

BOARD OF EDUCATION
Borough of Manasquan

The Special Action Meeting of the Manasquan Board of Education was held in the Manasquan High School Auditorium, 167 Broad Street, Manasquan, New Jersey, on Wednesday, July 10, 2013.

Mr. Bauer called the meeting to order at 7:00 p.m. and read the Opening Statement.

1. Call to Order

Opening Statement: Pursuant to N.J.S.A. 10:4-10, notice of this meeting has been provided by publication in the Asbury Park Press, the Coast Star and posted in the Borough Hall of Manasquan and in the schools within the time limits prescribed by law.

*Call to
Order*

2. Pledge of Allegiance

Mr. Bauer requested that everyone join in the Pledge of Allegiance.

*Pledge of
Allegiance*

3. Oath of Office

Mr. Bauer welcomed the members of the public to the meeting. He welcomed Mr. Michael Forrester who will serve as the new sending district representative from Spring Lake Heights.

*Oath of
Office*

Mrs. Hom administered the Oath of Office to Mr. Forrester.

4. Roll Call

Julia Barnes (Brielle)	Kenneth Clayton	Mark Furey (Belmar)	Katherine Verdi
Thomas Bauer	Linda DiPalma	Thomas Pellegrino	Patricia Walsh
Jack Campbell	Michael Forrester (SLH)	Michael Shelton	

Roll Call

Mr. Bauer read the Mission Statement and Statement to the Public.

5. Mission Statement

Manasquan School District's mission is to empower students to reach their potential and become life-long learners. We strive to ensure that students play an active role in their education, are guided by rigorous academic standards aligned with the New Jersey Core Curriculum Content Standards, and function within the community that regards student, educators, and parents as full participants in the educational process. We dedicate ourselves to the realization of a supportive learning environment that nurtures growth, personal integrity and mutual respect.

*Mission
Statement*

6. Statement to the Public

Often times it may appear to members of our audience that the Board of Education takes action with very little comment and in many cases by unanimous vote. Before a matter is placed on the agenda at a public meeting, the administration has thoroughly reviewed the matter with the Superintendent of Schools. If the Superintendent of Schools is satisfied that the matter is ready to be presented to the Board of Education, it is then referred to the appropriate Board committee. The members of the Board committee work with the administration and the Superintendent of Schools to assure that the members fully understand the matter. When the committee is satisfied with the matter, it is presented to the Board of Education for discussion before any final action is taken. Only then is it placed on the agenda for action at a public meeting. In rare instances, matters are presented to the Board of Education for discussion at the same meeting that final action may be taken.

*Statement
To the
Public*

Mr. Bauer commented that he was thrilled with the good turnout this evening. He said that there was a short agenda this evening and the only matter for discussion will be the Warrior Athletic Complex. He said that tonight

*President's
Comments*

the Board along with the design engineer will inform the public of their intentions and to answer questions and address concerns.

President's
Comments

Mr. Bauer asked to first speak about recent occurrences that he finds to be troubling and discouraging. He said that he was elected president on April 10th during a somewhat hostile meeting following the resignation of the previous board president. He pointed out that this resignation was the third in a row for Manasquan Board of Education presidents. He said that this was the third public meeting chaired by him since he accepted the position of President. He said that at the first meeting he spoke about the need for healing in the community and the lack of respect and called for an end to the anonymous blogging, Facebook attacks, letters to the editor and spreading of rumors in the town. He said that many did agree with this concept; however, some have decided to ignore his request and the pattern of disrespectful behavior and personal attacks continue. He spoke of three personal attacks from this week that he finds to be insulting, offensive and quite frankly an assination of his character. He referred to the July 4th edition of The Coast Star that called for his immediate resignation as president. He alluded to the editorial that suggested total lack of leadership as well as a lack of transparency. He addressed the lack of leadership issue and commented that in the short time since he assumed the presidency he believes that the Board has accomplished a great deal under his leadership and cited eight examples of these accomplishments. He noted that one such accomplishment was the hiring of Ms. LaPrete as the new interim superintendent. He introduced Ms. LaPrete and welcomed her to the district. He also noted another accomplishment being the hiring of Mr. Michael Gross who will be serving as the new Board Attorney. He referred to the Board's attempt to select an individual to fill the vacant seat on the Board and pointed out that this task will now be in the hands of the County Superintendent of Schools.

Mr. Bauer also addressed the lack of transparency charge and said that The Coast Star is offended and perhaps insulted because he has chosen to not have a continuous open dialogue with their reporter. He pointed out that this is his right and he is not required to talk to the media. He said that he has told the Board and the public that they would be fully transparent and said that we have nothing to hide. He alluded to The Coast Star editorial and responded that he believes that their allegation of poor leadership on his part is unwarranted and quite inaccurate and asked that they accept the fact that they will receive information in due time and no sooner. He also said that he would not quit as others have done and he denied their request. He then alluded to a complaint that was brought to the attention of the Director of the Department of Grants and Loans by a Manasquan resident charging that he and the Board were misappropriating and misusing federal funds. He said that this is completely untrue and he and the Board expect an apology from this individual. He referred to a comment made that he and his firm are benefiting financially from his involvement in the Warrior Athletic Complex. He said that this is not true and pointed out that his firm donated professional design services to the school since 2005 and has never charged for the services. He said the conceptual master plan was designed before he was elected to the Board in 2009. He asked for a stop of the personal attacks towards him and others in the community.

7. Presentations

- **David Eareckson, President of Matrix New World Land Development Services, LLC**

Mr. Bauer introduced Mr. David Eareckson, President of Matrix New World Land Development Services who presented a PowerPoint presentation on the Warrior Athletic Complex. Mr. Bauer said that Mr. Eareckson was the project engineer responsible for the engineering design and construction documents for submission to the DEP which received a permit for construction. He said that Mr. Eareckson would be discussing the full scale of the project as well as the plan phasing, timing and funding and that Mr. Eareckson has been involved in this project since 2006.

Mr. Eareckson provided a video presentation narrated by Jack Ford on the Warrior Athletic Complex. He also provided a PowerPoint presentation and commented that the athletic field complex featured in the PowerPoint presentation is the same one featured in the video. The presentation provided a comprehensive overview of the proposed sports complex and phases of the project. He addressed the retaining wall and explained the system that has been designed for the underground pipes that will hold water and discharge it very slowly into the stream channel to improve the flooding situation. He said that after the field surface and track are completed the next phase would be to work on the baseball field behind the elementary school. He then went on to the final phase of the project which would involve the plaza area, stands, and snack shake. He provided details on the project

Presentations
D. Eareckson

Warrior
Athletic
Field

timeline and said the anticipated start time for bidding on the retaining wall, drainage enhancements that includes the stairs and handicapped access ramp and pipe is sometime in July or August of this year. He said the bleachers will have to be removed for this to occur. He said that they hope to begin site preparation for the overall athletic complex in October/November followed by the preparatory work for track and field installation which would be in November/December. He said this project timeline was developed in order to not disrupt football at home this year. He said after the field is completed the installation of sports lights would be done in the spring of 2014. He said that upon completion this multi-purpose field with an artificial field surface can be used for all sports. He commented that he did not know of any artificial surface field that was installed without sports lights and not having lights is a waste and not having sports lights will not allow for taking full advantage of the complex. He spoke on project funding and reported the engineering estimates for the wall, the bleachers and the drainage to be \$250,000 and said that this will be done out of current expenses. He said the track, field and the lights were estimated at up to \$2.5 million and funding is planned with \$500,000 a year out of current funding that will go towards an equipment lease so funds will not have to be raised and it could come from the current established budget. He said that future project funding for the remaining pieces such as the baseball field will be out of dedicated funded budgeting in future budget and through donations. He stressed advertising as being an important element and a significant opportunity for funding. He said that there was always the option to go out to public referendum in order to accomplish this.

Mr. Bauer read the following statement prior to opening the floor for public comment on agenda items.

8. Public Comment on Agenda

Public
Comment on
Agenda

Time may be allocated for public comment at this meeting. Each speaker may be allotted a limited time when recognized by the presiding officer. Individuals wishing to address the Board shall be recognized by the presiding officer and shall give their names, addresses and the group, if any, that they represent. Although the Board encourages public participation, it reserves the right, through its presiding officer, to terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. During the public participation portions of this meeting, the Board will not respond to questions from the public involving employment, appointment, termination of employment, negotiations, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific or prospective or current employee. This public forum is limited to comment on items included in this agenda only.

Laura Hart, 150 N. Main Street, Manasquan, commented that she sympathized with Mr. Bauer for the anonymous comments and what he has been through and said that her family experienced similar incidents for three year and they rose above and said he should keep rising above. She asked how much money is already raised from outside funding for the fields and what the next step is for funding. Mr. Bauer replied that at this time the Board is asking for comments not questions. She rephrased her question into a comment and said that she is very concerned about the funding and although she is all for the field, she is concerned about the actual moneys that are in or not in the bank.

Michelle LaSala, 44 Parker Avenue, Manasquan, welcomed Mrs. LaPrete, the new board attorney and Mr. Forrester and wished them success in their tenure at Manasquan. She said that she wants to be clear that she fully supports a field project but she does not support this field project. She said that the Board put out a second option last year that was not revisited and she would like to know why but she said she does not expect an answer. She said that there is a \$650,000 option to turf the field right where it is which would allow the same teams playing on turf. She said to Mr. Bauer that there was one thing that she did disagree with and that is that it is a conflict of interest for him to be voting on these matters. She also commented on his dealings with vendors outside of the Board's perusal with AstroTurf and his name being on the banner hanging in the building for over 4 years and his name being on the project that can potentially generate business for his firm. She commented that just because he does not receive a direct check does not mean that he may not gain personally or professionally. She said that she does not know how this Board could vote this project at all that bears his name. She referred to all of the work his company did for the Borough but commented that he is not a sitting Borough Council member. She said she finds this to be a conflict of interest and thinks it would be wrong for the Board to approve this plan for this reason. She suggested revising the second option and thinks it is unfair to be jamming something down the throats of the taxpayers at this time after the town has been through enough financially.

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John Papandria, 29 Willow Way, Manasquan, proposed that the Board wait until after a referendum vote. He said that his has experience as a CPA and CFA arranging financing for not for profits for capital type projects. He suggested that instead of putting hundreds of thousands of dollars at risk why not go to referendum first and see if it is approved by the voters. He also made a point that he lives in the flood zone and the flooding has been greatly exasperated over the last several years and since Hurricane Sandy. He referred to the serious flooding that occurred on June 11th on his street and Old Squan Road that caused him to vacate his house. He suggested having the program manager from the DEP review the application and see if they have any suggestions on how to deal with this flooding.

*Public
Comment on
Agenda
(continued)*

Lee Weisert, 360 W. Main Street, Manasquan, thanked the Board for the nice comments on the video being a professionally produced video and pointed out that the video was produced by the students of Manasquan High School at the request of Mrs. Geraldine Margin.

George Dempsey, 551 Pike Avenue, Manasquan, commented that as Mayor of the town he has been approached, e-mailed and called. He said that in this economy we are down \$78 million in ratables and it will take three years to get back on our feet and to undertake such an extravagant project at this time is absolutely ridiculous. Mr. Dempsey alluded to the Coast Star article that stated not anticipating using CDL money as not being a yes or no answer. He said people were asking him and this prompted him to contact the administrator who then called FEMA to see if it was legal to use these funds and they said they would reach out to the Board. He pointed out that he did not say the Board was using these funds. Mr. Dempsey commented that he does not have a gag order on any of his council members, department heads, administrator, treasurer and feels that this is American and board members should be able to speak and answer questions and respond to the paper and to the people.

Carol Wilkens-Kirkman, 22 Willow Way, Manasquan, spoke on the matter of encroaching on the wetlands and the effect that the wall will have on the two federally protected bird species that reside in these wetlands. She pointed out that both of these birds are protected under the Federal Migratory Bird Treaty Act and it is illegal to disturb their habitats and their nesting areas. She said the fine is upwards to \$25,000. She referred to the red tailed hawks and blue herons that nest and return to this area each year. She said that if the Board is in favor of beginning the wall and encroaching on the wetlands and disturbing the trees she hopes that they will be personally ready to pay the federal government thousands of dollars in fines.

Laura Hart, 150 N. Main Street, Manasquan, referred to the plans on the Board of Education website and said she was concerned with the proposed possible land sale where the track practices. She said that since it is not on this proposal she is concerned that it will be readdressed if there is a shortfall of funding.

Jeannie Walsh, 356 Cedar Avenue, Manasquan, said at the last meeting the Board spoke about using the federal government funds as a loan assuming that it would not need to be repaid. She said that if there is any chance that this loan has to be repaid and it is being used for capital improvements she believes that this needs to go to a public vote. She referred to the little league field in town with a shack that is completely overdone and still has never been paid for. She said the league is scrambling to pay for something that Mr. Bauer designed for free and she is afraid that this project designed for free is going to be something she will be responsible for paying for many years.

Carl Straub, 27 Willow Way, Manasquan, commented that he does not see any indication of the cost for maintenance of the new complex in the presentations. He commented that the district cannot take care of what they have now so how will you take care of \$2.5 million of new stuff.

Heather Garrett-Muly, 28 Elizabeth Avenue, Manasquan, commented that her property backs up to the field and she said that when the three options were presented the Board said that it would reach out to the community and that never happened. She spoke about the anonymous blogging referred to by Mr. Bauer that the public should be ashamed of and asked if the shame should also be directed towards the Board. She referred to a Facebook post that was directed to the Brielle PTO's Facebook page, e-mailed to them as well as phone calls made to different coaches of this district to come out and support the plan with the track instead of saying to come out to listen and learn. She agrees that something needs to be done with the complex. She suggested using the money that the

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district has and do what can be afforded and that will be better than what is currently there. She said she has a problem with high school boys playing baseball in the back of the elementary school during school hours.

Public
Comment on
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(continued)

Dick Meinke, 36 N. McClellan Avenue, Manasquan, expressed concern with the \$2.5 million dollar figure and wonders what the total cost will be. He said than an expenditure like this should go to referendum for the town to decide and the town has not had the opportunity to say yes or no. He commented on the 0% increase and heard that the sending districts would pay less in tuition and so this will mean that the Manasquan residents will be paying more. He alluded to Mayor Dempsey's comments on the ratable reduction in the town and that by itself will make the taxpayers pay more. His real concern is that the town does not know what is being done and the town should know what is happening here and the town should have a vote.

Rich Bartholomew, 121 Lake Avenue, Manasquan, commented that in 2006 there was a referendum that was soundly defeated on a 3 to 1 vote and he was not in favor of that proposal because of the \$5 million cost. He commented on words spoken by Mr. Vic Kubu when he said that the kids are the first priority and they need and deserve this project. He said if this project can get moving it will bring kids back from the army camp. He feels the Board has come up with a creative way to afford this opportunity to the students and not just the football players and it will bring us closer in compliance with Title IX. He said that although most comments have been negative they have not been comments on how the kids might benefit, instead they have been on finances.

Wendy Kubu Callahan, Woodland Avenue, Brielle, spoke on behalf of her family. She said that many people in the community have asked their opinion; Board Members have called her mother and asked what her father would want. She said that no one can put his words into their mouth and what he spoke of was in the past which was a dream for a beautiful field for the kids. She asked that everyone stop using his name and stop using his past letters without her mother's permission. She said that as a family they want the Vic Kubu Warrior Field to always say his name and the Jake Landfried baseball field to always say his name because those men had integrity and loved what they did for the kids.

Pam Cosse, CST Social Worker and head field hockey coach, thanked the Board for holding this special meeting being it is a very personal topic for her. She introduced two field hockey players who spoke on behalf of the field hockey players' wish for a turf field. Ms. Cosse spoke of the benefit a turf field provides when playing field hockey. She complimented the grounds guys for working tirelessly on the facilities and taking care of the fields under their current conditions. She said that she does not want to keep going off campus and hopes some kind of turf field will be possible.

Sara Lembo, Senior Captain of Manasquan Field Hockey, said that a turf field would be beneficial not only to her team but to all the athletic programs at Manasquan. She pointed out the benefits of a turf field as far as maintenance, preventing injuries to the athlete and reducing the number of canceled games and practices due to water on the fields.

Erin Healy, 2011 graduate of Manasquan High School who currently plays at TCNJ, commented that at her school nearly her entire team played on turf during high school and it gives them an advantage over student athletes coming from a grass high school. She said a huge benefit of having a turf field is the safety of the athletes because it provides an even playing surface. She said while at Manasquan playing at the army camp was a joke and an embarrassment. She said that it is immensely obvious that the time has come for Manasquan to upgrade the facilities to match the caliber of other highly competitive athletic programs.

Michelle LaSala, 44 Parker Avenue, Manasquan, said she failed to point out with the \$650,000 second turf option that it is the least intrusive and construction would be quicker and not only cheaper. She said adding the track on the grand plan would equate to about \$60,000 per track meet over a ten year period and that savings would buy a lot of hockey. She said it provides turf at a much cheaper option and serve the same purpose but just does not give us a track.

Ed Dingler, 63 Minerva Avenue, Manasquan, commented that everyone probably agrees that the field should be replaced. He said that if the turf option is available why not do it now as opposed to the retaining wall.

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Public
Comment on
Agenda
(continued)

Sharon L., 107 Chicago, Sea Girt, commented in support of the athletic complex and said that as a track athlete she was very surprised to see the lack of tracks in the area and especially at the high school. She said that it should be done for the kids and the sports programs.

Philip P, 77 S. Jackson Avenue, commented that there is no doubt that something needs to be done with the fields but he feels that the plan is more of a picture of what we aspire to with no explanation of where the funds are coming from. He pointed out that many of his neighbors are still not back in their homes after the storm and saying that this plan will be pretty much far along in the next several month without explaining the funding of the project is absurd. He said that more details of the project should be made available to the community.

Dick Meinke, would like to find out how the public could stop the Board from doing this plan now.

Heather Garrett-Muly said that she and Pam played field hockey together here and at the army camp and that her property backs up to the field and she agrees that it is pretty bad. She referred to Mr. Bauer's comments on the fields being dangerous and she questioned his use of these words for fear of litigation, but she agrees that they need work. She said that turf is a good option but the \$600,000 option is much better than the \$2.9 million. She pointed out what could be done for \$600,000. She said that if the football field is turned as proposed the district would never be able to add onto the high school. She said the plan is beautiful but there are other things that need to be done and should be looked into.

Patty S, Spring Lake Heights, commented that her daughter attended Spring Lake Heights grammar school and while there didn't excel at sports. She encouraged her daughter while attending Manasquan to try out for sports and she participated in field hockey and track and is now playing field hockey at the University of Salisbury. She said that her point is that sports are important as with extracurricular activities and this makes for a well-rounded student. She commented that the Board should put money towards the fields and Warrior pride.

Karen Senese, 250 East Main Street, Manasquan, said that there have been good suggestions for a referendum because she feels that there are many townspeople that do not know what is going on and are not aware of the plans. She referred to the elementary school referendum that took several attempts to be approved and this was for a very important cause. She commented that the fields are horrible and something needs to be done but she believes that the Board should take more time to educate the townspeople and go out for a referendum. She expressed concern with the high school baseball program using the elementary school field and the affect this would have on the elementary school baseball and softball programs. Her other concern is the removal of the bleachers and how the fans would be accommodated during games. She said that before you make a purchase you should be sure you can afford it.

Barbara Friedrich-Parsinski, Manasquan graduate, said that she trained for seventeen years on the awful track. She said that she is representing future athletes who would enjoy having a better facility. She said as a taxpayer she wouldn't mind giving towards the investment of a new field to help a student get a scholarship. She pointed out that this is the worst field in all of Monmouth and Ocean counties and that improving the fields would be a great investment and is being done for the children.

Mrs. Walsh, no address provided, commented that we have a football field that needs to have something done to it and she is not opposed to turf field. She said that she didn't believe that the girls' field hockey team and the soccer teams would be using the new field since they are not playing on the football field now. She doesn't believe that all the money should be spent on the football field when there are two other teams that play on awful fields. She said that she knows everyone is for the big plan but it would be a whole different picture if there were regionalization and there were another town to put a baseball field in and not squeeze it behind the elementary school. She said that this should be done but at the right cost.

Laura Hart, spoke on the expiration date of the permit and the possibility of it being renewed and asked that this be a specific question answered during this meeting. She said she is all for building something beautiful to keep the children here at the right price including a track that can be a money maker for the community. She said her concern is somebody having to enforce the open records act in regards to financing and this is a process that can be done.

Mr. Bauer closed the public comment portion of the meeting.

Mr. Bauer asked Mr. Eareckson to address some of the questions relating to birds in the wetlands and expiration of permits.

Mr. Eareckson provided information on the areas covered by the permit that expires December 2014. He said the flood hazard portion of the permit cannot be extended and will expire December 2014. He pointed out that if this permit expires the district would be faced with a significant expense to reapply. He addressed the matter of birds in the wetlands and said that the Department of Environmental Protection reviewed all federal regulatory requirements and multiple discussions were conducted and they issued the permit because the wall had extremely minor impact to the wetlands buffers and no impact to the wetlands themselves. He confirmed that both issues were addressed and approved by the Department of Environmental Protection.

Mr. Eareckson also said that the track would be a public facility utilized by the students and the public not just the track team. Mr. Bauer added that Manasquan is the only school district to his knowledge in the county that does not have a track. He said the track would be used during the day for physical education and on the weekends for the community. He said that he believed that the majority of the Board and many people in the community are in favor of a track.

Mr. Bauer asked Mr. Shelton to address those questions relating to the finance situation and payment of the project. Mr. Shelton pointed out savings in expenditures at budget time and the considerable savings in health care that would allow for the redeployment of resources where needed in the district. He pointed out the Board's desire to take money from the budgets every year and dedicate it towards fixing things. He referred to a plan from 2005-06 that went to referendum and was voted down by the taxpayers that had not received approval from the New Jersey DEP. He explained that by working with the administration and utilizing some efficiencies in the budget, without going to the taxpayers for any additional funds and also not using FEMA money, they will reposition how they spend the funds. He spoke on the failed attempt made to work with the Endowment Association. Mr. Shelton referred to comments made relating to Mr. Bauer's involvement with the project and pointed out that he has given so much and the project would not be where it is tonight if it weren't for his involvement. He said that it has been decided to re-proportion the budget moving forward and spend up to \$500,000 per year in this category. He said that if this is not done now it will not happen. He said that some positions were reinstated through FEMA funds that were lost during the budget. He pointed out that taxes from the school side probably will not go up for the next three years based on the projections of the committee and administration. He explained what the district could achieve with a five-year equipment lease and the dedication of about \$500,000 into this process. He said what the Board is doing tonight and the recommendation of the Finance Committee is putting money back into something for the kids and what they are doing is legal and above board and a good plan.

Mr. Bauer addressed a question on the inability to add onto the high school and said that this is not entirely true because you can always go up or go out towards Board Street.

Mr. Bauer addressed a question on the maintenance cost and said that the cost of turf fields will be far less than natural grass fields.

Mr. Bauer addressed the comment on other teams not being able to utilize the turf field and said that this is contrary to the Board's goal and the ability of having a turf field in combination with the lights extends the usability of the field. He also pointed out that the fields and track would be revenue generators through sponsorships and events and these opportunities will be explored going forward to increase revenue for the district.

Mr. Bauer addressed the comment on baseball and the conflict between the elementary school and the high school and said that this all comes down to scheduling. He said that the new baseball field behind the elementary school with lights will extend the usability of this facility. He did not have specifics on the plan but provided

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options for grass or partial synthetic turf infield with grass outfield. He also referred to going off campus to play baseball at the Wall Community field.

Mr. Bauer asked for a motion to approve Items #9 and #10.

Mrs. Walsh asked when the Board would have the opportunity to ask questions. Mr. Bauer said after the motion he would ask for any discussion.

*Discussion
prior to
vote on
Motions #9
And #10*

Prior to roll call vote Mrs. Walsh said that she realizes this is a very large budget item and said that she has yet to see a final total figure for this project and would like to know if this number is available. Mr. Shelton replied that the wall, drainage, bleacher removal is out of current flow cash and the estimate on the high was \$250,000 which includes engineering plans and specs by Mr. Eareckson. He said committing this district in a lease-equipment type arrangements in the \$2.5 million would not only include the all-sports athletic field, the new track, and baseball being relocated if desired.

Mrs. Walsh commented that this was not what was stated in the presentation.

Mr. Shelton continued by saying that the football field, baseball turf, the track and the lighting at both facilities can be done for up to \$2.5 million. He said a new field would cost around \$1 million and the track could be between \$200,000 and \$450,000 depending on the surface, moving baseball to the elementary school which keeps it on campus could cost \$200,000 to \$250,000 to put a turfed infield. He further commented that he would prefer to turf the entire field but this was not included in the \$2.5 million. He said that they were working with the attorneys and the engineers with the bidding process. He said the Board will work within the parameters of the budget and today he believed this to be \$500,000 of safety net per year of expenditures.

Mrs. Walsh referred to comments made on use of financial discipline and repositioning where money would be spent. She expressed concern that the full Board did not discuss the options for repositioning this money. She referred to the need for an additional science lab to offer freshman biology along with recommendations from architects that are not being fully implemented to help safeguard the children in addition to the technology presentation from last month that Mr. Place questioned the source of the funding. She referred to some positions that are still outside the operating budget. She asked at what cost do we reposition all of the resources to this single project without full Board discussion of the other needs of the district.

Mrs. Walsh pointed out that the permit does not expire until December 2014 and this permit was in existence since 2009 and the Board prior to this was not able to move the project forward. She said the timeline for the wall is no more than 6 to 8 weeks, maybe 10, and there is a lot of time in between now and December 2014. She said that she would like to see where the additional moneys are and where the details are and how it will be spent. She believes the fields need to be upgraded but there are other options that have not been explored and there are other priorities beyond the athletic complex.

Mr. Shelton addressed Mrs. Walsh's question on the sending districts' contribution to this capital project. He explained that there are different ways the sending districts could participate possibly with a codicil to their tuition agreement and by providing them with a frugally based tuition on a fairly consistent basis we fully anticipate not only their vote and cooperation but their financial participation.

Mr. Shelton addressed her request for an explanation of the codicil to the tuition agreement since this is the first she heard of this.

Mrs. Walsh commented that the district will be incurring this as debt without a clear understanding of the sending districts' willingness to participate in the repayment of debt. Mr. Shelton said that he, along with his finance committee, has a clear understanding.

Mrs. Walsh asked if we have sending district approval to be part of the payment process of this indebtedness as presented tonight or is there something that still needs to be negotiated.

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Mr. Bauer said that this is part of the existing budget and the sending districts will be participating as they are now in the same percentage.

Mrs. Walsh further stated that it was her understanding that Manasquan could not charge sending districts for capital improvements. Mr. Bauer said that this is not a capital improvement to which Mrs. Walsh countered that it was since they were adding new concepts and new fields and \$2.5 million of indebtedness without a public referendum.

Mrs. Verdi thanked Mr. Bauer for clarifying his donations and said that the confusion for her is gigantic in addition to seeing people come out and not have their questions answered. She said that as an elected official she finds it her duty to represent them and having this presentation today instead of last month is appalling. She said that the facility is a wish list and the athletes deserve this however it seems like this is now or never.

Mr. Bauer referred to notes from a December 7, 2011 Buildings and Grounds committee meeting that Mrs. Verdi was in attendance that discussed this plan in detail. She did not argue that it was discussed then but said there has been a gap of time where this has not been discussed and the Board as elected officials needs to inform the public. She referred to material from Astroturf dated January 31, 2013 addressed to Melillo and Bauer Associates, and she questioned why it went to his company and not the Board address since it is our field, and pointed out that the Board never heard about this. She said that another presentation is needed with other options.

Mrs. DiPalma referred to several local school districts that have upgraded fields utilizing many certified New Jersey Developing Authority contractors that live in the town that did the work through donations or at a substantially reduced price and asked if we can do this.

Mr. Eareckson said that they can participate in the bid process.

Mr. Pellegrino questioned what the percentage of the up to number was in the overall budget.

Mr. Shelton addressed Mr. Pellegrino's question on what percentage was going to be committed each year out of the budget over the next five years. He said that it would be 2% of the current budget which is about a half million dollars. He explained the lease purchase process relating to budgeting over the course of the five years.

Mr. Bauer commented that it could come in under this number and there could be donations. He said that there was word from the endowment that if construction could be started then they felt confident that there would be moneys offered towards the project.

Motion was made by Mr. Shelton, seconded by Mr. Campbell, and carried by roll call vote to approve Items #9 and #10. (MEB/SDR)

Ayes (8); Nays (2) Mrs. Walsh and Mrs. Verdi; Abstain (1) Mr. Forrester

Mrs. Walsh said that she was voting no and would like the Board to know that she would not be held liable for this Board's actions.

Mrs. Verdi commented that she did not support the actions of this Board and she too on record would not be held liable and unfortunately she said that she wants this for the kids but she has to say no.

Mr. Forrester said this is the first time he is hearing these numbers and has not had the opportunity to discuss this with his Board. He further stated that he didn't have a clear understanding of what the cost will be to the sending district come year four and year five and therefore he would abstain.

*Discussion
prior to
vote on
Motions #9
And #10*

*Motion #9
and #10*

MANASQUAN/SENDING DISTRICTS

General Items

9. Be it Resolved that the Manasquan Board of Education approve Matrix New World Engineering, Inc. to provide professional engineering services in connection with the construction of a new retaining wall and drainage at the Manasquan High School. These services would include Geotechnical Services (\$8,950.00), Construction Documents (\$11,500.00), Bid Phase Services (\$2,500.00), Limited Construction Support Services (\$7,500.00), Meetings (\$750.00 per meeting) and Estimated Direct Expenses (\$2,125.00). The current bleachers will have to be removed prior to the wall construction.

*Matrix New
World
Engineering*

*Retaining
Wall
Construction*

Be it further Resolved that the Manasquan Board of Education authorize Matrix New World Engineering to apply for any necessary project approvals and construction approvals.

*Application of
Project
Approval &
Construction
Approval*

Be it further Resolved that the Manasquan Board of Education approve the advertisement and solicitation of bids for the construction of a new retaining wall, drainage and bleacher removal. Advertisement and award for bids must be made following state construction plan approval if necessary. The estimated budget is \$250,000.00

*Advertisement
and
Solicitation
of Bidding*

10. Be it Resolved that the Manasquan Board of Education approve the Warrior Athletic Complex Plan. The estimated cost of this plan is \$2,500,000.00.

*Warrior
Athletic
Complex
Plan*

Be it further Resolved that the Manasquan Board of Education approve Matrix New World Engineering, Inc. to provide professional engineering services in connection with the planning of the Warrior Athletic Complex in the amount of \$15,000.00, which will include updating the plans, preparing them on Matrix title blocks, getting 3 engineering estimates for the project and preparing a summary report of the cost comparison with the co-op (\$7,500.00 for the plans and reports, \$2,500.00 each for the estimates).

*Matrix New
World
Engineering -
Professional
Engineering
Services*

Be it further Resolved that the Manasquan Board of Education approve the advertisement and solicitation of bids for the Warrior Athletic Complex. Advertisement and award for bids must be made following state plan approval and subject to financing if necessary or in the alternative to appoint the National Cooperative Contract following the completion of all necessary procedures and requirements.

*Advertisement
and
Solicitation of
Bidding*

Be it further Resolved that the Manasquan Board of Education determine that they will finance the acquisition of equipment related to the Warrior Athletic Complex through a lease purchase financing.

*Lease
Purchase
Financing*

Recommend that the Manasquan Board of Education appoint McManimon, Scotland & Baumann, LLC as bond counsel for the lease purchase financing of the Warrior Athletic Complex.

*McManimon,
Scotland &
Baumann LL
Bond Council*

11. Old Business/New Business

There was no old or new business.

*Old Business/
New Business*

12. Public Forum

Mr. Bauer opened the second public forum.

Public Forum

Michelle LaSala, 44 Parker Avenue, Manasquan, commented that the Board's new policy of having the public ask questions and then filter them and pick and choose what is answered is disrespectful and wrong. She stated for the record that Mr. Bauer never answered her question if it was a conflict of interest for him to vote on matters related to the project when his name is on the project, in addition to his dealing with a potential vendor, AstroTurf. She also found Mr. Bauer's opening statement chastising and offensive and she found Mr. Bartholomew's use of Vic Kuba offensive as well.

Mr. Bauer stated that there is absolutely zero conflict of interest.

Peter Gibbs, 92 Lakewood Road, Manasquan, commented about home football games and the cost of replacement bleachers if the plan is to tear down the bleachers.

Jennifer Mayes, 27 Gertrude Place, Manasquan, asked what happens after the five years of leasing the bleachers and if there is an option to buy and what is the cost to buy as opposed to leasing.

Mr. Shelton addressed her question and said that this year the bleachers will be removed before construction of the wall and bleachers will be brought in either through rental or borrowed and work with the town and ask people to bring lawn chairs to the games. He said a lot of people stand anyway but we will accommodate. He said that the goal is to accommodate the field, the track and the athletes first and the parents and spectators somewhat second. He explained that at the end of the five years the district owns it.

Karen, 51 Woodland Avenue, Manasquan, asked what is wrong with the existing bleachers and asked why move ahead before football season. She also commented on baseball behind the elementary school and its effect on properties near the field.

Michelle Neiberlien, 39 Minerva Avenue, Manasquan and Manasquan High School Cheerleading coach, asked the Board to take careful consideration when removing the bleachers of two other groups of students in the school, the cheerleaders and the band because they add so much to the games and take time and consideration as to where you put them during the game.

Laura Hart, said that it might be prudent to look at Option C as posted on the website. Mr. Bauer said that those options are not relevant right now and are old news. Mr. Bauer said that this will be removed from the website. She also commented on a field project at Jonathan Dayton High School in Springfield New Jersey that was bonded.

Heather Garrett-Muly, 28 Elizabeth Avenue, Manasquan, referred to an unanswered e-mail she sent to Mr. Bauer in which she asked at what meeting a vote was taken and if are there minutes of a vote that said the Board fully approved the Warrior Master Plan as he sees it. Mr. Bauer said they just approved it. Mrs. Garrett-Muly further commented that the entire board was told an untruth last meeting when a vote was taken without a dollar figure. She reminded the Board that they represent the community and the community came out tonight and spoke and feels frustrated because the Board votes on something without a dollar amount and does not answer questions.

Mr. Shelton commented on a September 6, 2011 approval of a concept plan, Mr. Bauer read the motion from the minutes.

Mrs. Garrett-Muly asked if any plans were being made for parking at the new facility with its increased use. Mr. Bauer said there are no plans for parking improvements. She referred to Mr. Eareckson's comments that the track would be opened to the public and asked how this would be possible as the fields are now locked down and not accessible to the public. She also commented that the neighbors to the field have not been brought in to discuss this plan and said that the current use of the field is cause for parking problems. She asked if there has been any discussion on a time schedule for use of the facilities at night. Mr. Bauer said this will be planned by the administration. She asked if the administration has been talked to about this.

Rich Bartholomew, 121 Lake Avenue, Manasquan, commented on the point raised by Mrs. Walsh regarding this being a capital project. He alluded to past budget presentations and discussions on what constitutes a project as a capital project or if it could be expensed at which time the auditor said that if it already exists and it is being replaced or fixed up then it will not be a capital item and it can be expensed. He suggested getting clarity on this matter.

Carol Wilkens-Kirkman, Willow Way, Manasquan, referred to Ms. Garrett-Muly's comments on the parking and said that it is atrocious during games. She said that people who park on Willow Way walk through private property to gain access to the field.

Mr. Bauer closed the public forum seeing no additional questions or comments from the public.

13. Sunshine Law Resolutions

The Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. allows for the exclusion of the public from that portion of a public meeting when certain matters which might endanger the public interest or risk the deprivation of individual rights are discussed; and

The Board of Education wishes to discuss the following matters in a non-public closed meeting with the resulting discussion being made public when proper conclusion has been reached and there is no longer a need for confidentiality:

- ___ 1. Matters rendered expressly confidential by state or federal law or a rule of court.
- ___ 2. Matters in which the release of information would impair a right to receive funds from the United States Government
- ___ 3. Any matter the disclosure of which would constitute an unwarranted invasion of individual privacy unless the affected individual or his or her parent or guardian shall request in writing that the matter be disclosed at a public meeting.
- ___ 4. Pending or anticipated negotiations concerning a collective bargaining agreement with the MEA Association.
- ___ 5. Any matter involving the purchase of real property with public funds, the setting of banking rates or investment of public funds.
- ___ 6. Any tactics and techniques utilized in protecting the safety and property of the public or any investigations of violations or possible violations of law.
- ___ 7. Any pending or anticipated litigation or contract negotiations other than collective bargaining contract negotiations in which the Board of Education is or may become a party or any matter falling within the attorney-client privilege to the extent confidentiality is required in order for the attorney to exercise his or her ethical duties as an attorney.
- ___ 8. Any matter involving the employment, appointment, termination of employment and the conditions of employment, evaluation or disciplining of any specific employee, unless the individual employee requests in writing that the matter be discussed at a public meeting.
- ___ 9. Any deliberations that may result in the imposition of a civil penalty or suspension.
- ___ 10. Any appointment of a public official.

NOW, THEREFORE, BE IT RESOLVED, the Manasquan Board of Education will hold a closed executive session immediately. It is anticipated that the closed session will not last longer than _____ minutes.[Action may be taken during the public portion of the meeting following the recess of the executive session] or [the Board of Education will not be returning to public session after the closed session].

There was no need for Closed Executive Session and Mr. Bauer asked for a motion to adjourn.

Motion was made by Mr. Shelton, seconded by Mrs. Walsh, and carried by voice vote to adjourn the Special Action Meeting.

Ayes (11), Nays (0)

14. Adjournment

Motion to Adjourn

Respectfully Submitted,

*Margaret M. Hom
Business Administrator/Board Secretary*

*Sunshine
Law
Resolution*

Adjournment