

**APPROVED**  
HOLLAND PATENT CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING MINUTES  
WEDNESDAY, DECEMBER 7, 2011  
ANNEX CONFERENCE ROOM - 7:00 P.M.

A regular meeting of the Board of Education of the Holland Patent Central School District was held in the Annex Conference Room, located in the village of Holland Patent, New York on Wednesday, December 7, 2011. Board President Mrs. McGahey called the meeting to order at 7:00 p.m.

**MEMBERS PRESENT**

Anne McGahey, President  
Karen Evans, Vice President  
Traci Boris  
Richard Allen  
Everett Stalker  
Elizabeth Pape  
Kathleen M. Davis, Superintendent of Schools  
Louis D'Ambro, Assistant Superintendent

**ALSO PRESENT**

Nancy Nowicki  
Dennis Geer  
Jennifer McDonald  
Allen Hyde  
Christopher Roberts  
John Bubb  
John Egresits  
Cheryl Venettozzi

**VISITORS**

Ronald Haier  
Kevin Copeland  
Chelly Crouch

**ABSENT**

Marie E. Perry  
Kristin Casab  
Charles Pratt  
Kevin Healy

Kevin Copeland and Chelly Crouch, Boilermaker School Challenge Coordinators are presenting awards to students who participated in the 15k Boilermaker Run in July 2011.

11-122

**APPROVAL OF MINUTES**

Mrs. Evans made the motion, seconded by Mr. Allen, to approve the minutes of the Board of Education meeting held on November 16, 2011 and the Special Meeting held on November 14, 2011.

Yes - 5

No - 0 motion carried

11-123

**POSITIVE THOUGHTS**

Mr. Hyde sent thank you letters to the following for their assistance with the HPE Art Show: Mrs. Lisabeth McCartney, Ms. KimAnn Inkawhich, Ms. Lenore Lampert, Mrs. Wendy Whitney-Bochniak, Ms. Rebecca Smith, Mrs. Kelly Smith, Mrs. Kelly Merrill, Mrs. Nuala Woods, Mrs. Terri Sherman, Mr. Donald Healey, Mrs. Ansley Schmitt, Ms. Kathleen Ruberti, Mrs. Karen Scherer, Mrs. Melissa Gotte, Ms. Toni Mooney, Ms. Jennifer McDonald, Mrs. Karen Deuel-Spine, and Mr. Marc Verri.

Mr. Trevor Packer, Sr. Vice President, AP and College Readiness, College Board, wrote a letter thanking Carol Moseman for contributions made at the 2011 AP Reading program.

Mrs. Casab wrote thank you letters to Mrs. Susan Cooper and Mrs. Civita Brown for their assistance with the GWF Teddy Bear Clinic held recently.

Mr. Bubb wrote letters of congratulations to Coaches Mike Stripp and Dennis Johnson for their outstanding season with the boys' cross country team.

A letter was received from Robert Roth, Director, Oneida County Youth Bureau thanking the Girl's Cross Country team members for volunteering in the Third Annual Intergenerational Fall Clean-Up Day held on Saturday, October 22, and Sunday, October 23.

11-124

### **REVIEW OF UPCOMING DATES**

December 8, 2011	MS Holiday Concert Band, Orchestra, Chorus High School Auditorium, 7:00 pm
December 7, 8, 9, 2011	GWF Book Fair
December 9, 2011	Snow Date for Concerts
December 10, 2011	GWF Breakfast with Santa, 9-11:00 am
December 15, 2011	Sport's Booster Club Meeting High School Library, 7:00 pm
December 26, 2011 – January 2, 2012	Winter Recess
January 11, 2012	Board of Education Meeting Annex Board Room, 7:00 pm

11-125

### **CORRESPONDENCE**

Ron Haier expressed his positive support for joining the Center State Conference for athletics.

11-126

### **BOARD FORUM**

The Board requested that the following items be pulled from consent: 11, 16, 17, 19, and 20. Items 24, 25 were moved to consent.

The Board moved Item 19 and 20 into Executive Session.

Traci Boris commented that the Grandparent Luncheon was again successful and a positive community effort.

11-127 **DISTRICT UPDATE**

Carol Moseman and Lydia Berez, Building Usage Committee members, made a PowerPoint presentation and recommended to the Board of Education to not close a school. Mr. Allen requested a copy of the ppt.

11-128 **COMMITTEE REPORTS**

The Feasibility Committee met earlier to review the energy performance contract from two companies. Each company made a presentation to the committee on how to make the district more energy efficient. Significant savings to the district which drives 3-4 million to the school. This will be discussed at a future Board of Education meeting as an agenda item.

11-129 **BUDGET REVIEW**

The Board of Education reviewed the following items presented by Mr. D'Ambro:

Special Programs  
Co-Curricular, Sports

11-130 **REVIEW OF ATHLETIC BUDGET**

The Board of Education reviewed the athletic budget.

11-131 **BILL SCHEDULES**

Mrs. Evans made the motion, seconded by Mr. Allen, to accept for payment bill schedule #4 General Fund in the amount of \$276,706.71, for the period ending December 7, 2011 and make it a matter of record.

Yes - 5  
No - 0 Motion carried

Mrs. Evans made the motion, seconded by Mr. Allen, to accept for payment bill schedule #3 School Lunch in the amount of \$1,404.47, for the period ending December 7, 2011, and make it a matter of record.

Yes - 5  
No - 0 Motion carried

Mrs. Evans made the motion, seconded by Mr. Allen, to accept for payment bill schedule #2 Federal Funds in the amount of \$150.00, for the period ending December 7, 2011, and make it a matter of record.

Yes - 5  
No - 0 Motion carried

Mrs. Evans made the motion, seconded by Mr. Allen, to accept for payment bill schedule #4 capital project in the amount of \$28,948.13, for the period ending December 7, 2011, and make it a matter of record.

Yes - 5  
No - 0 Motion carried

11-132 **TREASURER’S REPORT**

Mrs. Evans made the motion, seconded by Mr. Allen, to accept the Treasurer’s Report for the period ending October 31, 2011 and made a matter of record.

Yes – 5  
No - 0 Motion carried

- 11-133 **APPROVAL OF TAX REFUNDS**  
**CHANGE IN LEAGUE**  
**CHANGE ORDERS GC1, E2, GC 02**  
**AMEND THE GIFT FROM THE PUBLIC**  
**APPROVE REVISED BOE POLICIES**  
**APPROVE AMENDED WOODS VALLEY CONTRACT**  
**APPROVAL OF HEAD START RENTAL AGREEMENT**  
**ACCEPT RESIGNATIONS FOR REASON OF RETIREMENT**  
**APPROVE AMENDMENT OF CONCUSSION MGT. PLAN**  
**APPROVAL OF OUT OF STATE STUDENT TRIP**  
**APPOINTMENTS**  
**APPROVAL OF CLERK OF THE WORKS CHARGES**  
**APPROVE LFS CONTRACTS**  
**2011-12 TRANSPORTATION REQUEST**

Mrs. Evans made the motion, seconded by Mr. Allen, to approve/accept/adopt the following by consent:

Approve the following tax refund:

Owner Name	Town	Tax Map ID	Original/ Corrected	Assessment	2010-11 Tax Rate	Tax	Refund
Wilbur McMullen	Western	134.000-1-3.1	Original	\$87,400	30.364	\$2,653.81	
			Corrected	\$77,400	30.364	\$2,350.17	\$303.64
<b>Library Taxes</b>							
Wilbur McMullen	Western	134.000-1-3.1	Original	\$87,400	0.0811	\$7.09	
			Corrected	\$77,400	0.0811	\$6.28	\$0.81

Approve the Change in League to Center State Conference for the Holland Patent Central School District for the Fall of 2012.

Approve Change Order GC1, R. E. Alexander, decreasing the general contractor contract in the amount of (\$335.00).

Approve Change Order E2, Ridley Electric, decreasing the electrical contract in the amount of (\$1,462.00).

Approve Change Order GC02, R. E. Alexander, decreasing the general contractor contract in the amount of (\$1,302.00).

Accept the check for \$2,064.25 from the Golden Knights Sports Booster's Club to purchase one set of Plyometrics Foam Boxes.

Approve the following revised BOE Policies as recommended by the Policy Committee:

#1011 Recreational Vehicles

#1020 Public Relations

#1030.2 Application for Public Access to Records

#1040 Use of School Facilities

#1040.1 Request for Use of Buildings or Grounds

#1050 Use of Equipment Outside the School Building

#1055 Use of School Buses by Community Groups

#1060 Constitutionally Protected Prayer in the Schools

#1070 Naming of Facilities

#1080 Policy for Handling and Disseminating Information Received Regarding Sex Offenders

#8230 Family and Medical Leave

#8230.1 Requests for Family/Medical Leave

#8230.2 Employer Response to Employee Requests for Family or Medical Leave

#8230.3 Certification of Health Care Provider

#8230.4 Your Rights Under the Family and Medical Leave Act of 1993

#8300 Retirees Health Insurance

Approve the amended Woods Valley Contract for the 2011-12 school year.

Approve the Mohawk Valley Community Action, Head Start, rental agreement for the term July 1, 2011 through June 30, 2012.

Accept the resignation for the reason of retirement for Yvonne Finn, Office Specialist I, effective June 30, 2012.

Accept the resignation for the reason of retirement for Lorna Deily, Special Education Teacher, effective July 1, 2012.

Approve the amendment to the Concussion Management Plan.

Approve the senior class student trip to Boston, Massachusetts, scheduled for June 8, 2012.

Approve the following substitute teacher appointments, at a per diem rate of Certified \$80 per day; Non-certified \$65 per day effective December 8, 2011:

Emmaliese Bartscherer	8655 Maple Lane Lee Center, NY 13363	<b>\$65/day</b>
Sarah Becker	7909 Soule Road Rome, NY 13440	<b>\$80/day</b>
Jennifer Dutcher	PO Box 102 7417 West Street Newport, NY 13416	<b>\$80/day</b>
Alicia Irwin	540 Main Street Cold Brook, NY 13324	<b>\$80/day</b>
Carolyn Parkinson	5537 Sunrise Terrace Marcy, NY 13403	<b>\$80/day</b>
Tiffany Piatkowski	119 Mill Street Rome, NY 13440	<b>\$80/day</b>
Sandra Schue *retired employee	PO Box 216 Barneveld, NY 13304	<b>\$65/day</b>
Christopher Sneed	1113 Clinton Street Rome, NY 13440	<b>\$80/day</b>

Approve the following substitute teacher appointment, at a per diem rate of Certified \$80 per day; effective February 1, 2012:

Amanda Redmond,	9141 Koronowski Road Marcy, NY 13413	<b>\$80/day</b>
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Approve the following non-instructional substitutes effective December 7, 2011:

Substitute Food Service Helper, 90% of Step 1/Schedule A (\$8.99/hr.) = \$8.09/hr.

- Therese Johnson

Substitute Clerk, 90% of Step 1/Schedule B (\$11.53 /hr.) = \$10.38/hr.

- Therese Johnson
- Sandra Schue

Substitute Library Aide, 90% of Step 1/Schedule A (\$10.79/hr.) = \$9.71/hr.

- Therese Johnson
- Sandra Schue

Substitute School Bus Monitor, 90% of Step 1/Schedule A (\$10.79/hr.) = \$9.71/hr.

- Therese Johnson

Substitute Teacher Aide, 90% of Step 1/Schedule A (\$10.79/hr.) = \$9.71/hr.

- Therese Johnson

Substitute Office Specialist I, 90% of Step 1/Schedule B (\$11.53/hr.) = \$10.38/hr.

- Sandra Schue

Adopt the following amended resolution of appointment

**BE IT RESOLVED**, that Rosa Viggiano be appointed as a long term substitute Spanish teacher at the High School and be paid on A-5 (\$31,763), for a total salary of \$31,763 prorated. This appointment is amended for the period of December 5, 2011 to April 22, 2012.

Approve the payment to Dennis Geer in the amount of \$1,739.43 for his services as Clerk of the Works for the High School Emergency Roof Project.

Approve two contracts with Learner Focused Solutions for \$43,830 and \$21,810.

Approve the request to transport two children residing at 10054 Korber Road, Holland Patent, to the Scenic Valley Amish School, 8820 St. Rt. 274, Holland Patent, effective December 8, 2011.

Yes - 5  
No - 0 Motion Carried

11-134

**APPROVAL OF UCP RENTAL AGREEMENT**

Mrs. Evans made the motion, seconded by Mr. Allen, to approve the Upstate Cerebral Palsy rental agreement for the term July 1, 2012 through August 30, 2013.

Yes – 5  
No - 0 Motion carried

11-135

**ADOPTION OF REFUNDING BOND RESOLUTION**

Mrs. Evans made the motion, seconded by Mr. Allen, to adopt the following Refunding Bond Resolution:

A REFUNDING BOND RESOLUTION DATED DECEMBER 7, 2011 AUTHORIZING THE ISSUANCE PURSUANT TO THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE HOLLAND PATENT CENTRAL SCHOOL DISTRICT, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY AS "REFUNDING (SERIAL) BONDS" AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

**WHEREAS**, the Holland Patent Central School District, New York (the "School District") has heretofore duly issued \$10,900,000 initial aggregate principal amount of School District Refunding (Serial) Bonds, 2002, such bonds being dated May 22, 2002 and maturing in annual installments in each of the years 2003 to 2015, both inclusive (the "Refunded Bonds"), as more fully described therein; and

**WHEREAS**, the Refunded Bonds were authorized pursuant to a refunding bond resolution dated March 6, 2002, to (i) pay the costs of issuance related to the Refunded Bonds, and (ii) purchase a portfolio of direct obligations of the United States of America, the principal of and investment income of which was sufficient to pay the maturing principal of, interest on and redemption premium, if any, payable with respect to the (a) \$1,778,000 School District (Serial) Bonds, 1997, dated April 1, 1997, (b) \$3,990,000 School District (Serial) Bonds, 1998, dated December 1, 1998, (c) \$1,409,466 School District (Serial) Bonds, 2001, dated February 15, 2001, and (d) \$9,000,000 School District (Serial) Bonds, 2001, dated March 15, 2001, all previously issued by the School District; and

**WHEREAS**, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$3,915,000 outstanding principal balance of the Refunded Bonds (such outstanding principal balance being stated as of the date hereof), by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law.

**WHEREAS**, such refunding will individually result in present value savings in debt service as required by Section 90.10 of the Local Finance Law.

**NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:**

Section 1. For the object or purpose of refunding a portion of the \$3,915,000 presently outstanding aggregate principal amount of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized shall be sufficient to pay; (i) the principal amount of the Refunded Bonds; (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the maturity dates thereof or the date on which the Refunded Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Refunding Financial Plan, as hereinafter defined; (iii) the costs and expenses incidental to the issuance of refunding bonds herein authorized, if any that are not to be paid from current funds available therefor, including, without limitation, the development of the Refunding Financial Plan, compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the Escrow Contract, as hereinafter defined, and fees and charges of the Escrow Holder, as hereinafter mentioned; (iv) the redemption premium, if any, to be paid on the Refunded Bonds which are to be called prior to their respective maturities, if any; and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$3,200,000 refunding serial bonds of the School District pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$2,980,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "SCHOOL DISTRICT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, as the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the President of the Board of Education pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph (f) of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the President of the Board of Education shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity

to be redeemed shall be selected by the School District by lot in any customary manner of selection as determined by the President of the Board of Education. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall 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 in accordance with the book-entry-only system of DTC. In the event that either DTC shall discontinue the book-entry-only system, or the School District shall terminate its participation in such book-entry-only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such book-entry-only system. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the School District Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the School District maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the President of the Board of Education providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the President of the Board of Education as fiscal agent of the School District for the Refunding Bonds (collectively, the "Fiscal Agent"). Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in

the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The President of the Board of Education, as chief fiscal officer of the School District, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act in connection with the Refunding Bonds as the Fiscal Agent for said School District, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the School District, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the President of the Board of Education is also hereby authorized to name the School District Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The President of the Board of Education is hereby further delegated all powers of this Board of Education with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the School District by the manual or facsimile signature of the President of the Board of Education, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph (j) of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the President of the Board of Education shall determine. It is hereby determined that it is to the financial advantage of the School District not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph e of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that: (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law; (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which the Refunded Bonds were issued is thirty (30) years, pursuant to Subdivision 97 of paragraph a. of Section 11.00 of the Local Finance Law, with respect to each underlying series or purpose, computed from the date of the first obligations issued therefor; and (c) the estimated present value of the total debt

service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to each of the Refunded Bonds subject to such requirements, if any, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, and, to the extent required by the Local Finance Law, the estimated present value of the total debt service savings, and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in the Exhibit attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series to refund all of the Refunded Bonds and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Refunding Financial Plan. This Board of Education recognizes that the Refunding Bonds may be issued in series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, interest rate or rates borne by the Refunding Bonds and provisions for redemption thereof prior to maturity, if applicable, will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto. The President of the Board of Education is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, if any, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph c of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan and, in accordance herewith, all powers in connection therewith are hereby delegated to the President of the Board of Education, provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The President of the Board of Education shall file a copy of his or her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the District Clerk within ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The President of the Board of Education is hereby authorized and directed to enter into an escrow contract or contracts (collectively, the "Escrow Contract") with a bank or trust company or banks or trust companies located and authorized to do business in this State as he or she shall designate (collectively, the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said Holland Patent Central School District, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be annually levied on all the taxable real property within said School District a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder. Accrued interest on the Bonds shall be paid to the School District to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders from time to time of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the School District irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the School District shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated by the United States Treasury Department thereunder, as then in effect.

Section 9. Subject only to the issuance of the Refunding Bonds as herein authorized, the School District hereby elects to redeem all of the Refunded Bonds to be refunded maturing on and after the date of issuance of the Refunding Bonds that are callable at a present value savings, if any. Upon the issuance of the Refunding Bonds, the election to redeem such callable Refunded Bonds shall become irrevocable. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the School District in the manner and within the time provided in the respective Refunded Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the

publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to the underwriter or underwriters duly determined by the President of the Board of Education (collectively, the “Underwriter”) for purchase prices to be determined by the President of the Board of Education, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of delivery of a payment for the Refunding Bonds, it being hereby determined that this Board of Education hereby announces at a regular public meeting of the Board of Education the intent of the School District to accept proposals for the refunding of its Refunded Bonds and all such proposals therefor shall have been discussed at a second public meeting of the Board of Education on a date at least fourteen (14) days after the date hereof, to the extent required by law, if any. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the President of the Board of Education is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the School District providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the President of the Board of Education to the Underwriter in accordance with said purchase contract upon the receipt by the School District of said purchase price, including accrued interest. The Board President is additionally authorized (but not required) to execute and deliver a financing agreement with the Dormitory Authority of the State of New York and any other agreements and documents necessary to accomplish a refinancing, all as may be determined in the discretion of the Board President.

Section 11. The President of the Board of Education and all other officers, employees and agents of the School District are hereby authorized and directed for and on behalf of the School District to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms, issuance and sale of the Refunding Bonds, consistent with the provisions of Section 90.10 of the Local Finance Law, including without limitation, the determination to issue Refunding Bonds with substantially level or declining annual debt service, shall be determined by the President of the Board of Education and all powers in connection therewith not otherwise heretofore delegated thereto are hereby delegated to the Board President.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said School District is not authorized to expend money, or

2. The provisions of law which should be complied with at the date of publication of this resolution (or a summary hereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution, which takes effect immediately, or a summary hereof, shall be published in full in each official newspaper of said School District, together with a notice in substantially the form provided in Section 81.00 of the Local Finance Law.

Yes - 5

No - 0 Motion Carried

11-136

**AMENDMENT COACHING SALARY 2011-12**

Mrs. Evans made the motion, seconded by Mr. Allen, to approve an amendment to the 2011-12 coaching salary for Bryan Nichols for Girls Modified Volleyball to \$2,138.64 (7%) which includes his longevity in this sport.

Yes - 5

No - 0 Motion carried

11-137

**ENCLOSURES**

There were no comments on the enclosures.

11-138

**EXECUTIVE SESSION**

At 9:17 p.m., Mrs. Evans made the motion, seconded by Mr. Allen, to enter into Executive Session to discuss recommendations made by the Committee on Special Education, the recommendations made by the Committee on PreSchool Special Education, and the employment history of particular people.

Yes - 5

No - 0 Motion carried

11-139

**RECOMMENDATIONS MADE BY THE COMMITTEE ON SPECIAL EDUCATION**

Mrs. Evans made the motion, seconded by Mr. Allen to approve the recommendations made by the Committee on Special Education which are on file.

Yes - 5

No - 0 Motion carried

11-140      **RECOMMENDATIONS MADE BY THE COMMITTEE ON PRESCHOOL SPECIAL EDUCATION**

Mrs. Evans made the motion, seconded by Mr. Allen to approve the recommendations made by the Committee on PreSchool Special Education which are on file.

Yes - 5  
No - 0 Motion carried

At 10:31 p.m. the Board returned to open session.

11-141      **APPROVAL OF CREATION OF TEMPORARY NON-INSTRUCTIONAL POSITIONS**

Mrs. Evans made the motion, seconded by Mr. Allen to create (2) two Office Specialist I temporary positions and (2) two Senior Custodian temporary positions for a three month period beginning December 7, 2011 or until the vacancy is filled.

Yes - 5  
No - 0 Motion carried

11-142      **APPROVAL OF CONTRACT FOR ASSISTANT SUPERINTENDENT OF BUSINESS & FINANCE**

Mrs. Evans made the motion, seconded by Mr. Allen to approve the contract for the Louis D'Ambro, Assistant Superintendent of Business & Finance to be effective July 1, 2011 and terminating on June 30, 2014.

Yes - 5  
No - 0 Motion carried

11-143      **ADJOURNMENT**

Having no further business to discuss at this time, Mrs. Evans made the motion, seconded by Mr. Allen to adjourn the meeting.

Yes - 5  
No - 0 Motion Carried

Meeting was adjourned at approximately 10:35 p.m.

The next regularly scheduled meeting of the Board of Education will be held on Wednesday, January 11, 2012 at 7:00 p.m. in the Annex Board Room.

By Nancy Nowicki, Acting Clerk  
For Marie Perry, Deputy Clerk