



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 22-183

AUTHORIZING REFERENDUM QUESTIONS FOR NOVEMBER 2022 BALLOT

WHEREAS, the Borough of Highlands (“Highlands”) has filed a petition with the Commissioner of Education, jointly with the Boroughs of Atlantic Highlands and Sea Bright and the Boards of Education of the Henry Hudson Regional School District, Atlantic Highlands School District, and Highlands School District (hereinafter Petitioners), seeking authorization from the Commissioner of Education to place a referendum before the voters in its community to enlarge the Henry Hudson Regional School District into a PK-12 Regional School District and to expand Henry Hudson Regional to add the Borough of Sea Bright as a constituent member; and

WHEREAS, the joint petition included proposed referendum questions to be presented to the voters in each of the three communities; and

WHEREAS, the proposed referendum questions did not include the tax allocation methods to be presented to the voters, as the tax allocation methods to be presented to the voters had not yet been agreed upon by the requisite governing officials; and

WHEREAS, the municipal governing officials from Sea Bright, Highlands and Atlantic Highlands and the Boards of Education from Highlands, Atlantic Highlands and Henry Hudson Regional have engaged in negotiations and the municipal governing officials from Sea Bright, Highlands and Atlantic Highlands have agreed upon tax allocation methods to be presented to the voters in the three communities, which they have determined to be fair to all three communities and which would provide all three communities with significant annual savings off the status quo; and

WHEREAS, the governing officials agreed upon the following tax allocation methods to be included in the proposed referendum questions as follows:

Referendum question to be presented to the voters in Highlands and Atlantic Highlands:

Shall the Boards of Education of the Highlands School District, Atlantic Highlands School District, and Henry Hudson Regional School District join together to convert Henry Hudson Regional into an all-purpose PK-12 regional school district, with the annual and special appropriations for such a two-constituent PK-12 regional school district to be apportioned upon the following basis: ***80% on each municipality’s equalized valuation allocated to the regional district as provided by state law, and 20% on the proportional***

number of pupils enrolled from each municipality on the 15th day of October of the prebudget year; and

Upon conversion of Henry Hudson into a PK-12 regional district, shall the PK-12 regional school district include the Borough of Sea Bright as a constituent member, upon approval by the Commissioner of Education of its withdrawal from Oceanport and Shore Regional School Districts, and approval by the voters of Sea Bright to join the Henry Hudson PK-12 Regional School, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ***15% on each municipality's equalized valuation allocated to the regional district as provided by state law, and 85% on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?***

Referendum question to be presented to the voters in Sea Bright:

Upon approval by the voters of Atlantic Highlands and Highlands to convert the Henry Hudson Regional School District to a PK-12 regional school district and approval by the Commissioner of Education for Sea Bright to withdraw from the Oceanport and Shore Regional School Districts, shall Sea Bright join the Henry Hudson PK-12 Regional School District, with the annual and special appropriations for the newly expanded three-constituent PK-12 regional school district to be apportioned upon the following basis: ***15% on each municipality's equalized valuation allocated to the regional district as provided by state law, and 85% on the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year?***

NOW THEREFORE BE IT RESOLVED that, after due consideration, Highlands has determined that the above tax allocation method(s) are fair and reasonable to the taxpayers of Highlands; and

BE IT FURTHER RESOLVED that Highlands seeks to have a referendum placed on the November 2022 ballot, or as soon thereafter as may be authorized by the Commissioner of Education, with regard to the enlargement of Henry Hudson into a PK-12 Regional School District and the expansion of the district to include Sea Bright as a constituent member and authorizes its

designated special counsel to submit this agreed upon tax levy allocation and revised referendum questions to the Commissioner of Education for consideration and approval; and

BE IT FURTHER RESOLVED that Highlands authorizes its designated special counsel to take any and all appropriate action to obtain the aforementioned authorization from the Commissioner of Education and to effectuate same; and

BE IT FURTHER RESOLVED that Highlands and Atlantic Highlands agree to enter into binding 50-50 Sharing Agreements from any tax savings generated by the conversion of Henry Hudson into a PK-12 regional district and by Sea Bright joining the combined school district within five (5) days of the passage of this resolution in a form agreeable to the municipalities and their respective legal counsel; and

BE IT FURTHER RESOLVED that the governing bodies of Highlands and Atlantic Highlands recommends that the Board of Education adopt the following resolutions at their next respective meetings:

A. They adopt a resolution that should the Commissioner of Education approve the formation of an all-purpose PK-12 district comprised of the constituent members of Highlands and Atlantic Highlands, an apportionment formula of 80% EV/20% enrollment will be adopted and put before the voters only if a 50-50 sharing agreement on the total overall tax savings between Highlands and Atlantic Highlands is executed. The formula of 80/20 and the 50-50 sharing agreement will be included in the Board of Education's referendum question and be placed before the voters as soon as allowable by the Commissioner of Education.

B. Should the Commissioner of Education approve the withdrawal of Sea Bright from its current school districts and approve them as constituent members of the new Henry Hudson Regional all-purpose district, the Board of Education should adopt a resolution with an apportionment formula of 15% EV/85% enrollment and this apportionment should be put before the voters only if a 50-50 sharing agreement on the total overall tax savings between Highlands and Atlantic Highlands is executed. The formula of 15/85 and the 50-50 sharing agreement will be included in the Board of Education's referendum question and be placed before the voters as soon as allowable by the Commissioner of Education.

Motion to Approve R 22-183:

	INTRODUCED	SECOND	AYE	NAY	RECUSE	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: August 17, 2022

Nancy Tran, Municipal Clerk
Borough of Highlands