
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

SUBCOMMITTEE ON SCHOOL FACILITIES
AND CONSTRUCTION

“Testimony from Marc Larkins, CEO of the Schools Development Authority”

LOCATION: Trenton Central High School
Trenton, New Jersey

DATE: March 30, 2011
1:00 p.m.

MEMBERS OF SUBCOMMITTEE PRESENT:

Senator Donald Norcross, Chair
Senator Ronald L. Rice
Assemblywoman Joan M. Voss
Assemblywoman Mila M. Jasey



ALSO PRESENT:

Melanie M. Schulz
Executive Director

Sharon M. Benesta
Chief of Staff

Meeting Recorded and Transcribed by
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SENATOR DONALD NORCROSS (Chair): If we could all rise for the pledge of allegiance.

(all recite the pledge)

Thank you.

Can everybody hear me all right? (affirmative responses) Very good.

Well, thank you very much, first and foremost, for welcoming us to your home, the Trenton High School. And to the Board of Education members, I'd just like to recognize a few of those who are with us today. First, Board President Ms. Nicola Tatham, are you-- Where are you? (applause). Ms. Balmir? (no response) Not here. And Mr. Ward. (applause) Thank you very much.

In addition, we have some of our elected officials with us. From Mercer County, Freeholder Frisby, where are you? Good to have you here. (applause) And the Mayor's Committee, Mr. (Indiscernible). (applause) It's good to have you here.

But before we begin our formal process, I think it's only fitting that we have the Senator from this great district -- somebody who I have the pleasure of sitting next to in Caucus each and every day -- please welcome Senator Turner. (applause) Oh, there you are. Do you have any welcoming remarks?

S E N A T O R S H I R L E Y K. T U R N E R: Thank you very much.

Is it on? (referring to PA microphone)

MS. BENESTA (Committee Chief of Staff): Senator, the other one -- that one.

SENATOR TURNER: This one -- okay.

Thank you very much.

MS. BENESTA: Turn it on.

SENATOR TURNER: Thank you very much, Senator Norcross; and thank you, Committee, for being here today; and thank all of you for coming.

I wanted to come today to welcome you to the Capital City of Trenton. So often -- and I would say most often -- you stop at the State House. But we wanted you to see today what beats beneath the State House outside of the Golden Dome.

This is, of course, Trenton Central High School, and it does not anywhere near compare to what's down on West State Street at the State House. And I just wanted to show my support to our Acting Superintendent, Ray Broach; and also the Trenton School Board and all of the students who are here. And if you have looked around, if you've taken the tour, you know the needs are great. But we also know that we don't have anywhere near the resources to meet those needs.

But I think we have to keep in mind what is most important, and that is our students, and their health and their safety. We, the delegation of the 15th District, we have been supporting a new high school here for years. In fact, Trenton Central High School has been on the list since 2004. And in fact, \$175 million was appropriated to construct a new high school but, for some unknown reason, that has not happened. But we know that there are some very grave and very serious problems that need to be addressed. And if we don't have the wherewithal now to build a new high school, we certainly should be doing everything within our power to

make Trenton Central High School a safe and healthy place for our students to learn. Because we all know if you don't feel safe, and if you're not healthy, you cannot learn.

So I want to welcome you here today; and thank you again for being here, and listening, and touring this facility. Thank you so much.
(applause)

SENATOR NORCROSS: Thank you, Senator Turner.

At this time, I'd like to welcome the folks to give us some opening remarks -- those who opened their home up to us: the Superintendent of Trenton Public Schools, Mr. Ray Broach and (applause)-- Go ahead. And the great Principal, Mr. Marc Maurice.
(applause)

ACTING SUPERINTENDENT RAYMOND BROACH: Honor to our great Senator Turner, and to this august Committee of Senators and Assemblypersons -- we are grateful for your presence today; and to all of our participating audience, and certainly to the Trenton Board of Education.

Let me just say, in short: This is an historical journey that we've been on over a long period of time. And as was said to you during our walkthrough, this great school, which has had a reputation over the years of being a great institution, continues to strive to be that. And we know that beyond the people who make up great institutions are the buildings they live in every day. And this is a time for us to hear one voice - - for you to hear one voice about those concerns: How do we provide for our students a quality education in an environment that supports that quality education?

And a 21st century legacy -- that leaders came together. And when they look back and say what that legacy was, I want our students to be able to say -- who are our future leaders, who are our future world shapers and citizens -- I want them to be able to look back and say, as a group of leaders ahead of them, we did the right thing. We did the right thing. So when they write the legacy for the next generation, they'll know that it's possible for not only them, but for all those who follow them.

So I want to thank you for being with us today and hearing the community's concerns that led us to the journey which begins today.

SENATOR NORCROSS: Thank you, sir.

MARC MAURICE: Good afternoon, everyone.

I thank everyone for being here. And I think I'm the most elated person in this room, because I'm enjoying what is called, in French, *le moment*. *Moment*, as you know in physics, is one point in time. And this is a very, very special time for us residents of this building.

Mr. Broach assigned me to this school in December. When I looked at the condition of the building, I met with my School Leadership Council and said that we had to do something about this situation. Because as a Principal, my primary charge is to make sure that my children are in a safe learning environment that is conducive to learning. And as evidenced by what you saw on television and also witnessed -- because you did get a tour of the building -- we are in a deplorable edifice. And I think something has to be done.

As I've been in this community for 12 years, I consider myself a resident of Trenton, although I do not live here. But my heart is with the children, my heart is with this community. And in order to move this

agenda forward, I cannot divide by saying that I need a new building or this should be revitalized. That would polarize the movement. The movement, as far as I'm concerned, is for my children, my great teachers not to be in the conditions that we are in today.

So to that end, you'll be hearing a lot from my students, my SLC members, my Board President, my TEA supporters -- so you can be convinced that our plight has to be addressed. I would like to, especially, thank Mr. Rice; he does not know me, but I grew up in East Orange and he has done a lot of good things in Essex County. You know my brother, John Maurice.

So again, it's a pleasure. I thank everyone, and let's enjoy the moment and make sure the moment propels us to something positive for our community.

Thank you. (applause)

SENATOR NORCROSS: Thank you.

Before we get into some of the testimony, I want to first open it up to the Committee; and to hear from each of our board members on issues and where we are today.

This is the second meeting that we've held; the first one was down in Gloucester City where we had a tour of the facility there, and today we had tour of this facility. And, you know, you close your eyes and the fact of the matter is unless you walk out, you wouldn't know if you were in Camden or Trenton by the condition of the buildings; the age, the issues that are going on are not unique just to this facility. Unfortunately, it's happening across the state. And the SDA, and before that the SCC, was in charge of addressing those very issues. We have a new administration that

came in 14 months ago, and since then has done a complete review of the process and where we are today. We heard some testimony given a month or so ago up in Trenton by the Committee chaired by Senator Rice, where we were first starting to understand how the new process is going to work. There are still many questions to be answered today, and hopefully we'll hear that from Mr. Larkins. But at this point, I want to open it up, for opening remarks, to my colleague, Senator Rice.

SENATOR RICE: Thank you very much, Mr. Chairman.

First of all, it's good to be here -- and let me apologize for being late. I was at the State House trying to address some other issues that impact the redistricting.

Also I want to say it's good to be here, and I want to just let all of you know the good work that Senator Turner's been doing. I've served in the Legislature for the last 25 years, and we got to where we are today because of the courts, but also because of her stalwartness as being the Chairlady of the Education Committee for a number of years. So I just want to say a thanks to you in front of your own peers, Senator, for the work you're doing for all of us in education throughout the state.

Senator Norcross is right, and the Assemblywomen here, and others and staff: We've been up and down this state visiting schools. And when you've seen one, you're looking in a mirror at the same school, basically. I am concerned because the process is taking too long. And I can say this for the record: I personally met -- along with members of the Legislative Black Caucus, Assemblywoman Jasey, and others -- with the Governor prior to him being elected. And I can say, truthfully, that he

asked the former Governor to move forward with the bonding for the new school projects to be ready to go into the ground.

I can also say that the former Governor did not do that, but the present Governor indicated that he recognized if it's not done, he has to move forward with it. And so we took him on his word on that, and I still hold him on his word on that. I think it makes sense when you go in as an administrator -- and I'm sure that the Principal and the Superintendent can appreciate it from an administrative perspective, and it's something that the young people need to learn if you're in charge of something -- go in and do an analysis and evaluation of the problems you have, your resources, and put them in their proper perspective. Well, that was what the Governor says he was going to do, and I think all of us on this Committee and in the State House appreciated that and we supported that. What we didn't support is that it takes forever to get to the point to get the shovel in the ground for these schools.

What we also know -- and the Senator can tell you, because she knows a lot about construction and engineering and all those kinds of things -- the cost of construction, even during these bad times, continues to go up because the materials become short, they're exported, and so we compound the problem. And so what you have here at Trenton now -- Central High -- is a compounded problem, because I suspect that the numbers that were projected when you first did your plan, and then submitted it, are not the same numbers.

Now, unfortunately the CEO, Marc Larkins, and his staff are going to have to make the numbers work because the Governor said we're not going to get increased dollars either. And I suspect he means the same

thing as related to the construction and the emergent problems with school construction.

And I know I said a lot, and we want to get into the hearing, but I thought it was important, since we have so many young people here, to understand the process; but to also understand our frustrations as elected officials who represent you.

And the final part of Politics 101 is that we are State Senators; that means we are legislators. What that means is that we can't make the Governor do certain things. We write the law; we provide and appropriate the dollars. His job is to implement those things and enforce the law. That's where we're getting ready to bump heads. What we can do legislatively, what we can do by way of pressure -- you know, we have a Governor who doesn't like being pressured -- but we're going to do all we can to assist. We just can't live under these conditions with our children, and talk about charter schools and charter schools, and vouchers and vouchers, and not accept the reality that 90 percent of the student population in this state and any place else goes to traditional public schools. And they have been here to serve you, and they will continue to be here to serve your generation and the ones behind you.

Thank you very much, Mr. Chairman. (applause)

SENATOR NORCROSS: Thank you, Senator Rice.

Assemblywoman Voss.

ASSEMBLYWOMAN VOSS: Thank you, Chairman.

I'm very, very happy to be here today, because for over 40 years I taught in a high school similar to this one, and it was like déjà vu for me to go through and see some of the things that you're dealing with.

It was because of my students that, 20 years ago, I got involved in politics. So I hope that all of you will listen to what we have to say today, and realize that you can become very involved and be somebody who can do things for your community.

I want to condemn -- condemn -- commend your Superintendent (laughter)-- I'm thinking of the building. (laughter)

SENATOR NORCROSS: Welcome to the New World.
(laughter)

ASSEMBLYWOMAN VOSS: We always need a little levity.

I want to commend your Superintendent and your Principal. I had an opportunity to speak with them, and your buildings and grounds director. Thank you for answering so many of my questions.

I think the programs here are wonderful. I have to commend the students, because -- I'm not condemning you -- I have to commend you, because in a huge school like this I found that the ambiance was so great, the kids were really doing the right thing. I have to say that I'm a big supporter of technology education, and industrial arts, and culinary arts. And I have to tell you that the kids in the culinary arts department did a phenomenal job. (applause) They should all be on TV because their work is just spectacular.

I just want to reiterate: Public education is the most important thing that we spend our money on. And a school -- a public school is a microcosm of our society. And we have got to make sure that our public schools are funded, are safe, have the programs that our kids need. And I am fighting very, very much against the voucher program. I don't like segregation, (applause) I don't like separation. We are Americans, and we

are a melting pot, and we have to make sure that our schools continue to be the melting pot for everybody.

And so we are going to-- Charters are technically public schools, and they have their place. But they don't have to replace our public schools. (applause)

And so I thank you very much for inviting us here. I'm very anxious to hear what you have to say. And as an educator and a politician -- a very dangerous combination -- (laughter) I will use everything at my disposal to help you get what you need. Because this is a marvelous place, with a marvelous administration and great kids.

So thank you. (applause)

SENATOR NORCROSS: Thank you, Assemblywoman.

Now, Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Is this on? (referring to PA microphone). Can you hear me? No? Now is it-- Up is on, okay.

I want to echo my colleagues' comments, and because time is short I will be very, very brief.

I want you to know that as a past school board member and now a legislator, public education is absolutely essential. The investment that we make in your futures will determine the future of our country. And we need all of you in this room to be well prepared to carry on and to, quite honestly, take care of us in the not-too-distant future. So I think it's very shortsighted of the adults to not pay attention to what's happening to our young people.

So I will echo the pledges given here already: It's true that we travel up and down the state, and it always distresses me to see the

disparities between what we can do and what we don't do. There are some really, really wonderful facilities across this state -- from north to south -- serving our students in public schools. And there are also too many schools like this one that physically has been neglected and does not-- I don't think it sends the right message to our staff or to our young people about how important we believe you are.

So I look forward to moving this process along. As Senator Rice said, it's moving too slowly for us. I will give a public school shout-out to Mr. Larkins, who told me that he was in my district earlier today, up in Essex County, at a school that's over 100 years old that I'm very concerned about. So I'm glad to know that; I appreciate that.

And also I want to let you know that I will have to leave before this is over because I have another meeting at the State House this afternoon. But everything that you say, it goes on the record and we get a transcript of it. So I will be able to read it at a future date.

Thank you very much.

SENATOR NORCROSS: Thank you, Assemblywoman.

At this time, I would like to invite somebody up to give some testimony and his vision; somebody who, quite frankly, has all the answers. (laughter) Doesn't have all the money, but has the answers. We've been tough on him.

Marc Larkins has come before us on two previous occasions, and he has certainly given testimony at other committees. But we're tough on him for one reason: because we care about our children. We care about an open and transparent process. And although we might address some of the questions on how we got here with this newest list, it's about

understanding that, when the State of New Jersey is going to build a school -- and it has to pick whether it's 10, 20 or 50 -- that it's an open and transparent process; that the children in Jersey City or Newark are equally as important as those here in Trenton or in my district of Camden, or Gloucester City.

So at this time I invite Marc Larkins to come forward.

UNIDENTIFIED MEMBER OF AUDIENCE: (indiscernible)

SENATOR NORCROSS: We'll talk louder.

UNIDENTIFIED MEMBER OF AUDIENCE: Thank you, sir.

SENATOR NORCROSS: Marc, it's good to see you again.

MARC D. LARKINS: Good afternoon, Mr. Chairman.

SENATOR NORCROSS: And since we last met, some additional information has been released. And what I'd like to do is, first, open it up for some remarks by you and your staff; and then we'll have some questions.

MR. LARKINS: Thank you, Mr. Chairman.

Good afternoon, again; good afternoon to the other members of the Committee -- Senator Rice, Assemblywoman Voss, Assemblywoman Jasey, Melanie, and the others here today.

We're happy to be here in Trenton this afternoon. We actually had the opportunity to be here about two weeks ago with the officials from the District; so I thank the Superintendent, the Principal, and their staff for having us back here this afternoon to present before this Committee the results of what we like to consider, sort of, the revamped -- or revised -- SDA Capital Program.

I had the opportunity to testify about two weeks ago before the Assembly Education Committee, and there were a lot of important and relevant questions to the programs--

Can everyone hear me? (negative responses) All right -- sorry.

--questions about the program. And I don't want to take too much time this afternoon with an opening statement. But what I'd like to do, just for a few moments, is to put the effort that we undertook over the past few months into some context, because I think that's very relevant.

What we did with regard to this Capital Program and the effort undertaken to revisit it was not done in a vacuum. Obviously, when Governor Christie was sworn in in January of last year, and when I arrived in March of last year, we inherited the program. We inherited a program that already had certain rules in place, and it had already expended effort towards certain projects.

One of the first things -- and I think it was very, very publicly reported upon -- that Governor Christie encountered when he arrived and had to address a matter related to the SDA, was a change order. And the reason why that change order became important was because that change order was for a project that included some renovation to an athletic field. But the significance of the change order was that that single change order put the total value of change orders over the original project budget for that project.

Why is that important? The importance there is that that change order put one single project 100 percent over budget. Why does that matter? It matters because we have a finite set of dollars afforded by the State to this program.

Just quickly, some of the other things that Governor Christie encountered when he inherited this organization: The organization, in about two years' time -- from 2008 through 2010 -- saw a significant increase in administrative expenses and payroll. We're talking about an organization that ballooned from a little bit over 200-plus employees to well over 300 employees. When I arrived in March of last year, the organization had approximately 333 employees.

The other interesting and very relevant issue that the administration inherited with this program was a 2008 Capital Plan. And as everyone knows, the 2008 Capital Plan included 52 projects that the State said they would be able to address or undertake with the funding that had been afforded the program by the State.

What happened in June of last year, which I think gets ignored a little bit -- it actually, interestingly enough, was not heavily reported upon -- was that the State Auditor came in and said that that 2008 Capital Plan was flawed. So when we sat down and undertook a review and analysis of not only the organization but its portfolio, it was within that context that we had to do that.

The first thing we did was to attack the change order problem. We implemented significant changes within the organization, structurally and procedurally, with regards to our processes. And we implemented a more robust process for reviewing change orders. And I will admit that that has ruffled some feathers in the contracting industry. But it's been done with the best interest; it is a part of the effort in terms of protecting limited State dollars.

The other thing that we did was, with respect to the head count, we took a look at our efficiency. We took steps to improve efficiency. As of today, our head count -- our employee count -- is down to around to 270. So we've reduced staff by just about 20 percent. And we're trending down. And I say that in the context of something that's very important, because people might say, "Well, it's easy to cut a head count if you aren't doing any projects." And, quite frankly, we haven't advanced any of the major capital projects. But I'll address that in a moment.

But what we have done, and what never really gets focused on, is we've moved more emergency projects into construction and through to completion in this past year than happened in the two prior years before we joined the organization.

And when you talk about emergents, what are we talking about? We're talking about significant projects; we're talking about the type of problems that the Committee members had an opportunity to observe in Trenton Central today: repairs that we've undertaken, completed, and will be continuing this summer in other facilities across the state.

The third thing that we did is what we're here to talk about today. We looked at the State Auditor's report and findings on the 2008 Capital Plan, and we said, "What did they say the organization did wrong?" And we fixed that. But the other thing that occurred to us -- and it's interesting on the heels of testimony of two weeks ago, and the allegations or arguments or concerns that this process isn't completely transparent -- is that in 2008 there was little to no information provided about the plans. What ended up being released was just a list of 52 projects. You'd have to

talk to an employee of the SDA -- and they might not be able to answer the question -- or an employee of DOE to find out how the project scored. No one knows how the projects scored because it was never released.

The other things that strike me about transparency and some of the other issues: In 2008, no one knew how many projects were left on the shelf. All we knew was that 52 were selected. No one knew what the universe before that was, because it wasn't released.

So part of our effort this time around was to release more information to correct the issues that were identified by the State Auditor, and those are two very important issues: one, that 27 of the 52 projects were never even evaluated in 2008. They were just assumed and dropped into the plan.

The other criticism was that every district had to have a project, irrespective of need. And again, these were things that the State Auditor said was a problem with the '08 plan.

So in this undertaking, what we did is we looked at that and we said: one, we have to fix those problems; and two, we want to be as transparent as we can. But more importantly for me, because my background is in the law -- I was a lawyer -- so for me the most important thing was the law. And we started this effort with-- Let's go back to basics; let's go back to the statute and find out exactly what the statute requires us to do. And so that's where we started. If you have had the opportunity -- or if you don't, we have copies here today -- had the opportunity to take a look at the report that we released publicly on our plan, in the first few pages we quoted the actual statute -- the enabling statute -- because that

was important to us. We wanted to, as best as we could, use that as a starting point and work from there.

Having said that, I know that there are many questions out there. I want to not take up too much time with a lengthy, ongoing, sort of, review of the documents that we've released. And I want to give the members and others an opportunity to ask whatever questions they have. So I wanted to just put that -- lay that framework, that groundwork, that foundation for today's conversation.

Because if you look at this effort in a vacuum then, sure, there are a lot of questions. But with the context and in terms of what we inherited, I think looking at the history and what the effort was-- We'll try our best to answer any questions you have.

Thank you, Mr. Chairman.

SENATOR NORCROSS: You were just getting to the good parts -- I wanted to let you go. But again, we appreciate very much you coming through here.

And nobody in this room needs to hear that we're in some tremendously difficult times in terms of our economy, and certainly in terms of our statements -- financial issues; and that our job, in part, is to make sure that those hard-earned dollars that do come into the State are being spent wisely. There is nothing that turns the stomach of the taxpayer -- is to see money being thrown away, misspent, or other.

That being said, there is the need for an appropriate environment for learning. I think there's nobody in this room who would disagree would that. And as I had indicated to you earlier, we could spend a lot of time going back over the issues, but we're here. But what is

important -- just as, when you came in, you had to review -- is that as we move forward into the next phase -- whether it's more than the two schools being started this year, whether it's 10 or 20 schools next year -- the school districts that are involved here have a clear and open understanding of how they're going to be graded. Teachers in this school, they know how they're going to grade their students; there's no surprise here. So when we start talking about that we have the SDA score chart; the Department of Education score chart, which is different in many ways-- But the area that I do want to touch on, before we move to the future, is that other. Because if we just took the first two, it's real easy -- you rank them and they're going to do it.

Walk me through that part after you have-- I assume the SDA scoring came first, of all 52. Or were they parallel along with the Education? How did that work?

MR. LARKINS: In terms of the work of the group, actually DOE's score was done first because of utmost concern -- and I think as a starting point, even when you look at the statute -- is the effort to identify the need -- the educational need or the existence of that need. So what the working group did was, DOE actually scored first; and then we applied the SDA factors to the projects themselves that had been proposed to address the identified need.

SENATOR NORCROSS: So then the SDA came in.

Were the districts made aware of how the scoring would be? So if you were having an RFQ, they'd say, "Well, you know, the SDA point value is worth 30 percent of your score; the Department of Education's 20; and then the other areas." So walk-- How did that happen?

MR. LARKINS: The districts were not made aware of what the scoring criteria was going to be, in terms of the factors and how they would be weighted, above and beyond what happened in 2008.

This time around, as reflected in the materials, the weighting and the categories changed a little bit. What the conversation with the district was, was an attempt to actually validate data. Because it is an interesting question, and I think the effort wasn't so much to inform a district of how to make their need fit into a particular box so that they could score higher; the effort really was to determine what's the objective data out there, irrespective of how we're scoring. What's the district's capacity? What are the existing facilities? What does the long-range facilities plan look like? To collect and gather that data and then also to ask the district secondarily, "Tell us what your priority needs are from your long-range facility's plan. Which proposed projects -- how do you prioritize them? Which ones are most important to you?" To take that data and then to score it.

So on the front end, the effort wasn't so much to say, "Here's how we plan to score you," and have the districts be able to react to that; it was more to just figure out what's the objective data that's out there and make sure we have it validated, and then see what the districts' identified priorities are.

SENATOR NORCROSS: In the information that has been released since your first testimony, it's clear schools are going to take a look at where they were, the long-range planning, the items that you've-- But let's go over to what I'll call the third category -- the one that we don't have any data on.

MR. LARKINS: Sure.

SENATOR NORCROSS: You have the scores -- the raw data, as I would suggest. And then it went over to this process; and out of that the list came. Why don't you walk me through so we understand, certainly from the Committee, but others can take a look at how they were scored. Because pain shared, along an equal balance, I think the district will understand.

MR. LARKINS: Sure.

SENATOR NORCROSS: I don't think -- what they do understand is, "Okay, I did well here, I did well here; I had the scoring and somebody got ahead of me." Now, we're not suggesting by any stretch of the imagination that something wrong went on here, but that's the area that I'm getting the most phone calls on -- that folks say, "What happened when that magic eight ball didn't come up?" So why don't you walk us through that.

MR. LARKINS: Sure. Again, it wasn't an effort undertaken in a vacuum. We went back to 2008 and we looked at, even, the announcement of the 52. And then we looked at the law. And what the law requires us to do is to develop a sequencing plan. So once we had our universe, the 110, the effort undertaken by us -- and we had applied the criteria and we had the score -- the next step was: How do we sequence those projects? How do we decide which ones are going to be the first to advance? And the reason why I refer to 2008 is because, even in 2008, there was sequencing done. So if you go to our website and you look at that first release on the 2008 plan, there are 52 projects. And what was released was an earliest notice to proceed date and to construction. And

they were sequenced from sometime in late 2008 all the way through sometime in 2013. So even back then the idea was, “Well, these are the 52 upfront; but even now that you know which are the totality of the 52 -- even there those are going to be sequenced.”

The fault, I think, and part of our historical problems as an organization is we've done nothing but make promises. And let me put that into context: So prior to the election in 2009, when Governor Corzine and the Administration at the SDA that did the 2008 review were still in place, they anticipated that prior to the election 25 projects would likely make their way into construction. Of those 25, only 3 did. So even in that sequencing plan from '08, it was meaningless. They pretty much blew through it, blew through every conceivable deadline that was set and never really met the expectations.

So this time around our effort was, again: How do we sequence these projects? And the considerations, really, were two-fold, and we tried to conduct a bit of a delicate balancing act. One was the need to get projects into construction. Which projects were most ready to advance into construction based on the stage of the project that we inherited? So of those 52, they were all moving along at their own individualized timetable. Some had actually gone -- designs had gone to DCA for release; some were actually on the verge of being released from DCA with the pre-existing designs.

We looked at a group of projects that were pretty close to being ready to go out to bid to construction. The secondary review of those projects was, one, how did they score, both for DOE and SDA? What was the cost, what was going to be the impact based on the designs we had

inherited; and how confident were we with these designs that they could be used on the other side of the scale? And that second heavy consideration was an effort to achieve standardization.

I think there have been calls -- and this has come from -- I've talked to many people -- calls for some form of standardization for our program. Part of the problem that has plagued our program is there are no standards. And when I say standards, there's no basic room layout for classrooms; there's no basic options for a cafeteria, or an auditorium, common area space. Every single project that we had has been designed from scratch. If you compared our program to any other program across the country, most of them -- not all, but most of them have standards. So right now you go on the New York City school construction website, you can pull down their classroom layouts, their gym options, their cafeteria options. And that is based on a number of things: student population, location, things like that. So there are some options, but there are standards. We had zero.

So what we're trying to balance is achieving some form of standardization, which will do two things in the long run: save time, because DCA will have already approved those general layouts and standards in that accelerated review process; and two, save money -- not only in design fees, but avoidance of change orders. Because every time you construct a new design, you're going to encounter unforeseen issues.

So we're trying to balance getting projects into construction, and then also achieving standardization.

SENATOR NORCROSS: So let me just follow up on the standardization.

The 10 schools that were selected: How did they know what the standard was if it hadn't been selected yet? And so how did they meet those standards? Quite frankly, it would suggest accidentally.

MR. LARKINS: Right.

SENATOR NORCROSS: So walk me through that.

MR. LARKINS: The analysis was a little bit different. The analysis was: What's our portfolio? What's the quickest way for us to achieve some standards that can be applied across the universe of our portfolio? The largest swath of our portfolio was elementary schools. So if you notice, 9 of the 10 that were selected were elementary schools. And we also sought to achieve or to find those projects that had a proposed capacity of around 700 students. There are some around 600; there are some a little bit more. But the reason for that was to develop standards based around some number, because that makes a difference in terms of the options. But that wasn't done in a vacuum either. They still had to meet a certain score as well. So if you look at the list of 110, and you walk down that list with that eye, then that will give you a sense of how we got to that point. The effort was not as much to say, "How can a school get in?" because it wasn't a competition. What we're trying to do is determine what's the greatest need, what are the ones that are most ready to be addressed, and how can we do it in a cost-effective and fiscally accountable way?

So I think that, in a nutshell, is the effort.

SENATOR NORCROSS: So how did they make the standardization if you didn't adopt-- In 2008, we understand, it was an issue -- that's behind us. But you said that going into this, you wanted to adopt standardization. If they weren't already adopted, how did those

schools fit into those, and shouldn't there be a simple scorecard? "You're 95 compliant to standardization." That's the part that I'm trying to get it.

MR. LARKINS: Yes, and I guess what I'm suggesting is there are no standards. We have to develop the standards. But to give you-- I don't know-- Do the members have a copy of the program report?

SENATOR NORCROSS: And maybe I'm chasing this wrong; somebody help me up here. But if you didn't have those, and one of the scoring criteria in that third column was standardization, how did they get a score?

MR. LARKINS: Right, and that's what-- If you-- On page 17 -- we actually have additional copies here if any-- Yes, yes, Mr. Chairman.

On page 17 of that report, it identifies a plan to achieve standardization.

SENATOR NORCROSS: All right.

MR. LARKINS: If you look down where it says Phase I, where in 2011 the SDA plans to pursue standardization through these three phases, to evaluate that prioritization list "to identify model school types that lend themselves to the greatest number of projects;" and then in parens it has certain factors that we were looking for. So if you look at the prioritization list, you'll see there was school type -- elementary school; there was proposed capacity; there was-- And then, obviously, the scoring and where the district ranked them.

So the effort was not for the school to figure out how they could fit within a standardization plan; again, the effort was to take the data that was out there and to determine which projects lent themselves readily to the plan to achieve standardization.

SENATOR NORCROSS: That's the part I understand -- that's clear. So standardization-- Why wasn't that a ranking that you had over in the SDA column, versus the Department of Ed, and-- The third column, which you say has been done internally, that hasn't been released, and that you don't have the scoring sheet for. So there's standardization; and what other issues went on in that third column? You have standardization -- what else?

MR. LARKINS: Well, when you say the third column--

SENATOR NORCROSS: Well, the first column is your score sheet on SDA; the second one is Department of Education; and then you had made the statement earlier that there were additional considerations and that's how-- Because if we only went with the first two columns, the score sheet's done, correct? If we only had the SDA and the Department of Education, you can add those together, the highest score goes first and go down to 10. So--

MR. LARKINS: No. Well, you couldn't do it that way; and I think, again, that the law recognizes that it's not appropriate to advance the work that way.

SENATOR NORCROSS: But that's my point. You have a third column that we're not aware of -- although you're sharing it with us. That's the part we're trying to get at. So that if you're trying to achieve standardization -- well, gee, now all the schools will know that these are the new standards and we'll make sure that we move in that direction -- or whatever is in that third column. So-- And I disagree with you. It is absolutely a competition -- make no mistake about it. This school

absolutely wants to beat out any other school to get in there. So not a competition from a fighting perspective, but you're fighting for your school.

MR. LARKINS: Yes, but the only thing that I would say to that point, Senator, is the one thing we don't want to do as an organization is to lay groundwork where the districts would be encouraged to manipulate data. Because all we're talking about is data, right? There's nothing that they could do to change a building condition other than do nothing. So there's nothing they could do to change enrollment other than either cook the books or go out and find--

SENATOR NORCROSS: No, but those are the easy ones. It's the ones over in the third -- the standardization issue. You know, the classrooms, the size, the labs. And in my school, in Gloucester City, they're putting administrative losses in there, not because they wanted to but because previous SDA folks told them to put them in there. Yet that's being held against them.

So there are things that-- If they found out that putting an administrative office into a new middle school would hurt them, what do you think they'd do?

MR. LARKINS: They'd pull it out.

SENATOR NORCROSS: You bet they would.

MR. LARKINS: Right.

SENATOR NORCROSS: So those are the things we're trying to get at so they do have -- not a manipulation, I think that's unfair. Maybe your old-life people would do that; I think most of the people on our end are pretty straightforward.

But those things that they can make changes on, that they can address--

MR. LARKINS: I think I understand, sir, what you're asking. And I don't want to change it; I actually had focused on it this way. What you're asking is how can the districts go about proposing a project and/or proposing a design that would meet the criteria that we're looking for. That's-- Therein lies the issue, right? Because each district will say -- and I'm sure Superintendent Broach and the Principal here today will say, "Trenton is not like every other district; Trenton is its own district because it has unique factors, whether it be we want programming for this, or we have this type of need because we have this type of a population, or we have this type of grade alignment. The problem for us is--

SUPERINTENDENT BROACH: (Off mike) Can I jump in, or not? Because you're confusing me, because the fact that Trenton would give you--

SENATOR RICE: Excuse me--

SUPERINTENDENT BROACH: --what they needed (indiscernible)--

MS. BENESTA: Superintendent--

SUPERINTENDENT BROACH: --based on (indiscernible)--

SENATOR RICE: Excuse me, sir-- Sir, sir, sir.

SENATOR NORCROSS: Hang on; we'll give him a chance, and then we'll talk.

SENATOR RICE: Sir, let me say this for part two of Politics 101, so that the young people know it.

Unlike, maybe, some school board meetings or other community meetings, there is a very respected legislative process in the State House. And it's not to offend the Superintendent or anybody else; but anything that you want to do, you do it through the Chair. And if, in fact, the Chair says hold, you hold. We control meetings because that's what you're supposed to do when you're in charge of a meeting, and not let it get out of hand.

And so I just want to say that I'm the Co-Chair--

SENATOR NORCROSS: He's the enforcer.

SENATOR RICE: --of the Committee -- of the Public School, along with Assemblywoman Voss. And this is the Chairman of the Subcommittee of the overall Committee. And that's why I've taken the liberty to take the mike to say that. And I'm sorry, Mr. Chairman, but I just wanted to be clear. Brother to brother, we have to talk, you know what I mean?

SENATOR NORCROSS: Ron, how many years you got here?

SENATOR RICE: Twenty-five.

SENATOR NORCROSS: Twenty-five.

But we'll certainly have an opportunity--

SUPERINTENDENT BROACH: I respectfully will wait until my opportunity comes along.

SENATOR NORCROSS: Great.

MR. LARKINS: Senator, I think what I was trying to say is that every district has a certain uniqueness about it. In developing that, what people call, *third set of criteria*, that is an individualized discussion that

needs to be had with each district because there's no set of objective criteria that can take into account some of the factors that may become important.

To give you an example: Gloucester is a good example. Gloucester is a district that has proposed two projects to serve the elementary school population. They have a Pre-K through 2 project proposed, and then a 3 through 5 project. The questions -- or the conversation that needs to be had with a city like Gloucester-- For example -- and I'm not suggesting that this -- I'm just pulling one off the list -- is the need on the Pre-K through 2 level is not really that great, in terms of necessarily overcrowding. Their issue is the building conditions mainly. But is the State going to build two separate facilities at a cost of \$70-plus million, versus maybe scoping a project that might encompass or capture both populations into one \$50-plus million project? This is an example of the type of conversation; versus a different district that has scoped or proposed a K through 8 project where the overcrowding is in Pre-K through 2.

But again, the point that I'm making here -- and I think why I said earlier, that laid the groundwork, that this wasn't done in a vacuum, is what we inherited were certain projects that were proposed. What we did was took a look at the list of the proposed projects and said, "Which ones make the most sense and are the most ready to go?" when considering all those other factors that we sort of talked about.

But the step three to the process is for us to meet with each district, even of the 10 that we announced. We don't presuppose that those are absolutely, 100 percent going to make their way into construction.

We have to sit down and absolutely validate our information before we invest \$40 million, \$50 million in a project.

But-- I'm sorry.

ASSEMBLYWOMAN VOSS: If I could ask you a question. I mean, I've been chomping at the bit here for a few minutes.

And one of the things that really disturbs me-- I mean, I went through the Schools Construction Corporation debacle, okay? And one of the things that really disturbed me -- and I think we spoke of this at another meeting -- is that when we're talking about standardization, why doesn't the SDA have, sort of, blueprints of different types of schools? This would be, you know, for an elementary school -- and then people could choose.

Because one of the questions I asked you last time which disturbed me very much was: who chooses the design? And you said something about the Board of Education chooses the design. And I said, "I was in a school," I think maybe you remember this, "where the school was beautiful: it had an atrium that would have been great in a high-rise apartment, and many, many offices for the administration -- but not one industrial arts shop, not one cooking class, not one--" And I said, "How can this be possible to build something like this?" And you said, "Well, the Board of Education chose this." Well, don't you think it behooves us -- or you, actually, as the School Development Authority -- to provide basic plans and say, "These are some of the things--"

I think I mentioned to you that one of the first projects that I worked on was a police station. You don't have a regular architect coming in and saying, "Oh, I think this is going to be a nice police station." You have people who design a building that has the functions and the uses that

are necessary for that. And I don't see this happening with-- And maybe one of the reasons some of the schools are being put on the back burner is they are not being given opportunities to select designs that are going to deal with their needs. And that's what disturbs me. And this school certainly has great need. And if you had walked around with us you would have seen it. And they have great potential in their students, and I don't think that they were given a fair opportunity to get themselves put on the list in the appropriate place.

I'm sorry I blow the (indiscernible), but that's what I do.
(applause)

MR. LARKINS: Assemblywoman, I wish I could actually record your statement and play it back as my own -- literally. Because all I report are the facts. Historically, that was the situation. What we intend to do is exactly what you just said; however, here's the balance: It could take, literally, a year for us to design all these blueprints and layouts, and then go to each district and say, "Here's your option." What we didn't want to do is to stall every single project, stop the process, to get to where you suggest--

ASSEMBLYWOMAN VOSS: But Mr. Larkins, you have been in this office -- not you personally, but the people who work for you -- have been in this position for more than a year. So why wasn't this started when you first got in and said, "Okay, we're going to change-- The Schools Construction Corporation made a mess of everything, but we're going to fix it, starting right now."

MR. LARKINS: Sure. The reason why we didn't start that, at the very beginning, is because we had to get in and understand the process. Had I shown up on day one and done that, I wouldn't have known, and I

don't think anyone would have respected, what we were trying to do. Part of what we were asked to do was to reform an organization and a process that was 10 years in the making, right? So part of what we had to do was to make our way through. The very first thing that we had to do was to undertake this review of the Capital Program -- which I will add, the last time it was done in '08 took over a year; it took us six months to get it down.

ASSEMBLYWOMAN VOSS: I just want to ask you one more question, and that is: Do you have educators -- superintendents and principals -- being advisors to you when you're developing your ideas? Because, I mean, don't you think that we should have a seat at the table, those of us who are educators should be there and say, "We know what we need; will you listen to what we have to say?" And do you have that?

MR. LARKINS: Yes.

ASSEMBLYWOMAN VOSS: Okay. (laughter)

SENATOR NORCROSS: Thank you.

I'm just going to bring up one issue, and then I'm going to turn it over to my colleagues. And then we'll come back.

There was some question concerning a school in Camden City -- Lanning Square -- which is immediately adjacent to the new medical school of Rowan University. And at least part of it was suggested that one of the reasons Lanning Square, amongst other reasons -- was because the lay-down yard for the medical school. So I just-- I think we're in-- Because you were very kind and went out of your way to give this small portion to help make work; but certainly, as we all understand, there was a very big

clause in there saying, "You have 60 days to get off if we move on here." So would you just make sure we clear the record on that?

MR. LARKINS: Absolutely, Senator. I tried to make sure there was no misunderstanding at the last Committee hearing. I thought that I was answering the question of what was going on at Lanning Square. And then there was some conversation, I think, that there was an attempt to clarify. I will clarify it right now. There's no question or thought in our mind that the reason why Lanning Square was not one of the 10 was because of anything that's happening on the site today. What we've done is, as you said, made a portion of the space available; but there clearly is a clause, for anyone to see, that says when and if we decide that the project is moving forward, the Camden County Improvement Authority has to vacate the site.

The issues with Camden, just to point -- to answer the question again about why it didn't move forward -- the main question was, when you look at the scoring in terms of need at Lanning square, the DOE score was a 5 -- which was towards the lower end of the scoring. Now, that doesn't mean that that is not a project that we're going to undertake or look to advance. What it means, though, is that we want to go in, double check the data, verify the information. And the other thing -- which, Mr. Chairman, you just made a great point -- is that it's part of a larger redevelopment effort. So we want to go in there and make sure we're scoping and planning the right project, not only for the school district, but also as part of the redevelopment effort.

One important thing that we haven't really spent a lot of time discussing, in projects moving forward, were opportunities for the State to

take advantage of some sort of private-public partnerships. And I think there are certain areas across the state where there might be that opportunity. And where those opportunities exist, we want to try to explore them.

But Senator, to answer your question: There's no -- I hope the record is clear now; I did not intend to--

SENATOR NORCROSS: No, but there are some folks who are looking-- Listen, they didn't just chose the biggest and the highest priority in Camden City, where all of a sudden some misinformation came out; they're saying, "See? That was the reason."

MR. LARKINS: And Senator, may I just make one other point about why we wanted to do that?

We've been criticized as an organization, and it really is a bit embarrassing. I'm happy to say it wasn't done under my tenure, but I now am responsible for the organization that did it. We have large swaths of land across the state that are vacant because of our condemnation of property and then shelving of proposed projects -- or inactivity on projects. For me, I recognize the dual impact: one, it's a waste of money for the State to carry those properties; because what people don't recognize or may not focus on -- for instance, when we had the heavy snows this past winter we had to pay to shovel those properties to the tune of thousands and thousands and tens of thousands of dollars. And then on the flipside, the impact to the local community is that you take property off the tax rolls. So when we have the opportunity to get some money back for the State or to make good use of that property for the community, we want to pursue those. And that was part of our interest in allowing the use of the Lanning

Square property. And where we see opportunities like that in the future, we will pursue them -- not to the negative impact or detriment of a proposed project.

SENATOR NORCROSS: Because you are getting some fees from that project.

MR. LARKINS: We are.

SENATOR NORCROSS: Which--

MR. LARKINS: Which will go to--

SENATOR NORCROSS: Which is more than a lot of empty lots.

MR. LARKINS: Right; which will actually go back to the Camden School District or future projects.

SENATOR NORCROSS: Beautiful.

At this point -- and I have some additional questions, but I'd like to open it up.

Senator Rice.

SENATOR RICE: Yes, thank you Mr. Chairman.

Mr. Larkins, how are you?

MR. LARKINS: Good afternoon, Senator -- Mr. Chairman. Good to see you.

SENATOR RICE: You started a part of the discussion I wanted to get into, and we've had these conversations before. But I really don't know where we are with them; I don't know whether there's going to be a need for those of us -- being the Chairman of this Committee, which is Facilities -- and the Committee to meet with the Governor.

The vacant land: We have-- Let's take the Township of Irvington, for an example, okay? Those people lost those homes; there were a lot of problems there prior to losing the homes, with the drugs and things of that magnitude. The Mayor of the city -- in the city I had a performance audit done because I was concerned about government and the way they were spending money. But they've always had bad economics there. But you have a Mayor who is very aggressive, trying to move a city. The school, I understand, is one that was no longer needed, but there are economic development projects that the municipalities can negotiate, from my understanding -- and I'm using that as an example -- but we can never transfer the land.

Now, can you tell us, on the record, what is the statute as it relates to property that's owned by SDA? Now, I suspect that you're going to quote me a State statute that applies to traditional government-owned land, like the Parkway and the DOTs, and all that expansion stuff. But to me, this is a unique aggregate of land mass, if you will, because of the way it was taken, and for the purpose. In essence it was taken from a municipality, by way of the citizens -- taken from the citizens. And therefore, first opportunities -- without a lot of economic barriers to municipalities with no money to get that land back.

Where are we with those kinds of conversations, if any, with Treasury, or with whoever; and what does this Committee have to do in order to start to get some real focus on that? Because I can see in the future looking at the delays in these projects and the things that Senator Norcross, the Chairman, is talking about -- that there are projects that have been, as

you said, assumed; they get evaluated and never happen. But someone's property may have been taken already.

MR. LARKINS: Senator, you asked me to cite a statute; I feel like I'm in law school class. I wish I could pass on that question, but I just want to make the-- I want to respond to your question; I just want to state for the record that I'm actually recused from discussions of the Irvington project because as you know, Senator, I live in town, and our rules--

SENATOR RICE: Yes, it wasn't-- It wasn't-- But, hang on a moment.

MR. LARKINS: But I'll-- Yes.

SENATOR RICE: As an attorney, you know recuse-- I said as an example. So you're not talking about Irvington.

MR. LARKINS: Sure.

SENATOR RICE: I use the example of the kind of land that's there. So he misadvised you on that one; you can discuss that publicly. I'm telling you that as a non-lawyer (laughter) who went to law school. (applause)

MR. LARKINS: Yes, all right. And Senator, that's actually what I was going to say. I'll talk generally about our land disposition rules. But I just wanted to make clear that I couldn't really get into Irvington.

But in terms of our rules, the statute really doesn't speak so much to it; it allows us some flexibility. But we have regs in place. The regs are pretty specific about us having to make efforts essentially to obtain, if not the State investment, at least fair market value for the property. The regs anticipate that what we would do first in terms of disposing of property -- and the way disposition is defined it includes actually sale or long-term

lease -- is that what we would do is put it to auction. And that what we would do is, again, attempt to seek, if not the highest value, at least fair market value. And if we could not do that, we have the option to end the auction and decide not to dispose of it.

The alternatives are-- The regs actually allow us some flexibility even with that, depending on the anticipated use. So if there's a unique use for the property that we would, for lack of a better word, would only be able to sole-source, then we could deal directly with an individual. But there are some regs in place.

In terms of what the Committee could do, I think the most difficult piece for us is the opportunity. Because what happens is either there's little interest, or the interest is along the lines of really just signing over the property. And the issue for us there is walking away from the State investment. What I know is going on in different places is, for instance, in Irvington where I'm recused, my Chief of Staff Jason Ballard has sat and is working with the Department of Community Affairs and the local officials in Irvington to try to reach some arrangement to deal with that property there.

SENATOR RICE: I don't need you to discuss that property; I used that as an example because there are properties in Newark as well--

MR. LARKINS: There are.

SENATOR RICE: --and you're not recused from Newark, which is next to Irvington, okay?

But my concern-- The reason I raised it as an example is, statewide -- and let me be clear: There was a State investment in actually acquiring the property. But the State investment in acquiring the property

came from taxpayers' pockets. Which means that returning it, reasonably, back to the municipality is the first priority -- not put out to auction. Because the concern is that I will come in and be the highest bidder of property, I want to put a sludge factory there, the municipality is not going to allow me to put one there, but I'm laying bank in the land. And guess what? You create a double whammy because, now, as a municipality, I have to either use my eminent domain powers -- which I can only do that under certain types of conditions; or I have to negotiate the land back from a private person, who may very well get a windfall for something we shouldn't have lost in the first place. Because when you say you invested, so did the municipality -- because the mere fact that hundreds of people, properties and businesses were taken.

I'm going to tell you what the cost was to the taxpayers in those districts, statewide: number one, they stop receiving revenues from the land. So they have actually lost more than we invested of their own money. It's almost like the money in the employees' contribution we never put back. We blew it, okay? Then we've lost the ability of the people who live there - - not only your tax base, but those folks who left their money in businesses within that community and in that town. Then we lost the socio-psychological aspect of it, of having families with quality spiritual family values who were about educating kids in decent communities, etc.

So the thing is, we need to address that. And I would hope, for the record, that not one piece of land leaves SDA's control. And I want this for the record, and I know we're being recorded. I hope we're-- Where's my transcribers -- here, right? I want this to be recorded, so I want to make sure -- okay? (laughter) -- for the record, that we don't want one piece of

land being auctioned off that is under your control. What I want is for this Committee -- and I'll work with Senator Norcross, the Chairman, and the rest of the members -- I think we need to look at some legislation and maybe put in place some rules to make sure that you have some flexibility, after the municipality has some say so. And we can't tell them, "Well, we want fair market value, and that means that all this land is worth \$2 million." Because I'm telling you that \$2 million in a township like Camden or Irvington or East Orange -- you might as well tell me you want \$20 million, okay? But to say that that's going to be the barrier for acquiring their own property back, that we own -- that can't be. Do you understand where I'm coming from? Did that make sense to the Committee members?

SENATOR NORCROSS: Absolutely.

SENATOR RICE: You know where I'm coming from, okay?

The other thing -- and then I'll turn it back over -- we need to talk more about these issues of emergents. Because as the Chairman was speaking-- And I didn't walk through this high school, but I've been to enough of them -- the older buildings. This reminds me of West Side High, just coming through the door; and I said to myself, "Well, I'll bet they have some West Side High School problems." And that's in the City of Newark, for those who don't know. It's an older school. My concern is that as the Senator was talking, and then he used Gloucester as an example, I couldn't help but think that they need a new school. And we still can't figure out when it's going to happen.

But on the emergent side, I keep thinking about that little place we went. And it was boarded up -- it wasn't even boarded up, it had

something blocking it, and if you opened it you'd fall down because the floors and the foundation were gone. Who makes that decision? Is DOE still making those decisions? Because if they are, they need to get down there with you right away and take a personal look, and get back to the Governor. (applause) You have to do something, okay? Because this situation--

And I want to say this: I've been doing this 25 years. And I'm also from local government -- 16 years on Council, a former Deputy Mayor. And the one thing I learned about government, we always balance budgets, but we always have deficits. And the administrators always want us in the Legislature to pay attention to deficits and how to fix them.

I pay attention, do my due diligence with deficits; but I pay strict attention to the fact that we're not broke. (applause) See, if you have no deficit, then being broke is something else. Which means I pay attention to the money we have. And it seems to me that we have some money; the question is -- and where you were going with school construction -- where are the priorities? When it comes to emergents, is this ceiling going to fall on these children in here -- or these young adults? That's an emergent. That should be a no-brainer for priority. (applause)

So can you tell me where we are with emergents? And what do we have to do in order to address them?

MR. LARKINS: You make a tremendous point, Senator.

Actually, that is an area that we could use the Legislature's help.

SENATOR NORCROSS: Excuse me.

MR. LARKINS: I'm sorry.

SENATOR NORCROSS: Excuse me, Marc, if we could, for a moment-- They just informed me that we have some students here who apparently have to go. I know this is going to break your heart, but could you take a break for a moment so we can get some brief comments by the students before they have to leave? (applause)

Now, I will ask a dangerous question: I'm not sure which ones on here are the students, so those students who did sign up -- could you come up and introduce yourselves, one at a time?

Who's first? Just state your name, what grade, what school -- I assume this school.

Just have a seat -- and have a brief statement.

J H O N Y M O R A L E S: Okay, sure.

Well, yes, my name is Jhony Morales, and I go to Trenton High School.

SENATOR NORCROSS: What grade?

MR. MORALES: I am a senior.

SENATOR NORCROSS: Welcome.

(bell rings)

MR. MORALES: There's the bell.

SENATOR NORCROSS: Does that mean you're late?

MR. MORALES: No, we're out of school. (laughter)

SENATOR NORCROSS: Okay.

MR. MORALES: But to me, the problem here, apparently, is the school conditions. And what from what I get, there's a whole thing going on that people don't want to rebuild a school and whatnot. Well, they do, but they are putting buts and ifs and whatnot. And overall I feel

like the school does need repairs, and it's pretty evident that it does. You guys have seen the school.

I am the President of the Society of Hispanic Engineers, and we work with Rutgers University. Occasionally we have students from Rutgers University who come here and talk and help the students. One of the quotes I remember, and I will never forget, is one of the students from Rutgers did say, "Your school looks like a prison." And it actually does. It's funny, but it's pretty dark and eerie at times, and I would agree that it does look like a prison.

I honestly would like for my siblings to come to this school, to have something better to come to and not have to deal with all the dirty bathrooms and lockers that are falling apart, and like stuff falling off the ceilings, as you can see. And it's pretty dark sometimes.

And like I said, I would like my siblings to come to a better school. My mom has actually considered sending them to charter school. But again, that's not really great, because unlike-- Charter schools around here in Trenton -- none of them have AP courses, which I'm currently taking and my siblings should be taking.

So I think they will be coming to Trenton High but, unfortunately, they'll be coming to this Trenton High unless something can be done.

And that's it.

SENATOR NORCROSS: Thank you for your testimony.
(applause)

Jump in -- don't be shy. (laughter)

ARCHIE ASKIE: Good evening. My name is Archie Askie; I'm a senior at Trenton Central High School.

First of all, I would just like for you guys to take a quick second--

SENATOR NORCROSS: Is his mike on?

MR. ASKIE: --would like you guys to take a quick second and look above your heads. And as you realize that you see the ceiling is about to fall -- it's literally falling -- but picture that 10 times worse in the classrooms. How do you expect a student to wake up every morning knowing they have to come to a place where they might be in class one day learning and the roof might fall on their head? So there's no motivating factor for students -- who are willing to learn, teachers who are willing to teach; because you do have good students, and you do have good teachers. This school is a place where students are afraid to come to, just for the fact that it's not safe. Personally, how am I able to wake up every morning, seven days a week, 7 o'clock in the morning, and come to a place where I know I might get hurt just coming here, when I can stay home where I know it's safe?

So please tell me, shouldn't I have an opportunity to come to school where it's safe and where I'm able to learn? Because I'm willing to learn, but you've got to willing to help me come to a place that is safe, where I can learn and not be afraid of getting hurt one day.

Thank you. (applause)

SENATOR NORCROSS: Anybody else before the students have to leave?

L U I S S A N T I A G O: My name is Luis Santiago. I'm the President of the Student Council here at Trenton Central High School.

SENATOR NORCROSS: Future politician. (laughter)

MR. SANTIAGO: This school, when it gets cold outside, it gets super cold in here. There are only two temperatures here: there's either hot or cold. (laughter) It's either absolutely completely hot or absolutely cold. The ceilings are falling apart; when it rains, it drips in here. The staircases are dirty. There's graffiti and stuff like that.

When we come to this school, we come to learn, we come to get an education. And every day that we come here, we see something else falling apart. Like yesterday, we were in gym and the whole gym was being used. This morning we come in and there's a piece of metal hanging off the ceiling, and we can't use half the gym because there's a piece of metal hanging off the ceiling -- and it's dangerous for the students.

So when we come to this school, we want to see that things are changing for the better; since we are fulltime students, that our world -- we come here most of the week -- that our world is changing for the better. And we'd like you to help us make that happen. Basically, that's why we are here today, because we want you guys to support us to help make this school better.

Thank you. (applause)

SENATOR NORCROSS: Thank you very much.

SENATOR RICE: Mr. Chairman--

Excuse me, Mr. President-- Through you, Mr. Chair-- When I use the word emergent, that's what we're talking about. They call those

emergent -- like emergency -- emergent issues. Now, we're going to have answers to where we are in that process and what we can do.

Let me say this to you, because I like to be for real with people: We'll deal with, the best we can, the conditions of the schools and try to get new ones and fix those that need to be fixed. Sooner or later, that's going to happen even if we have to go back to court. Graffiti -- I'm glad you raised that. We're never going to address graffiti -- you are; you're the President. You're going to get the kind of camaraderie with students where they're proud of what we've built. Because the one thing is that when we fight -- the Chairman's out here (indiscernible) with these meetings; I'm up and down; we're fighting, we're beating up on each other, we're beating up on everybody in Trenton to get things done for you. I'd hate to see a new facility come up and the same folks who come in and ask us to do these things are the ones who do the things that -- to the building to give it a bad character, if you will. Some of it's perception, but it's real.

So I want you to work on that, mainly the students here, under your leadership -- you're the President -- while we work on the school facility stuff under the leadership of the Co-Chair -- of the Subcommittee Chair -- and the rest of us, okay? Is that a deal?

All right; we'll fight for you, you fight for us. (applause)

(laughter)

I think he'll be all right.

SENATOR NORCROSS: I guarantee, you'll get a new school if it comes down on us. (laughter) Good for you -- very bad for us.

I want to thank these students for coming forward. It is a special moment, because as you say, you're seniors -- there's only a short

time left in school, so what you're telling me is you care about the next generation coming, and that's what we need more of.

So thank you very much for the opportunity.

Marc, if you have a moment, and we'll try to finish up.

Assemblywoman?

ASSEMBLYWOMAN VOSS: I'm good.

SENATOR NORCROSS: No more questions?

ASSEMBLYWOMAN VOSS: No. I just want to hear what--

SENATOR NORCROSS: Senator?

SENATOR RICE: He was going to respond to the emergent situations there.

MR. LARKINS: Just quickly, on the emergent issue -- thank you, Mr. Chairman.

Senator Rice, we literally could spend the remaining \$2.5 billion on just fixing problems -- doing emergent projects across the state. Where I think we actually could use -- I think the districts -- the Abbott and the SDA districts -- could use some help from the Legislature in taking a look at the law to see if the system that was set up really works. And from our vantage point, it probably doesn't. And we hear the same thing from the districts. And just to put it in context: Right now, the law essentially allows the districts to complete emergent-type projects below \$500,000. They don't have to, but they can. If it's more than \$500,000, they actually can't do it. They actually have to bring it to the State and wait for the State to do it. And when I say do it, either manage it and complete it, or delegate back to them and approve their expense of the money to pay for it. Anecdotal point: We recently got a call from Pemberton, and Pemberton

said that they had some money in their budget that they wanted to use to make certain repairs. But because of the cost, they couldn't spend the money under the statute -- they needed us to come in, do what we needed to do, and actually approve them spending the money towards that project.

So to the extent that the statute could provide a little bit greater flexibility to the districts -- because as I said, some of them would be able to do it on their own. That doesn't answer the money issue, but at least to the extent that the money is out there, it would allow for greater flexibility in the process.

The other piece about the process is what, I think, gets overlooked -- is our process sometimes just takes longer because we have to have DCA sign off on all of our work. And that's just another layer in the process where sometimes the districts can have their local officials come right out and do it. And I'm not suggesting that we don't move fast or DCA doesn't; it's just a different agency, another level of review, whereas sometimes when the districts undertake the repairs themselves they don't have that same DCA sign-off requirement.

So I think there is some opportunity to take a look at the law and see if we can provide the greater flexibility. As I said, it doesn't add to the money, but at least it would allow the process to let the work be done or happen when the money is there.

SENATOR RICE: Through the Chair, would you-- I'll give you a little legal research to do: Would you send, through the Chair -- send to the Committee Co-Chairs a copy of the statute relating -- where you see the law should be looked at, reviewed by Legislature, relating to the

emergents; as well as the statute relating to the sale of land and all the different things around that.

MR. LARKINS: Yes.

SENATOR RICE: And also, the final question is: Is the new Commissioner or anybody in DOE speaking to you? Because I've always been concerned about the DOE role, which is another barrier to SDA doing what it has to do. And it's like, who approves what? And you said earlier that you're setting up standards, and you're saying that under the first two tiers -- or columns, as the Chair said -- that DOE kind of approves first, because they look at the educational pieces. Well, I don't understand why you're not taking the lead on emergent approval, which deals with construction, bricks and mortar, infrastructure; because that needs to be looked at too. And maybe we need to sever that relationship or put it in perspective, okay?

MR. LARKINS: Yes. And Senator, to answer your question: We have been talking to the new acting Commissioner about this. What I will say about the State, at the present time, is we enjoy a better working relationship with both DOE and DCA than we have historically. So right now we're working with DOE to actually informally -- or not through legislation -- improve the emergent process so that we don't have all of the layers of review, the bureaucracy that has been created around that program.

SENATOR RICE: Just send us all the information; because while you're developing relationships, they may go sour tomorrow. We want to give you something that will be there.

ASSEMBLYWOMAN VOSS: One of the problems that we had with Schools Construction Corporation was that there were so many -- like the left hand didn't know what the right hand was doing. And that caused so many problems. And every time you questioned somebody they'd say, "It's not my job." Now, if you have to work with the DCA, have you found a way to eliminate some of the redundancy and some of the problems that arose when people said, "Well, it's not my job, it's the job of--"? You know, because I think that's where so much money was lost, and so many problems, and no accountability; which is one of the things that we're very concerned with.

MR. LARKINS: Yes, Assemblywoman. Internally what we did was reorganize the organization when we broke down the departmental walls and created teams. So now a team is responsible for a project; there's no more of this, "It was that department, it was the other department." So internally we certainly have made tremendous strides in destroying the bureaucracy that existed -- or the opportunity for finger-pointing.

Externally what we've done is work closely with DCA. When I came aboard I went over and I met with Chuck Richman. Lori Grifa actually is -- the Commissioner is actually recused from our work. But I sat down with Chuck; I explained to him some of the issues that we had, and they actually reorganized, too. So I think that is part of the reason why we enjoy a better working relationship. But as Senator Rice mentioned, that is because of the personalities there. In the future, if there were different people, we sort of could end up back where we were. But right now, things are much smoother than they probably have ever been for the program. But

what we need to do is set up some firm, concrete protocols and procedures so that personalities don't drive the process.

ASSEMBLYWOMAN VOSS: That would be nice.

SENATOR NORCROSS: Marc, just to wrap things up: The last thing we want to talk about -- the past, or how we got here -- is that Speaker Oliver had called for an audit. Do you have any comments or ideas on that audit?

MR. LARKINS: I have 100 percent confidence in the process. And in terms of results of our process, the State Auditor has, as I mentioned earlier, looked at the earlier plan, released their findings criticizing it. And they were planning to do to follow-up anyway, so we sent them our information. Look, I don't pretend to be the expert in any of this; I think all of this takes partnership. And if there are others who want to come in and take a look at our process and suggest better ways of doing business -- we're open and accepting of that. But I have no reason to believe that a State Auditor, the Comptroller, or anyone else will look at what we did this time around and find fault with it. But to the extent that they do, we'll rectify whatever they identify. We welcome it, because we have confidence in the process.

And the one thing that we don't want to do, the one thing that's important is-- In '05 there was a call for a review -- the Comptroller came in, things shut down for a year-plus. In '08, as I mentioned, there was this new plan; the State Auditor came in again and criticized, and we had to review this summer. The one thing that I hate to see is for another stall or slowdown while we're trying to undertake a review of what was done. But

you know, again, it certainly is an option; it's been called for. We'll cooperate to the fullest extent. But what we want to do is get back to work.

SENATOR NORCROSS: Good, that's what we want to hear. And I'm sure you have nothing to fear, although it's a little different -- somebody coming to watch you, right? That's what you used to do.

MR. LARKINS: That's it exactly. (laughter)

SENATOR NORCROSS: I just want to, moving forward: Has the 2012 process started? You had indicated earlier that all 10 of these might not get going. In fact, I guess, two will only start construction this year. So why don't you take us through just the process of the -- we're familiar with when '11 stops, '12 starts, or a new review.

MR. LARKINS: Sure; '11 really is going to not stop until, once approved, those projects are completed, which will take years. However, what we intended to announce -- and it may not have been received that way -- is an ongoing, rolling program. As far as I'm concerned, the future is already underway. We have a meeting scheduled with Phillipsburg -- which did make the list -- April 12. We have meetings planned for Keansburg, for Gloucester City, and with those districts that didn't make the list. The way I view this is we have 30 now -- it's 31, but Neptune pretty much completed their plan so they don't really have any pressing needs -- we have 30 districts that we have to service. So while the effort is to prioritize those 10 projects, we are already undertaking steps to sit down with the other districts to do what we talked about earlier, which is explain to them what that part three is; explain to them what we're looking for in order to have a project ripe and ready for advancement.

The other piece of it is, we're not going to stall the process for the sake of making an announcement. The announcement will come when the announcement comes; but behind the scenes we're already putting in place efforts to advance those projects along.

The one issue that we do have -- and look, you know, the press, unfortunately, and public perception drives it a lot -- is balancing staffing with the work. As I mentioned, we have 30 districts; over 100 projects on the list. People criticize us for head count. If I had 500 people, we probably could move all of those things along relatively quickly and dollars would be the only issue. But realistically, the other issue for us is capacity. Because with the staff that we have, we can only accomplish so much at one time; which is somewhat disappointing because, again, we're responsible for the emergents, too -- we have 50 of those ongoing.

But having said that, the future is going to be a rolling program. We're going to continue to address needs if they come up, and we're committed to working with all the districts. I was in Orange today. We're committed to continuing to work with all the districts to try to prepare their projects for advancement. And the announcements have little connection to what actual work is going on behind the scenes.

SENATOR NORCROSS: So we're not going to be, in February next year, where you're rolling out the 2012 model? It's going to be ongoing as projects--?

MR. LARKINS: My effort is to push our staff to have some projects ready to announce for 2012. But if something comes up before 2012, we're not going to hold it to have that project wait for an announcement. The announcement might be a public announcement of a

package of projects that we really want to focus on in '12, but the work is going to be ongoing.

SENATOR NORCROSS: So Marc, I'm to give you an opportunity to be a superstar right now. Did you want to announce anything about Trenton? (laughter)

MR. LARKINS: What I will announce about Trenton-- As I said, I was here two weeks ago. We walked the school, and I promised that we would have our staff work with the officials to make sure that we address some of the emergent conditions that have been identified. They left us with a binder of about \$20 million worth of emergents. And this is, to go back to my point: It's \$20 million in this one school in Trenton; forget about the other schools in Trenton and then the other ones across the state.

A team should be here on Friday to do another walk-through. We're presently completing and working on a second phase of the roof project; and then we're going to work with them to advance some of the other issues within the schools. So I think we've held true on our announcement in the short term: We want to continue that partnership with the district and their officials, and we're going to try to get some of these repairs done.

SENATOR NORCROSS: There, that's good news, huh? Halfway there.

Marc, we certainly appreciate it. And then, moving forward, I've been on the other side of the business for many years. As much as, I think, we have great integrity in many of our departments -- certainly in yours -- the State just doesn't do the business of building things real well. It's not the nature of the beast. They're bureaucratic in nature, and

construction, by its very nature, is the exact opposite. The change orders, the construction -- and time is money. Time is money, and it's educational.

So I would encourage -- and you and I had a brief conversation -- the design-finance-build and maintain as a method for doing these. You set up the standards, what you want; let private industry do what private industry does well: they build. And then we don't have to wait six months for a change order and say, "Whose fault was this -- the architect? Was it the engineer? Was it the ground site?" In the meantime, nothing moves.

I know I'm preaching to the choir here; you understand that because we hear it each and every day. So if this isn't working, what can we do that works a little bit better so that cities like Trenton, Newark, Gloucester City, and Camden can get their projects done.

So again, thank you very much; we appreciate it.

MR. LARKINS: Thank you, Senator, and to the other members of the Committee.

SENATOR NORCROSS: We're going to now open it up for some of the testimony for those who signed up.

Marc, if you have some time we encourage-- And I have to apologize to the Freeholder: I did not see your name on the list earlier, or I would have given you an opportunity to come up.

Freeholder Frisby.

SENATOR RICE: Excuse me, Mr. Chair, through you, are we going to give him-- Marc, are you going to hang around just to hear the testimony? We don't, probably, need you to respond, but could you at least-- Because we'd like you to hear what -- which you do anyway -- what

people are saying when you go to these various schools. If you have a few moments--

MR. LARKINS: Yes, sir--

SENATOR RICE: I know I have to be in New Brunswick, myself, at 4 or 5 p.m. But just take some notes, have your staff take good notes -- that's important.

And also, just a quick question. Well, that's okay--

Send me a list of the worst schools you have in terms of what you know. I'm talking about facilities conditions, like loose (indiscernible) and stuff that-- Because I'm going to try to encourage the Governor to take a little ride with me -- I'm scared to ride with him -- but with me, for I know he'll feel safe when we get to the schools. We need to walk through some traditional schools; because I'm tired of charter school visits, and in the meanwhile we're not coming in to see what these facilities look like so we can understand -- so he can understand how to help you best, okay? Because I know he's still your boss. So he needs to see for himself before he gives directions, okay?

I thank you.

SENATOR NORCROSS: Freeholder -- again, my apologies for not calling you earlier.

F R E E H O L D E R S A M U E L T. F R I S B Y: I understand, Chairman; thank you so much.

Samuel Frisby; I'm a Mercer County Freeholder here. I wanted to make sure that I got an opportunity, for the record, to say that I've had an opportunity over the last 12 years to work statewide. I used to work for an organization which was a national organization, and worked statewide

here in New Jersey communities and schools. I did a lot of work up in Newark, East Orange, Bridgeton; and Trenton was one of my places of base.

I had an opportunity to ride around and visit a lot of these schools. And 12 years ago, Trenton was one of the most challenging schools that I had been in. Now, at the time that I was working in Trenton, I was actually living in Westampton. And Rancocas Valley High School -- which since that time, 12 years ago, has received two new additions to their school; at the time I didn't feel that we needed it, even though my children went to that school.

There is money in other pots, and it was explained to me at that particularly time, "Well, they go through a different pot of money because they can handle their own school construction. Districts like Trenton go through this particular area of money--" Well, money is money. And we talked about emergent issues. When you have challenging schools like Trenton, with the way that this particular school is built, we need to really look at those emergent issues and push them to the front of the line; rather than schools that are going through a different area and getting money, and are putting on additions that they don't particularly need at the time. We have children going to school in conditions like these.

Twelve years-- And in working in school districts for 12 years, one of the things that I realized is that generations for teachers and for administrators look a little bit different than generations for other people. A generation in a school district is four years because -- 9th grade to 12th grade. We've been through-- When I met in 1999 with the then-principal, who is now part of the administrative staff at the district, she said, "Look at this wonderful picture of the brand new school we're going to have for

our children.” That was in 1999. And here we sit, 2011, and the school’s not only not been built, but is in worse condition than it was then.

Whatever it is we have to do, these children deserve better. And you’re exactly right: The children create the graffiti and they do all those other things, but sometimes their environment allows it or lends to it -- broken windows prove that process -- it allows for them to feel that no one cares about their process. And so when you leave children to lie in a process like this, and in a school like this, and expect them to learn--

So I would hope that you put as much pressure on SDA as you possibly can -- to work with them, but put pressure on them to have emergent conditions like this be rectified, and rectified soon.

Thank you so much. (applause)

SENATOR NORCROSS: Next, we have on our list A Better High School Plan for Trenton, Karl -- is it Flesch (indicating pronunciation)? Are you here?

KARL J. FLESCHE: Algon is passing out a plan that we’ve been, I guess, supporting for the last eight or nine years, where we’ve asked for the school to be renovated. We’ve tried to prove to the SDA that the renovation plans would be less expensive than a new school being built -- that’s our main push.

We’d love to see the school stay. I think we cannot build a school like this with the kind of money that you’re proposing. You’re having, I hate to say, cookie-cutter style, but you want to have a beautiful school like this.

There’s also history at this school that needs to be saved. We also need to teach our students that we’re a green society -- that we should

not be throwing things away. We should be keeping what we have, and keeping it for their future.

Those are the main points. I'd like to invite Algie to speak the rest -- I think he's also signed up; he'll talk to you more about the program.

ALGERNON WARD Jr.: Good afternoon.

SENATOR RICE: Good afternoon.

MR. WARD: Good afternoon, Senators and Assemblypersons.

Algeron Ward, Trenton Board of Education, and a member of A Better School Plan for Trenton.

First, I should point out that the main emphasis of my presence here today is not to discuss whether we should build a new school or modernize this school. We could make a very strong case that modernization is probably the way to go.

But what I'm here for, primarily and most fundamentally, is to push for the \$24 million in emergent repairs that we submitted last year to repair this building so that the children could occupy it today.

I think the discussion about what the design would be is a discussion we could have down the road; but no one should be under any illusions that our children need to be subjected to the conditions that they're facing today with leaking roofs, warped floors. You'll find in this plan a list of -- on the spreadsheet -- a list of \$24 million in emergent repairs that was submitted by this district last year to the Department of Education. And a quick perusal of that list will illustrate for you right away that none of this is frivolous -- things that would make the place nice. These are things that make a building livable: we're talking about the roof, we're talking about plumbing, windows, HVAC, fire safety, interior lighting.

These are not *want to haves*; these are *must haves* that have been before the Department of Education for over a year now.

So when our project was taken off the table, these things became critical -- because we don't know when Trenton High will appear on this list again. And, by the way, we've been on that list since 2002, that I know of.

And the other issue that I'd like to address is that it's been said that the reason why we were removed from the list is that the argument between renovation and a new school caused a problem for SDA. Well, the fact of the matter is, from 2002 to 2004, the SDA went out and had the design for a new school; they only had one bidder. I think they allocated \$125 million, and the bid came in at \$140 million. And the SDA itself suspended the project. It had nothing to do with the community; it had nothing to do with any controversy of what the design was. In fact, the community wasn't clear on what the design would be. The SDA took it all upon itself. And to add insult to injury, after they had done that they turned around and said it was our fault that they suspended the project. It was based upon their determination that the bid was too high.

They came back later, in 2008, and said the project was on again. We were quite interested to see that they had a process called a Facilities Advisory Board that met in this very room. It was all the stakeholders in the community, the school. They showed us the plan that they wanted to project. And at that time, in your handout that I gave you, you'll see that their proposal proposed to put a new building up on the corner of Quinton Avenue and Greenwood Avenue.

Well, the people in the neighborhood objected strongly -- a lot objected strongly -- because of the placement of the building; it would have been a five-story building virtually on the lawn of the people who lived there. They did not like that idea -- I don't blame them very much. If you owned property there, you would not want to have a five-story building virtually on your front lawn.

We were able to design a modernized building using this footprint -- a gut renovation of this, at a cheaper price. But that's, again, leading into the discussion of whether to modernize versus a new building. I don't want to distract the discussion away from the \$24 million that's needed right now to fix this building.

Here's the problem: Mr. Larkins has said, at the last SDA meeting, that \$100 million was set aside statewide for emergent projects in schools. Well, there's the problem right off the bat. That's too small a pot to fix all the schools in New Jersey. So you have too many districts contesting with each other for emergent projects that both of them need. Newark needs in the area of \$200-and-some million. But if your pot is \$100 million, what's the likelihood that Trenton is going to get \$24 million?

So what has to happen is that they have to increase the size of that pot. You add to that, that our budget was cut here in Trenton last year. Well, we didn't get \$12 million -- the courts found just earlier this week that we were deprived of about \$12 million in State aid, and that this is going to the Supreme Court to demonstrate that we deserved a larger amount of money. You add that to the base, and you begin to see that the deterioration of the school is inevitable, because we were not putting in the

funds that were required to do the work necessary from the very beginning. And if you remember, the whole basis of the Abbott decision-- This is why the school deteriorated in the first instance -- because we were never funded as we should have been. That whole pot of money of Abbott funding is because of places like Trenton, Camden, Newark -- they never were given their adequate share of education dollars and that's why the schools end up in this kind of condition.

So what I'm asking you is, please, keep your eye on the ball. That it's not the children's fault -- 226 of our students made the Honors, and 22 made National Honors -- even in these conditions.

They're holding up their end of the bargain. It's the adults who are using them as a political football. And we have to bring that to a halt because we are responsible for their health and their safety, and you all for their educations. And what I'm asking is that you prevail upon the SDA to increase the size of that emergent repair pot for a place that -- where we can talk about whether we're going to get a school down the road, or whatever, but in the meantime we have to provide a safe and healthy workplace for the staff and an educational environment for the students.

And just as an aside, I would also point out to you that the teachers' association has submitted a letter, the Trenton Board of Education has submitted a letter, the City Council of the City of Trenton has submitted a letter, the Freeholders have submitted a letter, and you in the legislative delegation have submitted a letter to the SDA, in concert, to point out that every one of us wants to see these emergency repairs here at Trenton High School. And you're a part of that effort to bring attention to this very critical problem.

So we appreciate your presence today, and we also would ask that you put your good offices to whatever effect you can to make sure that our children don't continue to go to school in the conditions that no child should be subjected to -- not in Trenton or anywhere else. But I can't speak for Camden -- I can only focus on a town that I'm in. And please, do whatever you can to see that these emergency repairs that we have here-- By the way, it's been argued that they didn't know about-- It's my understanding that this has been at DOE since last year, so this is not even a new situation -- that we identified these long ago, but it simply has not been funded to date.

Thank you for your patience. (applause)

SENATOR NORCROSS: Thank you.

We'll take a look at it, but certainly the frustration is felt no matter what town you're in, with the emergent projects. Many people used to look at the emergent project as throwing good money after bad because, you know, we're going to replace the school. I understood that; it made sense. Well, we're not replacing the schools quick enough, so we have to take care of it until we get there. It's one of those delicate balances. But thank you for your testimony.

The hour is getting late, so if anybody has any written testimony we'll take it. But we'll invite you up for some brief comments, and we'll wrap this up.

N I C O L A T A T U M: Hello, good afternoon. My name is Nicola Tatum; I'm the Trenton Board of Education President. I am a graduate of Trenton Central High School -- actually, a third generation Trenton graduate of this high school.

So I have a rich history here in the City of Trenton -- born and raised here. And I graduated only in 1995. So when coming back to the school for the first time in many years -- as I walked through and I saw the building, it brought tears to my eyes. Because, again, I didn't graduate that many years ago, and the conditions have worsened since I was here as a student.

It amazes me because we are a capital city; and as the capital city, you know, you would think the capital should be representative of the state. You want to put your best foot forward where your capitol resides. And so for our school to be in such a poor conditions -- what message are we sending from our state? What are we saying about this city, where the Governor is not very far when he sits in his office?

I don't want to keep repeating things that you've heard over and over again, because I know that you've seen it with our own two eyes. But what would make me really happy today-- It's not enough to just come here and say, "You know, we hear your concerns, we understand, we're going to do the best that we can." I would greatly appreciate if we had some sort of timeline that gives us some level of security that something is going to get done. Because we've had several people come in here now from the SDA, they've taken a tour now two, three, or four times. And I keep getting the same-- You know, I hear the same message: We're going to start working. This was nice; I'm glad that you came out and you listened to the students and the community. But now let's put some action behind it. It's not enough for us to just meet, and talk, and say the same things over and over again. When are we going to have some action? When is something going to be done? I'm not going to get excited until I see you

breaking grounds over here. And I would like to have some idea when that would happen. (applause)

SENATOR NORCROSS: Nothing would make me happier than to be able to look you in the eye and tell you the truth. So I'm going to look you in the eye and tell you truth: I don't know. I'm not going to lie to you, I'm not going to BS you. And what I would do is enlighten Marc, again, to have a comment where-- Again, he stated that-- How many times has he been here and told you something? You've had enough of that. He certainly gave it that some of the emergent projects are going to be addressed right away. But I don't think anybody is in a position today to say, "Gee, you're going to start your new high school groundbreaking 18 months from now." I haven't heard that, but I'd love to be able to tell you that.

Marc, is there anything different, other than the emergent projects, that you can share with us?

MR. LARKINS: Thank you, Mr. Chairman.

Just, quickly, on the new school versus renovation: I know Algernon mentioned it a little bit; what we have to do is come in and sit down with the district. Our main question about a new or totally renovated facility is a question of scoring. Again, that's sort of our starting point, so we want to come in and make sure that there wasn't anything wrong with our data. When you look at the scoring of Trenton Central against other projects on the list, it didn't score as high. But that doesn't mean that there isn't a need.

Again, we understand that the list of 100 all represent need; our effort was just to try to do a prioritization, as the statute requires. Well,

what we have to do is sit down with the Superintendent and other district officials and try to figure out what really is the need here and what's the appropriate way to do it. It seems to me that if there's \$24 million worth of renovation plus, that might get us far along; but again, I don't want to be presumptuous and assume that is necessarily so. But what I am aware of right now is that there are ceilings falling in around the place. And that's really my focus, but not to the exclusion of sitting down with the Superintendent. Because we don't only have to talk about Trenton Central. Trenton had an Early Childhood Center on the list; Trenton had Roebling on the list. So there are other projects out there that we really need to deal with. But the reason why it wasn't in that first 10 mainly was because of the scoring. But, as you know, there are issues out there.

MS. TATUM: (Off mike) This score (indiscernible). Excuse me.

SENATOR RICE: Through the-- Always say "through the chair."

SENATOR NORCROSS: And what we'd rather do, other than just some generalizations, I'd rather have you have a one-on versus a debate here.

MS. TATUM: Sure. We're not going to get into a debate.

I just want to say this for the record, because you gave him an opportunity: How we scored tells me the matrix is flawed. And if I didn't say that before, I should say it again now: It's flawed. Because safety should be one of the highest priorities. (applause) I don't know of any studies that have been done, but we deal with a high absenteeism rate of teaching staff, which we know impacts achievement. If you want us to pull

our AYP scores up, we need teachers who have a building and students to have a building that is safe. I don't know what impact rainfall, and then mold, asbestos-- You know all the studies that have been done that it's environmentally unsafe? So safety-- If it's not on that matrix you are utilizing to score, it needs to be there. It needs to be reviewed.

UNIDENTIFIED MEMBER OF AUDIENCE: (Indiscernible)

MS. TATUM: And maybe legislation -- I don't know if this is possible -- needs to dictate what that matrix should be, so that each time an administration comes in they don't have the ability to keep changing it to whatever they feel is the need, versus what really is the true need of the community that they're serving. (applause)

SENATOR RICE: Mr. Chairman; before you said that--

Marc, let me say this, and this is important: The problem I have with the safety issues and construction is one that-- Some kind of way you have to find a way to do an analysis on these great needs. For example, there's a real serious need in Gloucester -- real serious, okay? The question is the amount of money it takes to do "rehab" versus a new building; that cannot be an analysis that takes forever. I've always said to the SDA, even SCC, that you need to meet, and you need to find out, "Are we going to build a new school right away or aren't we?" If we're not going to build one, expect to lose a lot of money. If it's determined that this has got to be a new school, then we should move-- We should put them up high on that list and start to get a shovel in the ground; because in the meanwhile, we're patching.

And I can also say this to the gentleman who spoke: I've been around a little while, too; my hair's grayer than yours. (laughter) But the

deal is this: If you only have \$100 million -- it's called a cost-benefits analysis -- and you have \$24 million; and then you have all these other schools, as you indicated-- The question is, of the \$24 million of needs, what can we do with the dollars that are there, that are not going to accumulate to \$24 million, that take care of some immediate things? That's hypothetical to you, but to Marc it's real.

We (indiscernible) and saw it; they need a roof. Now, we know about putting a roof on; there are some other things that may have to be done in order for that roof to sustain itself for a period of time. But it's not the \$24 million right now. Or it's not the roof, it's the electrical. That's the kind of analysis that your staff should be doing. Now, if in fact they don't have the skills or the ability to do those kinds of analyses, then let me say it to you: Don't decrease the number of employees any further, because you have too much work to do -- just change who they are and their skill sets, understand? Thank you.

SENATOR NORCROSS: Sir.

DANIEL R. MORGAN: Good afternoon. My name is Daniel Morgan. I'm an instructor here, and I'm also the School Leadership Committee chairperson.

I would like to point out -- and I agree with the young lady who just spoke -- but the thing that has not been mentioned is the asbestos in the building. It has been logged and it is a fact that in our gym area and the auditorium-- The auditorium, right now, is blocked off from us being able to utilize it because of asbestos. And it seems to me no one is saying anything about it.

Now, if this is true, they could come in and they could close the school. So where would our kids go to school then? With all this talk of having done so much with history and bringing it up to date with history -- that's well and good. I appreciate that; don't think that I do not. But it's not getting to the point of what needs to be done. And an emergent response is what we're talking about here -- not the building of a new school, or renovations, or modernization. It's getting that money to take care of what's needed now for our kids, for their safety and health.

Thank you. (applause)

SENATOR RICE: Mr. Maurice, maybe you can answer this--
Mr. Maurice, maybe you can answer this question while you're talking.

MR. MAURICE: Yes.

SENATOR RICE: Has PEOSH been here?

MR. MAURICE: Yes, they just--

SENATOR RICE: They have? Okay. That's all I want to know.

MR. MAURICE: I would like to-- I'm before you now as a resident. I live here with my 1,800 students. As my chairperson said, and my Board President, the conditions here are deplorable. And if I were to borrow the slip of the tongue of Assemblywoman Voss, it should be condemned because of the fact that the ceilings are failing. One agency came and tested the air in the auditorium. At one point it was acceptable; and the second one came without seeing the previous report and forced us to close down the auditorium.

Now, we have ceilings falling around throughout the building. What does this tell us? It tells us the building is not safe, and we need to do something even today.

I'm quite sure that those of you who had the opportunity to tour the building, if you were to take a cotton swab and snort your nose (laughter) and take it to a lab, I'm quite sure at least one out of six of you will have some fibers that you should not have inhaled.

So using the word emergent -- it's a very soft term. My first language is Creole, second is French, and third is sometimes English. (laughter) When you say emergent, to me it means something that comes up -- and you didn't expect it. It's been nearly 10 years since we've been talking about doing something for the school. It is an emergency; it is not an emergent issue. It is not an issue of going through the processes, as I explained to Marc, who so graciously listened to us when we went before him. My superintendent is correct -- it's a safety issue; and as an educator my primary objective is to make sure that the students are in a safe learning environment. And this is a very unsafe condition.

As someone who had a triple bypass nine years ago, I'm in danger of being in these conditions. The roofs have been leaking for quite some time; obviously we have mold throughout the building. So emergent lists, emergent conditions -- we have 1,800 students here -- 1,760, plus 200 staff and additional staff being here every day. I spend at least 12 hours in this building. And please, I think the time has come for us to do something.

As you said, Chairman, and also Senator Rice -- we are not broke. This is a great country, we're giving money to other countries, we're supporting other people's issues, we are fighting their wars (applause). And

our kids need the best that you can (indiscernible), because they are our future.

Thank you.

SENATOR NORCROSS: Thank you.

SENATOR RICE: The word emergent is -- through the Chair -- is defined as emergency, not something that emerges. I'm just-- That's just our political lingo; it's like legal terms and the black law dictionary -- don't necessarily mean the same things as it is in Webster's and, you know, that kind of stuff. (laughter)

SENATOR NORCROSS: Thank you.

(Indiscernible). One, and then you're speaking, so just--

UNIDENTIFIED MEMBER OF AUDIENCE: If there's time.

SENATOR NORCROSS: We have two more, and then we're going to have to wrap it, please.

DAVE WINOGRON: Good afternoon. My name is on the list there.

My name is Dave Winogron; I'm the 1st Vice President of the Trenton Education Association -- the teachers' union for the Local here. And one of my primary responsibilities is chairing the Health and Safety Committee for our Association.

But before I get into that, I would just like to add something about the fresh air that we have here in this building. There used to be vents and fan chambers, which haven't been used in quite a number of years. We had to shut them down because of contamination. So the only way that we get fresh air in this building is by opening a window. And I

won't go into the condition of the windows; I'm sure you've seen that on the list.

And of course, with the heat being the kind of steam heat that we have, it's either on -- and really on -- or it's off. So we certainly want to do things that are good for the environment; we certainly would use less fuel. I mean, there are certainly a lot of concerns here.

But -- I guess I should put my glasses on here, too. Pardon me. Given the grading of our aging school facilities, I receive innumerable calls from our members, from our teachers and other staff members about all kinds of health and safety concerns in our schools. We have a population in our schools -- our students and our staff have a much higher incidence of asthma and respiratory illnesses. We also have-- I'm aware of other staff members who have been suffering from other health issues such as cancer that may be due to their work environment.

The bottom line is that we need a significant amount of money to resolve the very legitimate needs of replacing or repairing our school facilities and, in particular, Trenton Central High School -- as you can see by the pictures that you've seen, from your tour. We're talking about deplorable conditions.

About 10 years ago blueprints and other construction documents were drawn up, as you heard during some of the other presentations. This has become a very political process. I don't have to tell you that -- you know. I certainly recognize that this is the nature of the beast, but I find it unconscionable that we send our children to facilities that are in such disrepair. Our students and staff should not be the collateral damage by inaction of the State of New Jersey's Schools

Development Authority or another State agency. We are well past time for action regarding this school and many other school buildings -- in this city and throughout the state.

Thank you. (applause)

SENATOR RICE: Who's next?

ASSEMBLYWOMAN VOSS: This lady is the last speaker.

SENATOR RICE: Please come up and just state your name for the record.

T A I W A N D A T E R R Y - W I L S O N: Hi, my name is Tai Terry-Wilson. My name is Taiwanda -- Tai -- Terry-Wilson. I am a parent. I don't know if you saw the young lady who came up and sat next to me, but that's my daughter. She attends Trenton Central High School. So first and foremost, my main concern is her; but my overall concern is all of the students who go to this high school, because I am an advocate for children, I'm an advocate for education, and I am an advocate for my community.

When I come into Trenton Central High School, I get frustrated. I get frustrated because, in my youth, I had been allowed opportunities to travel to different countries, different states, different cities. And when I look around at different communities, there is no way that certain communities would even have to be subjected to this many conversations about basic repairs.

I'm here today with a foot that's in pain because this is how serious I am about this. We have been -- not necessarily debating, because that's a myth -- we have been very clear, this community and this district, about what we want for our community, which is a gut-renovated school. We spent millions of dollars years ago on a plan that is sitting inside of a

basement. We didn't waste that money -- it was shelved; and it wasn't shelved by us.

It is also a myth that that is our current concern. Our current concern is having this school inhabitable -- safely. You know, we sit here and we listen to our Principal say about swabbing peoples' noses and you find something there -- you would never subject your children to that. So I ask, why are children being subjected? And I'm not making it a race issue, because I'm the most open person who I know. But my travels have shown me that this is clearly disparity treatment. I do not accept it; my daughter is not less than, she's a human being with two working parents -- a family that are taxpayers. This community is made up of taxpayers. That's another myth. So when we ask for this money, it's not just the perception of your money or, because you're here, other peoples' money -- we work too. We should have a say-so and our taxpayer dollars should come back to the communities that deserve it.

Respectfully, Mr. Larkins, when you were here on your last tour, you said that this is not the worst you've seen. I'm sure it hasn't been. But I know Princeton has to be one of the best, so how did they just get \$250,000 for an art room? It may have come from a separate pot, but when you look here and you see rain coming down, and then Senator Norcross says if the ceiling falls on his head -- it might have been a joke to you, but I'm sure that if it fell on your head we would have a new building. But why does it take that? Does it have to fall on my daughter's head? Does it have to fall on a teacher's head?

And you know, this is personal because this is my community. I own a home right here on Revere Avenue, which is the next block over.

When the SDA gave us that white box that they wanted to sit inside the corner of Quinton Avenue, at that point our community did reject it because-- I'm a homeowner. Have you taken into consideration the egress, the way this building is situated-- And, again, not to bring up a debate, because we need to address emergency concerns -- but we're not a dumb people. When we tell you that we reject something, we have valid reasons. When you look at the way this high school is situated, it was properly situated so that traffic can egress without having traffic build up. Because again, people do go to work and people do have to drop their children off. You could exit on Chambers Street, north or south. If we would have taken that building, which was the cement block that was going to be eight stories high -- where we asked about our class sizes, nobody had any answers for us -- but there was no way that the community would be able to not have their private lives impacted.

So these are very real decisions that we need to make. But again, we need to have our children come into a building that is conducive to learning. Their homes don't look like this. You know, we have to set an example. We have to say to our children that you are worth something. And in spite of that, we have children who go to Princeton University; they go to various higher education colleges -- my daughter is about to go to Bloomfield University (*sic*). But she's not the only one -- but that's personal testament.

I graduated from Trenton Central High School in 1991. I have a son who just graduated, and I have a child who is in elementary school. So please, you're dealing with our lives. And we're not going to be patient much longer, because you're delaying with our children's lives. You're

dealing with our community members' lives, the teachers, the staff who have to come in here.

So please, when you go to sleep tonight, think about this. Ask yourself if you would even have your children come into a building-- You wouldn't. And some of us have had opportunities, but why should we send our children to different districts that are unfamiliar-- Well, that doesn't even matter. If this is our school, and the SDA has a charge to fix it, let's just get it done and stop the talking.

Thank you. (applause)

SENATOR NORCROSS: And now to wrap it all up, in one cleanly defined message--

MR. BROACH: Absolutely.

SENATOR NORCROSS: --our Superintendent.

MR. BROACH: Well, thank you so much.

I just want to conclude by, first of all, thanking the Senate committee and all that they had to do to organize -- Melanie Schulz -- for organizing this wonderful opportunity to have this exchange. And I want to thank you for that, and all of you for being here. So let's give Melanie a big round of applause too. (applause)

Also to restate, and not to go over anything that has been said before. The English language, nor the feelings that are engaged in this conversation, can't be replicated. I think you've heard it all. And I want to take the SDA and Marc's offer up, because I have to tell you: It may appear as good news, but for the repairs that need to be done, for the magnitude of dollars that need to go beyond this repair -- it's really not

good news; it's not even news that pacifies. In fact, that's what it is, and we've got to do much more than that.

So I need to impress upon you, along with the SDA, to have a conversation with us to allow us; to re-focus and re-center ourselves in this conversation of what truly needs to be done and how immediate it needs to be done. And then to look at long-range plans, at what needs to be done; and to include this Board of Education and myself in that conversation, up close and upfront like we're doing now.

The other piece is that I really am interested to follow up on Marc's well-thought-out discussion with you and that criteria, because I believe a criteria is good only if it has validity. And for those of us who have done research -- and that's probably a lot of us in the room -- the research model has to have validity and it has to have realizability, no matter where you put that model or that rubric. And it has to be applicable no matter who sits in my seat, or in your seats, or the SDA's seats; and have applicability all the way across the board. I submit to you -- and until I'm convinced differently -- that I question the criteria. Because our first order of business, certainly, is education; certainly it's to improve AYP and get out of these statuses. But the first order of business in School Leadership 101 is to make sure that the schools are safe. And if the schools aren't safe, you're not going to do the best job in terms of pedagogy, curriculum, safety, and all.

So we, staying here, say to you as a community -- a community that's not divided, contrary to past myths; I think all that's been clarified. And we stand ready to look at what is the next step -- when will we be contacted again by the SDA, or whomever, to look at the conversation, to

review the data with you that has been now languishing for 10 -- well, not 10 years, but at least for a good five years -- to look at refocusing on what needs to be done, and soon, for the sake of our kids?

And I wasn't kidding when I said this is about legacy. When these students at Trenton Central High School or in other places look at what we did today in 2011 and onward, we want them to say of us that we did the right thing for the sake of not-- We made it, we're where we need to be in many cases. I'd like to feel we can keep growing and learn from each other. But they need to come through what we've gone through. Let them write about us that we did our jobs well, and we did the right things by them.

So we'll look for a reach-out from SDA as to where we begin that journey in the very near future.

I want to thank the public also for coming out -- all of you, and those who left, for your input. We've got a lot of work to do, but we have to do it together; we have to do it with dignity, and with transparency, and honesty for all of our children. And again, I want to thank everybody for attending. (applause)

SENATOR RICE: I just wanted to, for the public, acknowledge Sharon -- I know that Melanie gets a lot of accolades -- because she works really hard; she's the point person who you see. But we don't have a lot of staff -- just the Senator and the Assembly person and me. Kudos to (indiscernible). So they're our team, and I just want to acknowledge that. (applause) Because it takes a lot of work to do the things that they are doing with all of these schools -- setting up, taking care of us.

SENATOR NORCROSS: Thank you.

How could I wrap it up any better than your Superintendent? But I appreciate everybody's time. And Marc, once again, we look forward to working with you and making sure that we address the issues that have been brought to our concern today.

With that, I declare us adjourned. Thank you. (applause)

(MEETING CONCLUDED)