
**The Somerset Hills School District
PUBLIC INPUT & ACTION MEETING AGENDA – JANUARY 12, 2011
EXECUTIVE SESSION – 6:30P.M.
PRINCIPALS CONFERENCE ROOM AT BERNARDS HIGH SCHOOL
PUBLIC INPUT & ACTION MEETING – 7:30 P.M.
THE COMMUNITY ROOM AT BERNARDS HIGH SCHOOL**

I. Call to Order

II. Welcome

Welcome to a meeting of the Board of Education of Somerset Hills. Please be advised that this and all meetings of the Board are open to the public and media, consistent with the Open Public Meetings Act: (Chapter 231 Laws of 1975), and that advance notice required therein has been provided. This is a meeting of the Board of Education of Somerset Hills at which formal action may be taken. The public will have an opportunity to be heard as shown on the Agenda.

III. Roll Call

IV. Executive Session

WHEREAS the “Open Public Meetings Act:” (Chapter 231 Laws of 1975) authorizes a public body to exclude the public from that portion of a meeting at which specified topics are to be discussed under circumstances where the public consideration of such topics will clearly endanger the public, or where the personal privacy or guaranteed rights of individuals whose activities or affairs are to be discussed would be clearly in danger of unwarranted invasions, and WHEREAS the matters about to be presented for discussion clearly meet the “circumstances” test of such Act:

RESOLVED that the Board of Education of Somerset Hills now adjourns its public session to reconvene in Executive Session for the purpose of discussing the following: Personnel, Student Matters, Contracts, Negotiations and Litigation. And, be it further,

RESOLVED that the discussion in Executive Session be disclosed when the Board’s consideration of the subject matter has been closed, or that such matter does not adversely affect the rights of prospective, current, or past public officers, or personnel of the Board, unless such individuals have in writing requested the disclosures of such discussion at a public meeting and provided such a public disclosure will no longer clearly endanger the public interest.

V. Pledge of Allegiance

VI. Correspondence

VII. Report of the Superintendent

1. Student/Staff Recognition
2. B.H.S. Guidance Department Presentation – Courter Smith
3. 2011-12 Proposed School Calendar
4. School Board Recognition Month **WHEREAS,** The New Jersey School Boards Association and the National School Boards Association have declared January 2011 to

be School Board Recognition Month, a time that all residents might acknowledge the contributions made by our local school board members; and

WHEREAS, The Somerset Hills Board of Education is one of 588 local school boards in New Jersey that sets policies and oversees operations for public school districts;

WHEREAS, The Somerset Hills Board of Education embraces the goal of high-quality education for all New Jersey public school students;

WHEREAS, New Jersey's local school boards help determine community goals for the education of 1.37 million children in Pre-Kindergarten through 12th grade;

WHEREAS, New Jersey's 4,800 local school board members, who receive no remuneration for their services, act as advocates for public school students as they work with administrators, teachers and parents for the betterment of public education;

WHEREAS, School boards strive to provide the resources necessary to meet the needs of all students, including those with special needs;

WHEREAS, Boards of education provide accountability to the public; they communicate the needs of the school district to the public; and they convey to school administrators the public's expectations for the schools;

WHEREAS, The efforts of local boards of education, in partnership with stakeholders ranging from parents to teachers to state education officials, have fostered a public school system that has contributed to New Jersey's status as a leader in academic benchmarks, such as elementary and middle school scores on the National Assessment of Educational Progress, and college preparation through Advanced Placement offerings; Now, therefore, be it

RESOLVED, That the Somerset Hills Board of Education, does hereby recognize the services of local school board members throughout New Jersey as we join communities statewide in observing January 2011 as SCHOOL BOARD RECOGNITION MONTH; and be it further

RESOLVED, That the Somerset Hills Board of Education urges all New Jersey citizens to work with their local boards of education and public school staffs toward the improvement of our children's education.

School Board Recognition Month comes at an opportune time of year, when New Jersey citizens interested in public education consider candidacy for their local boards of education. This year, **March 8th** is the deadline for candidates to file nominating petitions with their local school board in order to get their name on the ballot for the 2011 Annual School Election. The election will take place on April 27th and School Board vacancies in the Somerset Hills School District are as follows:

Bernardsville – 2 Vacancies

(Currently filled by Linda Kragie, Nancy Palazzolo)

Peapack Gladstone – 1 Vacancy

(Currently filled by Louis Palma)

Far Hills – No Vacancy

VIII. Public Questions & Comments

We very much welcome input from the public. Public comments are welcome at this time on any agenda item. Towards the end of the meeting there is a second public forum on any

topic. Please state your name and address. Comments are limited to three minutes, but an individual may speak a second time after all others who wish to speak on the topic have been heard. Please understand that our public forums are not structured as question and answer sessions, but are offered as opportunities to share your thoughts with the Board. In instances where the Board feels that there is a misunderstanding or inaccuracy, the Board President or Superintendent may address the comment. In accordance with New Jersey Statute, the Board will not discuss matters regarding specific personnel. Thank you for your input.

IX. Approval of Minutes

Action

1. Approval of Minutes*

Resolution

Resolved, that the Public Input & Action and Executive meeting minutes of December 15, 2010 be approved.

X. Finance

A. Committee Report & Discussion:

B. Action Items:

Action

1. Payment of Bills*

Resolution

WHEREAS, the Board Secretary has presented a check register dated December 31, 2010 covering check numbers 22235 to 22393 in the amount of \$3,079,751.91 with the recommendation that they be paid, and

Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

FUND	AMOUNT
(10) General Fund	\$2,921,876.25
(20) Special Revenue Fund	\$155,336.54
(30) Capital Projects Fund	\$2,539.12
(40) Debt Service Fund	-0-
(60) Cafeteria Fund	-0-
TOTAL	\$3,079,751.91

Action

2. Approve Out of District Schools*

Resolution

Resolved, that the Somerset Hills Board of Education approve the following Out of District School placement for the 2010/2011 school year:

Student #	School	Location
2022113	Oxford Consulting Services, Inc.	Manalapan, NJ

Action

3. Approve Home Instruction Provider

Resolution

Resolved, that the following County Educational Services Commissions provide home instruction:

ID#	Provider	Location
2014075	Somerset Co Ed Svc Commission	Raritan, NJ
2014075	Middlesex Co Ed Svc Commission	Middlesex, NJ

XI. Curriculum

A. Committee Report & Discussion:

B. Action Items:

Action
Resolution1. Approve Professional Development

Resolved, that the Somerset Hills Board of Education approve the following professional development:

School	Name	Workshop/Conference	Est. Cost	Date
BHS	a) Carpiniello, Lisa	Good Ideas in Teaching Precalculus	\$165.00	3/18/11
BHS	b) Grund, John	Bully-Proofing Made Easy	\$187.75	1/13/11
BHS	c) Seela, Lisa	Managing ADHA	\$179.99	2/17/11
Olcott	d) Shouffler, Jennifer	Legal One Advanced: Supervision & Evaluation	\$147.00	1/13/11
Olcott	e) Walls, Barbara	Legal One Advanced: Supervision & Evaluation	\$147.00	1/13/11

Action
Resolution2. Approve Establishment of Robotics Club

Resolved that the Somerset Hills Board of Education approve the establishment of the following co-curricular activity at Bernards High School: Robotics Club.

XII. Facilities & Operations

A. Committee Report & Discussion:

B. Action Items:

Action
Resolution1. Approve Participation

Resolved, that the Somerset Hills Board of Education approve the attached resolution permitting participation in the Somerset County Improvement Authority (SCIA) Renewable Energy Program.

Information

Approval of this resolution is necessary to allow us to be part of the preliminary stage of the Somerset County renewable energy program, whereby SCIA will make application for bonding with the Local Finance Board and will select a contractor under the competitive bidding process. The Somerset Hills Board of Education will have to vote in May whether to participate, once we have reviewed the competitive quote.

XIII. Policy

A. Committee Report & Discussion:

B. Action Items:

Action
Resolution1. First Reading – Policy #1140 Affirmative Action Program (M) – New

Resolved that the Somerset Hills Board of Education approve the first reading of Policy #1140 Affirmative Action Program (M) – New.

Action
Resolution2. First Reading – Policy #1523 Comprehensive Equity Plan (M) - Revised

Resolved that the Somerset Hills Board of Education approve the first reading of Policy #1523 Comprehensive Equity Plan (M) – Revised.

Action3. First Reading – Policy #1530 Equal Employment Opportunity (M) – Revised

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- Resolution Resolved that the Somerset Hills Board of Education approve the first reading of Policy #1530 Equal Employment Opportunity (M) – Revised.
- Action 4. First Reading – Policy #1550 Affirmative Action Program for Employment and Contract Practices (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading of Policy #1550 Affirmative Action Program for Employment and Contract Practices (M) – Revised.
- Action 5. First Reading – Policy #2260 Affirmative Action Program for School and Classroom Practices (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading of Policy #2260 Affirmative Action Program for School and Classroom Practices (M) – Revised.
- Action 6. First Reading – Policy #2415.01 Academic Standards, Academic Assessments and Accountability (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading of Policy #2415.01 Academic Standards, Academic Assessments and Accountability (M) – Revised.
- Action 7. First Reading– Policy #2415.04 Title I – District-Wide Parental Involvement (M) - Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading of Policy #2415.04 Title I – District-Wide Parental Involvement (M) – Revised.
- Action 8. First Reading and Adoption – Policy # 2423 Bilingual and ESL Education (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Policy #2423 Bilingual and ESL Education (M) – Revised.
- Action 9. First Reading and Adoption – Policy # 6360 Political Contributions (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Policy #6360 Political Contributions (M) – Revised.
- Action 10. First Reading and Adoption – Policy #6362 Contributions to Board Members and Contract Awards (M) -Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Policy #6362 Contributions to Board Members and Contract Awards (M) –Revised.
- Action 11. First Reading and Adoption – Policy #8420 Emergency and Crisis Situations (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Policy #8420 Emergency and Crisis Situations (M) – Revised.
- Action 12. First Reading and Adoption – Regulation #8420 Emergency and Non-Fire Evacuation Plan (M) – Revised
- Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Regulation #8420 Emergency and Non-Fire Evacuation Plan (M) – Revised.
- Action 13. First Reading and Adoption – Regulation #8420.2 Bomb Threats (M) – Revised

Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Regulation #8420.2 Bomb Threats (M) – Revised.

Action 14. First Reading and Adoption – Regulation #8420.7 Lockdown Procedures (M) – Revised
Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Regulation #8420.7 Lockdown Procedures (M) – Revised.

Action 15. First Reading and Adoption – Regulation #8420.10 Active Shooter (M) – New
Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Regulation #8420.10 Active Shooter (M) – New.

Action 16. First Reading and Adoption – Policy #8740 Bonding – Revised
Resolution Resolved that the Somerset Hills Board of Education approve the first reading and adoption of Policy #8740 Bonding – Revised.

XIV. Personnel

A. Committee Report & Discussion:

B. Action Items:

All personnel action is on the recommendation of the Superintendent.

Action 1. Approve Appointment of Leave Replacement Teacher
Resolution Resolved, that the Somerset Hills Board of Education approves the appointment of Jianna Spadaccini, leave replacement elementary teacher at Bedwell Elementary School, Level BA, Step 1-2, at an annual salary of \$51,790 (prorated), effective January 3, 2011 through end of assignment.

Action 2. Approve Math Overload
Resolution Resolved, that the Somerset Hills Board of Education approves a math overload for Lisa Carpiniello, effective January 31, 2011, (spring semester), at a rate of \$4,484.

Action 3. Approval of Athletic/Co-Curricular Positions
Resolution Resolved, that the Somerset Hills Board of Education approves the following athletic/co-curricular positions:

High School

Pat DiGiacchino Winter Track – Volunteer

Frank Spangler Robotics Club - Volunteer

Bedwell

Correction – Homework Club is district funded, not NCLB funded as previously approved)

Lucille Dempsey Homework Club (district funded) \$58.24/hour

Deborah Rokosky Homework Club (district funded) \$58.24/hour

Patrick Reed Homework Club (district funded) Substitute

Philip Wilkinson Homework Club (district funded) Substitute

Action 4. Approval of Substitutes
Resolution Resolved, that the Somerset Hills Board of Education approves the following substitutes:

Teacher

Rebecca Crawford Sub Certificate

Lindsey Paz CEAS

Nurse

Vanessa Ganny

Home Instructor

Amy Ahearn

Secretary

Carolyn Panetta

Paraprofessional

Carolyn Panetta

XV. Neighborhood Relations**XVI. Community Relations****XVII. Supplementary Matters****XVIII. Public Questions & Comments****XIX. Adjournment****Resolutions:**

***Note:** The areas of permitted voting for the Bedminster district representative of the Board of Education are: 1) tuition charged by the sending district and bill lists or contracts to be used for the sending district's pupils; 2) new capital construction to be used by the sending district's pupils; 3) appointment, transfer or removal of teaching staff serving the sending district's pupils, including central administration; 4) addition or deletion of curricular or extracurricular programs involving the sending district's pupils.

RESOLUTION OF THE SERIES 2011A LOCAL UNIT PARTICIPATING IN THE SOMERSET COUNTY IMPROVEMENT AUTHORITY'S SERIES 2011A RENEWABLE ENERGY PROGRAM, AND AUTHORIZING SUCH AUTHORITY TO APPLY TO THE LOCAL FINANCE BOARD FOR THE NECESSARY CONSENTS AND APPROVALS ON BEHALF OF SUCH PARTICIPANT, ALL IN CONNECTION WITH THE AUTHORITY'S COUNTY OF SOMERSET GUARANTEED RENEWABLE ENERGY PROGRAM LEASE REVENUE BONDS, SERIES 2011A (FEDERALLY TAXABLE) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 AND THE PARTICIPANT PROJECT FINANCED THEREBY

WHEREAS, the Somerset County Improvement Authority (including any successors and assigns, the "*Authority*") has been duly created by resolution duly adopted by the Board of Chosen Freeholders (the "*Board of Freeholders*") of the County of Somerset (the "*County*") in the State of New Jersey (the "*State*") as a public body corporate and politic of the State pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the "*Act*"), and other applicable law;

WHEREAS, the Authority has developed a program (the "*Renewable Energy Program*") for the financing, design, permitting, acquisition, construction, installation, operation and maintenance of renewable energy capital equipment and facilities such as solar panels, wind turbines, and hydro-electric, bio-diesel, geothermal, and bio-mass facilities, including any related electrical modifications, work related to the maintenance of roof warranties, or other work required, desirable or convenient for the installation of such systems (collectively, the renewable energy capital equipment and facilities, the "*Renewable Energy Projects*") for and on behalf of the County and local governmental units within the County, including without limitation municipalities, boards of education for school districts, local authorities and any other local government instrumentalities, public bodies or other local government entities; collectively, including the County, the "*Local Units*");

WHEREAS, the Renewable Energy Projects procured under the Renewable Energy Program are to be installed on, in, affixed or adjacent to and/or for any other Local Unit controlled buildings, other structures, lands or other properties of the Local Units (collectively, the "*Local Unit Facilities*");

WHEREAS, the primary goal of the Renewable Energy Program is to expand the use of renewable energy sources available and utilized by the Local Units for their Local Unit Facilities, with the attendant environmental and financial benefits associated thereby, and to reduce the energy related operating costs to the Local Units for their Local Unit Facilities, all intended to be offered at no net cost to the Local Units;

WHEREAS, (i) on November 16, 2010 the Authority issued its \$30,225,000 aggregate principal amount of "County of Somerset Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2010A [Federally Taxable]" and (ii) on or about January 19, 2011, the Authority anticipates issuing its \$10,525,000 aggregate principal amount of "County of Somerset Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2010B [Federally Taxable]", all to finance the initial tranche (the "*Initial Tranche*") of the Authority's Renewable Energy Program;

WHEREAS, the Authority is presently funding the engineering, energy consulting, legal, financial advisory and other preliminary costs of the second tranche (the "*Second Tranche*") of its Renewable Energy Program necessary, desirable or convenient for the development and implementation of the Renewable Energy Program (the "*Preliminary Program Costs*") prior to the issuance of the Authority's hereinafter defined Series 2011A Bonds;

WHEREAS, in order to implement the Second Tranche of the Renewable Energy Program, the Authority has determined to finance the respective Renewable Energy Projects and Capital Improvement Projects, if any, on, in or about the respective Local Unit Facilities, all as set forth on Exhibits B, C, and A to the hereinafter defined Local Unit License Agreement for each of the following participating Local Units:

- (i) Bernards Township, Bedminster Township, Borough of North Plainfield, Borough of Peapack and Gladstone and Warren Township (collectively, the "*Municipal Series 2011A Local Units*"); and
- (ii) Bernards Township Board of Education, North Plainfield Board of Education, Somerset Hills Board of Education, Warren Township Schools, Watchung Borough Board of Education and Watchung Hills Regional High School (collectively, the "*Board of Education Series 2011A Local Units*"); and
- (iii) County, Somerset County Park and Somerset County V-Tech School (collectively, the "*County Series 2011A Local Units*");

(each a "*Series 2011A Local Unit*", and together with any additional local governmental units within the County that might be added by the Authority to the Second Tranche pursuant to the hereinafter defined Local Finance Board Application or otherwise, collectively, the "*Series 2011A Local Units*"), through the issuance by the Authority of one or more series of bonds entitled "County of Somerset Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2011A (Federally Taxable)" dated their date of delivery, Outstanding (as defined in the Bond Resolution upon issuance) in the aggregate principal amount (including Sinking Fund Installments, if any, as such term is defined in the Bond Resolution) not to exceed \$50,000,000 (the "*Series 2011A Bonds*");

WHEREAS, prior to the issuance of the Series 2011A Bonds and in accordance with N.J.S.A. 40A:5A-6, 7 and 8 of the Local Authorities Fiscal Control Law, the Authority shall have made an application (the "*Local Finance Board Application*") to, and seek, obtain, and officially recognize the findings from, the Local Finance Board (the "*Local Finance Board*") in the Department of Local Government Services of the State Department of Community Affairs;

WHEREAS, the governing body of the Series 2011A Local Unit adopting this resolution (the "*Participant*") desires to authorize the Authority and its consultants to submit the Local Finance Board Application on their behalf to finance the Renewable Energy Project(s) for the Participant (the "*Participant Project*") set forth in Schedule A to **Exhibit A** attached hereto (it being understood that the Participant is taking no action in connection with the other Renewable Energy Projects of the other Series 2011A Local Units as set forth on **Schedule A to Exhibit A** hereto);

WHEREAS, upon or prior to the issuance of the Series 2011A Bonds, and in accordance with (i) N.J.S.A. 40A:11-4.1(k) of the Local Public Contracts Law, (ii) Local Finance Board Notice 2008-20, December 3, 2008, *Contracting for Renewable Energy Services*, (iii) the State Board of Public Utilities (“BPU”) protocol for measuring energy savings in PPA agreements dated February 20, 2009 (*Public Entity Energy Efficiency and Renewable Energy Cost Savings Guidelines*), (iv) Local Finance Board Notice 2009-10 dated June 12, 2009, *Contracting for Renewable Energy Services: Update on Power Purchase Agreements*, and (v) all other applicable law, and pursuant to a competitive contracting process governed thereby, which shall include a request for solar developer proposals to be issued by the Authority (the “*Company RFP*”) and the receipt of proposals from prospective solar developers, including that (the “*Company Proposal*”) of the successful respondent (the “*Company*”), the Authority shall select the Company to (y) design, permit, acquire, construct, install, operate and maintain the Renewable Energy Projects and (z) design, permit, acquire, construct, renovate, and install the Capital Improvement Projects, if any, in both cases for the designated Local Unit Facilities of such Series 2011A Local Units, with such Program terms to be set forth in the following Company Documents to be entered into between the Company and, at a minimum, the Authority, or acknowledged by the Company, as applicable:

WHEREAS, the pricing terms for the purchase of renewable energy generated electricity produced from the Participant Project and sold through the Authority to the Participant, and bought by the Participant at an agreed upon price lower than that presently being paid by the Participant for electricity from its local utility, which pricing terms shall be competitively procured through the Company RFP process and the Company Proposal, shall be established under the Authority’s Series 2011A Local Unit Renewable Energy Program for an initial term no greater than 15 years, simultaneously with, or prior to the issuance of the Series 2011A Bonds;

WHEREAS, the Participant understands and acknowledges that by taking this official action, the Participant intends to participate in the Authority’s Series 2011A Local Unit Renewable Energy Program to fund the Participant Project, and that the Authority is taking several actions in reliance upon such action, including without limitation seeking the required approvals from the Local Finance Board to issue the Series 2011A Bonds, as set forth in the Local Finance Board Application, and proceeding with the issuance of the Company RFP, the selection of the Company, the establishment of the renewable energy pricing under the Company Proposal, and the marketing, sale and issuance of the Series 2011A Bonds; and

WHEREAS, the Participant believes: (i) it is in the public interest to accomplish such purposes as set forth in the preambles hereof, including the financing of the Participant Project; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Participant; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Participant and will not create an undue financial burden to be placed upon the Participant.

NOW THEREFORE BE IT RESOLVED by the governing body of the Participant as follows:

Section 1. The Participant believes: (a) it is in the public interest to accomplish such purposes as set forth in the preambles hereof, including the financing of the Participant Project; (b) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Participant; (c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (d) the proposal is an efficient and feasible means of

providing services for the needs of the inhabitants of the Participant and will not create an undue financial burden to be placed upon the Participant.

Section 2. The Superintendent and the Business Administrator of the Participant (including their designees in writing, each an “*Authorized Officer*”) are each hereby severally authorized to assist the Authority with the preparation and submission of the Local Finance Board Application for the purpose of financing the Participant Project through the issuance of the Series 2011A Bonds, and to take all action necessary, desirable, or convenient in connection therewith. Accordingly, the Authorized Officers, and any consultants of their choosing, shall, if necessary, represent the Participant at any public hearing held by the Local Finance Board in connection with the Local Finance Board Application.

Section 3. Upon a date to be selected by the Authority, but in no event later than the sale date of the Series 2011A Bonds, the Authorized Officers shall deliver to the Authority a fully executed certificate, substantially in the form attached hereto as **Exhibit A**, evidencing the proper officials approval of the substance and scope of the Participant Project.

Section 4. The Participant understands and acknowledges that by adopting this resolution, the Participant intends to participate in the Authority’s Series 2011A Local Unit Renewable Energy Program to fund the Participant Project through a portion of the proceeds of the Authority’s Series 2011A Bonds, and that the Authority is taking several actions in reliance upon this action by the Participant, including without limitation seeking the required approvals from the Local Finance Board to issue the Series 2011A Bonds, as set forth in the Local Finance Board Application, and proceeding with the issuance of the Company RFP, the selection of the Company, the establishment of the renewable energy pricing under the Company Proposal, and the marketing, sale and issuance of the Series 2011A Bonds, all for the benefit of the Participant and the other Series 2011A Local Units. Therefore, the Participant covenants to the Authority that: (i) except for extraordinary circumstances not presently contemplated, the Participant intends to participate in the Authority’s Series 2011A Local Unit Renewable Energy Program, so long as the Company Proposal results in a savings to the Participant, and further, this official action authorizes the Authority to take all such actions contemplated above in order to develop the Participant Project and to provide the Participant with such savings and (ii) prior to the sale of the Series 2011A Bonds, the Series 2011A Local Unit shall (a), if the Participant is a board of education, obtain any and all approvals from the State Department of Education with respect to the Participant Project, and (b) adopt a resolution authorizing, among other things, the Series 2011A Local Unit to enter into that certain “License and Access Agreement (Somerset County Renewable Energy Program, Series 2011A)” to be dated as of the first day of the month of issuance of the Series 2011A Bonds in such form as shall be presented to the Series 2011 Local Unit prior to adoption of the supplemental resolution.

Section 5. The Authorized Officer shall direct the Participant official in charge of the officially adopted resolutions of the governing body of the Participant to (a) prepare an official, certified copy of this resolution, as adopted, and (b) deliver such certified copy in accordance with Section 10 below. Further, the Participant hereby consents to such certified copy of the resolution, and any further information regarding the Participant and/or the Participant Project, as the Authorized Officer shall determine to be necessary, desirable or convenient in connection with the Local Finance Board Application, to be submitted as part of, or pursuant to the Local Finance Board Application.

Section 6. The Authorized Officers are hereby severally authorized to take such other actions, and execute such other certificates, documents, and instruments, as such Authorized Officers shall deem to be necessary, desirable, or convenient to assist the Authority in developing the Participant Project, producing the contemplated energy savings for the Participant, issuing the Company RFP and selecting the Company through the most desirable Company Proposal in accordance with the terms of the Company RFP and applicable law, marketing, selling, and issuing the Series 2011A Bonds, procuring the final terms of the Renewable Energy Program documents, or any other action related to the implementation of the Renewable Energy Program for the Series 2011A Local Units.

Section 7. The Local Finance Board is hereby respectfully requested to consider the Local Finance Board Application as the means to finance the Participant Project, and to record its findings and recommendations as provided by N.J.S.A. 40A:5A-7 of the Local Authorities Fiscal Control Law.

Section 8. To the extent the Series 2011A Bonds are issued in any year other than 2011, references herein to “2011” may without any further action be changed to the year of issuance of such Series 2011A Bonds.

Section 9. All actions of the Authorized Officers or Participant consultants taken prior to the date of adoption hereof in connection with the Series 2011A Bonds, the Participant Project or any of the foregoing transactions contemplated by this resolution, are hereby ratified and approved.

Section 10. Upon the adoption hereof, a certified copy of this resolution shall be forwarded to Michael J. Amorosa, County Administrator, Richard E. Williams, Chairman of the Authority, Thomas C. Miller, Esq., County Counsel and Authority Counsel, Stephen B. Pearlman, Esq., Energy Bond Counsel to the Authority and Ryan J. Scerbo, Esq., Energy Counsel to the Authority, all of which may be sent as a single certified copy to the County Administrator’s office care of Ginny McCall at McCall@co.somerset.nj.us followed by the original to Ginny McCall at The Somerset County Improvement Authority, 20 Grove Street, P.O. Box 3000, Somerville, New Jersey 08876.

Section 11. This resolution shall take effect immediately.

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LOCAL UNIT FACILITY ACCEPTANCE CERTIFICATE

On behalf of the Somerset Hills Board of Education (the “*Local Unit*”), and as a duly authorized officer of the Local Unit, I hereby represent, warrant and covenant as follows:

1. The Local Unit understands that it has been preliminarily selected by the Somerset County Improvement Authority (the “*Authority*”) as one of the local government participants in the Authority’s 2011 Renewable Energy Program (the “*Program*”). The Local Unit further understands that although there is no legal agreement between the Authority and the Local Unit until such parties execute that certain “License and Access Agreement (Somerset County Renewable Energy Program, Series 2011A)” (a form of which “*License Agreement*” shall be supplied to the Local Unit by the Authority when the Program is closer to implementation), the information being provided to the Authority in this Certificate enables the Authority to draft the License Agreement, seek the necessary approvals, and otherwise implement the Program.

2. The License Agreement shall refer to the building(s) or ground(s) (each “*Local Unit Facility*”), location, size and scope (and if applicable, style) of the solar project (the “*Renewable Energy Project*”) to be implemented on behalf of the Local Unit by the Authority and its various contract parties, including a competitively selected solar developer (the “*Company*”). Various consultants to the Authority, based on site visits and past information supplied by the Local Unit to the Authority, have identified the Local Unit Facility(ies) and Renewable Energy Project(s) (which include solar overlays prepared by Authority consultants) set forth on Schedule A to this certificate for inclusion in the License Agreement, for selection of the Company, and for financing and implementation under the Authority’s Renewable Energy Program.

a. The Local Unit Facility and Renewable Energy Project set forth on Schedule A to this certificate has been reviewed on behalf of the Local Unit, at a minimum, by the Local Unit official responsible for managing the day to day affairs of the Local Unit (which may include the undersigned), and at least by an in-house facilities director or consulting engineer and/or architect. Based on such review, and the review of such other in-house officers or employees or outside consultants of the Local Unit’s choosing (including council, board, legal or technical review), if deemed necessary by the Local Unit, the description of the Local Unit Facility and Renewable Energy Project set forth on Schedule A to this certificate is materially accurate, and can be used by the Authority in drafting the various Program documents, selecting the Company, and seeking the various Program approvals.

b. The Local Unit understands that any changes desired by the Local Unit to the Local Unit Facility and Renewable Energy Project from that set forth on Schedule A to this certificate (i) are the responsibility of the Local Unit to inform the Authority and its consultants, and (ii) may or may not be accepted by the Authority, depending on the timing of any such proposed change. The Local Unit may contact County Administrator Michael Amorosa, (908) 231-7040, amorosa@co.somerset.nj.us, or the Authority’s engineering consultant for the Program, Daniel Swayze of Birdsall Services Group, Inc. at (908) 497-8900, dswayze@birdsall.com, with any subsequent changes. To the extent the Company proposes other changes acceptable to the Authority, the Authority shall seek the consent of the Local Unit.

Local Unit Authorized Officer
Nancy Lee Hunter
School Business Administrator/
Board Secretary

Dated: January 12, 2011



LOOKING AHEAD

- **February 9, 2011**
Wednesday – 7:30 p.m.
Public Input & Action Meeting
The Community Room at Bernards High School
- **March 9, 2011**
Wednesday – 7:30 p.m.
Public Input & Action Meeting
The Community Room at Bernards High School
- **March 30, 2011**
or
April 6, 2010
Wednesday – 7:30 p.m.
Public Hearing on Budget
The Community Room at Bernards High School
- **April 27, 2011**
Annual School Election
- **May 4, 2011**
Wednesday – 7:30 p.m.
Reorganization Meeting
The Community Room at Bernards High School
- **June 8, 2011**
Wednesday – 7:30 p.m.
Public Input & Action Meeting
The Community Room at Bernards High School
- **June 29, 2011**
Wednesday – 7:30 p.m.
Public Input & Action Meeting
The Community Room at Bernards High School