CALL TO ORDER/ROLL CALL
Vice Chairwoman Donna Peluso called the special meeting of the Board of Trustees to order in the Boardroom at 6:32 p.m. Following the Pledge of Allegiance, roll call was taken.

Present: Ms. Alexis Gonzalez, Mr. Glover Johnson, Ms. Vanessa Moritz, Ms. Donna Peluso, Mrs. Elizabeth Potter, Mr. Glenn Stam, Ms. Diane Viverito.

Absent: Mr. Mark Stephens.

Ms. Peluso thanked the Triton family for their support in the recent loss of her father, George Leoni. She stated that he loved Triton, and she would not have been a Trustee if not for his teaching the importance of giving back to your community.

Ms. Peluso stated that Chairman Stephens asked her to chair tonight’s meeting, which is being recorded. She reported that in a few weeks, a Board meeting will be held with a big presentation and discussion about the $53 million projects. Ms. Peluso introduced Vice President of Business Services Sean Sullivan to discuss how we will move forward. Mr. Sullivan reported that administration will generate a list of projects in the amount of $70-80 million and bring them forwarded for input from everyone, and the Board will decide what projects will be done for the $53 million generated from the Bond issue.

PUBLIC HEARING Concerning the Intent of the Board of Trustees to Sell Not to Exceed $53,000,000 General Obligation Building Bonds (Alternate Revenue Source)
Vice Chairwoman Peluso stated that this hearing is being held to receive public comments regarding the college’s plans to sell alternate revenue bonds in order to renovate, rehabilitate, improve, and equip the main campus. All persons desiring to be heard will have an opportunity to present written or oral testimony with respect to the college’s plans. Ms. Peluso asked if there are any further comments about the bond sale from the Board. There were none.

CITIZEN PARTICIPATION
Ms. Peluso asked if there is any written or oral testimony about the bond sale from the public.

Barb Langer of River Forest presented a document to each Trustee, which is attached and made a part of these minutes, and requested that the Board provide greater public access to the swimming pool, fitness center, indoor track, and locker rooms as outlined in the document, and to stop renting facilities to private organizations.

Vice Chairwoman Peluso thanked her for her comments which the Board will take into consideration.

There were no other requests from the public to speak or provide written testimony.
Ms. Peluso stated that all persons desiring to be heard have been given an opportunity to present oral and written testimony with respect to the proposed issuance of the Bonds.

**ADJOURNMENT**

A motion was made by Ms. Viverito to adjourn the Public Hearing, seconded by Mrs. Potter.

Roll Call Vote:

- **Affirmative:** Ms. Gonzalez, Mr. Johnson, Ms. Moritz, Ms. Peluso, Mrs. Potter, Mr. Stam, Ms. Viverito.
- **Absent:** Mr. Stephens.

Motion carried 6-0 with the Student Trustee voting yes. Vice Chairwoman Peluso adjourned the meeting at 6:43 p.m.

Submitted by: Mark R. Stephens  
Board Chairman  
Diane Viverito  
Board Secretary  

Susan Page  
Susan Page, Recording Secretary
September 16, 2014: Four Requests to the Triton College Board of Trustees

My name is Barb Langer and I am the Founder of Enclose Our Pools.

This is to make four requests regarding Triton’s swimming pool and athletic facilities. The pool and/or fitness center are significantly under-utilized, being closed to the public at all times and to Triton students on Sundays, interim periods and holidays, and daily before 7:00 a.m. and after 8 p.m. Tues/Thurs, after 5 p.m. Mon/Wed, after 2 p.m. Fri and after 9 a.m. Sat.

First and second requests: would you please authorize that the indoor swimming pool, Fitness Center; indoor track and locker rooms in the Robert M. Collins Center be opened and available on an affordable, annual membership basis to in-district residents 362 days a year (excluding only Thanksgiving, Christmas and New Years Day) and that the unstructured, non-class, open-use hours be extended to include 5-9 a.m. and 5-10 p.m. daily, seven days per week?

The purpose of the requested extensions of hours and days is to enable Triton Property Tax Payers and particularly working people, who must exercise before or after work and on weekends, access to an affordable, high-quality aquatics and fitness center every day, year-round. The benefits to public health and the welfare of Triton Property Taxpayers would be incalculable.

If Triton is concerned about hiring lifeguards before 6 a.m. during the proposed extended open swim sessions (it already employs them at 6 a.m. during its daily Trinity rental; see endnote iii), it might emulate private aquatics facilities such as Gottlieb, Loyola, and Fitness Formula Club (FFC), which all have a “swim at your own risk” policy and employ no lifeguards at all. The Loyola pool has a deep end similar to Triton’s pool and still provides no lifeguards. Alternatively, Triton might consider hiring qualified seniors to lifeguard before 6 a.m., on Sundays and during interims.

Third request: during the day whenever Triton classes are not scheduled, we request that you also make these facilities available on a membership basis to Triton Property Tax Payers and in-district residents—when it is convenient for families with young children and seniors.
As you may know, Triton’s renovated pool is the best in the area and the only indoor, year-round aquatics facility regularly available to the public, although class registration is currently required for access. Table 3 of my free, online article\(^{1}\) compares the exorbitant use rates for the aquatics and fitness centers in Oak Park versus a far superior and far more affordable public facility in Kearns, Utah. Although the Kearns facility is in another state, it provides a model for aquatics and fitness facilities, services and membership costs that we believe Triton should strive to emulate.

Triton excludes many of the working people who pay the bulk of Triton’s property taxes from using the pool and fitness center by: 1) failing to make the facilities available before and after work—i.e., during the hours requested above on a daily basis, year round, including on most days during interim periods, 2) overcharging everyone except seniors for “Total Fitness” classes that provide access to open swim and open fitness center hours, 3) charging “a la carte” for one-shot, short-term classes rather than also offering year-round daily, self-directed facility use to Property Tax Payers and in-district residents and 4) renting the aquatics and fitness facilities to religious institutions\(^{8}\) and other private businesses and organizations, which not only prevents many working Property Tax Payers from using them during prime times but, in the former case, violates the constitutional separation of church and state.\(^{9}\)

It seems to us that if Triton can rent out its pool and fitness facilities before 7 a.m. and during interim periods, it should be able to make the facilities available to Property Tax Payers on a membership basis.

Which brings us to our forth request: would you please permanently stop renting Triton’s facilities to Trinity High School and other private organizations? Such rentals subsidize parochial schools with Triton Property Taxpayer-paid facilities and Triton lifeguards and prevent Triton Property Taxpayers from using the facilities we pay for at the most desirable times and under the most desirable terms (membership vs. tuition). Property Taxpayers already pay for Triton and our local public grade and high school districts. We should not also have to subsidize private religious schools, which are free to invest their own resources to create their own aquatics and fitness facilities or to rent private pools such as Fenwick’s, as they have previously. Triton should not accommodate or subsidize Trinity or any other religious or private business or organization at public expense. Nor in the process, should Triton deprive Property Tax Payers of the fullest-possible access to its facilities and services at the lowest possible cost.

Trinity’s rental time routinely extends to 7:15 a.m., which encroaches on the published 7:00 a.m. time for open swim to begin each morning. It is one thing to set aside a couple of hours a week for party rentals to Triton Property Tax Payers and in-district residents. It is quite another thing to operate what too often amounts to a private, for-profit\(^{10}\) facility at public expense.

In closing, we ask that Triton please agree to all four requests and begin extending the days that Total Fitness sessions provide open-access to the pool and Fitness Center to registrants to include all interim days, 7 days a week, between the Fall and Spring Semesters except Christmas Day 2014 and New Years Day, 2015.
We also request that the catalogue for the Spring 2015 semester and Summer 2015 sessions include daily access to the pool during the interims, including Sundays and holidays.

With your cooperation, Triton can provide ongoing aquatics and fitness center membership that is affordable and convenient for in-district residents and Property Tax Payers to use daily, year round.

Thank you.

Barb Langer, Founder
Enclose Our Pools

Endnotes:

1 By affordable membership, we mean charging participating non-senior Triton Property Tax Payers the same rate you charge seniors for “Total Fitness” classes — which currently are the only way in-district residents can use Triton’s facilities as a health club without having to attend a class. For example, at present, a senior pays $3 x $36 = $108 on an annualized basis for limited access to Triton’s pool and Fitness Center via “Total Fitness” class offerings (7-9 a.m., Mon-Sat plus 6 daytime hours Mon, 3 daytime and 3 evening hrs Tues, 4 daytime hrs Wed, 3 daytime and 3 evening hrs Thurs and 5 daytime hours Fri, excluding interim days for 6-9 weeks per year). We request that Triton charge no more than that for in-district adult residents to use the pool and Fitness Center on a membership basis from 5 a.m. to 9 a.m. and from 6 p.m. to 10 p.m. 7 days a week, 362 days a year, and in district residents of all ages to use the facilities on a membership basis at all other daytime and evening hours when classes are not scheduled.

If you grant our requests and effectively advertise the proposed new senior rate-for-all-ages membership system, Triton is likely to be overwhelmed with requests for membership from Triton Property Taxpayers and in-district residents.

However, I understand from speaking with Cheryl Antonich, Associate Vice President for Academic Affairs, that Triton is considering expanding its aquatics and fitness facilities for public use. That would certainly be necessary just to accommodate even a fraction of the hundreds of lap-swim pass holders who patronize Oak Park’s outdoor public pools each summer and currently find costly private options during the remaining nine months or abstain from swimming altogether. We would like to know more about those plans, as they become available, please.

Imagine the demand if in-district residents from all of Triton’s member communities learned they could swim and work out at Triton at the same cost as seniors currently enjoy AND at times and under terms convenient to them. Triton would likely need more pools, locker rooms and exercise facilities.
Langer B. How to enclose an outdoor 50 meter park district pool for about $2 million. Other communities can get affordable, year round public swimming just like in Kearns, Utah. [http://www.kopfc.com/Share/index.html][1].

Click on “Documents” and please be patient while the article loads. Please note that use rates at the Gottlieb and Loyola Fitness Centers are similar to FFC, and like FFC and the YMCA, provide inferior, 4-lane pools. Please also note that public facility in Kearns is arguably not only the highest quality and lowest cost in America, it is supported by a property tax base with a per capita income that is a fraction of Oak Park’s.

For example, Trinity High School in River Forest reportedly contracted with Triton for exclusive use of Triton’s swimming pool from 6-7:15 a.m. M-F from sometime in August, 2014 through mid-November, 2014.


Subsequent to this decision, the Supreme Court has applied a three-pronged test to determine whether government action comports with the Establishment Clause, known as the "Lemon Test".

First, the law or policy must have been adopted with a neutral or non-religious purpose.

Second, the principle or primary effect must be one that neither advances nor inhibits religion.

Third, the statute or policy must not result in an “excessive entanglement” of government with religion.[43]

(The decision in *Lemon v. Kurtzman* hinged upon the conclusion that the government benefits were flowing disproportionately to Catholic schools, and that Catholic schools were an integral component of the Catholic Church’s religious mission, thus the policy involved the state in an “excessive entanglement” with religion.) Failure to meet any of these criteria is a proof that the statute or policy in question violates the Establishment Clause.”

[Emphasis and formatting added to above excerpt from: [http://en.wikipedia.org/wiki/Separation_of_church_and_state_in_the_United_States][54]]

According to Triton’s *Campus Renewal - Building for the Next 50. Community College Funding Formula*, [http://www.triton.edu/uploadedFiles/Content/About/Administration/Board_of_Trustees/BondIssueForCampusRenewalPresentation.pdf][55], “sound fiscal management has produced budget savings of $1M/year.”

The aforementioned PowerPoint presentation gives no evidence of “sound fiscal management.” Nor does it give any details about the projects on which it says Triton will spend $50M in bond money.

Instead, it dismisses the contribution of Triton’s Property Taxpayers by labeling their apparent 38% financial contribution to Triton’s total “Operating Budget FY2014” pie as “Local Government”, as if Triton’s right to reach into our pockets twice a year were some vague bureaucracy that has nothing to do with the hundreds of thousands of hard-pressed Property Taxpayers who pay over a third of Triton’s bills:

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16 Sep 2014 Four Requests to the Triton Board of Trustees
Triton’s PowerPoint presentation goes on to claim that “over the past 20 years [1994-2013], funds in reserve [at Triton] have grown from $4.6M to $34.9M”:

**Reserves**

- **Over the past 20 years, funds in reserve have grown from $4.6M to $34.9M**

1994 - 2013 $M

The existence of this growing "reserve", suggests that like School District 200, Triton has been violating Illinois property tax law by operating on a for-profit basis achieved by over-taxation rather than operating on the break-even basis required by law for public taxing bodies.

Is this illegal activity what your PowerPoint Presentation means by “sound fiscal management”? If so, has Triton achieved it by over-taxation and do Triton’s Property Taxpayers need to brace themselves for tax increases to pay for your $50 M bond issue?

See also:

d. Langer B: D200 Seeks 2.5% Tax Hike, Despite $123 Million Stash. Join the Property Tax Revolt.  

e. Langer B: Dr. Langer’s Public Comments to the D200 BOE: 15Nov2012 Meeting.  

f. Epstein B, Langer B: Rebuttal to District 200 President Terry Finnegan’s article entitled: “Criticism of District 200 levy is misinformed.  

g. Dwyer B: D200 passes tax levy amid criticism. Oak Leaves, 21Dec2012.  

h. Dwyer B: D200 members defend tax hike. Oak Leaves, 27Dec2012.  

