

**THE PUBLIC SCHOOLS
METUCHEN, NEW JERSEY**

MEETING

of the Metuchen Board of Education

Metuchen High School
400 Grove Avenue
Metuchen, NJ 08840

Tuesday, January 28, 2014

I. Flag Salute

II. Notice of Meeting

I hereby make this statement to indicate compliance with the Open Public Meetings Act known as Chapter 231 of the Public Laws of New Jersey 1975, which became effective 90 days after enactment, January 19, 1976.

Notice of this meeting was given by providing the location, time and date of this meeting, and posting of the same on the front door of the Board of Education offices, by delivering copies to the Borough Hall and the Metuchen Public Library, The Home News and Tribune, The Sentinel, The Star Ledger, and by filing a copy with the Borough Clerk as prescribed by this law.

III. Roll Call

Mr. Benderly		Mr. Lifton	
Ms. deVries		Ms. Matise	
Mr. Flaherty		Ms. McGuire	
Ms. Gibson		Mr. Stern	
Ms. Lanton			

IV. Presentation/Discussion Items

Budget

The following budget lines will be reviewed:

- Transportation
- Maintenance and Custodial

V. Showcase of Success

- ❖ Evan Derector will be honored as first place winner in the Edgar Middle School Geography Bee.

VI. Public Hearing

Public Hearing for the Proposed Lease in the Amount Not to Exceed \$424,254 for the Replacement of Boilers and Ancillary Work at Campbell Elementary School and Edgar Middle School. (Agenda item XVIII B4)

VII. Report of the President of the Board of Education

VIII. Report of the Superintendent of Schools

IX. Report of the Business Administrator/Board Secretary

X. Committee Reports

XI. New Business

XII. Old Business

XIII. Meeting Open to the Public

(for comment on any Presentation/Discussion items, Reports, and New/Old Business)

XVI. Meeting Open to the Public

(for comments on the Recommendations of the Superintendent)

XVIII. Recommendations of the Superintendent of Schools

(At this time the Board will take formal action on the following items).

A. PERSONNEL

1. Rescission of Appointment

Move to rescind the appointment of Lauren Anderson as girls' softball coach for the Spring 2014 athletic season (6/25/13 Item XV A6).

2. Non-Certificated Staff

Move to approve Allison Sullivan and Debra DeCerbo as paraprofessionals for the 2013-14 school year at the rate of \$15.70/hr. (6 hrs. per diem) effective February 1, 2014.

3. Substitute Teacher

Move to approve Stephen Beun (Elementary) as a substitute teacher for the 2013-2014 school year.

regulations promulgated thereunder consisting of N.J.A.C. 6A:26-10.1 et seq. (the "Regulations") to finance the Project; and

WHEREAS, the Board held a public hearing with respect to the proposed method of financing for the Project on January 28, 2014 after duly publishing a notice in accordance with the requirements of the Regulations; and

WHEREAS, the Board has selected McManimon, Scotland & Baumann, LLC, to serve as Special Counsel (the "Special Counsel") and Phoenix Advisors, LLC to serve as the financial advisor (the "Financial Advisor") for the transaction contemplated herein; and

WHEREAS, the Board hereby ratifies the publication of the notice of public hearing; and

WHEREAS, the Board wants to delegate to the Business Administrator/Board Secretary the ability to award of the lease based upon the recommendation of the Financial Advisor; and

WHEREAS, the Board and the prospective financing company now intend to enter into a lease purchase agreement, a ground lease, if necessary, and all such other agreements and documents as may be necessary to complete the transaction once the Board receives the required approval of the Commissioner of Education (collectively, the "Lease"); and

WHEREAS, the Board now wants to delegate to the President and the School Business Administrator/Board Secretary the ability to execute the Lease and other related agreements and financing documents with the prospective purchaser of the lease purchase agreement (referred to herein as the "Lessor" and "Purchaser") upon the terms and the conditions set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BOROUGH OF METUCHEN IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. The Board hereby endorses the concept of the lease purchase financing of the proposed Project.

Section 2. The Board hereby determines that the annual lease purchase principal and interest payments for the Project can be included within its net budget spending growth limitation and that such payments will not result in the need for approval by the voters of additional spending proposals to maintain existing instructional programs or extracurricular activities.

Section 3. The Business Administrator/Board Secretary, together with the Superintendent of Schools, Bond Counsel, the Financial Advisor, the Board Attorney and other appropriate representatives of the Board (together, the "School District Professionals") are hereby authorized to select a lessor and investor and to take other appropriate steps necessary to prepare for the proposed lease purchase financing of the Project, and all such actions taken to date are hereby ratified. The Business Administrator/Board Secretary is hereby authorized to award the Lease based upon the recommendation of the Financial Advisor.

Section 4. The Business Administrator/Board Secretary, together with the other School District Professionals, are hereby authorized to make application on behalf of the Board to the Commissioner of Education for the approval of the proposed lease purchase agreement for the Project and related documents in accordance with the requirements of the Regulations.

Section 5. The Board hereby approves the total project cost of \$707,091, to be financed in part by grants from the New Jersey Schools Development Authority in the aggregate amount of \$282,837 resulting in a lease purchase agreement in the principal amount not to exceed \$424,254 to finance the Project.

Section 6. The Board hereby authorizes the execution and the delivery of and the performance by the Board of its obligations under the Lease, which shall be substantially in the form on file with the School Business Administrator/Board Secretary, in accordance with the provisions of this resolution. The Board hereby authorizes and directs the Board President or the School Business Administrator/Board Secretary to approve any changes, additions or deletions to the Lease as may, in the judgment of Special Counsel, be necessary or advisable, such approval to be evidenced by the execution of the Lease by the Board President or the School Business Administrator/Board Secretary.

Section 7. The Board hereby authorizes, if necessary, the execution and the delivery of and the performance by the Board of its obligations under a ground lease agreement, which shall be substantially in the form on file with the School Business Administrator/Board Secretary, in accordance with the provisions of this resolution. The Board hereby authorizes and directs the Board President or the School Business Administrator/Board Secretary to approve any changes, additions or deletions to the ground lease agreement as may, in the judgment of

Special Counsel, be necessary or advisable, such approval to be evidenced by the execution of the ground lease agreement by the Board President or the School Business Administrator/Board Secretary.

Section 8. The Board hereby authorizes the Business Administrator/Board Secretary, if necessary, to enter into an escrow deposit agreement (the "Escrow Deposit Agreement") for a fee to be negotiated, which shall be substantially in the form on file with the School Business Administrator/Board Secretary, in accordance with the provisions of this resolution. The Board hereby authorizes and directs the Board President or the School Business Administrator/Board Secretary to approve any changes, additions or deletions to the Lease as may, in the judgment of Special Counsel, be necessary or advisable, such approval to be evidenced by the execution of the Escrow Deposit Agreement by the Board President or the School Business Administrator/Board Secretary.

Section 9. The payments of rent or other monies due under the Lease shall be made only from the General Fund of the Board. Neither the Board or any agency, department or political subdivision thereof shall be obligated to pay any sum to the Lessor under the Lease from any taxing source for the payment of any sums due under the Lease. The obligations of the Board under the Lease shall not constitute indebtedness of the Borough of Metuchen or of any department, agency or political subdivision thereof. The Lease sets forth the term of the Lease, the rental payments to be paid by the Board in respect thereof and the dates on which rents shall be due and payable.

Section 10. The proceeds of the sale of the Lease shall be applied to (i) pay costs of the Project, (ii) pay accrued interest on the Lease, if any, and (iii) pay the costs of entering into the Lease.

Section 11. The Board hereby authorizes the preparation, the execution and the delivery of and the performance by the Board or its representatives of its obligations under the Lease, the Ground Lease, the Escrow Agreement and other related agreements and documents.

Section 12. The Board President or the School Business Administrator/Board Secretary are hereby authorized and directed to execute and to deliver on behalf of the Board the agreements referred to herein, if needed, and any such other agreements as may be necessary to carry out the transaction authorized by this resolution. The

Board President, the School Business Administrator/Board Secretary, the School District Professionals and other appropriate representatives of the Board are hereby authorized and directed to take on behalf of the Board such other actions as shall be necessary and appropriate to accomplish the transaction contemplated by this resolution and the agreements authorized herein. The Board President, the School Business Administrator/Board Secretary, Special Counsel and other representatives of the Board as appropriate are hereby authorized to execute such documents and to take all actions that may be necessary or desirable for the implementation of the financing of the Project.

Section 13. The Board hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of the interest portion of the rental payments under the Lease, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease. The Board authorizes the Business Administrator/Board Secretary to act and determine on behalf of the Board whether the Lease will be designated as "bank qualified" within the meaning of Section 265 of the Code.

Section 14. If necessary, the Board reasonably expects to reimburse its expenditure of Project costs paid prior to the issuance of the Lease with proceeds from the tax-exempt lease.

(A) This resolution is intended to be and hereby is a declaration of the Board's official intent to reimburse the expenditure of Project costs paid prior to the issuance of the Lease with the proceeds of the Lease, in accordance with Treasury Regulations §150-2.

(B) The Project costs to be reimbursed with the proceeds of the Lease will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

(C) No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Lease used to reimburse the Board for Project costs will not be used in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds," or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of the Lease,

other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1).

(D) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Lease is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 15. This resolution shall take effect immediately.

5. Professional Development

Move to approve the following Professional Development Activities as shown on the attached list.

6. Field Trips

Move approval of the following field trips for students in the Metuchen School District as shown on the attached list.

C. POLICY

1. 2nd Reading of Policy

Move to approve a second reading of the following policies:

Policy 3372 - Teaching Staff Member Tenure Acquisition

Policy 3373 - Tenure Upon Transfer or Promotion

Policy 3374 - Tenure Upon Transfer to an Underperforming School

D. CURRICULUM

Nothing at this time.

XIX. Meeting Open to Public

XX. Announcements

XXI. Motion to Go Into Executive Session

(when applicable)

Resolution to Close Meeting

BE IT RESOLVED, pursuant to the Sunshine Act, N.J.S. 10:4-12 and 13, that the Board of Education will now meet in executive session to discuss PERSONNEL, PROPERTY,

AND COLLECTIVE BARGAINING MATTERS, and that matters discussed will be disclosed to the public as soon as the reason for confidentiality no longer exists.

Professional Development

Start__Date	End__Date	Activity Title	Last, First Name	Building	Requested _Expense _Total	Payment Method	FFPI #
2/4/2014	2/4/2014	Monitoring and Adjusting SGO's, Conducting SGO Assessments, and Sharing SGP's	Glutz, Kathryn	EMS	\$ -	No cost	
2/4/2014	2/4/2014	Monitoring and Adjusting SGOs, Conducting SGO Assessments, and Sharing SGPs with Teachers	Porowski, Ed	CES	\$ -	No cost	
2/4/2014	2/4/2014	NJDOE-Monitoring and Adjusting SGOs, Conducting SGO Assessments and Sharing SGPs	LaFauci, Susan	MHS	\$ 35.00	Other	
2/4/2014	2/4/2014	Every Student: Tech Tools for PARCC	Scharf, Jaclyn	MHS	\$ 80.00	FFPI	14-102
2/4/2014	2/4/2014	Tech Tools for PARCC	Lifson, Sherry	MHS	\$ 96.00	FFPI	14-101
2/4/2014	2/4/2014	Union Middlesex Association of School Librarians Leading, Learning, Growing	Derer, Barbara	MHS	\$ -	No cost	
2/6/2014	2/6/2014	Success for Struggling Learners	Spring, Christina	Moss	\$ 10.00	FFPI	14-122
2/6/2014	2/7/2014	STEM and Differentiated Learning Stations	Vorensky, Sandy	EMS	\$ -	No cost	
2/7/2014	2/7/2014	I&RS Training	Kirschner, Brooke	CES	\$ 175.00	Other	
2/7/2014	2/7/2014	I&RS Training	Roseann	EMS	\$ 161.40	FFPI	14-115
2/7/2014	2/7/2014	Intervention & Referral Service Training	Goodson, Tiffany	C/O	\$ -	No cost	
2/7/2014	2/7/2014	Intervention and Referral Services Training	DeMott, Elizabeth	MHS	\$ 149.00	FFPI	14-114
2/21/2014	2/21/2014	Winter 2014 German Professional Dev. Day	Brian Elliott	MHS/EMS	\$ 40.00	FFPI	14-123
2/24/2014	2/24/2014	NJASPERD Convention	Hogrebe, Anthony	EMS	\$ 70.00	FFPI	14-120
2/24/2014	2/24/2014	Social Skills for Building Social Competence in Children & Adolescents	Chango, Lisa	EMS	\$ 219.99	FFPI	14-105
2/24/2014	2/24/2014	Social Skills For Building Social Competence in Children & Adolescents	Granados, Lisa	MHS	\$ 220.99	FFPI	14-106

Board of Education Meeting 1/28/14

2/28/2014	2/28/2014	Middlesex County Anti-bullying Coordinator's meeting	Cheung, Judith	MHS	\$	-	No cost	
2/28/2014	2/28/2014	Middlesex County Anti-bullying Coordinator's meeting	Cheung, Judith	EMS	\$	-	No cost	
2/28/2014	2/28/2014	Middlesex County Anti-bullying Coordinator's meeting	Cheung, Judith	CES	\$	-	No cost	
3/18/2014	3/18/2014	Student Residency Law	Goodson, Tiffany	C/O	\$	75.00	Other	
3/20/2014	3/20/2014	Creative Classroom	Darrah, Robin	Moss	\$	75.00	FFPI	14-108
3/20/2014	3/20/2014	Creative Classroom: Teach with your iPad	DeSimone, Chris	EMS	\$	75.00	FFPI	14-107
3/28/2014	3/28/2014	Rutgers Annual Reading and Writing Conference	Conzo, Rupel	CES	\$	235.00	FFPI	14-109
3/28/2014	3/28/2014	Rutgers Annual Reading and Writing Conference	Silver, Penny	CES	\$	235.00	FFPI	14-110
5/9/2014	5/9/2014	SGOs for Educational Specialists	Goodson, Tiffany	C.O	\$	-	Other	

Field Trips

BOE Mtg 1-28-14

School	Destination	Class/Group	Teachers/ Advisors	Date(s)	No. of Students
MHS	Forsgate Country Club, Monroe, NJ	Orchestra (Grades 9-12) will perform for the NJASCD	C. Morrison J. Morrison	2/28/14	47
EMS	Union County College	7 th and 8 th grade students will compete in the Regional Math Competition.	S. Vorensky, L. McCadden	2/1/14	4