

This is a Preliminary Official Statement, complete with the exception for the specific information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission. The Board has authorized distribution of this Preliminary Official Statement to prospective purchasers and others. In accordance with Rule 15c2-12, this Preliminary Official Statement is deemed final. Upon the sale of the Bonds described herein, the Board will deliver a final Official Statement within the earlier of seven business days following such sale or in order to accompany the purchaser's confirmations that request payment for the Bonds.

Rating: Standard & Poor's _____ “(Expected)” (School Bond Reserve Act)
Standard & Poor's _____ “(Expected)” (Underlying Rating)

PRELIMINARY OFFICIAL STATEMENT DATED FEBRUARY 2, 2011

In the opinion of McManimon & Scotland, L.L.C., Bond Counsel, assuming continuing compliance by the Board (as defined herein) with certain covenants described herein, interest on the Bonds (as defined herein) is not includable in gross income for federal income tax purposes under current law, and is not an item of tax preference for purposes of computing the federal alternative minimum tax imposed on individuals and corporations. Interest on the Bonds held by corporate taxpayers is included in the relevant income computation for calculation of the federal alternative minimum tax imposed on corporations as a result the inclusion of interest on the Bonds in "adjusted current earnings." Bond Counsel expresses no opinion regarding other federal tax consequences arising with respect to the Bonds. Further, in the opinion of Bond Counsel, interest on the Bonds and any gain on the sale thereof are not includable as gross income under the New Jersey Gross Income Tax Act. See "TAX EXEMPTION" herein.

New Issue

Serial Bonds

**THE BOARD OF EDUCATION OF THE
CITY OF SOMERS POINT IN
THE COUNTY OF ATLANTIC, NEW JERSEY
\$3,443,000 SCHOOL BONDS
(Callable)(Book-Entry-Only)(Bank Qualified)**

Dated: Date of Delivery

Due: March 1, as shown below

The \$3,443,000 School Bonds (the “Bonds”) of The Board of Education of the City of Somers Point in the County of Atlantic, New Jersey (the “Board” or “Board of Education” when referring to the governing body and legal entity and the “School District” when referring to the territorial boundaries governed by the Board) will be issued in the form of one certificate for the aggregate principal amount of the Bonds maturing in each year and when issued will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), which will act as Securities Depository for the Bonds. See “BOOK-ENTRY-ONLY SYSTEM” herein.

Interest on the Bonds will be payable semiannually on March 1 and September 1 in each year until maturity or earlier redemption, commencing September 1, 2011. Principal of and interest on the Bonds will be paid to DTC by the Board or its designated paying agent. Interest on the Bonds will be credited to the participants of DTC as listed on the records of DTC as of each next preceding February 15 and August 15 (the “Record Dates” for the payment of interest on the Bonds). The Bonds shall be subject to redemption prior to their stated maturities. See “DESCRIPTION OF THE BONDS-Redemption” herein.

The Bonds are general obligations of the Board, and the full faith and credit of the Board are irrevocably pledged for the payment of the principal of and interest on the Bonds. Payment of the principal of and interest on the Bonds, if not paid from other sources, are payable from ad valorem taxes to be levied upon all taxable real property located within the School District, without limitation as to rate or amount. The Bonds are also entitled to the benefits of and are secured under the provisions of the New Jersey School Bond Reserve Act, N.J.S.A. 18A: 56-17 et seq. See “DESCRIPTION OF THE BONDS—New Jersey School Bond Reserve Act” herein.

MATURITIES, AMOUNTS, INTEREST RATES AND YIELDS

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Yield</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Yield</u>
2012	\$155,000	%		2020	\$240,000	%	
2013	165,000			2021	250,000		
2014	180,000			2022	265,000		
2015	190,000			2023	275,000		
2016	200,000			2024	290,000		
2017	210,000			2025	300,000		
2018	220,000			2026	273,000		
2019	230,000						

The Bonds are offered when, as and if issued, and delivered to the Underwriter, subject to prior sale, to withdrawal or modification of the offer without notice and to the approval of legality by the law firm of McManimon & Scotland, L.L.C., Newark, New Jersey, and certain other conditions described herein. Delivery is anticipated to be at the offices of the Board’s Bond Counsel, McManimon & Scotland, L.L.C., or at such other place as agreed to with the Underwriter on or about March 1, 2011.

ELECTRONIC SUBMISSIONS WILL BE RECEIVED VIA PARITY UNTIL 11:00 A.M. ON FEBRUARY 10, 2011.
FOR MORE INFORMATION VIEW THE NOTICE OF SALE POSTED AT WWW.I-DEALPROSPECTUS.COM.

**THE BOARD OF EDUCATION OF THE CITY OF SOMERS POINT
IN THE COUNTY OF ATLANTIC, NEW JERSEY**

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William August
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Joseph Hall
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ACTING SUPERINTENDENT OF SCHOOLS

Jeffrey Miller

BUSINESS ADMINISTRATOR/BOARD SECRETARY

Suzanne Keller

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Ford, Scott & Associates, L.L.C.
Ocean City, New Jersey

BOARD ATTORNEY

Louis J. Greco, Esq.
Hamilton, New Jersey

BOND COUNSEL

McManimon & Scotland, L.L.C.
Newark, New Jersey

No broker, dealer, salesperson or other person has been authorized by the Board of Education to give any information or to make any representations with respect to the Bonds other than those contained in this Official Statement, and, if given or made, such information or representations must not be relied upon as having been authorized by the foregoing. The information contained herein has been provided by the Board of Education and other sources deemed reliable; however, no representation is made as to the accuracy or completeness of information from sources other than the Board. The Underwriter has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information. The information and the expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale hereunder under any circumstances shall create any implication that there has been no change in any of the information herein since the date hereof or since the date as of which such information is given, if earlier.

References in this Official Statement to laws, rules, regulations, resolutions, agreements, reports and documents do not purport to be comprehensive or definitive. All references to such documents are qualified in their entirety by reference to the particular document, the full text of which may contain qualifications of and exceptions to statements made herein, and copies of which may be inspected at the offices of the Board of Education during normal business hours.

This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds in any jurisdiction in which it is unlawful for any person to make such an offer, solicitation or sale. No dealer, broker, salesperson or other person has been authorized to give any information or to make any representations other than as contained in this Official Statement. If given or made, such other information or representations must not be relied upon as having been authorized by the Board of Education or the Underwriter.

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**OFFICIAL STATEMENT
OF
THE BOARD OF EDUCATION OF THE CITY OF SOMERS POINT
IN THE COUNTY OF ATLANTIC, NEW JERSEY
\$3,443,000
SCHOOL BONDS
(CALLABLE) (BOOK-ENTRY-ONLY ISSUE) (BANK QUALIFIED)**

INTRODUCTION

This Official Statement, which includes the front cover page and the appendices attached hereto, has been prepared by The Board of Education of the City of Somers Point in the County of Atlantic, New Jersey (the "Board" or "Board of Education" when referring to the governing body and legal entity and the "School District" when referring to the territorial boundaries governed by the Board) in connection with the sale and issuance of its \$3,443,000 School Bonds (the "Bonds"). This Official Statement has been executed by and on behalf of the Board by the Business Administrator/Board Secretary, and its distribution and use in connection with the sale of the Bonds has been authorized by the Board.

This Official Statement contains specific information relating to the Bonds including their general description, certain matters affecting the financing, certain legal matters, historical financial information and other information pertinent to this issue. This Official Statement should be read in its entirety.

All financial and other information presented herein has been provided by the Board from its records, except for information expressly attributed to other sources. The presentation of information is intended to show recent historic information and, but only to the extent specifically provided herein, certain projections into the immediate future, and is not necessarily indicative of future or continuing trends in the financial position of the Board.

DESCRIPTION OF THE BONDS

The following is a summary of certain provisions of the Bonds. Reference is made to the Bonds themselves for the complete text thereof, and the discussion herein is qualified in its entirety by such reference.

Terms and Interest Payment Dates

The Bonds shall be dated the date of delivery and shall mature on March 1 in each of the years and in the amounts set forth on the front cover page hereof. The Bonds shall bear interest from the date of delivery, which interest shall be payable semi-annually on the first day of March and September commencing on September 1, 2011 (each an "Interest Payment Date"), in each of the years and at the interest rates set forth on the front cover page hereof in each year until maturity or earlier redemption by the Board or a duly appointed paying agent to the registered owners of the Bonds as of each February 15 and August 15 immediately preceding the respective Interest Payment Dates (the "Record Dates"). So long as The Depository Trust Company, New York, New York ("DTC") or its nominee is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made by the Board or a designated paying agent directly to DTC or its nominee, Cede & Co., which will in turn remit such payments to DTC Participants, which will in turn remit such payments to the beneficial owners of the Bonds. See "BOOK-ENTRY-ONLY SYSTEM" herein.

The Bonds will be issued in fully registered book-entry-only form without certificates. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year and, when issued, will be registered in the name of Cede & Co., as nominee of DTC. DTC will act as Securities Depository for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants and transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$1,000 integrals, with a

minimum purchase of \$5,000, through book entries made on the books and the records of DTC and its participants. Individual purchasers of the Bonds will not receive certificates representing their beneficial ownership interests in the Bonds, but each book-entry owner will receive a credit balance on the books of its nominee, and this credit balance will be confirmed by an initial transaction statement stating the details of the Bonds purchased. See "BOOK-ENTRY-ONLY SYSTEM" herein.

Redemption

The Bonds maturing prior to March 1, 2022 are not subject to optional redemption. The Bonds maturing on or after March 1, 2022 shall be subject to redemption at the option of the Board, in whole or in part, on any date on or after March 1, 2021 at the par amount of bonds to be refunded, plus unpaid accrued interest to the date fixed for redemption.

Notice of Redemption

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the Owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Board or a duly appointed Bond Registrar. So long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, such Notice of Redemption shall be sent directly to such depository and not to the Beneficial Owners of the Bonds. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Board determines to redeem a portion of the Bonds prior to maturity, the Bonds to be redeemed shall be selected by the Board; the Bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on and after such redemption date.

Security for the Bonds

The Bonds are valid and legally binding general obligations of the Board, and the Board has irrevocably pledged its full faith and credit for the payment of the principal of and interest on the Bonds. Unless paid from other sources, the principal of and interest on the Bonds are payable from *ad valorem* taxes levied upon all the taxable property within the School District without limitation as to rate or amount.

New Jersey School Bond Reserve Act (N.J.S.A. 18A:56-17 et seq.)

All school bonds are secured by the School Bond Reserve established in the Fund for the Support of Free Public Schools of the State of New Jersey (the "Fund") in accordance with the New Jersey School Bond Reserve Act, N.J.S.A. 18A:56-17 et seq. (P.L. 1980, c. 72, approved July 16, 1980, as amended by P.L. 2003, c. 118, approved July 1, 2003 (the "Act")). Amendments to the School Bond Reserve Act provide that the Fund will be divided into two School Bond Reserve accounts. All bonds issued prior to July 1, 2003 shall be benefited by a School Bond Reserve account funded in an amount equal to 1-1/2% of the aggregate issued and outstanding bonded indebtedness of counties, municipalities or school districts for school purposes issued prior to July 1, 2003 (the "Old School Bond Reserve Account") and all bonds, including the Bonds, issued on or after July 1, 2003 shall be benefited by a School Bond Reserve account equal to 1% of the aggregate issued and outstanding bonded indebtedness of counties, municipalities or school districts for school purposes issued on or after July 1, 2003 (the "New School Bond Reserve Account"), provided such amounts do not exceed the moneys available in the Fund. If a municipality, county or school district is unable to make payment of principal of or interest on any of its bonds issued for school purposes, the trustees of the Fund will purchase such bonds at par value and will pay to the

bondholders the interest due or to become due within the limits of funds available in the applicable School Bond Reserve account in accordance with the provisions of the Act.

The Act provides that the School Bond Reserve shall be composed entirely of direct obligations of the United States government or obligations guaranteed by the full faith and credit of the United States government. Securities representing at least one-third of the minimal market value to be held in the School Bond Reserve shall be due to mature within one year of issuance or purchase. Beginning with the fiscal year ending on June 30, 2003 and continuing on each June 30 thereafter, the State Treasurer shall calculate the amount necessary to fully fund the Old School Bond Reserve Account and the New School Bond Reserve Account as required pursuant to the Act. To the extent moneys are insufficient to maintain each account in the Reserve at the required levels, the State agrees that the State Treasurer shall, no later than September 15 of the fiscal year following the June 30 calculation date, pay to the trustees for deposit in the School Bond Reserve such amounts as may be necessary to maintain the Old School Bond Reserve Account and the New School Bond Reserve Account at the levels required by the Act. No moneys may be borrowed from the Fund to provide liquidity to the State unless the Old School Bond Reserve Account and New School Bond Reserve Account each are at the levels certified as full funding on the most recent June 30 calculation date. The amount of the School Bond Reserve in each account is pledged as security for the prompt payment to holders of bonds benefited by such account of the principal of and the interest on such bonds in the event of the inability of the issuer to make such payments. In the event the amounts in either the Old School Bond Reserve Account or the New School Bond Reserve Account fall below the amount required to make payments on bonds, the amounts in both accounts are available to make payments for bonds secured by the reserve.

The Act further provides that the amount of any payment of interest or purchase price of school bonds paid pursuant to the Act shall be deducted from the appropriation or apportionment of State aid, other than certain State aid which may be otherwise restricted pursuant to law, payable to the district, county or municipality and shall not obligate the State to make, nor entitle the district, county or municipality to receive any additional appropriation or apportionment. Any amount so deducted shall be applied by the State Treasurer to satisfy the obligation of the district, county or municipality arising as a result of the payment of interest or purchase price of bonds pursuant to the Act.

Authorization and Purpose

The Bonds have been authorized and are being issued pursuant to Title 18A, Chapter 24 of the New Jersey Statutes (N.J.S.A. 18A:24-1 et seq.), a proposal adopted by the Board on October 21, 2010 and approved by a majority of the legal voters present and voting at the school district election held on December 14, 2010 and by a resolution duly adopted by the Board on January 20, 2011 (the "Resolution").

The purpose of the Bonds is to finance various renovations and improvements to the Jordan Road School, New York Avenue School, and Dawes Avenue School and the acquisition of the necessary furniture and equipment as well as the undertaking of any associated site work. The total cost of the project is \$5,748,215. The project will be permanently funded through the issuance of the Bonds, \$2,304,365 will be funded through grants from the State of New Jersey and the remaining \$850 will be made available from other funds of the Board.

BOOK-ENTRY-ONLY SYSTEM¹

The following description of the procedures and record keeping with respect to beneficial ownership interests in the Bonds, payment of principal and interest, and other payments on the Bonds to DTC Participants or Beneficial Owners defined below, confirmation and transfer of beneficial ownership interests in the Bonds and other related transactions by and between DTC, DTC Participants and Beneficial Owners, is based on certain information furnished by DTC to the Board. Accordingly, the Board does not make any representations concerning these matters.

¹ Source: The Depository Trust Company

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of each series of the Bonds, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks and trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has Standard & Poor's highest rating: AAA. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and www.dtc.org.

Purchases of the Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct Participants' and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct Participant or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interest in the Bonds are to be accomplished by entries made on the books of Direct Participants and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct Participants or Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the School District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and dividend payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as in the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the Board, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Board or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct Participants and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Board or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The Board may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered.

The information in this section concerning DTC and DTC's book-entry-only system has been obtained from sources that the School District believes to be reliable, but the Board takes no responsibility for the accuracy thereof.

Discontinuance of Book-Entry-Only System

In the event that the book-entry-only system is discontinued and the Beneficial Owners become registered owners of the Bonds, the following provisions apply: (i) the Bonds may be exchanged for an equal aggregate principal amount of Bonds in other authorized denominations and of the same maturity, upon surrender thereof at the office of the Board/paying agent; (ii) the transfer of any Bonds may be registered on the books maintained by the paying agent for such purposes only upon the surrender thereof to the Board/paying agent together with the duly executed assignment in form satisfactory to the Board/paying agent; and (iii) for every exchange or registration of transfer of Bonds, the Board/paying agent may make a charge sufficient to reimburse for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer of the Bonds. Interest on the Bonds will be payable by check or draft, mailed on each Interest Payment Date to the registered owners thereof as of the close of business on the fifteenth (15th) day, whether or not a business day, of the calendar month next preceding an Interest Payment Date.

THE SCHOOL DISTRICT AND THE BOARD

The Board consists of nine members elected to three-year terms. The purpose of the School District is to educate students in grades pre-kindergarten through eight. The superintendent of the School District is appointed by the Board and is responsible for the administrative control of the School District.

The School District is a Type II school district and provides a full range of educational services appropriate to pre-kindergarten (pre-K) through grade eight (8), including regular and special education programs. After grade eight, the students attend Mainland Regional High School. The School District is coterminous with the boundaries of the City of Somers Point (the "City"), in the County of Atlantic.

THE STATE'S ROLE IN PUBLIC EDUCATION

The constitution of the State of New Jersey provides that the legislature of the State shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all children in the State between the ages of 5 and 18 years. Case law has expanded the responsibility to include children between the ages of 3 and 21.

The responsibilities of the State with respect to the general supervision and control of public education have been delegated to the New Jersey Department of Education (the "Department"), which is a part of the executive branch of the State government and was created by the State Legislature. The Department is governed and guided by the policies set forth by the New Jersey Board of Education (the "State Board"). The State Board is responsible for the general supervision and control of public education and is obligated to formulate plans and to make recommendations for the unified, continuous and efficient development of public education of all people of all ages within the State. To fulfill these responsibilities, the State Board has the power, *inter alia*, to adopt rules and regulations that have the effect of law and that are binding upon school districts.

The Commissioner of Education (the "Commissioner") is the chief executive and administrative officer of the Department. The Commissioner is appointed by the Governor of the State with the advice and consent of the State Senate, and serves at the pleasure of the Governor during the Governor's term of office. The Commissioner is Secretary and Chief Executive Officer of the State Board and is responsible for the supervision of all school districts in the State and is obligated to enforce the rules and regulations of the State Board. The Commissioner has the authority to recommend the withholding of State financial aid and the Commissioner's consent is required for authorization to sell school bonds that exceed the debt limit of the municipality in which the school district is located and may also set the amount to be raised by taxation for a board of education if a school budget has not been adopted by a board of school estimate or by the voters.

An Executive County Superintendent of Schools (the "County Superintendent") is appointed for each county in the State by the Governor, upon the recommendation of the Commissioner and with the advice and consent of the State Senate. The County Superintendent reports to the Commissioner or a person designated by the Commissioner. The County Superintendent is responsible for the supervision of the school districts in the county and is charged with the enforcement of rules pertaining to the certification of teachers, pupil registers and financial reports and the review of budgets. Under the Uniform Shared Services and Consolidation Act, P.L. 2007, c. 63 approved April 3, 2007 (A4), the role of the county superintendent was changed to create the post of the Executive County Superintendent with expanded powers for the operation and management of school districts to, among other things, promote administrative and operational efficiencies, eliminate non-operating school districts and recommend a school district consolidation plan to eliminate districts through the establishment or enlargement of regional school districts, subject to voter approval.

STRUCTURE OF SCHOOL DISTRICTS IN NEW JERSEY

Categories of School Districts

State school districts are characterized by the manner in which the board of education or the governing body, takes office. School districts are principally categorized in the following categories:

(1) Type I, in which the mayor or chief executive officer ("CEO") of a municipality appoints the members of a board of education and a board of school estimate, which board of school estimate consists of two (2) members of the board of education, two (2) members of the governing body of the municipality and the mayor or CEO of the municipality comprising the school district, approves all fiscal matters;

(2) Type II, in which the registered voters in a school district elect the members of a board of education and either (a) the registered voters also vote upon all fiscal matters, or (b) a board of school estimate, consisting of two (2) members of the governing body of and the CEO of each municipality within the district and the president of and one member of the board of education, approves all fiscal matters;

(3) Regional and consolidated school districts comprising the territorial boundaries of more than one municipality in which the registered voters in the school district elect members of the board of education and vote upon all fiscal matters. Regional school districts may be “All Purpose Regional School Districts” or “Limited Purpose Regional School Districts”;

(4) State operated school districts created by the State Board, pursuant to State law, when a local board of education cannot or will not correct severe educational deficiencies;

(5) County vocational school districts have boards of education consisting of the County Superintendent and four (4) members unless it is a county of the first class, which adopted an ordinance, in which case it can have a board consisting of seven (7) appointed members which the board of chosen freeholders of the county appoints. Such vocational school districts shall also have a board of school estimate, consisting of two (2) members appointed by the board of education of the school district, two (2) members appointed by the board of chosen freeholders and a fifth member being the county executive or the director of the board of chosen freeholders of the county, which approves all fiscal matters;

(6) County special services school districts have boards of education consisting of the County Superintendent and six (6) persons appointed by the board of chosen freeholders of the county. Such special services school districts shall also have a board of school estimate, consisting of two (2) members appointed by the board of education of the school, two (2) members appointed by the board of chosen freeholders and a fifth member being the freeholder-director of the board of chosen freeholders, which approves all fiscal matters.

There is a procedure whereby a Type I school district or a Type II school district may change from one type to the other after an approving public referendum. Such a public referendum must be held whenever directed by the municipal governing body or board of education in a Type I district, or the board of education in a Type II district, or when petitioned for by fifteen percent (15%) of the voters of any school district. The School District is a Type II school district.

Under the Uniform Services and Consolidation Act, the Executive County Superintendent is required to eliminate non-operating school districts and to recommend consolidation to eliminate districts though the establishment or enlargement of regional school districts, subject to voter approval.

School Budgetary Process (N.J.S.A. 18A:22-1 et seq.)

In a Type I school district, a separate body from the school district, known as the board of school estimate, examines the budget requests and fixes the appropriation amounts for the next year's operating budget at or after a public hearing. This board, whose composition is fixed by statute, certifies the budget to the municipal governing body or Board. If the Board disagrees with the certified budget of the board of school estimate, then it can appeal to the Commissioner to request changes.

In a Type II district, the elected Board develops the budget proposal and, at or after a public hearing, submits it for voter approval. Debt service provisions are not subject to public referendum. If approved, the budget goes into effect. If defeated, the governing bodies of the constituent municipalities must develop the school budget by May 19 of each year. Should the governing bodies be unable to do so, the Commissioner establishes the local school budget.

SUMMARY OF CERTAIN PROVISIONS FOR THE PROTECTION OF SCHOOL DEBT

Levy and Collection of Taxes

School districts in the State do not levy or collect taxes to pay those budgeted amounts that are not provided by the State. The municipality within which a school district is situated levies or collects the required taxes and must remit them in full to the school district.

Budgets and Appropriations

School districts in the State must operate on an annual cash basis budget. Each school district must adopt an annual budget in such detail and upon forms as prescribed by the Commissioner, to which must be attached an itemized statement showing revenues, including State and Federal aid, and expenditures. The Commissioner must approve a budget prior to its final adoption and has the power to increase or decrease individual line items in a budget. Any amendments to a school district's budget must be approved by the Board or the board of school estimate, as the case may be. Every budget submitted must provide no less than the minimum permissible amount deemed necessary under State law to provide for a thorough and efficient education as mandated by the State constitution. The Commissioner may not approve any budget unless the Commissioner is satisfied that the district has adequately implemented within the budget the Core Curriculum Content Standards required by State law. If necessary, the Commissioner is authorized to order changes in the local school district's budget. The Commissioner will also ensure that other provisions of law are met including the limitations on taxes and spending explained below.

Tax and Spending Limitations

The Public School Education Act of 1975, N.J.S.A. 18A:7A-1 *et seq.*, P.L. 1975, c. 212 (amended and partially repealed) first limited the amount of funds that could be raised by a local school district. It limited the annual increase of any school district's net current expense budget. The budgetary limitation was known as a "CAP" on expenditures. The "CAP" was intended to control the growth in local property taxes. Subsequently there have been numerous legislative changes as to how the spending limitations would be applied.

The Quality Education Act of 1990, N.J.S.A. 18A:7D-1 *et seq.*, P.L. 1990, c. 52 (now repealed) also limited the annual increase in the school district's current expense and capital outlay budgets by a statutory formula linked to the annual percentage increase in per capita income. The QEA was amended and revised by chapter 62 of the Laws of New Jersey of 1991, and further amended by chapter 7 of the Laws of New Jersey of 1993.

The Comprehensive Educational Improvement and Financing Act of 1996, N.J.S.A. 18A:7F-1 *et seq.*, P.L. 1996, c. 138 (CEIFA), (as amended by P.L. 2004, c.73, effective July 1, 2004), which followed QEA, also limited the annual increase in a school district's net budget by a spending growth limitation. CEIFA limited the amount school districts could increase their annual current expenses and capital outlay budgets, defined as a school district's Spending Growth Limitation. Generally, budgets could increase by either a set percent or the consumer price index, whichever was greater. Amendments to CEIFA lowered the budget cap to 2.5% from 3%. Budgets could also increase because of certain adjustments for enrollment increases, certain capital outlay expenditures, pupil transportation costs, and special education costs that exceeded \$40,000 per pupil. Waivers were available from the Commissioner based on increasing enrollments and other fairly narrow grounds and increases higher than the cap could be approved by a vote of 60% at the annual school election.

P.L. 2007, c. 62, effective April 3, 2007 (Assembly Bill A1), provided additional limitations on school district spending by limiting the amount a school district could raise for school district purposes through the property tax levy by 4% over the prior budget year's tax levy. P.L. 2007, c. 62 provided for adjustments to the cap for increases in enrollment, reductions in State aid and increased health care costs and for certain other extraordinary cost increases that required approved by the Commissioner. The bill granted discretion to the Commissioner to grant other waivers from the cap for increases in special education costs, capital outlay, and

tuition charges. The Commissioner also had the ability to grant extraordinary waivers to the tax levy cap for certain other cost increases beginning in fiscal year 2009 through 2012.

P.L. 2007, c. 62 was deemed to supersede the prior limitations on the amount school districts could increase their annual current expenses and capital outlay budgets, known as a school district's spending growth limitation amount, created by CEIFA (as amended by P.L. 2004, c.73, effective July 1, 2004). However, Chapter 62 was in effect only through fiscal year 2012. Without an extension of Chapter 62 by the legislature, the spending growth limitations on the general fund and capital outlay budget would be in effect.

Debt service was not limited either by the Spending Growth Limitations or the 4% Cap on the tax levy increase imposed by Chapter 62.

The previous legislation has now been amended by P.L. 2010, c. 44, approved July 13, 2010 and applicable to the next local budget year following enactment. The new law will limit the school district tax levy for the general fund budget to increases of 2% over the prior budget year with exceptions only for enrollment increases, increases for certain normal and accrued liability for pension contributions in excess of 2%, certain healthcare increases, and amounts approved by a simple majority of voters voting at a special election. The process for obtaining waivers from the Commissioner for additional increases over the tax levy or spending limitations has been eliminated under Chapter 44.

The restrictions are solely on the tax levy for the general fund and are not applicable to the debt service fund. There are no restrictions on a local school district's ability to raise funds for debt service, and nothing would limit the obligation of a school district to levy ad valorem taxes upon all taxable real property within the district to pay debt service on its bonds or notes.

Issuance of Debt

Among the provisions for the issuance of school debt are the following requirements: (i) bonds must mature in serial installments within the statutory period of usefulness of the projects being financed but not exceeding forty (40) years, (ii) debt must be authorized by a resolution of a Board (and approved by a board of school estimate in a Type I school district), and (iii) there must be filed with the State by each municipality comprising a school district a Supplemental Debt Statement and a school debt statement setting forth the amount of bonds and notes authorized but unissued and outstanding for such school district.

Annual Audit (N.J.S.A. 18A:23-1 et seq.)

Every Board is required to provide an annual audit of the school district's accounts and financial transactions. A licensed public school accountant must perform the audit no later than four (4) months after the end of the school fiscal year. The audit, in conformity with statutory requirements, must be filed with the Board and the Commissioner. Additionally, the audit must be summarized and discussed at a regular public meeting of the local Board within thirty (30) days following receipt of the annual audit by such Board.

Temporary Financing (N.J.S.A. 18A:24-3)

Temporary notes may be issued in anticipation of the issuance of permanent bonds for a capital improvement or capital project. Such temporary notes may not exceed in the aggregate the amount of bonds authorized for such improvement or project. A school district's temporary notes may be issued for one (1) year periods, with the final maturity not exceeding five (5) years from the date of original issuance; provided, however, that no such notes shall be renewed beyond the third anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which said notes are issued, is paid and retired subsequent to such third anniversary date from funds other than the proceeds of obligations. School districts may not capitalize interest on temporary notes, but must include in each annual budget the amount of interest due and payable in each fiscal year on all outstanding temporary notes.

Debt Limitation (N.J.S.A. 18A:24-19)

Except as provided below, no additional debt shall be authorized if the principal amount, when added to the net debt previously authorized, exceeds a statutory percentage of the average equalized valuation of taxable property in a school district. As a kindergarten (K) through grade eight (8) school district, the School District can borrow up to 3% of the average equalized valuation of taxable property in the School District. The School District has not exceeded its 3% debt limit. *See* "APPENDIX A – Debt Limit of the School District."

Exceptions to Debt Limitation

A Type II school district, (other than a regional district), may also utilize its constituent municipality's remaining statutory borrowing power (i.e. the excess of 3.5% of the average equalized valuation of taxable property within the constituent municipality over the constituent municipality's net debt). The School District has not utilized the Borough's borrowing margin. A school district may also authorize debt in excess of this limit with the consent of the Commissioner and the Local Finance Board.

Capital Lease Financing

School districts are permitted to enter into lease purchase agreements for the acquisition of equipment or for the improvement of school buildings. Generally, lease purchase agreements cannot exceed five years except for certain energy-saving equipment which may be leased for up to fifteen (15) years if paid from energy savings. Lease purchase agreements for a term of five (5) years or less must be approved by the Commissioner. The Educational Facilities Construction and Financing Act, P.L. 2000, c. 72, repealed the authorization to enter into facilities leases in excess of five years. The payment of rent on an equipment lease and on a five year and under facilities lease is treated as a current expense and within the school district's Spending Growth Limitation and tax levy cap. Lease purchase payments on leases in excess of five years entered into under prior law (CEIFA) are treated as debt service payments and, therefore, will receive debt service aid if the school district is entitled and are outside the school district's Spending Growth Limitation and tax levy cap.

Energy Saving Obligations

Under P.L. 2009, c. 4, approved January 21, 2009 and effective 60 days thereafter, districts may issue energy savings obligations without voter approval to fund certain improvements that result in reduced energy use, facilities for production of renewable energy or water conservation improvements provided that the value of the savings will cover the cost of the measures.

SUMMARY OF STATE AID TO SCHOOL DISTRICTS

In 1973, the Supreme Court of the State of New Jersey (the "Court") first ruled in Robinson v. Cahill that the method then used to finance public education principally through property taxation was unconstitutional. Pursuant to the Court's ruling, the State Legislature enacted the Public School Education Act of 1975, N.J.S.A. 18A:7A-1 et seq., (P.L. 1975, c. 212) (the "Public School Education Act") (since amended and partially repealed), which required funding of the State's school aid through the New Jersey Gross Income Tax Act, P. L. 1976, c. 47, since amended and supplemented, enacted for the purpose of providing property tax relief.

On June 5, 1990, the Court ruled in Abbott v. Burke that the school aid formula enacted under the Public School Education Act was unconstitutional as applied. The Court found that poorer urban school districts were significantly disadvantaged under that school funding formula because school revenues were derived primarily from property taxes. The Court found that wealthy school districts were able to spend more, yet tax less for educational purposes.

Since that time there has been much litigation and many cases affecting the State's responsibilities to fund public education and many legislative attempts to distribute State aid in accordance with the court cases and the constitutional requirement. The cases addressed not only current operating fund aid but also addressed the

requirement to provide facilities aid as well. The legislation has included the Quality Education Act of 1990, N.J.S.A. 18A:7D-1 et seq., (P.L. 1990, c. 52) ("QEA") (now repealed), the Comprehensive Educational Improvement and Financing Act of 1996, N.J.S.A. 18A:7F-1 et seq., (P.L. 1996, c. 138) (CEIFA) and the Educational Facilities Construction and Financing Act, (P.L. 2000, c. 72) ("EFCFA"), which became law on July 18, 2000. For the past several years aid was simply determined in the State Budget, which itself is an act of the legislature, based upon amounts provided in prior years. The most current school funding formula, provided in the School Funding Reform Act of 2008, P.L. 2007, c. 260 approved January 1, 2008 (A500), attempts to remove the special status given to certain districts known as Abbot Districts after the school funding cases and instead has funding follow students with certain needs and provides aid in a way that takes into account the ability of the local district to raise local funds to support the budget in amounts deemed adequate to provide for a thorough and efficient education as required by the State constitution. This legislation was recently challenged in the Court, and the Court held that the State's plan for school aid is a "constitutionally adequate scheme."

Notwithstanding over 35 years of litigation, the State provides State aid to school districts of the State in amounts provided in the State Budget each year. These now include equalization aid, special education categorical aid, transportation aid, preschool education aid, instructional supplement aid, supplemental core curriculum standards aid, distance learning network aid, bilingual aid, security aid, adjustment aid and other aid determined in the discretion of the Commissioner.

Due to the State's current budget concerns, \$536,049 of its State aid was withheld for the 2009/2010 fiscal year. The Board's funding for the 2010/2011 fiscal year will reflect a decrease in formula-based aid from \$5,666,588 for fiscal year 2010 to \$5,465,279.

State law requires that the State will provide aid for the construction of school facilities (Facilities Aid) in an amount equal to the greater of the district aid percentage or 40% times the eligible costs determined by the Commissioner of Education either in the form of a grant or debt service aid as determined under the Education Facilities Construction and Financing Act of 2001. The amount of the aid to which a district is entitled is established prior to the authorization of the project. Grant funding is provided by the State up front and debt service aid must be appropriated annually by the State.

The Governor of the State has announced his intention to reduce facilities aid by 15%. This would reduce debt service aid by 15% in fiscal year 2011, and school districts receiving aid financed through the New Jersey Economic Development Authority, such as grants, will be assessed an amount representing 15% of their proportionate share of the fiscal 2011 principal and interest payments on the outstanding bonds issued for the program.

SUMMARY OF FEDERAL AID TO SCHOOL DISTRICTS

Federal funds are available for certain programs approved by the Federal government with allocation decided by the State, which assigns a proportion to each local school district. The Elementary and Secondary Education Act, as amended and restated by the No Child Left Behind Act of 2001, 20 U.S.C.A. § 6301 et seq., is a Federal assistance program for which a school district qualifies to receive aid. A remedial enrichment program for children of low income families is available under Chapter 1 Aid. Such Federal aid is generally received in the form of block grants. Aid is also provided under the Individuals with Disabilities Education Act although never in the amounts federal law required.

MUNICIPAL FINANCE - FINANCIAL REGULATION OF COUNTIES AND MUNICIPALITIES

Local Bond Law (N. J. S. A. 40A:2-1 et seq.)

The Local Bond Law governs the issuance of bonds and notes to finance certain general municipal and utility capital expenditures. Among its provisions are requirements that bonds must mature within the statutory period of usefulness of the projects bonded and that bonds be retired in serial installments. A 5% cash down payment is generally required toward the financing of expenditures for municipal purposes subject to a number of exceptions. All bonds and notes issued by the City are general full faith and credit obligations.

The authorized bonded indebtedness of the City for municipal purposes is limited by statute, subject to the exceptions noted below, to an amount equal to 3-1/2% of its average equalized valuation basis. The City has not exceeded its statutory debt limit.

Certain categories of debt are permitted by statute to be deducted for purposes of computing the statutory debt limit, including school bonds that do not exceed the school bond borrowing margin and certain debt that may be deemed self-liquidating.

The City may exceed its debt limit with the approval of the Local Finance Board, a State regulatory agency, and as permitted by other statutory exceptions. If all or any part of a proposed debt authorization would exceed its debt limit, the City may apply to the Local Finance Board for an extension of credit. If the Local Finance Board determines that a proposed debt authorization would not materially impair the credit of the City or substantially reduce the ability of the City to meet its obligations or to provide essential public improvements and services, or if it makes certain other statutory determinations, approval is granted. In addition, debt in excess of the statutory limit may be issued by the City to fund certain notes, to provide for self-liquidating purposes, and, in each fiscal year, to provide for purposes in an amount not exceeding 2/3 of the amount budgeted in such fiscal year for the retirement of outstanding obligations (exclusive of utility and assessment obligations).

The City may sell short-term "bond anticipation notes" to temporarily finance a capital improvement or project in anticipation of the issuance of bonds if the bond ordinance or a subsequent resolution so provides. A local unit's bond anticipation notes must mature within one year, but may be renewed or rolled over. Bond anticipation notes, including renewals, must mature and be paid no later than the first day of the fifth month following the close of the tenth fiscal year next following the date of the original notes. For bond ordinances adopted on or after February 3, 2003, notes may only be renewed beyond the third anniversary date of the original notes if a minimum payment equal to the first year's required principal payment on the bonds is paid to retire a portion of the notes on or before each subsequent anniversary date from funds other than the proceeds of bonds or notes. For bond ordinances adopted prior to February 3, 2003, the governing body may elect to make such minimum principal payment only when the notes are renewed beyond the third and fourth anniversary dates.

Local Budget Law (N. J. S. A. 40A:4-1 et seq.)

The foundation of the New Jersey local finance system is the annual cash basis budget. The City, which operates on a calendar year (January 1 to December 31), must adopt a budget in the form required by the Division of Local Government Services, Department of Community Affairs, State of New Jersey (the "Division"). Certain items of revenue and appropriation are regulated by law and the proposed budget must be certified by the director of the Division ("Director") prior to final adoption. The Local Budget Law requires each local unit to appropriate sufficient funds for payment of current debt service, and the Director is required to review the adequacy of such appropriations among others, for certification.

Tax Anticipation Notes are limited in amount by law and must be paid off in full within 120 days of the close of the fiscal year.

The Director has no authority over individual operating appropriations, unless a specific amount is required by law, but the review functions focusing on anticipated revenues serve to protect the solvency of all local units.

The cash basis budgets of local units must be in balance, i.e., the total of anticipated revenues must equal the total of appropriations (N.J.S.A. 40A:4-22). If in any year a local unit's expenditures exceed its realized revenues for that year, then such excess must be raised in the succeeding year's budget.

The Local Budget Law (N.J.S.A. 40A:4-26) provides that no miscellaneous revenues from any source may be included as any anticipated revenue in the budget in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director determines that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and certifies that determination to the local unit.

No budget or budget amendment may be adopted unless the Director shall have previously certified his approval of such anticipated revenues except that categorical grants-in-aid contracts may be included for their face amount with an offsetting appropriation. The fiscal years for such grants rarely coincide with the municipality's calendar year. However, grant revenue is generally not realized until received in cash.

The same general principle that revenue cannot be anticipated in a budget in excess of that realized in the preceding year applies to property taxes. The maximum amount of delinquent taxes that may be anticipated is limited by a statutory formula, which allows the unit to anticipate collection at the same rate realized for the collection of delinquent taxes in the previous year. Also, the local unit is required to make an appropriation for a "reserve for uncollected taxes" in accordance with a statutory formula to provide for a tax collection in an amount that does not exceed the percentage of taxes levied and payable in the preceding fiscal year that was received in cash by the last day of that fiscal year. The budget also must provide for any cash deficits of the prior year.

Emergency appropriations (those made after the adoption of the budget and the determination of the tax rate) may be authorized by the governing body of the local unit. However, with minor exceptions, such appropriations must be included in full in the following year's budget. When such appropriations exceed 3% of the adopted operating budget, consent of the Director must be obtained.

The exceptions are certain enumerated quasi-capital projects ("special emergencies") such as ice, snow, and flood damage to streets, roads and bridges, which may be amortized over three years, and tax map preparation, revaluation programs, revision and codification of ordinances, master plan preparations, and drainage map preparation for flood control purposes which may be amortized over five years. Emergency appropriations for capital projects may be financed through the adoption of a bond ordinance and amortized over the useful life of the project.

Budget transfers provide a degree of flexibility and afford a control mechanism. Transfers between appropriation accounts may be made only during the last two months of the year. Appropriation reserves may also be transferred during the first three (3) months of the year, to the previous years' budget. Both types of transfers require a 2/3 vote of the full membership of the governing body; however, transfers cannot be made from either the down payment account or the capital improvement fund. Transfers may be made between sub-account line items within the same account at any time during the year, subject to internal review and approval. In a "CAP" budget, no transfers may be made from excluded from "CAP" appropriations to within "CAPS" appropriations nor can transfers be made between excluded from "CAP" appropriations.

A provision of law known as the New Jersey "Cap Law" (N.J.S.A. 40A:4-45.1 et seq.) imposes limitations on increases in municipal appropriations subject to various exceptions. The payment of debt service is an exception from this limitation. The Cap formula is somewhat complex, but basically, it permits a municipality to increase its overall appropriations by the lesser of 2.5% or the "Index Rate" if the index rate is greater than 2.5%. The "Index Rate" is the rate of annual percentage increase, rounded to the nearest one-half percent, in the Implicit Price Deflator for State and Local Government purchases of goods and services computed by the U.S. Department of Commerce. Exceptions to the limitations imposed by the Cap Law also exist for other things including capital

expenditures; extraordinary expenses approved by the Local Finance Board for implementation of an interlocal services agreement; expenditures mandated as a result of certain emergencies; and certain expenditures for services mandated by law. Counties are also prohibited from increasing their tax levies by more than the lesser of 2.5% or the Index Rate subject to certain exceptions. Municipalities by ordinance approved by a majority of the full membership of the governing body may increase appropriations up to 3.5% over the prior year's appropriation, and counties by resolution approved by a majority of the full membership of the governing body may increase the tax levy up to 3.5% over the prior years' tax levy in years when the Index Rate is 2.5% or less.

Additionally, legislation constituting P.L. 2007, c. 62, effective April 3, 2007, imposed a 4% cap on the tax levy of a municipality, county, fire district or solid waste collection district, with certain exceptions and subject to a number of adjustments. The exclusions from the limit included increases required to be raised for debt service and certain lease payments to county improvement authorities, increases to replace certain lost state aid, increases in certain pension contributions, increases in the reserve for uncollected taxes required for municipalities, and certain increases in health care costs over 4%. The Local Finance Board was able to approve waivers for certain extraordinary costs identified by the statute, and voters could approve increases above 4% not otherwise permitted by a vote of 60% of the voters voting on a public question.

This legislation has now been amended by P.L. 2010, c. 44, approved July 13, 2010 and applicable to the next local budget year following enactment to limit tax levy increases for those local units to 2% with exceptions only for capital expenditures including debt service, increases in pension contributions and accrued liability for pension contributions in excess of 2%, certain healthcare increases, extraordinary costs directly related to a declared emergency and amounts approved by a simple majority of voters voting at a special election. Chapter 44 eliminates the process for obtaining waivers for additional spending under the tax levy limitation.

Neither the tax levy limitation nor the "Cap Law" limits, including the provisions of the recent legislation, would limit the obligation of the City to levy ad valorem taxes upon all taxable real property within the City to pay debt service on its bonds or notes.

In accordance with the Local Budget Law, each local unit must adopt and may from time to time amend rules and regulations for capital budgets, which rules and regulations must require a statement of capital undertakings underway or projected for a period not greater than over the next ensuing six years as a general improvement program. The capital budget, when adopted, does not constitute the approval or appropriation of funds, but sets forth a plan of the possible capital expenditures which the local unit may contemplate over the next six years. Expenditures for capital purposes may be made either by ordinances adopted by the governing body setting forth the items and the method of financing or from the annual operating budget if the terms were detailed.

Tax Assessment and Collection Procedure

Property valuations (assessments) are determined on true values as arrived at by a cost approach, market data approach and capitalization of net income, where appropriate. Current assessments are the results of new assessments on a like basis with established comparable properties for newly assessed or purchased properties. This method assures equitable treatment to like property owners, but it often results in a divergence of the assessment ratio to true value. Because of the changes in property resale values, annual adjustments could not keep pace with the changing values.

Upon the filing of certified adopted budgets by the City's Local School District and the County, the tax rate is struck by the Atlantic County Board of Taxation based on the certified amounts in each of the taxing districts for collection to fund the budgets. The statutory provision for the assessment of property, levying of taxes and the collection thereof are set forth in N.J.S.A. 54:4-1 et seq. Special taxing districts are permitted in New Jersey for various special services rendered to the properties located within the special districts.

Tax bills are mailed annually in June by the City's Tax Collector. The taxes are due August 1 and November 1, respectively, and are adjusted to reflect the current calendar year's total tax liability. The preliminary taxes due February 1 and May 1 of the succeeding year are based upon one-half of the current year's total tax.

Tax installments not paid on or before the due date are subject to interest penalties of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00. These interest and penalties are the highest permitted under New Jersey statutes. If a delinquency is in excess of \$10,000.00 and remains in arrears after December 31st, an additional penalty of 6% shall be charged. Delinquent taxes open for one year or more are annually included in a tax sale in accordance with New Jersey Statutes.

Tax Appeals

The New Jersey Statutes provide a taxpayer with remedial procedures for appealing an assessment deemed excessive. Prior to February 1 in each year, the City must mail to each property owner a notice of the current assessment and taxes on the property. The taxpayer has a right to petition the Atlantic County Board of Taxation on or before April 1 for review. The County Board of Taxation has the authority after a hearing to decrease or reject the appeal petition. These adjustments are usually concluded within the current tax year and reductions are shown as canceled or remitted taxes for that year. If the taxpayer feels his petition was unsatisfactorily reviewed by the County Board of Taxation, appeal may be made to the Tax Court of New Jersey, for further hearing. Some State Tax Court appeals may take several years prior to settlement, and any losses in tax collections from prior years are charged directly to operations.

Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et seq.)

This law regulates the non-budgetary financial activities of local governments. The Chief Financial Officer of every local unit must file annually, with the Director, a verified statement of the financial condition of the local unit and all constituent boards, agencies or commissions.

An independent examination of each local unit accounts must be performed annually by a licensed registered municipal accountant. The audit, conforming to the Division of Local Government Services' "Requirements of Audit", includes recommendations for improvement of the local unit's financial procedures and must be filed with the Director. A synopsis of the audit report, together with all recommendations made, must be published in a local newspaper within 30 days of its submission.

FINANCIAL STATEMENTS

The financial statements of the Board for the year ended June 30, 2010 are presented in Appendix B to this Official Statement (the "Financial Statements"). The Financial Statements have been audited by Glen Ortman of Ford, Scott & Associates, L.L.C., Ocean City, New Jersey, an independent auditor (the "Auditor"), as stated in its report appearing in Appendix B to this Official Statement. See "APPENDIX B - Financial Statements of The Board of Education of the City of Somers Point in the County of Atlantic, New Jersey".

LITIGATION

To the knowledge of the Board attorney, Louis J. Greco, Esq., Hamilton, New Jersey (the "Board Attorney"), there is no litigation of any nature now pending or threatened, restraining or enjoining the issuance or the delivery of the Bonds, or the levy or the collection of any taxes to pay the principal of or the interest on the Bonds, or in any manner questioning the authority or the proceedings for the issuance of the Bonds or for the levy or the collection of taxes, or contesting the corporate existence or the boundaries of the Board or the School District or the title of any of the present officers. To the knowledge of the Board Attorney, no litigation is presently pending or threatened that, in the opinion of the Board Attorney, would have a material adverse impact on the financial condition of the Board if adversely decided. A certificate to such effect will be executed by the Board Attorney and delivered to the purchaser of the Bonds at the closing.

TAX EXEMPTION

Applicable federal tax law provides that interest on obligations such as the Bonds is not included in gross income for federal income tax purposes only if certain requirements are met. In its Certificate as to Arbitrage and Compliance with the Internal Revenue Code of 1986 (the “Tax Certificate”), which will be delivered in connection with the issuance of the Bonds, the Board of Education will make certain representations, certifications of fact, and statements of reasonable expectation in connection with the issuance of the Bonds and certain ongoing covenants to comply with applicable requirements of the Code to assure the exclusion of the interest on the Bonds from gross income under Section 103 of the Code. Failure to comply with certain requirements of the Code could cause interest on the Bonds to be includable in gross income for federal tax purposes retroactive to the date of issuance of the Bonds.

In the opinion of McManimon & Scotland, L.L.C., (“Bond Counsel”), under existing statutes, regulations, administrative pronouncements and judicial decisions, and in reliance on the representations, certifications of fact, and statements of reasonable expectation made by the Board in the Tax Certificate, and assuming compliance by the Board with its ongoing covenants in the Tax Certificate, interest on the Bonds is not included in the gross income of the owners thereof for federal income tax purposes pursuant to the Code and is not an item of tax preference to be included in calculating alternative minimum taxable income under the Code for purposes of the alternative minimum tax imposed with respect to individuals and corporations. Interest on the Bonds held by corporate taxpayers is included in the relevant income computation for calculation of the federal alternative minimum tax imposed on corporations as a result of the inclusion of interest on the Bonds in “adjusted current earnings.”

New Jersey Gross Income Tax

In the opinion of Bond Counsel, to be delivered simultaneously with the delivery of the Bonds, under existing law, interest on the Bonds and any gain on the sale of the Bonds are not includable in gross income under the existing New Jersey Gross Income Tax Act.

Certain Federal Tax Consequences Relating to the Bonds

Although interest on the Bonds is excluded from gross income for federal income tax purposes, the accrual or receipt of interest on the Bonds may otherwise affect the federal income tax liability of the recipient. The nature and extent of these other tax consequences will depend upon the recipient’s particular tax status or other items of income or deduction. Bond Counsel expresses no opinion regarding any such consequences. Purchasers of the Bonds, particularly purchasers that are corporations (including S corporations and foreign corporations operating branches in the United States), property or casualty insurance companies, banks, thrifts or other financial institutions and certain recipients of Social Security benefits, are advised to consult their own tax advisors as to the tax consequences of purchasing or holding the Bonds.

There can be no assurance that legislation will not be introduced or enacted after the issuance and delivery of the Bonds so as to affect adversely the exclusion from gross income for federal income tax purposes of interest on the Bonds. Each purchaser of the Bonds should consult his or her own advisor regarding any changes in the status of pending or proposed federal tax legislation.

Bank Qualification

The Bonds will be designated as “qualified tax-exempt obligations” under Section 265 of the Code by the Issuer for an exemption from the denial of deduction for interest paid by financial institutions to purchase or to carry tax-exempt obligations.

The Code denies the interest deduction for certain indebtedness incurred by banks, thrift institutions and other financial institutions to purchase or to carry tax-exempt obligations. The denial to such institutions of one hundred percent (100%) of the deduction for interest paid on funds allocable to tax-exempt obligations applies to

those tax-exempt obligations acquired by such institutions after August 7, 1986. For certain issues, which are eligible to be designated and which are designated by the issuer as qualified under Section 265 of the Code, eighty percent (80%) of such interest may be deducted as a business expense by such institutions.

ALL POTENTIAL PURCHASERS OF THE BONDS SHOULD CONSULT WITH THEIR TAX ADVISORS IN ORDER TO UNDERSTAND THE TAX IMPLICATIONS OF OWNERSHIP OF THE BONDS.

LEGALITY FOR INVESTMENT

The State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, bankers, trust companies, savings and loan associations, savings banks and institutions, building and loan associations, investment companies, and other persons carrying on banking business, all insurance companies, and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any obligations of the Board, including the Bonds, and such Bonds are authorized security for any and all public deposits.

MUNICIPAL BANKRUPTCY

The undertakings of the Board should be considered with reference to 11 U.S.C. 401, et seq., as amended and supplemented (the "Bankruptcy Code"), and other bankruptcy laws affecting creditors' rights and municipalities in general. The Bankruptcy Code permits the State or any political subdivision, public agency, or instrumentality that is insolvent or unable to meet its debts to commence a voluntary bankruptcy case by filing a petition with a bankruptcy court for the purpose of effecting a plan to adjust its debts; directs such a petitioner to file with the court a list of petitioner's creditors; provides that a petition filed under this chapter shall operate as a stay of the commencement or continuation of any judicial or other proceeding against the petitioner; grants certain priority to debt owed for services or material; and provides that the plan must be accepted in writing by or on behalf of classes of creditors holding at least two-thirds in amount and more than one half in number of the allowed claims of such class. The Bankruptcy Code specifically does not limit or impair the power of a state to control, by legislation or otherwise, the procedures that a municipality must follow in order to take advantage of the provisions of the Bankruptcy Code.

The Bankruptcy Code provides that special revenue acquired by the debtor after the commencement of the case shall remain subject to any lien resulting from any security agreement entered into by such debtor before the commencement of such bankruptcy case. However, any such lien, other than municipal betterment assessments, shall be subject to the necessary operating expenses of such project or system. Furthermore, the Bankruptcy Code provides that a transfer of property of a debtor to or for the benefit of any holder of a bond or note, on account of such bond or note, may not be avoided pursuant to certain preferential transfer provisions set forth in such Bankruptcy Code.

Reference should also be made to N.J.S.A. 52:27-40 et seq., which provides that a local unit has the power to file a petition in bankruptcy with any United States Court or court in bankruptcy under the provisions of the Bankruptcy Code, for the purpose of effecting a plan of readjustment of its debts or for the composition of its debts; provided, however, the approval of the Municipal Finance Commission must be obtained. The powers of the Municipal Finance Commission have been vested in the Local Finance Board.

Reference to the Bankruptcy Code or the State statute should not create any implication that the Board expects to utilize the benefits of their provisions.

APPROVAL OF LEGAL PROCEEDINGS

All legal matters incident to the authorization, the issuance, the sale and the delivery of the Bonds are subject to the approval of Bond Counsel to the Board, whose approving legal opinion will be delivered with the Bonds substantially in the form set forth as Appendix C. Certain legal matters will be passed on for the Board by its Board Attorney.

PREPARATION OF OFFICIAL STATEMENT

The Board hereby states that the descriptions and statements herein, including financial statements, are true and correct in all material respects, and it will confirm same to the purchasers of the Bonds by certificates signed by the Board President and Business Administrator/Board Secretary.

All other information has been obtained from sources that the Board considers to be reliable, and it makes no warranty, guaranty or other representation with respect to the accuracy and completeness of such information.

The Auditor has participated in the preparation of Appendix A and Appendix B of this Official Statement on behalf of the Board, but has not independently verified the accuracy, completeness or fairness thereof and, accordingly, takes no responsibility and expresses no opinion with respect thereto.

Bond Counsel has neither participated in the preparation of the financial or statistical information contained in this Official Statement, nor have they verified the accuracy, completeness or fairness thereof and, accordingly, expresses no opinion with respect thereto.

RATING

The Board has requested a rating from Standard & Poor's (the "Rating Agency").

The rating will reflect only the view of the Rating Agency and an explanation of the significance of such rating may only be obtained from the Rating Agency. The Board furnished to the Rating Agency certain information and materials concerning the Bonds and the Board. There can be no assurance that the rating will continue for any given period of time or that the rating will not be revised downward entirely by the Rating Agency if, in their judgment, circumstances so warrant. Any downward change in or withdrawal of such rating may have an adverse effect on the marketability or market price of the Bonds.

SECONDARY MARKET DISCLOSURE

Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Board of Education shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to February 1 of each year, beginning February 1, 2012, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Board of Education consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Board of Education and certain financial information and operating data consisting of (1) Board of Education and overlapping indebtedness including a schedule of outstanding debt issued by the Board of Education; (2) the Board of Education's most current adopted budget; (3) property valuation information; and (4) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) if any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial

- difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) notice of failure of the Board of Education to provide required annual financial information on or before the date specified in the Resolution shall be sent in a timely manner to EMMA.

In the event that the Board fails to comply with the above-described undertaking and covenants, the Board shall not be liable for any monetary damages, remedy of the beneficial owners of the Bonds being specifically limited in the undertaking to specific performance of the covenants.

The undertaking may be amended by the Board from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or market position of firms who may make the secondary market and the financial condition of the Board may affect the future liquidity of the Bonds.

The Board was not in compliance with respect to the Rule with respect to its prior undertakings. However, as of the date of this Official Statement the Board was made all of the appropriate filings.

ADDITIONAL INFORMATION

Inquiries regarding this Official Statement, including information additional to that contained herein, may be directed to Suzanne Keller, Business Administrator/Board Secretary at (609) 927-2053.

CERTIFICATE WITH RESPECT TO THE OFFICIAL STATEMENT

At the time of the original delivery of the Bonds, the Board will deliver a certificate of one of its authorized officials to the effect that she has examined this Official Statement (including the Appendices) and the financial and other data concerning the School District contained herein and that, to the best of her knowledge and belief, (i) this Official Statement, both as of its date and as of the date of delivery of the Bonds, does not contain any untrue statement of a material fact necessary to make the statements herein, in the light of the circumstances under which they were made, not misleading and (ii) between the date of the Official Statement and the date of delivery of the Bonds there has been no material adverse change in the affairs (financial or other), financial condition or results or operations of the Board except as set forth in or contemplated by the Official Statement.

MISCELLANEOUS

This Official Statement is not to be construed as a contract or agreement between the Board and the purchasers or holders of any of the Bonds. Any statements made in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended merely as opinions and not as representations of fact. The information and expressions of opinion contained herein are subject to change without notice and neither the delivery of this Official Statement nor any sale of Bonds made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Board since the date hereof. The information contained in this Official Statement is not guaranteed as to accuracy or completeness.

THE BOARD OF EDUCATION OF THE CITY OF SOMERS POINT IN THE COUNTY OF ATLANTIC, NEW JERSEY

By: _____
Suzanne Keller, Business Administrator/Board Secretary

APPENDIX A

Economic and Demographic Information Relating to the School District and the City of Somers Point

THE SCHOOL DISTRICT

Type

The Board of Education of the City of Somers Point (the “Board”) operates independently of the City government. It is a Type II school district with nine elected members serving staggered three-year terms.

The Board adopts its own budget. The people vote upon the amount to be raised by taxation for Current Expenses and Capital Outlay; if approved, these amounts are certified directly to the Atlantic County Board of Taxation and the tax rate is struck accordingly. If the people do not approve the amounts, the budget goes to the City’s governing body. If it is not acted upon by the City’s governing body within the time specified by law, it then goes to the Commissioner of Education of the State of New Jersey (the “Commissioner”) who, after a hearing, can only approve the total budget, as submitted, or reduce it. In addition, the Board has appeal opportunities to the Commissioner if the Board does not agree with the City’s governing body’s actions.

The Board operates on a fiscal year July 1 to June 30, but taxes are raised on a calendar year basis. This means that taxes are raised for six months of the two years that make up the calendar year and paid to the school district by December 31.

The Board operates a kindergarten through 8th grade school system. It currently employs two schools: the Jordan Road School serving grades kindergarten through 8 and the Dawes Avenue School serving kindergarten through 6. A 2004 bond issue funded repairs and renovations to the two school buildings and also provided for necessary furniture and equipment associated with the repairs and renovations. No additional debt is currently contemplated beyond the current financing of \$3,443,000.

The School District is a constituent district of the Mainland Regional School District. Its public school students in grades 9 through 12 attend the Mainland Regional High School, located in Linwood. The Mainland Regional High School is also a Type II School District, with members being elected by the voters of the cities of Somers Point, Linwood and Northfield. Somers Point is currently responsible for 38.7% of the tax requirements of the District. The same voting procedures apply to the Regional District as to the Local District.

The Regional Board operates on a fiscal year July 1 to June 30 and taxes are levied for the school on a calendar year basis. This means that taxes are raised for six months of the two school years (as in the case of the local school) that make up the calendar year and paid to the Regional School by December 31.

The Charter Technical Performing Arts High School opened in September 2002 and is located in Somers Point. The enrollment is approximately 160 students and is funded by school districts sending students, state aid and other grants.

Staff

The Superintendent of Schools is the chief administrative officer of the School District. The School Business Administrator/Board Secretary oversees the business functions and reports through the Superintendent to the Board. There are approximately 139 full-time and 12 part-time employees of the Board of Education, of which 90 are teaching professionals. The remaining staff consists of administrative, maintenance, clerical and support personnel.

The following table presents the historical pupil enrollments for the school years 2001-2002 through 2010-2011 of the School District:

<u>Pupil Enrollments</u>		
<u>School Year</u>	<u>Enrollment (as of October 15 of each Year)</u>	<u>Percentage Change</u>
2001-2002	1,281	4.74%
2002-2003	1,306	1.95%
2003-2004	1,285	-1.61%
2004-2005	1,237	-3.74%
2005-2006	1,200	-2.75%
2006-2007	1,167	-2.75%
2007-2008	1,143	-2.06%
2008-2009	1,151	0.70%
2009-2010	1,092	-5.13%
2010-2011	1,089	-0.27%

Labor Relations

The Board currently has employment contract with the Somers Point Education Association and the Somers Point Administrators Association, both of which expired on June 30, 2010. The balance of the employees, certain administrators, bus drivers, custodial and maintenance, are not covered by a labor union. Negotiations are currently underway with both unions regarding their contract terms.

Pension Plan/Retirement Plan

Description of Plans – All required employees of the District are covered by either the Public Employees' Retirement System or the Teachers' Pension and Annuity Fund which have been established by state statute and are administered by the New Jersey Division of Pensions and Benefits (Division). According to the State of New Jersey Administrative Code, all obligations of both Systems will be assumed by the State of New Jersey should the Systems terminate. The Division issues a publicly available financial report that includes the financial statements and required supplementary information for the Public Employees Retirement System and the

Teachers' Pension and Annuity Fund. These reports may be obtained by writing to the Division of Pensions and Benefits, P.O. Box 295, Trenton, New Jersey, 08625.

Teachers' Pension and Annuity Fund (TPAF) – The Teachers' Pension and Annuity Fund was established as of January 1, 1955, under the provisions of N.J.S.A. 18A:66 to provide retirement benefits, death, disability and medical benefits to certain qualified members. The Teachers' Pension and Annuity Fund is considered a cost-sharing multiple-employer plan with a special funding situation, as under current statute, all employer contributions are made by the State of New Jersey on behalf of the District and the systems' other related non-contributing employers. Membership is mandatory for substantially all teachers or members of the professional staff certified by the State Board of Examiners, and employees of the Department of Education who have titles that are unclassified, professional and certified.

Public Employees' Retirement System (PERS) – The Public Employees' Retirement System (PERS) was established as of January 1, 1955 under the provisions of N.J.S.A. 43:15A to provide retirement, death, disability and medical benefits to certain qualified members. The Public Employees' Retirement System is a cost-sharing multiple-employer plan. Membership is mandatory for substantially all full-time employees of the State of New Jersey or any county, municipality, school district or public agency, provided the employee is not required to be a member of another state-administered retirement system or other state or local jurisdiction.

Fiscal 2010-2011 Budget

As noted, the Board of Education must submit its budget for voter approval. Annual increases in its net budget are limited by the Comprehensive Educational Improvement and Financing Act of 1996. The net budget is the sum of all state aid (exclusive of pension aid) and the local tax levy (exclusive of debt service). The Board of Education's General Fund Budget for the 2010-11 fiscal year is \$15,597,649. The major sources of revenue were \$8,675,281 from the local tax levy, \$5,721,698 from state aid, \$629,478 from federal aid and \$544,209 from surplus. The major areas of expenditure are for instruction, including salaries for teachers and other instructional staff, transportation and operations, fixed charges and debt service.

Budget History

The Board of Education must submit its budget for voter approval. The results of the last five budget elections are as follows:

Budget Year	Budget Category	Tax Levy Amount	Election Result	Election Tally
2010-11	General Fund	\$ 7,816,157	Defeated	533-635
2009-10	General Fund	7,794,737	Defeated	445-473
2008-09	General Fund	7,726,935	Defeated	238-281
2007-08	General Fund	7,725,264	Defeated	296-292
2006-07	General Fund	7,781,154	Defeated	298-352

Short-Term School Debt

The School District has no short-term indebtedness.

Long-Term School Debt

The District currently has \$1,173,000 serial bonds outstanding, the last maturity being February 1, 2019 and \$3,443,000 authorized but not issued debt. The proposed issue will fund in full the authorized but not issued amount.

Since 1951, all school districts of the State of New Jersey must be audited by a licensed Public School Accountant who is either a Certified Public Accountant or Registered Municipal Accountant of New Jersey, or both. The New Jersey State Board of Certified Public Accountants regulated the Public School Accountant and issues the annual licenses. The annual audit must be filed with the Board of Education and the Commissioner of Education of the State of New Jersey by October 31. The Board of Education's audit for the 2010 fiscal year is currently on file in the office of the Business Administrator/Board Secretary.

Atlantic County offers a vocational school to all students desirous of attending and also supports a two-year Atlantic Cape Community College for its residents.

**CITY OF SOMERS POINT,
COUNTY OF ATLANTIC, NEW JERSEY**

General Information

The City of Somers Point is a suburban community located in Atlantic County, New Jersey. The City comprises an area of approximately five square miles lying ten miles to the west of Atlantic City and is bounded by the bay, which separates it from Ocean City, Linwood, and Egg Harbor Township.

Somers Point was incorporated as a city in 1902, although the community encompassing the area traces its existence to colonial times. The City is governed by a Mayor-Council form of government. The Mayor is elected for a four-year term, six ward Council members are elected for three-year terms on a staggered basis, and one at-large Council member is elected for a four-year term.

The Council exercises the legislative power of the City by adopting ordinances and resolutions. In addition, the Council is responsible for the approval of the City budget, establishment of financial controls and setting of all salaries of elective and appointive officers and employees. A professional administrator supervises the day-to-day operations of the City departments and also is responsible for formulating the budget.

Somers Point is primarily a residential community with a relatively large proportion of its residents employed in professional services or executive positions in the City and its neighboring communities.

Shore Memorial Hospital, a modern 300-bed medical facility, is Somers Point's largest employer, providing 1,500 jobs. Because of Somers Point's location on the Great Egg Harbor River bayfront, it is known for its marinas, boating, and numerous fine restaurants. Somers Point also has a vast variety of small businesses located throughout the community, including many medical professional offices as a result of the location of Shore Memorial Hospital. See "New Construction Activity" for additional hospital information.

Population

The population trend in the City of Somers Point for the 1940 to 2000 period is as follows:

<u>Year</u>	<u>Population</u>
1940	1,992
1950	2,480
1960	4,405
1970	7,919
1980	10,330
1990	11,216
2000	11,614

Source - Federal Census

Police Department

The police force occupies modern headquarters in a separate section of the building complex comprising City Hall.

On a year-round basis the department consists of one chief, two captains, one lieutenant, five sergeants, nineteen patrolmen and four full time and three part time dispatchers. Eight officers are trained as detectives. The department has personnel trained in underwater rescue recovery and a bicycle patrol which operates during summer months.

The department deploys ten marked and ten unmarked patrol cars. One vehicle includes a K-9 corps.

Fire Protection

A volunteer fire department with approximately 60 members who are trained to fight fires covers the entire City from two modern centrally located firehouses. The City contributes to the operating expenses of the department and also purchases the fire fighting equipment. The City currently is housing five pumpers, one 102-foot aerial tower fire truck, two rescue units, one utility vehicle, and three service cars.

Hospital and Rescue Squad Services

Rescue squad services are provided by a contracted service organization with no cost to the City. The contract expires in 2013.

Shore Memorial Hospital, a modern 300-bed medical facility, is located in Somers Point. The hospital recently opened a modern cancer center and sleep center.

Recreation

Numerous recreational and athletic facilities are located throughout the City. These include nine baseball fields, one football field, which is also used for soccer and lacrosse, a paved quarter mile running track, two street hockey courts, two tennis courts, a dedicated bicycle path that runs the length of the City, boat ramps and a bathing beach. The City also provides a program of community education from September to April that includes a wide range of topics, from arts and crafts to physical exercise. The foregoing programs and facilities are supervised by a Council-appointed Board of Recreation.

Privately owned facilities in Somers Point include a golf course, indoor tennis and squash clubs and several clubs that provide well-rounded sports and exercise programs.

Utilities

Atlantic City Electric provides electric service, the South Jersey Gas Company provides gas service, the New Jersey-American Water Company provides water service, and the City, with its Sewer Utility, provides sewer service to virtually the entire City. The Utility collects and pumps the sewage to facilities operated by the Atlantic County Utilities Authority and pays the County Authority for treatment and disposal.

The City provides the residents of the entire City with trash collection on a once-a-week basis the entire year. In addition, recycling collection is provided as a contract service by the Atlantic County Utilities Authority on a biweekly basis.

Transportation

The City is accessible by land via the Garden State Parkway, a major north-south artery, which is adjacent to the City and provides access to New York City, and via the Atlantic City Expressway, which is seven miles distant and leads directly to Philadelphia. The Parkway going south connects with the Cape May-Lewes ferry service, which provides a convenient, modern method of crossing the Delaware Bay to points south.

The Atlantic City International Airport (approximately 20 minutes) provides both commuter and regular air travel to major eastern cities.

Capital Improvement Program

The Capital Improvement Program for the next five years totals \$4,836,000, of which \$4,594,200 is to be financed with long-term debt. The projects include a continuation of upgrading the City's streets, improvement to recreational facilities, purchase of capital equipment for the road, fire, trash, and other City departments.

New Construction Activity

The following is a listing of the number of building permits issued in the City of Somers Point, which includes new construction and improvements.

<u>Year</u>	<u>Number</u>	<u>Cost of Improvements</u>
2003	682	\$ 22,033,059
2004	666	10,027,205
2005	617	18,016,499
2006	658	14,453,465
2007	517	6,717,648
2008	519	9,813,201
2009	517	38,161,049
2010	513	8,905,023

Recently completed and proposed new construction plans for Somers Point include the following:

Wawa Complete Service Store – a convenience store was recently completed and opened. A large gasoline station was added to an expanded store at a cost exceeding \$5,000,000.

Cancer Center and Sleep Center – Two new facilities being part of the Shore Memorial Hospital complex recently opened.

Shore Memorial Hospital – Embarking on a long-term expansion program totaling approximately \$125,000,000. Included will be a three story surgical tower of 135,000 square feet and a 27,000 square foot medical office building. Also planned for construction is a 635 parking garage. Construction will be completed in Summer 2011.

Professional Building – A two story building located on Shore Road is being converted into a professional building.

Professional Building – A former discount housewares store being converted into a two story professional building.

Major Employers

A partial listing of some of the major employers in Somers Point follows:

<u>Employer</u>	<u>Number</u>
Shore Memorial Hospital	1,500
KMart	300
Shop-Rite Market	200
Somers Point Public Schools	154
Acme Market	148
City of Somers Point	135
Somers Point Shopping Center Complex	130
Crab Trap Restaurant	110
Charter Tech School	60

Education

The Board of Education of the City of Somers Point (the "Board") operates independently of the City government. It is a Type II School District with five elected members serving staggered three-year terms.

The Board adopts its own budget. The people vote upon the amount to be raised by taxation for Current Expenses and Capital Outlay; if approved, these amounts are certified directly to the Atlantic County Board of Taxation and the tax rate is struck accordingly. If the people do not approve the amounts, the budget goes to the City's governing body. If it is not acted upon by the City's governing body within the time specified by law, it then goes to the Commissioner of Education of the State of New Jersey (the "Commissioner") who, after a hearing, can only approve the total budget, as submitted, or reduce it. In addition, the Board has appeal opportunities to the Commissioner if the Board does not agree with the City's governing body's actions.

The Board operates on a fiscal year July 1 to June 30, but taxes are raised on a calendar year basis. This means that taxes are raised for six months of the two school years that make up the calendar year and paid to the local school by December 31.

The Board operates a kindergarten through 8th grade school system. It currently employs two schools: the Jordan Road School serving grades kindergarten-8 and the Dawes Avenue School serving grades kindergarten-6.

The School District is a constituent district of the Mainland Regional High School District. Its public school students in grades 9 through 12 attend the Mainland Regional High School, located in Linwood.

The following table presents the historical pupil enrollments for the school years 2002-2003 through 2008-2009 of the School District:

Pupil Enrollments

<u>School Year</u>	<u>Enrollment</u> (as of Oct. 15 of each year)
2004-05	1,237
2005-06	1,200
2006-07	1,167
2007-08	1,143
2008-09	1,151
2009-10	1,092
2010-11	1,089

The Mainland Regional High School District is also a Type II School District, with members being elected by the voters of the cities of Somers Point, Linwood and Northfield. Somers Point is currently responsible for 38.7% of the tax requirements of the District. The same voting procedures apply to the Regional District as to the Local District.

The Regional Board operates on a fiscal year July 1 to June 30 and taxes are levied for the school on a calendar year basis. This means that taxes are raised for six months of the two school years (as in the case of the local school) that make up the calendar year and paid to the Regional School by December 31.

A Charter Technical Performing Arts High School has opened and is located in Somers Point. The enrollment is approximately 160 students and is funded by school districts sending students, state aid and other grants.

Since 1951, all school districts of the State of New Jersey must be audited by a licensed Public School Accountant who is either a Certified Public Accountant or Registered Municipal Accountant of New Jersey, or both. The New Jersey State Board of Certified Public Accountants regulates the Public School Accountant and issues the annual licenses. The annual audit must be filed with the Board of Education and the Commissioner of Education of the State of New Jersey by October 31.

Atlantic County offers a vocational school to all students desirous of attending and also supports a two-year Atlantic Community College for its residents.

CITY OF SOMERS POINT
MUNICIPAL DEBT CONDITION
DECEMBER 31, 2010

Bonds and Notes Issued:

Bonds:

Local School	\$2,065,000
Regional High School	18,102,980
General	7,309,750
Green Acres	46,107
Sewer Utility	<u>4,195,250</u>

\$31,719,087

Notes:

General	1,900,000
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Bonds and Notes Authorized but not Issued:

General	692,350
Sewer Utility	99,325
Local School	<u>3,443,000</u>

4,234,675

Gross Debt (1)

37,853,762

Applicable Deductions from Gross Debt: (2)

Local School	5,508,000
Regional High School	18,102,980
Sewer Utility	4,294,575
General	<u>116,739</u>

28,022,294

Net Debt

\$9,831,468

(1) Gross debt does not include overlapping debt.

(2) Statutory deductions and net debt are used to determine the legal borrowing capacity of the City. The City, the Board of Education of the City and the Board of Education of the Regional High School however, are legally obligated to repay the full amount of gross debt.

CITY OF SOMERS POINT
DEBT RATIOS AND VALUATIONS

Average of Equalized Valuations of Real Property with Improvements for 2008, 2009 and 2010.	\$1,490,563,269
Statutory Net Debt as a Percentage of the Average Equalized Valuation of Real Property with Improvements for 2008, 2009 and 2010.	0.66%
2010 Net Valuations Taxable	\$693,149,133
2010 Total Value of Land and Improvements	\$691,362,400
2010 Equalized Valuation of Real Property with Improvements Plus Assessed Valuation of Second Class Railroad Property Certified by the Atlantic County Board of Taxation	\$1,477,270,085
Gross Debt:	
As a Percentage of 2010 Net Valuations Taxable	5.46%
As a Percentage of 2010 Equalized Valuation	2.56%
Net Debt:	
As a Percentage of 2010 Net Valuations Taxable	1.41%
As a Percentage of 2010 Equalized Valuation	0.66%
Gross Debt Per Capita - on 2000 Census	\$3,259
Net Debt Per Capita - on 2000 Census	\$847

OVERLAPPING DEBT

County of Atlantic, New Jersey, December 31, 2010 Net Debt	\$137,077,871
Amount of County Debt allocated to Somers Point as determined from the City's percentage of the total equalized valuation of the County which for 2010 is 2.67%	\$3,659,979

CITY OF SOMERS POINT
SCHEDULE OF DEBT SERVICE

Present Bonded Debt

Year	General and Green Acres Principal	Sewer Utility Principal	Regional High and Local School Principal*	Interest	Total
2011	\$779,074	\$148,750	\$1,663,781	\$1,002,586	\$3,594,191
2012	779,533	153,750	863,047	924,672	2,721,002
2013	694,300	240,700	884,313	866,901	2,686,214
2014	746,500	113,500	909,446	809,015	2,578,461
2015	785,500	119,500	934,578	753,499	2,593,077
2016	828,750	126,250	959,711	694,632	2,609,343
2017	876,500	133,500	990,644	627,169	2,627,813
2018	924,250	140,750	1,017,710	556,998	2,639,708
2019	941,450	143,550	1,033,576	483,514	2,602,090
2020			948,241	407,188	1,355,429
2021			980,174	373,216	1,353,390
2022			1,018,839	337,277	1,356,116
2023			1,144,503	303,952	1,448,455
2024			1,115,503	265,728	1,381,231
2025			1,165,769	228,567	1,394,336
2026			1,217,967	187,838	1,405,805
2027			1,272,967	145,286	1,418,253
2028			1,333,964	98,648	1,432,612
2029			1,395,829	51,035	1,446,864
	<u>\$7,355,857</u>	<u>\$1,320,250</u>	<u>\$20,850,562</u>	<u>\$9,117,721</u>	<u>\$38,644,390</u>

*Regional High School principal based on a apportionment of debt using current percentage of 38.66565310

**Estimated interest rate of 3.5%.

CITY OF SOMERS POINT
TWENTY LARGEST TAXPAYERS

<u>Name of Taxpayer</u>	<u>Nature of Business</u>	<u>2010 Assessed Valuation</u>
Brahin/Somers Point Builders	Shopping Center	\$24,203,500
Scarborough/Harbor Cove	Marina/Retail Stores	11,942,500
Village Plaza, LLC	Shopping Center	11,900,000
Sea Aire Apartments, LLC	Apartments	9,005,000
Shore Memorial Hospital	Related Commercial Properties	8,857,800
EQI Financial Partners, LP	Hotel	7,098,000
Acme Markets	Supermarket	6,100,000
Related Somers Point, LLC	Apartments	5,800,000
West America, LTD	Apartments	5,792,500
WWW Associates	Apartments	5,667,300
Est. of P. Kiejdan-Marital Trust	Apartments	4,567,400
Morris Properties, Inc.	Commercial Properties	3,808,600
MP R.E. Fund	Apartments	3,502,000
Plantation Bay, LLC	Golf Course	3,261,300
Kiejdan, Pinchus & Molly	Apartments	2,845,300
Groveland Manor Apartments, LLC	Apartments	2,700,000
Wawa, Inc.	Retail Stores/Service Station	2,557,300
GMH Restaurant Holdings, LLC	Restaurant	2,417,900
Power Sports Holdings, LLC	Marine Retail	2,200,000
Crab Trap, LTD	Restaurant	2,133,100

None of the above assessments is currently being contested.

CITY OF SOMERS POINT
2010 MUNICIPAL BUDGET

Current Fund

Anticipated Revenues:

Fund Balance	\$1,223,500
Miscellaneous Revenues	2,415,624
Receipts from Delinquent Taxes	400,000
Amount to be Raised by Taxes	<u>8,673,415</u>

\$12,712,539

Appropriations:

Within "Cap":

Operations	\$8,605,100
Deferred Charges and Statutory Expenditures	<u>976,535</u>

Total Appropriations within "Cap" 9,581,635

Excluded from "Cap":

Operations	43,516
State and Federal Programs	702,221
Capital Improvements	200,000
Debt Service	1,064,165
Deferred Charges	251,800
Reserve for Uncollected Taxes	<u>869,202</u>

Total Appropriations Excluded from "Cap" 3,130,904

\$12,712,539

Sewer Utility Fund

Anticipated Revenues:

Fund Balance	\$75,000
Rents	2,112,900
Miscellaneous	<u>25,000</u>

\$2,212,900

Appropriations:

Operations	\$1,978,000
Debt Service	196,900
Statutory Expenditures	<u>38,000</u>

\$2,212,900

The 2010 City of Somers Point Budgets were introduced on April 8, 2010,
and after public hearing were adopted on May 20, 2010.

Assessed Valuation, Equalized Valuation and Tax Levies

For years 2003 through 2010, the assessed valuation and equalized valuation for all City Land and Improvements is provided below:

<u>Year</u>	<u>Assessed Valuations</u>	<u>Equalized (True) Valuations</u>	<u>Ratio of Assessed to True Value</u>
2010	\$693,149,133	\$1,481,108,780	46.80%
2009	698,327,800	1,573,164,676	44.39%
2008	696,426,100	1,575,624,600	44.12%
2007	685,863,600	1,472,126,207	46.59%
2006	678,596,100	1,287,658,633	52.70%
2005	670,920,900	987,519,723	67.94%
2004	673,459,900	845,948,876	79.61%
2003	643,676,500	770,132,209	83.58%

Land Use Distribution

The table below lists the number of tax items and assessed valuations for each classification of real property with the City for years 2004 through 2010.

<u>Year</u>	<u>Assessed Value Land and Improvements</u>	<u>Vacant Land</u>	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Farmland</u>	<u>Apartments</u>
2010	\$691,362,400	\$9,673,000	\$475,701,700	\$164,782,600	\$0	\$0	\$41,205,100
2009	698,327,800	11,560,500	473,264,900	172,297,300	0	0	41,205,100
2008	696,426,100	12,735,000	469,806,200	172,679,800	0	0	41,205,100
2007	685,863,600	11,367,900	465,068,900	168,398,000	0	0	41,028,800
2006	678,596,100	12,369,400	459,859,300	165,545,900	0	0	40,821,500
2005	670,920,900	16,389,900	456,075,200	157,464,200	0	0	40,991,600
2004	673,459,900	26,813,400	440,225,000	165,254,900	0	0	41,166,600

Tax Rates Per \$100 of Net Valuations Taxable and Allocations

The table below lists the tax rates for years 2003 through 2010, both inclusive.

Year	Net Valuation Taxable	Total Tax Rate	Municipal	County	Local School	Regional High School
2010	\$693,149,133	\$4.16	\$1.25	\$0.67	\$1.25	\$0.99
2009	700,013,427	4.01	1.23	0.68	1.22	0.88
2008	698,239,910	3.91	1.17	0.65	1.23	0.86
2007	687,720,915	3.84	1.08	0.65	1.26	0.85
2006	680,639,201	3.68	0.96	0.69	1.23	0.80
2005	673,666,921	3.36	0.86	0.61	1.17	0.72
2004	676,586,322	3.15	0.80	0.58	1.10	0.67
2003	647,068,442	3.14	0.80	0.59	1.08	0.67

Tax Title Liens and Delinquent Taxes

The Table below provides a list of delinquent taxes and tax title liens for the year 2002 through 2009, inclusive.

Year	Delinquent Taxes	Tax Title Liens	Total	Percentage of Tax Levy
2009	\$744,929	\$74,932	\$819,861	2.98%
2008	609,052	69,952	679,004	2.47%
2007	415,866	65,011	480,877	1.81%
2006	399,990	59,999	459,989	1.80%
2005	386,338	58,629	444,967	2.08%
2004	313,477	54,247	367,724	1.76%
2003	412,379	49,913	462,292	2.21%
2002	527,447	45,591	573,038	2.94%

Foreclosed Properties

The table below lists the assessed valuations of foreclosed properties for the years 2002 to 2010, inclusive.

<u>Year</u>	<u>Assessed Valuation</u>
2009	\$19,413
2008	19,413
2007	19,413
2006	19,413
2005	19,413
2004	19,413
2003	19,413
2002	19,413

Property Taxes – Collection Ratios

The following is the tax collection record of the City for the years 2001 to 2008, inclusive.

<u>Year</u>	<u>Property Tax Levy</u>	<u>Current Collections</u>	<u>Current Collection Rate</u>
2009	\$28,197,717	\$27,395,171	97.15%
2008	27,476,377	26,841,684	97.69%
2007	26,632,653	25,955,530	97.45%
2006	25,503,191	25,020,965	98.10%
2005	22,876,947	22,500,126	98.35%
2004	21,398,827	21,111,352	98.65%
2003	20,875,592	20,487,004	98.13%
2002	19,471,345	18,938,099	97.26%

APPENDIX B

**Financial Statements of The Board of Education of the
City of Somers Point in the County of Atlantic, New Jersey**

INDEPENDENT AUDITOR'S REPORT

The Honorable President and
Members of the Board of Education
City of Somers Point School District
County of Atlantic
Somers Point, New Jersey

We have audited the accompanying financial statements of the governmental activities, the business-type activities and each major fund of the Board of Education of the City of Somers Point School District, in the County of Atlantic, State of New Jersey, as of and for the fiscal year ended June 30, 2010, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City of Somers Point Board of Education's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and audit requirements as prescribed by the Division of Finance, Department of Education, State of New Jersey. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, business-type activities, and each major fund of the City of Somers Point Board of Education, in the County of Atlantic, State of New Jersey, as of June 30, 2010, and the respective changes in financial position and cash flows, where applicable, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 27, 2010 on our consideration of the City of Somers Point Board of Education's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of the report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considering in assessing the results of our audit.

The Management Discussion and Analysis and Budgetary Comparison Information as listed in the accompanying table of contents are not a required part of the basic financial statements but are supplementary information required by the accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the City of Somers Point Board of Education's basic financial statements. The accompanying introductory section, combining statements, and related major fund supporting statements and schedules, and statistical information listed in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements. The combining statements and related major fund supporting statements and schedules have been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated, in all material respects, in relation to the basic financial statements taken as a whole. The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on them.

The accompanying schedules of federal awards and state financial assistance are presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*; and New Jersey OMB's Circular 04-04, *Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid*, and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, are fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Ford, Scott & Associates, L.L.C.
FORD, SCOTT & ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS

Glen J. Ortman
Certified Public Accountant
Licensed Public School Accountant
No. 853

September 27, 2010

CITY OF SOMERS POINT SCHOOL DISTRICT
Statement of Net Assets
June 30, 2010

	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and Cash Equivalents	\$ 529,299.16	\$ 60,358.06	\$ 589,657.22
Receivables, Net	1,331,864.31	4,525.85	1,336,390.16
Restricted Assets:			
Cash Reserve Account	317,100.00		317,100.00
Deferred Bond Issuance Costs (Note #7)	21,741.89		21,741.89
Capital Assets, Net (Note #5)	7,895,956.92	-	7,895,956.92
Total Assets	<u>10,095,962.28</u>	<u>64,883.91</u>	<u>10,160,846.19</u>
LIABILITIES			
Accounts Payable	492,331.90	2,861.88	495,193.78
Payable to Other Governments	25,877.49		25,877.49
Deferred Revenue	841,319.65	27,742.09	869,061.74
Noncurrent Liabilities (Note #6)			
Due Within One Year	1,008,289.50		1,008,289.50
Due Beyond One Year	1,438,490.33		1,438,490.33
Total Liabilities	<u>3,806,308.87</u>	<u>30,603.97</u>	<u>3,836,912.84</u>
NET ASSETS			
Invested in Capital Assets, Net of Related Debt	5,852,698.81	-	5,852,698.81
Restricted for:			
Debt Service	(33,867.58)		(33,867.58)
Capital Projects	129,100.00		129,100.00
Other Purposes	902,095.36		902,095.36
Unrestricted	(560,373.18)	34,279.94	(526,093.24)
Total Net Assets	<u>\$ 6,289,653.41</u>	<u>\$ 34,279.94</u>	<u>\$ 6,323,933.35</u>

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Statement of Activities
For the Year Ended June 30, 2010

Function/Programs	Expenses	Program Revenue			Net (Expense) Revenue and Changes in Net Assets		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Governmental Activities:							
Instruction:							
Regular	\$ 6,921,451.28	\$ -	\$ 588,540.58	\$ -	\$ (6,332,910.70)	\$ -	\$ (6,332,910.70)
Special Education	3,240,278.86		1,582,779.79		(1,657,499.07)		(1,657,499.07)
Other Special Instruction	337,139.25		28,353.10		(308,786.15)		(308,786.15)
Support Services:							
Tuition	446,018.03				(446,018.03)		(446,018.03)
Student & Instruction Related Services	2,426,798.23		157,605.11		(2,269,193.12)		(2,269,193.12)
School Administrative Services	648,360.62		56,507.99		(591,852.63)		(591,852.63)
General Administrative Services	423,562.58		28,920.55		(394,642.03)		(394,642.03)
Plant Operation and Maintenance	1,237,252.33				(1,237,252.33)		(1,237,252.33)
Pupil Transportation	290,119.15		74,242.01		(215,877.14)		(215,877.14)
Central Services	334,019.26		26,487.07		(307,532.19)		(307,532.19)
Food Service	26,996.64				(26,996.64)		(26,996.64)
Charter Schools	109,285.00				(109,285.00)		(109,285.00)
Interest on Long-Term Debt	117,933.66		226,024.00		108,090.34		108,090.34
Unallocated Depreciation and Amortization	2,174.19				(2,174.19)		(2,174.19)
Total Governmental Activities	<u>16,561,389.08</u>	<u>-</u>	<u>2,769,460.20</u>	<u>-</u>	<u>(13,791,928.88)</u>	<u>-</u>	<u>(13,791,928.88)</u>
Business-Type Activities:							
Community Education Recreation Program	269,396.90	216,396.28				(53,000.62)	(53,000.62)
Total Business-Type Activities	<u>269,396.90</u>	<u>216,396.28</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(53,000.62)</u>	<u>(53,000.62)</u>
Total Primary Government	<u>\$ 16,830,785.98</u>	<u>\$ 216,396.28</u>	<u>\$ 2,769,460.20</u>	<u>\$ -</u>	<u>\$ (13,791,928.88)</u>	<u>\$ (53,000.62)</u>	<u>\$ (13,844,929.50)</u>
General Revenues:							
Taxes:							
Property Taxes, Levied for General Purposes, Net					\$ 7,794,737.00	\$ -	\$ 7,794,737.00
Taxes Levied for Debt Service					826,393.00		826,393.00
Federal and State Aid not Restricted					5,573,502.97		5,573,502.97
Investment Earnings					9,875.82		9,875.82
Miscellaneous Income					52,547.43		52,547.43
Total General Revenues, Special Items, Extraordinary Items and Transfers					<u>14,257,056.22</u>	<u>-</u>	<u>14,257,056.22</u>
Change in Net Assets					465,127.34	(53,000.62)	412,126.72
Net Assets - Beginning					5,824,526.07	87,280.56	5,911,806.63
Net Assets - Ending					<u>\$ 6,289,653.41</u>	<u>\$ 34,279.94</u>	<u>\$ 6,323,933.35</u>

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Balance Sheet
Governmental Funds
June 30, 2010

	General Fund	Special Revenue Fund	Capital Projects Fund	Debt Service Fund	Permanent Fund	Total Governmental Funds
ASSETS						
Cash and Cash Equivalents	\$ 529,299.16	\$ -	\$ -	\$ -	\$ -	\$ 529,299.16
Receivables from Other Governments	49,967.58	1,280,724.58				1,330,692.16
Interfunds Receivable	298,306.15					298,306.15
Other Accounts Receivable	1,172.15					1,172.15
Restricted Cash and Cash Equivalents	317,100.00					317,100.00
Total Assets	<u>\$ 1,195,845.04</u>	<u>\$ 1,280,724.58</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,476,569.62</u>
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts Payable	\$ 316,598.13	\$ 141,866.19	\$ -	\$ -	\$ -	\$ 458,464.32
Interfunds Payable		298,306.15				298,306.15
Payable to Governments		25,877.49				25,877.49
Deferred Revenue		841,319.65				841,319.65
Total Liabilities	<u>316,598.13</u>	<u>1,307,369.48</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,623,967.61</u>
Fund Balances:						
Reserved for:						
Encumbrances	21,664.37					21,664.37
Capital Reserve Account	129,100.00					129,100.00
Maintenance Reserve	190,000.00					190,000.00
Excess Surplus Designated for Subsequent Year's Expenditures	444,209.00					444,209.00
Excess Surplus	246,221.99					246,221.99
Unreserved, Reported in:						
General Fund	(151,948.45)					(151,948.45)
Special Revenue Fund		(26,644.90)				(26,644.90)
Capital Projects Fund			-			-
Debt Service Fund				-		-
Total Fund Balances	<u>879,246.91</u>	<u>(26,644.90)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>852,602.01</u>
Total Liabilities and Fund Balances	<u>\$ 1,195,845.04</u>	<u>\$ 1,280,724.58</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

Amounts reported for *governmental activities* in the statement of net assets (A-1) are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.

The cost of the assets is \$12,051,583.03 and the accumulated depreciation is \$4,155,626.11.

7,895,956.92

Long - term liabilities, including bonds and capital leases payable, are not due and payable in the current period and therefore are not reported as liabilities in the funds.

(2,446,779.83)

Bond issuance costs are reported in the governmental fund as expenditures in the year the bonds are issued but are amortized over the life of the bonds on the statement of activities. (See Note #8)

21,741.89

Interest on long-term debt in the statement of activities is accrued, regardless of when due.

(33,867.58)

Net assets of governmental activities

\$ 6,289,653.41

CITY OF SOMERS POINT SCHOOL DISTRICT
Statement of Revenues, Expenditures, and Changes in Fund Balance
Governmental Funds
For the Year Ended June 30, 2010

	General Fund	Special Revenue Fund	Capital Projects Fund	Debt Service Fund	Permanent Fund	Total Governmental Funds
REVENUES						
Local Sources:						
Local Tax Levy	\$ 7,794,737.00	\$ -	\$ -	\$ 826,393.00	\$ -	\$ 8,621,130.00
Tuition	35,666.79					35,666.79
Interest Earned on Investments	9,875.82					9,875.82
Miscellaneous	16,880.64					16,880.64
Total Local Sources	7,857,160.25	-	-	826,393.00	-	8,683,553.25
State Sources	5,274,720.80	536,899.63		226,024.00		6,037,644.43
Federal Sources	923,232.25	1,382,086.49				2,305,318.74
Total Revenues	14,055,113.30	1,918,986.12	-	1,052,417.00	-	17,026,516.42
EXPENDITURES						
Current:						
Regular Instruction	4,978,784.80					4,978,784.80
Special Education Instruction	1,009,546.33	1,483,467.00				2,493,013.33
Other Special Instruction	241,439.75					241,439.75
Support Services:						
Tuition	446,018.03					446,018.03
Student & Instruction Related Serv.	1,462,064.27	419,290.88				1,881,355.15
School Administrative Services	458,219.61					458,219.61
General Administrative Services	323,956.11					323,956.11
Plant Operation and Maintenance	1,091,885.55					1,091,885.55
Pupil Transportation	282,867.01					282,867.01
Central Services	244,141.48					244,141.48
Employee Benefits	3,610,038.69					3,610,038.69
Food Service Program	26,996.64					26,996.64
Debt Service:						
Principal				920,000.00		920,000.00
Interest and Other Charges				132,417.00		132,417.00
Capital Outlay	113,642.18	16,350.24				129,992.42
Transfer of Funds to Charter Schools	109,285.00					109,285.00
Total Expenditures	14,398,885.45	1,919,108.12	-	1,052,417.00	-	17,370,410.57
Excess (Deficiency) of Revenues Over Expenditures	(343,772.15)	(122.00)	-	-	-	(343,894.15)
OTHER FINANCING SOURCES (USES)						
Transfer in						-
Transfer out						-
Total Other Financing Sources and Uses	-	-	-	-	-	-
Net Changes in Fund Balance	(343,772.15)	(122.00)	-	-	-	(343,894.15)
Fund Balance - July 1	1,223,019.06	(26,522.90)	-	-	-	1,196,496.16
Fund Balance - June 30	\$ 879,246.91	\$ (26,644.90)	\$ -	\$ -	\$ -	\$ 852,602.01

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balance
of Governmental Funds to the Statement of Activities
For the Year Ended June 30, 2010

Total Net Change in Fund Balance - Governmental Funds (from B-2) \$ (343,894.15)

Amounts reported for governmental activities in the statement of activities (A-2) are different because:

Capital outlays are reported in governmental funds as expenditures. However, on the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current fiscal year.

Depreciation expense	\$ (279,173.59)	
Amortization expense	(2,174.19)	
Capital Outlay	131,936.51	(149,411.27)

Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long - term liabilities in the statement of net assets and is not reported in the statement of activities.

Bonds Payable	920,000.00	
Capital Lease Payable	41,031.69	961,031.69

In the statement of activities, certain operating expenses, e.g., compensated absences (vacations and sick pay) are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are reported in the amount of financial resources used (paid). When the earned amount exceeds the paid amount, the difference is a reduction in the reconciliation; when the paid amount exceeds the earned amount, the difference is an addition to the reconciliation.

(17,082.27)

In the statement of activities, interest on long - term debt is accrued, regardless of when due. In the governmental funds, interest is reported when due. The accrued interest is a deduction in the reconciliation.

14,483.34

Change in Net Assets of Governmental Activities

\$ 465,127.34

CITY OF SOMERS POINT SCHOOL DISTRICT
Proprietary Funds
Statement of Net Assets
June 30, 2010

ASSETS

Current Assets:

Cash and Cash Equivalents

Accounts Receivable

Less: Allowance for Doubtful Accounts

Total Current Assets

Noncurrent Assets:

Furniture, Machinery & Equipment

Less: Accumulated Depreciation

Total Noncurrent Assets

Total Assets

LIABILITIES

Current Liabilities:

Accounts Payable

Deferred Revenues

Total Current Liabilities

Noncurrent Liabilities:

None

Total Noncurrent Liabilities

NET ASSETS

Invested in Capital Assets Net of

Related Debt

Unrestricted

Total Net Assets

	CER Program	Totals
	\$ 60,358.06	\$ 60,358.06
	24,395.23	24,395.23
	(19,869.38)	(19,869.38)
	<u>64,883.91</u>	<u>64,883.91</u>
	4,668.00	4,668.00
	<u>(4,668.00)</u>	<u>(4,668.00)</u>
	<u>-</u>	<u>-</u>
	<u>\$ 64,883.91</u>	<u>\$ 64,883.91</u>
	\$ 2,861.88	\$ 2,861.88
	27,742.09	27,742.09
	<u>30,603.97</u>	<u>30,603.97</u>
	-	-
	<u>-</u>	<u>-</u>
	-	-
	<u>-</u>	<u>-</u>
	-	-
	34,279.94	34,279.94
	<u>\$ 34,279.94</u>	<u>\$ 34,279.94</u>

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Proprietary Funds
Statement of Revenues, Expenses, and Changes in Fund Net Assets
For the Year Ended June 30, 2010

	CER Program	Totals Enterprise
Operating Revenues:		
Local Sources:		
Participant Fees	\$ 216,396.28	\$ 216,396.28
Total Operating Revenue	<u>216,396.28</u>	<u>216,396.28</u>
Operating Expenses:		
Salaries	203,336.61	203,336.61
Purchased Contracted Services	32,225.77	32,225.77
Supplies and Materials	13,965.14	13,965.14
Depreciation	-	-
Allowance for Uncollectible Accounts	19,869.38	19,869.38
Total Operating Expenses	<u>269,396.90</u>	<u>269,396.90</u>
Operating Income (Loss)	(53,000.62)	(53,000.62)
Other Financing Sources/(Uses):		
None	-	-
Total Other Financing sources	<u>-</u>	<u>-</u>
Changes in Net Assets	(53,000.62)	(53,000.62)
Total Net Assets - Beginning	<u>87,280.56</u>	<u>87,280.56</u>
Total Net Assets - Ending	<u><u>\$ 34,279.94</u></u>	<u><u>\$ 34,279.94</u></u>

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Proprietary Funds
Statement of Cash Flows
For the Year Ended June 30, 2010

	CER Program	Totals Enterprise
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from Customers	\$ 193,100.61	\$ 193,100.61
Payments to Employees	(203,336.61)	(203,336.61)
Payments for Purchased Contracted Services	(32,225.77)	(32,225.77)
Payments for Supplies	(15,114.53)	(15,114.53)
Net Cash Provided by (Used for) Operating Activities	<u>(57,576.30)</u>	<u>(57,576.30)</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES		
Net Cash Provided by (Used for) Noncapital Financing Activities	<u>-</u>	<u>-</u>
Net Increase (Decrease) in Cash and Cash Equivalents	(57,576.30)	(57,576.30)
Balance - Beginning of Year	117,934.36	117,934.36
Balance - End of Year	<u>\$ 60,358.06</u>	<u>\$ 60,358.06</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Operating Income (Loss)	\$ (53,000.62)	\$ (53,000.62)
Adjustments to Reconcile Operating Income(Loss) to Net Cash Provided by (Used for) Operating Activities:		
Depreciation and Net Amortization	-	-
(Increase)/Decrease in Accounts Receivable	23,228.01	23,228.01
Increase/(Decrease) in Accounts Payable	(1,149.39)	(1,149.39)
Increase/(Decrease) in Deferred Revenues	(26,654.30)	(26,654.30)
Total Adjustments	<u>(4,575.68)</u>	<u>(4,575.68)</u>
Net Cash Provided by (Used for) Operating Activities	<u>\$ (57,576.30)</u>	<u>\$ (57,576.30)</u>

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Fiduciary Funds
Statement of Fiduciary Net Assets
June 30, 2010

	<u>Unemployment Compensation</u>	<u>Private Purpose Scholarship Fund</u>	<u>Agency Fund</u>
ASSETS			
Cash and Cash Equivalents	\$ 165,404.17	\$ -	\$ 35,462.34
Accounts Receivable			340.00
	<u>165,404.17</u>	<u>-</u>	<u>35,802.34</u>
Total Assets			
	<u>165,404.17</u>	<u>-</u>	<u>35,802.34</u>
LIABILITIES			
Payable to Student Groups			\$ 22,331.64
Payroll Deductions and Withholdings	1,243.91		13,470.70
Total Liabilities	<u>1,243.91</u>	<u>\$ -</u>	<u>\$ 35,802.34</u>
NET ASSETS			
Held in Trust for Unemployment Claims and Other Purposes	<u>\$ 164,160.26</u>		

The accompanying Notes to Financial Statements are an integral part of this statement

CITY OF SOMERS POINT SCHOOL DISTRICT
Fiduciary Funds
Statement of Changes in Fiduciary Net Assets
For the Year Ended June 30, 2010

	<u>Unemployment Compensation</u>	<u>Private Purpose Scholarship Fund</u>
ADDITIONS		
Contributions:		
Plan Member	\$ 16,905.72	\$ -
Total Contributions	<u>16,905.72</u>	<u>-</u>
Investment Earnings:		
Interest	1,226.34	
Net Investment Earnings	<u>1,226.34</u>	<u>-</u>
Total Additions	<u>18,132.06</u>	<u>-</u>
DEDUCTIONS		
Unemployment Claims	19,104.21	
Total Deductions	<u>19,104.21</u>	<u>-</u>
Changes in Net Assets	(972.15)	-
Net Assets - Beginning of the Year	165,132.41	
Net Assets - End of the Year	<u><u>\$ 164,160.26</u></u>	<u><u>\$ -</u></u>

The accompanying Notes to Financial Statements are an integral part of this statement

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Board of Education (Board) of City of Somers Point School District (District) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the Board's accounting policies are described below.

A. Reporting Entity

The District is an instrumentality of the State of New Jersey, established to function as an educational institution. The District is a Type II district located in Atlantic County. The Board consists of elected officials and is responsible for the fiscal control of the District. A superintendent is appointed by the Board and is responsible for the administrative control of the District. The purpose of the district is to educate students in grades K-8. The District operates an elementary school and an elementary/middle school located in City of Somers Point. A superintendent is appointed by the Board and is responsible for the administrative control of the District.

The primary criterion for including activities within the District's reporting entity, as set forth in Section 2100 of the GASB Codification of Governmental Accounting and Financial Reporting Standards, is whether:

- the organization is legally separate (can sue or be sued in their own name);
- the District holds the corporate powers of the organization;
- the District appoints a voting majority of the organization's board;
- the District is able to impose its will on the organization;
- the organization has the potential to impose a financial benefit/burden on the District;
- there is a fiscal dependency by the organization on the District;

Based on the aforementioned criteria, the District has no component units.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

B. Basis of Presentation, Measurement Focus and Basis of Basis of Accounting

Basis of Presentation

The School District's basic financial statements consist of District-wide statements (i.e. statement of net assets and a statement of activities) and fund financial statements, which provide a more detailed level of financial information.

District-Wide Financial Statements: The statement of net assets and the statement of activities display information about the district as a whole. These statements report the financial activities of the overall District, except for fiduciary activities. Individual funds are not displayed but the statements distinguish governmental activities, generally supported by property taxes, intergovernmental revenues, and other non-exchange transactions from business-type activities, generally financed in whole or in part with fees charged to external parties.

The statement of net assets presents the financial condition of the governmental and business-type activity of the School District at fiscal year end. The statement of activities presents a comparison between direct expenses and program revenues for the business-type activity of the District and for each function of the District's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) charges and fees paid by the recipients of goods or services offered by the programs; and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including taxes, are presented as general revenues. The comparison of direct expenses with program revenues identifies the extent to which each governmental function or business segment is self-financing, or draws from the general revenues of the School District.

Fund Financial Statements: During the fiscal year, the School District segregates transactions related to certain School District functions or activities in separate funds in order to aid financial management and to demonstrate legal compliance. The fund financial statements provide information about the District's funds, including its fiduciary funds. Separate statements for each fund category – *governmental*, *proprietary*, and *fiduciary* - are presented. The New Jersey Department of Education ("Department") has elected to require New Jersey districts to treat each governmental fund as a major fund in accordance with the option noted in GASB No. 34, paragraph 76. The Department believes that the presentation of all funds as major is important for public interest and to promote consistency among district financial reporting models.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

B. Basis of Presentation, Measurement Focus and Basis of Basis of Accounting - Continued

Governmental Funds

The District reports the following governmental funds:

General Fund - The General Fund is the general operating fund of the District and is used to account for all expendable financial resources except those required to be accounted for in another fund. Included are certain expenditures for vehicles and movable instructional or non-instructional equipment, which are classified in the capital outlay sub-fund.

As required by the New Jersey State Department of Education, the District includes budgeted capital outlay in this fund. Generally accepted accounting principles, as they pertain to governmental entities, state that general fund resources may be used to directly finance capital outlays for long-lived improvements as long as the resources in such cases are derived exclusively from unrestricted revenues. Resources for budgeted capital outlay purposes are normally derived from State of New Jersey Aid, district taxes and appropriated fund balance. Expenditures are those that result in the acquisition of or additions to fixed assets for land, existing buildings, improvements of grounds, construction of buildings, additions to or remodeling of buildings and the purchase of built-in equipment. These resources can be transferred from and to Current Expense by board resolution.

Special Revenue Fund - The Special Revenue Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

Capital Projects Fund - The Capital Projects Fund is used to account for all financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by Proprietary Funds). The financial resources are derived from temporary notes or serial bonds that are specifically authorized by the voters as a separate question on the ballot either during the annual election or at a special election.

Debt Service Fund - The Debt Service Fund is used to account for the accumulation of resources for, and the payment of, principal and interest on bonds issued to finance major property acquisition, construction and improvement programs.

Proprietary Funds

The District reports the following proprietary fund:

Enterprise Funds - Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business operations – where the intent of the District is that the costs of providing goods or services be financed or recovered primarily through user charges.

The District's Enterprise Fund is comprised of the Community Education Recreation (CER) Program.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

B. Basis of Presentation, Measurement Focus and Basis of Basis of Accounting - Continued

Fiduciary Funds

Trust and Agency Funds - The Trust and Agency Funds are used to account for assets held by the District in a trustee capacity or as an agent for individuals, private organizations, other governments and/or other funds.

Expendable Trust Fund - An Expendable Trust Fund is accounted for in essentially the same manner as the governmental fund types, using the same measurement focus and basis of accounting. Expendable Trust Funds account for assets where both the principal and interest may be spent. Expendable Trust Funds include the Unemployment Compensation Insurance Trust.

Nonexpendable Trust Fund - A Nonexpendable Trust Fund is used to account for assets held under the terms of a formal trust agreement, whereby the District is under obligation to maintain the trust principal.

Agency Funds - Agency funds are used to account for the assets that the District holds on behalf of others as their agent. Agency funds are custodial in nature and do not involve measurement of results of operations. Agency funds include payroll and student activities funds.

Measurement Focus and Basis of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements.

The District-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting as are the proprietary fund and the fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year in which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. Net assets (total assets less total liabilities) are used as a practical measure of economic resources and the operating statement includes all transactions and events that increased or decreased net assets. Depreciation is charged as expense against current operations and accumulated depreciation is reported on the statement of net assets.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

B. Basis of Presentation, Measurement Focus and Basis of Basis of Accounting - Continued

Measurement Focus and Basis of Accounting - Continued

The governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the fiscal year. Revenue from federal, state and other grants designated for payment of specific school district expenditures is recognized when the related expenditures are incurred; accordingly, when such funds are received, they are recorded as deferred revenues until earned. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments are recorded only when payment is due.

The District applies only those applicable pronouncements of the Financial Accounting Standards Board issued on or before November 30, 1989 in accounting and reporting for its proprietary operations.

C. Budgets/Budgetary Control

Annual appropriated budgets are prepared in the spring of each year for the general, special revenue, and debt service funds. The budgets are submitted to the county office for approval and are voted upon at the annual school election on the third Tuesday in April. Budgets are prepared using the modified accrual basis of accounting, except for special revenue funds. The legal level of budgetary control is established at line item accounts within each fund. Line item accounts are defined as the lowest (most specific) level of detail as established pursuant to the minimum chart of accounts referenced in N.J.A.C. 6A:23-2.2(g). All budget amendments/transfer must be approved by School Board resolution. All budget amounts presented in the accompanying supplementary information reflect the original budget and the amended budget (which have been adjusted for legally authorized revisions of the annual budgets during the year.

Appropriations, except remaining project appropriations, encumbrances and unexpended grant appropriations, lapse at the end of each fiscal year. The capital projects fund presents the remaining project appropriations compared to current year expenditures.

Formal budgetary integration into the accounting system is employed as a management control device during the year. For governmental funds there are no substantial differences between the budgetary basis of accounting and generally accepted accounting principles with the exception of the legally mandated revenue recognition of the last state aid payments for budgetary purposes only and the special revenue fund as noted below. Encumbrance accounting is also employed as an extension of formal budgetary integration in the governmental fund types. Unencumbered appropriations lapse at fiscal year end.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

C. Budgets/Budgetary Control - Continued

The accounting records of the special revenue fund are maintained on the grant accounting budgetary basis. The grant accounting budgetary basis differs from GAAP in that the grant accounting budgetary basis recognizes encumbrances as expenditures and also recognizes the related revenues, whereas the GAAP basis does not. Sufficient supplemental records are maintained to allow for the presentation of GAAP basis financial reports. The following table presents a reconciliation of the differences between the budgetary basis and GAAP basis in the general and special revenue funds at June 30, 2010.

	<u>General Fund</u>	<u>Special Revenue Fund</u>
Total Revenues (Budgetary Basis)	\$ 14,099,147.30	\$ 1,986,823.29
Adjustments:		
Encumbrances at June 30,		
Prior Year		109,773.09
Current Year		(177,488.26)
Prior Year State Aid Payment	496,282.10	26,522.90
Deferral of Final State Aid Payment	(539,391.10)	(26,644.90)
Total Revenues (GAAP Basis)	<u>\$ 14,056,038.30</u>	<u>\$ 1,918,986.12</u>
Total Expenditures (Budgetary Basis)	\$ 14,398,885.45	\$ 1,986,823.29
Adjustments:		
Encumbrances at June 30,		
Prior Year		109,773.09
Current Year		(177,488.26)
Total Expenditures (GAAP Basis)	<u>\$ 14,398,885.45</u>	<u>\$ 1,919,108.12</u>

D. Encumbrance Accounting

Under encumbrance accounting, purchase orders, contracts and other commitments for the expenditure of resources are recorded to reserve a portion of the applicable appropriation. Open encumbrances in governmental funds other than the special revenue fund are reported as reservations of fund balances at fiscal year end as they do not constitute expenditures or liabilities but rather commitments related to unperformed contracts for goods and services.

Open encumbrances in the special revenue fund for which the District has received advances are reflected in the balance sheet as deferred revenues at fiscal year end.

The encumbered appropriation authority carries over into the next fiscal year. An entry will be made at the beginning of the next fiscal year to increase the appropriation reflected in the certified budget by the outstanding encumbrance amount as of the current fiscal year end.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

E. Assets, Liabilities and Equity

Cash, Cash Equivalents and Investments

Cash and cash equivalents include petty cash, change funds, bank deposits and all highly liquid investments with a maturity of three months or less at the time of purchase and are stated at cost plus accrued interest. U.S. Treasury and agency obligations and certificates of deposit with maturities of one year or less when purchased are stated at cost. All other investments are stated at fair value.

New Jersey school districts are limited as to the types of investments and types of financial institutions they may invest in. New Jersey statute 18A:20-37 provides a list of permissible investments that may be purchased by New Jersey school districts.

Additionally, the District has adopted a cash management plan that requires it to deposit public funds in public depositories protected from loss under the provisions of the Governmental Unit Deposit Protection Act ("GUDPA"). GUDPA was enacted in 1970 to protect governmental units from a loss of funds on deposit with a failed banking institution in New Jersey.

N.J.S.A. 17:9-41 et. seq. establishes the requirements for the security of deposits of governmental units. The statute requires that no governmental unit shall deposit public funds in a public depository unless such funds are secured in accordance with the Act. Public depositories include savings and loan institutions, banks (both state and national banks) and savings banks the deposits of which are federally insured. All public depositories must pledge collateral, having a market value at least equal to five percent of the average daily balance of collected public funds, to secure the deposits of Governmental Units. If a public depository fails, the collateral it has pledged, plus the collateral of all other public depositories, is available to pay the full amount of their deposits to the governmental units.

Interfund Transactions

Transfers between governmental and business-type activities on the District-Wide Statements are reported in the same manner as general revenues.

Exchange transactions between funds are reported as revenues in the seller funds and as expenditures/expenses in the purchaser funds. Flows of cash or goods from one fund to another without a requirement for repayment are reported as interfund transfers. Interfund transfers are reported as other financing sources/uses in governmental funds and after non-operating revenues/expenses in the Enterprise Fund. Repayments from funds responsible for particular expenditure/expenses to the funds that initially paid for them are not presented on the financial statements.

Inventories

Inventories, other than those recorded in the enterprise fund, are recorded as expenditures during the year of purchase. Inventories in the Enterprise Fund are recorded at cost, computed on a first-in, first out method. In the fund based financial statements, commodities received from the U.S. Department of Agriculture are recorded as deferred revenue until consumed.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

E. Assets, Liabilities and Equity - Continued

Capital Assets

The District has established a formal system of accounting for its capital assets. Purchased or constructed capital assets are reported at cost. Donated assets are recorded as capital assets at their estimated fair market value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized. The capitalization threshold used by school districts in the State of New Jersey is \$2,000.

All reported capital assets except for land and construction in progress are depreciated. Depreciation is computed using the straight-line method over their estimated useful lives. Useful lives vary from 20 to 50 years for land improvements and buildings, and 5 to 15 years for equipment.

The District does not possess any material amounts of infrastructure capital assets, such as sidewalks and parking lots. Such items are considered to be part of the cost of buildings or other improvable property.

Compensated Absences

The District accounts for compensated absences (e.g., unused sick, vacation leave) as directed by Governmental Accounting Standards Board Statement No. 16 (GASB 16), "Accounting for Compensated Absences". A liability for compensated absences that are attributable to services already rendered, and that are not contingent on a specific event that is outside the control of the District and its employees, is accrued as the employees earn the rights to the benefits. Compensated absences that relate to future services, or that are contingent on a specific event that is outside the control of the District and its employees, are accounted for in the period in which such services are rendered or in which such events take place.

District employees are granted varying amounts of vacation and sick leave in accordance with the District's personnel policies. Upon termination, employees are paid for accrued vacation. The District's policy permits employees to accumulate unused sick leave and carry forward the full amount to subsequent years. Upon retirement, employees shall be paid by the District for the unused sick leave in accordance with the District's agreements with the various employee unions.

The liability for compensated absences was accrued using the termination payment method, whereby the liability is calculated based on the amount of sick leave that is expected to become eligible for payment upon termination. The District estimates its accrued compensated absences liability based on the accumulated sick and vacation days at the balance sheet date by those employees who are currently eligible to receive termination payments.

For the District-Wide Statements, the current portion is the amount estimated to be used in the following year. In accordance with GAAP, for the governmental funds, in the Fund Financial Statements, all of the compensated absences are considered long-term and therefore, are not a fund liability and represents a reconciling item between the fund level and District-wide presentations.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

E. Assets, Liabilities and Equity - Continued

Deferred Revenue

Deferred revenue arises when assets are recognized before revenue recognition criteria have been satisfied. Grants and entitlements received in the Special Revenue Fund before they have been earned are recorded as deferred revenue.

Accrued Liabilities and Long-Term Obligations

All payables, accrued liabilities, and long-term obligations are reported on the District-Wide Financial Statements. In general, governmental fund payables and accrued liabilities that, once incurred, are paid in a timely manner and in full from current financial resources are reported as obligations of the funds. However, contractually required pension contributions and compensated absences that are paid from governmental funds are reported as liabilities on the fund financial statements only to the extent that they are due for payment during the current year. Bonds are recognized as a liability on the fund financial statements when due.

Net Assets

Net assets represent the difference between assets and liabilities. Net assets invested in capital assets, net of related debt, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balance of any borrowing used for the acquisition, construction, or improvement of those assets. Net assets are reported as restricted when there are limitations imposed on their use, either through the enabling legislation adopted by the School District, or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments. The School District's policy is to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

Fund Balance Reserves

The School District reserves those portions of fund balance which are legally segregated for a specific future use or which do not represent available expendable resources and, therefore, are not available for appropriation or expenditure. Unreserved fund balance indicates that portion which is available for appropriation in future periods. A fund balance reserve has been established for encumbrances.

Revenues – Exchange and Nonexchange Transactions

Revenues resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On the modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. Available means the resources will be collected within the current fiscal year, or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the District, available means within sixty days of the fiscal year end.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - Continued

E. Assets, Liabilities and Equity - Continued

Revenues – Exchange and Nonexchange Transactions - Continued

Nonexchange transactions, in which the School District receives value without directly giving equal value in return, include property taxes, grants, entitlements and donations. On the accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from income taxes is recognized in the period in which the income is earned. Revenue from grants, entitlement, and donations is recognized in the period in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the fiscal year when use is first permitted; matching requirements, in which the School District must provide local resources to be used for a specific purpose; and expenditure requirements, in which the resources are provided to the School District on a reimbursement basis. On the modified accrual basis, revenue from nonexchange transactions must also be available before it can be recognized.

Under the modified accrual basis, the following revenue sources are considered to be both measurable and available at fiscal year end: property taxes as an advance, interest and tuition.

Operating Revenues and Expenses

Operating revenues are those revenues that are generated directly from the primary activity of the enterprise fund. For the School District, these revenues are sales for food service. Operating expenses are necessary costs incurred to provide the service that is the primary activity of the enterprise fund.

Allocation of Indirect Expenses

The District reports all direct expenses by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function. Indirect expenses are allocated to functions but are reported separately in the Statement of Activities. Employee benefits, including the employer's share of social security, workers compensation, and medical and dental benefits, were allocated based on salaries of that program. Depreciation expense, where practicable, is specifically identified by function and is included in the direct expense column of the Statement of Activities. Depreciation expense that could not be attributed to a specific function is considered an indirect expense and is reported separately on the Statement of Activities. Interest on long-term debt is considered an indirect expense and is reported separately on the Statement of Activities.

Extraordinary and Special Items

Extraordinary items are transactions or events that are unusual in nature and infrequent in occurrence. Special items are transactions or events that are within control of management and are either unusual in nature or infrequent in occurrence. Neither of these types of transactions occurred during the fiscal year.

Management Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 2 – CASH AND CASH EQUIVALENTS AND INVESTMENTS

Cash and Cash Equivalents

Custodial Credit Risk Related to Deposits - Custodial credit risk is the risk that, in the event of a bank failure, the School District's deposits might not be recovered. Although the School District does not have a formal policy regarding custodial credit risk, N.J.S.A. 17:9-41 et seq. requires that governmental units shall deposit public funds in public depositories protected from loss under the provisions of the Governmental Unit Deposit Protection Act. At June 30, 2010, the carrying amount of the Board's deposits were \$1,107,623.73 and the bank balance was \$1,163,517.71. Of the School District's bank Balance of \$1,107,623.73 as of June 30, 2010, \$165,404.17 was uninsured and uncollateralized.

Investments

Pursuant to state statutes, the Board of Education may invest in the following:

- Direct obligations of, or obligations as to which the principal and interest is guaranteed by, the United States of America
- Government money market mutual funds
- Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress
- Bonds or obligations of the local unit or other obligations of school districts within the local unit
- Local government investment pools
- State of New Jersey Cash Management Fund
- Agreements for the repurchase of fully collateralized securities

For the year ended June 30, 2010, the Board of Education had no investments.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 3 – RECEIVABLES

Receivables at June 30, 2010, consisted of accounts (rent, tuition, and fees), accrued interest, interfund, intergovernmental, and property taxes. All receivables are considered collectible in full. A summary of the principal items of intergovernmental receivables follows:

	Governmental Fund Financial Statements	District Wide Financial Statements
State Aid	\$ 666,860.77	\$ 666,860.77
Federal Aid	663,831.39	663,831.39
Interfunds Receivable	298,306.15	-
Other	1,172.15	5,698.00
Gross Receivables	1,630,170.46	1,336,390.16
Less: Allowance for Uncollectibles		
Total Receivables, Net	<u>\$ 1,630,170.46</u>	<u>\$ 1,336,390.16</u>

NOTE 4 – INTERFUND TRANSFERS AND BALANCES

Transfers between funds are used to (1) move investment income earned in the Capital Projects Fund that is required to be expended in the Debt Service Fund; (2) repay expenses paid by another fund.

The following interfund balances remained on the fund financial statements at June 30, 2010.

Fund	Interfund Receivable	Interfund Payable
General Fund	\$ 298,306.15	\$
Special Revenue Fund		298,306.15
	<u>\$ 298,306.15</u>	<u>\$ 298,306.15</u>

The general fund receivable is comprised of one interfund. It is due from the special revenue fund in the amount of \$297,708.15 which is a result of the general fund's loan to cover the special revenue fund's cash deficit.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 5 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2010, was as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Adjustments</u>	<u>Ending Balance</u>
Governmental activities:					
Capital assets, not being depreciated:					
Land	\$ 27,012.00	\$	\$	\$	\$ 27,012.00
Total capital assets not being depreciated	<u>27,012.00</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>27,012.00</u>
Capital assets being depreciated:					
Land Improvements	167,545.00			(35,650.00)	131,895.00
Buildings and building improvements	11,115,457.00	86,292.00		131,324.00	11,333,073.00
Equipment	609,557.00	45,719.68		(95,673.65)	559,603.03
Total capital assets being depreciated at historical cost	<u>11,892,559.00</u>	<u>132,011.68</u>	<u>-</u>	<u>0.35</u>	<u>12,024,571.03</u>
Less accumulated depreciation for:					
Land Improvements	(294,299.92)	(6,594.75)		231,764.91	(69,129.76)
Buildings and improvements	(3,160,131.97)	(254,044.96)		(237,050.39)	(3,651,227.32)
Equipment	(421,945.11)	(18,533.97)		5,210.05	(435,269.03)
Total capital assets being depreciated, net of accumulated depreciation	<u>8,016,182.00</u>	<u>(147,162.00)</u>	<u>-</u>	<u>(75.08)</u>	<u>7,868,944.92</u>
Governmental activity capital assets, net	<u>\$ 8,043,194.00</u>	<u>\$ (147,162.00)</u>	<u>\$ -</u>	<u>\$ (75.08)</u>	<u>\$ 7,895,956.92</u>
Business-type activities:					
Capital assets being depreciated:					
Equipment	\$ 4,668.00	\$	\$	\$	\$ 4,668.00
Less accumulated depreciation	<u>(4,668.00)</u>				<u>(4,668.00)</u>
Enterprise Fund capital assets, net	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 6 – LONG-TERM OBLIGATIONS

Changes in long-term obligations for the year ended June 30, 2010 are as follows:

	Balance July 1, 2009	Issues or Additions	Payments or Expenditures	Balance June 30, 2010	Amounts Due Within One Year
Compensated Absences	\$ 364,697.56	\$ 17,082.27	\$	\$ 381,779.83	\$ 46,289.50
Capital Leases Payable	41,031.69		41,031.69	-	
Bonds Payable	2,985,000.00		920,000.00	2,065,000.00	962,000.00
	<u>\$ 3,390,729.25</u>	<u>\$ 17,082.27</u>	<u>\$ 961,031.69</u>	<u>\$ 2,446,779.83</u>	<u>\$ 1,008,289.50</u>

Compensated absences have been liquidated in the General Fund.

Bonds Payable

Bonds are authorized in accordance with State law by the voters of the municipality through referendums. All bonds are retired in serial installments within the statutory period of usefulness. Bonds issued by the District are general obligation bonds.

At June 30, 2010, bonds payable consisted of the following issues:

\$9,867,000 School Bonds dated March 1, 1996, due in annual installments through March 1, 2011, bearing interest at 4.7% per annum. The balance remaining as of June 30, 2010 is \$892,000.00.

\$1,523,000 School Bonds dated April 4, 2006, due in annual installments beginning February 1, 2005 through February 1, 2019, bearing interest at 4.00% per annum until 2013, then 4.10% thereafter. The balance remaining as of June 30, 2010 is \$1,173,000.00.

Debt service requirements on serial bonds payable at June 30, 2010 are as follows:

Fiscal Year Ending June 30,	Principal	Interest	Total
2011	\$ 962,000.00	\$ 89,667.00	\$ 1,051,667.00
2012	140,000.00	44,943.00	184,943.00
2013	140,000.00	39,343.00	179,343.00
2014	140,000.00	33,743.00	173,743.00
2015	140,000.00	28,003.00	168,003.00
2016-2019	543,000.00	54,612.00	597,612.00
	<u>\$ 2,065,000.00</u>	<u>\$ 290,311.00</u>	<u>\$ 2,355,311.00</u>

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 7 – DEFERRED BOND ISSUANCE COSTS

In governmental funds, debt issuance costs are recognized in the current period. For the District-wide financial statements, governmental activity debt issuance costs are amortized straight-line over the life of the specific bonds (15 years). The cost associated with the 2005 bonds amounted to \$32,612.84. Amortization expense in fiscal year June 30, 2010 is \$2,174.19. The balance deferred at June 30, 2010 in the District-Wide Financial Statements is \$21,741.88.

NOTE 8 – PENSION PLANS

Description of Plans - All required employees of the District are covered by either the Public Employees' Retirement System, the Teachers' Pension and Annuity Fund or the Defined Contribution Retirement Program which have been established by state statute and are administered by the New Jersey Division of Pension and Benefits (Division). According to the State of New Jersey Administrative Code, all obligations of the Systems will be assumed by the State of New Jersey should the Systems terminate. The Division issues a publicly available financial report that includes the financial statements and required supplementary information for the Public Employees Retirement System and the Teachers' Pension and Annuity Fund. These reports may be obtained by writing to the Division of Pensions and Benefits, PO Box 295, Trenton, New Jersey, 08625.

Teachers' Pension and Annuity Fund (TPAF) - The Teachers' Pension and Annuity Fund was established as of January 1, 1955, under the provisions of N.J.S.A. 18A:66 to provide retirement benefits, death, disability and medical benefits to certain qualified members. The Teachers' Pension and Annuity Fund is considered a cost-sharing multiple-employer plan with a special funding situation, as under current statute, all employer contributions are made by the State of New Jersey on behalf of the District and the system's other related non-contributing employers. Membership is mandatory for substantially all teachers or members of the professional staff certified by the State Board of Examiners, and employees of the Department of Education who have titles that are unclassified, professional and certified.

Public Employees' Retirement System (PERS) - The Public Employees' Retirement System (PERS) was established as of January 1, 1955 under the provisions of N.J.S.A. 43:15A to provide retirement, death, disability and medical benefits to certain qualified members. The Public Employees' Retirement System is a cost-sharing multiple-employer plan. Membership is mandatory for substantially all full-time employees of the State of New Jersey or any county, municipality, school district, or public agency, provided the employee is not required to be a member of another state-administered retirement system or other state or local jurisdiction.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 8 – PENSION PLANS - Continued

Defined Contribution Retirement Program (DCRP) - The Defined Contribution Retirement Program (DCRP) was established as of July 1, 2008 under the provisions of Chapter 92, P.L. 2008 and Chapter 103, P.L. 2008 (N.J.S.A. 43:15C-1 et seq.). The DCRP is a cost-sharing multiple-employer defined contribution pension fund. The DCRP provides eligible members, and their beneficiaries with a tax-sheltered, defined contribution retirement benefit, along with life insurance and disability coverage. Vesting and benefit provisions are established by N. J.S.A. 43:15C-1 et. seq.

The contribution requirements of plan members are determined by state statute. In accordance with Chapter 92, P.L. 2008 and Chapter 103, P.L. 2008, plan members are required to contribute 5.5% of their annual covered salary. The State Treasurer has the right under current law to make temporary reductions in member rates based on the existence of surplus plan assets in the retirement system; however statute also requires the return to the normal rate when such surplus pension assets no longer exist. In addition to the employee contributions, the School District's contribution amounts for each pay period are required to be transmitted to Prudential Financial not later than the fifth business day after the date on which the employee is paid for that pay period. The School District has no employees enrolled in the Defined Contribution Retirement Program (DCRP) during the fiscal year ended June 30, 2010.

Vesting and Benefit Provisions - The vesting and benefit provisions for PERS are set by N.J.S.A. 43:15A and 43.3B, and N.J.S.A. 18A:6C for TPAF. All benefits vest after eight to ten years of service, except for medical benefits that vest after 25 years of service. Retirement benefits for age and service are available at age 60 and are generally determined to be 1/60 of the final average salary for each year of service credit, as defined. Final average salary equals the average salary for the final three years of service prior to retirement (or highest three years' compensation if other than the final three years). Members may seek early retirement after achieving 25 years of service credit or they may elect deferred retirement after achieving eight to ten years of service in which case benefits would begin the first day of the month after the member attains normal retirement age. The TPAF and PERS provides for specified medical benefits for members who retire after achieving 25 years of qualified service, as defined, or under the disability provisions of the System.

Members are always fully vested for their own contributions and, after three years of service credit, become vested for 2% of related interest earned on the contributions. In the case of death before retirement, members' beneficiaries are entitled to full interest credited to the members' accounts.

Significant Legislation - During the year ended June 30, 1997, legislation was enacted (Chapter 114, P.L. 1997) that changed the asset valuation method from market related value to full-market value. This legislation also contained a provision to reduce the employee contribution rate by 1/2 of 1% to 4.5% for calendar years 1998 and 1999, and to allow for a reduction in the employee's rate after calendar year 1999, providing excess valuation assets are available. The legislation also provided that the Districts' normal contributions to the Fund may be reduced based on the revaluation of assets.

Contribution Requirements - The contribution policy is set by N.J.S.A. 43:15A, Chapter 62, P.L. of 1994, Chapter 115, P.L. of 1997 and N.J.S.A. 18:66, and requires contributions by active members and contributing employers. Plan member and employer contributions may be amended by State of New Jersey legislation. TPAF and PERS provide for employee contributions of 5.5% of employees' annual compensation, as defined. Employers are required to contribute at an actuarially determined rate in both TPAF and PERS. The actuarially determined contribution includes funding for cost-of-living adjustments, noncontributory death benefits, and post-retirement medical premiums. Under current statute, the District is a non-contributing employer of the TPAF.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 8 – PENSION PLANS - Continued

Three Year Trend Information for PERS			
Year Funding	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation
06/30/10	\$ 134,710.00	100%	\$ -
06/30/09	124,222.00	100%	-
06/30/08	88,378.00	100%	-

Three Year Trend Information for TPAF (Paid on behalf of the District)			
Year Funding	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation
6/30/2010	\$ 454,222.00	100%	\$ -
6/30/2009	433,364.00	100%	-
6/30/2008	1,077,850.00	100%	-

During the fiscal year ended June 30, 2010, the State of New Jersey contributed \$454,222.00 to the TPAF for post-retirement benefits on behalf of the District. Also, in accordance with N.J.S.A. 18A:66-66, the State of New Jersey reimbursed the District \$544,580.80 during the year ended June 30, 2010 for the employer's share of social security contributions for TPAF members, as calculated on their base salaries. This amount has been included in the basic financial statements, and individual fund statements and schedules as a revenue and expenditure in accordance with GASB Statement No. 24.

NOTE 9 – POST-RETIREMENT BENEFITS

Chapter 384 of Public Laws 1987 and Chapter 6 of Public Laws 1990 required TPAF and PERS, respectively, to fund post-retirement medical benefits for those State employees who retire after accumulating 25 years of credited service or on a disability retirement. P.L. 2007, c.103 amended the law to eliminate the funding of post-retirement medical benefits through the TPAF and PERS. It created separate funds outside of the pension plans for the funding and payment of post-retirement medical benefits for retired State employees and retired educational employees. As of June 30, 2009, there were 84,590 retirees eligible for post-retirement medical benefits. The cost of these benefits is funded through contributions by the State in accordance with P.L. 1994, c.62. Funding of post-retirement medical premiums changed from a pre-funding basis to a pay-as-you-go basis beginning in fiscal year 1994.

The State made post-retirement (PRM) contributions of \$1.38 billion for fiscal year 2009 and \$3.22 million for fiscal year 2008.

The State is also responsible for the cost attributable to Chapter 126, P.L. 1992, which provides free health benefits to members of PERS and the Alternate Benefit Program who retired from a board of education or county college with 25 years of service. The State paid \$116.9 million toward Chapter 126 benefits for 13,320 eligible retired members in fiscal year 2009.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 10 – COMPENSATED ABSENCES

The liability for vested compensated absences for the governmental fund types is recorded in current and long-term liabilities. The current portion of the compensated absences balance of the governmental funds is not considered material to the applicable funds total liabilities, and therefore is not shown separately from the long-term liability of compensated absences.

The liability for vested compensated absences of the proprietary fund types is recorded within those funds as the benefits accrue to employees. As of June 30, 2010, no liability existed for compensated absences in the Community Education Recreation Program.

NOTE 11 – DEFERRED COMPENSATION

The District offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 403(b). The plans, which are administered by the entities listed below, permit participants to defer a portion of their salary until future years. Amounts deferred under the plans are not available to employees until termination, retirement, death or unforeseeable emergency. The plan administrators are as follows:

Merrill-Lynch
Lincoln Investments
Equitable Insurance
Syracusa Insurance
Valic

NOTE 12 – CAPITAL RESERVE ACCOUNT

A capital reserve account was established by City of Somers Point Board of Education by the inclusion of \$100.00 on September 21, 2000 for the accumulation of funds for use as capital outlay expenditures in subsequent fiscal years. The capital reserve account is maintained in the general fund and its activity is included in the general fund annual budget.

The activity of the capital reserve for the July 1, 2009 to June 30, 2010 fiscal year is as follows:

Beginning balance, July 1, 2009	\$ 127,100.00
Interest earnings	2,000.00
Ending Balance, June 30, 2010	<u><u>\$ 129,100.00</u></u>

Funds placed in the capital reserve account are restricted to capital projects in the district's approved Long Range Facilities Plan (LRFP) and updated annually in the Quality Assurance Annual Report (QAAR). Upon submission of the LRFP to the department, a district may deposit funds into the capital reserve account at any time upon board resolution through the transfer of undesignated, unreserved general fund balance or of excess undesignated, unreserved general fund balance that is anticipated in the budget certified for taxes. Pursuant to N.J.A.C. 6:23A-5.1(d) 7, the balance in the account cannot at any time exceed the local support costs of uncompleted capital projects in its LRFP.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 13 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts, theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

Property and Liability Insurance - The District maintains insurance coverage for property, liability and surety bonds through the Atlantic & Cape May Counties Association of School Business Officials Joint Insurance Fund (ACCASBOJIF). A complete schedule of insurance coverage can be found in the Statistical Section of this Comprehensive Annual Financial Report.

New Jersey Unemployment Compensation Insurance - The District has elected to fund its New Jersey Unemployment Compensation Insurance under the "Benefit Reimbursement Method". Under this plan, the District is required to reimburse the New Jersey Unemployment Trust Fund for benefits paid to its former employees and charged to its account with the State. The District is billed quarterly for amounts due to the State. The following is a summary of District contributions, employee contributions, reimbursements to the State for benefits paid and the ending balance of the District's expendable trust fund for the current and prior year:

<u>Fiscal Year</u>	<u>Interest on Investments</u>	<u>Employee Contributions</u>	<u>Board Contribution</u>	<u>Amount Reimbursed</u>	<u>Ending Balance</u>
2009-2010	\$ 1,226.34	\$ 16,905.72	\$ -	\$ 19,104.21	\$ 164,160.26
2008-2009	984.81	15,723.05	600.00	25,841.40	165,132.41
2007-2008	5,087.30	15,571.23	-	22,454.71	173,665.95

NOTE 14 – CONTINGENT LIABILITIES

Federal and State Grants

The District participates in a number of federal and state grant programs. The grant programs are subject to program compliance audits by the grantors or their representatives. The District is potentially liable for expenditures which may be disallowed pursuant to the terms of these grant programs. Management is not aware of any material items of noncompliance would result in the disallowance of program expenditures.

NOTE 15 – ECONOMIC DEPENDENCY

The District receives support from federal government and from the state government. A significant reduction in the level of support, if this were to occur, would have an effect on the District's programs and activities.

NOTE 16 – SUBSEQUENT EVENTS

Management has reviewed and evaluated all events and transactions that occurred between June 3, 2010 through September 27, 2010, the date that the financial statements were issued for possible disclosure and recognition in the financial statements, and no items have come to attention of the District that would require disclosure.

**CITY OF SOMERS POINT SCHOOL DISTRICT
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2010
(CONTINUED)**

NOTE 17 – FUND BALANCE APPROPRIATED

General Fund - Of the \$879,246.91 General Fund fund balance at June 30, 2010, \$21,664.37 is reserved for encumbrances; \$129,100.00 has been reserved in the Capital Reserve Account; \$190,000.00 is reserved in the Maintenance Reserve Account; \$690,430.99 is reserved as excess surplus in accordance with N.J.S.A. 18A:7F-7; \$444,209.00 of the total reserve for excess surplus has been appropriated and included as anticipated revenue for the year ending June 30, 2011; \$100,000.00 of Unreserved fund balance has been appropriated and included as anticipated revenue for the year ending June 30, 2011; and (\$251,948.45) is unreserved and undesignated.

Debt Service Fund - Of the \$0.00 Debt Service Fund fund balance at June 30, 2010, \$0.00 has been appropriated and included as anticipated revenue for the year ended June 30, 2010 and \$0.00 is unreserved and undesignated.

NOTE 18 – CALCULATION OF EXCESS SURPLUS

The designation for Reserved Fund Balance - Excess Surplus is a required calculation pursuant to N.J.S.A. 18A:7F-7 as amended. New Jersey school districts are required to reserve General Fund fund balance at the fiscal year end of June 30 if they did not appropriate a required minimum amount of budgeted fund balance in their subsequent years' budget. The excess fund balance at June 30, 2010 is \$246,221.99. The excess fund balance at June 30, 2009 was \$444,209.18.

NOTE 19 – DEFICIT FUND BALANCE

The District has a deficit fund balance of (\$251,948.45) in the General Fund and (\$26,644.90) in the Special Revenue Fund as of June 30, 2010 as reported in the fund statements (modified accrual basis). N.J.S.A. 18A:22-44.2 provides that in the event a state school aid payment is not made until the following school budget year, districts must record the last payment as revenue, for budget purposes only, in the current school budget year. For intergovernmental transactions, GASB Statement No. 33 requires that recognition (revenue, expenditure, asset, liability) should be in symmetry i.e., if one government recognizes an asset, the other government recognizes a liability. Since the State is recording the June state aid payments in the subsequent fiscal year, the school district cannot recognize the June state aid payments on the GAAP financial statements until the year the state records the payable. Due to the timing difference of recording the last state aid payment, the General Fund and Special Revenue Fund balance deficit does not alone indicate that the district is facing financial difficulties. The District deficit in the Special revenue fund in the GAAP fund statements of \$26,644.90 is equal to the last state aid payment for that fund.

Pursuant to N.J.S.A. 18A:22-44.2 any negative unreserved, undesignated general fund balance that is reported as a direct result from a delay in the June payments of state aid until the following fiscal year, is not considered in violation of New Jersey statute and regulation nor in need of corrective action. The District deficit in the GAAP funds statements of (\$251,948.45) is less than the last state aid payment.

APPENDIX C

Form of Approving Legal Opinion

McMANIMON & SCOTLAND, L.L.C.

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_____ 2011

The Board of Education of the
City of Somers Point in the
County of Atlantic, New Jersey

Dear Board Members:

We have acted as bond counsel to The Board of Education of the City of Somers Point in the County of Atlantic, New Jersey (the "Board of Education") in connection with the issuance by the Board of Education of \$3,443,000 School Bonds, dated March 1, 2011 (the "Bonds"). In order to render the opinions herein, we have examined laws, documents and records of proceedings, or copies thereof, certified or otherwise identified to us, as we have deemed necessary.

The Bonds are issued pursuant to (i) Title 18A, Education, Chapter 24 of the New Jersey Statutes, (ii) a proposal adopted by the Board of Education on October 21, 2010 and approved by the affirmative vote of a majority of the legal voters present and voting at the school district election held on December 14, 2010 and (iii) a resolution duly adopted by the Board of Education on January 20, 2011. The Bonds are secured under the provisions of the New Jersey School Bond Reserve Act, N.J.S.A. 18A:56-17 et seq. (P.L. 1980, c.72 , approved July 16, 1980, as amended by P.L. 2003, c. 118, approved July 1, 2003).

In our opinion, except insofar as the enforcement thereof may be limited by any applicable bankruptcy, moratorium or similar laws or application by a court of competent jurisdiction of legal or equitable principles relating to the enforcement of creditors' rights, the Bonds are valid and legally binding general obligations of the Board of Education, and the Board of Education has the power and is obligated to levy *ad valorem* taxes upon all the taxable real property within the school district for the payment of the Bonds and the interest thereon without limitation as to rate or amount.

The Board of Education has covenanted to comply with any continuing requirements that must be satisfied subsequent to the issuance of the Bonds in order to preserve tax exemption under the Internal Revenue Code of 1986, as amended (the "Code"). Failure to comply with certain requirements of the Code may cause interest on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. In the event that the Board of Education continuously complies with its covenant and in reliance on representations, certifications of fact and statements of reasonable expectations made by the Board of Education, it is our opinion that interest on the Bonds is not included in gross income for federal income tax purposes. The Bonds are not "specified private activity bonds" as defined in the Code and interest on the Bonds is not an item of tax preference for purposes of computing the federal alternative minimum tax imposed on individuals. Interest on the Bonds held by a corporate taxpayer is included in the relevant income computation for calculation of the federal

alternative minimum tax as a result of the inclusion of interest on the Bonds in “adjusted current earnings”. We express no opinion regarding other federal tax consequences arising with respect to the Bonds. Further, in our opinion, interest on the Bonds and any gain on the sale thereof are not included in gross income under the New Jersey Gross Income Tax Act.

This opinion is issued as of the date hereof. We assume no obligation to update, revise or supplement this opinion to reflect any facts or circumstances that may come to our attention or any changes in law or interpretations thereof that may occur after the date of this opinion or for any reason whatsoever.

Very truly yours,