



***Barnegat Township  
School District***

**BARNEGAT BOARD OF EDUCATION  
SPECIAL MEETING**

**July 24, 2012  
Tuesday, 6:30 PM**

Barnegat High School  
180 Bengal Blvd.  
Barnegat, NJ 08005

**PUBLIC  
AGENDA**



*Our collective mission is to nurture and educate our children in accordance with all curriculum standards to prepare them for responsible citizenship and success in life.*

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. FLAG SALUTE**

**IV. OPEN PUBLIC MEETING ACT**

The notice of this meeting has been forwarded to the Asbury Park Press, and placed in the foyer of the Barnegat High School, the Municipal Building and filed with the Municipal Clerk, in conjunction with the Open Public Meeting Act N.J.S.A. 10:4-10.

**V. APPROVAL OF AGENDA AND/OR ADDITIONS**

**VI. PUBLIC SESSION**

The Barnegat Township Board of Education appreciates and welcomes public comment, advice and suggestions especially when it is intended to assist/help the Board of Education. Please feel free to speak to the Board during the public session. Comments and discussion will be limited to one five (5) minutes period per individual unless requested by the chairperson to continue on a point of clarification. Public comment at special meetings of the Board shall be related to the call of the meeting. In accordance with the Board of Education Policy, each participant must be recognized by the presiding officer and must preface their comments by an announcement of their name, address and group affiliation, if appropriate. Your anticipated courtesy to the member of the public and the Board is appreciated.

**VII. FINANCE COMMITTEE MOTION**

1. Motion to appoint the Van Dyk Agency as the Property and Casualty Insurance Broker for the 2012-2013 school year with no fee.
2. Motion to authorize the Business Administrator to award a contract for the repaving of the ROBMS access driveway and the adjacent CSCS small parking lot to the lowest responsible bidder, to allow the paving to be completed prior to the start of school, subject to a maximum of \$148,000 (with the final award details and costs to be submitted for official Board approval at its August meeting after the formal bid opening on July 26).

3. Motion to approve the following Resolution to award the 5-year lease purchase bid to finance three school buses, computer technology equipment and textbooks to U. S. Bancorp Government Leasing and Finance at an interest rate of 1.413%.

Other bidders were:

Municipal Leasing Consultants:	1.837%
Global Strategic, LLC:	1.669%
TD Equipment Finance, Inc.:	1.689%

RESOLUTION OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF BARNEGAT SCHOOL DISTRICT IN THE COUNTY OF OCEAN DETERMINING TO FINANCE CERTAIN SCHOOL BUSES, COMPUTER TECHNOLOGY TEXTBOOKS, AND RELATED ACQUISITIONS THROUGH THE COMPETITIVE BID, RECOMMENDATION OF AWARD AND EXECUTION OF A LEASE PURCHASE AGREEMENT, APPROVING THE FORM OF CERTAIN AGREEMENTS INCLUDING A LEASE PURCHASE AGREEMENT, AUTHORIZING CERTAIN OFFICIALS OF THE BOARD TO EXECUTE SUCH AGREEMENTS AND AUTHORIZING OTHER ACTIONS NECESSARY TO ACCOMPLISH THE TRANSACTION.

WHEREAS, The Board of Education of the Barnegat School District in the County of Ocean, New Jersey (the "Board" when referring to the governing body, and the "School District" when referring to the legal entity and the territorial boundaries that are governed by the Board) has determined to lease purchase finance the acquisition of textbooks, technology, school buses, and other miscellaneous equipment and costs required to enter into a Lease Purchase Agreement ("Lease, Agreement") for an amount not to exceed \$710,000 and a term not to exceed five years (collectively, the "Acquisition"); and

WHEREAS, Middlesex Regional Educational Services Commission Lease Purchase Bidding/Financial Advisory Service (MRESC) has served as financial advisor (the "Financial Advisor") to conduct a competitive bid (Bid) for the Lease Purchase to finance the cost of the Acquisition pursuant to the attached contract; and

WHEREAS, MRESC has conducted the Bid for the Lease Purchase on behalf of the Board on July 18, 2012 and has made its recommendation to the Board (see attached); and

WHEREAS, The Board wishes to expedite the payment of the respective vendors of the Acquisition;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BARNEGAT SCHOOL DISTRICT IN THE COUNTY OF OCEAN, NEW JERSEY, AS FOLLOWS:

The Board awards the Lease Purchase financing to US Bancorp Government Leasing and Finance and or their Assignees, at an indexed interest rate of 1.413% and to enter into Lease with the US Bancorp Government Leasing and Finance and or their Assignees. (Lessor) after Board Counsel has reviewed the Agreement; and

The Board hereby approves the execution of the Lease to the Lessor in order to finance the Acquisition and authorizes the sale of the Lease to the recommended low bidder as Lessor. This award is to be made in accordance with the proposal form submitted by the Lessor to the Board Secretary as of the date of the Bid, said proposal is attached hereto, and kept on file with the Board Secretary; and

The Board authorizes the Board President or the Board Secretary to approve any changes or deletions to the Lease Agreement or related documents as may, in the judgment of Counsel be necessary, advisable and in the best interest of the Board; and

The Board authorizes (if necessary to facilitate equipment delivery schedules) the Board President or the Board Secretary to establish an escrow account for the deposit of the lease proceeds in accordance with the Governmental Unit Deposit Protection Act (GUDPA), and to direct the deposit and investment of the lease proceeds in escrow for the term of the lease; and

The Board hereby delegates the Board President and the Board Secretary the ability to execute the lease purchase agreement and other related financing documents with recommended low bidder, serving as the Lessor and purchaser of the lease purchase agreement (the “Lessor” and “Purchaser”), and Escrow Agent (Escrow Agent); and

The Lease is hereby designated as a “qualified tax-exempt obligation” for purposes of Section 265 (b) (3) (ii) of the Internal Revenue Code of 1986, as amended.

This resolution shall take effect immediately.

4. Motion to approve a change order for the Collins roof project for \$120,000, which increases the total roof project cost to \$834,744 to repair, seal and install new metal flashing around the complete exterior of the Collins School to prevent moisture intrusion into the building via openings at the top of all block exterior walls of the school.

VIII. FACILITY USE, BUILDINGS AND GROUNDS/TRANSPORTATION COMMITTEE  
MOTIONS

1. Motion to retroactively approve waiving facilities usage fees for Barnegat Township Recreation and Barnegat Township Senior Softball for the 2010-2011 school year.
2. Motion to retroactively approve waiving facilities usage fees for the following organizations for the 2011-2012 school year:
  - Barnegat Township Senior Softball
  - 3 Jersey Shore Council of Boy Scouts of America – Eagle Scout Courts of Honor
  - Public Consulting Group – Department of Education SEMI Regional Meeting

IX. EXECUTIVE SESSION RESOLUTION

Request a resolution for Executive Session at this point in the meeting of the Barnegat Township Board of Education on July 24, 2012 for the purpose of discussing confidential student information, contracts and/or litigation.

**WHEREAS**, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances and

**WHEREAS**, this public body is of the opinion that such circumstances exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Township of Barnegat in the County of Ocean and State of New Jersey, as follows:

The public shall be excluded from discussion on the actions upon the hereinafter specified subject matter(s): student information, contracts and/or litigation.

The general nature of the subject matter(s) to be discussed is listed under Executive Discussion.

It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer needed. Action may be taken.

This resolution shall become effective immediately.

**X. EXECUTIVE DISCUSSION**

For the purpose of discussing confidential student, contractual and/or litigation matters.

**XI. CALL TO ORDER**

**XII. ROLL CALL**

**XIII. OLD BUSINESS**

**XIV. NEW BUSINESS**

**XV. ADJOURNMENT**

The next regularly scheduled date for the Barnegat Township Board of Education meeting is August 21, 2012. The meeting will be held at 6:30 pm in Barnegat High School.





## **CODE OF ETHICS**

---

### **Board of Education**

A school board member shall abide by the following Code of Ethics for School Board Members:

1. I will uphold and enforce all laws, state board rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
2. I will make decisions in terms of educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
3. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
4. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are will run.
5. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.
6. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
7. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
8. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. I will support and protect school personnel in proper performance of their duties.
10. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

# **BARNEGAT BOARD OF EDUCATION**

Lisa B. Becker, President

Denise Pilovsky, Vice President

Rafael Adorno, Jr.

Frank P. Caputo

Joseph Cloke

Robert A. Houser

James Mihalik

Alice N. Olker

Lauren Sarno