

NOVEMBER TO APRIL ELECTION

Information from our attorney

Ballot Question #1

Question: Shall the Township of Mansfield enact a resolution returning the date of the annual school board election from November to April?

Topics:

1. The Board is already fiscally conservative.
2. The tax levy increase is currently limited to 2% with minor exceptions. There is no such limit if the budget is put to the voters.
3. The Council has no say over the specifics of budget cuts if the budget is defeated. They only review and provide a suggested amount to cut from the overall budget and tax levy. The Board still makes the ultimate decision.
4. The taxpayers would pay the cost of the April election.
5. The interpretive statement is misleading.

Specific Points:

- As you may know, the Township Council recently placed a nonbinding resolution question on the ballot for the upcoming November election. The question was whether the voters of Mansfield wanted the Council to pass a resolution to move the annual school election from November to April.
- Although the interpretive statement on the ballot is required by law to be neutral and present both sides of the issue so voters know whether to support or oppose the question, the statement is anything but impartial.
- In fact, the statement appears to be intentionally misleading and only states that if this action is taken, the residents of Mansfield will be able to vote on the school budget. It does not present the whole picture.
- Currently, the Board reviews and approves the school budget, and associated tax levy, each year. While the Board makes this decision after careful review of each line of the budget and with both the taxpayers and students in mind, the ultimate decision is the Board's. This is not to say that the voters have no say – the individuals who decide on the budget were all elected by the citizens of Mansfield to represent their interests.
- The truth is that the Board has been fiscally conservative when establishing the budget. By law, we are limited to a two percent (2%) increase to the general tax levy each year, with minimal exceptions. We have worked hard to limit our tax increase to two percent or less each year.
- If the budget is voted on in April, there is no limit to the tax levy increase. The budget, and the associated tax increase, could be 10%, 20%, or more each year.

- If the budget is defeated, the Council also has repeatedly implied that they would have full oversight over the budget and be able to direct specific cuts to various positions, line items and other purchases. This is untrue.
- Instead, the Council merely provides the Board with a dollar amount to cut from the budget. The Board and administration then review the budget to determine where, and if, any cuts can be made to achieve this “savings”.
- If it is impossible for the Board and administration to cut the given amount, the Executive County Superintendent then reviews the budget and determines the appropriate amount to reduce the levy.
- Even then, if we do not agree or if it is impossible to provide our students with a thorough and efficient education, the Board could petition the Commissioner of Education to further review the budget and establish the appropriate levy.
- In this way, it remains the Board, not the Council, who determines exactly what to address in each budget – exactly as it should be, as these decisions are made by those who are best suited to review and determine what our staff and students need to succeed.
- It is for this reason that only 2% of all of New Jersey’s 600 school districts, only 13 districts in all, hold their elections in April. The potential impact on our students is too great. More people also vote in November, and the voter turnout in April is extremely low. That more citizens vote in November, and will then vote their chosen representatives onto the Board at that time who will act in their constituent’s interests, also ensures that the voice of our citizens is heard.
- Finally, if the election takes place in April, the taxpayers are responsible for the cost of the election, which could cost \$10,000 or more, depending on the number of polling sites and staff needed to process the election. This is determined by the County Clerk and Board of Elections, not the Board of Education or the Council. We have no say over this cost and we believe this money is better directed to improve our facilities, staff and most importantly, our students’ education.
- By asking for opinions on the election date, particularly with the misleading interpretative statement, the Council also ignores the fact that only it approves its own budget and the voters have no say on the amount of tax levy increase each year, other than electing representatives to the Council. It is unclear why the Council would seek to remove this right from the voters and the Board of Education while maintaining it for themselves.
- If the Council does eventually move the school election to April, the Board can still take action to move it back to November. This back and forth would be unproductive, to say the least. Our research is revealing now that even if the voters actually moved the election to April next year, we would likely need to have one April election before we can move it back on our own to November. The law is not specific on this, but prior decisions seem to state that a judge would respect the “will of the voters” first before we could exercise the right to move it under the statute.