

FINANCE/FACILITIES & TRANSPORTATION

1. PAYMENT OF BILLS

RESOLVED, the Randolph Township Board of Education approve the attached list of checks. **Finance Exhibits # 1 – 1.1**, and orders that they be attached to and made a part of the minutes.

1	Check Register – 03/31/11	\$ 6,654,455.97
1.1	Check Register – 04/07/11	\$ 1,964,693.01

2. BUDGET

RESOLVED, the Randolph Township Board of Education approve **March 2011** transfer, **Finance Exhibits # 2.1 & 2.2**, and orders that they be attached to and made a part of the minutes.

2.1	Monthly Transfer Report – 03/31/11
2.2	Expense Account Adjustment 03/31/11

3. REPORT OF THE SECRETARY AND TREASURER

WHEREAS, the Randolph Township Board of Education has received the Report of the Secretary for the month of **March 2011**, **Finance Exhibits # 3.1 – 3.5**, consisting of:

3.1	Interim Balance Sheet – 03/31/11
3.2	Revenue Report – 03/31/11
3.3	Budget Report – 03/31/11
3.4	Petty Cash Report – 03/31/11
3.5	Food Services Report – 03/31/11
3.6	Treasurer Report – 02/28/11

and

WHEREAS, the Randolph Township Board of Education has received the Report of the Treasurer for the month of **February 2010**, **Finance Exhibit # 3.6**,

<u>March 31, 2011</u> <u>FUND</u>	<u>CASH BALANCE</u>	<u>APPROPRIATION</u> <u>BALANCE</u>
(10) General Current Expense Fund	\$ 5,951,064.57	\$ 17,655.00
(11) Current Expense	-	3,898,816.98
(12) Capital Outlay	-	103,592.61
(20) Special Revenue Fund	(389,433.93)	232,821.62
(30) Capital Projects Fund	-	-
(40) Debt Service Fund	.75	.75
(60) Food Service	(533,038.48)	813,930.18
(63) Community School	360,764.73	416,169.06
<u>TOTAL</u>	\$ 5,389,357.64	\$ 5,482,986.20

WHEREAS, in compliance with N.J.A.C. 6:20-2A.10(d), the Secretary has certified that, as of the date of the report(s), no budgetary line item account has obligations and payments (contractual orders) which in total exceed the amount appropriated by the district board of education.

NOW, THEREFORE, BE IT RESOLVED, the Randolph Township Board of Education accepts the above referenced reports certification and orders that they be attached to and made a part of the minutes, and

BE IT FURTHER RESOLVED, in compliance with N.J.A.C. 6:20-2A.10(e), the Randolph Township Board of Education certifies that, after review of the secretary's monthly financial reports (appropriation section) and upon consultation with the appropriate district officials, to the best of it's knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6:20-2A.10(a)(1), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

4. APPROVAL OF AN AGREEMENT BETWEEN THE RANDOLPH TOWNSHIP BOARD OF EDUCATION AND THE ESSEX REGIONAL EDUCATIONAL SERVICES COMMISSION FOR THE 2011-2012 SCHOOL YEAR

BE IT RESOLVED, the Randolph Township Board of Education approve an agreement between the Randolph Township Board of Education and the **Essex Regional Educational Services Commission** for the **2011-2012** school year to provide the necessary and appropriate services for **Chapters 192/193, Public School Child Study Team, Public School Home Instruction and IDEA-B Services**, as summarized in **Finance Exhibit # 4**, attached hereto and made a part of the minutes.

5. APPROVAL OF THE EDUCATIONAL SERVICES COMMISSION OF MORRIS COUNTY PROFESSIONAL SUPPORT / NON PUBLIC SERVICES AGREEMENT

BE IT RESOLVED, the Randolph Township Board of Education approve the Educational Services Commission of Morris County **Non Public Services Agreement for Professional Support Services, Non Public Nursing & Non Public Textbook** for the 2011-2012 school year as summarized in **Finance Exhibit # 5**, attached hereto and made a part of the minutes.

6. RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DONNELLY ENERGY SOLUTIONS – INSTALLATION OF ENERGY IMPROVEMENTS IN RANDOLPH BOARD OF EDUCATION FACILITIES AND AUTHORIZING THE FILING OF APPLICATION WITH NJ STATE CLEAN ENERGY PROGRAM

WHEREAS, the Randolph Board of Education wishes to install various energy improvements in Board of Education facilities; and,

WHEREAS, said energy improvements can be installed by Donnelly Energy Solutions through the New Jersey's Clean Energy Program and State Contract T2334; and,

WHEREAS, public bids are not required when the purchase is made under a State Contract in accordance with N.J.S.A. 40A: 11-12 of the Local Public Contracts Law; and,

WHEREAS, TRC Energy Services Inc., 900 Route 9 North, Suite 104, Woodbridge, NJ 07095, has been selected as the New Jersey Program manager and has selected Donnelly Energy Solutions, Wayne NJ, as the contractor for municipalities and said selection was approved by letter from the Acting Director of DLGS dated April 21, 2010; and,

WHEREAS, Donnelly has provided an estimate for eligible work dated March 25, 2011 as follows:

School	Project Cost	Grant Funding	District Cost
Center Grove	\$100,182	\$ 56,668	\$ 43,516
Fernbrook	\$121,800	\$ 56,666	\$ 65,134
Ironia	<u>\$ 85,426</u>	<u>\$ 56,666</u>	<u>\$ 28,760</u>
	\$307,408	\$170,000	\$137,410

and,

WHEREAS, said costs will be borne by grant funding including a \$20,000 grant through the New Jersey Smart Start Buildings and through the Federal ARRA program and other NJ Funding, along with 3 grants totaling \$150,000 from the Direct Install program; and

NOW, THEREFORE, BE IT RESOLVED by the Randolph Board of Education, County of Morris, in the State of New Jersey as follows:

1. A contract is hereby awarded to Donnelly Energy Solutions for the installation of various energy improvements in Board of Education facilities in an amounts approved by
2. The contract is awarded in accordance with the unit pricing, terms and conditions contained in New Jersey State Contract T2334.
3. Any and all Board of Education officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
4. The School Business Administrator and/or Superintendent are to complete and file necessary grant applications.
5. All necessary UCC permits and inspections must be obtained.
6. Any change orders must be approved in writing by the School Business Administrator and approved by the Randolph Board of Education.
7. The Randolph Board of Education Board Secretary is hereby authorized and directed to provide a copy of this Resolution to Donnelly Energy Solutions, 557 Route 23 South, Wayne, NJ 07470, Attention: Michael Jacobus.
8. Donnelly Energy Solutions shall not conduct any work until they have been notified by the Randolph Board of Education that the grant has been approved and the School Business Administrator issues a notice to proceed.
9. The Randolph Board of Education hereby assigns the \$20,000 ARRA grant to Donnelly Energy Solutions to provide for payment for the work described. Furthermore, the Randolph Board of Education assigns the grant proceeds of \$150,000 from the NJ Direct install Program to Donnelly Energy Solutions for payment for the work described.

7. ACCEPTANCE OF DONATIONS

BE IT RESOLVED, the Randolph Township Board of Education accept the following donations:

- **Center Grove:**
 - through the **Center Grove PTA, Morgan Stanley** matching grant in the amount of \$1,080., for Ms. Kristin Mueller fourth (4th) grade class. The Mueller family / PTA request funds be used to purchase two (2) IPAD2 devices for Ms. Mueller's classroom.

- from **Victoria Mews Assisted Living LLC**, a donation of desk chair for Center Grove Principal's office, having an estimated value of \$200-\$250
 - through the **Center Grove PTA**, Pioneer Valley booksm teacher's guide for classroom use, having an estimated value of \$500
 - through the **Center Grove PTA**, donation of two (2) iPad2's for 4th grade classroom, 2 cases and gift card to download educational applications
- **Ironia:**
- through the **Ironia PTA**, two (2) wireless bluetooth kits and IPEVO view document cameras, having an estimated value of \$516
- **High School:**
- donation from **Yuan Qin** in the amount of \$500 to be applied toward the RHS Orchestra program; purchase / upgrades to equipment and supplies
- **Middle School:**
- through the **RMS PTO** Grant program a donation of twenty-four (24) heart monitors having an estimated value of approximately \$1,199; in support of the physical education program
 - through the **RMS PTO** Grant program a donation of books for ESL student use having an estimated value of approximately \$300
 - through the **RMS PTO** Grant program a donation of \$302; (workshop fee of \$199 to vendor and a fee of \$103 to cover cost of substitute)

BE IT FURTHER RESOLVED, that Ms. Danielle Hamblin, Principal of Center Grove, Dr. Dennis Copeland, Principal of Ironia, Ms. Deborah Iosso, Principal of the High School, Miss Carol Strowbridge, Principal of the Middle School, acknowledge the donations in a letter to the appropriate parties.

8. RESOLUTION OF THE SERIES 2011 LOCAL UNIT PARTICIPATING IN THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S SERIES 2011 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 MORRIS GUARANTEED RENEWABLE ENERGY PROGRAM LEASE REVENUE BONDS, SERIES 2011 (FEDERALLY TAXABLE) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$60,000,000 AND THE PARTICIPANT PROJECT FINANCED THEREBY

WHEREAS, the Morris 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 Morris (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, on February 18, 2010 the Authority issued its \$21,600,000 aggregate principal amount of "County of Morris Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2009A [Federally Taxable]", 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 2011 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) Township of Hanover and Township of Parsippany-Troy Hills (collectively, the “*Municipal Series 2011 Local Units*”); and
- (ii) Chester School District, Kinnelon Board of Education, Mine Hill Board of Education, Montville Township Board of Education, Morris Knolls School District, Morris Plains Board of Education, Morris School District, Randolph Board of Education and Washington Township Board of Education (collectively, the “*Board of Education Series 2011 Local Units*”); and
- (iii) County College of Morris (the “*County Series 2011 Local Units*”);

(each a “*Series 2011 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 2011 Local Units*”), through the issuance by the Authority of one or more series of Series 2011 Bonds, (i) one series of either bond or notes entitled “County of Morris Guaranteed Renewable Energy Program Lease Revenue [Notes] Bonds, Series 2011A (Federally Taxable)” dated their date of delivery (the “*Series 2011A Bonds*”), by either a competitive process or by negotiated sale after a competitive process to an Underwriter (as defined herein) the terms of which sale shall be as set forth in a bond purchase agreement between an underwriter and the Authority and (ii) one or more series of notes entitled “County of Morris Guaranteed Renewable Energy Program Lease Revenue Notes, Series 2011B (Federally Taxable)” dated their date of delivery (the “*Series 2011B Notes*” and together with the Series 2011A Bonds, the “*Series 2011 Bonds*”) by either a competitive process or by negotiated sale after a competitive process; provided, however that the

aggregate principal amount of the Series 2011A Bonds and the Series 2011B Notes together with any other bonds issued under the Bond Resolution shall not exceed \$60,000,000;

WHEREAS, prior to the issuance of the Series 2011 Bonds and in accordance with N.J.S.A. 40:37A:54(l) of the Act and 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 2011 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 proposed 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 2011 Local Units as set forth on **Schedule A to Exhibit A** hereto and further that a final detailed Participant Project list will be sent to each Series 2011 Local Unit prior to their signing the certificate attached hereto as Exhibit A);

WHEREAS, upon or prior to the issuance of the Series 2011 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 2011 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 2011 Local Unit Renewable Energy Program for an initial term no greater than 15 years, simultaneously with, or prior to the issuance of the Series 2011 Bonds;

WHEREAS, the Participant understands and acknowledges that by taking this official action, the Participant intends to participate in the Authority's Series 2011 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 2011 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 2011 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 School Business Administrator, and the Controller 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 2011 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 and upon receipt of a finalized Participant Project, but in no event later than the sale date of the Series 2011 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 2011 Local Unit Renewable Energy Program to fund the Participant Project through a portion of the proceeds of the Authority's Series 2011 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 2011 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 2011 Bonds, all for the benefit of the Participant and the other Series 2011 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 2011 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 2011 Bonds, the Series 2011 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 2011 Local Unit to enter into that certain "License and Access Agreement (Morris County Renewable Energy Program, Series 2011)" to be dated as of the first day of the month of issuance of the Series 2011 Bonds in such form as shall be presented to the Series 2011 Local Unit prior to adoption of the supplemental resolution (the "Local Unit License Agreement").

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 2011 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 2011 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 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 2011 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 2011 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 2011 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 John Bonanni , County Administrator and Chairman of the Authority, Daniel O’Mullan, County Counsel and Authority Counsel, Stephen B. Pearlman, Esq., all of which may be sent as a single certified copy to the offices of Authority Counsel, attention David Wainger, Paralegal at dwainger@iandplaw.com followed by the original to David Wainger at Inglesino, Pearlman, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054-3715.

Section 11. This resolution shall take effect immediately.