

Minutes of the Public Board of Education Meeting held on September 26, 2007 at the Monroe Township High School.

The meeting was called to order by Board President Kathy Kolupanowich at 7:00 p.m.

ATTENDANCE

BOARD MEMBERS PRESENT

Ms. Kathy Kolupanowich, Board President
Mr. Lew Kaufman, Board Vice President
Ms. Amy Antelis
Mr. Marvin I. Braverman
Mr. Joesph Homoki (arrived 7:40 pm)
Mr. John Leary
Ms. Kathy Leonard
Ms. Rita Ostrager
Mr. Ira Tessler

BOARD MEMBERS ABSENT

None

JAMESBURG BOARD MEMBER REPRESENTATIVE PRESENT

Ms. Patrice Faraone

STUDENT BOARD MEMBERS PRESENT

Ms. Melissa Bonamici
Ms. Upasana Natarajan

STUDENT BOARD MEMBERS ABSENT

None

STAFF

Dr. Ralph Ferrie, Superintendent of Schools
Mr. Wayne Holliday, Business Administrator/Board Secretary
Dr. Christopher Tienken, Assistant Superintendent for Curriculum & Instruction

ATTORNEY

Mr. Bertram E. Busch, Esq.

MEMBERS OF THE PUBLIC – 36

After the Pledge of Allegiance and Roll Call, the Board President read the following statement:

In accordance with the provisions of the New Jersey Open Public Meetings Law, the Monroe Township Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted September 21, 2007:

1. At all Schools,
2. Home News Tribune,
3. Cranbury Press, and
4. Filed with the Clerk of the Municipality.

NO CLOSED SESSIONPRESENTATION

A PRESENTATION WAS GIVEN BY TERRY-ANN ZANDER OF ZANDER CONSULTING, LLC AS RELATED TO THE PROPOSED DECEMBER 11, 2007 SPECIAL SCHOOL ELECTION, DISTRICT NEWS PUBLICATIONS, AND COMMUNICATION REGARDING DISTRICT INITIATIVES.

PUBLIC FORUM – NONEAPPROVAL OF MINUTES

A motion was made by Ms. Antelis and seconded by Ms. Leonard to approve the minutes for the Public Board of Education Meeting held on August 29, 2007. Motion Carried.

SUPERINTENDENT'S REPORTPERSONNEL

A motion was made by Ms. Leonard and seconded by Ms. Antelis that personnel items (A – Y) of the Superintendent's Report be approved by consent. Roll Call – All Yeas – Motion Carried 9 – 0. The vote included the Jamesburg Board Member Representative where appropriate. A copy of the Personnel Section of the Superintendent's Report is attached to the official set of minutes.

BOARD ACTION

A motion was made by Ms. Leonard and seconded by Ms. Antelis that Board Action items (A - E) be approved by consent. Roll Call – All Yeas – Motion Carried 9 – 0. The vote included the Jamesburg Board Member Representative where appropriate. A copy of the Board Action section of the Superintendent's Report is attached to the official set of minutes.

A motion was made by Mr. Kaufman and seconded by Ms. Antelis to accept the report as submitted by the Superintendent of Schools. Motion Carried Unanimously.

BUSINESS ADMINISTRATOR'S REPORT - Please refer to the attached transcript.

STUDENT PRESENTATION

A PRESENTATION WAS GIVEN BY HIGH SCHOOL SENIOR COURTNEY MASSANO AS RELATED TO AN EDUCATIONAL COMMUNITY SERVICE PROJECT THAT SHE COMPLETED THIS PAST SUMMER REGARDING THE PLAYGROUNDS AT THE MONROE TOWNSHIP BROOKSIDE ELEMENTARY SCHOOL AND THE JOHN F. KENNEDY SCHOOL IN JAMESBURG. HER EFFORTS RESULTED IN THE PAINTING OF A 20' x 30' MAP OF THE UNITED STATES AT THESE TWO SCHOOL PLAYGROUNDS.

BUSINESS ADMINISTRATOR'S REPORT(continued) - Please refer to the attached transcript.

STUDENT BOARD MEMBERS'S REPORTS

Ms. Bonamici spoke about the following High School activities: the first Student Council meeting and events planned for the year which include the Winter Formal, Powderpuff Football Game, Senior Citizens Prom, Mr. Monroe Competition and the Homecoming Dance. Additionally, Ms. Bonamici spoke about Back to School Night and the Monroe Township High School Marching Band sponsoring a marching band competition for the first time. Ms. Natarajan spoke about the following events at Woodland Elementary School: D.A.R.E. training and a monthly Character Award Program and the following events at Mill Lake Elementary School: student character assembly, Constitution and Citizenship Day, Back to School Night and the upcoming assembly on fire safety.

COMMITTEE REPORTS - Please refer to the attached transcript.

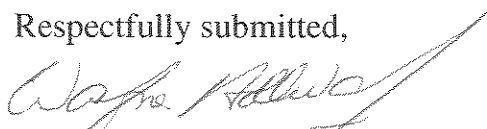
OTHER BOARD OF EDUCATION BUSINESS – Please refer to the attached transcript.

PUBLIC FORUM– Please refer to the attached transcript.

ADJOURNMENT

A motion was made by Mr. Kaufman and seconded by Ms. Antelis that the meeting be adjourned. Motion Carried Unanimously. The public meeting adjourned at 9:55 p.m.

Respectfully submitted,


WAYNE HOLLIDAY
BOARD SECRETARY/
BUSINESS ADMINISTRATOR

TRANSCRIPT

PUBLIC BOARD OF EDUCATION MEETING

SEPTEMBER 26, 2007

1 MS. KOLUPANOWICH: We will now go to the
2 business administrator's report with Mr. Holliday.

3 MR. HOLLIDAY: Madam Board President and
4 members of the Board of Education, it is recommended
5 that Board action items A through L be approved by
6 consent roll call. Action item M will be taken as a
7 separate roll call.

8 MS. LEONARD: So moved.

9 MR. KAUFMAN: Second.

10 MS. KOLUPANOWICH: Mrs. Leonard, Mr.
11 Kaufman.

12 MR. HOLLIDAY: So noted. Miss Leonard,
13 Mr. Kaufman.

14 MS. KOLUPANOWICH: Are there any
15 questions for Mr. Holliday? Miss Antelis.

16 MS. ANTELIS: This resolution, is that
17 part of -- are we going to be doing that separately?

18 MR. HOLLIDAY: I'm going to be --

19 DR. FERRIE: There are two resolutions
20 that are separate.

21 MR. HOLLIDAY: Right. At the conclusion
22 of L, I will then or after this roll call turn my
23 portion of the meeting over to counsel, who will
24 explain an item that will proceed action item M,
25 which is the resolution for the special election as

1 related to the bond referendum. So currently we are
2 only taking action on items A through L.

3 MS. KOLUPANOWICH: Any other questions?
4 Mrs. Leonard.

5 MS. LEONARD: Mr. Holliday, you handed
6 out a bus -- is that something we're taking action
7 on, or is that information only?

8 MR. HOLLIDAY: That was given to you,
9 and in the upper right-hand corner you can see where
10 it has been revised. So it is in your package.
11 Yes, we are taking action on it.

12 MS. KOLUPANOWICH: Anyone else? Okay.
13 At this time we will have a roll call.

14 MR. HOLLIDAY: Mr. Braverman.

15 MR. BRAVERMAN: Yes.

16 MR. HOLLIDAY: Miss Faraone.

17 MS. FARAONE: Yes.

18 MR. HOLLIDAY: Mr. Leary.

19 MR. LEARY: Yes.

20 MR. HOLLIDAY: Mr. Kaufman.

21 MR. KAUFMAN: Yes.

22 MR. HOLLIDAY: Miss Antelis.

23 MS. ANTELIS: Yes.

24 MR. HOLLIDAY: Miss Ostrager.

25 MS. OSTRAGER: Yes.

1 MR. HOLLIDAY: Miss Leonard.

2 MS. LEONARD: Yes.

3 MR. HOLLIDAY: Mr. Tessler.

4 MR. TESSLER: Yes.

5 MR. HOLLIDAY: Miss Kolupanowich.

6 MS. KOLUPANOWICH: Yes.

7 MR. HOLLIDAY: Madam Board President,
8 the motion is passed. Madam Board President, with
9 your permission, I would like now to turn this
10 particular portion of the business administrator's
11 report to bond counsel.

12 MR. BUSCH: I'm not bond counsel.

13 MR. HOLLIDAY: Not bond counsel, to the
14 Board counsel I meant to say.

15 MR. BUSCH: Close.

16 MR. HOLLIDAY: To the Board counsel, Mr.
17 Busch.

18 MR. BUSCH: Thanks, Wayne. Thanks,
19 Kathy.

20 MS. KOLUPANOWICH: Thank you.

21 MR. BUSCH: There is a resolution which
22 I passed out to the Board members, which they
23 haven't seen before tonight, so I'd like to go
24 through it in some detail, and I hope if you have
25 any questions I will be able to answer them. This

1 is with regard to the proposed new high school and
2 the litigation and the land situation in Thompson
3 Park.

4 By way of background, the Supreme Court
5 of New Jersey -- and if you saw one of the local
6 papers, you may have seen the article -- on
7 September 18 and filed on September 20, 2007, a
8 denial of the petition for certification filed by
9 the Park Savers and the Rutgers Law School people
10 and others in that group, which means that the
11 Appellate Division decision from June of this year
12 stands, and it also means that the Department of
13 Environmental Protection conditions, which are the
14 subject of this next resolution, also stand. The
15 litigation is over as far as the state court system
16 is concerned. There is no other litigation pending.

17 What the Department of Environmental
18 Protection and specifically the Historic
19 Preservation Office is doing is following up on an
20 executive order 215 environmental assessment, which
21 was imposed in January of this year, and those of
22 you have been following the issues know that Grubb,
23 Richard Grubb Associates, has been hired by the
24 Township of Monroe, and they have done a Phase 1 and
25 a Phase 2 archeological study of the 35 acres on

1 Thompson Park.

2 The previous findings indicate that
3 approximately 3.6 acres were -- had contained 18th
4 century artifacts. The intent of the state and the
5 Historic Preservation Office is set forth in two
6 documents, which are referred to in the resolution,
7 and a proposed agreement known as an interlocal
8 agreement, which the Board has. On September 7 of
9 this year, the Historic Preservation Office required
10 further works to be done with regard to the smaller
11 parcel, the 3.6 acres, and that would have to be
12 buffered, fenced off, and not disturbed, and would
13 require continuing monitoring should the project go
14 forward to construct a high school in Thompson Park.

15 On September 10 of this year, the
16 Department of Environmental Protection, the
17 assistant commissioner, Amy Cradic, adopted and
18 incorporated in the conditions imposed by DEP the
19 September 7 report of Dorothy Guzzo of the Historic
20 Preservation Office.

21 A little bit more by way of background.
22 On August 15 of this year, the county and the
23 township entered into an agreement essentially
24 stating that they would cooperate, and if and when
25 the Department of Environmental Protection were to

1 release the Green Acres restrictions and conditions
2 on the use of land which was Green Acres land, and
3 should that happen, the county would then be free to
4 convey title to the land to the township, and then
5 the township and what we're considering tonight
6 would be free to convey whatever title it gets to
7 the Board of Education.

8 My understanding from conferring with
9 Peg Schaffer, the assistant township attorney, is
10 that should the conditions be released, and I am
11 told that they were not released as of yesterday I
12 spoke to Peg, but she indicated she expects it very
13 shortly, and that is in conjunction with the Supreme
14 Court having basically shut down the litigation.
15 It's over. Should that happen, Peg indicated to me
16 that the county would convey all 35 acres to the
17 township subject to the restrictions imposed on
18 September 7 and September 10 by the HPO and DEP.

19 The big difference would be that up to
20 now, the payment for the archeological studies has
21 been borne by the Township of Monroe, not by the
22 Board of Education. They entered into a contract
23 initially with Grubb. They had to modify it. The
24 proposal that the Township Council approved two
25 nights ago, Monday night, September 24, essentially

1 is the interlocal agreement that the Board has
2 tonight, and the ongoing costs for both monitoring
3 and additional digs, cataloging -- excuse me --
4 would be borne by the Monroe Township Board of
5 Education, not by the township.

6 That is in a nutshell what is expected.
7 While the town does not have a deed to the land now
8 and the county has not gotten a release of the
9 conditions from DEP, we don't meet again until
10 October 17, and this is being presented to the Board
11 for that reason. This is prior to, as Mr. Holliday
12 indicated, the bonding proposal, and when we get to
13 that, we can discuss it.

14 The interlocal agreement requires only
15 an approval by a majority of the people here. The
16 bond proposal will require six affirmative votes
17 under state law, which is a majority of the full
18 membership of the Board of Education. The net
19 effect may be the same because there are 10 members
20 here, but it's a separate issue. It's not regulated
21 by the bond statutes.

22 So the bottom line if I can talk about
23 what the resolution says since the public doesn't
24 have it, it refers to the procedural situation where
25 the application was made to Green Acres within DEP

1 to release the conditions and restrictions imposed
2 by Green Acres. It refers to the fact that on
3 January 5, 2006, upon recommendation of DEP a few
4 days earlier, December '05, the State House
5 Commission unanimously approved the application to
6 withdraw the restrictions. An appeal was filed by
7 Park Savers and by -- on behalf of the Rutgers Law
8 people, and in June of this year, the Appellate
9 Division, as I said, affirmed the State House
10 Commission. It's gone through the court system now,
11 and then this past week the Supreme Court of New
12 Jersey denied the petition, which it had received
13 from Park Savers, for any kind of certification.

14 The letters of September 7 and 10 will
15 be incorporated as obligations of the Board of
16 Education, and that would be the interlocal
17 agreement if approved that would be between the
18 Board and the township. And that's it, Mrs.
19 Kolupanowich.

20 MS. KOLUPANOWICH: Okay. Then at this
21 time we need a motion to approve the resolution
22 between the whole --

23 MR. BUSCH: You might want to open it to
24 the public, or, you know, you can have a motion, a
25 second, and then open it to the public. Shall I do

1 that?

2 MR. HOLLIDAY: Would you like me to read
3 it, Mr. Busch?

4 MR. BUSCH: I can. I'll do it faster.
5 Watch this.

6 "Whereas the Monroe Township Board of
7 Education and the Township of Monroe have worked
8 collaboratively to obtain land for the construction
9 of a new high school on county property in Thompson
10 Park;

11 "And whereas pursuant to a proposal
12 submitted by the township to the County of Middlesex
13 an application was submitted to the New Jersey
14 Department of Environmental Protection, Green Acres
15 section, to permit the transfer of county property
16 to the township in exchange for approximately
17 170.49 acres of township property and an easement
18 from the Board consisting of approximately
19 0.61 acres;

20 "And whereas the application was
21 approved by NJDEP and the State House Commission;

22 "And whereas the approval was affirmed
23 by the Appellate Division of the Superior Court of
24 New Jersey;

25 "And whereas the Supreme Court of New

1 Jersey denied a petition for certification on
2 September 18, 2007;

3 "And whereas the township and the Board
4 wish to delineate remaining responsibilities to
5 comply with all conditions of the state Historic
6 Preservation Office as set forth in a memorandum
7 dated September 7, 2007, from Dorothy Guzzo,
8 administrator and deputy state historic preservation
9 officer, to Judith Yeane of the Green Acres
10 program, and all terms and conditions set forth in a
11 letter dated September 10, 2007, from Amy Cradic,
12 assistant commissioner of NJDEP to Ralph G. Albanir,
13 director of the Middlesex County Department of Parks
14 and Recreation;

15 "Now therefore be it resolved by the
16 Monroe Township Board of Education that it hereby
17 approves a proposed interlocal services agreement
18 between the Township of Monroe and the Monroe
19 Township Board of Education, a copy of which is on
20 file in the office of Wayne Holliday, business
21 administrator/Board secretary, and the Board of
22 Education authorizes the president and Board
23 secretary to sign the said agreement."

24 In the interest of full disclosure, if
25 you'd like I can try to run through the agreement

1 which is attached at this point. I think I've
2 summarized it, but should I do that?

3 MS. KOLUPANOWICH: Yes.

4 MR. BUSCH: Okay. The agreement that's
5 attached was, as I mentioned before, adopted and
6 approved by the Township Council two nights ago.
7 The whereas clauses are very similar to the ones
8 that I just read. It also refers to some of the
9 things I said, including the fact that the county
10 and the township already entered into an agreement
11 on August 15, 2007.

12 It goes on on page 2 talking about
13 compliance and requiring a survey, which has not yet
14 been received as of 5 o'clock today, delineating the
15 3.6 acres, which will be restricted from the
16 31.4 acres, which will not have the restrictions
17 based upon the archeological digs. The cultural
18 resource investigation for the 3.6 acres will become
19 the responsibility of the Board if this is approved,
20 and the town will no longer be paying for that. It
21 specifically says about four whereas from the
22 first now therefore that the township wishes to
23 convey the released portion of the high school site
24 to the Board immediately upon receipt of same from
25 the county, and whereas the Board is willing to

1 assume responsibility for compliance with the terms
2 and conditions of the September 7, 2007, HPO
3 memorandum with regard to -- with respect to parcel
4 A, and whereas the township and the county as
5 applicable are willing to permit the Board access to
6 parcel B, which is the larger parcel -- I'm sorry --
7 the smaller parcel, to continue the cultural
8 resources investigation process, including a Phase 3
9 investigation in order to obtain a release of the
10 remaining conditions, and whereas in order to
11 finalize the exchange of the property between the
12 township and the Board and to comply with the
13 September 10, 2007, correspondence and accompanying
14 reports, the township and Board wish to delineate
15 their respective obligations.

16 It would require the township to accept
17 title to the 35 acres. If you go to page 3 on the
18 top, number 2, the town and the Board understand and
19 agree that parcel B shall remain subject to DEP
20 restrictions pending the satisfactory completion of
21 the executive order 215 process, which I mentioned
22 was the environmental assessment. Immediately upon
23 receipt of the deed to the larger parcel, the
24 township will convey that property. It's by bargain
25 and sale deed covenant against grantor, which is a

1 standard deed, free and clear of all liens except
2 for rights of ways required --

3 (End of tape 1)

4 -- have to undertake to complete the
5 execute order 215 process, including as I mentioned
6 a Phase 3 cultural resource investigation if
7 necessary, and the township and the county as
8 applicable upon request of the Board will execute a
9 document permitting the Board to access the site.

10 6. The Board would agree during
11 construction of parcel A the monitoring developed by
12 Richard Grubb dated August 4 and specifically
13 electronically to the Historic Preservation Office
14 on August 28 will be implemented with the following
15 terms and conditions:

16 A. Archeological monitoring will be
17 conducted within all project impact areas to include
18 all soils that are being disturbed to the maximum
19 depth of potentially culture bearing soils. Because
20 this is a large project site, depending on the
21 number of locations where earth moving and/or soil
22 disturbance is occurring, this may necessitate
23 multiple archeological monitors.

24 B. Human burials will not be subjected
25 to data recovery in a manner similar to other

1 cultural features, but rather will be left in place
2 until appropriate consultation with DEP, other
3 interested parties, and legal authorities have been
4 accomplished, and an appropriate plan for treatment,
5 potentially including disinterment and reburial, has
6 been developed and implemented.

7 C. Representative samples of brick from
8 any 18th century features identified will be
9 retained.

10 D. All cultural features identified
11 will be photographed, and their local -- I'm sorry
12 -- their location surveyed in and recorded on a site
13 master plan. All features 1 foot or less in
14 diameter will be fully excavated and recorded in
15 plan and profile. Features larger than 1 foot in
16 size will be sampled.

17 Continue onto page 4. Those determined
18 to be 18th century or that are inconclusive will be
19 fully excavated and recorded in plan and profile
20 unless a lesser sample is approved in writing by the
21 HPO.

22 E. A chain of command shall be
23 established to ensure that if potential features are
24 identified, work in these locations will be halted.
25 The plan for this shall be submitted -- there's a

1 typo there -- to the HPO for review and written
2 approval. If potential archeological features are
3 identified by the archeological monitors, work in
4 these locations shall then be halted by the Monroe
5 Township representative until archeological
6 investigation determines whether they are
7 potentially 18th century features.

8 F. If isolated artifacts are identified
9 which date to the 18th century or earlier -- the
10 word is wrong there, too -- provenance will be
11 determined if they have not been displaced, and the
12 location will be recorded on the master site plan.

13 G. The Board agrees that the submission
14 of the artifact collection for curation to the New
15 Jersey state museum shall be provided on the
16 following schedule: Within 6 months of the
17 completion of construction or by December 31, 2010,
18 whichever is earlier.

19 7. The Board agrees to comply with all
20 the recommendations contained in the September 7,
21 2007, HPO memorandum, including but not limited to
22 installation of fencing, items which must be
23 included in the project documents, and archeological
24 monitoring during construction.

25 8. The Board represents that if

1 delivered the deed of easement to the County of
2 Middlesex that it -- excuse me -- delivered on June
3 21, 2007, and that was the Brookside School
4 easement, which the Board previously approved, for a
5 parcel of property known as portion of Lot 12.01,
6 Block 62 as delineated on a survey prepared by
7 Amertech Engineering Inc.

8 9. The township and the Board shall
9 take all steps necessary to carry out the provisions
10 of this agreement, including the adoption of all
11 appropriate ordinances and resolutions, and I
12 mentioned the township already has approved this.
13 This agreement shall set forth the understanding of
14 the parties that may be amended or modified only by
15 a writing authorized and executed by the parties.

16 11. The township and the Board agree
17 that they will if necessary execute, acknowledge,
18 and deliver such supplements hereto and such further
19 instruments as may be reasonably required for
20 correcting any inadequate or incorrect description
21 of any issue discussed herein or for carrying out
22 the express intention of this agreement.

23 12. The parties shall save, protect,
24 indemnify, and hold each other harmless from any and
25 all damages, injuries, or claims for damages or

1 injuries to persons or property which result from
2 the actions of the parties or their contractors or
3 agents in carrying out duties and obligations set
4 forth herein, and it would be governed by the state
5 law of New Jersey.

6 That is essentially the agreement. I'll
7 give it back to either Mrs. Kolupanowich or Mr.
8 Holliday.

9 MS. KOLUPANOWICH: Okay. Thank you. So
10 we need a motion to approve the resolution.

11 MR. KAUFMAN: So moved.

12 MS. ANTELIS: Second.

13 MS. KOLUPANOWICH: Mr. Kaufman, Miss
14 Antelis.

15 MR. HOLLIDAY: So noted.

16 MS. KOLUPANOWICH: Okay. I'll open it
17 up to the Board for questions or discussions. Miss
18 Antelis.

19 MS. ANTELIS: I have a question for Mr.
20 Busch.

21 MR. BUSCH: Okay.

22 MS. ANTELIS: And this goes to the
23 Supreme Court decision, and I just want the public
24 to understand and I want to understand since I'm not
25 an attorney. I saw posted on a web site yesterday

1 by a man who claims he's the historian, does not
2 live in Monroe Township, stating false facts about
3 the process and also that he had planned to initiate
4 litigation against us. Actually, he was looking for
5 a pro bono attorney. I'm just wondering is there
6 any chance that this man can enter into litigation
7 about this subject.

8 MR. BUSCH: I'm hearing this for the
9 first time, Amy. What I have said is that the
10 entire process in terms of the Green Acres process,
11 which started with the application for the release
12 of the restrictions, the application was approved by
13 DEP in December '05, affirmed by the State House
14 Commission in '06, affirmed by the (inaudible) of
15 Superior Court in June 1 of this year, and
16 unanimously I should say, so there's no automatic
17 right of appeal to the Supreme Court of New Jersey,
18 and denied by the Supreme Court of New Jersey on a
19 petition to modify the Appellate Division just this
20 past week. Those issues are dead. The attorney for
21 the people who challenged us was quoted in the Home
22 News as saying those issues are gone, and he said --
23 not the person you're talking about -- Mr. Richard
24 Webster of Rutgers said we will now be focusing on
25 the historic preservation issues or remnants of 18th

1 century.

2 If someone else files suit, you can't
3 stop someone from filing suit. We don't know what
4 it's going to say until we see it. But those issues
5 are, totally dead, and if anyone does cause the
6 district to incur costs to go over the same ground
7 that we've been going over for the last couple of
8 years, there's something called the frivolous
9 lawsuit statute, and there's also a rule of court
10 that would impose costs upon such a person who would
11 drag the district, the township, and the county, and
12 the state through all that again. So I can't
13 comment on what a new suit might say. The same
14 person, maybe the one I'm thinking of, has talked
15 about trying to get a nomination from the state for
16 some historic recognition of the property. I'm not
17 aware that that has happened.

18 MS. ANTELIS: Thank you. I just wanted
19 that clarified. Like I said, it was it was posted
20 on a web site, and I don't want a rumor to get
21 started that litigation has been started again.

22 MR. BUSCH: Thank you.

23 MS. KOLUPANOWICH: Thank you, Miss
24 Antelis. Miss Ostrager.

25 MS. OSTRAGER: I have a question.

1 According to the September 10 Amy Cradic letter,
2 there were two ways that we could get all or part of
3 the property released. One way is if we were only
4 looking for the 31.4 acres, we could meet certain
5 requirements, such as fencing off the 4.6, having
6 the observers, et cetera, and there was an
7 indication that that could be released in a fairly
8 short period of time. The other way is if we wanted
9 release of the entire 35 acres, it indicated that we
10 had to complete the Phase 3 before the entire
11 35 acres would be released.

12 The schedule that Peg Schaffer presented
13 in her September 10 letter in response to Amy Cradic
14 was that the Phase 2 would be completed in November,
15 but the Phase 3 on the 3.6 would not be complete
16 until late in 2008. So my question is why then
17 would we ask for the entire 35 acres where it's very
18 likely that may not -- that may be a year from now,
19 why not just go for the 31.6 acres if that seems
20 like something that we might be able to obtain in
21 the next week or 2.

22 MR. BUSCH: I don't know if that's a
23 question directed to me --

24 MS. KOLUPANOWICH: Mr. Busch.

25 MR. BUSCH: -- but I'll give it a shot,

1 at least in part. Rita, I think it's 3.6 and 31.4.

2 MS. OSTRAGER: Oh, I'm sorry, you're
3 correct.

4 MR. BUSCH: You had said 4.6.

5 MS. OSTRAGER: Yes, I stand corrected.

6 MR. BUSCH: So the smaller parcel is
7 3.6 acres. The question as I understand it is
8 should the Board consider just taking title now to
9 the 31.4 acres rather than to the 35 acres; is that
10 the question?

11 MS. OSTRAGER: Yes, because it just --

12 MS. KOLUPANOWICH: Miss Ostrager.

13 MS. OSTRAGER: -- seems like that is
14 something that we could possibly get in the next
15 week or 2 and go forward with a December referendum.
16 I for one am not comfortable with going forward with
17 a referendum without land. It does seem like the
18 larger parcel is something that we could obtain
19 title from very shortly. The 3.6 acres, according
20 to both the September 7 letter and the September 10
21 letter, indicated that that would take much longer
22 to get. So why not get something that we can build
23 on.

24 MS. KOLUPANOWICH: Mr. Busch.

25 MR. BUSCH: Thank you, Mrs.

1 Kolupanowich. I'll try to go through you. As I
2 indicated, Peg Schaffer informed me that she
3 expected that if and when the conditions are
4 released by DEP that the county, which owns
5 35 acres, would convey all 35 acres to the township.
6 There would be no down side in my mind, but we can
7 talk about it, to receiving the 35 acres because
8 within that 35 acres would be the 31.4, and there
9 will be a survey. Your suggestion is, I think, if
10 we are going to move forward with the December 11
11 referendum, we want to make sure we have we have
12 31.4 acres of land. I think that's what you're
13 saying, and I think -- I understand that, but we
14 haven't seen the deed yet from either the county to
15 the town or the town to the Board.

16 MS. KOLUPANOWICH: Miss Ostrager.

17 MS. OSTRAGER: At our last Board meeting
18 on September 10, there was a letter read into the
19 record from Peg Schaffer that indicated that we
20 might have title for the release of the -- the
21 larger parcel very shortly. Later that evening we
22 did get a letter from the DEP that did have a lot of
23 details of restrictions and stuff in there. There
24 has been statements that we would be getting this
25 land very shortly. We've been saying that for years

1 and years, and I for one was very uncomfortable with
2 going forward on voting for a referendum based on
3 you said that Peg said that the DEP said, not that,
4 you know, anything with either people's reputation,
5 but, we have heard this for a while. To that end, I
6 ask the administration that see if they can give me
7 something more firm. They did a lot of work in
8 trying to obtain that. I still had questions. I
9 actually had a conference call with Dorothy Guzzo
10 and Judy Yeane yesterday because to make -- cast my
11 vote tonight on going forward with that -- the
12 referendum, I was only comfortable in doing that if
13 I felt sure that we were going to get title to
14 enough land to build on. I asked whether or not we
15 could get that 35 acres as in the Peg Schaffer
16 letter of September 20. I tried to be very careful
17 saying I was just seeking information and not trying
18 to influence a decision one way or another. They
19 stated that the 31 -- the larger parcel was
20 something that they thought that they would probably
21 release within the next week or 2, but the 3.6 acres
22 was -- if we were going for that, they stood by the
23 letter that they had sent on September 10, which all
24 the Board got, that the Phase 3 would have to be
25 completed in order to get that. So I guess when we

1 look at that, I would not want to risk asking for
2 the larger piece if we could build it on the 31.6
3 and that's something that we could get in the next
4 week or 2. I would rather take that, which seems
5 like something that we could certainly get before
6 December, than trying to go for something a little
7 bit larger, especially since the larger piece, that
8 we -- that 3.6 acres we may or may not be able to
9 build on anyway.

10 MS. KOLUPANOWICH: Mr. Busch.

11 MR. BUSCH: Yeah, the intent certainly
12 would be to get the buildable land as soon as
13 possible, go for a Phase 3 if necessary in 2008, get
14 it approved, and by that time use the 3.6 acres, but
15 we will -- no one is holding out longer trying to
16 get the full 35 acres now. We're not doing that.
17 We're trying to get the 31.4 as soon as we can.

18 MS. OSTRAGER: But the way this is
19 written --

20 MS. KOLUPANOWICH: Mrs. Ostrager.

21 MS. OSTRAGER: -- we're going for the
22 35.

23 MS. KOLUPANOWICH: Mr. Busch.

24 MR. BUSCH: Eventually we're going to
25 get to 35, but the interlocal agreement will be

1 subject to the restrictions, and it's not going to
2 change the timing if we get 31.4 acres relatively
3 free of restrictions or 35, of which 3.6 acres are
4 restricted. Nothing can go on those 3.6 acres.
5 Everybody knows that. Not now.

6 MS. KOLUPANOWICH: Miss Ostrager.

7 MS. OSTRAGER: Sorry. One other
8 question. In the September 20 response that Peg
9 Schaffer wrote to Amy Cradic, she made note of the
10 fact that the requirement to do the work on the
11 replacement soccer fields possibly will not be done
12 by September -- by January 5 and that they would be
13 asking for an extension, which would require us I
14 understand to go back to State House Commission in
15 December. Since we're taking over the
16 responsibility of meeting all of that, will that
17 also be our responsibility to make sure that's done,
18 or is that separate, because the way this is
19 written, we take all responsibility of everything,
20 or does that still remain a township responsibility?

21 MR. BUSCH: Mrs. Kolupanowich. My
22 understanding is that the township has requested an
23 extension of time if necessary. They're going to
24 have to follow up on that, but we'll certainly work
25 with them as closely as we can. I mean, they had

1 the condition imposed upon them to meet the 2-year
2 deadline. I understand that the money that was
3 required has -- the voucher has been signed. You've
4 seen that documentation. The money, the check has
5 been issued, 1 point whatever million dollars.

6 MR. LEARY: 1,127,000.

7 MR. BUSCH: 1,127,000 -- thank you, John
8 -- has changed hands. I mean, the county has been
9 paid by the township so they're needing more time
10 depending on the weather, and they're not sure. If
11 global warming cooperates, they may be able to build
12 the soccer fields. If not, they may not.

13 MS. OSTRAGER: Thank you.

14 MR. BUSCH: Thank you.

15 MS. KOLUPANOWICH: Anyone else from the
16 Board? Mrs. Leonard.

17 MS. LEONARD: Yeah, I have a concern
18 about -- I'm on page 3, letter B, human burials.
19 While we don't expect to find anything, we never
20 expected to get this far when we started this. What
21 kind of impact would that have on the project?
22 Would the whole thing cease? Would just a portion
23 of it cease where the finds were?

24 MS. KOLUPANOWICH: Mr. Busch.

25 MR. BUSCH: I think that we simply are

1 acknowledging that not the whole project, but if
2 human remains are found in a specific area, you've
3 got to stop what you're doing until it's monitored
4 by the DEP or anyone else in Historic Preservation.
5 It will not bring the whole project to a halt. It
6 could slow things down that area.

7 MS. KOLUPANOWICH: Mrs. Leonard.

8 MS. LEONARD: Any idea the time frame of
9 that investigation, DEP involvement, or -- these
10 things have always taken a lot longer than anybody
11 has anticipated.

12 MR. BUSCH: And when we started this, no
13 one even knew about the historic issue.

14 MS. LEONARD: Right.

15 MR. BUSCH: That was not the issue.
16 That kind of grew later in the game. No, I don't
17 have an answer to your question.

18 MS. LEONARD: Okay. Thank you.

19 MR. BUSCH: Thanks.

20 MS. KOLUPANOWICH: Mr. Leary.

21 MR. LEARY: Yes. Let's look at recent
22 history. Foley Square is located in what used to be
23 the collect pond in the island of Manhattan, and as
24 they were building a federal office building, they
25 came across a slave cemetery, and it took time, but

1 they fenced the area off, and they proceeded to do
2 an archeological dig. We're prepared to do the same
3 thing.

4 MS. KOLUPANOWICH: Thank you. Anyone
5 else? Miss Ostrager.

6 MS. OSTRAGER: In response to Mrs.
7 Leonard's question, I actually asked that question
8 when I talked to Judith Yeane and Dorothy Guzzo
9 because it was very vague in the letter of what
10 would happen. What they told me was that initially
11 the law enforcement, local law enforcement would be
12 contacted in order to see whether or not this was a
13 recent remain that needs a criminal investigation.
14 If this turns out to be something that's beyond
15 something that would be under the jurisdiction of
16 the local law enforcement, they would try and
17 determine the origin of it, and depending on what
18 they determined, it may or may not be disinterred.
19 She said that roughly that about 80 percent of the
20 time the body could be disinterred and the project
21 could continue, and she said about 20 percent of the
22 time the project would have to be altered or changed
23 and it would not be progress as is. The key if it's
24 -- the key is what type of remains it is whether or
25 not it would be subject to the Native American Grave

1 Protection and Reparations Act and whether or not it
2 is determined that this was an accidental finding
3 because you were not aware of the fact that you were
4 digging in an area where this is possible or whether
5 or not you knew you were digging in a place where you
6 were possible. There's been a recent case by the
7 Leni Lenapes in the State of New Jersey on being
8 able to dig in the area like that. It was -- took
9 4 years to be resolved.

10 MS. KOLUPANOWICH: Thank you. Anyone
11 else? Mr. Homoki.

12 MR. HOMOKI: Just a couple little
13 remarks. I'm very glad that Mr. Busch read the
14 resolution and all the whereas because I think it's
15 very comprehensive. It covers an awful lot of
16 points. I think it's important for the Board to
17 look at this very carefully, and if there are things
18 that we want to add on that may not be in here now,
19 it should be done because this will be a binding
20 resolution, and I'm not shocked at all what you
21 said, Amy, that maybe there will be a challenge from
22 a different angle, but I believe looking at this
23 resolution, we're covering all the bases. Whatever
24 they can come up with has to be extremely creative
25 because this seems to have everything in it. So I'm

1 very glad you read this, everybody heard it, and
2 we're ready to address whatever may come up during
3 construction.

4 MS. KOLUPANOWICH: Anyone else from the
5 Board? Mr. Braverman.

6 MR. BRAVERMAN: I'm curious. If we only
7 obtain the 31.4 acres, will the plans for the high
8 school that we currently have now go on the
9 31.4 acres with the retention basins, et cetera, or
10 will we have to be creative about the retention
11 basins?

12 MS. KOLUPANOWICH: Dr. Ferrie. Mr.
13 Braverman, can you repeat that?

14 MR. BRAVERMAN: I hope so. Will the
15 plans that we now have for the high school be
16 adapted to the 31.5 acres -- 4 acres without any
17 modifications, and will it accommodate all of the
18 things such as the retention basins as are
19 prescribed?

20 DR. FERRIE: Currently we have not
21 altered the plans. We are proceeding with the
22 --should the Board determine to proceed, we would
23 proceed based upon a successful referendum with a
24 Phase 3 archeological on the 3.6, which hopefully
25 would be completed prior to putting a shovel in the

1 ground for the building, itself. So the only way to
2 move the building to 3.1 acres is to move the
3 footprint of the building, and that would require
4 engineering studies determine if drainage basins
5 were appropriate or if the storm management could be
6 handled without drainage basins but be handled
7 through an underground system.

8 MR. BRAVERMAN: Okay. My next -- my
9 follow-up question to that would be --

10 MS. KOLUPANOWICH: Mr. Braverman.

11 MR. BRAVERMAN: Thanks. If we go ahead
12 with Phase 3 for the 3.6 acres, I think at our last
13 meeting last month, some real big numbers were
14 thrown around for the archeologist to be on site to
15 see that everything was done in a proper manner, and
16 I would like to know what those numbers are.

17 MS. KOLUPANOWICH: Dr. Ferrie.

18 DR. FERRIE: The numbers that EPIC
19 provided for you during the last meeting was 825,000
20 for the Phase 3 and the monitoring process
21 throughout the entire project.

22 MS. KOLUPANOWICH: Any other questions
23 from members of the Board? Miss Ostrager.

24 MS. OSTRAGER: Going back to Mr.
25 Braverman's question, is it my understanding, then,

1 that we need the entire 35 acres to build this
2 school, that we cannot build it on 31. --

3 DR. FERRIE: That's not what I said. I
4 said the project is proceeding at this point. If we
5 were to move the building to the 31.4 acres, the
6 footprint would have to be moved, and that will
7 require an engineering study determine how storm
8 water would be appropriately managed.

9 MS. OSTRAGER: Then I have a question.

10 MS. KOLUPANOWICH: Miss Ostrager.

11 MS. OSTRAGER: Sorry. So as I
12 understand it, we have two options. Option 1 is to
13 move this footprint over and adjust the detention --
14 the storm water management, and if we do that, we
15 would have to have some new plans that would have to
16 then be submitted to I assume the DCA, not
17 necessarily the DEP?

18 DR. FERRIE: I believe it would require
19 some approvals, but not through the DCA, no.

20 MS. OSTRAGER: If we have --

21 MS. KOLUPANOWICH: Miss Ostrager.

22 MS. OSTRAGER: Sorry. If we are going
23 that route where we move the whole thing so it fits
24 on the 31 and change, we can't -- to do that, we
25 can't do a December referendum and move that; is

1 that correct, because December referendums require --

2 DR. FERRIE: -- the Wizard of Oz. I
3 don't know. When you're throwing these questions at
4 me this evening without me having the opportunity to
5 sit, with the architect and review this, it would
6 require an engineering study to determine how to
7 handle the storm water management. I am a
8 superintendent of schools, not an engineer. I would
9 have to defer to the architect and the engineers to
10 determine what and how to handle the storm water
11 management. How much that would cost, what it would
12 do to the project, I don't know. It could delay it;
13 however, if the other approach which we talked about
14 is to move forward, complete the Phase 3, meet the
15 restrictions as set forth within the DEP, and then
16 proceed as accordingly.

17 MS. KOLUPANOWICH: Miss Antelis.

18 DR. FERRIE: This is this Board's
19 decision on which way to direct us to go.

20 MS. KOLUPANOWICH: Miss Antelis.

21 MS. ANTELIS: I believe that at the last
22 Board meeting, if I'm not mistaken, we discussed
23 which way we were going to go. That's why we got
24 the number about doing the Phase 3, and I believe
25 this Board was -- the majority decided that this was

1 the way we would go. We were going after the
2 3.6 acres as well as the 31.4. So I don't
3 understand the discussion now, should we, shouldn't
4 we. I thought that this was all discussed last
5 week.

6 MS. KOLUPANOWICH: Miss Ostrager.

7 MS. OSTRAGER: When we had our
8 discussion on September 10, that was based on the
9 Peg Schaffer letter of September 10 that was read
10 into the record at the beginning of the meeting. At
11 that point in time, we did not -- I don't believe
12 any of us had access to the Amy Cradic letter of
13 that same date that had the restrictions and also
14 stated several times that their indication that they
15 might release the 31.4 acres in no way should be
16 construed as an indication that they were going to
17 ever release the 3.6 and that they were reserving
18 the right to decide on that until after the Phase 3
19 is completed. So my concern is if you compare the
20 Amy Cradic letter of September 10 and the time line
21 that Peg Schaffer presented in her September 20
22 letter in response, it says that we're not expecting
23 to have the Phase 3 completed until about a year
24 from now. So if we're going to go for the entire
25 35 acres and we need the entire 35 acres in order to

1 build this high school, we won't have that land for
2 another year. So that's why I think we have to
3 decide. Either we're going to have to figure out if
4 we can fit it on the 31 and change, or we're going
5 to have to accept that it's going to be another year
6 before we get the land, and I don't think anybody
7 wants to sit here for another year before we can put
8 a shovel in the ground.

9 MS. KOLUPANOWICH: Anyone else? Mr.
10 Kaufman.

11 MR. KAUFMAN: I'm kind of confused so
12 I'm just going to just throw it out there. I'm
13 sorry. As far as I'm concerned, this project cannot
14 be held up for anything. We need to move forward
15 with the resolution as we discussed before. To sit
16 here and speculate on what could possibly happen if
17 the Phase 3 is going to be started and done probably
18 before we even have a shovel in the ground to build
19 anywhere else on the site, we can't sit here and
20 speculate on something which could potentially
21 happen. It could happen where they do the Phase 3,
22 everything is dug up, nothing is found, or maybe
23 they find something of significance in one-tenth of
24 the square footage of that 3 acres and it's way off
25 in the corner, and that won't affect the project at

1 all because it's way over there, and according to
2 the information we were given, if we do find stuff,
3 we pull it out of the ground and we save it and put
4 it in the museum. It doesn't stop the project. The
5 project goes forward. So to sit here and deliberate
6 on what could possibly happen or what might happen
7 on something that we don't have a clue on and just
8 to hold this whole process up even one more day is
9 ridiculous. Done.

10 MS. KOLUPANOWICH: Any -- Mr. Leary.

11 MR. LEARY: I wholeheartedly agree with
12 Mr. Kaufman. This is an example of the snail darter
13 behavior where they held up a damn in Tennessee for
14 many, many years. Would have, could have, should
15 have. Let's go forward.

16 MS. KOLUPANOWICH: Anyone else? Miss
17 Antelis.

18 MS. ANTELIS: I just want to say, I
19 mean, I read the report, too, and I read over the
20 letter. I didn't in any way feel that the DEP was
21 not going to release that land. It sounded to me in
22 the letter that as long as we did the Phase 3, we
23 dug up whatever was there, put it in a museum, at
24 that point the land was going to be released to us.
25 So I don't see really too much debate here about

1 what we're going for.

2 MS. KOLUPANOWICH: Miss Ostrager.

3 MS. OSTRAGER: I do agree with your
4 analysis. It did appear from the DEP's letter that
5 they did have some opening that they would release
6 the remaining portion of the land. My concern is is
7 they were very clear that that would not be released
8 until after the Phase 3 is completed, and the
9 schedule for this Phase 3, according to the Peg
10 Schaffer letter, is that that won't be done until
11 the fall of 2008. So my concern is is if we were to
12 go forward with a bond referendum in December and it
13 were to pass, we know that if we can't go out to bid
14 and start to dig until later, it's going to cost
15 more money. We won't have enough money if we can't
16 start until after the Phase 3 is completed. So,
17 yes, they may give us that land after the Phase 3 is
18 completed, but the time line that Grubb gave us is
19 that we would -- that would delay our start date so
20 that the \$42 million that we're looking at is not
21 going to be enough because we won't be able to start
22 on the schedule that we were assuming.

23 MS. KOLUPANOWICH: Dr. Ferrie.

24 DR. FERRIE: If I could distill this a
25 little bit, that's not my understanding. If the

1 Board -- if the 35 acres is deeded to the county and
2 the county deeds it to the township and the township
3 deeds it to the Board, yes, there are restrictions
4 on the 36 acres -- 3.6 acres. It would then be the
5 responsibility of the Board to move forward as
6 quickly as possible with the Phase 3. I do know
7 this much. Not moving forward in that direction and
8 holding off and asking for a total reengineering and
9 moving the footprint of the building would
10 definitely delay the school for at least a year, and
11 I don't know what the costs would be regarding that
12 engineering and that storm water management.

13 MR. LEARY: Miss Kolupanowich.

14 MS. KOLUPANOWICH: Mr. Leary.

15 MR. LEARY: I have done some
16 calculations, and I'm an engineer, and it's my
17 estimate, every day of delay is costing us \$58,000,
18 over a million dollars of delay a month. If we go
19 and say would have, could have, should have, we'll
20 just keep on piling up the burden on the township
21 taxpayers.

22 MS. KOLUPANOWICH: Anyone else? Okay,
23 then. Mr. Homoki.

24 MR. HOMOKI: I just want to again
25 indicate that I mentioned this before, and it's

1 worth mentioning again. The resolution that we have
2 addresses almost every concern that we have, and the
3 Board will agree to address whatever comes up.
4 That's what the resolution says. That's what it's
5 all, about. That's why it's important for us to look
6 at this very carefully and make sure it's all all
7 comprehensive, and I believe it is.

8 MS. KOLUPANOWICH: Okay. If there is no
9 more discussion, then we will have a roll call on
10 accepting the interlocal agreement between the
11 Township of Monroe and the Monroe Township Board of
12 Education. May we have a roll call, Mr. Holliday.
13 There is no public discussion on this resolution.

14 MR. HOLLIDAY: Mr. Homoki.

15 MR. HOMOKI: Yes.

16 MR. HOLLIDAY: Miss Antelis.

17 MS. ANTELIS: Yes.

18 MR. HOLLIDAY: Miss Ostrager.

19 MS. OSTRAGER: No.

20 MR. HOLLIDAY: Miss Leonard.

21 MS. LEONARD: Yes.

22 MR. HOLLIDAY: Miss Faraone.

23 MS. FARAONE: Yes.

24 MR. HOLLIDAY: Mr. Braverman.

25 MR. BRAVERMAN: No.

1 MR. HOLLIDAY: Mr. Kaufman.

2 MR. KAUFMAN: Yes.

3 MR. HOLLIDAY: Mr. Tessler.

4 MR. TESSLER: Yes.

5 MR. HOLLIDAY: Mr. Leary.

6 MR. LEARY: Yes.

7 MR. HOLLIDAY: Miss Kolupanowich.

8 MS. KOLUPANOWICH: Yes.

9 MR. HOLLIDAY: Madam Board President,
10 the resolution as related to the interlocal services
11 agreement has passed.

12 (STUDENT PRESENTATION NOT TRANSCRIBED)

13 MS. KOLUPANOWICH: At this time we'll go
14 back to the business administrator's report because
15 I think we have a resolution M.

16 MR. HOLLIDAY: As indicated, item M
17 resolution entitled December 11, 2007, bond
18 referendum, special school election. Inasmuch as I
19 would like to read the entire four- or five-page
20 resolution, I will read only that extract as is
21 required.

22 "Notice is hereby given to the legal
23 voters of the school district of the Township of
24 Monroe in the County of Middlesex, New Jersey, that
25 a special school election of the legal voters of the

1 school district will be held on Tuesday, the 11th
2 day of December, 2007, at 7 o'clock a.m. The polls
3 will remain open until 9 o'clock p.m. and as much
4 longer as may be necessary to permit all the legal
5 voters then present to vote and cast their ballots.
6 Election will be held and all the legal voters of
7 the school district will vote at the respective
8 polling places as stated. At the said election
9 there will be submitted the following proposal:

10 "The Board of Education of the Township
11 of Monroe in the County of Middlesex, New Jersey, is
12 authorized to undertake as a capital project for
13 lawful school purposes the following:

14 "A. The additional cost necessary for
15 the construction of a new Monroe high school as
16 previously approved by the voters of the Township of
17 Monroe in December 2003, including any necessary
18 improvements, upgrades, equipment, furniture, and
19 site work.

20 "B, to expend for such additional cost
21 of the aforesaid purposes, including incidental
22 expenses the additional sum

23 (End of tape 2)

24 \$41,900,000. The project has previously
25 been approved for a \$15,244,658 grant from the State

1 of New Jersey. The additional cost for the project
2 is not eligible for further state support."

3 Madam Board President, that completes
4 reading of that portion of the resolution. Members
5 of the public do have the entire body of the
6 resolution in the agenda.

7 MS. LEONARD: Motion.

8 MR. HOMOKI: Second.

9 MS. KOLUPANOWICH: Miss Leonard and Mr.
10 Homoki.

11 MR. HOLLIDAY: I'm going to repeat that
12 back. That's Miss Leonard and Mr. Homoki in terms
13 of the bond referendum.

14 Madam Board President, if you will allow
15 me now that we have a motion on the floor to just
16 slightly elaborate some additional facts that are
17 not contained in the resolution.

18 MS. KOLUPANOWICH: Yes, Mr. Holliday.

19 MR. HOLLIDAY: Thank you Madam Board
20 President. As indicated, the purpose of this bond
21 referendum is for the additional cost related to the
22 proposed new high school. The principal amount is
23 \$41,900,000. The maturity is 30 years. It is based
24 on a net interest rate of 4.25 percent. The average
25 tax impact per \$100 of assessed value is .0299

1 cents. The average tax impact on a home assessed is
2 not market value but assessed at \$175,000, therefore,
3 would be \$52.33. I emphasize that this analysis was
4 done on a net interest rate of 4.25 percent. That
5 interest rate was as of September 14, 2007,
6 comparing bonds that were sold in the marketplace
7 that were similar to ours. You may or may not know
8 that the federal reserves open market committee will
9 likewise be meeting in October and December of 2007.
10 Certainly, you will recently recall just about a
11 week or so ago that the fed made one of the most
12 drastic moves in recent history in both terms of the
13 discount rate and the fed funds rate; therefore, I
14 am comfortable in presenting to this Board of
15 Education the 4.25 percent projected interest rate
16 based on the fact that the fed -- and I am repeating
17 myself -- will be meeting again, the Federal Reserve
18 that is -- will be meeting in October and December,
19 and most economists feel that the Board of Governors
20 of the Federal Reserve will likewise be reducing
21 interest rates again in both October and December.

22 Madam Board President, that completes
23 the additional information that I wanted to provide.

24 MS. KOLUPANOWICH: I'll open it up to
25 the Board for any questions or comments. Mr. Busch.

1 MR. BUSCH: Just to remind the Board, in
2 my earlier statement I indicated because this
3 involves a bond, it requires the affirmative vote
4 for passage of the majority of the full membership,
5 which would be six affirmative votes or more.

6 MS. KOLUPANOWICH: Questions, comments?
7 Miss Ostrager.

8 MS. OSTRAGER: Last week or last meeting
9 when we decided on the \$41.9 million, could you
10 remind me on the date we were expecting to be able
11 to go out to bid and the date that we were expecting
12 to be able to begin construction and that would be
13 enough money.

14 DR. FERRIE: I believe we said bid,
15 March; construction, late summer, mid to late
16 summer, late summer, early fall.

17 MS. OSTRAGER: Now, is --

18 MS. KOLUPANOWICH: Miss Ostrager.

19 MS. OSTRAGER: -- my understanding that
20 in order to be able to go out to bid on the
21 particular project as we are currently planning on
22 building it, we need release of the entire 35 acres;
23 is that correct?

24 DR. FERRIE: Yes.

25 MS. KOLUPANOWICH: To go out or -- to go

1 out to bid.

2 MS. OSTRAGER: Or to be able to go out
3 to bid on the current project.

4 DR. FERRIE: Jim, is that true? I don't
5 know the answer to that. Jim, I don't know the
6 answer to that. I'm sorry. I'm going to have to
7 defer to the architect and Mr. Busch. They may need
8 to collaborate.

9 MR. MORTON: I really can't answer that.
10 That's a legal question.

11 MR. HOLLIDAY: Mr. Morton, could you
12 please state your name.

13 MR. MORTON: Jim Morton, Design Ideas
14 Group. I really don't -- I don't know that I can
15 answer that question.

16 MR. BUSCH: I don't mean to punt on
17 this, but --

18 MS. KOLUPANOWICH: Mr. Busch.

19 MR. BUSCH: I understand where Mrs.
20 Ostrager is coming from in terms of the Phase 3 and
21 in terms of getting clearance of the restrictions
22 from the 3.6 acres I guess it is. We can certainly
23 go forward with the referendum if we have title to
24 31.4 acres. We can certainly I would think prepare
25 and the bid specifications will be prepared. I

1 think the bidders are going to want to make sure
2 that if they're working on any portion of the
3 3.6 acres that they'll have access to it so I can't
4 give you a black and white answer to the question.
5 I can't tell you how long it will take for the
6 3.6 acres to be free of all restrictions. I just
7 can't tell you that. I don't know.

8 MS. KOLUPANOWICH: Miss Ostrager.

9 MS. OSTRAGER: The DEP has stated in two
10 letters, one dated September 7 and one dated
11 September 10, that the restrictions, the earliest
12 that the restrictions would be released, and we're
13 looking best case, that they are released, and let's
14 be positive, okay, that they would not consider
15 releasing the restrictions on the 3.6 until after
16 the Phase 3 is complete; is that the way everybody
17 else has read that letter? Yes.

18 MS. KOLUPANOWICH: Dr. Ferrie.

19 DR. FERRIE: However, there are issues.
20 Early fall, who knows, the ground could stay frozen.
21 These are issues that no one could answer in terms
22 of when a Phase 3 can be initiated. If there is an
23 early thaw and the referendum is successful in
24 December, I don't see any reason why the Phase 3
25 can't be initiated immediately, if there is not a

1 severe winter.

2 MS. OSTRAGER: Peg --

3 MS. KOLUPANOWICH: Miss Ostrager.

4 MS. OSTRAGER: Peg Schaffer in a
5 response to Amy Cradic, her letter dated September
6 20, indicated that the Phase 3 would not be
7 completed until well into 2008; is that correct?

8 Does anybody happen to have that letter with them?

9 MR. BUSCH: I have the letter with me.

10 MS. OSTRAGER: What date does she have
11 on there?

12 MR. BUSCH: I don't see that date, but
13 if you --

14 MS. OSTRAGER: The September --

15 MR. BUSCH: Excuse me, Mrs.

16 Kolupanowich, I mean to go through you.

17 MS. KOLUPANOWICH: Mr. Busch.

18 MR. BUSCH: The letter states that the
19 final Phase 2 would be completed by November 30,
20 2007. I don't see as --

21 MS. OSTRAGER: And the line just below.

22 MS. KOLUPANOWICH: Miss Ostrager.

23 MS. OSTRAGER: Just below there has the
24 final Phase 3, I believe.

25 MR. BUSCH: No, just below that it says

1 monitoring report within 3 months of the completion
2 of construction or by December 31, 2010, whichever
3 is earlier. That's completion of construction. As
4 I'm skimming the letter, Mrs. Ostrager, I do not see
5 the date that you're referring to. I'm happy to
6 give you my copy of the letter to look at if you
7 want to. I don't see that date.

8 MS. KOLUPANOWICH: Anyone else? Okay.
9 If there's no further comments or discussion, then
10 we will have a roll call on the resolution M.

11 MR. HOLLIDAY: Mr. Leary.

12 MR. LEARY: Yes.

13 MR. HOLLIDAY: Mr. Tessler.

14 MR. TESSLER: Yes.

15 MR. HOLLIDAY: Mr. Kaufman.

16 MR. KAUFMAN: Yes.

17 MR. HOLLIDAY: Miss Leonard.

18 MS. LEONARD: Yes.

19 MR. HOLLIDAY: Miss Ostrager.

20 MS. OSTRAGER: No.

21 MR. HOLLIDAY: Miss Faraone.

22 MS. FARAONE: Yes.

23 MR. HOLLIDAY: Mr. Braverman.

24 MR. BRAVERMAN: Yes.

25 MR. HOLLIDAY: Miss Antelis.

1 MS. ANTELIS: Yes.

2 MR. HOLLIDAY: Mr. Homoki.

3 MR. HOMOKI: Yes.

4 MR. HOLLIDAY: Miss Kolupanowich.

5 MS. KOLUPANOWICH: Yes.

6 MR. HOLLIDAY: Madam Board President,
7 the motion has passed to proceed with a special
8 school election for a bond referendum on December
9 11, 2007. Madam Board President, that completes the
10 business administrator's report.

11 MS. KOLUPANOWICH: Motion to accept the
12 report.

13 MS. ANTELIS: Second.

14 MS. KOLUPANOWICH: Mr. Kaufman, Miss
15 Antelis.

16 MR. HOLLIDAY: So noted.

17 MS. KOLUPANOWICH: All in favor?
18 Opposed? Abstentions? Motion is carried, and at
19 this time we will go to our student Board members
20 and their reports.

21 (Transcript part 2)

22 MS. KOLUPANOWICH: At this time we will
23 go to committee reports. Curriculum, co-curriculum,
24 activities, athletics, Patrice.

25 MS. FARAONE: No report.

1 MS. KOLUPANOWICH: Finance, buildings
2 and grounds, transportation, Joe.

3 MR. HOMOKI: Just a couple items. About
4 10 days ago, Saturday morning, we had our New Jersey
5 School Boards legislative meeting again, and you
6 know, it's so easy for the legislators to pass laws.
7 It's another story to implement and carry out all
8 the things. Prime example, the super
9 superintendent. That law was passed supposed to
10 have taken effect actually this month, and they just
11 don't have enough people to fill the post, and I
12 gave a report on that, because of the salary. The
13 other thing is the feeling of the leadership of New
14 Jersey School Boards is that nothing is going to
15 happen until after the election so all issues are up
16 in the air, and nothing, no decisions will be made
17 until after the election.

18 One news that you may already know,
19 Edwina Lee, who is the executive director of New
20 Jersey School Boards Association is retiring. There
21 will be a reception for her this coming Tuesday in
22 Trenton. If you're interested in going, go to the
23 web site. Gives you all the information. It's at
24 the War Memorial I believe.

25 That's the end of the report.

1 MS. KOLUPANOWICH: Okay. Thank you,
2 Joe. New high school action committee, Amy.

3 MS. ANTELIS: Yes, we were going to meet
4 tomorrow, but because of so many conflicts, we're
5 going to be meeting next Wednesday, October 3, 5
6 p.m. at Brookside School. Oh, okay, they told me 5
7 today. I think it was set for 5.

8 MS. KOLUPANOWICH: We'll let them know
9 on the web site. Community relations, Ira.

10 MR. TESSLER: Yes, we had a meeting on
11 September 17. Wasn't a big turn-out, but we had
12 some PTO representatives, library representatives
13 attending. We had a high school PTO representative.
14 A lot of things were covered by the student Board
15 member's report, but also wanted to mention that
16 they're going to be hosting practice tests for the
17 PSAT's, SAT's, and they're going to be having a yard
18 sale on October 27 in the high school parking lot
19 that the town can participate in.

20 The elementary school PTO's didn't have
21 anything to report because schools just started.
22 The library mentioned about their planned expansion
23 that's coming up, and they hope to include a coffee
24 bar in the back of the building.

25 We also talked with the administration

1 about moving American Education Week where the
2 seniors can get to visit schools, and we talked
3 about to moving that to October so there's a better
4 opportunity for them to do so.

5 And also we mentioned trying to
6 brainstorm for our next meeting to talk about how we
7 can reach out to the community to help get our
8 referendum passed this December.

9 Our next meeting will be at the library
10 on October 18 at noon. Thank you.

11 MS. KOLUPANOWICH: Any questions for
12 Ira? We will go to policy, Marv.

13 MR. BRAVERMAN: We met September 17 and
14 discussed intervention -- both policies and rules of
15 the subjects, intervention and referral services,
16 administration of medication, harassment,
17 intimidation and bullying, substance abuse,
18 reporting violence, vandalism and alcohol and other
19 drug abuse, and pupil supervision after dismissal.
20 We also briefly discussed the use of school
21 equipment, adult school curriculum, and the use of
22 the building for profit, as well as coming up with a
23 policy for naming schools and rooms as we have now,
24 and we spoke briefly about putting the policies on
25 the web site.

1 MS. KOLUPANOWICH: Any questions for
2 Marv? Thank you. Technology, Lew.

3 MR. KAUFMAN: Yes. We had a meeting
4 this evening. A couple of items that were talked
5 about were the global connect databases and how
6 administration is considering taking the data
7 repository now that we have that contains a lot of
8 information and breaking it up into multiple
9 databases so that we can selectively pick and choose
10 an efficient manner to disseminate information based
11 on a wide range of topics, whether it be an early
12 dismissal or bus scheduling change or whatever the
13 administration feels it needs to segregate. So
14 we're looking at the possibility of creating
15 multiple databases or creating some type of utility
16 to be able to break up this information and process
17 it in an effective manner.

18 We also discussed the conversion of the
19 district off the Macintosh platform to the PC.
20 Everything is going very well. When all complete,
21 we will have one and only one school remaining on
22 the PC platform -- I mean on Mac platform -- and
23 that will be Barclay Brook, and, hopefully, with all
24 the budgetary constraints that we have, we can move
25 forward hopefully this coming budget cycle to

1 expedite the conversion of that school off the Mac
2 platform and create a truly PC-centric district.

3 We also talked about the information
4 that Marvin had just mentioned about putting some of
5 the policy information up on the web site, and that
6 sparked a rather lively debate, which we decided to
7 bring before the whole Board to talk about this
8 evening, which is the dissemination of information
9 from our web site or from any resource really within
10 the Board of Education in an electronic format out
11 to the public. Some of the topics were discussed in
12 the evening tonight were do we push for a standard
13 format with respect to giving out information.
14 There was debate on whether or not we should give
15 out information in a Word format or another type of
16 format, and just to kind of level set everybody on
17 the Board, because we do want to have a discussion
18 about what we should consider moving forward, the
19 two main topics what we talked about were do we put
20 things out in a Word format or do we put those
21 things out in an Adobe format.

22 Now, just so that everybody understands,
23 the difference is if we put out information in a
24 Word format, that would mean that any receiver of
25 the electronic information has full edit

1 capabilities of the document that they have just
2 received. They can go into it, they can change it,
3 they can do whatever they want, add, delete,
4 whatever they would like to do.

5 , A more industry standard format of
6 sending out public information or information that
7 is deemed to be of a standard format or in this case
8 a legal type of format would be to disseminate
9 information in an Adobe format. That allows us to
10 be able to fundamentally lock the document so that
11 you can't easily go into the document and edit it.
12 So what we would like to do tonight is open it up to
13 the Board to discuss what your feelings are, what
14 your position is, and then we can discuss how we
15 would like to either set a standard, possibly send
16 it back to policy committee to talk about, you know,
17 do we develop a policy that stands for anything that
18 goes out, whether it's disseminated electronically
19 through the internet or if it's e-mailed back and
20 forth. I personally believe a standard should be
21 set so that we can make sure that when we do
22 disseminate information it does go out in a business
23 type of, you know, a normal operating business
24 format, which is accepted to be Adobe.

25 I open it up to --

1 MS. KOLUPANOWICH: Mr. Kaufman, before
2 we have discussion, could you put that into maybe a
3 shorter motion.

4 MR. KAUFMAN: Oh, sure. I will --
5 sorry. I'd like to move that we open discussions on
6 setting a standard for a disseminating electronic
7 information from the Board of Education.

8 MS. ANTELIS: Second.

9 MS. KOLUPANOWICH: Second by Miss
10 Antelis. Open for discussion by Board members. Mr.
11 Tessler.

12 MR. TESSLER: I agree we should move to
13 a standard. PDF is a good format for distributing
14 read-only information, but there are tools out there
15 that you can use actually to edit and change a PDF.
16 What I suggest is maybe our technology department
17 researching a little further because I know there
18 are ways that you can digitally sign with a
19 certificate a PDF file so if it is altered, that
20 certificate will be corrupt, and when somebody pulls
21 it up, they'll know it's been changed and it's not
22 authentic. It's basically putting -- it's like
23 signing a document. It's your signature, but it's
24 digitally and something maybe the technology
25 department can look into. If I recall, it's very

1 inexpensive to do. Digital certificates for
2 personal certificates are 20, \$30 or something like
3 that, and it could be -- the document can be signed
4 by Wayne digitally so we know or whoever, just as an
5 example, so we know that this PDF wasn't altered,
6 because there are tools out there that you can alter
7 a PDF to. So that would give another little
8 protection, and it's not expensive to do and just
9 something to look into.

10 MS. KOLUPANOWICH: Miss Antelis.

11 MS. ANTELIS: Working for a police
12 department, I know that security when it comes to
13 computers and information is one of the most
14 important things right now, and I would hate to see
15 any of our documents go out to the public and have
16 been altered by someone so I think that we need to
17 secure them the best that we can so I also would
18 suggest that we go with an Adobe format on anything
19 that's going to be disseminated out of the Board
20 office.

21 MS. KOLUPANOWICH: Mr. Busch.

22 MR. BUSCH: This is going to take more
23 than a minute if I can just put a little more
24 information before the Board. A member of the
25 public on September 5 of this year wrote to Wayne

1 and asked for the policy manual and the closed
2 session minutes for the year 2007, and, basically,
3 what he said is: "I request that both of these
4 items be e-mailed to me at such and such address as
5 computer readable files such as word processing
6 files." The person is John Paff, who has been a
7 name that some of you may recognize with the Board.
8 Wayne and I redacted, which is blotting out the
9 technical and personnel issue from the closed
10 sessions where there were things ongoing. We were
11 very forthcoming in things that were resolved, but
12 for employees, for example, or students, we blotted
13 out their names, and Wayne sent a letter with my
14 assisting him on September 14. Mr. Paff, the person
15 involved, objected because what we had done for the
16 closed session minutes in order to preserve the
17 integrity that everyone is talking about, Lew and
18 Ira and Amy, we did it as scanned files that could
19 not be changed, and we sent it in that form. We
20 also told Mr. Paff that currently the policy manual
21 is not maintained in such a way that it's available
22 to the public on the internet. He objected. He
23 cited the law, and he quoted it correctly, and I
24 just want to make sure you know it, and he said:
25 "My request specifically asked for both the closed

1 session minutes and the Board's policy manual to be
2 e-mailed to me as computer readable files such as
3 word processing files... Instead of e-mailing me
4 computer readable files of the minutes, you e-mailed
5 me scans of paper copies, and instead of e-mailing
6 computer readable files of the Board's policy
7 manual, you informed me that it would be available
8 for public review." And then he cites a statute.

9 And as the Board continues to study
10 this, I think you really ought to know briefly, and
11 I'll try not to be real long about it. The statute
12 is OPRA, the Open Public Reports Act, and it says
13 that a custodian such as Wayne shall permit access
14 to a government record and provide a copy thereof in
15 the medium requested if the public agency maintains
16 the records in that medium. If the public agency
17 does not maintain the record in the medium
18 requested, the custodian shall either convert the
19 record to the medium requested or provide a copy in
20 some other meaningful medium.

21 We had thought that by scanning and by
22 making it available for an in-person review that
23 that would be a meaningful medium. Mr. Paff does
24 not agree with that, and if you need more time, the
25 statutes and the case law say you can ask for an

1 extension of time; otherwise, you have to provide it
2 within 7 days. Mr. Paff objected after his letter
3 of September 14. We wrote back to him on the 17th
4 and stated that the policy manual is not routinely
5 used, developed, or maintained by the Board in the
6 medium that he's requesting. The language was not a
7 coincidence. We distilled that from case law as to
8 where public entities have been successful, and we
9 said that a substantial amount of programming and
10 reformatting time would be necessary, and Wayne and
11 I went through the dates and numbers with Dr.
12 Ferrie, and we felt that by January 31, 2008, all of
13 the studying could be complete and we could get it
14 out there in a uniform either Adobe or some other
15 form.

16 Late at night on the 21st, which I think
17 was last Friday night, I got an e-mail thanking us,
18 saying that he much prefers to possess the minutes
19 in a format such as a word processing file instead
20 of paper scans. Wayne touched base with Bill
21 Wetherill, our tech person, who felt that even if we
22 redacted, even if Wayne did it in his office, there
23 might be clever hackers who could work their way
24 into -- and not casting aspersions on any
25 individuals -- might work their ways into these

1 files. So the gentleman, Mr. Paff, objected. He
2 wants the policy manual on internet formats so that
3 he can scan words, and he gave an example, for
4 example, if I wanted to find Dr. Ferrie, I can just
5 do that and find his name throughout. That's a lot
6 easier than coming in in person. So he's rejected
7 -- he originally gave us a deadline of last Friday
8 night. He's now saying that if we don't respond to
9 him by this Friday night positively with what he
10 wants that we should expect litigation.

11 I just want that to be out there. I'm
12 not trying to influence your decision, but I just
13 thought you ought to know that before you make any
14 final decisions, and you may decide to study it
15 further. Thank you.

16 MS. KOLUPANOWICH: Mr. Leary, did you
17 have a comment?

18 MR. LEARY: My comment is I'm concerned
19 that, as we discussed at the technology committee
20 meeting, when we look at this, Mr. Paff could wind
21 up being a distribution point for those documents
22 rather than have Wayne Holliday, who is the official
23 point of distribution, and this could lead to mass
24 confusion, and, as has been brought out by Amy and
25 Ira and Lew, these documents with clever lads can be

1 altered, and we could wind up with corrupted
2 documents being distributed.

3 MS. KOLUPANOWICH: Mr. Kaufman.

4 MR. KAUFMAN: Yes, Bert, just to clarify
5 something, in the first couple of letters that you
6 got from Mr. Paff, you said that he would like the
7 documents in a word processing format or other
8 computer readable format; is that correct?

9 MR. BUSCH: Yes.

10 MR. KAUFMAN: Well, Adobe is a computer
11 readable format. It is not a scanned version. So
12 that would fall within the confines of his original
13 letter so that would meet his requirement.

14 MR. BUSCH: But not within the time
15 period that he wants it.

16 MS. KOLUPANOWICH: Mr. Busch.

17 MR. BUSCH: I'm sorry, Mrs.
18 Kolupanowich. As I said, 7 business days is what
19 the statute provides. You can ask for an extension
20 of time if you need more time to reformat. If we're
21 in the process of reformatting, then I will tell him
22 that, but I just thought you ought to know -- yes,
23 Adobe would meet his request, but we don't have it
24 in Adobe by this Friday night.

25 MS. KOLUPANOWICH: Miss Ostrager.

1 MS. OSTRAGER: We currently have it in a
2 word document; is that correct? Mr. Holliday,
3 during the committee meeting today says that he has
4 the entire policy manual in the word document; is
5 that correct? You said that wasn't really clean,
6 but it's in the word document.

7 MR. HOLLIDAY: This is Wayne Holliday
8 speaking. As the Board knows, we contract with
9 Strauss Esmay to be able to provide the Board of
10 Education with policy alerts and for the policy
11 committee to review policies and for the Board of
12 Education to adopt policies and/or revise said
13 policies. Those policies are not currently stored
14 by Strauss Esmay in Microsoft Word format; however,
15 when I had dialogue with representatives from
16 Strauss Esmay, they had indicated that they could
17 convert those files to Microsoft Word files and
18 e-mail me said files. I am in possession of the
19 policies in Microsoft Word format. They are not in
20 a user friendly format. They are merely a host of
21 Word documents which represents the Board's policy.

22 MS. KOLUPANOWICH: Mr. Kaufman.

23 MR. KAUFMAN: Wayne, the stuff that we
24 have -- that you said Strauss Esmay converted their
25 stuff into Word format. What is it -- what format

1 is it in at Strauss Esmay?

2 MR. HOLLIDAY: Mr. Kaufman, with all
3 honesty, I cannot answer that question because I do
4 not know how Strauss Esmay maintains their files. I
5 will speculate, however, though, because each -- I
6 have a user name and a password that can access the
7 Strauss Esmay -- the district's policies that are
8 housed or hosted by Strauss Esmay server. I can
9 only read those documents. I cannot change those
10 documents anyway, and, therefore, I would speculate
11 that they are in a PDF format housed by Strauss
12 Esmay.

13 MR. KAUFMAN: My question then is -- I'm
14 sorry -- my question then is when you log into their
15 site to pull up our information, is it in PDF
16 format?

17 MR. HOLLIDAY: I speculate that it is in
18 PDF format. It is certainly not in Word format.

19 MR. KAUFMAN: Then my other question
20 would be since it appears as though the original
21 source material is in PDF format from our vendor, it
22 would appear to me that it would be a very easy do
23 to be able to get those source documents in PDF
24 format to get it to this individual to meet the
25 requirements by Friday. It's a file copy thing.

1 MR. BUSCH: We would have to print the
2 entire policy manual, which is 1,500 pages.

3 MR. KAUFMAN: Why would you print it?
4 It's electronic.

5 MR. BUSCH: Oh, no, in terms of
6 forwarding it to him in a PDF file?

7 MR. HOLLIDAY: At this point in time, I
8 would not know if they would be able to, either.

9 MR. KAUFMAN: Well, it seems to me that
10 we need to be able to do whatever we need to do to
11 protect the integrity of our documents, all of them,
12 whether it's the policy document, whether it's this
13 little piece of paper. So I believe that this Board
14 should take whatever it has to do to be very
15 proactive to make sure that we protect our documents
16 and secure them to the best of our ability.

17 MR. HOMOKI: Madam President.

18 MS. KOLUPANOWICH: Mr. Homoki.

19 MR. HOMOKI: A question of Mr. Busch.
20 Is this a reasonable request based on what we have?

21 MR. BUSCH: I think that's the ultimate
22 question --

23 MS. KOLUPANOWICH: Mr. Busch.

24 MR. BUSCH: I'm sorry, Mrs.
25 Kolupanowich. That would be the ultimate question,

1 and I think it's related to other Board members' and
2 Wayne's comment. To the extent that we can maintain
3 the integrity of our documents and make sure that
4 they don't get changed and then possibly lead to
5 confusion out there in the community, we've got to
6 send them in a form that can't be changed. On the
7 other hand, if we have, as I think it was suggested,
8 something that could be sent out in word processing
9 form, we can do it, and if they get distorted, Wayne
10 has the originals. No one I don't think can hack
11 into our originals. They will never be changed.
12 Someone out there could create mischief, and we
13 would have to deal with it, but no one's going to
14 change our original documents. So is it reasonable
15 to have it in a word processing form? I think it
16 is, and where it says in the statute that you have
17 to provide it in the medium requested and if it's
18 not kept in that medium, you know, ask for time. If
19 there's a cost involved, ask for money. We asked
20 for time until January 31. That's been rejected.

21 MS. KOLUPANOWICH: Anyone else? Miss
22 Ostrager.

23 MS. OSTRAGER: That seems to me that we
24 should be able to meet this OPRA request and still
25 follow the keeping everything in the PDF as Mr.

1 Kaufman had made the motion for. If we currently
2 have in our possession this entire policy manual in
3 a word document on a computer in the administration
4 building, whether or not it looks pretty, you could
5 just go print to a file and it creates a PDF. It
6 may take a while, but you don't have to sit there.
7 It just does it on its own. You could do it
8 overnight and just e-mail that to him in a compress.
9 He'll get it. It may not be pretty, but it seems
10 like it would meet the requirements of the OPRA
11 request and at the same time provide the security
12 measures that Mr. Kaufman's motion was seeking. So
13 I don't understand why it's a problem.

14 MS. KOLUPANOWICH: Anyone else?

15 MR. BUSCH: I would --

16 MS. KOLUPANOWICH: Mr. Busch.

17 MR. BUSCH: -- follow up on that
18 question. One of the criteria in a public agency is
19 the extent to which an office staff would have a
20 disruption in its daily work. Does anyone know how
21 much time it would take to send this off in it's,
22 Rita's words, not pretty form? Would it be
23 something that would take time to do?

24 MS. OSTRAGER: At the end of the day --

25 MS. KOLUPANOWICH: Miss Ostrager.

1 MR. BUSCH: No, I'm asking Wayne.

2 MR. HOLLIDAY: Currently, as I had
3 mentioned before, Strauss Esmay did indeed transfer
4 the files related to the Board's policy in Microsoft
5 Word format. Picking up on what Miss Ostrager has
6 just mentioned, could we convert those Microsoft
7 Word files into a secure medium such as a PDF, the
8 answer is yes. For the most part, all of us know
9 that. The length of time that that would require I
10 would not be able to even speculate on. I can tell
11 you that the policy manual is in three extremely
12 large binders. I can also tell you that it's
13 approximately 1,500 pages. So I would have to
14 consult with staff in our technology department in
15 regard to the length of time to convert those
16 Microsoft Word files into a PDF format.

17 MS. KOLUPANOWICH: Anyone else? Mr.
18 Tessler.

19 MR. TESSLER: Just a quick question. Is
20 it one file with 1,500 pages, or is it 20 or 30 Word
21 files? Do you remember? Is it one big Word file,
22 one file, or is it like 20 Word files?

23 MR. HOLLIDAY: I opened the file when it
24 was sent to me, and it was designated as one file,
25 one Microsoft Word file. I opened the said file,

1 and I just continually scrolled through it, and I
2 was able to -- just so that I could check, I was
3 able to make a change.

4 MR. KAUFMAN: I have a suggestion here
5 to hopefully --

6 MS. KOLUPANOWICH: Mr. Kaufman.

7 MR. KAUFMAN: -- expedite this process
8 maybe a little bit. I suggest a couple things.
9 First is if we can get original Adobe documents from
10 our vendor on possibly a CD to be able to be shipped
11 to this individual to meet that requirement by
12 Friday, that's option number 1. If that can't be
13 done, if you have one document that has the entire
14 Board policy on it, you can very easily save that to
15 a PDF document. It will take maybe -- because it's
16 really, really big, it may take a few minutes to
17 save it, but once that document's been generated,
18 take that one document and e-mail it off to the
19 individual. My whole thing here is we should not be
20 releasing any documents from this Board of Education
21 in an editable format without doing our diligence.
22 That to me is a bad idea to protect our documents.
23 Create the PDF. It has taken us longer to talk
24 about this than if I had a lap top I could have done
25 it. So let's just create the document, send it off

1 in the PDF document. We'll protect our stuff.
2 We'll set a policy to set up a standard on how we
3 disseminate electronic information, and then we can
4 make everybody happy.

5 MS. KOLUPANOWICH: Mr. Tessler.

6 MR. TESSLER: Yeah, just real quick, I
7 agree. You can do in Word, you can do file print to
8 your Adobe printer and just let it go and even do it
9 overnight or whatever. If it takes 10, 15 minutes
10 an hour, it's just one document/ you don't have to
11 be there. So I agree with Lew. Let's do that and
12 appease, you know, fill the OPRA requirement.

13 MS. KOLUPANOWICH: Anyone else? Mr.
14 Busch.

15 MR. BUSCH: Mrs. Kolupanowich. My take
16 on what Lew just said without having anywhere near
17 the knowledge that he does about technology is it
18 sounds like a good solution.

19 MS. KOLUPANOWICH: Is there any other
20 questions or comments? Then I believe, Mr. Kaufman,
21 you have a motion on the floor. Could you please
22 repeat it before we vote on it?

23 MR. KAUFMAN: Sure. The motion on the
24 floor before us is that the Board of Education
25 adopts a standard for disseminating information to

1 the public in electronic format, and that format
2 should be Adobe PDF.

3 MR. LEARY: Second.

4 MS. KOLUPANOWICH: I think it's already
5 been seconded by Miss Antelis so we will have a roll
6 call.

7 MR. HOLLIDAY: Mr. Homoki.

8 MR. HOMOKI: Yes.

9 MR. HOLLIDAY: Miss Antelis.

10 MS. ANTELIS: Yes.

11 MR. HOLLIDAY: Miss Ostrager.

12 MS. OSTRAGER: Yes.

13 MR. HOLLIDAY: Mr. Braverman.

14 MR. BRAVERMAN: Yes.

15 MR. HOLLIDAY: Miss Leonard.

16 MS. LEONARD: Yes.

17 MR. HOLLIDAY: Miss Faraone.

18 MS. FARAONE: Yes.

19 MR. HOLLIDAY: Mr. Kaufman.

20 MR. KAUFMAN: Yes.

21 MR. HOLLIDAY: Mr. Tessler.

22 MR. TESSLER: Yes.

23 MR. HOLLIDAY: Mr. Leary.

24 MR. LEARY: Yes.

25 MR. HOLLIDAY: Miss Kolupanowich.

1 MS. KOLUPANOWICH: Yes.

2 MR. HOLLIDAY: Madam Board President,
3 the motion has passed.

4 MS. KOLUPANOWICH: Thank you. Does that
5 conclude your technology report?

6 MR. KAUFMAN: Yes.

7 MS. KOLUPANOWICH: Library report.

8 DR. FERRIE: The library, we'll be
9 initiating work on the library expansion very soon.
10 The -- they did report to us they're even looking
11 into a small cafe operated by the Commission of the
12 Blind I believe, and there's also some outstanding
13 activities come to the library in October
14 particularly related for our young children related
15 to the Halloween experience.

16 MS. KOLUPANOWICH: Thank you. Human
17 relations, John.

18 MR. LEARY: Yes. We were planning for
19 the forthcoming Octoberfest, which will be on
20 Sunday, October 21. The Human Relation Commission
21 will be an activity participant.

22 MS. KOLUPANOWICH: Thank you. Municipal
23 rec Board, Amy.

24 MS. ANTELIS: Unfortunately, I forgot my
25 notes. I'm sorry. I will report at the next

1 meeting. Just a note, though. Both summer camps
2 rec and Mount Sepa, were very successful, a record
3 amount of children. Fall sports are underway, and
4 the Octoberfest will be next month.

5 MS. KOLUPANOWICH: Thank you. Jamesburg
6 Board of Education, Patrice.

7 MS. FARAONE: I did go out and thank
8 Courtney for including us in her project. She did
9 come to the Board meeting, present, and we were very
10 appreciative, and I think it was a wonderful
11 endeavor, and the kids do love it. I don't have a
12 student there anymore. My youngest is in 8th grade,
13 but she did go over, and she just doesn't usually
14 get too excited about school work, but she was very
15 exited about that map, so thank her for that.

16 Our next Board meeting is next Thursday
17 October -- October 4.

18 MS. KOLUPANOWICH: Thank you. Middlesex
19 Regional Ed Services Commission, John.

20 MR. LEARY: Yes, we had our Board of
21 Directors meeting on Friday, the 21, and several
22 things happened. First, we recognized Mayor Kennedy
23 O'Brien of Sayreville for his strong support for the
24 new autism and multiply disabled school and both
25 construction projects. The New View Academy and the

1 Sayreville School are on schedule. I'm happy to
2 report that. And finally, on Friday in the Home
3 News Tribune there was an article on special
4 education, and there was extensive quotations from
5 Mark Finkelstein.

6 MS. KOLUPANOWICH: Thank you. Okay.
7 That includes our Board reports. We will go on to
8 number 14. Is there any other business from any
9 member of the Board of Education? Patrice.

10 MS. FARAONE: I'm sorry Mr. Goodall
11 left. I did want to comment to him and his staff
12 for a wonderful back to school night. The block
13 scheduling is -- it was actually seeing twice as
14 many teachers for some parents, and I thought it
15 went very well, and if you didn't have a map or a
16 schedule, there were teachers and staff and students
17 everywhere to answer any questions, and it seemed to
18 go over extremely well, and everyone seemed to be
19 very impressed with the whole process, so thanks to
20 Dr. Ferrie and Dr. Tienken and Mr. Goodall and his
21 staff.

22 MS. KOLUPANOWICH: Thank you. Mr.
23 Braverman.

24 MR. BRAVERMAN: Yes. I guess this
25 question is for you. Will we -- will other

1 consulting firms be presenting to the Board?

2 DR. FERRIE: We have been working with
3 Boyer & Sandler so I think we know their work so we
4 had this consulting firm. If you like us to bring
5 another, there are not too many players out there.
6 There was one who worked with us years ago on that
7 first referendum, as you recall. So they're the
8 three I'm aware of in terms of, you know, those that
9 have really worked around school districts.

10 MS. KOLUPANOWICH: Mr. Braverman.

11 MR. BRAVERMAN: Just curious.

12 MS. KOLUPANOWICH: Anyone else? Dr.
13 Ferrie.

14 DR. FERRIE: I'm going to have to
15 recommend to the Board that on the next Board
16 meeting, the 16th -- number 16, Board meeting on
17 October 17, if we can change that time to 5 p.m. to
18 interview the two final candidates for the
19 principal's position at Brookside.

20 MS. ANTELIS: Do you need a motion?
21 I'll make a motion.

22 MS. KOLUPANOWICH: Okay.

23 MR. KAUFMAN: Second.

24 MS. KOLUPANOWICH: Motion by Miss
25 Antelis, second by Mr. Kaufman to change --

1 (End of tape 3)

2 -- the time for our Board meeting to
3 5 o'clock on October 17. Any questions?

4 DR. FERRIE: Just for the benefit of the
5 public, we'll be opening the meeting at 5 like we
6 did previously and then be -- like we did previously
7 another time, spending about 2 and a half hours
8 interviewing candidates for the position. So we
9 probably won't come back out here until sometime
10 between 7:30 and quarter to 8.

11 MS. KOLUPANOWICH: May we have a roll
12 call, Mr. Holliday? Or do we -- all in favor?
13 Opposed? Abstention? Then motion is carried.

14 And we will go back to number 14, any
15 other business from members of the Board of
16 Education, and if there isn't, we will go to the
17 public forum, and, again, anyone from the public
18 wishing to speak, please come to the microphone,
19 state your name and address for the record.

20 MR. GILBERT: Good evening. Frank
21 Gilbert, 59A Winthrop. I may have come in a little
22 late so if I ask questions about what happened. Has
23 the township deeded all 35 acres to the Board of
24 Education?

25 MS. KOLUPANOWICH: Mr. Busch.

1 MR. BUSCH: No, not yet. You were not
2 here I guess when we gave our report at the
3 beginning maybe. I am told that DEP within a short
4 period of time -- and I think Rita Ostrager also
5 found that -- was going to release the conditions on
6 the 31.4 acres. Restrictions will remain on
7 3.6 acres. Once that happens, the county, which is
8 the title owner, will convey, and I'm not sure
9 they'll convey all 35 acres, but I think they will,
10 subject to the conditions on the 3.6 acres to the
11 township. The township and the county have an
12 interlocal agreement in place from August 15 of this
13 year saying that upon that happening, the township
14 will then convey title to whatever it gets to the
15 Board of Education, and the Board tonight adopted a
16 resolution accepting that.

17 MR. GILBERT: In the interim, when you
18 go out for a bond referendum, can you go out for the
19 whole thing, for the 35 acres, or just for the
20 31.6 acres?

21 MR. BUSCH: The referendum is to build
22 something. The 35 acres are not part of the cost of
23 that.

24 MR. GILBERT: Could you tell me what
25 would be left out if you only built on the

1 31.6 acres?

2 MR. BUSCH: I think you must not have
3 been here. Dr. Ferrie --

4 MR. GILBERT: No, I wasn't here. I'm
5 sorry.

6 MR. BUSCH: Dr. Ferrie addressed that
7 briefly.

8 DR. FERRIE: Right now we're planning on
9 moving forward with the goal of having the 35 acres
10 after the Phase 3 is completed. If you'd like to
11 have a detailed conversation about this, Mr.
12 Gilbert, be glad to come over to the high school.
13 Call me up when you're substituting and I'll come
14 over.

15 MR. GILBERT: Okay. You got a deal.
16 One last thing. Reading in my favorite newspaper
17 this Sunday, and the headline says sugar finds its
18 way back to the school cafeteria. You know, I have
19 a fetish about what happens with the obesity
20 problems in this world today. I wonder how we're
21 treating the cafeteria meals in view of the current
22 policy.

23 MR. HOLLIDAY: Good evening, Mr.
24 Gilbert. This is Wayne Holliday speaking. The
25 State of New Jersey a number of years ago

1 implemented a program to prevent child obesity. The
2 Monroe Township Board of Education adopted a policy
3 in June of 2006, well in advance of the required
4 date of having a wellness nutrition policy in place
5 by September of 2007. We adopted or the Board of
6 Education adopted that policy so that we could start
7 to transition into the state mandated requirements
8 as proclaimed by the Child Nutrition Division of
9 the Department of Agriculture for the State of New
10 Jersey. At this point in time, we've had an audit
11 even by the Child Nutrition Program officials. We
12 are in full compliance with the wellness policy as
13 proclaimed by the State of New Jersey, especially
14 in terms of sugar.

15 MR. GILBERT: Thank you very much.

16 MS. KOLUPANOWICH: Anyone else?

17 MS. ARMINIO: Michelle Arminio, 9
18 Nathaniel Street in Monroe. Okay. The -- my first
19 question is the new survey for the 35 acres, who is
20 doing that? Township?

21 MS. KOLUPANOWICH: Yes, the township is
22 doing that.

23 MS. ARMINIO: Is that Ernie Feist's
24 office?

25 MS. KOLUPANOWICH: I believe it is.

1 MS. ARMINIO: Okay, and what's the time
2 frame for that to be done?

3 DR. FERRIE: Mrs. Kolupanowich. I don't
4 have the answer. I just know that Miss Schaffer did
5 not have it as of today.

6 MS. ARMINIO: So there's no time frame
7 for completion of that part of the application at
8 this point.

9 DR. FERRIE: There's no time
10 requirement. I don't know, if I may, Mrs.
11 Kolupanowich, when it will be received, but it has
12 to be received.

13 MS. ARMINIO: Right, that's a condition.
14 Okay. So the survey hasn't been received yet. The
15 possibility remains, of course, that there may be
16 things found in the archeology dig, and I think I
17 can quote where you said the work -- if it's found,
18 the work in these locations shall be halted. That
19 means anywhere on the 31 acres shall be halted.

20 MS. KOLUPANOWICH: Mr. Busch.

21 MR. BUSCH: No, it means on the
22 3.6 acres in that particular area where something is
23 found. It doesn't mean that if one 18th century
24 let's just say bone is found, or brick, it doesn't
25 mean that everything comes to a halt. It means that

1 anything in the burial grounds everything comes to a
2 halt right there. It doesn't mean the whole
3 project.

4 MS. ARMINIO: Anything in any of the
5 area that is a burial ground.

6 MR. BUSCH: Well, the intense Phrase 3
7 will be in the smaller piece. It will be in the
8 3.6 acres.

9 MS. ARMINIO: Yes, but the \$825,000 that
10 we're spending on the archeologist to oversee also
11 includes overseeing the 31 acres; is that not
12 correct?

13 DR. FERRIE: That's correct.

14 MS. ARMINIO: That is correct, so if
15 they find something in that area, it could
16 conceivably halt the project; is that correct?

17 MR. BUSCH: By that area you mean the
18 31.4 acres?

19 MS. ARMINIO: That's correct.

20 MR. BUSCH: Anything's possible. I
21 can't speculate on that.

22 MS. ARMINIO: But I believe you read --
23 it said the work in these locations should be
24 halted.

25 MR. BUSCH: Yeah, the locations where

1 it's found.

2 MS. ARMINIO: Okay. And thirdly, the
3 detention basins on parcel B, clearly, they needed
4 to be put in when the school was first designed, and
5 there's been some suggestion that they're not
6 necessary now or that the construction can continue,
7 and are they necessary, and -- well, let's answer
8 that one first.

9 MS. KOLUPANOWICH: Jerry.

10 DR. FERRIE: Yes, unless you do some
11 other form of storm water management.

12 MS. ARMINIO: So if we begin the
13 building of the school in the 31 acres, let's say it
14 will take another year or so for the 3.6 acres to be
15 resolved, you know, and the construction of it
16 permitted, what will happen in the interim to the
17 necessity for the detention basins?

18 MR. BUSCH: I responded to that question
19 before about the Phase 3 archeological. The year is
20 your time line, not ours.

21 MS. ARMINIO: It's not my time line. I
22 just heard it about. Okay. Forget the year. What
23 is going to happen to the detention basins? They
24 were clearly necessary in the original plans.

25 DR. FERRIE: If the Phase 3 is completed

1 and the 3.6 acres are released, they'll be built
2 there.

3 MS. ARMINIO: And if they're not?

4 DR. FERRIE: Then we'll have to look at
5 other options. That's where the engineering comes
6 in.

7 MS. ARMINIO: Okay, and when will that
8 be addressed because that could be significant to
9 the surrounding communities. We have serious
10 flooding problems in Monroe and Jamesburg that this
11 is a high -- this is the high end of the land, and
12 everything else surrounding it is below it.

13 MS. KOLUPANOWICH: And, again, we're
14 speculating that if something happens and if it's
15 found and if and when.

16 MS. ARMINIO: Well, we're already saying
17 you're not building the detention basins right now;
18 is that correct?

19 MS. KOLUPANOWICH: We never said that.
20 We never said that.

21 MS. ARMINIO: Well, can they be built on
22 -- if you if you start construction on the --

23 MS. KOLUPANOWICH: We have to do a Phase
24 3 before we can build anything on that property.

25 MS. ARMINIO: And we don't know how long

1 the Phase 3 is going to -- is there a -- okay. Let
2 me do this. Forget the year. Is there a definitive
3 date when the Phase 3 will be completed?

4 MR. BUSCH: Not unless we have a
5 referendum passed on December 11 and we talk to Dr.
6 Grubb.

7 MS. ARMINIO: Okay, but I thought we
8 couldn't have a referendum passed if we didn't have
9 all the land. That's the --

10 DR. FERRIE: Thank you.

11 MS. ARMINIO: -- confusion.

12 MS. KOLUPANOWICH: Thank you for your
13 comments.

14 MS. ARMINIO: No. Can I have an answer?
15 That seems to be a significant issue.

16 MS. KOLUPANOWICH: We can go out to bid
17 without the land without the --

18 MS. ARMINIO: Without the deed.

19 MS. KOLUPANOWICH: Yeah, without the
20 deed.

21 MS. ARMINIO: And we were told we
22 couldn't do that a few meetings ago.

23 MS. KOLUPANOWICH: We never said that.

24 DR. FERRIE: Mr. Holliday can read a
25 letter from bond counsel in that respect.

1 MS. ARMINIO: It's a complicated issue.
2 I mean, please don't be glib about it.

3 DR. FERRIE: We're not. He has a letter
4 from bond counsel. The only thing you cannot do
5 without the land is award bids, and -- I'm sorry --
6 sell bonds.

7 MS. ARMINIO: You can't -- okay. So
8 even if we pass a referendum, we just can't sell the
9 bond?

10 DR. FERRIE: He'll read the letter.

11 MR. HOLLIDAY: This letter is dated the
12 19th. This is Wayne Holliday. This letter is dated
13 the 19th of September, 2007, from a partner of the
14 of the law firm of McCarter & English. That
15 partner's name is Jacqueline P. Shanes.

16 "Dear Wayne:

17 "Pursuant to our telephone conversation
18 last week, you have requested our advice as to
19 whether the Monroe Township Board of Education can
20 move forward with the referendum for additional cost
21 of the high school construction project,
22 notwithstanding that the property on which the new
23 high school is to be constructed has not yet been
24 acquired by the Board of Education. Although there
25 is no requirement that the land needs to be acquired

1 before the referendum for additional cost is done,
2 we do believe the land needs to be acquired before
3 the bonds are issued for the additional cost. The
4 requirement to get a temporary period require that 5
5 percent of the proceeds of the new bonds be spent
6 within six months and that the expenditure for the
7 proceeds with due diligence. Even if there is a
8 waiver of the temporary period, as was done with
9 respect to the 2004 bonds, the arbitrage rules
10 prohibit an overburdening of the tax exempt market,
11 and overburdening can arise if bonds are issued
12 earlier than is necessary for the governmental
13 purposes."

14 MS. ARMINIO: Thank you. Is that
15 available -- can I pick that up tomorrow because
16 this is the first time I've heard specifically of
17 that.

18 MR. HOLLIDAY: As Dr. Ferrie just
19 mentioned --

20 MS. ARMINIO: Has that been read into
21 the record before?

22 MR. HOLLIDAY: Excuse me, please, I'm
23 speaking.

24 MS. ARMINIO: I'm sorry. I thought I
25 was speaking first.

1 MR. HOLLIDAY: Quite all right. As Dr.
2 Ferrie just mentioned you may come to the office,
3 fill out the appropriate OPRA documents, and it will
4 be supplied to you within 7 business days upon
5 satisfactory remittance for the documents.

6 MS. KOLUPANOWICH: Thank you.

7 MS. ARMINIO: Thank you.

8 MS. KOLUPANOWICH: Is there any other
9 members of the public?

10 MR. KARDASHIAN: Good evening. My name
11 is Frank Kardashian, 41 Kane Avenue in Spotswood. A
12 couple questions I think are relatively easy. Mr.
13 Busch, when in your opening comments, you mentioned
14 that the only approval pending that we needed was
15 Green Acres. Did I understand that correctly?

16 MS. KOLUPANOWICH: Mr. Busch.

17 MR. BUSCH: I'm not sure if you
18 understood it correctly or not, but what I stated
19 was that the court case has now been totally
20 dismissed. The Supreme Court of New Jersey denied a
21 petition for certification where Park Savers'
22 attempt, among others, and the Rutgers Law people
23 attempted to set aside the Appellate Division
24 unanimous approval. Those issues are now over.
25 Conditional approval was granted by State House

1 Commission DEP in late '05, early '06, and affirmed
2 by the Appellate Division, and in September this
3 year of '07, two letters were issued, one by the
4 Historic Preservation Office on September 7, one by
5 the DEP assistant commissioner Amy Cradic, September
6 10. Those are the conditions that have to be met.
7 They've identified 3.6 acres which are being
8 severely restricted for construction, but,
9 meanwhile, ongoing studies are being made of an
10 archeological nature.

11 MR. KARDASHIAN: I'm not sure you
12 answered the question. Maybe you didn't understand.

13 MR. BUSCH: I'm not sure I understood
14 the question. Your question was --

15 MR. KARDASHIAN: Let me repeat the
16 question because you gave me an answer that doesn't
17 answer my question. The question is do we still
18 need Green Acres approval, yes or no?

19 MR. BUSCH: We need to have Green Acres
20 release the conditions. We don't need their
21 approval. They approved it subject to all the
22 things I just said. They will be releasing
23 conditions I believe within the next week.

24 MR. KARDASHIAN: So you have to satisfy
25 those conditions then.

1 MR. BUSCH: We have to satisfy not Green
2 Acres, the Historic Preservation, as I said, and DEP
3 conditions, which were required under an executive
4 order 215 environmental assessment. Green Acres
5 conditionally approved in December '05.

6 MR. LEARY: Bradley Campbell.

7 MR. KARDASHIAN: Okay. I'm still
8 confused. Let's skip that one, all right? There
9 was a -- you asked for referendum for \$41.9 million;
10 is that correct?

11 MS. KOLUPANOWICH: That is correct.

12 MR. KARDASHIAN: What does that bring
13 the total cost of the project?

14 MR. LEARY: One hundred twenty-four
15 million.

16 MS. KOLUPANOWICH: Thank you, Mr. Leary.

17 MR. KARDASHIAN: That is the total cost?

18 MS. KOLUPANOWICH: Of the new high
19 school.

20 MR. KARDASHIAN: What is that number
21 again, 124 million?

22 MR. LEARY: One twenty-four.

23 MR. KARDASHIAN: I'm sorry?

24 MR. LEARY: One two four million.

25 MR. KARDASHIAN: Of that total cost, how

1 much are we getting from the state on this --

2 MR. LEARY: Fifteen million.

3 MR. KARDASHIAN: Fifteen million out of
4 the 124.

5 MR. LEARY: That's correct.

6 MS. KOLUPANOWICH: Thank you, Mr. Leary.

7 MR. KARDASHIAN: That's a small
8 percentage. I believe -- that's part of the school
9 construction program.

10 DR. FERRIE: That's when it was in
11 existence.

12 MR. KARDASHIAN: Okay.

13 DR. FERRIE: We applied for and received
14 a grant from the school construction program when it
15 was in its existence, and we have monitored that to
16 assure that that money was in escrow.

17 MR. KARDASHIAN: Because I understand on
18 the school construction, originally, the projection
19 was they would supply up to 40 percent.

20 DR. FERRIE: Yeah, depending -- you're
21 correct, but it depends upon the district's ability
22 to pay, so Monroe from the state's point of view has
23 a higher ability to pay than some other districts,
24 and also it depends on if the 40 percent is all
25 eligible costs, and some of the portions of that

1 building were not eligible costs.

2 MR. KARDASHIAN: Okay.

3 MR. LEARY: Miss Kolupanowich, may
4 address that?

5 MS. KOLUPANOWICH: Mr. Leary.

6 MR. LEARY: The State Department of
7 Education has their efficiency standards, which says
8 high school students have 151 square feet. You know
9 what you need there? You need midgets. We want our
10 students to be able to walk erect so we have about
11 200 square feet per students. So that extra 50 feet
12 is disallowed, as Dr. Ferrie just mentioned.

13 MR. KARDASHIAN: And the taxpayers will
14 pay for that, right, and the taxpayers will pay for
15 that additional money.

16 MR. LEARY: That's correct.

17 MR. KARDASHIAN: One final question.
18 There was a proposal in here for a policy on travel
19 and entertainment expenditures, a policy on that. I
20 don't know what page it is, but it's item 3, travel
21 expenditure resolution. My question is that it
22 looks like this is requesting a resolution to
23 determine a policy; is that correct?

24 MR. HOLLIDAY: Good evening.

25 MR. KARDASHIAN: Good evening.

1 MR. HOLLIDAY: This is Wayne Holliday
2 speaking. What you're making reference to is on the
3 business administrator's report, item J, which is
4 labeled as travel expenditure resolution.

5 MR. KARDASHIAN: Yes.

6 MR. HOLLIDAY: For clarification
7 purposes, it is not a policy. This Board of
8 Education adopted a policy in accordance with all
9 state regulations, and one of the caveats of the
10 state regulations that was imbedded into the Board
11 of Education's policy that in advance of any Board
12 of Education member or employee going to any type of
13 seminar, conference, et cetera, that it must meet
14 certain criteria and that it must likewise receive
15 Board of Education approval before said Board of
16 Education member or employee can attend. This
17 particular resolution was presented to the Board
18 this evening and approved Miss Leonard, as indicated
19 on there, to attend this particular conference,
20 which is an accountability conference, which relates
21 to Act which is commonly known as A5, and it costs
22 \$20.

23 MR. KARDASHIAN: So if I understand
24 this, this is an adjustment of the policy. You do
25 have a policy in this, or you don't?

1 MR. HOLLIDAY: There is a policy in
2 place, and that policy states that each time a
3 member of this Board of Education or an employee so
4 desires to go to a conference or a seminar, if it is
5 an employee, first it must meet certain criteria.
6 It is reviewed by Dr. Tienken, and it is put in the
7 superintendent's report for Board of Education
8 approval. If it is for a member of the Board of
9 Education, I draft the resolution, present it to the
10 Board of Education, as I did tonight, and it is at
11 the discretion of the Board of Education as to
12 whether or not they will approve or not approve of
13 that \$20 for Mrs. Leonard to go to this particular
14 conference.

15 MR. KARDASHIAN: So is this a new policy
16 or a revision of a policy?

17 MR. HOLLIDAY: I will once again repeat
18 that it is not a policy. As you can see if you can
19 read, J, it says resolution. It does not say
20 policy. So --

21 MR. KARDASHIAN: Excuse me.

22 MR. HOLLIDAY: -- the policy has been
23 adopted already. This resolution is in accordance
24 with the policy that stands with the Board of
25 Education that was approved by the Board of

1 Education.

2 MR. KARDASHIAN: Excuse me. I can read.
3 Thank you. It says to adopt policy. I interpret
4 that as adopting a policy. Is that true or is it
5 not?

6 MR. HOLLIDAY: If I may read the first
7 -- I'm going to pass to Board counsel at this time.

8 MR. BUSCH: The short answer is it's a
9 resolution authorizing the expenditure of \$20 so a
10 Board member can attend something.

11 MR. KARDASHIAN: So it's a new policy,
12 right?

13 MR. BUSCH: No, it's not a policy. It's
14 a long standing policy.

15 MR. KARDASHIAN: Authorization. If it's
16 a long standing policy, why do you need this?

17 MR. LEARY: You have to each and every
18 --

19 MR. BUSCH: Let me try this.

20 MR. KARDASHIAN: Go ahead.

21 MR. BUSCH: The Board of Education has a
22 policy -- the law changed recently -- that anybody
23 in the organization that wants to travel or go to a
24 workshop, we have to have them approved, and that's
25 all it's just saying.

1 MR. KARDASHIAN: So you have to change
2 the policy to conform to the new laws.

3 MR. BUSCH: No, no, no. This is
4 referring to said -- in other words, this is just a
5 resolution referring to said policy that the Board
6 has.

7 MR. KARDASHIAN: Okay.

8 MS. KOLUPANOWICH: Could you please
9 state your name, spell your name for the record.

10 MR. KARDASHIAN: It's
11 K-a-r-d-a-s-h-i-a-n. I don't want to beat a dead
12 horse, okay, but I -- I read what I thought I read,
13 and I just was trying to clarify that.

14 MR. BUSCH: Anyone of these resolutions
15 is going to have in it referring to said policy
16 about travel.

17 MR. KARDASHIAN: Thank you.

18 MS. KOLUPANOWICH: Does anyone else from
19 the public?

20 MR. NOTHSTEIN: Good evening, Tom
21 Nothstein, 15 Nathaniel Street. I'd like to applaud
22 the Board tonight for going ahead with this
23 referendum. I personally would have liked to have
24 see this started in September because this is very
25 important, and it's not going to be a slam dunk to

1 get this referendum so the sooner the better for the
2 referendum. So I applaud you. One question with
3 Mr. Busch's comments about the John Paff lawsuit.

4 MR. BUSCH: There is no lawsuit.

5 MR. NOTHSTEIN: I'm sorry. Yeah,
6 please, there isn't, thank goodness. With regard to
7 the John Paff request on OPRA for closed session
8 minutes. I think I've missed one Board of Ed
9 meeting, and it was the last meeting, in probably
10 over a year, and I have not seen one approval of any
11 closed session minutes. How can we give out
12 unapproved minutes, or did I miss it last week?

13 MR. BUSCH: Mrs. Kolupanowich.

14 MS. KOLUPANOWICH: Yes, Mr. Busch.

15 MR. BUSCH: I think, Mr. Nothstein, you
16 are a hundred percent correct. I don't think the
17 Board routinely sees or approves the closed session
18 minutes, but I'll defer to Wayne on that.

19 MR. HOLLIDAY: That is correct. The
20 Board of Education prior to going into closed
21 session passes a resolution and delineates in that
22 resolution the rationale for going into closed
23 session, and closed session notes are taken during
24 that particular time, and those notes are available
25 for public inspection once the particular item has

1 been resolved.

2 MR. NOTHSTEIN: That's accurate except I
3 take really exception with you calling them notes.
4 We've had this discussion. There is no such thing
5 as notes. OPRA's very clear. Any open or closed
6 session needs to have minutes. Your response?

7 MR. HOLLIDAY: What I would like to do,
8 and I would like to ask Mr. Busch to go ahead and to
9 research this, and certainly I have your address,
10 Mr. Nothstein, and we will respond as to the
11 requirements for an official adoption.

12 MR. BUSCH: I can do that, but I can
13 also agree with Mr. Nothstein that we should be
14 having minutes, and the statute does refer to
15 minutes, not notes.

16 MR. NOTHSTEIN: And I had this
17 discussion with you several weeks ago, and you were
18 going to discuss with Mr. Busch regarding the taping
19 such as we do here of those closed sessions. Have
20 you had that discussion?

21 MR. BUSCH: Not in recent weeks.

22 MR. HOLLIDAY: Just as Mr. Busch said,
23 no, we have not had in recent weeks, and I don't
24 believe that, and I would refer again to counsel,
25 that there is any requirement to record, audio

1 record, the closed session minutes, not -- strike
2 that -- the proceeds of the closed session.
3 Certainly bond counsel can comment on that. Not
4 bond counsel, Board counsel.

5 MR. BUSCH: Mrs. Kolupanowich, if I may.

6 MS. KOLUPANOWICH: Mr. Busch.

7 MR. BUSCH: Agreed. The statute doesn't
8 require verbatim minutes of closed session or even
9 of open session.

10 MR. NOTHSTEIN: And I agree with that,
11 but why not. Why aren't we doing. Why are we doing
12 this for this and not the closed session? This is
13 the same discussion that we had when I spoke with
14 you on the phone. I said why are we doing it for
15 open session and not for closed when the requirement
16 is the same, and you said you were going to see --
17 you thought it was a good idea and you were going to
18 see if there was a legal requirement why it wasn't
19 or why it couldn't be done.

20 DR. FERRIE: Tom just thinking aloud so
21 bear with me on this, and this is going to take some
22 research. For instance, if we're going to talk
23 about an employee that has to do with employment,
24 disciplinary or otherwise, that employee receives
25 what's called a RICE notice. That's a 48-hour

1 notification. They have to give us permission to
2 have that conversation publicly. Otherwise, it has
3 to remain private. So I'm not certain that
4 audiotaping would violate the RICE notice spirit of
5 personnel. So it's something I think that Mr. Busch
6 is going to look into, particularly as it relates to
7 personnel issues. You have seen that once we had
8 this issue in the past in terms of closed session
9 resolutions and so on that we've made every effort
10 to be extremely specific as to what we were going to
11 closed session to talk about, and also, when we came
12 out in public, many of the issues that are discussed
13 in closed session end up on a public agenda with a
14 vote, but I think you bring up an interesting
15 question, and I think that's something we need to
16 look into because I'm curious as to that, as well,
17 so --

18 MS. KOLUPANOWICH: Mr. Busch.

19 MR. BUSCH: I think we're all saying
20 that we're going to look into it and get back to you
21 and the public, and I think you're right that we
22 should address it head on, and if minutes are
23 required and minutes are required to be approved at
24 a public meeting of the Board of Ed of the closed
25 session that took place, whether redacted or

1 otherwise, then we will do it, and I will do that
2 research, and I'll talk to Wayne. Thank you.

3 MR. NOTHSTEIN: Excellent, but does Mr.
4 Paff know you're giving him unapproved minutes? I
5 didn't think that you ever give out unapproved
6 minutes because they're not approved by the Board.

7 MR. BUSCH: He wasn't complaining about
8 the substance of what we gave him, complaining about
9 the medium.

10 MR. NOTHSTEIN: Another question with
11 regards to the release of the Schools Construction
12 Corporation money. When is that anticipated to be
13 released providing -- I mean, with -- under the
14 assumption we got the land?

15 DR. FERRIE: My understanding is we have
16 continued to verify it's in escrow, and I've been
17 told it is, and then that's released as we begin
18 construction and demonstrate progress on the
19 project.

20 MR. NOTHSTEIN: Okay. And my last and
21 final question, all along we've always said that we
22 really can't even go out for bid until we had the
23 land. Will we be able to go out for bid even though
24 the high school needs to have the 35 acres and we
25 don't have it when we're going out for bid?

1 DR. FERRIE: The answer to that is our
2 goal is to finish the Phase 3 before we do that.

3 MR. NOTHSTEIN: So you want to finish
4 the Phase 3 by March. That's the goal and -- okay.
5 Thank you.

6 MS. KOLUPANOWICH: Anyone else from the
7 public?

8 MR. HOMOKI: Kathy, may I --

9 MS. KOLUPANOWICH: Mr. Homoki.

10 MR. HOMOKI: We never close a public
11 session anyway. Move that we close the public
12 session.

13 MS. KOLUPANOWICH: We will close public
14 session.

15 MS. ANTELIS: Second.

16 MR. HOMOKI: All in favor?

17 MS. KOLUPANOWICH: Go ahead, Mr. Homoki.
18 All in favor? Do we have a second on that?

19 MS. ANTELIS: Yeah, I second.

20 MS. KOLUPANOWICH: Second by Ms.
21 Speizer.

22 MR. HOMOKI: I would have made these
23 remarks before, but I think it's more appropriate
24 now. I spoke to Wayne about this. Sometimes we
25 start our meeting at 5 o'clock, sometimes 6 o'clock,

1 sometimes 7 o'clock, and I really don't care because
2 I'll be here 4 o'clock, 5, whatever time it needs to
3 be, but I really think we ought to try to start the
4 meat of the meeting, which is item 6, after the
5 closed session as close to 8 o'clock as possible
6 because we can keep track of the meetings, but
7 people in the outside, they don't really know, and
8 if, for example, we start 5 o'clock on the 17th and
9 we finish in 2 hours and we come back and continue,
10 it's conceivable that by 8 o'clock the meeting is
11 over, and some people may be showing up at 8 o'clock
12 because they anticipate that 8 o'clock is the time
13 that we meet. So I'm not making any motion or
14 anything like that, but I think we ought to think
15 about that, to start as closely to 8 o'clock or if
16 not 8 o'clock with item number 6 so that there won't
17 be any questions, oh, you missed this, you came
18 late. Mr. Gilbert, for example, the answer was
19 given earlier. So just consider that.

20 MS. KOLUPANOWICH: Mr. Leary.

21 MR. LEARY: Let's look at the record.
22 Until Mr. Paff and the Libertarian party and whoever
23 were the cohorts around this township who sicced
24 them on us, we did exactly what Joe said, but now
25 we're complying. We had a court case, and Mr. Paff

1 won so now we have to go and do these herky jerky
2 things. If you got problems, talk to Mr. Paff.

3 MS. KOLUPANOWICH: Thank you, Mr. Leary.
4 Anyone else? Mr. Braverman.

5 MR. BRAVERMAN: Yeah. Mr. Homoki, we
6 briefly touched on that subject matter the other day
7 at the policy committee meeting, and pretty much Dr.
8 Ferrie indicated that we should probably start all
9 our meetings at 7:30, and if we have to go into
10 caucus, we should go into caucus closed session, and
11 I think all the committee members there agreed with
12 him pretty much. Now, if you people want to put
13 this to a vote or what have you, that's fine. The
14 only thing you'll be missing is dinner, which is
15 important to some of the members of this Board,
16 but --

17 DR. FERRIE: I think -- we had mentioned
18 this, and I know we have this -- with the exception
19 if we have to conduct interviews, which we have no
20 issue, a compromise perhaps in terms of the public
21 and the Board is to open our meetings at 7:30. If
22 we have closed session items, adjourn, go into
23 closed session. Folks are just going to have to
24 wait until we come back out. If we don't have
25 closed session, 7:30. I mean, it just seems to me

1 -- I agree, Joe, it's like we're playing this kind
2 of timing game, and we put out a disclaimer on the
3 front of the minutes this week because we didn't
4 want everyone to be upset with us that we did not
5 have any closed session items tonight and we would
6 start the meeting at 7. So if we start at 7:30, go
7 into closed session, come back, of course we
8 probably should have that maybe agreed upon at the
9 next meeting since the next meeting we have to start
10 at 5 anyway for interviews, but I agree.

11 MS. KOLUPANOWICH: Patrice.

12 MS. FARAONE: My only concern is we have
13 committee meetings earlier in the day so I -- I
14 understand what Marv's saying, but I'm at work all
15 day. I come here, and while I probably could skip a
16 dinner, Marv, I don't mind being fed so I don't pass
17 out from sugar shock. So what do we do when we
18 have --

19 DR. FERRIE: I think the solution to
20 that, Patrice, is when we have committee meetings is
21 to provide committee members something to eat.

22 MS. FARAONE: Well, the other thing is
23 7:30 is fine, but if we have an issue that needs to
24 be discussed in closed session, I don't really like
25 to be rushed through it in 20 minutes.

1 DR. FERRIE: We can't be. The public
2 will just have to understand if we have to
3 deliberate, we have to deliberate. I mean,
4 sometimes boards of ed have to go into closed
5 session even later on.

6 MS. FARAONE: We do it in Jamesburg.

7 MS. KOLUPANOWICH: Mr. Homoki.

8 MR. HOMOKI: Conversely, it may mean
9 that we have to wait a while before we continue with
10 our meeting if we finish earlier, and I think we
11 have come a long way in terms of opening up the
12 things that we're doing. We have open committees
13 and all kinds of thing, and now suddenly we are, you
14 know, just running through things very quickly. So
15 just something to consider.

16 MS. KOLUPANOWICH: Anyone else?
17 Patrice.

18 MS. FARAONE: John makes a good point.
19 We have a system. We had to change it because we
20 were told we weren't doing it correctly.

21 MR. HOMOKI: I understand, but I believe
22 it's confusing the public because it's -- most
23 people assume it's 8 o'clock, and now it could be
24 7:30. It could be quarter of 8. Could be quarter
25 after 7 next time when we start 5 o'clock, and maybe

1 the meeting's over by 7 o'clock or 7:30. I don't
2 know. I'm just -- just think about it.

3 MS. KOLUPANOWICH: Anyone else? Mr.
4 Kaufman.

5 MR. KAUFMAN: Just a comment. Just an
6 observation to the public, and then I promise we'll
7 probably be able to get out of here. We did go
8 through an exercise of trying to be open to the
9 public and present as much information to the public
10 as we possibly can, and the ironic thing about it is
11 the champions of having us open the committee
12 meetings and keeping it open to the public, the
13 champions have not been seen at a Board of Education
14 meeting since, and the other thing is, to my
15 knowledge, I believe that there has been maybe one
16 or two members of the public who ever attended a
17 committee meeting. Of all the committee meetings
18 that we've had so far, it's mostly been other Board
19 of Education members that have been attending the
20 committee meetings, themselves. So just as an FYI
21 to the public, we are open. Come. See the stuff,
22 because it's open.

23 MS. KOLUPANOWICH: Anyone else from the
24 Board? Seeing no one, our next scheduled public
25 Board of Education meeting will be held on

1 Wednesday, October 17, 2007, 5 o'clock p.m. at the
2 high school. Motion to adjourn. Mr. Kaufman, Ms.
3 Antelis. All in favor? Opposed? The meeting has
4 been adjourned.

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SUPERINTENDENT'S REPORT PUBLIC BOARD MEETING SEPTEMBER 26, 2007

I. Personnel

- A. It is recommended that the Board accept the resignation, due to retirement, of **Ms. Valerie Mina**, media specialist at Barclay Brook School, effective January 1, 2008.
- B. It is recommended that the Board accept the resignation of **Mr. Guiseppe Calella**, as advisor for Model UN at the High School, for the 2007-2008 school year.
- C. It is recommended that the Board accept the resignation of **Ms. Beverly Robinovitz**, as advisory to the Tri M Music Honor Society, for the 2007-2008 school year.
- D. It is recommended that the Board extend a medical leave of absence to **Ms. Valerie Macon Fitzpatrick**, custodian at the High School, retroactive to September 15, 2007 through November 1, 2007. It is further recommended this leave be without pay, except to the extent of any remaining contractual sick days that Ms. Fitzpatrick is entitled to.
- E. It is recommended that the Board approve a medical leave of absence to **Ms. Shirley X. Siniscalchi**, Teacher of Spanish, at Applegarth Middle School, effective September 5, 2007 through a date to be determined by her doctor. It is further recommended this leave be without pay, except to the extent of any remaining contractual sick days that Ms. Siniscalchi is entitled to.
- F. It is recommended that the Board approve a medical leave of absence as a bus driver to **Ms. Phillipa Sessa**, effective September 17, 2007 through a date determined by her doctor.
- G. It is recommended that the Board approve a maternity leave of absence to **Katy Elias**, Physical Education teacher at Applegarth Middle School, effective October 22, 2007, through March 5, 2008. It is further recommended that this leave shall be without pay except to the extent Ms. Elias is entitled to utilize any remaining sick days she may have available.
- H. It is recommended that the Board approve a maternity leave of absence to **Ms. Laura Goldstein**, First Grade Special Education teacher in Barclay Brook School, effective January 8, 2008 through June 30, 2008. It is further recommended that this leave shall be without pay except to the extent Ms. Goldstein is entitled to utilize any remaining sick days she may have available.
- I. It is recommended that the Board approve a maternity leave of absence to **Ms. Kristina Peterson**, World Language Teacher at Barclay Brook School, effective December 3, 2007 through June 30, 2008. It is further recommended that this

leave shall be without pay except to the extent Ms. Peterson is entitled to utilize any remaining sick days she may have available.

- J. It is recommended that the Board approve an unpaid leave of absence, under FLMA for **Ms. Gail Nemeth**, Secretary in the Assistant Superintendent of Curriculum's office effective, October 29, 2007, until on or before November 21, 2007.
- K. It is recommended that the Board approve a correction in the contract of **Ms. Maria Colon-Torres**, school psychologist at Barclay Brook School to 92% of Step 11 MA+30 retroactive to September 1, 2007 through June 30, 2008.
- L. It is recommended that the Board approve a modification in the contract of **Mr. Timothy Nally**, Physical Education at Mill Lake School from 100% to 109% effective September 1, 2007 through June 30, 2008. This is to address new CARE Grant Class.
- M. It is recommended that the Board approve a modification in the contract of **Ms. Gail Maretz**, Paraprofessional at Mill Lake School from 3.25 per day to 3.75 hours per day. The change is necessary to ensure safety of our students during dismissal time.
- N. It is recommended that the Board approve a modification in the contracts of the following custodians to Lead Custodians.

Eric Petterson	Woodland School
David Rupinski	Mill Lake School
Maria Ledbetter	Barclay Brook School
Waclawa Gierlachowska	Brookside School
Kevin Fadden	Applegarth School

- O. It is recommended that the following personnel be approved for the after school TAG program for the 2007-2008 school year:

Woodland

Katy Tanasy 6th grade science

Brookside

Ben Howroyd TAG Instruction, one day a week

- P. It is recommended that the following personnel be approved for the after school Basic Skills program for the 2007-2008 school year:

Brookside

Donna Colossi Basic Skills Instruction, two days a week
Jessica Bowman Basic Skills Instruction, two days a week
Sue Finkelstein Basic Skills Paraprofessional
Ania Stepien Substitute Teacher for Basic Skills only

Mill Lake

Audrey Mahler Basic Skills Instruction, 4 days a week
Maureen Egan Basic Skills Instruction, 4 days a week

- Q. It is recommended that the Board approve the following personnel for After School detention at the High School, one teacher for 1 hour 50 minutes per day on a rotating basis for the 2007-2008 school year:

Jovanna Quindes

Substitute

JoAnne Cardone

- R. It is recommended that the Board approve the following certificated personnel at the following steps and guides:

Employee	Position	School	Salary Guide	Dates	Reason for hire
Faith Vidolin	Morning Bus Supervision	Brookside	5 mornings/20 minutes a day	9/1/07-6/30/08	
Sue Krumm	Morning Bus Supervision	Brookside	5 mornings/20 minutes per day	9/1/07-6/30/08	
Ben Howroyd	Lunch Supervision	Brookside	45 minutes a day	9/1/07-6/30/08	
Susan Huey-Collucci	Lunch Supervision	Brookside	45 minutes a day	9/5/07-6/30/08	
Sue Krumm	Student Council Advisor	Brookside	Program Supervision/As Needed	9/5/07-6/30/08	
Michael O'Connor	Club Advisor/Before School Sports	Brookside	5 mornings per week/20 minutes per day	9/5/07-6/30/08	
Nathan Cogdill	Athletic Trainer	High School	Negotiated Stipend	2007-08	

Stacey Weinstein	Equipment Manager	High School	Negotiated Stipend	2007-08	
Jenna DiSalvio	Tri-M Advisor	Athletics	Negotiated Stipend	2007-08	
Michael O'Connor	Morning Bus Duty Supervision	Brookside	5 mornings per week/20 minutes per day	2007-08	

S. It is recommended that the Board approve the following non-certificated personnel at the following steps and guides:

Employee	Position	School	Salary Guide	Dates	Hours	Reason for hire
Concetta Anzaldi	Paraprofessional	Transportation	Step 1 \$11.29	9/13/07-6/30/08	2 hrs/day	Replacement position
Margaret Nesby	Paraprofessional	Transportation	Step 1 \$11.29	9/17/07-6/30/08	1 hrs/day	Replacement Position
Wendy Blank	School Traffic Safety Guard	Brookside	Hourly Rate	9/5/07	2 hrs/per day	Safety Guard
Elysa Fililaut	Special Ed Paraprofessional	Brookside	Step 1 \$11.29 + Spec. Ed Rate	9/5/07	3.25 hrs/day	Replacement position
Craig Corey	Bus Driver	Transportation	Step 2 \$19.24	10/1/07	6 hrs a day	Bus Driver
Irena Stankiewicz	Custodian	Brookside	Beginning Step	10/1/07	8 hrs a day	Replacement

T. It is recommended that the Board approve the following appointments to be added to our 2007-2008 list of approved substitutes:

Certificated

Brenda Collins	Substitute Teacher
Mark Fradkin	Substitute Teacher
Harold Neu-Tuch	Substitute Teacher
James Virtue	Substitute Teacher
Jeanette Haligoski	Substitute Teacher
Arlene Baum	Substitute Teacher
Kerri Ostwick	Substitute Teacher

Non certificated

Maryann Guidice	Substitute Secretary/Paraprofessional
Maribel Varella	Substitute Maintenance
Leonard Deluca	Substitute Security

II. **BOARD ACTION**

A. **Residency Contracts**

In accordance with Policy #5111 regarding residency contracts, it is recommended that the Board approve the enrollment of the children noted on the attached Residency Contracts whose family is under contract for future residency in Monroe Township.

B. It is recommended that the Board approve the attached list of requests for Staff Professional Development.

C. It is recommended that the Board approve the attached School Nursing Plan and documentation for QAAR for the 2007-2008 school year.

D. It is recommended that the Board approve the submission of the enclosed NCLB application for the Fiscal Year 2008.

E. In accordance with, N.J.S.A. 18A:17 – 14.4, it is recommended that members of the Board of Education designate Michael Gorski, CPA, PSA, Assistant Business Administrator to certify to the Department of Treasury that all documentation prepared for income tax related purposes with respect to the Superintendent, Assistant Superintendents, and School Business Administrator complies with Federal and State reporting laws.

MONROE TOWNSHIP
Board of Education

BUSINESS ADMINISTRATOR'S REPORT FOR SEPTEMBER 26, 2007

I. BOARD ACTION

A. BILL LIST

It is recommended that the bills totaling \$19,199,427.59 for August 2007 be ratified by the Board. The bills have been reviewed by the Chairperson of the Finance/Buildings & Grounds/Transportation Committee and certified by the Board Secretary.

B. BILL LIST – NEW HIGH SCHOOL (BOND SERIES 2004)

It is recommended that the bills totaling \$216,312.05 for August 2007 be ratified by the Board. The bills have been reviewed by the Chairperson of the Finance/Buildings & Grounds/Transportation Committee and certified by the Board Secretary.

C. BILL LIST – NEW ELEMENTARY SCHOOL (BOND SERIES 2006)

It is recommended that the bills totaling \$1,756,157.01 for August 2007 be ratified by the Board. The bills have been reviewed by the Chairperson of the Finance/Buildings & Grounds/Transportation Committee and certified by the Board Secretary.

D. SECRETARY'S FINANCIAL & CASH REPORT

In accordance with N.J.A.C. 6A:23-2-11(c) 4, Be It Resolved that the Board of Education hereby certifies that it is in receipt of the Financial Reports for August 2007, which indicates that no major accounts or funds have been over expended and that sufficient funds are available to meet the district's financial obligations for the fiscal year in accordance with N.J.A.C.6A:23-2.11(b). In accordance with N.J.A.C.6A:2.11(c) 3, Be It Further Resolved that the Board Secretary certifies that the August 2007 Secretary's Report indicates that no line item account has encumbrances and expenditures which in total exceed the line item appropriation in accordance with N.J.A.C.6A:23-2.11(a).

E. PROFESSIONAL SERVICES

EXEMPT SERVICES – Awarded without competitive bidding as provided for under the provisions of the Public School Contracts Law:

1. It is recommended that members of the Board of Education approve Leslie Marcks, physical therapist to provide evaluations for the 2007-2008 school year for a fee of \$120.00 per evaluation.
2. It is recommended that members of the Board of Education approve Susanna Dieker, occupational therapist to provide evaluations for the 2007-2008 school year for a fee of \$400.00 per evaluation.
3. It is recommended that members of the Board of Education approve Dr. Heidi Kaduson to provide the following services for the 2007-2008 school year starting July 1, 2007:

Social Skills Groups for a fee of \$50.00 per session
and
Individual Sessions for a fee of \$200.00 per 45 minute session.

4. It is recommended that members of the Board of Education approve Cerebral Palsy of New Jersey to provide the following services for the 2007 – 2008 school year:

Job Development and Job Coaching for a fee of \$60.00 per hour;

Any written and/or oral communication with students, parents, child study team, and employer, if needed, for a fee of \$60.00 per hour;

Mileage reimbursement at the current IRS approved rate.

F. RESOLUTION: MTMUA EASEMENT

It is recommended that members of the Board of Education approved the following resolution:

WHEREAS, the Monroe Township Municipal Utilities Authority (“MTMUA”) has requested the Monroe Township Board of Education to convey a Deed of Easement for a subsurface water main on and under Lot 10.69, Block 14, as shown on the Monroe Township Tax Map; and

WHEREAS, the grant of the Deed of Easement will benefit the Monroe Township Board of Education by providing a water main for the new elementary school on Applegarth Road.

NOW, THEREFORE, BE IT RESOLVED by the Monroe Township Board of Education that it hereby authorizes the President and Secretary of the Monroe Township Board of Education to sign a Deed of Easement conveying the water main easement through a portion of Lot 10.69, Block 14, in accordance with the foregoing.

A copy of the proposed Deed of Easement is on file in the office of Wayne Holliday, Board Secretary/Business Administrator.

G. SAINT BARNABAS

It is recommended that members of the Board of Education approve the attached agreement between the Monroe Township Board of Education and Saint Barnabas Management Services to provide the Employee Assistance Program Plan.

H. RESOLUTION AWARDING THE LEASE PURCHASE FINANCING FOR THE ACQUISITION OF COPIERS

It is recommended that members of the Board of Education approve the follow resolution:

WHEREAS, the Board of Education of the Township of Monroe, in the County of Middlesex, New Jersey (the "Board") did heretofore adopt and approve a resolution authorizing the receipt of bids for financing the acquisition of copiers (collectively, the "Equipment"); and

WHEREAS, a request for bid for the lease purchase financing of the Equipment (the "Request") was duly published and proposals for the lease purchase financing of the Equipment were duly solicited pursuant to the terms of the Request and the bid specifications attached hereto as Exhibit A (the "Bid Specifications"); and

WHEREAS, sealed bids containing proposals for the lease purchase financing of the Equipment were received on September 24, 2007 from the following:

<u>Name of Bidder</u>	<u>Interest Rate</u>
Commerce Commercial Leasing, LLC	3.83%
Wachovia Business Lease	4.77%

WHEREAS, the proposal of Commerce Commercial Leasing, LLC, in the form thereof attached hereto as Exhibit B (the "Proposal"), offered lease purchase financing of the Equipment at the lowest fixed interest rate for the term of the lease purchase financing, in accordance with the requirements of the Request and the Bid Specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD AS FOLLOWS:

SECTION 1. That the Bid Specifications and their use in the solicitation of bids are hereby ratified and approved in all respects.

SECTION 2. That the lease purchase financing of the Equipment is awarded to Commerce Commercial Leasing, LLC and the Proposal thereof referred to

in the recitals above is hereby accepted, the lease purchase financing to bear interest at the fixed rate as set forth in the Proposal.

SECTION 3. That the Board hereby covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") applicable to the lease purchase financing and covenants not to take any action or to permit any action to be taken which would cause the interest component on the lease purchase financing to lose the exclusion from gross income for Federal income tax purposes provided under Section 103 of the Code or cause the interest component on the lease purchase financing to become an item of tax preference under Section 57 of the Code.

SECTION 4. That the Board hereby designates the interest component on the lease purchase financing as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). The Board Secretary is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the interest component on the lease-purchase financing.

SECTION 5. The Board hereby authorizes the Board Secretary, the Superintendent, Bond Counsel, the Auditor and any other professionals of the Board to proceed with the lease purchase financing, including the drafting of any documents necessary therefor. The Board hereby ratifies and approves all actions previously taken by the Board Secretary, the Superintendent, Bond Counsel, the Auditor and any other professionals of the Board in connection with the drafting and negotiation of any documents necessary in connection with the lease purchase financing.

SECTION 6. The Board Secretary, the Board President, the Board Vice President, the Superintendent and the Chairperson and Vice-Chairperson of the Board's Finance/Building and Grounds/Transportation Committee are hereby authorized to execute all documents necessary for the lease purchase financing, including without limitation, such documents necessary to evidence the exclusion of the interest component on the lease purchase financing from gross income for Federal income tax purposes, including, *inter alia*, the status of the lease purchase financing as other than "private activity bonds" within the meaning of section 141 of the Code.

SECTION 7. The Board President, the Board Vice President, the Superintendent, the Chairperson and Vice-Chairperson of the Board's Finance/Building and Grounds/Transportation Committee and the Board Secretary are hereby authorized and directed to determine all matters in connection with the lease purchase financing of the Equipment not determined by this or subsequent resolution of the Board, as permitted by law.

SECTION 8. A copy of this resolution shall be placed on file with the Board Secretary.

SECTION 9. This resolution shall take effect immediately.

Adopted: September 26, 2007

AYE:

NAY:

ABSTAIN:

ABSENT:

Certified to be a true and correct copy of the resolution adopted by the Monroe Township Board of Education on September 26, 2007.

Wayne Holliday
Board Secretary/Business Administrator

I. RESOLUTION: APPLGARATH MIDDLE SCHOOL WATER AND SEWER

WHEREAS, the Monroe Township Board of Education advertised for the submission of bids for the water and sewer connections for the Applegarth Middle School on Applegarth Road and two bids were received on September 12, 2007, as follows:

Brian Patterson Mechanical Contracting, Inc. \$222,500.00;

B and B Construction Company, LLC \$650,000.00; and

WHEREAS, Brian Patterson Mechanical Contracting, Inc., submitted the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED by the Monroe Township Board of Education that it hereby awards a contract for the water and sewer connections for Applegarth Middle School on Applegarth Road to Brian Patterson Mechanical Contracting, Inc. in the amount of \$222,500.00, subject to all bid specifications and contract documents.

J. TRAVEL EXPENDITURE RESOLUTION

WHEREAS, the Monroe Township Board of Education is required pursuant to *N.J.S.A.* 18A:11-12 to adopt policy and approve travel expenditures by district employees and board members using local, State, or Federal funds to ensure that travel is educationally necessary and fiscally prudent; and

WHEREAS, the Board of Education has determined that the training and informational programs sponsored by Middlesex County School Board Association

(MCSBA) and set forth below are directly related to and within the scope of board members' duties; and

WHEREAS, the Board of Education has determined that the training and informational programs sponsored by MCSBA and set forth below are directly related to and within the scope of the listed job title's current responsibilities and the board's professional development plan; and

WHEREAS, the Board of Education has determined that participation in the MCSBA training and informational programs requires school district travel expenditures and that this travel is critical to the instructional needs of the district and/or furthers the efficient operation of the district; and

WHEREAS, the Board of Education has determined that the school district travel expenditures to MCSBA programs are in compliance with State travel guidelines as established by the Department of the Treasury and within the guidelines established by the Federal Office of Management and Budget; except as superseded by conflicting provision of Title 18A of the New Jersey Statutes; and

WHEREAS, the Board of Education finds that a mileage reimbursement rate equal to that of the Federal Internal Revenue Service mileage reimbursement rate is a reasonable rate; and

WHEREAS, the Board of Education has determined that participation in the MCSBA training and informational programs are in compliance with the District policy on travel; therefore be it

RESOLVED, that the Board of Education hereby approves the attendance of the listed number of school board members and district employees at the listed MCSBA training and informational programs, and the costs of attendance including all registration fees, and statutorily authorized travel expenditures, provided that such expenditures are within the annual maximum travel expenditure amount; and, be it further

RESOLVED, that the Monroe Township Board of Education authorizes in advance, as required by statute, attendance at the following MCSBA training programs and informational events:

Program Name	Date	#	Board Member / Employee Name	Event Cost pp	Total Cost
Middlesex Cnty School Boards Association The Reality of the School Accountability Act	10/3	1	Kathy Leonard	\$20.00	\$20.00

K. TRANSPORTATION CONTRACT

It is recommended that Members of the Board of Education approve a parental contract for student transportation. Please refer to the attached analysis for supplemental information.

L. TEMPORARY STUDENT TRANSPORTATION ROUTE

It is recommended that Members of the Board of Education approve a temporary student transportation route (TM056) between Phoenix Transportation, LLC and the Monroe Township Board of Education. Please refer to the attached analysis for supplemental information.

M. RESOLUTION: DECEMBER 11, 2007 BOND REFERENDUM / SPECIAL SCHOOL ELECTION

BE IT RESOLVED BY THE BOARD OF EDUCATION (the "Board of Education") OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (the "School District"), AS FOLLOWS:

1. A special school election of the legal voters of the School District shall be held on Tuesday, December 11, 2007 at 7:00 o'clock A.M., in the School District at the places and for the purposes hereinafter provided.

2. The Secretary of the Board of Education is hereby directed to cause the Clerk of the Township of Monroe to publish not less than fifty days before the date of the special school election notices, of the character provided in section 7 of the "Absentee Voting Law (1953)", P.L. 1953, c.211, in a newspaper published in the municipality in which the School District is situated, and if no newspaper is published in such municipality, then in at least one newspaper published in the County of Middlesex and circulating in the Township of Monroe.

3. The Secretary of the Board of Education is hereby directed to cause the Middlesex County Board of Elections to publish notice of the special school election at least ten days before the date of the special school election in a newspaper having the qualifications required by N.J.S.A. 19:12-7 and N.J.S.A. 35:1-2.2.

4. The notice shall be in substantially the following form, and the proposal therein set forth shall be submitted to the voters at the special school election. The hours of opening and closing of the polls shall be as stated in the notice and the polling place or places and polling district or districts therein stated and described are hereby confirmed and established:

NOTICE OF SPECIAL SCHOOL DISTRICT ELECTION
OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF MONROE,
IN THE COUNTY OF MIDDLESEX, NEW JERSEY
ON TUESDAY, DECEMBER 11, 2007

NOTICE IS HEREBY GIVEN to the legal voters of the School District of the Township of Monroe, in the County of Middlesex, New Jersey, that a special school election of the legal voters of the School District will be held on Tuesday, the 11th day of December, 2007, at 7:00 o'clock a.m.

The polls will remain open until 9:00 o'clock p.m. and as much longer as may be necessary to permit all the legal voters then present to vote and to cast their ballots. The election will be held and all the legal voters of the School District will vote at the respective polling places stated below.

At the said election, there will be submitted the following proposal:

The Board of Education of the Township of Monroe, in the County of Middlesex, New Jersey, is authorized to undertake as a capital project for lawful school purposes the following: (a) the additional costs necessary for the construction of a new Monroe High School as previously approved by the voters of the Township of Monroe in December 2003, including any necessary improvements, upgrades, appurtenances, equipment, furniture and site work; (b) to expend for such additional costs of the aforesaid purposes, including incidental expenses, the additional sum not exceeding \$41,900,000; and (c) to issue bonds of the School District for said additional costs of the project in the principal amount not exceeding \$41,900,000.

The project has previously been approved for a \$15,244,658 grant from the State of New Jersey. The additional costs for the project is not eligible for further State support.

The polling places for the election and their respective polling districts (described by reference to the election districts used at the last General Election in the municipality) are established and have been designated below, and no person shall vote at the election elsewhere than at the polling place designated for the voters of the polling district in which he or she resides.

POLLING PLACE NO. 1

Polling place at Applegarth School in the School District for legal voters residing within the General Election District Ward No. 1, District 14 and General Election District Ward No. 2, District 10.

POLLING PLACE NO. 2

Polling place at Rossmoor Clubhouse in the School District for legal voters residing within the General Election District Ward No. 1, Districts 2, 3, 4 and 5.

POLLING PLACE NO. 3

Polling place at Clearbrook Cultural Center in the School District for legal voters residing within the General Election District Ward No. 1, Districts 6, 7, 8, 9 and 10.

POLLING PLACE NO. 4

Polling place at Woodland School in the School District for legal voters residing within the General Election District Ward No. 2, District 1 and Ward No. 3, Districts 4 and 9.

POLLING PLACE NO. 5

Polling place at Brookside School in the School District for legal voters residing within the General Election District Ward No. 2, District 2 and Ward No. 3, Districts 6 and 8.

POLLING PLACE NO. 6

Polling place at Whittingham Towne Center in the School District for legal voters residing within the General Election District Ward No. 2, Districts 3, 9, 11 and 12.

POLLING PLACE NO. 7

Polling place at Concordia Clubhouse in the School District for legal voters residing within the General Election District Ward No. 2, Districts 5, 6, 7 and 8.

POLLING PLACE NO. 8

Polling place at The Ponds Clubhouse in the School District for legal voters residing within the General Election District Ward No. 1, District 13.

POLLING PLACE NO. 9

Polling place at Monroe Township Fire and EMS Facility in the School District for legal voters residing within the General Election District Ward No. 1, Districts 11 and 12.

POLLING PLACE NO. 10

Polling place at the Monroe First Aid Building in the School District for legal voters residing within the General Election District Ward No. 3, Districts 1 and 3.

POLLING PLACE NO. 11

Polling place at the Monroe Township Community Center in the School District for legal voters residing within the General Election District Ward No. 3, Districts 2, 5 and 7.

POLLING PLACE NO. 12

Polling place at the Monroe Township Public Library in the School District for legal voters residing within the General Election District Ward No. 2, District 4.

POLLING PLACE NO. 13

Polling place at Encore Monroe in the School District for legal voters residing within the General Election District Ward No. 1, District 1.

POLLING PLACE NO. 14

Polling place at Monroe Village in the School District for legal voters residing within the General Election District Ward No. 1, District 15.

POLLING PLACE NO. 15

Polling place at Regency Clubhouse in the School District for legal voters residing within the General Election District Ward No. 3, District 10.

By order of the Board of Education
Wayne Holliday, Board Secretary

Dated: November 29, 2007

5. The Board of Education hereby approves and adopts the proposal set forth in the notice and, subject to the approval of the legal voters of the School District, hereby determines to carry out the same.

6. The Board of Education hereby authorizes the Secretary of the Board of Education to request one additional voting machine for each of the following polling places: (a) the Applegarth School, (b) the Woodland School, (c) the Brookside School, (d) the Monroe First Aid Squad Building and (e) the Monroe Community Center for the convenience of the voters pursuant to N.J.S.A. 19:4-12.

7. The Board of Education hereby acknowledges and agrees that, in accordance with N.J.S.A. 18A:24-16 and 18A:24-17, a supplemental debt statement will be prepared as of the date of this resolution by the chief financial officer of the Township of Monroe,

being every municipality comprised within the School District, giving effect to the proposed authorization of bonds of the School District in the maximum amount to be stated in the completed proposal set forth in the notice and that the supplemental debt statement has been filed in the office of the Clerk of the Township of Monroe and in the office of the Secretary of the Board of Education prior to the adoption of this resolution. The Board of Education hereby directs the Secretary of the Board of Education to have the supplemental debt statement filed in the office of the Division of Local Government Services in the Department of Community Affairs prior to the date of the special school election authorized herein.

8. The Board of Education intends to issue bonds or notes to finance the costs of the project described in the proposal set forth in this resolution. The Board of Education expects that the maximum principal amount of bonds or notes that will be issued to finance the costs of the project described in the proposal will not exceed \$41,900,000. If the Board of Education incurs any such costs prior to the issuance of its bonds or notes, the Board of Education intends to reimburse itself for such expenditures with the proceeds of such bonds or notes.

9. The Board of Education hereby appoints (a) the law firm of McCarter & English, LLP to provide the specialized legal services necessary in connection with the financing of the project described in the proposal set forth in this resolution and the authorization, issuance and sale of any bonds or temporary notes therefor, and other appropriate legal services in connection with such proposed financing and (b) Phoenix Advisors, LLC to act as Financial Advisor and to provide specialized financial services necessary in connection with the project referred to in the proposal set forth in this resolution. The Secretary of the Board of Education is hereby authorized to cause to be printed once, in an official newspaper, the notice required by N.J.S.A. 18A:18A-5(a)(1) in connection with such appointments.

10. This resolution shall take effect immediately.

Adopted: September 26, 2007

The foregoing resolution was adopted by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

This resolution is certified as of the 26th day of September, 2007 to be a true and correct copy of the resolution adopted by the Board of Education

of the Township of Monroe, in the County of
Middlesex, New Jersey.

Wayne Holliday
Business Administrator/Board Secretary

The above action authorizes the Business Administrator to sign and administer contracts
and /or purchase orders.

WAYNE HOLLIDAY
Prepared by

SEPTEMBER 26, 2007
Meeting Date