

Minutes from Board Meeting October 6, 2005
Congregation B'nai Tikvah

In attendance: Arie Behar, Gary Bergman, Arthur Biderman, Bobbi Binder, Ed Birch, Jeff Cadoff, Larry Cohen, Marc Dillman, Mitch Frumkin, Al Garten, Joyce Gerbman, Cindy Gittleman, Danny Greenberg, Mark Jiorle, Mark Kasdin, Ruth Anne Koenick, Allison Nagelberg, Mark Sherman, Frank Waltzer, Gary Warner
Rabbi Eligberg, Cantor Rockman, Hadas Elami
Guest: Marcia Schwartz

Meeting called to order at 8pm by president Danny Greenberg.
Motion to accept minutes by Jeff Cadoff, seconded by Al Garten
14 in favor
1 abstain
Motion passes

D'var torah by Rabbi Eligberg

President's report: Danny Welcomed Mark Jiorle to the board.
Read note from the Goldstein family regarding Cody's bar mitzvah.

Biennial convention is coming up in December in Boston. Terrific seminars and classes, great opportunity. See Danny, Hadas or Rabbi for more info.

Reports of damage to school wing, usually by guests of bar/bat mitzvah on Saturday morning. Danny encouraged the board to take a walk during services to police the building.

October 16th at Mark Sherman's office is our annual Yom Kippur appeal, asking for 100% participation, no matter what the amount. Starting at 4pm. Let Danny know if you cannot make it.

Problem that has been happening started 2004, regarding family who couldn't pay their dues. Daughter continued in religious school at that time. They would like their daughter to be enrolled in the school again and they have been calling members trying to make this happen. We were told not to discuss the matter with them.

New business:

Jeff Cadoff: **Motion**

"Move that \$1,550 be used from the Youth Fund to support the hiring of an assistant Advisor for Kadima"

Seconded by Mark Sherman.

There have been a record number of kids showing up at events. One advisor cannot watch all these kids. Kadima will try to have a fundraiser to offset the cost.

Allison asked why a parent couldn't volunteer for various events.

Cannot always commit. Kids don't want parents around.

Marcia Schwartz spoke about the need for an assistant, need to keep the kids in check; they wander around the building, which is much larger now. On a trip, we need at least two adults.

Motion to call the question

In favor: 18

Unanimous decision.

Motion passes.

Motion by Gary Bergman:

"To take out the window contacts from the motion made in July"

Seconded by: Ruth Anne Koenick

The price was not included in the original motion.

Unanimous decision.

Motion passes

Mitch Frumkin:

Roof: Roofer was hired a few months ago to remove the stone on the roof and all the seams, check the rubber membrane. This was done but we still had leaks. He came back and found out the rubber itself is degrading. Mitch got prices from 3 roofers to replace. The roof would cost over \$67,000. This information is all included in Mitch's report.

Dillman questioned who is responsible for fixing the roof over the Kiddush room, since that's something the caterer put in. No motion made, information only.

Mitch discussed the litigation with the contractor. Gave us the history of our contract that was signed in 2003.

This information was handed out to the board.

Motion:

That we proceed with the litigation process against the expansion contractor and that we authorize the architect to proceed with the preparation of a cost estimate of damages along with the necessary certification. In addition we negotiate payment terms with the architect to pay the amounts past due.

Seconded by Jeff Cadoff

Discussion followed, issues such, as is there any money for us to even recoup? Will they turn around and counter-sue? Will we get back even half of our overruns?

Arie pointed out that we have an obligation to the congregation to continue with the litigation.

Allison suggested that we add an amendment for an amount that we will settle for. Mitch feels that this is jumping the gun a little.

Vote: in favor: 17

Opposed 0

Abstain: 1

Motion passes

Allison: Mitzvah projects sheet passed around of available projects that the teens especially can work on.

Old business:

Al Garten: Status of Junior Congregation issue.

Cadoff: Letters were sent out to children who were behind. Record attendance at services after the letters were sent.

Frank Waltzer questioned the typos on the High Holiday tickets. Hadas took responsibility for the typos.

Arie: Passport to Israel program. Our exchange program will not qualify under the new rules to be eligible for the money. The committee has not met again.

Financial Secretary's Report: Mark Kasdin. 449 members, 298 FDPE, 80 on special arrangements.

We need to reevaluate what areas constitute outside our area regarding High Holiday guest tickets.

Treasurer's report, Marc Dillman. Report handed out. Reviewed highlights.

Food scrip: We lost \$5 last year. Profit of \$7,900.00. We gave a total of \$4,400.00 towards dues credits out of that and \$400.00 credit card fees. Net of over \$3000.00. \$158,000.00 of sales. We are well on our way this year and now that we don't have the dues credit, we will make more money.

Marc Dillman finalizing the numbers to give to Bank of America, which will be done after Sukkot. We need to come to terms with how much we want when we refinance. Need to consider the roof and the parking lot costs.

Parking lot just cost us \$20,000.00 to fix.

Activities: Cindy Gittleman trying to get outside contractors to use the multipurpose room. Doesn't feel right to charge our internal groups to use the room. Discussion followed regarding the use of the room, when it would be free and when they would pay to use the room. Ruth Anne reminded us that we need to be able to use the room for free.

Auxiliary reports:

Sisterhood. Gift shop is up and running. Doing great, people buying. This Sunday meeting will be breast cancer program.

Men's Club:

Putting sukkah up, tools needed. There may be a problem with the roof of the sukkah.

Men's Club received letter of thanks from Rutgers representative Gary Waters, who attended one of our opening events. 2 basketballs have been donated for use in the multipurpose room.

Bowling: Oct 22nd first night of bowling. Still have some openings.

Good and welfare Rabbi Eligberg:

R'fuah Sh'layman

Neysa Bibel, Barney Cohn, Bernie Binder, Herb Feldman, Jeffrey Gleitman, Linda Goldstein, Mark Kaufman, Bob Robison, Ruth Rosen, Phil Welscher, George Radoczy

Condolences:

Bill Halpern on the death of his father, Phyllis Rich on the death of her brother, Norman Shapiro on the death of his cousin

Mazel Tov to:

Arthur and Arline Cederbaum on the marriage of their son Robert to Lisa Rybold, Szpiros on the birth of their grandson, Radoczys on the naming of their daughter Jaiden, Simons on the naming of their granddaughter Jaiden, Steven and Cheryl Goldstein on the bar mitzvah of their son Cody, Joseph and Felice Ciccione on the bar mitzvah of their son Joshua, Kevin and Susan Krane on the naming of their daughter Reece, Scott and Audrey Sudran on the bar mitzvah of their son Andrew

Thanked everyone who helped get the building ready for the holidays.

Thanked Marc Binder for the smooth running of services.

Special thanks to those participants in the Rabbi's sermon first day of Rosh Hashana.

Gary Warner thanked Mark Kasdin and his committee for the wonderful honor wall.

Thanks to Cindy Gittleman and her spirit committee.

Motion to adjourn by:

Bobbi Binder

Seconded by Ruth Anne Koenick

VP of Ways and Means
September 06, 2005

Supermarket Scrip : Rachel Shaneson and her committee is working hard.. They have already sold over \$30,000 worth of scrip. They are going to have regional representatives to sell scrip at various locations such as East Brunswick, Monroe, etc..

The Event: The event will take place March 11, 2006. We have had several meetings already and are very excited about the energy. The theme will be a casino night with a boardwalk flavor. Allison Nagelberg and Ruthanne Weiss are heading up the solicitation. We can use everyone's help. **ANYONE** who knows **ANYONE** just ask them to donate. If you are willing to help solicit people who have donated in the past call or e-mail and let me know

Printer Cartridges and Cell Phones: We are collecting ink jet cartridges and **now cell phones**. There is a box in the office please just drop them off. We have sent in a box and are sitting on several new boxes to be sent out. CBT will receive \$2.00 per cartridge. We have received several hundred dollars so please keep on bringing in the cartridges.

E-Bay: We have already sold item and started making money. Bonnie Kudwitt is our point person at this time. If anyone is willing to help we would appreciate your efforts. Start looking around to find anything that would be sellable on E-Bay. Look in your cabinets, garages and draws for item you do not want any more. Please bring it into the office. Thanks VM for your support! We have made over \$300.00. Please keep donate your unwanted and unneeded items.

Entertainment Books: The books are here and cheaper then ever. Just \$25.00 with a free popcorn and movie rental from Blockbuster video. Remember we can get all counties. We have sold about 20 so far. Sell them to your friends, family, co-workers, and enemies. **just sell them!!!!**

Book Purchase September 25,2005 raised over \$70.00. Thanks very much for the support.

I appreciate ideas on new fund raising ideas. Please take ownership of your ideas.

Please help with all of these programs!!!!!! Help balance the Budget!!!!!!
Keep our dues as low as possible!!!!!!

House and Grounds
Expansion
Status Report
Mitch Frumkin
October 2005

House and Grounds

1. I have solicited bids from 3 roofers to replace the areas of the roof in which we are having ongoing leakage problems. These are the “ballasted” roof areas, or the ones which are covered with stone. I have received one bid so far although one of the roofers who I have know for many years has told me that he will not be providing a bid because the price we have is very good an he cannot beat it. The price is from Acerra Enterprises who did the roof on the expansion. His price is \$72,000 total or \$33,000 for the Sanctuary and \$39,000 for the other areas. This includes a 15 year warranty. He would also continue to provide maintenance for the 3 years outlined in his contract with us and not bill us for the remaining \$5,000 in his contract. If we do not do the roofs, he will honor his contract and respond to leaks although he has found that the rubber is deteriorating and it is not just a seam problem.

Expansion

1. A little history:
 - a. We still owe the Architect \$18,501.25
 - i. Invoice 7, 9/13/2004 \$12,231.25
 - ii. Invoice 8, 2/7/2005 \$ 6,270.00
 - iii. These invoices are for construction administration services during the course of construction. The majority of it is due to the extended construction duration due to Grant Builders problems. Arie and Paul and I previously met with him to negotiate this fee due to design issues. He agreed to get back to us with an offer to settle the account. He sent us a letter dated 9/26/2005 offering a 15% discount on this bill. I spoke to him today and he is not willing to lower it although he would be ok with a payment plan. He suggested 3 to 4 months.
 - b. The contract with Grant Builders requires the following of the Architect in order to terminate them “With Cause”
 - i. Article 14.2.2, “...upon certification by the Architect that sufficient cause exists to justify such action.....
 - ii. We did receive this certification when the contractor was terminated.
 - c. The contract with Grant Builders defines damages to the Owner to be:
 - i. Article 14.2.4, “....If such costs (to finish) and damages exceed the unpaid balance, the Contractor shall pay the

difference (including attorney's fees) to the Owner. The amount to be paid to the Owner, shall be certified by the Architect."

- ii. We have not received a certification from the Architect. The damages were calculated by me in order to attempt to reduce our costs as the Architect had given us an estimate of approximately \$3,450 to do the necessary research to provide the certification. He had expended \$1,290 (Invoice 9) against this amount prior to us telling him to stop.
 - iii. The damages were presented to the contractor based upon a certification prepared by me, as a Licensed Engineer in a letter dated 7/22/2005 for an amount of \$424,062.
 - d. The original contract is dated 6/20/2003 between, Congregation B'nai Tikvah and Grant Builders and MCG Contracting in the amount of \$1,513,500.00. Although it is told to us that MCG was a cosigner of the Contract only for insurance purposes, the Contract does not say this. In addition, Section 3.9.1 of the General conditions indicate that, "Chris Grzankowski shall be the full time on site superintendent unless scheduled in advance for his brother Michael Grzankowski to take his place.
 - e. On September 23, 2005 I Met along with our Attorney (Steven Fox of Borrus Goldin Foley Vignolo Hyman and Stahl) with Michael Grzankowski, his Attorney as well as Chris Grzankowski by teleconference. The meeting lasted about two hours although no resolution resulted. In a letter from our Attorney of the same date, he recommends that we institute a suit which may result in a settlement offer or that we continue to with the process.
2. Issues we need to resolve:
- a. Past fees with the Architect.
 - i. We need to recognize that we need the Architect both as an expert as well as to prepare a damages certification per the Contract so that we do not risk being dismissed on a technicality.
 - b. Whether or not to proceed with litigation.
 - c. Costs to begin (worst case)
 - i. Architects past fees \$15,726 (includes 15% discount)
 - ii. Architects fees for certification \$ 3,545 (estimate)
 - iii. Legal fees \$ unknown but added to damages.
 - iv. TOTAL \$19,271
 - d. Potential damages (worst case) assuming that the Architect only certifies 50% of estimate \$212,031
3. Motion: "I make a motion that we proceed with the litigation process against the expansion contractor and that we authorize the Architect to proceed with the preparation of a cost estimate of damages along with the

necessary certification. In addition we negotiate payment terms with the Architect to pay the amounts past due.”

School & Youth Vice-President Report **October 6, 2005**

Nursery School

- The Nursery School sold High Holiday Challahs as a fundraiser.
- Playground revitalization is moving ahead. Contact the school offices to lend a hand.
- The State gave a preliminary inspection for our certification. Non-conforming playground equipment has been removed. Much of this equipment was to be replaced with the revitalization. 2 spring horses will be re-set during revitalization.

Religious School

- Religious School registration for 2005-6 is approximately as budgeted (5 students less than anticipated).
- People who hadn't paid first half of school year fees by the start of classes were contacted for a reminder.

College Program

- The College Committee sent holiday packages prior to Rosh Hashanah in lieu of Hanukah packages.

Kadima

- The Ice Cream Social on Sunday September 11, 2005 attracted ~35 Kadimaniks to meet the new Advisor.
- Kadima and USY had a joint event Monday September 19, 2005 during the Spirit Week Celebration. The event featured Flavian the Hypnotist in the Multi-Purpose Room. Approximately 50 Kadima/USY'ers attended
- Kadima's first Regional event (RollerRama), was on Sunday September 25th in Woodbridge. 19 children attended.
- Upcoming in October is "Pizza in the Hut", date to be determined. Edible Sukkot will be constructed by attendees.
- An Assistant Advisor is recommended due to the large turnouts. This position was previously budgeted, but was eliminated in this year's budget.

USY

- As noted above, USY/Kadima held a joint event Monday September 19th during Spirit Week.
- The Youth Lounge physical renovations are complete. USY is organizing room painting and will auction off square wall portions to members for painting. Proceeds will go to SA/TO. USY/Kadima are seeking new cabinets for the Youth Lounge. Please contact Youth Advisors or Youth Commission Chair with any information.
- The Surks' have donated an air-hockey table and jukebox for the Youth Lounge. A commemorative plaque is on order together with a display containing alcohol and drug abuse information.
- The High Holiday Food Drive bags were distributed during Rosh Hashanah as planned.

VP Membership Report October, 2005

We held a new member breakfast that was poorly attended (except by the leadership of the synagogue). The event was designed to help new members meet each other and get to know some of the leadership, ways to get involved, and generally gain some knowledge about what is going on at BT. We have one scheduled for October and for November and I may try one more but not if we don't get some advance response.

The membership committee has been looking at other synagogue websites to see what is on the website and is finding that most synagogues only have an application. Although we have a lot of information on our website that would be of interest to prospective members, it isn't easy to find so we are looking at being able to have someone click on membership and get all the information or at least provide links. We are also planning on putting together a CD with shots of activities and the building so we can provide information that we can't in a hard copy. This will be in addition to the written information we already provide that will be reworked.

At the next membership committee we'll be discussing a "volunteer of the month" idea and developing criteria for that honor. Also on the agenda is a new member Shabbat event sometime soon. We are also looking at partnering with Activities and doing a winter movie night, starting with Havdalah and then holding a family movie night.

We've gotten a positive response from the welcome bags for new members and will continue to distribute them. Thanks Cindy for getting this started. T-shirt sales were good at the opening and we are getting very close to the break-even point. T-shirts are also being sold in the Judaica Shop (as soon as I get them to Sisterhood). Thank you sisterhood.

I provided Marc Binder with a list of new members so he could include some of them in the honors for the high holidays.

Administration VP Report

October 2005

High Holy Day Preparations

Everything is falling into place at the last minute and by the time this report is published, we will know the results. The carpet for the Beit Midrash is here and the pews have been placed in their new locations thanks to volunteers who helped. The pews will be bolted to the floor after we determine, from experience, what the final locations will be.

Thanks to Marc Binder for all his hard work in coordinating honors and logistics. There are many people to be included who helped him (and who continue to do so as we move through this season). Official thanks will be published in November Hakol.

I anticipate some difficulties after Yom Kippur, when we will have only Friday morning to prepare the sanctuary (and social hall) for Shabbat. It's hard to find volunteers for a Friday morning.

Other Religious Activities

All plans for Sukkot and Simchat Torah are underway. We will have a brunch during Simchat Torah services. We will be honoring Gary Bergman and Cindy Gittleman this year as part of our celebrations.

We had a great turnout for our first family Shabbat dinner and service including one new member family. The next dinner will be held in the Sukkah, weather permitting on the 21st.

The Halleluau ran into some logistical problems associated with the onset of Shabbat, but the event was well attended with a minimal of complaints.

Security

The security system for the new wing that the board approved several months ago was stated to have contacts the windows. There was an error in that report. The amount of funds the board approved (\$5,200) in fact did NOT include the window contacts. This would cost us an additional \$3,200 +. We need to either accept the system as is or allocate the funds to complete the job. To install window contacts for the old school wing would cost slightly under \$3,000.