

LONG BEACH ISLAND BOARD OF EDUCATION
BOARD MEETING AGENDA
March 10, 2021
Special Executive (Closed) Session Meeting 4:00 PM (Virtual)

CONFIDENTIAL EXECUTIVE (CLOSED) MEETING MINUTES

1. **CALL TO ORDER:** The Board of Education of the Long Beach Island School District, Ocean County, met via Zoom on March 10, 2021.

Board President, Colette Southwick, called the meeting to order at 4:02 p.m. and read the following statement:

"This meeting is hereby called to order. Adequate and electronic notice of this meeting was provided in accordance with the Open Public Meetings Act. The notice has been posted in the Board of Education Office, Ethel A. Jacobsen School building, the Long Beach Island Grade School building and on the district website. The notice was also mailed to *The Press of Atlantic City* and filed with the Municipal Clerks of Barnegat Light, Harvey Cedars, Surf City, Ship Bottom and Long Beach Township."

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

PRESENT REMOTELY::

Dr. Chung	Mrs. Linkewich	Mrs. Wasilewski
Ms. Hagler	Mrs. Raber	Mrs. Southwick
Mrs. Hoffacker	Mr. Schragger (joined @ 4:06 p.m.)	

ABSENT: Mrs. Bowker

OTHERS PRESENT REMOTELY:

Dr. Peter Kopack, Superintendent
Ms. Chris Kelly, School Business Administrator/Board Secretary
Mr. Anthony Sciarillo, Esq.
Ms. Rakiah Bonjour, Esq.
Mr. Frank Birney, Principal
Ms. Meghan Lee, Assistant BA

4. **EXECUTIVE SESSION**

Motion by Kelly Linkewich, second by Kristy Raber to approve the following:

Resolved by the Long Beach Island Board of Education to enter into a closed executive session for the purpose of discussing the matters checked below. Action will not be taken. The matter will be disclosed to the public when the reason for the executive session no longer exists.

(Check as applicable):

- ☐ Matters Involving Personnel
- ☐ Pending or anticipated contractual Matters
- ☒ Matters covered by attorney-client privilege
- ☐ Pending or anticipated Litigation
- ☐ Protection of the safety or property of the public
- ☐ Collective Negotiations and/or negotiations of terms/conditions of employees of BOE
- ☐ Matters rendered confidential by state or federal law
- ☐ Matters that would constitute an unwarranted invasion of privacy
- ☐ Possible imposition of a civil penalty or suspension

Upon a roll call vote, motion carried:

Ayes(8): Dr. Chung, Ms. Hagler, Mrs. Hoffacker, Mrs. Linkewich, Mrs. Raber, Mr. Schragger
Mrs. Wasilewski, Mrs. Southwick

Nays: 0
Abstain: 0

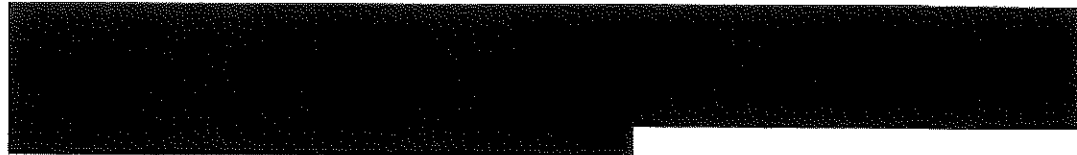
The Board entered Executive Session at 4:06 p.m. and discussed the following:

5. ITEMS FOR DISCUSSION

A. Attorney/Client Privilege:

Mr. Sciarillo reviewed the bid results:

- One sealed bid was received from Michael Pagnotta Architecture PC/ Nautilus Custom Construction LLC.
- Bid is in 8 sections:
 - Section 1: Purchase price \$13,000,001.00
 - Section 2: Terms - no financing - contingency: property must appraise for \$15,000,001.00
 - Section 3: 90 day close
 - Section 4: Purchase contingent on Board of Education changing zoning to R-2 designation prior to closing
 - Section 5: Contingency - environmental study on asbestos in LBI School Building and \$200,000.00 credit toward asbestos removal
 - Section 6: Contingency - public space donation - Board of Education deed right of way and two open spaces for a playground, dog park or pickle ball courts. Buyer will grant Ship Bottom a lease or other form of agreement for use of the property.
 - Section 7: Buyer will allow lease back to the district at a value equal to 10% of the purchase price (\$1,500,000.00) until June 2022. The Board of Education will be responsible for all building expenses for the duration of the lease back (utilities, insurances, etc.)
 - Section 8: Agreement that at the end of the bid process that the Board of Education agrees to refund the deposit of \$1,500,000.00 which was wired to Mr. Sciarillo's office.



A consensus was taken of the Board to see if Board Members were in favor of rejecting the bid. The consensus was unanimously, yes.

The meeting was opened up to questions/comments from the Board:

- Rejection of bid
- Buyers estimated cost of 2 million dollars to settle Tidelands claim and difference in estimated cost from the Board's previous inquiry which was approximately \$100,000.00.
- Property to be deeded back to town (approximately ½ acre)
- Environmental studies: asbestos and request for all records of soil and water testing
- Terms of lease back
- After bid rejection, can the Board submit a counter offer? Mr. Sciarillo confirmed that the Board can submit a counter offer and that the buyer will be notified of the reason for rejection of the bid.
- Mr. Sciarillo gave an overview of previous potential buyers from the prior attempt to sell the LBI Grade School, and the perceived reasons for withdrawing their offers.
- Status of open space applications: Ms. Kelly reported that there is no funding available for Blue Acres, Green Acres - waiting for response, but the person she spoke with is pretty confident that the state won't be interested, and she is waiting to hear from the Ocean County Land Trust.



6. **ADJOURNMENT**

At 4:39 p.m., a motion was made by Kelly Linkewich, seconded by Marilyn Wasilewski to adjourn. All in favor.

Respectfully Submitted,

Kathy Sheplin
Assistant to the Board Secretary