

BECKMAN OGOZALEK PEREZ PAGLIONE

By: Anthony H. Ogozalek, Jr., Esq.

I.D. No. 037022006

7 Foster Ave, Suite 201

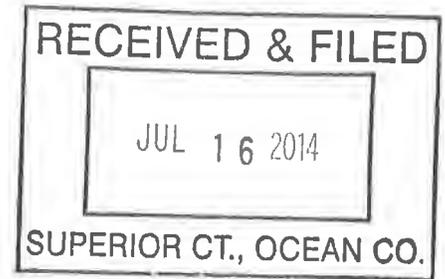
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Attorney for Plaintiffs



NEW JERSEY FOUNDATION FOR
JERSEY OPEN GOVERNMENT, INC.
And JOHN PAFF
Plaintiffs,

vs.

ISLAND HEIGHTS BOARD OF
EDUCATION and LILLIAN
BRENDDEL
Defendants

SUPERIOR COURT OF NEW
LAW DIVISION, CIVIL PART
OCEAN COUNTY

DOCKET NO. OCN-L-703-14

Civil Action

NOTICE OF MOTION FOR
SUMMARY JUDGMENT

TO: Adam S. Weiss, Esq.
Methfessel & Werbel, P.C.
2025 Route 27 (Lincoln Hwy), Suite 200
Edison, NJ 08818
Attorney for Defendants

PLEASE TAKE NOTICE that the undersigned will apply to the above-named court, located at the Ocean County Courthouse, 118 Washington St., Toms River, New Jersey, on Friday, August 22, 2014 at 9:00 AM, or as soon thereafter as counsel may be heard, for an Order granting summary judgment in favor of Plaintiffs, New Jersey Foundation for Open Government and John Paff,

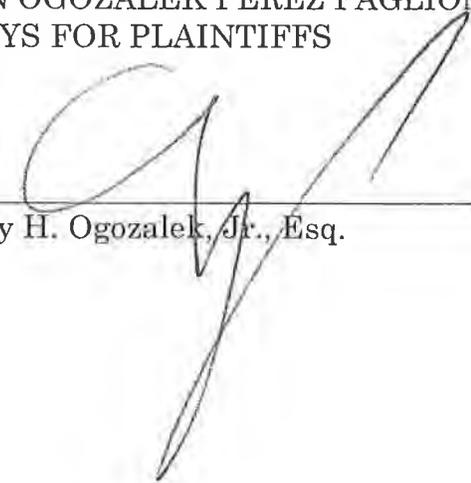
Reliance shall be placed upon the previously submitted Letter Brief of the undersigned.

Pursuant to R. 1:6-2(d), the undersigned requests oral argument, unless opposition is filed.

A proposed form of Order is annexed hereto.

BECKMAN OGOZALEK PEREZ PAGLIONE
ATTORNEYS FOR PLAINTIFFS

BY:



Anthony H. Ogozalek, Jr., Esq.

DATED: July 15,

BECKMAN OGOZALEK PEREZ PAGLIONE

By: Anthony H. Ogozalek, Jr., Esq.

I.D. No. 037022006

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NEW JERSEY FOUNDATION FOR :
JERSEY OPEN GOVERNMENT, INC. :
And JOHN PAFF :
Plaintiffs, :

vs. :

ISLAND HEIGHTS BOARD OF :
EDUCATION and LILLIAN :
BRENDDEL :
Defendants :

SUPERIOR COURT OF NEW :
LAW DIVISION, CIVIL PART :
OCEAN COUNTY

DOCKET NO. OCN-L-703-14

Civil Action

PROOF OF SERVICE AND MAILING

PROOF OF SERVICE: On July 15, 2013, I, the undersigned, a secretary employed by the firm of Beckman Ogozalek Perez Paglione, attorneys for Plaintiffs, caused the within Notice of Motion for Summary Judgment, and accompanying papers, to be filed with the Clerk of the above-named court via Lawyers Service, Next Day Delivery.

PROOF OF MAILING: On July 15, 2014, I, the undersigned, a secretary employed by the firm of Beckman Ogozalek Perez Paglione, attorneys for Plaintiffs, sent a copy of the within Notice of Motion for Summary Judgment, and

accompanying papers, via Lawyers Service, Next Day Delivery and via email, to the following:

Adam S. Weiss, Esq.
Methfessel & Werbel, P.C.
2025 Route 27 (Lincoln Hwy), Suite 200
Edison, NJ 08818
weiss@methwerb.com

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Margaret J. Garron

BECKMAN OGOZALEK PEREZ PAGLIONE

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July 11, 2014

VIA TELECOPY ONLY – 732-240-6097

Hon. Vincent J. Grasso, A.J.S.C.
Superior Court of New Jersey - Law Division
118 Washington Street, Courtroom 1
PO Box 2191
Toms River, NJ 08754

RE: New Jersey Foundation for Open Government, Inc., et al, v. Island Heights Board of Education, et al.

Dear Judge Grasso:

Please accept this Letter Brief in lieu of a more formal brief in support of Plaintiff's Motion for Summary Judgment concerning Counts Five and Six of Plaintiff's Verified Complaint, which seek enforcement of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. Counts One through Three have been adjudicated; and therefore, Plaintiffs are no longer pursuing Count Four since the previous ruling encompassed what Plaintiffs intended to achieve through Count Four.

PROCEDURAL HISTORY

1. On or about March 26, 2014, Plaintiffs filed their Verified Complaint.
2. Thereafter, in accordance with the Court's time frame, Defendants responded to the Complaint and Plaintiffs submitted a Brief in Support of the Complaint.

3. On April 16, 2014, the Honorable Vincent Grasso, J.S.C., conducted oral argument.

4. On April 25, 2014, Judge Grasso issued a decision concerning Counts One, Two and Three of the Complaint.

5. The parties have conferred and have come to a tentative resolution concerning the outcome of Judge Grasso's decision and attorney fees.

6. At present, these matters are not completely resolved, however the parties believe they will come to a resolution with no further court interaction.

7. Pursuant to conferences among the parties and a status conference with Judge Grasso, it was agreed Plaintiffs would submit a brief in support of Summary Judgment in this matter, due on July 11, 2014.

STATEMENT OF FACTS

The Court is respectfully referred to the Verified Complaint for a complete recitation of the facts. For purposes of Summary Judgment, Plaintiff will only submit the facts necessary for resolution of the last two counts of the Complaint.

1. Each of the resolutions passed by the Board in 2013 (and 2014) that purport to authorize the Board's nonpublic meetings are of the following form:

On [date] at [hour] the Island Heights Board of Education will move into Executive Session for the purpose of discussing matters excluded from public discussion/deliberation, including but not limited to confidential student information, personnel matters, contracts and litigation.

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the

Borough of Island Heights, in the county of Ocean, State of NJ, as follows:

The subject matters will be made public, if and when, confidentiality is no longer necessary, Action may be taken.

See, attached Exhibit #11 from Verified Complaint.

2. This form of resolution is not sufficiently specific to comply with N.J.S.A. 10:4-13.
3. On information and belief, any resolutions provided in response to Paff's February 28, 2014, records request would show the Board used similarly vague and non-compliant language. See, attached Exhibit #11 from Verified Complaint
4. At its February 8, 2012, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including "the solar panel project," "the current board goal regarding shared superintendence," the "possibility of having a K,1,2, self contained classroom for the upcoming 2012-13 school year" and "Mrs. Fuhring's "progress on her goals for the 2011-12 year." See, attached Exhibit #3 from Verified Complaint.
5. At its January 9, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including seeking "a volunteer to assist in picking the teacher of the year" and an announcement that Ocean County Superintendent Joe Pasiment will be "overseeing Monmouth, Ocean and Middlesex." See, attached Exhibit #11 from Verified Complaint.

6. At its February 13, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including "the tuition for the 2013-14 school year" and the Board's attempt to "do these trainings the last week of school."
7. At its March 6, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including tuition rates and the Choice School application. See, attached Exhibit #11 from Verified Complaint.
8. At its April 10, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including the naming of the multi-purpose room, conflict concerning meeting dates, calendar changes to 1/2 days and NJSBA Board training on April 17, 2013 at 6:00 p.m. See, attached Exhibit #11 from Verified Complaint.
9. At its May 15, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including the dates of the Band Concert, "dedication for Mr. CZ," the "QSAC" to be held on May 28, 2013 and the Choice School application. See, attached Exhibit #11 from Verified Complaint.
10. At its June 12, 2013 nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including informing everyone that the District did "extremely well" on "QSAC," and that all the District's teacher have "all the necessary training for teacher evaluations and are in compliance." See, attached Exhibit #11 from Verified Complaint.
11. At its July 10, 2013, nonpublic meeting, the Board discussed topics that should have been discussed with the public in attendance, including science curriculum and textbooks,

tuition discounts and e-mails regarding "the Choice District." See, attached Exhibit #11 from Verified Complaint.

12. At its August 14, 2013, nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including Mrs. Fuhring's "progress on the teacher evaluation system" and Mrs. Brendel's success in getting \$66,000 in insurance money for a new gym floor. See, attached Exhibit #11 from Verified Complaint.

13. At its September 11, 2013, nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including School Choice, building repairs and lighting and "a new sign with PTO." See, attached Exhibit #11 from Verified Complaint.

14. At its October 9, 2013, nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including school choice, Building and Grounds, and Mr. Tsucalas's statement offering to be the new chair for Building and Grounds. See, attached Exhibit #11 from Verified Complaint.

15. At its November 13, 2013, nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including the fact that the Spanish teacher started, that the Board is "really working hard and diligently to put art back in the Island Heights Grade School" and the needed focus on Language Arts. See, attached Exhibit #11 from Verified Complaint.

16. At its December 11, 2013, nonpublic meeting, the Board discussed topics that ought to have been discussed with the public in attendance, including dissolution being "finally over." See, attached Exhibit #11 from Verified Complaint.

LEGAL ARGUMENT

A. Legal Standard for Summary Judgment

Summary judgment shall be granted if “the pleadings, depositions, answers to interrogatories and admissions on file, together with affidavits, if any, show that there is no genuine issue as to any material fact challenged and that the moving party is entitled to a judgment or order as a matter of law.” R. 4:46-2(c). A fact issue is genuine only if, considering the burden of persuasion at trial, the motion evidence, together with all legitimate inferences favoring the non-moving party, would require submission of the issue to the trier of fact. Hopkins v. City of Gloucester, 358 N.J. Super. 271 (App. Div. 2003).

In resolving a summary judgment motion, the Court must view the facts in the light most favorable to the non-moving party. Lederman v. Prudential Life Ins. Co. of America, Inc., 385 N.J. Super. 324, 337 (App. Div. 2006). If there are no facts in dispute and the applicable law applied to the existing facts permits but one result, the defendant is entitled to summary judgment as a matter of law. Pron v. Carlton Pools, Inc., 373 N.J. 103, 113 (App. Div. 2004). Sacharow v. Sacharow, 177 N.J. 62 (2003); In re Estate of Dawson, 136 N.J. 1, 20-21 (1994).

B. The Island Heights Board of Education Made Insufficient Nonpublic Meeting Resolutions.

As demonstrated in the Statement of Facts, "each of the resolutions passed by the Board in 2013 (and on February 12, 2014) that purport to authorize the Board's nonpublic meetings are of the following form:

On [date] at [hour] the Island Heights Board of Education will move into Executive Session for the purpose of discussing matters excluded from public discussion/deliberation, including but not limited to confidential student information, personnel matters, contracts and litigation."

This language is clearly insufficient pursuant to the Open Public Act and case law defining the Act.

In the instant case, the Board uses the same general, boilerplate language to authorize each of its closed sessions (see attached Exhibit 11 from the Verified Complaint.) The language describes the topics in a general way (i.e. " including but not limited to confidential student information, personnel matters, contracts and litigation."), and does not give Plaintiffs a real sense of what topics would be discussed. As shown in the prior proceedings in this matter, the Court has found the language insufficient to describe what would be taking place.

In assessing this case, the Court should compare the Board's resolution language to what was considered by the Supreme Court in McGovern v. Rutgers, 211 N.J. 94, 111 (2012). The Plaintiff, John Paff, has advised numerous Authorities that in McGovern, Rutgers' resolution informed the public that "matters involving contract negotiations for sports marketing, naming rights of athletics facilities and stadium construction, employment of personnel and terms and conditions of employment, and pending litigation, investigations, and matters falling within the attorney-client privilege with respect to these subjects" would be discussed. Unlike the public who observed the Island Heights Board meetings, those attending the Rutgers Board meetings would at least know that specific topics, such as "sport marketing" and "naming rights" of facilities would be discussed. The Island Heights Board, in order to comply with N.J.S.A. 10:4-13, should include specific details in its N.J.S.A. 10:4-13 resolutions.

The exceptions to the Meetings Act's require transparency and stress that the Act should be closely construed against closure of meetings. This calls into question the legitimacy of the Island Heights closed session agenda where, presumably, all manner of topics can be discussed.

The minutes from the closed sessions clearly show all manner of topics were discussed. Further, the matters discussed at numerous meetings are not what were memorialized in the resolutions passed by the Board. Therefore, the Board should be found in violation of the law and the spirit of the Open Public Meetings Act.

C. **The Island Heights Board of Education Discussed Improper Meeting Topics During Its Closed Session.**

Nothing can be discussed in closed session unless it fits within one or more of the N.J.S.A. 10:4-12(b) exceptions. These exceptions must be strictly construed against excluding the public from a meeting. Hartz Mountain Industries, Inc. v. New Jersey Sports & Exposition Authority, 369 N.J.Super. 175, 186 (App. Div. 2004), certification denied 182 N.J. 147 (2004).

Under the Open Public Meetings Act, a public body may hold a closed session when it is dealing with one of nine subject-area exemptions found in N.J.S.A. 10:4-12(b). The nine exemptions are for meetings where a public body will discuss:

- any matter made confidential by federal or state law;
- any matter for which the release of information would impair a right to receive funds from the U.S. government;
- any material the disclosure of which constitutes an unwarranted invasion of individual privacy;
- any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement;
- any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;

- any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection and any investigations of violations or possible violations of the law;
- any pending or anticipated litigation or contract negotiation where the public body is a party or may become a party;
- any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body; and
- any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

Plaintiffs' Statement of Facts provides several examples of topics being discussed in private that clearly do not meet any of Open Public Meetings Act exceptions. The Court, in reviewing them, should easily determine that most, if not all, of them violate the OPMA. In reviewing the attached exhibits, the Court will see multiple instances where the Board discussed issues in closed (non-public) sessions that do not comport with the exceptions allowed under the act.

For sake of efficiency, the Plaintiffs refer to their Statement of Facts and the minutes produced by Defendants in this matter to show the matters discussed and the lack of exceptions for same.

CONCLUSION

For all the reasons set forth above, Plaintiff respectfully requests the Court grant summary judgment with respect to Counts Four and Five of the Complaint. Accordingly, Plaintiff requests the Court rule Defendants violated the Open Public Meetings Act and order whatever additional relief it deems appropriate.

Respectfully Submitted,



Anthony H. Ogozalek, Jr.
Attorney for Plaintiff

Dated: July 11, 2014

Cc: Adam S. Weiss, Esq. (via telecopy - (732) 248-2355)

EXHIBIT #3

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
FEBRUARY 8, 2012
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on February 8, 2012.

The closed session was called to order at 6:15 p.m. by Mr. Clak in the Island Heights Grade School.

MEMBERS PRESENT: Douglas Camburn, Karl Clak, Melissa Drew and Courtney Parks

MEMBERS ABSENT: Kate Frankovich and Kevin Nelson

ALSO PRESENT: Loren Fuhring Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

Mrs. Fuhring reported on the solar panel project with Central Regional and Triantafillos Parlapanides will take care of any expenses regarding feasibility study.

Mrs. Fuhring discussed the current board goal regarding shared superintendence with Seaside Park/Seaside Heights. The Board decided to send a letter from Board to Board regarding this matter.

Mrs. Fuhring discussed the playground incident and the security of the Island Heights Grade School. She also informed the Board that a staff member was being stalked. A letter will be sent to parents reminding them of all policies and procedures for school safety.

Mrs. Fuhring discussed CST and possibly having a K,1,2, self contained classroom for the upcoming 2012-13 school year.

Mrs. Fuhring discussed having an informational session in late March for the fourth grade outlining the 5/6 model.

Mrs. Fuhring discussed ethics with the Board and reminded everyone that she is aware of Board members discussing items that were disclosed in closed session. She reminded everyone what is discussed in closed session stays in closed session.

Mrs. Fuhring presented her progress on her goals for the 2011-12 school year.

Respectfully submitted:

Lil Brendel, Board Secretary

Approved: *LB* 2/7/12

EXHIBIT #11

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
JANUARY 9, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on January 9, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.

MEMBERS PRESENT: Karl Clark, Melissa Drew, Kate Frankovich, Kevin Nelson, Courtney Parks, Matthew Tascalis and Chris Urso

MEMBERS ABSENT: None

ALSO PRESENT: Loren Fuhring, Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

[REDACTED]

Mrs. Fuhring asked the Board if there was a volunteer to assist in picking the teacher of the year.

MR. Frankovich volunteered and will be assisting in this again this year.

[REDACTED]

Also, she stated there is a new Ocean County Superintendent, Joe Paiment and he will be overseeing Monmouth, Ocean and Middlesex.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted:

Lil Brendel, Board Secretary

Approved: *AB 2/13/13*

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
FEBRUARY 13, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on February 13, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.
MEMBERS PRESENT: Karl Ciak, Melissa Drew, Courtney Parks, Matthew Tsoulas and Chris Uno

MEMBERS ABSENT: Kate Brankovich and Kevin Nelson

ALSO PRESENT: Loren Fuhring, Superintendent, Frank Frazee, Business Administrator and Li Brendel, Board Secretary

Mrs. Fuhring discussed tuition for the 2013-14 school year.

[REDACTED]

Mrs. Fuhring discussed the teacher evaluation trainings and we will try and do these trainings the last week of school.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted:

Li Brendel, Board Secretary
A201301620

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
MARCH 6, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Deen, State of New Jersey held on March 6, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.
MEMBERS PRESENT: Karl Clark, Melissa Drew, Kate Frankovich, Kevin Nelson, Matthew Taccaloz and Chris Urso

MEMBERS ABSENT: Courney Parks

ALSO PRESENT: Joren Fubione, Superintendent, Frank Fritzer, Business Administrator and Lili Brandel, Board Secretary

Mrs. Fubione discussed tuition for the 2013-14 school year. Discussion arose and we will raise the tuition for the 2013-14 school year as follows: New Enrollment \$3800.00, students attending now will raise to \$3700 and students attending prior to 2010/11 \$3300.

Mrs. Fubione discussed becoming a Choice School for the 2014-15 school year. It is a potential for increased revenue which the Island Heights District could use. Any volunteers should email her as the application is due by April 30, 2013.

~~_____~~
~~_____~~
~~_____~~

The meeting was adjourned at 6:50 p.m.

Respectfully submitted:

Lili Brandel, Board Secretary
Approved: 

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
APRIL 16, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on April 10, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Creds School MEMBERS PRESENT: Kori Clark, Melissa Draw, Kate Frankovich, Courtney Parks, Matthew Eschenlis and Chris Utz

MEMBERS ABSENT: Kevin Nelson

ALSO PRESENT: Lorra Fuhring, Superintendent, Frank Frazee, Business Administrator and Lid Brandel, Board Secretary

[REDACTED]

Mr. Eschenlis wrote a letter to the Board regarding naming the multi-purpose room after Mr. CZ along with a plaque. Discussion arose.

Mrs. Fuhring discussed the May 8, 2013 meeting being changed to May 15, 2013, as she had a conflict and was unable to attend the meeting.

Mrs. Fuhring also wanted to advise the board of changing the calendar to 1/4 days from June 10-14, 2013. This will be approved later this evening.

There will be a board training on April 17, 2013 with Kathy Winecoff from NJSEA at 6:00 p.m.

Mrs. Fuhring also stated that QSAC will be May 28, 2013.

Mrs. Fuhring discussed becoming a Choice School for the 2014-15 school year. It is a potential for increased revenue which the Island Heights District could use. Mrs. Parks, Mrs. Draw and Mr. Clark met with Mrs. Fuhring on March 28, 2013 to go over the application. The application is due April 30, 2013.

The meeting was adjourned at 7:00 p.m.

Respectfully submitted:

Lid Brandel, Board Secretary

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
MAY 15, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on May 15, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Ciak in the Island Heights Grade School.

MEMBERS PRESENT: Karl Ciak, Melissa Drew, Kate Frankovich, Kevin Nelson, Matthew Tsvetkals and Chris Urso

MEMBERS ABSENT: Courtney Parks

ALSO PRESENT: Loren Fuhring, Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

[REDACTED]

Mrs. Fuhring reminded everyone about the dates of the Band concert and the dedication for Mr. CZ June 3, and 4, 2013 respectively.

Mrs. Fuhring also stated that QSAC will be May 28, 2013.

Mrs. Fuhring discussed the application was submitted for the Choice School on April 30, 2013. It is a potential for increased revenue which the Island Heights District could use.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted:

Lil Brendel, Board Secretary

Approved:  13

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
JUNE 11, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on June 11, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Ciuk in the Island Heights Crest School.
MEMBERS PRESENT: Karl Ciuk, Melissa Drew, Kevin Nelson, Courtney Parka and Matthew Tuzalub

MEMBERS ABSENT: Kate Frankovitch & Christopher Orso

ALSO PRESENT: Loren Fuhring, Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

[REDACTED]

Mrs. Fuhring also wanted to inform everyone on QSAC and the Island Heights District did extremely well.

Mrs. Fuhring also informed the Board that the Island Heights Teachers had all the necessary trainings for the teacher evaluations and are in compliance.

The meeting was adjourned at 6:40 p.m.

Respectfully submitted:

Lil Brendel, Board Secretary
Approved: 7/10/13 

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
JULY 16, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on July 10, 2013.

The closed session was called to order at 6:15 p.m. by Mr. Clark, President of the Island Heights Grade School.

MEMBERS PRESENT: Karl Clark, Melissa Drey, Kasia Frankovich, Kevin Nelson and Courtney Parks

MEMBERS ABSENT: Matthew Tsvacas and Chris Ursio

ALSO PRESENT: Loren Fuhring Superintendent, Frank Erazos, Business Administrator and Lil Brendel, Board Secretary

Mrs. Fuhring discussed the science curriculum and would like to have a meeting so we can order the science textbooks as well as our mission statement.

Mrs. Fuhring discussed tuition decreases for more than one child attending the Island Heights Grade School. Discussion arose. Island Heights will give a 10% discount for the second child and 15% off for three or more children.

Mrs. Fuhring reported she received two emails regarding the Choice District and we should be hearing at the end of July if we will be a choice school for the 2014-15 school year. Discussion arose.

Respectfully submitted:

Lil Brendel, Board Secretary
Approved: 

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
AUGUST 14, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on August 14, 2013.

The closed session was called to order at 6:15 p.m. by Mr. Ciak, President at the Island Heights Grade School.

MEMBERS PRESENT: Karl Ciak, Melissa Drew, Kate Frankovich, Kevin Neilson and Matthew Tsoukalas

MEMBERS ABSENT: Chris Uiso and Courtney Parks

ALSO PRESENT: Loren Fuhring Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

Mrs. Fuhring discussed her progress on the teacher evaluation system.

[REDACTED]

Mrs. Fuhring stated that Mr. Frazee has completed June 30, 2013 and we had an outstanding year keeping in line with budget and not overspending. Mrs. Fuhring also added that Mrs. Brendel with her persistence received insurance money in the amount of \$66,000 for a new gym floor for the school district.

[REDACTED]

Mrs. Fuhring also discussed the Spanish position and we will hopefully have a hire within the next few weeks.

Mrs. Fuhring reported that there was still no word on being a Choice District.

Respectfully submitted:

Lil Brendel, Board Secretary
Approved: *[Signature]*

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
SEPTEMBER 11, 2013 CLOSED SESSION MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on September 11, 2013.

The closed session was called to order at 6:15 p.m. by Mr. Clark, President of the Island Heights Grade School

MEMBERS PRESENT: Karl Clark, Melissa Draw, Kare Frankovich and Matthew Taucikas
Mr. Uroo arrived at 6:25 and Mrs. Parks arrived at 6:45 p.m.

MEMBERS ABSENT: Kevin Nelson

ALSO PRESENT: Loren Fuhring Superintendent, Frank Prozzo, Business Administrator and Lid Brendel, Board Secretary

Mrs. Fuhring discussed School Choice and how we have not heard anything as of yet.

[REDACTED]

Mrs. Fuhring discussed Building repairs and the needs of the Island Heights Grade School. Mr. Clark asked about late lighting on the side of the building which we are awaiting pricing.

[REDACTED]

Mrs. Fuhring also will discuss a new sign with PTO. At 7:00 p.m. closed session ended.

Respectfully submitted:

Lid Brendel, Board Secretary
Approved: *[Signature]*

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
OCTOBER 9, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on October 9, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.

MEMBERS PRESENT: Karl Ciak, Kate Frankovich, Kevin Nelson, Matthew Tsucalis and Chris Urso

MEMBERS ABSENT: Melissa Drew and Courtney Parks

ALSO PRESENT: Lorea Fuhring, Superintendent, Frank Frazee, Business Administrator and Lil Brendel, Board Secretary

[REDACTED]

Mrs. Fuhring discussed school choice and there were seven seats available. Mrs. Fuhring contacted state and informed them we have 12 tuition students and they allowed those students to become choice students. This is very exciting news for Island Heights Grade School.

[REDACTED]

The meeting resumed at 7:25 p.m. discussion arose regarding Buildings and Grounds and Mr. Tsucalis stated he would be the new chair for Buildings and Grounds.

[REDACTED]

The meeting was adjourned at 8:00 p.m.

Respectfully submitted:

Lil Brendel, Board Secretary

Approved: *[Signature]*

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
NOVEMBER 13, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on November 13, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.
MEMBERS PRESENT: Karl Clark, Melissa Drew, Kate Frankovich, Kevin Nelson, Courtney Parks, Matt Taucinas and Chris Urso

MEMBERS ABSENT: None

ALSO PRESENT: Loren Fuhring, Superintendent, Frank France, Business Administrator and Lili Brendel, Board Secretary

[REDACTED]

Mrs. Fuhring reported that the Teacher of the Year is Lisa Royer. She thanked Kevin Nelson and Kate Frankovich for being part of the selection process.

Mrs. Fuhring also reported that our Spanish Teacher has started and will be teaching on Mondays and Fridays in November and Monday, Wednesday and Friday beginning in December.

Mrs. Fuhring and Board are really working hard and diligently to put art back in the Island Heights Grade School.

[REDACTED]

Mrs. Fuhring reported on the NJ ASK scores and really wants to focus on Language Arts. Island Heights continues to be strong in Math.

The meeting was adjourned at 6:55 p.m.

Respectfully submitted:

Lili Brendel, Board Secretary
Approved: *[Signature]*

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
DECEMBER 11, 2013
MINUTES

MINUTES OF THE CLOSED SESSION of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on December 11, 2013.

The closed session was called to order at 6:20 p.m. by Mr. Clark in the Island Heights Grade School.
MEMBERS PRESENT: Karl Clark, Kate Frankowich, Kevin Nelson, Courtney Parle and Matt Tsoukas

MEMBERS ABSENT: Melissa Drew and Chris Uzo

ALSO PRESENT: Loren Fulring, Superintendent; Frank Frazee, Business Administrator and DJ Brendsi, Board Secretary

~~_____~~
_____ and it is finally over.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted:

Liz Brinzel, Board Secretary
[Signature]

ISLAND RIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, JANUARY 9, 2013 AT 6:30 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on Wednesday, January 9, 2013.

The meeting was called to order at 6:15 p.m. by Kurt Cook, President of the Island Heights Grade School (the group). The President had the group in the file folder.

MEMBER PRESENT: Kurt Cook, William Drew, Kate Frankovich, Kevin Nelson, Courtney Parbo, Melissa Tausz and Chris Uno

MEMBERS ABSENT: None

ALSO PRESENT: Loree Felling, Superintendent; Frank Evans, Business Administrator and FX Bondar, Board Secretary.

OPEN PUBLIC MEETING ACT

In compliance with the Open Public Meeting Act of the State of New Jersey, subsequent notice of this meeting of the Board of Education was provided in the following manner:

On January 9, 2013, the Board of Education was held in the Board Room at the Island Heights Grade School. The meeting was held in accordance with the Open Public Meeting Act. The meeting was held in the Board Room at the Island Heights Grade School.

Upon motion of Mr. Cook, seconded by Mrs. Frankovich the following resolution was approved: On January 9, 2013, the Board of Education held a meeting in the Board Room at the Island Heights Grade School for the purpose of discussing the proposed changes to the Island Heights Public Schools. The meeting was held in accordance with the Open Public Meeting Act. The meeting was held in the Board Room at the Island Heights Grade School.

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.A.C. 104:27 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island Heights in the County of Ocean, State of New Jersey, as follows:

The subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken.

ROLL CALL:
AYES: Mr. Cook, Mrs. Drew, Mrs. Frankovich, Mr. Nelson, Mrs. Parbo, Mr. Tausz and Mr. Uno

The Board meeting resumed session at 6:30 p.m.

REGULAR MEETING

Upon motion of Mrs. Frankovich, seconded by Mr. Uno the following resolution was approved:

ADJOURNMENT

APPROXIMATE

RESOLVED: That the Board of Education approve the minutes of this meeting.

November 13, 2013 - Regular Meeting at Island Heights

ROLL CALL:

AYES: Mr. Cook, Mrs. Frankovich, Mrs. Parbo and Mr. Uno

ABSTAIN: Mr. Nelson, Mr. Nelson and Mr. Tausz

MINUTES REGULAR MEETING JANUARY 9, 2013

ISLAND HEIGHTS FONDLY EDUCATION
STANDARD BOARD MEETING
REGULAR MEETING, FEBRUARY 11, 2013 AT 6:15 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION, ISLAND HEIGHTS FONDLY EDUCATION, Borough of Oxford Heights, County of Ocean, State of Delaware, held at the Boardroom, February 11, 2013.

The meeting was called to order at 6:15 p.m. by Karl Clark, President of the Island Heights Grade School, after prayer. The President had the Pledge in the flag salute.

MEMBERS PRESENT: Karl Clark, School Director, Catherine Parker, Matthew Truchette and Chris Upton

MEMBERS ABSENT: Kate Frankfort and Keith Nelson

ALSO PRESENT: Sarah Johnson, Superintendent, Frank Primm, Business Administrator and La Prasad, Board Secretary.

OPEN PUBLIC MEETINGS ACT

In compliance with the Open Public Meetings Act of the State of New Jersey, adequate notice of the meeting of the Board of Education was provided to the public with the meeting.

On January 4, 2013, a public meeting was held at the Island Heights Grade School. The meeting was held at 10:00 a.m. and was held in the Boardroom. The meeting was held in the Boardroom. The meeting was held in the Boardroom.

The motion of Mrs. Drew seconded by Mr. Parker for the following resolution was approved:

On February 11, 2013 at 6:25 p.m. the Board of Education of the Island Heights Grade School for the purpose of discussing the proposed changes to the Island Heights Grade School. The meeting was held in the Boardroom. The meeting was held in the Boardroom.

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 10A-12 permits the inclusion of the public in a meeting to discuss governmental action;

WHEREAS, this public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Oxford Heights in the County of Ocean, State of DE, as follows:

The subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken.

ROLL CALL:
AYES: Mr. Clark, Mrs. Drew, Mr. Parker, Mr. Truchette and Mr. Upton

The Board meeting resumed session at 6:55 p.m.

REGULAR MEETING

Upon motion of Mrs. Drew seconded by Mr. Parker for the following resolution was approved:

BOARD SECRETARY RETURNS

APPROVE MINUTES

RESOLVED: That the Board of Education approve the minutes of the preceding meeting;

January 8, 2013 - Reconvened Session

January 9, 2013 Regular Meeting & Closed Session

ROLL CALL:
AYES: Mr. Clark, Mrs. Drew, Mr. Parker, Mr. Truchette and Mr. Upton

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, MARCH 4, 2013 6:35 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF DOUGLASS, NEW JERSEY, HELD AT THE BOARD ROOM, 1000 W. 10TH STREET, ISLAND HEIGHTS, NEW JERSEY, ON MARCH 4, 2013.

The meeting was called to order at 6:35 p.m. by Karl Clark, President of the Island Heights Grade School Large Group team. The Pledges and the Group in the Big House.

MEMBERS PRESENT: Karl Clark, Melissa Drew, Kate Franke, Kristin Nelson, Matthew Tancig and Clark Van

MEMBERS ABSENT: Carolyn Turck

ALSO PRESENT: Laura Robinson, Superintendent, Frank Evans, Business Administrator and Li Barwood, Board Secretary.

OPEN PUBLIC MEETINGS ACT

In compliance with the Open Public Meetings Act of the State of New Jersey, appropriate notice of this meeting of the Board of Education was provided in the following manner:

On January 4, 2013 advance written notice of this meeting was delivered to the Ashbury Park Press and posted at the Board of Education Post Office and Island Heights Grade School. The meeting notice was published in the Ashbury Park Press on January 8, 2013.

Upon motion of Mr. Nelson seconded by Mrs. Drew, the following resolution was approved:

RESOLVED, that the Board of Education hereby certifies that this meeting was held in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10A:4, and that the meeting was held in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10A:4.

WHEREAS, Section 2 of the Open Public Meetings Act, N.J.S.A. 10A:4, permits the disclosure of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island Heights, in the County of Orange, State of N.J., as follows:

The subject matter will be made public if and when, in the opinion of the Board, it shall be in the public interest to do so.

ROLL CALL:
AYES: Mr. Clark, Mrs. Drew, Mrs. Franke, Mr. Nelson, Mr. Tancig and Mr. Van

The Board meeting resumed session at 6:55 p.m.

REGULAR MEETING

Upon motion of Mr. Nelson seconded by Mrs. Franke, the following resolution was approved:

BOARD SECRETARY REPORTS

APPROVE MINUTES

RESOLVED, That the Board of Education approve the minutes of the following meetings:

February 13, 2013 Regular Meeting & Closed Session

ROLL CALL:

AYES: Mr. Clark, Mrs. Drew, Mr. Tancig and Mr. Van

NAYES: Mrs. Franke and Mr. Nelson

MINUTES REGULAR MEETING MARCH 4, 2013

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ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, APRIL 10, 2013 AT 6:15 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND ADJOURNMENT OF THE BOARD OF EDUCATION OF THE
BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, HELD ON WEDNESDAY, MARCH 6,
2013.

The meeting was called to order at 6:15 p.m. by Earl Clark, President of the Board of Education.
The meeting was held in the group room. The President called the group to the agenda.

MEMBERS PRESENT: Earl Clark, Melissa Dreyer, Kase Frankovich, Matthew Truciani, Courtney
Parks and Chris Upton

MEMBERS ABSENT: Kevin Nelson

ALSO PRESENT: James Tulligan, Superintendent, Frank Frazza, Business Administrator and Jill
Brooks, Board Secretary.

OPEN PUBLIC HEARING/AGENDA

In compliance with the Open Public Meetings Act of the State of New Jersey, notice is hereby given of this
meeting of the Board of Education as provided in the following manner:

On January 14, 2013, minutes of the meeting of the Board of Education were approved. The meeting was held in the
group room at the Island Heights Public Schools Administration Building, 10000 Highway 108, Island Heights,
NJ 08541. The meeting was held on Wednesday, March 6, 2013.

Upon motion of Mrs. Frankovich seconded by Mr. Truciani the following resolutions were approved:

On April 10, 2013, the Board of Education shall meet on Wednesday, April 10, 2013, at 6:15 p.m. in the
group room at the Island Heights Public Schools Administration Building, 10000 Highway 108, Island Heights,
NJ 08541.

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 10A:11, permits the exclusion of the
public from a meeting in certain circumstances;

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island
Heights, in the county of Ocean, State of New Jersey:

The subject matter will be made public, if and when, confidentiality is no longer necessary. Action
may be taken.

ROLL CALL:
AYES: Mr. Clark, Mrs. Dreyer, Mrs. Frankovich, Mrs. Parks, Mr. Truciani and Mr. Upton

The board meeting resumed session at 6:55 p.m.

REGULAR MEETING

Upon motion of Mr. Clark seconded by Mrs. Frankovich the following resolution was approved:

RESOLVED, That the Board of Education approve the minutes of the following meeting:

March 6, 2013 Regular Meeting & Closed Session
March 25, 2013 Public Hearing

ROLL CALL:
AYES: Mr. Clark, Mrs. Dreyer, Mrs. Frankovich, Mr. Truciani and Mr. Upton

ABSTAIN: Mrs. Parks

MINUTES REGULAR MEETING APRIL 10, 2013

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ISLAND NEGRES BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, JUNE 15, 2013 AT 8:05 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP OF THE BOARD OF EDUCATION OF THE Borough of Island Heights, County of Curran, State of New Jersey held on Wednesday, June 12, 2013.

The meeting was held in order at 8:05 p.m. by Kerl Cecil, President in the Island Heights Grade School large conference room. The President welcomed everyone to the meeting.

MEMBERS PRESENT: Kerl Cecil, Melissa Drake, Kerla Nason, Carolyn Parks and Matthew Trumbull

MEMBERS ABSENT: Kim Friskovich and Christopher Uno
ALSO PRESENT: Loree Polunio, Superintendent; Ferni Trzaska, Business Administrator and Lia Brando, Board Secretary.

OPEN PUBLIC MEETING NOTICE

In compliance with the Open Public Meeting Act of the State of New Jersey, a request notice of this meeting of the Board of Education was provided in the following manner:

On January 4, 2013 advance notice was given of this meeting and was sent to the Ashbury Park Press and posted at the Island Heights Public Library and the Island Heights School. The meeting notice was published in the Ashbury Park Press on January 2, 2013.

Upon request of Mr. Trumbull seconded by Mrs. Uno the following resolution was approved:
On June 12, 2013 the Board of Education of the Borough of Island Heights approved the following resolution for the year of 2013-2014: The Board of Education of the Borough of Island Heights shall be authorized to purchase a new building, which shall be used for the purpose of providing a safe and secure environment for the students of the Island Heights School. The Board of Education of the Borough of Island Heights shall be authorized to purchase a new building, which shall be used for the purpose of providing a safe and secure environment for the students of the Island Heights School.

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 106:4-8 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist:

NOW THEREFORE BE IT RESOLVED, by the Board of Education of the Borough of Island Heights, in the County of Ocean, State of New Jersey, as follows:

The subject matter will be made public if and when confidentiality is no longer necessary. Action may be taken.

ROLL CALL:
AYES: Mr. Cecil, Mrs. Uno, Mr. Nason, Mrs. Parks and Mr. Trumbull

The Board meeting commenced business at 8:05 p.m.

REGULAR MEETING

Upon motion of Mrs. Uno seconded by Mr. Trumbull the following resolution was approved:

BOARD SECRETARY RESOLVE

APPROVAL MINUTES

RESOLVED That the Board of Education approve the minutes of the following meetings:
May 15, 2013 Regular Meeting & Closed Session

ROLL CALL:
AYES: Mr. Cecil, Mrs. Uno, Mr. Nason and Mr. Trumbull
ABSTAIN: Mrs. Parks

MINUTES REGULAR MEETING JUNE 15, 2013

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ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, JULY 10, 2013 AT 6:15 P.M.
MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP OF THE BOARD OF EDUCATION OF THE Borough of Island Heights, County of Ocean, State of New Jersey held on Wednesday, July 10, 2013. The workshop meeting was called to order at 6:15 p.m. by Karl Clark, President of the Island Heights Credit School Improvement Program. The President led the group in the flag salute.

MEMBERS PRESENT: Karl Clark, Melissa Dyer, Kate Frankovich, Kevin Naiman, and Courtney Parks

MEMBERS ABSENT: Matthew Turcotte and Chris Cise

ALSO PRESENT: Teresa Williams, School Director, and Linda Brouwer, Assistant Director and Jill Brinkley, Board Secretary.

OPEN PUBLIC MEETING ACT

In compliance with the Open Public Meetings Act of the State of New Jersey, adequate notice of this meeting of the Board of Education was provided in the following manner:

It is hereby noted that notices of this meeting were delivered to the following persons: Karl Clark, President of the Island Heights Credit School Improvement Program, at 6:15 p.m. on July 10, 2013; Linda Brouwer, Assistant Director, at 6:15 p.m. on July 10, 2013; and Jill Brinkley, Board Secretary, at 6:15 p.m. on July 10, 2013.

Mrs. Brouwer introduced herself to the Board of Education and wanted to inquire about being on the Board of Education. Mr. Clark stated that there was an election in November and she could become a trustee. There are 3 seats available and any one person can replace.

Upon motion of Mrs. Dyer seconded by Mrs. Frankovich the following resolution was approved:

On July 10, 2013 at 6:15 p.m. the Board of Education of the Borough of Island Heights, New Jersey, met in an open public meeting at the Island Heights Credit School Improvement Program, 1000 Highway 108, Island Heights, New Jersey. The meeting was held in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 106:4-2.2.

WHEREAS, Section 4 of the Open Public Meetings Act, N.J.S.A. 106:4-2.2 permits the installation of the public hearing in certain circumstances; and

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE Borough of Island Heights, in the County of Ocean, State of New Jersey:

The subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken.

ROLL CALL:
AYES: Mr. Clark, Mrs. Dyer, Mrs. Frankovich, Mr. Naiman and Mrs. Parks

REGULAR MEETING
BOARD SECRETARY REPORTS

Mr. Clark discussed that the June 13, 2013 closed session minutes of the meeting of Mrs. Parks be amended. Upon motion of Mrs. Naiman seconded by Mrs. Dyer, the Board adopted the following resolution:

Upon motion of Mrs. Naiman seconded by Mrs. Dyer the following resolution was approved:

APPROVE MINUTES

APPROVED: That the Board of Education approve the minutes of the following meetings:

June 12, 2013 - Regular and Closed Session

MINUTES REGULAR MEETING, JULY 10, 2013

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, AUGUST 14, 2013 AT 6:35 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey, held on Wednesday, August 14, 2013.

The workshop meeting was called to order at 6:35 p.m. by Karl Clark, President of the Board of Education. The meeting was held in the Board Room at the Island Heights Grade School large group room. The President led the group in the first public meeting.

MEMBERS PRESENT: Karl Clark, Melissa Dreyer, Katie Frankovich, Kevin Nelson and Matthew Trucillo

MEMBERS ABSENT: Christine Park and Chris Gray

ALSO PRESENT: Janet Folsom, Superintendent; Freda Pickett, School Business Administrator and Ed French, Board Secretary

OPEN PUBLIC MEETING

In compliance with the Open Public Meeting Act of the State of New Jersey, a public notice of the meeting of the Board of Education was provided in the following manner:

The Board of Education will hold a public meeting on August 14, 2013 at 6:35 p.m. at the Island Heights Grade School large group room. The meeting will be held in the Board Room at the Island Heights Grade School. The meeting notice was published in the *Island Heights Free Press* on August 14, 2013.

A copy of the meeting notice was provided to the following individuals:

On August 14, 2013 at 6:30 p.m. the Island Heights Board of Education was held at the Island Heights Grade School large group room. The meeting was held in the Board Room at the Island Heights Grade School. The meeting notice was published in the *Island Heights Free Press* on August 14, 2013.

WHEREAS, Section 9 of the Open Public Meeting Act, N.J.A.C. 17:27 requires the inclusion of the public from a meeting in certain circumstances and

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Borough of Island Heights, in the County of Ocean, State of New Jersey:

The subject matters will be made public, if and when, in the opinion of the Board of Education, it may be deemed to be in the public interest.

ROLL CALL:
AYES: Mr. Clark, Mrs. Dreyer, Mrs. Frankovich, Mr. Nelson and Mr. Trucillo

REGULAR MEETING

UPON motion of Mr. Dreyer, seconded by Mr. Trucillo, the following resolution was approved:

APPROXIMATE

RESOLVED, That the Board of Education approve the minutes of the following meeting:

July 10, 2013 - Regular and Closed Session

ROLL CALL:
AYES: Mr. Clark, Mrs. Dreyer, Mrs. Frankovich and Mr. Nelson
ABSENT: Mr. Trucillo

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS PUBLIC SCHOOLS
REGULAR MEETING, OCTOBER 3, 2013 AT 6:15 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on Wednesday, October 3, 2013.

The workshop meeting was called to order at 6:15 pm by Neil Cook, President of the Island Heights Credit School System. The President led the group in the Pledge.

MEMBER PRESENT: Neil Cook, Neil Frankovich, Nicole Nelson, Matthew Thomas and Chris Uno

MEMBERS ABSENT: Melissa Drew and Courtney Zarke

ATTEST PRESENT: Loren Ehrlich, Superintendent, Frank Puzos, Business Administrator and Lt. Brocki, Board Secretary.

OPEN PUBLIC MEETING/RESOLUTION

In compliance with the Open Public Meeting Act of the State of New Jersey, adequate notice of this meeting of the Board of Education was provided in the following manner:

On January 4, 2013 notice was posted in the amount of 30 days prior to the meeting at the Library Public Room and posted at the Board of Education Public Room and Island Heights Credit School. The meeting notice was published in the Ocean County Press on January 2, 2013.

Upon motion of Mrs. Frankovich seconded by Mr. Thomas the following resolution was approved:

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 16-44-12 permits the extension of the public notice period in certain circumstances and

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island Heights in the County of Ocean, State of NJ, as follows:

"The subject matter will be made public if and when, confidentiality is no longer necessary. Action may be taken.

ROLL CALL:
AYES: Mr. Cook, Mrs. Frankovich, Mr. Nelson, Mr. Thomas and Mr. Uno

The last meeting resumed session at 6:45 pm.
Mr. Nelson has to leave the board meeting at 6:45 pm.

REGULAR MEETING

Mr. Ehrlich and the Board of Education recognized the results for the period ending on the 2013 NJLEX Test with a presentation of a plaque for each student.

Upon motion of Mr. Thomas seconded by Mrs. Frankovich the following resolution was approved:

RESOLVED, That the Board of Education recognize the following students for "Perfect Math Scores for the 2013 NJLEX Test:

Connor Nelson, Nicholas Cook, Trevor Robbins, Peter Frankovich, Matthew Thomas, Matthew Morrill, Timothy Warner, Hannah Malcom, Clemmie Frankovich, Matthew Frankovich and Shamus Chav-Hue

RESOLVED, That the Board recognize the following student for "Perfect Score for the Science for the 2013 NJLEX Test:

Byron Quabern

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, NOVEMBER 17, 1964 AT 6:45 P.M.

MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on Wednesday, November 18, 1964.

The regular meeting was held in order at 6:45 p.m. by Kurt Cook, President of the Board of Education. The meeting was held in the Board Room of the Island Heights School, Ocean County, New Jersey.

MEMBERS PRESENT: Kurt Cook, Nelson Brown, Eric Frankovich, Gerald Nicks, Courtney Parks, Matthew Trachtenberg and Chris Uza.

MEMBERS ABSENT: None.

ALSO PRESENT: Loren Fairing, Superintendent, Frank Thomas, Business Administrator, J.J. Priddy, Board Secretary.

No public at 6:45 p.m.

OPENING REMARKS

In compliance with the Open Public Meetings Act of the State of New Jersey, and in accordance with the policy of this Board of Education, the following minutes of the meeting of the Board of Education were prepared in the following manner:

On January 4, 1964, the Board of Education held a meeting in the Board Room of the Island Heights School, Ocean County, New Jersey, at 6:45 p.m. The meeting was held in order at 6:45 p.m. by Kurt Cook, President of the Board of Education. The meeting was held in the Board Room of the Island Heights School, Ocean County, New Jersey.

Upon motion of Mrs. Frankovich, seconded by Mr. Trachtenberg, the following resolution was approved:

On November 18, 1964, at 6:45 p.m., the Board of Education held a meeting in the Board Room of the Island Heights School, Ocean County, New Jersey, at 6:45 p.m. The meeting was held in order at 6:45 p.m. by Kurt Cook, President of the Board of Education. The meeting was held in the Board Room of the Island Heights School, Ocean County, New Jersey.

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 107-17, permits the exclusion of the public from a meeting in certain circumstances and

WHEREAS, the public had the right to be present at such a meeting and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island Heights, in the County of Ocean, State of New Jersey, that

The meeting minutes will be made public, if and when, confidentiality is no longer necessary, unless so directed.

ROLL CALL:
AYES: Mr. Cook, Mr. Brown, Mr. Frankovich, Mr. Nicks, Mrs. Uza, Mr. Trachtenberg and Mr. Parks.

The Board meeting commenced at 6:45 p.m.

REGULAR MEETING

By motion of Mr. Nicks, seconded by Mr. Trachtenberg, the following resolution was approved:

RESOLVED, That the Board of Education approve the minutes of the following meetings:

October 5, 1964 - Regular Meeting, & Closed Session

ROLL CALL:
AYES: Mr. Cook, Mr. Brown, Mr. Nicks, Mr. Frankovich, Mr. Trachtenberg and Mr. Parks.

ABSENT: Mr. Parks, Mrs. Frankovich

ISLAND HEIGHTS BOARD OF EDUCATION
ISLAND HEIGHTS, NEW JERSEY
REGULAR MEETING, DECEMBER 11, 2013 AT 6:00 PM
MINUTES

MINUTES OF THE REGULAR MEETING AND WORKSHOP of the Board of Education of the Borough of Island Heights, County of Ocean, State of New Jersey held on Wednesday, December 11, 2013.

The workshop meeting was called to order at 6:15 pm, by Kent Clark, President of the Island Heights Grade School Corporation. The President led the group in the flag salute.

MEMBER PRESENT: Neil Clark, Neil Frankson, Kevin Adams, Christine Parks and Matthew Tuscata.

MEMBERS ABSENT: Melissa Drew and Chris D'Ino
ALSO PRESENT: Loretta Ehrhart, Superintendent; Frank Grazzo, Business Administrator and La Praille, Board Secretary.

No public at 6:20 pm.

OPEN PUBLIC MEETING ACT

In compliance with the Open Public Meeting Act of the State of New Jersey, adequate notice of the meeting of the Board of Education was provided in the following manner:

On January 4, 2013, written notices were delivered to the Liberty Park House and posted at the Island Heights Public Library and Island Heights Grade School. The meeting notice was published in the Liberty Park House on January 4, 2013.

Upon motion of Mrs. Frankson, seconded by Mr. Tuscata the following resolution was approved:
On December 11, 2013, the Board of Education of the Borough of Island Heights will hold a public meeting for the purpose of discussing the proposed budget for the 2014-2015 school year. The meeting will be held at the Island Heights Public Library, 10000 Liberty Park Road, Island Heights, New Jersey 08526. The meeting will be held on Wednesday, December 11, 2013, at 6:00 pm. The meeting will be held in the public hearing room of the public library. The meeting will be held in the public hearing room of the public library. The meeting will be held in the public hearing room of the public library.

WHEREAS, the public body is of the opinion that such circumstances exist;

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Borough of Island Heights, in the County of Ocean, State of New Jersey:

The public hearing will be held in the public hearing room of the public library. The meeting will be held in the public hearing room of the public library. The meeting will be held in the public hearing room of the public library.

ROLL CALL:
AYES: Mr. Clark, Mr. Frankson, Mr. Adams, Mrs. Frankson and Mr. Tuscata

The Board meeting resumed session at 6:20 pm.

REGULAR MEETING

Upon motion of Mrs. Frankson, seconded by Mr. Adams, the following resolution was approved:

RESOLVED That the Board of Education approve the minutes of the last meeting held on November 14, 2013 - Regular Meeting of Council Session.

ROLL CALL:
AYES: Mr. Clark, Mrs. Frankson, Mr. Adams, Mr. Parks and Mr. Tuscata

APPROVE MINUTES

RESOLVED That the Board of Education approve the minutes of the last meeting held on November 14, 2013 - Regular Meeting of Council Session.

ROLL CALL:
AYES: Mr. Clark, Mrs. Frankson, Mr. Adams, Mr. Parks and Mr. Tuscata

MINUTES REGULAR MEETING DECEMBER 11, 2013

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John Paff
P. O. Box 5424
Somerset, NJ 08875-5424
Tel 732-873-1251
Email paff@pobox.com
Plaintiff

JOHN PAFF
Plaintiff,

vs

ISLAND HEIGHTS BOARD OF
EDUCATION
Defendant

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
OCEAN COUNTY
DOCKET NO.

Civil Action

COMPLAINT
(in lieu of prerogative writs)

Plaintiff John Paff, by way of complaint against the Defendant Island Heights

Board of Education states as follows:

Preliminary Statement

1. This is an action under the Senator Byron M. Bear Open Public Meetings Act, N.J.S.A. 10:4-5 et. seq., seeking a) a declaration that the Island Heights Board of Education violated N.J.S.A. 10:4-13 by failing to pass a resolution prior to going into nonpublic (closed or executive) session; b) violated N.J.S.A. 10:4-12 by discussing matters in nonpublic session that ought to have been discussed in public session and c) enjoining the Board from violating these statutes going forward.

Parties

2. Plaintiff John Paff is an individual who resides in Franklin Township, Somerset County, New Jersey and receives mail at P. O. Box 5424, Somerset, NJ 08875.

BECKMAN OGOZALEK PEREZ PAGLIONE

By: Anthony H. Ogozalek, Jr., Esq.

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Attorney for Plaintiffs

NEW JERSEY FOUNDATION FOR
JERSEY OPEN GOVERNMENT, INC.
And JOHN PAFF
Plaintiffs,

vs.

ISLAND HEIGHTS BOARD OF
EDUCATION and LILLIAN
BRENDL
Defendants

SUPERIOR COURT OF NEW
LAW DIVISION, CIVIL PART
OCEAN COUNTY

DOCKET NO. OCN-L-703-14

Civil Action

ORDER GRANTING SUMMARY
JUDGMENT

THIS MATTER having been submitted to the Court by Beckman Ogozalek Perez Paglione, attorneys for Plaintiffs, New Jersey Foundation for Open Government and John Paff, and the Court having reviewed the moving and opposing papers, and for just cause shown;

IT IS on this day of , 2014, hereby ORDERED that Plaintiffs, New Jersey Foundation for Open Government and John Paff's motion for summary be and is hereby GRANTED.

IT IS FURTHER ORDERED that a true copy of this Order be served on all
counsel within _____ days of the date hereof.

J.S.C.