

***MEETING OF THE LAKEWOOD BOARD OF EDUCATION HELD ON THURSDAY,
FEBRUARY 17, 2011, AT 8:00 P.M., AT 1771 MADISON AVENUE, LAKEWOOD, NEW
JERSEY 08701***

Mr. Leonard Thomas, Board President, called the meeting to order at 8:00 p.m. Robert Green, Board Secretary read the following notice:

SUNSHINE LAW

***Sunshine
Law***

Pursuant to the provisions of Chapter 231, of the Laws of 1976

(THE OPEN PUBLIC MEETINGS ACT), Ms. Miller notified the public that notice of the date, time, location and agenda of this meeting, to the extent known, was provided at least forty-eight (48) hours prior to the commencement of this meeting in the following manner:

1. By posting such notice on the public announcement board of the Lakewood Board of Education Offices, and the Lakewood Township Municipal Building.
2. By mailing such notice to the offices of the Asbury Park Press and the Tri-Town News.
3. By filing such notice with the Board Secretary.
4. By mailing such notice to all individuals who requested and paid for a copy of same.

ROLL CALL:

Roll Call

Board Members Present: Mr. Grunhut, Mr. Ostreicher,(left at 9:00)

Mr. Seitler, Mr. Silver,

Mr. Tift, Mr. Zlatkin

Board Members Absent: Mr. Fink, Ms.Gonzales,

Mrs. Miccio

Also Attending:

Ms. Lydia Silva, Superintendent
Debra Mercora, Assistant Superintendent
Robert Green, Business Administrator/
Board Secretary

*Also
Attending*

Michael I. Inzelbuch, Esq.

NEGBA BUS COMPANY HEARING

Mr. Inzelbuch – “This evening there was a published hearing. We did have a hearing previously published on Friday, January 28th, which was advertised in the Asbury Park Press. Today we have an advertisement,

Mr. Inzelbuch

please take notice the Lakewood Board of Education has scheduled a special meeting, a special hearing on Thursday, February 17, 2011 to review the alleged

Negba Hearing

failure of the Negba Bus Company, to comply with its obligations to the Lakewood Board of Education.

Mr. Inzelbuch

The hearing will be held during a Special Board meeting on Thursday, February 17, 2011 at 8:00 p.m. at the administration building, 1771 Madison Avenue Suite B, Lakewood, NJ This was published, according to this February 15, 2011. Mr. Rottenberg is here.

If the Board Secretary would ask him to come in, please. Mr. Rottenberg is now present. Just so the Board is aware, during this week, and Gus can explain that and/or Ms. Bunnell is in the audience, our transportation administration. If you will, there were some issues, alleged issues this week. Mr Rottenberg did ask to have this hearing in private, if you will. Am I saying that right?"

Mr. Rottenberg – "Yes."

Mr. Rottenberg

Mr. Inzelbuch – "And that is left to the direction of the Board. If you would like to have that in private or in public, that is your discretion. Do you want to add anything to that request?"

Mr. Inzelbuch

Mr. Rottenberg – “No.”

Mr. Rottenberg

Mr. Inzelbuch – “Am I saying that correctly?”

Mr. Inzelbuch

Mr Rottenberg – “I think so.”

Mr. Rottenberg

Mr. Inzelbuch “Okay. Just so we set the back-ground before we decide or the Board decides that, the documentation that I am going to ask the Board Secretary to pass out to all of the members, if could. Okay, Mr. Rottenberg can have one too. The pages are numbered on the bottom, this is a quick compilation, , it is not necessarily all if the correspondence, but if you look on the bottom right page one, this is a letter from our former Business Administrator, to Mr. Rottenberg to appear at the October 27 meeting in the Board conference room, which he did appear. If you go to the next page there is a letter from my office to the owners of Negba, dated January 24th,

Negba Hearing

to Mr. Rottenberg which indicates various concerns.

And if you go to page 103, because until then it is

the documentation regarding that, page 119 is my

Mr. Inzelbuch

letter of January 27 with backup. February 2, is on page 123 with backup. February 10, is on page 128 with backup, and February 15 is on page 135 with backup, and finally February 16. I direct your attention to page 135, February 15 which brings us to this evening, this is one of several letters written to Mr. Rottenberg indicating there are additional complaints and indicating this is page 135, indicating please be advised that the Board has scheduled a hearing to occur on Thursday February 17, 2011 at 8:00 p.m. Please be advised the Board may take additional action due to the alleged nonperformance, including but not limited to reporting the situation to the County State Office of the NJDOE requesting county or state action and/or the consideration for additional rounds to be serviced using alternate methods And then it does have: Mr. Rottenberg, as you are aware, you have the right to bring any and all documentation, counsel, witnesses, et cetera, to refute the allegations herein and/or substantiate any claims, position you may have. So on a procedural issue, Mr. Rottenberg, did you receive this letter?"

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Inzelbuch – “You did receive all of these letters.

Mr. Inzelbuch

So, now it is the Boards pleasure if they would like to have this hearing in public or private. There is nothing that precludes you from doing either.”

Mr. Silver – “There is only two names for public we should probably let them speak and take care of that before we contemplate any other plans to go in or stay public.”

Mr. Silver

Mr. Inzelbuch – “Well, let me ask. There is two people signed up Mr William Hobday and Roxanne Marting. Are you here to discuss the issue of Negba Bus Company? That would be a yes or a no.”

Mr. Inzelbuch

Negba Hearing

Mr. Hobday – “If we have a vote on this, I would prefer to do it after the hearing.”

Mr. Hobday

Mr. Inzelbuch – “Ms. Martin.

Mr. Inzelbuch

Voice from Audience – “She will do it after.”

Mr. Seidler – “Is there any specific reason to do it closed?”

Mr. Seidler

Mr. Inzelbuch – “No, the vendor has asked to.”

Mr. Inzelbuch

Mr. Seidler – “Why?”

Mr. Seidler

Mr. Rottenbeg – “I think we can be more frank and get more to the point than in public.”

Mr. Rottenbeg

Mr. Tift – “Through the chair. I think that most of the public came because they would like to hear what we are going to talk about. I think that is why they are here. So, we should stay here and talk about whatever we’re going to talk about. There are no secrets.”

Mr. Tift

Mr. Silver – “I think we got to the point last hearing, most of it is complied in this 200 page document. I

Mr. Silver

know there was some promises made in public at the last hearing and from what I have been hearing there has not been much of a change since the last hearing either. So, I am just kind of confused what more we would accomplish if we went into closed session and what we can't accomplish here."

Mr. Rottenberg – "It is up to you."

Mr. Rottenbeg

Mr. Inzelbuch – "The pleasure of the Board."

Mr. Inzelbuch

Mr. Seitler – "Abstain."

Mr. Seitler

Mr. Grunhut – "I have one question. Is there a Sunshine problem going in private?"

Mr. Grunhut

Mr. Inzelbuch – "If you are going to take Board action that has to be in public, voting but to discuss a vendors performance, you just can't vote. The exception to Sunshine is voting on tenure charges."

Mr. Inzelbuch

Negba Hearing

Mr. Seitler – "Can we just go in for ten minutes and

Mr. Seitler

hear what he has to say that he doesn't want to say
in public and then come back out?"

Mr. Inzelbuch – “Any official action has to be taken
in public.”

Mr. Inzelbuch

Mr. Zlatkin – “I thank what Mr. Seitler is saying, we
should go in and then continue the public hearing.”

Mr. Zlatkin

Mr. Inzelbuch – “Alright, you are asking for ten
minutes which will take you to 8:35, is that your pleasure?
Be advised there can be no action and very limited dis-
cussion as to the contractual obligations of the vendor.
If that is your understanding, is that what you want to do?

Mr. Inzelbuch

Mr. Seitler – “Yes, and our transportation presentation
should take place in public.

Mr. Seitler

Mr. Silver “Why don't we do that first ad that could
help Mr. Rottenberg respond. Let's have the presenta-
tion from Gus prior to any other action or going to the
back and then we can take it from there. That is my
opinion.”

Mr. Silver

Mr. Grunhut - “Is that okay with you? I imagine you want to go into private because it is embarrassing.”

Mr. Grunhut

Mr. Rottenberg – “No, not really. I want to speak for real.”

Mr. Rottenbeg

Mr. Grunhut – “if that is the problem, I don’t think you have any problem speaking for real in front of this Board. I don’t think so.”

Mr. Grunhut

Mr. Rottenberg – “It is more comfortable for me in private. It is up to you, I asked for private.”

Mr. Rottenbeg

Mr. Grunhut – “I have no problem. If you asked for it, before or after Gus’ report?

Mr. Grunhut

Mr. Inzelbuch – “Let me stop this because we have advertised for a meeting. The only item on the Agenda is this matter. If I am wrong, tell me, but he the vendor wants to speak regarding contractual issues, he has the

Mr. Inzelbuch

Negba Hearing

right to do that. If he wants to limit it to a certain amount of time in closed session and then you need to take action in public, that is what needs to happen. But this was advertised as a hearing. The vendor has asked to do a portion of it in there, it will not be the hearing in there. He will have a chance to discuss whatever he wants to tell you, is that your understanding?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenbeg

Mr. Silver – “My recommendation is we proceed with Gus’ report first, and then we can vote on it afterward, that is what I personally think.”

Mr. Silver

Mr. Inzelbuch – “Okay.”

Mr. Inzelbuch

Mr. Seidler – We should hear Gus’ report and then we should hear the vendor inside and then come out and decide.”

Mr. Seidler

Mr. Silver – “We could do the roll call after Gus’ report.”

Mr. Silver

Mr. Inzelbuch – “May I suggest this, because once again, I don’t quite understand. It is my sound advise that you listen to Mr. Rottenberg if you are going to do this, let him tell you whatever he wants to tell you in there.”

Mr. Inzelbuch

Mr. Seidler – “It is over in ten minutes, let’s go.”

Mr. Seidler

Mr. Inzelbuch – “Get it over with and then the public. If there is going to be information, let’s do it out here. I am not telling you what to do, no disrespect.”

Mr. Inzelbuch

Mr. Silver – “Ten minutes.”

Mr. Silver

Mr. Inzelbuch – “It is now 8:26 ten minutes we will be out at 8:36.”

Mr. Inzelbuch

Mr. Silver – “Will everyone just have to say yeah?”

Mr. Silver

Mr. Inzelbuch – “All in favor to go into closed session for ten minutes?”

Mr. Inzelbuch

Negba Hearing

All – “Aye.”

Mr. Inzelbuch – “Under the new law there will be public portion because every meeting must have a public portion. We do have the sign in sheet?”

Mr. Inzelbuch

Mr. Inzelbuch - “Mr. President, if we can call this meeting back to order. It is now 9:00. We are now back in open session, for the matter of the hearing so advertised on the matter on the Agenda. The Board has had an opportunity at the vendor’s request to discuss matters with him. No action was taken and now we are here for the hearing. Mr. Gus, if you would present any documentation. We did present earlier the 144 pages of letters and backup that Mr. Rottenberg did acknowledge he has received. We did discuss earlier how we had a hearing on Firday, January 28th and now Gus it is your call.”

Mr. Inzelbuch

Mr. Kakavas – “As we discussed, the first item that I’d like to discuss are the 15 bids which were previously bid that was part of our previous discussion. Mr. Rottenberg sat in my office and signed the document that I am about to distribute to the Board members, in which he agreed to pay any difference in price for t those particular runs, in the case that they exceed \$884 per....”

Mr. Kakavas

Mr. Rottenberg – “No, what you said is wrong.”

Mr. Rottenbeg

Mr. Kakavas – “Let me finish and then you can correct me, I don’t think I said it wrong, it is prorated, okay.”

Mr. Kakavas

Mr. Inzebuch – “Why don’t we just read it. It says, I Aaron Rottenberg agreed to pay any difference between the price I was charging and any new hire out cost for the 15 routes that are being pulled from Negba Bus Company contractual transportation commitment with the LBOE, new Board bid 11-1113. I understand

Mr. Inzebuch

that this obligation will be paid in the form of

Negba Hearing

deductions from the remaining payments due to

me from the LBOE for the routes I continue to

do as originally contracted. Added by Mr.

Mr. Inzelbuch

Rottenberg. These runs cannot exceed the legal

limit of 884 per student per year. The amount to

be bid must be compared to this limit based on the

prorated cost calculated on the remaining days in

the current school year. What does that mean in

English?”

Mr. Kakavas – “What that means is without that

Mr. Kakavas

language, Mr. Rottenberg feared that he might be

assessed a higher amount than the actual remaining

months that were left on his contract. So, that

language is put in there specifically to protect him

from bearing the cost of a full ten months worth of

transportation as opposed to the remaining four and

a half months.”

Mr. Inzelbuch – “Do you disagree with that?”

Mr. Inzelbuch

Mr. Rottenberg – “I would like to add a little to it, which...”

Mr. Rottenbeg

Mr. Inzelbuch – “All right, in common English.”

Mr. Inzelbuch

Mr. Rottenberg – “The State, I believe it is the State, allows \$884 per child, per year. That means there is let’s say ten children only on the bus, the maximum you could bid for that bus for the year is \$884 times ten.”

Mr. Rottenbeg

Mr. Kakavas – “Right.”

Mr. Kakavas

Mr. Rottenberg – “So, if this run only has twenty children, the amount of the run is \$884 times 20, prorated for, let’s say it is going to be March, April, May and June, let’s say each month has the same amount of days of school, let’s say it would be four months times 18 days, it would be 72 days I have to pay, the most someone could be \$882.”

Mr. Rottenbeg

Mr. Seitler – “\$884.”

Mr. Seitler

Mr. Rottenberg – “They can’t bid higher than that anyways.”

Mr. Rottenbeg

Negba Hearing

Mr. Inzelbuch – “He is okay with that?”

Mr. Inzelbuch

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Seidler – “Could I ask a question? The routes on the 9:00 that we took away, the eight routes on the 9:00, do you have handy how many children are on the buses?”

Mr. Seidler

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Seidler – “The routes on the 9:00 that we took away, the eight routes on the 9:00 how many children are on those routes?”

Mr. Seidler

Mr. Kakavas – “I don’t have it with me, wait, I might.”

Mr. Kakavas

Mr. Inzelbuch – “While he is looking how many do

Mr. Inzelbuch

you think Ms. Bunnell?

Ms. Bunnell – “About an average of 30 per bus.”

Ms. Bunnell

Mr. Inzelbuch – “Does that sound right Mr. Rottenberg?”

Mr. Inzelbuch

Mr. Rottenberg – “I don’t know, I don’t remember.”

Mr. Seitler – “My question is those 8 a little less?”

Mr. Seitler

Mr. Kakavas – “I will read the routes with the load counts. ATGS1, load count of 26, ATGS1P is 9, MC...”

Mr. Kakavas

Mr. Rottenberg – “Is that the early runs your reading or does it not matter. I think the Board wants the 9:00 runs. Because the early runs no matter how much they are, let me explain to the Board, the Minyon runs, even if there is 40 kids on them, they go for \$60 because everybody wants them. So that is not an issue.”

Mr. Rottenberg

Mr. Kakavas – “I will read the runs for 9:00. ATGS1 has 26, ATGS1P has 9...”

Mr. Kakavas

Mr. Rottenberg – “What school is that? May I know?”

Mr. Rottenbeg

Ms. Bunnell – “Ateres Tzipora Elementary.”

Ms. Bunnell

Negba Hearing

Mr. Kakavas – “The next route is 7:40, 7:40, 7:40, 7:40, 7:40, 7:40, 7:40, 7:40. Then we have route BYBP1 with 24 children.”

Mr. Kakavas

Ms. Bunnell – “Bnos Penina.”

Ms. Bunnell

Mr. Kakavas – “Route BYBP2, 36 children.

Mr. Kakavas

Ms. Bunnell – “Bnos Penina.”

Ms. Bunnell

Mr. Kakavas – “BDGS2, 24 children, BDGS5, 26 children, BDGS5P, 22 children, YKTA4, 15 children, YNO4, 28 children, YNO4P, 15 children, AYHSI, 19, wait that is an 8:30 run, are we counting an 8:30 or not?”

Mr. Kakavas

Mr. Rottenberg – “I think that is the one we gave to the other schools. Is that the girls high school?”

Mr. Rottenbeg

Ms. Bunnell l- “Ateres Yisroel High School.”

Ms. Bunnell

Mr. Kakavas – “BM9, 31 children.”

Mr. Kakavas

Mr. Seidler – “These are the one’s we are taking away, right?”

Mr. Seidler

Mr. Kakavas – “Yes, these are all out to bid and we have received bids on 7 of the 15.”

Mr. Kakavas

Mr. Rottenberg – “Only the 7:30’s.”

Mr. Rottenbeg

Mr. Seidler – “You already listed 13, these are obviously counting the 15 you already put out, right?”

Mr. Seidler

Mr. Rottenberg – “No, they are not.”

Mr. Rottenbeg

Mr. Kakavas – “No, some of them are am/pm that go together and that is the reason why they

Mr. Kakavas

were read that way, but they have different load counts, that is the reason I mentioned them.”

Mr. Inzelbuch – “What is the point of the question?”

Mr. Inzelbuch

Mr. Seitler – “The point of the question is that I’d

Mr. Seitler

Negba Hearing

like to try to figure out why these routes weren’t bid. I was told that the reason is because they were not full buses and they were below average and that is why they were not bid and if we would choose , you know the routes that were fuller, then they would be bid, but it seems like they are all within the average fo 25 to 30. So, do we have any reason whey the other companies would not have bid on these routes?”

Mr. Seitler

Mr. Kakavas – “I think because of the late work.”

Mr. Kakavas

Mr. Rottenberg – “No, the 9:00’s are not late work.

Mr. Rottenbeg

The 7:00’s are the late work, the Minyon runs all in the Estival boys high school that go in at 7:40 and

get out at 9:00. So, no Murphy, SDA, these companies don't want it, they don't want to keep the yards open. The only ones that do it here are me and Jays. I believe no one has buses available for the 9:00 runs, that is my opinion."

Mr. Kakavas – "We do have 9:00 runs on the second 15 bids that these seem there seems to be a lot of interest. So, I don't know if that is an accurate statement."

Mr. Kakavas

Mr. Seidler – "My question is, is that would you be able to figure out what the reason would be why the second 15 would have ore interest than the first?"

Mr. Seidler

Mr. Kakavas – "It is my understanding that the second 15 there is more interest because the route loads are higher, they are more condensed in the geography where they are going and they could be matched up to other work for these vendors, in other words they could maximize the utilization of their fleet, they just fit better. I credit Patty for helping with that because on the first 15, Aron picked for us and on the second 15

Mr. Kakavas

I asked patty to work with me and she came up with the 15 routes that there was an extreme interest in because they were very viable in matching other work with.”

Mr. Inzelbuch – “But of course were those based on problems?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, we had complaints, absolutely. “

Mr. Kakavas

Negba Hearing

Mr. Inzelbulch – “There was a rationale basis to do this?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, but unfortunately, we have a lot of routes wit complaints, so what we did was on the first batch we gave Mr. Rottenberg the latitude to choose them. On the second group we chose the routes with the complaints that also were marketable.”

Mr. Kakavas

Mr. Inzelbuch – “Now, what is going to happen to the other 8 routes that weren’t picked up from the first batch?”

Mr. Inzelbuch

Mr. Kakavas – “We are going to request that Mr. Rottenberg continue to do them.”

Mr. Kakavas

Mr. Inzelbuch – “Are you continuing to do them?”

Mr. Inzelbuch

Mr. Rottenberg – “I can’t answer this second, let’s wait and see what happens. I am continuing until March 1st, nothing happens until March 1st.”

Mr. Rottenbeg

Mr. Kakavas – “Moving on with the plan that I am going to ask the Board, I would ask the Board that at our March 24th meeting that we...”

Mr. Kakavas

Mr. Inzelbuch – “February 24th.”

Mr. Inzelbuch

Mr. Kakavas – “I am sorry. February 24 that we approve the seven routes which Patty they do meet the letter on the 884, being under that threshold?”

Mr. Kakavas

Mr. Inzelbuch – “They do?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, and the remaining 8 would stay

Mr. Kakavas

assigned to Mr. Rottenberg. Obviously we did not get any bids and rather than rebid, and go through the same process ask and assign them to Mr. Rottenberg.”

Mr. Inzelbuch – “Well, it is not a question of ask. He is contractually bound to do those, isn’t he?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, he is.”

Mr. Kakavas

Mr. Inzelbuch – “You don’t feel contractually bound

Mr. Inzelbuch

Negba Hearing

to do these?”

Mr. Rottenberg – “I am not sure.”

Mr. Rottenbeg

Mr. Inzelbuch – “I feel like I am in Disneyland.”

Mr. Inzelbuch

Mr. Rottenberg – “Ready for the ride.”

Mr. Rottenbeg

Mr. Inzelbuch – “I think the Board has gone for a ride long enough. “What I don’t understand is, obviously, there is information that I am not

Mr. Inzelbuch

aware of and I don't have to be, but I want to be fair, the first 15 routes, were they selected by Mr. Rottenberg?"

Mr. Kakavas – "Yes, by Mr. Rottenberg."

Mr. Kakavas

Mr. Inzelbuch – "Can we agree on that?"

Mr. Inzelbuch

Mr. Kakavas – "Yes."

Mr. Kakavas

Mr. Rottenberg – "Yes."

Mr. Rottenbeg

Mr. Inzelbuch – "Good, we have an agreement on two issues. Building on that, eight were picked up."

Mr. Inzelbuch

Mr. Kakavas – "Seven were picked up."

Mr. Kakavas

Mr. Rottenberg – "No, I am not sure. I think eight were picked up. That high school was the eighth."

Mr. Rottenbeg

Mr. Kakavas – "Seven."

Mr. Kakavas

Mr. Rottenberg – “So, there are 6 and 1? I was not there for the opening of the bids.”

Mr. Rottenbeg

Mr. Inzelbuch – “Let’s be sure. Ms. Bunnell.”

Mr. Inzelbuch

Ms. Bunnell – “Seven routes were picked up until Board approval.”

Ms. Bunnell

Mr. Inzelbuch – “Until Board approval which is on the 24th of February. February 24th is the transportation department recommending that those seven routes be delivered by whatever bus company picked them up?”

Mr. Inzelbuch

Negba Hearing

Mr. Kakavas – “Yes’.

Mr. Kakavas

Ms. Bunnell – “Yes.”

Ms. Bunnell

Mr. Inzelbuch – “These contracts we have, student transportation contracts?”

Mr. Inzelbuch

Ms. Bunenell – Yes’.

Ms. Bunnell

Mr. Kakavas – “Yes”.

Mr. Kakavas

Mr. Inzelbuch – “So why would that be a debate,
if he has to continue with those seven?”

Mr. Inzelbuch

Mr. Kakavas – “We are not debating.”

Mr. Kakavas

Mr. Inzelbuch – “Why would you?”

Mr. Inzelbuch

Mr. Rottenberg – “I am not an attorney, but I am
okay with whatever.”

Mr. Rottenbeg

Mr. Inzelbuch – “So, unless there is something
that I am not understanding, those seven routes
you are obligated to do.”

Mr. Inzelbuch

Mr. Kakavas – “Eight.”

Mr. Kakavas

Mr. Inzelbuch – “Those eight routes. Do you have
the information you would like to present to the
Board, because I really feel we’re going back and
forth. Certain Board members like to ask questions
that are very important, but we are here for a hearing.

Mr. Inzelbuch

So, could we have the information you would like to present? The list is what you are looking for.”

Mr. Kakavas – “Yes, they have received that.”

Mr. Kakavas

Mr. Inzelbuch – “The Board has received a list of complaints, which is 271 long.”

Mr. Inzelbuch

Mr. Seitler – “Can I finish my thought?”

Mr. Seitler

Mr. Inzelbuch – “No, we are at a hearing.”

Mr. Inzelbuch

Mr. Seitler – “Through the chair.”

Mr. Seitler

Negba Hearing

Mr. Inzelbuch – “I would ask to allow Gus to make his presentation.”

Mr. Inzelbuch

Mr. Grunhut – “Okay.” ***Mr. Grunhut***

Mr. Seitler – “Gus are you insinuating that ***Mr. Seitler***

Mr. Rottenberg deliberately chose routes that would not be picked up?”

he knew

Mr. Kakavas – “I don’t want to...”

Mr. Kakavas

Mr. Seitler – “Would you suggest that that is a possibility?”

Mr. Seitler

Mr. Kakavas – “I don’t want to read... I would ask, with all due respect, Mr. Seitler, that what ever his intentions were, he did pick them and the fact of the matter remains that there was no interest.”

Mr. Kakavas

Mr. Rottenberg – “I will tell you why I picked them if you want to hear?”

Mr. Rottenbeg

Mr. Inzelbuch – “Tell us why?”

Mr. Inzelbuch

Mr. Rottenberg – “Those are the runs that are bid very close to threshold. So, even if someone picked them up, I wouldn’t be liable to pay anything out of pocket because let’s say it was 884 per kid, that is what they are being paid for and no one could bid high than that and I would not have to pay anything out of pocket. Even if it was 25 or 35 kids if it was

Mr. Rottenbeg

bid higher than the threshold.”

Mr. Inzelbuch – So it was an economic reason?’

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenbeg

Mr. Inzelbuch – “So now we have that. So, now are you going to make your presentation?”

Mr. Inzelbuch

Mr. Kakavas – “Yes. In line with the 271 logged

Mr. Kakavas

Negba Hearing

complaints, and I would also let the Board know that many of those complaints the caller or the writer of the complaint prefaced their remarks of their complaint by saying they were speaking on behalf of all of the mothers as a bus stop, several mothers at a bus stop. So, there could have been multiple complaints or many more complaints on that list but for the sake of brevity and convenience we condensed it to one mother speaking on behalf of many mothers.”

Mr. Kakavas

Mr. Inzelbuch – “Did we hear from any schools
because there are a lot of mothers here in Lakewood?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, we heard from many schools and
they are listed on there either as the Rabbi all or staff call.”

Mr. Kakavas

Mr. Inzelbuch – “Did e get any complaints, and I don’t
know this to be true or not, does Negba do any public
school routes?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, and we did.”

Mr. Kakavas

Mr. Inzelbuch – “Can you direct us where that would be?”

Mr. Inzelbuch

Mr. Kakavas – “Well, one of the most recent ones would
be the one that occurred on the late run. I will give you the
line item. The line item number is 255 on the 15th. That
was the most recent I can recall.”

Mr. Kakavas

Mr. Silver – “Clifton Avenue?”

Mr. Silver

Mr. Inzelbuch – “Can you explain what 255 is, Gus?”

Mr. Inzelbuch

Mr. Kakavas – “That is the 255th complaint.”

Mr. Kakavas

Mr. Inzelbuch – “It is dated February 15th, it says, Clifton Avenue late runs, the complaint was made by staff, the bus company is Negba. What you wrote here is while Mr. Rottenberg was on the phone with me going over complaints for the day, a complaint came in from the Clifton Avenue Grade School. Late buses one and two were 25 minutes late for pick-up. Mr. Rottenberg said he would see what happened. He called me back and said tow drovers had parked their buses and hone home with out completing the late runs. Sub buses were sent but the children arrived home 45 minutes late. Then Mr. Rottenberg claimed that Margarite, who normally

Mr. Inzelbuch

Negba Hearing

reminds the driver to do the late runs was out sick, no one reminded them so the drivers thought they did not have a late run that day. I told Mr. Rottenberg to tell his drivers they must do assigned work. Does that sound right?’

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Silver – Through the chair. Gus have you received any complaints from Linden Avenue Preschool, the 3 and 4 year olds?”

Mr. Silver

Mr. Kakavas – “Yes, I believe so.”

Mr. Kakavas

Mr. Seidler – “Line 243.”

Mr. Seidler

Mr. Silver – “What kind of complaint did you get from them?”

Mr. Silver

Mr. Inzelbuch – If we could look at 243 because the vendor has a right, it I may read what it says. February 10th, Linden Pre-School. 14 passenger bus sent, the bid requires 24 passenger bus, 15 pupils on run, last child was not picked up. Verified by Kendra of the Negba office. Assured this would not happen again. Does that sound right? Is there a Kendra who works for you?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes, that sounds right and yes I have a Kendra who works for me.”

Mr. Rottenberg

Mr. Inzelbuch – “Is this all most recent since your start?”

Mr. Inzelbuch

Mr. Kakavas – “Yes, since February 1, which was my first day of work.”

Mr. Kakavas

Mr. Inzelbuch – “So we have this list, which the vendor was sent, other than the most recent from today. Do you have any other information, factual information? I know you brought Ms. Bunnell for a reason. Is there any factual information?”

Mr. Inzelbuch

Mr. Silver – “The Clifton Avenue Grade School, is that the first time or is that a repeat?”

Mr. Silver

Mr. Seitler – “Line 213 and 228.”

Mr. Seitler

Negba Hearing

Mr. Silver – “Thank you.”

Mr. Silver

Mr. Kakavas – “Ms. Bunnell is here because if there were any questions about the service level of the Negba Bus Company prior to my starting on February 1, Ms. Bunnell

Mr. Kakavas

graciously agreed to stay and don't forget she starts her day very, very early, around 6:00 a.m."

Mr. Inzelbuch – "Ms. Bunnell did you put the list together prior to Gus coming on board?"

Mr. Inzelbuch

Ms. Bunnell – "Yes, I did."

Ms. Bunnell

Mr. Inzelbuch – "And the way you did it was that you entered the date, time, source and complaint?"

Mr. Inzelbuch

Ms. Bunnell – "Correct."

Ms. Bunnell

Mr. Inzelbuch – "Mr, Rottenberg, do you have any questions as to the method at which this list was put together?"

Mr. Inzelbuch

Mr. Rottenberg – "No."

Mr. Rottenberg

Mr. Inzelbuch – "Do you have anything you would like to present to rebut, refute, challenge, modify, amend what is on this list?"

Mr. Inzelbuch

Mr. Rottenberg – “No.”

Mr. Rottenberg

Mr. Inzelbuch – “So, is there any other, before you go to the law, which looks like you’re winding up to do, is there any incidents of this week sir?”

Mr. Inzelbuch

Mr. Kakavas – “There were many incidents this week.”

Mr. Kakavas

Mr. Inzelbuch – “Anything not on this list?”

Mr. Inzelbuch

Mr. Kakavas – “Everything I believe is on this list of what came, what occurred that I was aware of. There are complaints that people made to other people involved with the LBOE. Sometimes they don’t come my way. I found that out. But my complaints that went to my desk, Patty knows that I have since I started here have requested that all of the secretaries and Patty, send all complaints not just Negba to me. The other thing that

Mr. Kakavas

Negba Hearing

did come up was that I guess it was two or three days ago, right after the bid opening for the second of the 15 bids, Mr. Rottenberg did come into my office highly

agitated and very upset and wanted to know why we went out for 15 more bids. I informed him that I had left him a voice mail following an extraordinary bad day, telling him that the Board had given me that parameter, and that I realized that things were not getting any better. And that the second 15 might help him recoup his resources to a point where he could deliver the level of device that need to be delivered, and he said you bid them out now they are your problem and he threatened not to fulfill his contractual obligation to continue doing those runs until he was told by the Board no to.”

Mr. Kakavas

Mr. Inzelbuch – “In fact he has continued?”

Mr. Inzelbuch

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Inzelbuch – “Is there any other factual information we need to know at this time? Mr. Rottenberg would you like to present anything?”

Mr. Inzelbuch

Mr. Rottenberg – “No, I would not.”

Mr. Rottenberg

Mr. Inzelbuch – “Gus, what would you suggest?”

Mr. Inzelbuch

Mr. Kakavas – “At this time, based on Title 18A language, which mirrors the Administrative Code 6 language, which gives the Board certain parameters to disqualify a bidder and if I can just read: If the Board finds that it has prior negative experience shall for a reasonably defined period, not to exceed three years, disqualify a bidder and it must be made by resolution. That is also included in the bid packets that goes out to all of our transportation contracts, is a forfeiture clause, and that clause clearly states, if a contractor fails to furnish safe and adequate personnel and equipment or otherwise fails to comply with the terms of the contract LBOE may cancel the contract after a public hearing, and upon 60 days written notice of procure services elsewhere. The LBOE in its sole discretion may call for the forfeiture of the performance bond. The contractor shall be liable for any incremental

Mr. Kakavas

Negba Hearing

costs, including reasonable attorney fees and admin-

istrative fees to prepare for a new bid. Again we would ask the BOE for their approval of the 7 bids.”

Mr. Inzelbuch – “That would be done at the next meeting of February 24.”

Mr. Inzelbuch

Mr. Kakavas – “That is correct. We also have a bid opening on the 24th for the additional 15 bids. I would ask the board providing they come in and they meet muster that we award those bids. Also while we give Mr. Rottenberg every opportunity during his continued service, that we begin the statutory requirements of presenting ourselves for a hearing with the Executive County Superintendent to review the issues that we have had with Negba Bus Service.”

Mr. Kakavas

Mr. Rottenberg – “Why don’t you wait until after you pull the routes and see if it gets any better before you start that procedure?”

Mr. Rottenberg

Mr. Kakavas – “There is also a procedure for pursuing the performance bond. We have a County Supt. that

Mr. Kakavas

is also serving as Atlantic County's Executive Supt. and we need to give him enough lead time that this type of hearing can take place. The prudent thing for me to recommend to the BOE is to begin these series of actions. They are time consuming and involved."

Mr. Seidler – "I have two questions for Gus. Let's say we start this process with the County Office and it takes say three months to get a hearing and the services have improved are we allowed to pull back?"

Mr. Seidler

Mr. Kakavas – "It is my understanding yes."

Mr. Kakavas

Mr. Seidler – "This is a legal question. The paper that Mr. Rottenberg signed, does it delineate the specific 15 routes? In essence we are discussing about taking away a total of 30 routes but we are really only taking away 22 because we are asking him to take back 8."

Mr. Seidler

Mr. Kakavas – "At this point we are going to pursue the performance bond. Service has not improved enough not to and we need to protect the LBOE."

Mr. Kakavas

Negba Hearing

Mr. Silver – “Do you recommend we find another 8 routes to take away to make up for the 30 routes?”

Mr. Silver

Mr. Kakavas “I want to give Mr. Rottenberg an opportunity during this interim, while we are going towards the County hearing to have a legitimate attempt to improve. I am hoping pulling the 22 will alleviate enough of his work load that some of the drivers are going to be freed up and he will be able to maximize this opportunity which will give him the highest possibility of preempting the County hearing. If that does not happen then the list of 271 complaints we have now will increase and the trend will continue. I am hoping that that does not occur and that we can start concentrating on other things besides complaints.”

Mr. Kakavas

Mr. Seidler – “Just so I am clear, the recommendation for tonight is to take an additional 7 routes, not 15?”

Mr. Seidler

Mr. Kakavas – “No, we are going to make that recommendation at the 24th meeting.”

Mr. Kakavas

Mr. Inzelbuch – “What I understand is that the
7 bids which were picked up will be on the February
24th agenda regardless of the vote this evening;
is that correct, Gus?”

Mr. Inzelbuch

Mr. Kakavas – “I don’t know if they will be ready
for the meeting of the 24th, probably by the next
meeting.”

Mr. Kakavas

Mr. Inzelbuch – “Your recommendation is that they
should vote yes or no on the County and yes or no
on the bond?”

Mr. Inzelbuch

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Rottenberg – “Why are we pursuing the bond if
you have not monetary loss as of yet or even in the
future and if I am willing to pay for it?”

Mr. Rottenberg

Mr. Kakavas – “Are you going to sign another letter
for the next group of routes?”

Mr. Kakavas

Mr. Rottenberg - “Well just say you’ll pursue the bond if you have a loss. I am not answering yes or no, I don’t know what routes pulled.”

Mr. Rottenberg

Mr. Inzelbuch – “If we don’t have a loss we don’t pursue the bond. Is there a notice requirement? If there is that would be our detriment.”

Mr. Inzelbuch

Mr. Silver – “If the Board decides to withdraw their request for a hearing in say a month or two based on improvements who is responsible for administrative costs that were incurred as far as court fees or your fees?”

Mr. Silver

Mr. Inzelbuch – “The BOE pays. Mr. President the question now become has the Board called for a hearing?”

Mr. Inzelbuch

Mr. Grunhut – “Yes.”

Mr. Grunhut

PUBLIC RECOGNITION

Public Recog.

Mr. Hobday – “30 Schoolhouse Lane. I thought the

Mr. Hobday

Board was going to pick the 15 routes based on the level of complaints. To allow the service provider to pick the routes of course he is going to this based on economic reasons. You should pick the routes that would be the most easily available for rebid.”

Mr. Kakavas – “We did that on the second 15.”

Mr. Kakavas

Mr. Hobday – “You have 8 routes going back to Negba. Wouldn’t it be in the financial best interest? of the Board to select 8 other routes that are more attractive for rebid then the 8 chosen by Mr. Rottenbeg? The other issue I have is how the contractual obligations are for the school district and school hours/days. One of the things that the Charter schools are doing is longer school days and extending the school year. This could possibly help turn around a failing school district.

Mr. Hobday

Mr. Inzelbuch – “ You should know that the LEA leadership is here. The Board is very interested in discussing longer days and less days off and they are actually discussing that with the LEA. We

Mr. Inzelbuch

Public Recog.

would be thrilled but in America you need to have contractual agreements with the unions. In addition there is a grant the Board is looking into, the SIG Grant, the School Improvement Grant, which would require longer school days and less time off. The Board is actively seeking more instruction and more accountability.”

Mr. Inzelbuch

Mr. Hobday – “At the last meeting you were going to change the word from shall to should and therefore that was the first reading, I was hoping tonight would be the second reading.”

Mr. Hobday

Mr. Inzelbuch – “No, we did say at the February 24th meeting the second reading.”

Mr. Inzelbuch

Mr. Hobday – “I know, but were we aware of this meeting?”

Mr. Hobday

Mr. Inzelbuch – “No. We did send to the six public schools and to all of the nonpublic schools to let them know that the second reading would happen on the 24th.

Mr. Inzelbuch

The principals should have the right to comment by the 24th.”

Mr. Seitler – “Through the chair. Can I hear what the Superintendent’s opinion is, because I did not hear anything about longer days.”

Mr. Seitler

Ms. Silva – “The research that is coming out clearly indicates that the United States has the least mandated hours. We are competing against Japan, who I think has anywhere from 8 to 10 hour days for students. I think when you eliminate lunch, prep periods, we come down to something like four hours a day. So, it behooves us to expand the day. One of the ways we are going to look at it is through the SIG Grant and that it has to go through the legislation and everything else.”

Ms. Silva

PUBLIC RECOGNITION CLOSED

Public Recog Closed

Mr. Tift – “Through the chair. When we find out about the bond, if there is a time frame...”

Mr. Tift

Mr. Inzelbuch – “The company is in Massachusetts, I

Mr. Inzelbuch

placed a call stated who I was but not from what district.

I will have Gus call tomorrow and review the bond and find out if there is a procedural issue.”

Mr. Tift – “Can we at least start the procedure if there is one so we can vote on it?”

Mr. Tift

Mr. Inzelbuch – “We don’t want to hurt the vendor so, what I suggest is that you vote to two options, one is the County hearing, to start the process, yes or no. And two is to pursue the bond should the procedural requirements of the bond require that you notice. So, you vote to pursue the bond now, provided there would be procedural ramifications if you didn’t.”

Mr. Inzelbuch

Mr. Seidler – “What about the vote on the 15?”

Mr. Seidler

Mr. Inzelbuch – “You could agree now as formal action to go out for the 15 routes and you could formalize what has happened already to the second 15.”

Mr. Inzelbuch

Mr. Seidler – “That was point before, that could we just take 8 and replace the other 8 and then just discuss that

Mr. Seidler

we are going out for 7?

Mr. Kakavas – “I don’t think we can based on the verbal direction a couple of meetings ago. the 15 routes, the second 15 routes are out, they will be submitted and opened on the 24th.”

Mr. Kakavas

Mr. Seidler – “I understand. What I am trying to say is on 8 of them you should not have had to ask permission from the Board, we already gave permission for the 15, we didn’t specify which 15 and being 8 weren’t picked up you have the full right to go ahead and bid out another 8 without even asking us. The question is only on the other 7, i just want to clear that up.”

Mr. Seidler

Mr. Inzelbuch – “Through the chair. Let’s go through this. Number one, should we initiate County proceedings in accordance with the NJ statute, you do need a majority of Board for this vote, which would mean 5. With the understanding you could always later say you are going to stop it. Is there a motion?”

Mr. Inzelbuch

Mr. Seidler – “Yes.”

Mr. Seidler

Mr. Silver – “Second.”

Mr. Silver

MOTION TO START COUNTY

Motion to start County proceed

PROCEDURINGS AGAINST NEGBA BUS

ings against Negba Bus Co.

ROLL CALL:

YES: Mr. Grunhut, Mr. Seidler

Mr. Silver, Mr. Tift,

Mr. Zlatkin

MOTION PASSES

Motion Passes

Mr. Inzelbuch – “Okay. Second is to pursue the bond regarding the 7 routes that were picked up.”

Mr. Inzelbuch

Mr. Kakavas – “I thought we were pursuing the bond in the event that we had issues that were part and parcel to the County hearing.”

Mr. Kakavas

Mr. Inzelbuch – No, that is not what we said. What we discussed is that bonds like insurance may very well have certain time lines and deadlines. The

Mr. Inzelbuch

Board is requiring him to continue with 8. The 7 that were picked up if there is a loss and if we have to report it within a certain time frame, that would be the vote for now.”

Mr. Rottenberg – “Wouldn’t you know that now? Why wouldn’t you just compare the two bids?”

Mr. Rottenberg

Mr. Inzelbuch – “Okay, part of the vote would be if there is a loss, well , then perhaps you don’t have to do the bond.”

Mr. Inzelbuch

Mr. Silver – “Our understanding, being things are on shaky grounds and there is a County hearing forthcoming, he had made it sound like should we pursue the bond just in case there are issues that are going to come up that may arise, especially since a couple of days ago there were some.”

Mr. Silver

Mr. Inzelbuch – “Mr. Rottenberg are you willing, when Gus comes up with a number with Patty for these 7 routes to assume the difference if there is one?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes, that is what we signed for.

Mr. Rottenberg

I object to this, because the reason I signed the paper the last time, you said if I signed the paper you wouldn’t go after the bond, and that was a clear agreement.”

Mr. Zlatkin – “That is my question, if he assumes the difference, why are we going to the bond?”

Mr. Zlatkin

Mr. Silver – “Gus, didn’t you say that Mr. Rottenberg came into your office two or three days ago and told you that if we took 15 routes that he would stop, he would renege on servicing the other routes. My understanding based on the way you explained it, that you were pursuing the bonds just in case there was action related to the threats which you have brought before us.”

Mr. Silver

Mr. Kakavas – “Yes. And Patty Bunnell also heard the threat.”

Mr. Kakavas

Mr. Inzelbuch – “Is that true, Ms. Bunnell”

Mr. Inzelbuch

Ms. Bunnell – “Yes.”

Ms. Bunnell

Mr. Kakavas – “My total interest in the bond is to protect this Board of any financial damages..”

Mr. Kakavas

Mr. Inzelbuch – “So, what is your recommendation?”

Mr. Inzelbuch

Mr. Kakavas – “That we find out if there’s a threshold, if there is not, we just make sure that the Board agrees should there be a time when we see a loss coming, that we have the approval to pursue the bond on the 7 routes or any other routes forthcoming.”

Mr. Kakavas

Mr. Tift – “So, are we going to wait until there is a loss, or our we going to do it before there is a loss?”

Mr. Tift

Mr. Inzelbuch – “By tomorrow they will be able to figure out the first 7 if there is a loss. If there is a loss, are you agreeing immediately?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Inzelbuch – “to give us money?”

Mr. Inzelbuch

Mr. Rottenberg – “The way we made up the paper, to take it out of their paychecks.”

Mr. Rottenberg

Mr. Inzelbuch – “Though June?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Seitler – “What I was understanding was that Gus was recommending that being we may be going to the County and there won’t be any checks coming through June, we should pursue the bond.”

Mr. Seitler

Mr. Inzelbuch – “Why won’t there be checks?”

Mr. Inzelbuch

Mr. Zlatkin – “If the County disqualifies them

Mr. Zlatkin

Mr. Inzelbuch – “It takes much longer than three months.”

Mr. Inzelbuch

Mr. Kakavas – “That is why we are asking for permission to pursue that.”

Mr. Kakavas

Mr. Seitler – “So, why would you want to pursue the bond?”

Mr. Seitler

Just ask him, Mr. Rottenberg, would you agree to do 22 instead of just 15?”

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Seitler – “He is agreeing to change from the 15 to 22. That means he is going to take out of his paycheck any difference on all 22 routes.”

Mr. Kakavas – “That covers us for the two bids.”

Mr. Kakavas

Mr. Inzelbuch – “When is he doing this, immediately or through June?”

Mr. Inzelbuch

Mr. Rottenberg – “Through June.”

Mr. Rottenberg

Mr. Inzelbuch – “What if he doesn’t?”

Mr. Inzelbuch

Mr. Seitler – “You are taking it out of his check.”

Mr. Seitler

Mr. Inzelbuch – “So, now the agreement tonight is on 22 routes, 7 already and 165 more, Mr. Rottenberg is going to pay the difference.”

Mr. Inzelbuch

Mr. Seitler – “Correct.”

Mr. Seitler

Mr. Inzelbuch – “Is that correct?”

Mr. Inzelbuch

Mr. Rottenberg – “ I am agreeing to that to stop you
from going to the bonding company now.”

Mr. Rottenberg

Mr. Inzelbuch – “Is that under duress, coercion, force?

Mr. Inzelbuch

Mr. Rottenberg – “No, it is a deal, a plea, a bargain.”

Mr. Rottenberg

Mr. Anthony – “How come this wasn’t a public hearing
in the first place, when all the information that you are
talking about in the back room is coming out now?”

Mr. Anthony

Mr. Seitler – “It was here in public before we went into
the back.”

Mr. Seitler

Mr. Inzelbuch – “22 Routes Mr. Rottenberg is agreeing,
if there is a difference, we know 7, by tomorrow morning
we’ll now the next 15, he will pay in equal payments from
whenever they are assigned, March, April, May, June, is

Mr. Inzelbuch

that how it is going to work?”

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Inzelbuch – “The next 15 will be ready for the meeting of the 24th of February.”

Mr. Inzelbuch

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Inzelbuch – “And the Board members who are here to be fiscally responsible will be able to know by that meeting what the difference is?”

Mr. Inzelbuch

Mr. Kakavas – “Correct.”

Mr. Kakavas

Mr. Inzelbuch – “Mr. Rottenberg is agreeing to pay the difference.”

Mr. Inzelbuch

Mr. Rottenberg – “If you don’t go to the bond company.” -

Mr. Rottenberg

Mr. Inzelbuch – “You already agreed to these.”

Mr. Inzelbuch

Mr. Rottenberg – “We spoke clearly last week.” -

Mr. Rottenberg

Mr. Inzelbuch – “Nothing against Mr. Rottenberg, but I must say there are potential pitfalls in this.”

Mr. Inzelbuch

Mr. Rottenberg – “Michael, wasn’t this your recommendation last time?”

Mr. Rottenberg

Mr. Inzelbuch – “There seems to have been events that have occurred since last time, you brought a threat to the office.”

Mr. Inzelbuch

Mr. Silver – “How are we protecting the Board if suddenly more buses stop showing up?”

Mr. Silver

Mr. Kakavas – “Can I just put a caveat on Mr. Rottenbergs agreement with these 22 routes, that the restriction on us not going to the bond company deals only with these 22 routes and should things deteriorate any further, then we still have the option to open.”

Mr. Kakavas

Mr. Rottenberg – “Well, that is for sure.”

Mr. Rottenberg

Mr. Inzelbuch – “That’s for sure.”

Mr. Inzelbuch

Mr. Tift – “It seems kind of weird that we have a bond, the reason why we have bus companies put up bonds is in case they don’t pay. Is there something that we don’t know about the bond? Is there a bond?”

Mr. Tift

Ms. Bunnell – “Yes, there is.”

Ms. Bunnell

Mr. Inzelbuch – “Has it been paid for?”

Mr. Inzelbuch

Ms. Bunnell – “Yes, it has.”

Ms. Bunnell

Mr. Tift – “I think we should purse the bond, instead of having him make an agreement to pay, he could renege.”

Mr. Tift

Mr. Seitler – “We have his check, it is a garnish.”

Mr. Seitler

Mr. Rottenberg – “You have my check.”

Mr. Rottenberg

Mr. Seitler – “We pay him, and we garnish the check.”

Mr. Tift – “We don’t need him? So, take it from the top.”

Mr. Tift

Mr. Zlatkin – “Right. The only question is is that should he carry out on a threat that he is going to stop all busing, then there won’t be any checks.”

Mr. Zlatkin

Mr. Rottenberg – “By the way, I never made that threat. The threat was that I won’t do the other 8 because they don’t tie into.”

Mr. Rottenberg

Mr. Tift – “Thank you.”

Mr. Tift

Mr. Seitler – “Is there any other recommendations that we have to vote on?”

Mr. Seitler

Mr. Inzelbuch – “What would you like your second motion to be?”

Mr. Inzelbuch

Mr. Seitler – “To replace the old 8 and add on an additional 7 for a total of 22.”

Mr. Seitler

Mr. Kakavas – “There are two bids. Out of two bids there were potentially 30 routes that were going to bid. Instead of 30 routes, it looks like we are going

Mr. Kakavas

to wind up awarding 22 out of the two bids.”

Mr. Inzelbuch – “Are you agreeing for us to award
22 routes?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes. I am just confused with the
one route, with this Ateres. I don’t know if that is in
the 22 or not, but go ahead, yes.”

Mr. Rottenberg

Mr. Inzelbuch – “22 routes that is what you are saying?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Inzelbuch – “The 22, we shouldn’t pursue the bond?”

Mr. Inzelbuch

Mr. Seitler – “Why are we pursuing the bond? We should
not pursue the bond only if he changes this letter he wrote
the 22.”

Mr. Seitler

Mr. Inzelbuch – “Tomorrow, Patty and Gus will figure out
the 7, have him sign, none of this lawyer language, 7 routes
the difference he will pay in equal payments from March 1,
through June; are you agreeing to that?”

Mr. Inzelbuch

Mr. Rottenberg – “Yes.”

Mr. Rottenberg

Mr. Inzelbuch – “The next 15 you will do the same thing.”

Mr. Inzelbuch

Mr. Kakavas – “Yes, we will.”

Mr. Kakavas

Mr. Inzelbuch – “He will sign that document before we get here on February 24th. “

Mr. Inzelbuch

Mr. Kakavas – “That is correct.”

Mr. Kakavas

Mr. Rottenberg – “Yes, but it is not that easy to do tomorrow morning. You have to take them out to date, right?”

Mr. Rottenberg

Mr. Inzelbuch – “Right. It is not for the whole year, it is just from March 1st through June.”

Mr. Inzelbuch

Mr. Rottenberg – “Right, you have to got prorated days. March is off half of the month, and June is a half of month.”

Mr. Rottenberg

Ms. Bunnell – “It is done.”

Ms. Bunnell

Mr. Inzelbuch – “Okay. You three come to an agreement and have it presented to me that evening.”

Mr. Inzelbuch

Mr. Kakavas – “Yes.”

Mr. Kakavas

Mr. Inzelbuch – “Please be here February 24. If the Board and I are satisfied, great. If not, then you could vote on the bond that evening..”

Mr. Inzelbuch

Mr. Silver – “In the addendum to the bus policy that we had, is there something that says when a bus company comes a half hour late or more that you’re suppose to deduct \$50 from the payment towards that route?”

Mr. Silver

Mr. Inzelbuch – “I have that here, but can we first get this motion done?”

Mr. Inzelbuch

Mr. Inzelbuch – “The next 15, by February 24, before our Board meeting, which is advertised for 8:00 p.m. It will be equal installments, prorated and if you don’t

Mr. Inzelbuch

come to an agreement we go after the bond. That is the motion, Mr. Seidler?”

Mr. Seidler – “Yes, it is.”

Mr. Seidler

Mr. Zlatkin – “Second.”

Mr. Zlatkin

MOTION FOR MR. ROTTENBERG (NEGBA)
TO PAY THE DIFFERENCE OF THE 15 ROUTES
THAT WENT TO BID AND IF NOT TO GO
AFTER HIS BOND

***Motion for Mr. Rottenberg to
pay the difference of the 15
routes that went to bid & if
not to go after his bond***

ROLL CALL:

YES: Mr. Grunhut, Mr. Seidler
Mr. Silver, Mr. Tift,
Mr. Zlatkin

MOTION PASSES

Motion Passes

Mr. Inzelbuch – “Mr. Silver, I did send this information to all of you. A reliable transportation system is important to meet the educational requirements of the students in a school district. Students must be brought to school in the

Mr. Inzelbuch

morning in a timely and consistent manner, students must be picked up after school in a timely manner. If a bus arrives later than five minutes before the scheduled school time or is not in its designated area at least ten minutes before the scheduled end time for more than ten days in the school year in the morning and/or afternoon, the school district reserves the right to deduct \$50 per bus for each late arrival from the monthly billing, retroactive to the first lateness.”

Mr. Silver – “My question is, have we been doing that?”

Mr. Silver

Ms. Bunnell – “No, we have only done it for no shows.”

Ms. Bunnell

Mr. Seitler – “Is there any reason for that?”

Mr. Seitler

Mr. Kakavas – Well, if I could answer. Again, I just started on the 1st. I will set up a method that we can keep track of that. That was not Patty’s charge to deal with, that was Bill’s responsibility, so I will set up a method that will keep a ten chart.”

Mr. Kakavas

Mr. Inzelbuch – “Set it up and by the 24th let us know.”

Mr. Inzelbuch

Mr. Seidler – “I know you said you only started on the 1st, but we have 144 pages right here and it says retro active. Would you want me to do it?”

Mr. Seidler

Mr. Inzelbuch – “Thank you, but we have paid people to do that. Gus, it does say retroactive, please have that for the 24th meeting.”

Mr. Inzelbuch

Mr. Inzelbuch – “Mr. Rottenberg do you have anything you want to say?”

Mr. Inzelbuch

Mr. Rottenberg – “No.”

Mr. Rottenberg

Mr. Inzelbuch – “Any other motions?”

Mr. Inzelbuch

Mr. Seidler – “To adjourn.” ***Mr. Seidler***

Mr. Inzelbuch – “Hold it. We’re finished with the hearing, does anyone else want to add anything?”

Mr. Inzelbuch

Mr. Tift – “I have a question. Do we need to have a motion in order to make the deduction of \$50?”

Mr. Tift

Mr. Inzelbuch – “No, because it is in the addendum that was written several years ago. So, now we are ending the hearing. Hearing over.” I did want a few minutes with the Board. We do have the insurance man here, you invited him.”

Mr. Inzelbuch

Mr. Zlatkin – “Motion to go into closed session.”

Mr. Zlatkin

Mr. Grunhut – “Second.”

Mr. Grunhut

Mr. Inzelbuch – “The Board will not be coming out this evening taking any further action. We are going into closed session to talk with our insurance man and issues that are exceptions to the Sunshine Law.

Mr. Inzelbuch

Meeting adjourned at: 10:00 P.M.

RESPECTFULLY SUBMITTED BY:

LISA MILLER,

ASSISTANT BOARD SECRETARY