

MILLBURN TOWNSHIP PUBLIC SCHOOLS
Millburn, New Jersey
* * A G E N D A * *

REGULAR MEETING

Millburn Township Board of Education
Monday, December 15, 2014
7:45 PM – EDUCATION CENTER

- A.** CALL TO ORDER
- B.** SILENT COUNT OF BOARD MEMBERS PRESENT
- C.** ANNOUNCEMENT OF MEETING NOTICE

On May 28, 2014, a notice of this meeting was transmitted to the Board of Education and a copy of the notice was posted at the Education Center bulletin board. Copies were also transmitted to the Millburn-Short Hills Item, the Star-Ledger, the Millburn-Short Hills Independent Press, TV-36, the Township Clerk and members of the Township Committee, the Presidents of the PTO and Civic Associations, and the Public Library.

D. MINUTES

- 1. Minutes of the Regular Public Meeting of November 24, 2014

E. PRESENTATION

- 1. 2014-15 District and Board Goals – Progress Report

F. PUBLIC HEARING

- 1. Refunding Bond Ordinance
- 2. Roll Call Vote – Business Agenda Item N.3.g. Refunding Bond Ordinance

G. BOARD PRESIDENT’S REPORT

H. BOARD COMMITTEE REPORTS

- 1. Finance Committee Report
- 2. Personnel Committee Report
- 3. Program Committee Report

Board Committee Reports continued:

4. Property Committee Report
5. High School Student Liaison Committee Report
6. Communications Committee Report
7. Search Committee Report
8. Special Education Committee Reports

I. SUPERINTENDENT’S REPORT

1. Fire/Bomb Threat Drills for November 2014:

High School	November 25/November 19
Middle School	November 05/November 19
Deerfield	November 05/November 19
Glenwood	November 24/November 19
Hartshorn	November 13/November 19
South Mountain	November 05/November 19
Wyoming	November 12/November 19

J. ASSISTANT SUPERINTENDENT’S REPORT

K. SCHOOL BUSINESS ADMINISTRATOR’S REPORT

L. DISCUSSION

M. PUBLIC COMMENTS

N. BOARD ACTION ITEMS (Roll Call Votes)

1. Instruction Agenda Items

- a. Resolve to affirm the administration's determinations concerning the HIB investigations for the period November 20 to December 10, 2014 as outlined in the confidential report shared with Board of Education members and on file in the Superintendent's office.
- b. Resolve to approve Professional Development Requests / Teacher Conferences as per policies 3440 and 4440 requiring prior approval of travel reimbursement expenses.
- c. Resolve to approve the district calendars for the 2015-16, 2016-17 and 2017-18 school years.

Instruction Agenda Items continued:

- d. Resolve to approve the legal settlement for student #10258 regarding educational placement for the 2014/15, 2015/16, 2016/17, and 2017/18 school years.
- e. Resolve to approve the following Curriculum Revisions:
 - a. HS World Language
 - i. Italian IV – ACC
- f. Resolve to approve the legal settlement for student #20146087 regarding educational services for the 2014/15 SY.

2. Personnel Agenda Items

Resolve to approve the Personnel Report dated December 15, 2014.

3. Business Agenda Items

- a. Resolve to approve budget transfers for the month of November, 2014.
- b. Resolve to approve Treasurer of School Moneys report for period ending November 30, 2014.
- c. Approval and Certification of Board Secretary's Report for period ending, November 30, 2014.
- d. Resolution regarding bill payments during the month of December:

WHEREAS, on December 18, 2014, a check register will be run which represents the bill schedule for the 2014-2015 school year;

NOW THEREFORE BE IT RESOLVED that the Millburn Township Board of Education authorizes the payments of bills that fall out of sequence with the December board meeting in accordance with the procedure established by the Business Administrator.
- e. Resolve to accept and approve the Comprehensive Maintenance Plan Report: Actual FY 14 – Current FY 15 – Planned FY 16, and M-1 Form.

Business Agenda Items continued:

f. **RESOLUTION TO AWARD A CONTRACT FOR THE PARTIAL ROOF REPLACEMENT.**

WHEREAS, a recommendation was made by the Business Administrator to the **Millburn Board of Education (“Board”)** to seek a contract for construction services for the Partial Roof Replacement at the Wyoming Elementary School and the Millburn High School (hereinafter “Project”); and

WHEREAS, the Project was properly advertised to prospective bidders in accordance with N.J.S.A. 18A:18A-4; and

WHEREAS, prospective bidders were invited, to submit bids on one or all of the following components to the Project: Wyoming Elementary School/Millburn High Schools (together), Wyoming Elementary School (stand-alone) and the Millburn High School (stand-alone); and

WHEREAS, on Tuesday December 9, 2014 the Board received the following bids from potential bidders in accordance with N.J.S.A. 18A:18A-1, et seq.;

Contractor	Base Bid (Wyoming E.S./High School)	Base Bid (Wyoming E.S.)	Base Bid (Millburn H.S.)
MTB LLC	\$1,456,700.00	\$322,700.00	\$1,134,000.00
ER Barrett, Inc.	NO BID	NO BID	\$1,149,495.00
VMG Group	\$1,650,000.00	\$359,000.00	\$1,295,000.00
Integrity Roofing, Inc.	\$1,650,000.00	\$450,000.00	\$1,400,000.00
P. Cipolini, Inc.	\$1,659,000.00	\$369,000.00	\$1,290,000.00
Northeast Roof Maintenance	\$1,706,000.00	\$411,000.00	\$1,295,000.00
D.A. Nolt	\$2,068,393.00	\$555,518.00	\$1,512,675.00

WHEREAS, the bid submitted by MTB, LLC for the Wyoming Elementary School & Millburn High School has been reviewed and deemed compliant with New Jersey Public Contracts Law, N.J.S.A. 18A:18A-1 et seq. and the bid specifications, and

WHEREAS, the Board, has considered the recommendation of the Business Administrator and the Construction Professionals and approves same;

Business Agenda Item N.3.f.

NOW, THEREFORE:

BE IT RESOLVED, that the Board hereby awards the Wyoming Elementary School/Millburn High School Project to MTB, LLC as the lowest responsible bidder at the amount of \$1,456,700.00.

- g. **REFUNDING BOND ORDINANCE OF THE BOARD OF EDUCATION OF THE TOWNSHIP OF MILLBURN IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING CALLABLE SCHOOL BONDS OF THE SCHOOL DISTRICT, DATED FEBRUARY 9, 2007, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$21,300,000, APPROPRIATING NOT TO EXCEED \$15,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,300,000 REFUNDING BONDS TO PROVIDE FOR SUCH REFUNDING.**

BE IT ORDAINED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF MILLBURN IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Board of Education of the Township of Millburn in the County of Essex, New Jersey (the "School District") is hereby authorized to refund all or a portion of the outstanding School Bonds of the School District issued in the original principal amount of \$21,300,000 and dated February 9, 2007 (the "2007 Bonds"). The 2007 Bonds maturing on or after July 15, 2018 may be redeemed at the option of the School District in whole or in part on any date on or after July 15, 2017 (the "Redemption Date") at a redemption price equal to the par amount of the 2007 Bonds to be redeemed plus accrued interest, if any, to the Redemption Date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$15,300,000 pursuant to N.J.S.A. 18A:24-61 et seq.

Section 3. An aggregate amount not exceeding \$180,000 for items of expense listed in and permitted under N.J.S.A. 18A:24-61.4 has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Business Agenda Item N.3.g. continued:

Section 4. The purpose of the refunding is to incur an interest cost savings for the School District.

Section 5. A supplemental debt statement has been prepared and filed in the offices of the Township Clerk and the Business Administrator/Board Secretary and in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey as required by law. Such statement shows that the gross debt of the Township as defined in the Local Bond Law and the school debt of the School District is increased by the amount

the Refunding Bond authorization exceeds the amount of the proposed refunded bonds.

Section 6. No Local Finance Board approval is required as the issuance of the Refunding Bonds will comply with the requirements of N.J.A.C. 5:30-2.5.

Section 7. The Board President, the Superintendent, the Business Administrator/Board Secretary and other appropriate representatives of the School District are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the School District to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the 2007 Bonds referred to in Section 1 hereof.

Section 8. This bond ordinance shall take effect immediately after final adoption.

h. RESOLUTION APPOINTING ENERGY SERVICES COMPANY

WHEREAS, The Board of Education of the Township of Millburn in the County of Essex, New Jersey (the “Board of Education” or the “School District”) contracted with CHA pursuant to the Local Government Energy Audit Program to conduct energy audits of all the School District schools and facilities, and such audits were completed and delivered to this to this Board of Education by CHA; and

WHEREAS this Board of Education has determined to consider the implementation of an energy savings improvement program pursuant to N.J.S.A. 18A:18A-4.6 and to seek the assistance of an energy services company (an “Energy Services Company”) through competitive contracting pursuant to N.J.S.A. 18A:18A-4.6(b)(1) and N.J.S.A. 18A:18A-4.1 for assistance with the development and implementation of an energy savings plan; and

Business Agenda Item N.3.h. continued:

WHEREAS this Board of Education advertised on August 15, 2014 for receipt of proposals by October 31, 2014 through competitive contracting in accordance with N.J.S.A. 18A:18A-4.1 *et seq.* to select an Energy Services Company in order to prepare an energy savings plan with the intent to later enter into a contract to implement energy conservation measures selected by the Board of Education and described in the plan; and

WHEREAS proposals were submitted by Amaresco, Siemens and Johnson Controls Inc., in accordance with the advertised Request for Proposals to Select an Energy Services Company to Develop and Implement an Energy Savings Plan through an Energy Savings Improvement Program (the “RFP”); and

WHEREAS a committee was selected to review the proposals and report to the Board of Education the results of their review, a copy of which report was submitted to this Board of Education; and

WHEREAS, after reviewing the report of the committee, this Board of Education has determined that it is in the best interest of the School District to appoint Johnson Controls Inc. as the Energy Services Company with which the Board of Education will work to prepare an energy savings plan for the School District, now therefore,

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE TOWNSHIP OF MILLBURN IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:

Section 1. The proposal submitted by Johnson Controls Inc., dated October 31, 2014, in accordance with the School District’s RFP (the “Johnson Controls Proposal”) is hereby approved.

Section 2. The Board President is hereby authorized to execute and to enter into any contract that may be required to implement this resolution in a form consistent with the RFP and the Johnson Controls Proposal and approved by McManimon, Scotland & Baumann, LLC, Bond Counsel. The Johnson Controls Proposal stipulates that Johnson Controls Inc. will charge no fee for assistance with the development of the energy savings plan and will assist the Board of Education with implementation of the energy savings plan once it is verified by an independent third party and approved by the Board of Education and this Board of Education determines the energy conservation measures to be implemented in accordance with the plan for the fees set forth in and in accordance with the RFP and the Johnson Controls Proposal and a contract to be entered into by and between the Board of Education and Johnson Controls, Inc.,

Business Agenda Item N.3.h. continued:

also in accordance with the RFP and the Johnson Controls Proposal and in a form approved by this Board of Education.

Section 3. The Board Secretary is hereby authorized and directed to publish a notice of contract awarded in the newspaper as required by law

Section 4. The Board of Education hereby declares its intent to issue tax exempt obligations to provide for funding as may be deemed necessary in a subsequent resolution of this Board and to use the proceeds to pay or reimburse any expenditures for the costs of the energy conservation in amount not exceeding \$250,000 until the actual amount of such funding is determined. This Section 3 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 5. This resolution shall take effect immediately.

4. Policy Agenda Items

Second Reading of Policies:

Abolish

- a. Policy 1522 – School Level Planning (M)

Revised

- b. Policy 5305 – Health Services Personnel
- c. Policy 5306 – Health Services to NonPublic Schools (M)
- d. Policy 5308 – Student Health Records (M)
- e. Policy 5310 – Health Services (M)
- f. Policy 5530 – Substance Abuse (M)

New

- g. Policy 5756 – Transgender Students

O. OLD BUSINESS

P. NEW BUSINESS

Q. PUBLIC COMMENTS

R. BOARD MEMBER COMMENTS

S. EXECUTIVE SESSION

BE IT RESOLVED by the Millburn Board of Education that on Monday, December 15, 2014, during the regular public meeting on that date, this body shall meet at the Education Center, 434 Millburn Avenue, Millburn, New Jersey, for a discussion pursuant to Section 7b of the Open Public Meetings Act. A general description of the matters to be discussed is as follows:

At the time of Agenda development, there is no planned discussion. If a need arises, the topic will be announced at the meeting.

The discussion on these topics will be disclosed to the public at the next public meeting of the Board or as soon thereafter as the circumstances and nature of the subjects permit.

T. ADJOURNMENT