

**BERNARDS TOWNSHIP BOARD OF EDUCATION  
BASKING RIDGE, NEW JERSEY  
SPECIAL BOARD MEETING MINUTES INDEX  
AUGUST 23, 2005  
REGULAR SESSION 6:00 P.M.  
BERNARDS TOWNSHIP BOARD OF EDUCATION OFFICE**

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AUGUST 23, 2005  
REGULAR SESSION 6:00 P.M.  
BERNARDS TOWNSHIP BOARD OF EDUCATION OFFICE**

The meeting was called to order at 6:00 p.m. by President Carlucci.

**I. Salute to Flag**

**II. Roll Call**

PRESENT: Mr. Byrne, Mr. Carlucci, Mr. Koch, Ms. McGowan, Ms. Seitz,  
Ms. Stevens, Ms. Winter, Ms. Woolford, Dr. Goger, Mr. Murray,  
Ms. Rudolph

ABSENT: Ms. Smith

**III. Statement of Public Meeting Notice**

This was a Special Meeting of the Board of Education of Bernards Township. Notice of the time and place of this meeting was provided on August 19, 2005 to the official newspapers as designated by the Board of Education and to the Township Clerk and a copy of the notice was posted on the bulletin board of the Board of Education Offices in accordance with P.L. 1975 Chapter 231A.

**IV. Regular Session - Call to Order – 6:00 p.m. – Board of Education Office**

**V. Approval for Submission of Ballot Question to Voters on September 27, 2005**

A discussion took place regarding the status of state funding and procedures related to the referendum project.

BE IT RESOLVED THAT

The Bernards Township Board of Education does hereby approve the following Resolution of the Board of Education of the Township of Bernards in the county of Somerset, New Jersey providing for the submission of a ballot question to the school district voters at a special school district election to be held Tuesday, September 27, 2005:

WHEREAS, the Board of Education (the "Board" when referring to the governing body and the "School District" when referring to the territorial boundaries governed by the Board) of the Township of Bernards in the County of Somerset, New Jersey (the "State") desires to undertake certain expansion/ renovation of various schools (collectively, the "Project"); and

WHEREAS, to accomplish the Project, the Board seeks to authorize the submission of a special ballot question (the "Proposal") at a Special School District election to be held Tuesday, September 27, 2005 (the "Election") and to authorize certain actions required to be taken in connection with the conduct of the Election and the undertaking of the Project.

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Township of Bernards in the County of Somerset, New Jersey (not less than a majority of the full membership of the Board concurring) as follows:

a. A special School District election (the "Election") of the legal voters of the School District shall be held on Tuesday, September 27, 2005, commencing at 2:00 p.m. in the School District for the purposes hereinafter provided. The polls shall remain open until 9:00 p.m. and as much longer as may be necessary to permit all the legal voters then present to vote and cast their ballot.

b. The following explanatory statement and proposal (the "Proposal") shall be submitted to the legal voters of the School District at the Election:

#### **EXPLANATORY STATEMENT**

The Board of Education is seeking voter approval to expand/renovate the Cedar Hill Elementary School, the Liberty Corner Elementary School, the Mount Prospect Elementary School, the Oak Street Elementary School, the William Annin Middle School, the Ridge High School and the Board offices as provided in the Proposal set forth below.

The State has awarded the project State aid in an amount of 17.5% (\$9,496,452) of the total project costs (to be received in the form of either a grant or debt service aid). The Board is asking the voters to financially support the remaining 82.5% (\$44,648,639) in project costs.

Since the State will not be advising the Board as to how it will pay the State aid until after the date of the election, the proposal accommodates whichever State aid payment method the State is able to provide.

#### **PROPOSAL**

The Board of Education of the Township of Bernards in the County of Somerset, New Jersey is authorized to (A) expand Mount Prospect Elementary School; renovate Liberty Corner Elementary School; expand and renovate Oak Street Elementary School and the Board offices; renovate and undertake site improvements at Cedar Hill Elementary School, and expand, renovate and undertake site improvements at William Annin Middle School and Ridge High School and (B) expend on such projects an aggregate amount not exceeding \$54,145,091, which expenditure shall be funded, in part, with a \$9,496,452 State Grant (17.5%) (based upon final eligible costs of \$23,741,131, allocated as follows: \$435,233 to Cedar Hill Elementary School, \$364,847 to Liberty Corner Elementary School, \$1,957,670 to Mount Prospect Elementary School, \$982,346 to Oak Street School Elementary School, \$1,448,590 to William Annin Middle School, and \$7,420,978 to Ridge High School) and, in part, with bonds issued in an amount not

exceeding \$44,648,639 (82.5%) (representing the local share and allocated as follows: \$603,109 to Cedar Hill Elementary School, \$264,001 to Liberty Corner Elementary School, \$3,857,442 to Mount Prospect Elementary School, \$2,141,624 to Oak Street Elementary School, \$2,732,805 to William Annin Middle School, \$34,814,274 to Ridge High School and \$235,384 to the Board offices). The Board is also authorized to issue additional bonds in an amount not exceeding the State grant amount to (A) temporarily finance the State grant for cash flow purposes only, as necessary, pending receipt of the State grant, or (B) permanently finance the State grant amount, in the event the State determines to provide the State aid on the project in the form of annual State debt service aid (such debt service aid to be 40% of the principal and interest payable on that portion of the School District debt allocable to the project's final eligible costs). The expansion and renovation of the Board offices is another capital project and is not eligible for State support. The overall project includes \$1,073,154 school facilities construction elements in addition to the facilities efficiency standards developed by the Commissioner of Education, or that are not otherwise eligible for State support pursuant to N.J.S.A. 18A:7G-5(g) and allocated as follows: \$341,969 to Cedar Hill Elementary School, \$45,093 to Liberty Corner Elementary School, \$140,872 to Oak Street Elementary School, \$65,786 to William Annin Middle School, \$244,050 to Ridge High School and \$235,384 to the Board offices. The local shares may be transferred among the projects.

3. The Board hereby approves and adopts the Proposal and, subject to the approval of the legal voters of the School District, hereby determines to carry out the same.

4. The Board hereby (i) accepts the determination of Preliminary Eligible Costs as set forth in the letters of the New Jersey Department of Education ("NJDOE Eligibility Letters") (ii) to the extent that the State is able to, and in fact funds, via a State grant, all or any portion of the "State Share" (as defined in the NJDOE Eligibility Letters) for any of the projects, the Board elects to receive any such State grant so received from the State; provided, however, that to the extent any portion of the State share for any of the projects is not so funded by a State grant, the Board elects to receive that State share portion via annual State debt service aid (iii) determines to construct the Project; (iv) agrees to locally fund any excess costs (v) authorizes the Board President and Business Administrator/Board Secretary to execute the applicable State grant agreements and (vi) delegates the supervision of the Project to the Business Administrator/Board Secretary.

5. The Business Administrator/Board Secretary is hereby authorized and directed, in conjunction with Bond Counsel, to deliver a certified copy of this resolution and such other information as shall be necessary to comply with the provisions of all applicable laws to the Somerset County Superintendent of Schools, Somerset County Clerk, Somerset County Board of Elections, and to the Clerk of Township of Bernards and to request such persons to undertake their respective functions under such laws, as applicable, in connection with the Election

6. The Board hereby acknowledges and confirms that, in accordance with the requirements of Sections 24-16 and 24-17 of the Education Law, a Supplemental Debt Statement has been prepared as of the date of this resolution by the Chief Financial Officer of the Township of Bernards, giving effect to the proposed total authorization of School Bonds of the School District in the maximum amount provided for in the Proposal, and that such Supplemental Debt Statement has

been filed in the offices of the Clerk of the Township of Bernards, and in the office of the Board Secretary prior to the adoption of this resolution. The Board hereby directs the Board Secretary to cause such Supplemental Debt Statement to be filed in the office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs prior to the date of the Election.

7. The School Administration and such other officers, professionals and agents of the Board as are necessary, including Wilentz, Goldman & Spitzer, P.A., Bond Counsel and the Architect for the Project, are each hereby authorized and directed to perform such acts, execute such documents and do such things as are necessary and proper for the submission of the Proposal to the voters of the School District at the Election, including preparation and submission of all required applications for receipt of the State Grant or State Debt Service Aid, as applicable. The Board Secretary/Business Administrator, in consultation with Bond Counsel, is hereby authorized to revise the Proposal in order to conform same to statutory requirements.

8. This resolution shall take effect immediately.

On motion by Ms. Seitz, seconded by Ms. Woolford, Item #1 was approved by the following roll call vote:

“Ayes” - Mr. Koch, Ms. McGowan, Ms. Seitz, Ms. Stevens, Ms. Woolford,  
Mr. Carlucci  
“Noes” - Mr. Byrne  
“Abstain” - None

## VI. Adjournment

On motion by Mr. Koch, seconded by Ms. Winter, and approved by all present, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

John T. Murray II  
Board Secretary