berry _Yes_ Ms. Zeleznok _Absent_ Ms. Semler _Arrived at 4:08pm__ Dr. Snyder _Yes_

Also Present: Dr. McCooley, Superintendent
Robert Green, Business Administrator
Andrew Li, Board Attorney

5. EXECUTIVE SESSION

Motion by A. Martin. Second by L. Erber.

BE IT HEREBY RESOLVED BY THE LITTLE EGG HARBOR BOARD OF EDUCATION that the Board shall enter into a closed executive session for the purpose of discussing the matters identified below: action may or may not be taken upon return to regular open session: minutes of the closed session reflecting the time, place, member present, subjects considered, action taken & vote of each member will be released as soon as there is no longer a need for privacy.

ROLL CALL

Ms. Erber _Yes_ Mr. Filiciello _Yes_ Ms. Martin _Yes_

Mr. Berry _Yes_ Ms. Zeleznok _Absent_ Ms. Semler _Yes_ Dr. Snyder _Yes_

The Board Secretary stated the motion carried.

6. APPROVAL OF AGENDA

Motion by A. Martin. Second by L. Erber to approve the agenda.

Ms. Martin asked if the agenda could be provided earlier. Dr. McCooley stated that the agenda will be received earlier each month.

Little Egg Harbor Township School District
MONTHLY BOARD MEETING AGENDA
February 21, 2023
Frog Pond Elementary School - Multi-Purpose Room
Executive Session 6:00PM - Public Session 6:30PM
Minutes

1. **CALL TO ORDER** - The public meeting was called to order by Dr. Snyder at 6:39pm.

2. **RECOGNITION**

This is to advise the general public that in compliance with the open public meetings act the Little Egg Harbor Board of Education caused to be posted at the office of the Board of Education located at 307 Frog Pond Road, Little Egg Harbor, NJ and faxed on, January 4, 2023 to the Asbury Park Press, Atlantic City Press and to the office of the Municipal Clerk of Little Egg Harbor, a meeting notice setting forth the time, date, and location of this meeting.

3. **ROLL CALL**

Mr. Filiciello_Yes_Ms. Martin_Yes_Mr. Berry_Yes_Ms. Zeleznok_Yes_
Ms. Erber_Yes_Ms. Semler_Yes_Dr. Snyder_Yes_

Also present: Dr. McCooley, Superintendent
Mr. Robert Green, Business Administrator
Mr. Andrew Li, Board Attorney

4. **EXECUTIVE SESSION**

Motion by L. Erber. Second by H. Berry.

To meet in closed session to discuss matters as listed below. Items(s) so discussed will be disclosed to the public providing it does not violate New Jersey statutes and regulations regarding disclosure of Information affecting this matter.

- Attorney Client Communications
- HIB

ROLL CALL

Dr. Snyder_Yes_Ms. Erber_Yes_Mr. Filiciello_Yes_Ms. Martin_Yes_
Mr. Berry_Yes_Ms. Zeleznok_Yes_Ms. Semler_Yes_

The Board Secretary stated the motion carried.

5. **PLEDGE OF ALLEGIANCE**

6. **APPROVAL OF AGENDA**

Motion by H. Berry. Second by L. Erber to approve the agenda.

ROLL CALL

Dr. Snyder_Yes_Ms. Erber_Yes_Mr. Filiciello_Yes_Ms. Martin_Yes_
Mr. Berry_Yes_Ms. Zeleznok_Yes_Ms. Semler_Yes_

The Board Secretary stated the motion carried.

Little Egg Harbor Township School District
MONTHLY BOARD MEETING AGENDA
March 14, 2023
Frog Pond Elementary School - Multi-Purpose Room
Executive Session 5:00PM - Public Session 6:00PM
MINUTES

1. **CALL TO ORDER** - The public meeting was called to order by Dr. Snyder at 6:00pm

2. **RECOGNITION**

This is to advise the general public that in compliance with the open public meetings act the Little Egg Harbor Board of Education caused to be posted at the office of the Board of Education located at 307 Frog Pond Road, Little Egg Harbor, NJ and faxed on, March 2, 2023 to the Asbury Park Press, Atlantic City Press and to the office of the Municipal Clerk of Little Egg Harbor, a meeting notice setting forth the time, date, and location of this meeting.

3. **ROLL CALL**

Mr. Filiciello_Yes_Ms. Martin_Yes_ Mr. Berry_ Yes _Ms. Zeleznok_Yes_
Ms. Erber _Yes_Ms. Semler_Yes_Dr. Snyder _Yes (virtual)_

Also present: Dr. McCooley, Superintendent
Robert Green, Business Administrator
Taylor Ruilova, Board Attorney

4. **EXECUTIVE SESSION**

Motion by A. Martin. Second by P. Zeleznok..

To meet in closed session to discuss matters as listed below. Items(s) so discussed will be disclosed to the public providing it does not violate New Jersey statutes and regulations regarding disclosure of Information affecting this matter.

- Matters involving Personnel
- Attorney Client Communications
- HIB

ROLL CALL

Mr. Filiciello_Yes_Ms. Martin_Yes_ Mr. Berry_ Yes _Ms. Zeleznok_Yes_
Ms. Erber _Yes_Ms. Semler_Yes_Dr. Snyder _Yes (virtual)_

The Board Secretary stated the motion carried.

5. **PLEDGE OF ALLEGIANCE**

6. **APPROVAL OF AGENDA**

Motion by A. Martin. Second by H. Berry to approve the agenda.

ROLL CALL

Mr. Filiciello_Yes_Ms. Martin_Yes_ Mr. Berry_ Yes _Ms. Zeleznok_Yes_
Ms. Erber _Yes_Ms. Semler_Yes_Dr. Snyder _Yes (virtual)_

The Board Secretary stated the motion carried.

Little Egg Harbor School District

SPECIAL BOARD MEETING AGENDA

March 28, 2023

Frog Pond Elementary School - Multi Purpose Room

4:30 p.m.

MINUTES

the Pinelands Regional School District.

Mr. Berry asked if any Board members at the Pinelands School District sat out for the approval of the new Superintendent.

Dr. Snyder stated she did not know the answer to Mr. Berry's question

Mr. Berry explained his reasons for recusing himself from the Executive session meeting.

7. EXECUTIVE SESSION

Motion by P. Zeleznok. Second by L. Erber.

To meet in closed session to discuss matters as listed below. Items(s) so discussed will be disclosed to the public providing it does not violate New Jersey statutes and regulations regarding disclosure of Information affecting this matter.

A. Personnel

ROLL CALL

Mr. Filiciello _Yes_ Ms. Martin _Yes_ Mr. Berry _Absent_ Ms. Zeleznok _Yes_

Ms. Erber _Yes_ Ms. Semler _Absent_ Dr. Snyder _Yes_

The Board Secretary stated the motion carried.

8. NEW BUSINESS

There was no new business at this time.

9. PUBLIC COMMENT

The Board now welcomes the public to comment on any educational issue or school matter of community interest. Once again, each speaker is allotted a maximum of three (3) minutes to make their statement. No one may speak more than once on the same topic. You are required to give your name and address before speaking.

Stephanie Johnson addressed the Board regarding the correspondence she sent to the board.

Mr. Li answered that the correspondence has been received.

10. BOARD FORUM

Abby Martin expressed her disappointment with how the resignation notice was done. She felt the lack of communication and collaboration is a big disappointment. She felt with Dr. McCoolley's 8 years of service would have warranted a little more respect to the board. She said the board is committed to moving forward, we are looking to the future and finding the right person. The board wants the right thing for Little Egg Harbor, the students and staff. She wants an environment of transparency, communication positivity and really good leadership. The board is going to look for that person.

Laura Erber agreed with everything Ms. Martin said. Ms. Erber also had a concern stating there was a problem with the LiveStream of the initial start of tonight's meeting. She asked the technology representative if it can be fixed. She was informed the LiveStream was not started and it can not be corrected.