

BASS RIVER TOWNSHIP BOARD OF EDUCATION

REGULAR MEETING AGENDA

January 3, 2017

1. CALL TO ORDER AT 7:00 P.M. BASS RIVER ELEMENTARY SCHOOL MEDIA CENTER

This is to advise those present at this meeting of the Board of Education of the Bass River Township School District, in the County of Burlington, that adequate notice of this meeting was provided in accordance with the Open Public Meeting Act. The notice has been posted in the Board of Education Office. The notice was also mailed to the Press of Atlantic City and filed with the Municipal Clerk of Bass River Township.

2. PLEDGE TO THE FLAG

3. ROLL CALL

	Present		Absent
Mrs. Adams			
Mrs. Duym			
Mrs. Heinrichs			
Ms. McGeoch			
Mrs. Ruffo			

4. AUDIENCE PARTICIPATION

PLEASE NOTE: This audience participation is limited only to items on the agenda. Audience Participation II is open to all comments. Audience members attending Board of Education Meetings are permitted to voice their opinions on school related topics at specified times during the regular meeting. These times are included in the printed agenda for the meeting.

Members of the public are encouraged to speak during the public portion of the meeting. Complaints stated, or actions requested by the public, will be taken under advisement by the Board for investigation, discussion, and action or disposition at a later time/date. When addressing the Board of Education, please respect the following procedure:

1. Be recognized by the Board President.
2. State your full name and address before commenting.

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3. Identify the agenda item on which you will be commenting.
4. Wait to be recognized before making your comment(s).
5. Limit your comment(s) to the specific agenda items.

5. MINUTES

Motion to approve, by voice vote, the Meeting Minutes of the:

- Regular Meeting – December 1, 2016 ([Attachment 1](#))

Voice Vote

Motion by: _____ **Seconded by** _____

Yeas: _____ **Nays:** _____ **Abstain:** _____

6. SUPERINTENDENT’S REPORT

7. BOARD OF EDUCATION BUSINESS

- Old Business
- New Business

8. FINANCE REPORTS

- **BUDGET TRANSFERS ([Attachment 2](#))**

Motion to approve by roll call vote the following:

Pursuant to 18A:22-8.1, The Business Administrator recommends the attached budgetary transfers.

Roll Call

Motion by _____ **Seconded by** _____

Mrs. Adams	_____
Mrs. Duym	_____
Mrs. Heinrichs	_____
Ms. McGeoch	_____
Mrs. Ruffo	_____

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● **BILLS LIST ([Attachment 3](#))**

Motion to approve by roll call vote the January 3, 2017 Bills List as attached.

Roll Call

Motion by _____ Seconded by _____

Mrs. Adams _____

Mrs. Duym _____

Mrs. Heinrichs _____

Ms. McGeoch _____

Mrs. Ruffo _____

● **FINANCIAL REPORTS**

Motion to accept the following financial reports:

- a. Report of the Secretary dated November 30, 2016([Attachment 4](#))
- b. Report of the Treasurer dated November 30, 2016, 2016 ([Attachment 4e](#))

Roll Call

Motion by _____ Seconded by _____

Mrs. Adams _____

Mrs. Duym _____

Mrs. Heinrichs _____

Ms. McGeoch _____

Mrs. Ruffo _____

● **BOARD CERTIFICATION**

Pursuant to N.J.A.C. 6A:23A-16.10 (c) the Board certifies that after review of the Secretary's Monthly Financial Report and upon consultation with the appropriate district officials that to the best of its knowledge no major account or fund has been over-expended and that sufficient funds are available to meeting the district's financial obligations for the remainder of the year.

Roll Call

Motion by _____ Seconded by _____

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Mrs. Adams _____
Mrs. Duym _____
Mrs. Heinrichs _____
Ms. McGeoch _____
Mrs. Ruffo _____

9. ENERGY SAVINGS IMPROVEMENT PLAN

WHEREAS, The Board of Education of Bass River Township in the County of Burlington, New Jersey (the "School District") is a political subdivision created by law, and the board of education (the "Board of Education") of the School District is charged by law with the responsibility of providing a system of public education within the School District over which it has jurisdiction and has the authority to provide Energy Conservation Measures and Equipment for the School District as permitted and authorized by law; and

WHEREAS the Board of Education previously decided to investigate implementation of an energy savings improvement program and hired the firm of DCO Energy, LLC (the "Energy Audit Firm") to conduct energy audits of the School District facilities, and the Energy Audit Firm conducted the audits and delivered to this Board of Education energy audit reports with respect to the School District facilities; and

WHEREAS the Board of Education determined to develop and implement an energy savings improvement program with the assistance DCO, Inc. as energy savings consultant (the "Energy Consultant"); and

WHEREAS, this Board of Education advertised for and received bids to select a third party verification agent (the "Verification Agent") to verify the energy savings to be realized through the Energy Savings Plan, the Board of Education selected Concord Engineering to be its verification agent, the Verification Agent has verified the savings to the satisfaction of the School District's Energy Consultant and issued a report to that effect dated December 30, 2016, and the Energy Savings Plan is pending approval by the BPU in the near future; and

WHEREAS after reviewing the approved Energy Savings Plan, this Board of Education wishes to reconfirm its determination that the energy savings generated

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from reduced energy use from the program will be sufficient to cover the cost of the program's Energy Conservation Measures, including the Equipment, set forth in the Energy Savings Plan and that it is in the best interest of the School District to implement the plan pursuant to N.J.S.A. 18A:18A-4.6; and

WHEREAS the Energy Savings Plan has been posted on the Board of Education's website and submitted to the BPU for posting on its website; and

WHEREAS the Board of Education has determined to finance the program through a lease purchase agreement pursuant N.J.S.A. 18A:18A-4.6(c); and

WHEREAS, the Board has selected McManimon, Scotland, & Baumann, LLC as special counsel (the "Special Counsel") and Acacia Financial Group, Inc. as financial advisor (the "Financial Advisor") for the purpose of advising and assisting with the proposed lease purchase financing of the Energy Conservation Measures and Equipment; and

WHEREAS, in accordance with the procedures set forth in N.J.S.A 18A:18A-1 et seq. (the "Public School Contract Law") and the regulations promulgated thereunder, the Business Administrator/Board Secretary, with the assistance of the Financial Advisor and Special Counsel, will implement a lease purchase agreement for the financing of the projects with the Burlington County Bridge Commission in accordance with the law; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF BASS RIVER TOWNSHIP IN THE COUNTY OF BURLINGTON, NEW JERSEY as follows:

The Board of Education adopts the energy savings plan (the "Energy Savings Plan") verified by a third party verification agent on December 30, 2016 pending approval by the Board of Public Utilities (the "BPU"); and

Section 1. The Board of Education hereby determines to finance the Energy Conservation Measures and Equipment, including financing and incidental costs, by means of a lease purchase financing pursuant to N.J.S.A. 18A:4.6(c) in the principal amount not to exceed \$500,000 in accordance with the requirements of the Public School Contracts Law. The Business Administrator/Board Secretary, the Special Counsel, the Financial Advisor and other appropriate representatives of the Board of

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Education (the "Professionals") are hereby authorized to implement a lease purchasing agreement with the Burlington County Bridge Commission.

Section 2. The Board of Education hereby reaffirms and ratifies its determination that the energy savings generated from reduced energy use from the Energy Conservation Measures set for in the Energy Savings Plan will be sufficient to cover the cost of the program's Energy Conservation Measures, that it is in the best interest of the School District to implement the Energy Savings plan pursuant to N.J.S.A. 18A:18A-4.6 and that it reaffirms and ratifies its approval of the Energy Savings Plan in the form submitted to and approved by the BPU.

Section 3. This resolution shall take effect immediately.

Roll Call

Motion by _____ Seconded by _____

Mrs. Adams	_____
Mrs. Duym	_____
Mrs. Heinrichs	_____
Ms. McGeoch	_____
Mrs. Ruffo	_____

10. LEASE PURCHASE AGREEMENT-BURLINGTON COUNTY BRIDGE COMMISSION

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF BASS RIVER IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE EXECUTION OF ONE OR MORE LEASE AGREEMENTS BY AND BETWEEN THE BOARD OF EDUCATION OF THE TOWNSHIP OF BASS RIVER IN THE COUNTY OF BURLINGTON, NEW JERSEY AND THE BURLINGTON COUNTY BRIDGE COMMISSION IN CONNECTION WITH THE BURLINGTON COUNTY BRIDGE COMMISSION'S GREEN ENERGY LEASE BANK AND APPROPRIATING NOT TO EXCEED \$500,000 THEREFORE

WHEREAS, the Burlington County Bridge Commission (the "Commission") has been duly created by resolution of the Board of Chosen Freeholders of the County of

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Burlington, New Jersey (the "County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey (the "State") pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934, of the State of New Jersey and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, the Commission established the Green Energy Lease Bank to encourage local governments to identify and implement cost-effective energy conservation measures to reduce energy costs and to save taxpayer dollars; and

WHEREAS, pursuant to the Green Energy Lease Bank Program, the Commission has agreed to provide shared services and funding to local governments to support implementation of energy conservation measures, including shared services and interim funding for (a) the preparation of Local Government Energy Audits in accordance with the New Jersey Board of Public Utilities Local Government Energy Audit Program, (b) the preparation of Energy Savings Plans in accordance with N.J.S.A. 40A:11-4.6 and N.J.S.A.18A:18A-4.6, and (c) engineering, design and construction management services for installation of Energy Conservation Projects; and

WHEREAS, the Commission also established the Green Energy Lease Bank, with the support of the County, to assist local governments with the financing of the Energy Conservation Projects, using on-demand tax-exempt lease purchase financing; and

WHEREAS, the Board of Education of the Township of Bass River in the County of Burlington, New Jersey (the "School District") wishes to participate in the Greenbacks-To-Go-Green Program and has approved an Energy Savings Plan to develop an Energy Conservation Project; and

WHEREAS, the School District intends to finance the Energy Conservation Project consisting of the costs of design, engineering, acquisition, construction and installation of certain equipment (collectively, the "Energy Conservation Project") through the Green Energy Lease Bank, which Energy Conservation Project shall be leased by the Commission to the School District pursuant to the terms of one or more sublease agreements; and

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WHEREAS, under the Green Energy Lease Bank, the Commission, as lessee, will execute a Lease Purchase Agreement (“Master Lease”) with Banc of America Public Capital Corp., as lessor (the "Lessor") pursuant to which the Lessor will provide lease financing for the Green Energy Lease Bank; and

WHEREAS, under the Green Energy Lease Bank, the Lessor intends to provide funds to acquire the Energy Conservation Project, and immediately lease the Energy Conservation Project to the Commission, all pursuant to the terms of the Master Lease; and

WHEREAS, simultaneously, the Commission will sublease the Energy Conservation Project to the School District pursuant to the terms of a Sublease Purchase Agreement between the Commission, as sublessor, and the School District, as sublessee (the “Participant Lease”), under which Participant Lease the School District will make rental payments in an amount sufficient to pay the corresponding rental payments applicable to the Energy Conservation Project, plus all administrative expenses allocated to the Participant under the Green Energy Lease Bank; and

WHEREAS, under the Master Lease, the Commission shall make rental payments to the Lessor solely from amounts received by the School District under the Participant Lease; and

WHEREAS, the School District now desires to approve the Participant Lease relating to the Energy Conservation Project, and to authorize the execution and delivery of the Participant Lease by the School District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF BASS RIVER IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than a majority of the full membership thereof affirmatively concurring), as follows:

Section 1. The Participant Lease, in the form presented to this meeting, is hereby approved, and the Board President, the Superintendent and the School Business Administrator (each, an “Authorized Representative”) are each hereby authorized to execute and deliver the Participant Lease and the Board Secretary or such other qualified Board staff or agent thereof is hereby authorized to attest the validity of such signature, with such additions, deletions or modifications as such Authorized

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Representative shall approve, and to deliver the same on behalf of the School District. The execution of the Participant Lease by the Authorized Representative shall evidence the School District's approval of the terms thereof and no further action therefore shall be required. To fund the Energy Conservation Project, there is hereby appropriated a not to exceed amount of \$500,000 for all sources, including but not limited to the amounts available under the Participant Lease.

Section 2. Any Authorized Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the Participant Lease and for carrying out the sale, issuance and delivery of the lease obligations, and all related transactions contemplated by this Resolution, including but not limited to execution and delivery, for and on behalf of the School District, of any and all instruments, opinions, affidavits, certificates, documents, Internal Revenue Service forms or other papers, and to do and to perform or cause to be done any and all acts as they may deem necessary or appropriate in order to implement the execution and delivery of the Participant Lease and the matters herein.

Section 3. This Resolution shall take effect immediately.

Roll Call

Motion by _____ Seconded by _____

Mrs. Adams	_____
Mrs. Duym	_____
Mrs. Heinrichs	_____
Ms. McGeoch	_____
Mrs. Ruffo	_____

11. EXECUTIVE SESSION

RESOLVED, that the Board of Education meet in closed session. Item(s) so discussed will be disclosed to the public providing it does not violate New Jersey statutes and regulations regarding disclosure of information affecting this matter.”

Voice Vote

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Motion by: _____ **Seconded by** _____

Yeas: _____ **Nays** _____ **Abstain** _____

Time in: _____

Time out:

12. AUDIENCE PARTICIPATION

13. ADJOURNMENT

It is recommended that the Board of Education adjourn the meeting.

Voice Vote

Motion by _____ ***Seconded by*** _____

Yeas: _____ ***Nays*** _____ ***Abstain*** _____

Adjournment at _____ PM