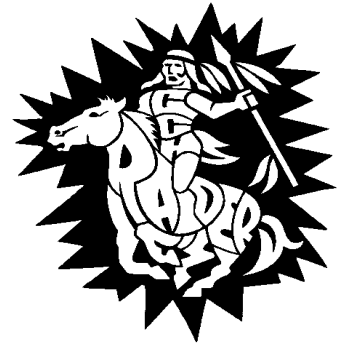


SOUTH COLONIE CENTRAL SCHOOLS
BOARD OF EDUCATION
MINUTES



June 2, 2009

CCHS Library
7:00 p.m.



CoRe VaLueS

We Believe:

- * That all children can learn
- * In educating the whole child so he/she can meet the District's Standards
- * In focusing on student achievement
- * In providing a comprehensive and enriched curriculum for all students reflecting the needs and available resources of the community
- * That the combined commitment of the Board of Education, staff, parents, students, and community is the key to educational success

Mission Statement

Preparing World Class Citizens for the 21st Century through school and community partnerships while addressing the diverse needs of all students

1. CALL TO ORDER

The regular meeting of the South Colonie Board of Education was called to order by Mr. Ryan at 6:41 p.m.

Roll Call

Brian Casey	<u>Present</u>	Robert Domenici	<u>Present</u>	Richard Dunn	<u>Present</u>
Paul Gordon	<u>Present</u>	Shelle Jaquish	<u>Present</u>	Neil Johanning	<u>Present</u>
Leonard Motto	<u>Present</u>	James T. Ryan	<u>Present</u>		

Also present: Superintendent Jonathan Buhner, Assistant Superintendent for Instruction Tim Backus, Assistant Superintendent for Management Services Beverly Miller and District Clerk Joyce Gay.

Motion by Mr. Gordon, seconded by Ms. Jaquish, and carried unanimously (8-0), to **enter** executive session to discuss employment matters relating to particular persons at 6:42 p.m.

Motion by Mr. Casey, seconded by Mr. Motto, and carried unanimously (8-0), to **adjourn** executive session at 7:30 p.m.

2. PLEDGE TO FLAG

Mr. Ryan led the pledge to the flag.

OATH OF OFFICE, BOARD OF EDUCATION MEMBER

The oath of office was administered to newly elected Board of Education Member **David Kiehle** by District Clerk Joyce Gay.

3. APPROVAL OF MINUTES

Motion made by Mr. Johanning, seconded by Ms. Jaquish, and carried unanimously (9-0), that the minutes of the regular meeting on May 26, 2009, be approved.

4. COMMUNICATIONS**A. Correspondence/Board Activities****Mr. Ryan:**

- Congratulated the Special Education PTA which held their charter meeting on June 1, 2009 and installed the new officers.
- Attended a softball game and noted that the bleachers are well-worn and a scoreboard is needed.
- Noted that the Food Service Department will hold the annual Employee Appreciation Tea on Tuesday, June 9, at 2:30 p.m. at the District Office. All board members have received an invitation to this event.

Mr. Kiehle:

- Attended a varsity baseball game

Mr. Johanning:

- Attended a softball game
- Attended *Changes: A Concert for Corey* held at the high school on Thursday, May 28 and noted it was an excellent event. The entire concert was produced and performed by high school alumni to raise money for the Corey Womack Memorial Scholarship.

- B. **No Requests** to speak.

5. **REPORTS FOR INFORMATION AND STUDY**

A. **Student Recognition**

The organizers of the **April 2010 European trips** presented their plans and an overview of each trip:

Italy and Barcelona, Spain:	Todd Rockmore and Erin Lasky
Paris, France and London, England:	Thomasa Nielsen and Deidre Locke

Line 'N Cue Productions

Ed Meagher will be retiring this year after twenty-five years of serving as advisor for the drama club. The following seniors who have been involved with Line 'N Cue (and stage crew) were recognized for their efforts and were presented with President's Spotlight certificates:

Francesco Archina	Alexander Benson	Michael Blatt
Christopher Futia	Sara Gauthier	Matthew Herrmann
Katlyn Ira	Monica Lebron	Sean Lee
Carmen Lookshire	Justine Lyons	Mary McCormack
Jenna McPadden	Christopher Michels	Amanda Nazario
Gregory Novak	Tricia Stewart	Jessica Sopko
Krystal Surgick	Joseph Valek	Vincent Walker
Christopher Wolff		

B. **Board Committee Reports**

The Accountability & Board Operations Committee and the Information Systems Committee have met since the last board meeting. Committee chairpersons reported on the meetings.

6. **REPORTS AND RECOMMENDATIONS FOR ACTION**

The Superintendent recommends approval of the following:

A. **Committee on Preschool and Special Education**

Placements as indicated on the attached sheets

B. **In-Service Courses**

1. Two and one half (2.5) in-service credits for participation in and completion of the 37.5 contact hour course "STEM Polar Connections Summer Institute" (#09-10-12). The course is sponsored by STEM Education Institute and Climate System Research Center and will be held Monday through Friday, June 28 through July 2, 2009, at UMass, Amherst. James Brown (Sand Creek) is the contact person.

2. One (1.0) in-service credit for participation in and completion of the 15-contact-hour course, "Curriculum Writing – Family & Consumer Science" (#09-10-13). The course is sponsored by NYS Association of Family & Consumer Science Educators and NYS Education Department and will be held Tuesday and Wednesday, July 28 & 29, 2009, from 9 am to 5 pm at SUNY Oneonta. Anne Grab (Lisha Kill) is the contact person.
3. One (1.0) in-service credit for participation in and completion of the 15-contact-hour course, "2009 Northeast Teacher Forestry Tour" (#09-10-14). The course is sponsored by Temperate Forest Foundation and will be held Tuesday through Friday, August 4-7, 2009, at Tennenah Lake Golf & Tennis Club, Roscoe NY. Helen Dohn (Sand Creek) is the contact person.

C. Seminar on Educational Issues

1. Twelve (12) contact hours of credit for participation in "Mindfulness and Education Retreat: Bringing Mindfulness Practice to Children – Grades K-12" (SD#2009-10-02), sponsored by Omega Institute for Holistic Studies. The course will be held July 31 to August 2, 2009 at the Omega Institute in Rhinebeck NY. Lynne Ogren (Sand Creek) is the contact person.

D. Student Trips

1. Group: CCHS Integrated Program Seniors (20-25)
Destination: Great Escape, Lake George NY
Date: Tuesday, June 23, 2009
Responsible: Laura Burton
Transportation: School Bus
Cost: Individuals

E. Transportation Contracts

1. A negotiated contract with Chalet Services, Inc., 3206 Rt. # 81, Surprise, NY 12176, for transportation to Rotterdam Academy, 99 Schermerhorn Road, Schenectady, NY 12306, at a cost of \$80.00 per diem. Transportation will begin Tuesday May 27, 2009, and end June 26, 2009. The total anticipated cost of this contract shall be \$1,840.00

F. Bid Awards – Maintenance & Custodial Supplies

Awards to low bidders meeting specifications:

Marty's True Value, Schenectady NY: Item #1

The L.L. Clean Company, Gibbsboro NJ: Item #2, 3

E.A. Morse & Co., Inc., Hudson NY: Item # 4, 8, 9, 10, 11, 13, 16, 19, 22, 23, 24, 27, 28, 37, 39, 40, 41, 42, 46, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59

R.H. Crown Co., Inc., Johnstown NY: Item #5,7,12,20,47,48,49

Hill & Markes, Inc., Amsterdam NY: Item #15, 38

Unipak Corp., Brooklyn NY: Item #17

Interboro Packaging Corp., Montgomery NY: Item 18

Foley Distributing, Rutland VT: Item #25, 26

Hillyard, Victor NY: Item 6, 29, 30, 36, 43, 44, 45
Dynasty Chemical Corp., Albany NY: Item #31
Horwitz Supply, Elmira Heights NY: Item #32, 35
Lexington Vacuum, Albany NY: Item #33, 34
Franklin Paint Co., Inc., Franklin MA: Item #60, 61, 62, 64, 65
ICI Paints, Latham NY: Item #63
American Energy Care, Inc., Albany NY: Item #72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86
No awards to Item #14, 21, 66, 67, 68, 69, 70, 71

G. Clerk's & Treasurer's Reports – April 2009

Motion made by Mr. Domenici, seconded by Mr. Johanning, and carried unanimously (9-0), that the above stated **REPORTS AND RECOMMENDATIONS** be approved.

7. PERSONNEL – INSTRUCTION

Motion made by Mr. Casey, seconded by Mr. Motto, and carried unanimously (9-0), that the Instructional Personnel changes listed on the attached sheets dated June 2, 2009, be approved.

8. PERSONNEL – SUPPORT

Motion made by Mr. Gordon, seconded by Ms. Jaquish, and carried unanimously (9-0) (with Mr. Ryan abstaining on Item C.2), that the Support Personnel changes listed on the attached sheets dated June 2, 2009, be approved.

9. REFUNDING BOND RESOLUTION DATED JUNE 16, 2009

WHEREAS, the South Colonie Central School District, Albany County, New York (hereinafter, the “District” or the “School District”) heretofore issued an aggregate principal amount of \$5,001,000 School District (Serial) Bonds, 1996, pursuant to a certain bond resolution to pay the cost of the reconstruction of certain District facilities in and for said School District, and a bond determinations certificate of the President of the Board of Education (hereinafter referred to as the “1996 Refunded Bond Certificate”), such School District (Serial) Bonds, 1996, being dated July 15, 1996 and maturing or matured on June 15 annually, as more fully described in the 1996 Refunded Bond Certificate (the “1996 Refunded Bonds”); and

WHEREAS, the School District heretofore issued an aggregate principal amount of \$3,246,000 School District (Serial) Bonds, 1997, pursuant to a certain bond resolution to pay the cost of the construction of additions to and reconstruction of various District facilities in and for said School District, and a bond determinations certificate of the President of the Board of Education (hereinafter referred to as the “1997 Refunded Bond Certificate”), such School District (Serial) Bonds, 1999, being dated July 15, 1997 and maturing or matured on June 15 annually, as more fully described in the 1997 Refunded Bond Certificate (the “1997 Refunded Bonds”); and

WHEREAS, the School District heretofore issued an aggregate principal amount of \$6,740,000 School District (Serial) Bonds, 1998, pursuant to a certain bond resolution to pay the cost of the construction of additions to and reconstruction of various District facilities in and for said School District, and a bond determinations certificate of the President of the Board of Education (hereinafter referred to as the “1998 Refunded Bond Certificate”), such School District (Serial) Bonds, 1998, being dated September 15, 1998 and maturing or matured on June 15 annually, as more fully described in the 1998 Refunded Bond Certificate (the “1998 Refunded Bonds”); and

WHEREAS, the School District heretofore issued an aggregate principal amount of \$9,000,000 School District (Serial) Bonds, 1999, pursuant to a certain bond resolution to pay the cost of the construction of additions to and reconstruction of various District buildings in and for said School District, and a bond determinations certificate of the President of the Board of Education (hereinafter referred to as the “1999 Refunded Bond Certificate”), such School District (Serial) Bonds, 1999, being dated February 15, 1999 and maturing or matured on June 15 annually, as more fully described in the 1999 Refunded Bond Certificate (the “1999 Refunded Bonds”); and

WHEREAS, the School District heretofore issued an aggregate principal amount of \$2,232,090 School District (Serial) Bonds, 2000, pursuant to a certain bond resolution to pay the cost of the construction of additions to and reconstruction of various District facilities in and for said School District, and a bond determinations certificate of the President of the Board of Education (hereinafter referred to as the “2000 Refunded Bond Certificate”), such School District (Serial) Bonds, 2000, being dated January 15, 2000 and maturing or matured on June 15 annually, as more fully described in the 2000 Refunded Bond Certificate (the “2000 Refunded Bonds”); and

WHEREAS, the 1996, 1997, 1998, 1999 and 2000 Refunded Bonds are hereinafter sometimes referred to collectively as the “Refunded Bonds”; 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 \$600,000 outstanding principal balance of the 1996 Refunded Bonds, \$1,580,000 outstanding principal balance of the 1997 Refunded Bonds, \$3,500,000 outstanding principal balance of the 1998 Refunded Bonds, \$4,885,000 outstanding principal balance of the 1999 Refunded Bonds, and \$1,310,000 outstanding principal balance of the 2000 Refunded Bonds (all such outstanding principal balances being stated as of June 30, 2009), each by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, each of such refundings will individually result in present value savings in debt service if so required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Education of the South Colonie Central School District, Albany County, New York, as follows:

Section 1. For the object or purpose of refunding the \$11,875,000 outstanding aggregate principal balance 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 date on which the Refunded Bonds which are callable are to be called 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 the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the

escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the redemption premium to be paid on the Refunded Bonds which are to be called prior to their respective maturities, 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 \$12,000,000 refunding serial bonds of the School District pursuant to the provisions of Section 90.10 of the Local Finance Law (the "School District Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$11,595,000, 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 School District 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 numbered with the prefix R-09 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at 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 first 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 c 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 respective Refunded Bonds, for each of the objects or purposes for which such respective Refunded Bonds were issued is each twenty years as provided in the respective Refunded Bond Certificate;
- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which said respective Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, 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 Respective Series of Refunded Bonds, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, 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 Exhibit A 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 one series to refund all of the Refunded Bonds in the principal amount of \$11,595,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Board of Education recognizes that the Refunding Bonds may be issued in one or more series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the School District will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. 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 date or dates of such bonds and the date or dates of issue, maturities

and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, 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 e 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 for the Refunding Bonds and 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 certificates determining the details of the Refunding Bonds and the final Refunding Financial Plan with the School District Clerk not later than 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 with banks or trust companies, located and authorized to do business in this State as said President 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 South Colonie Central School District, Albany County, 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 bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in 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 for the Refunded Bonds. Accrued interest on the Refunding 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 for the Refunded Bonds 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, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the School District hereby elects to call in and redeem each Respective Series of Refunded Bonds which the President of the Board of Education shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, as provided in the Respective Refunded Bond Certificate, and the accrued interest to such redemption date. 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 times provided in the Respective Refunded Bond Certificate. 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 RBC Capital Markets (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 the delivery of and payment for the Refunding Bonds. 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.

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 and issuance of the Refunding Bonds shall be determined by the President of the Board of Education and all powers in connection thereof are hereby delegated to the President of the Board of Education.

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 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. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said School District, together with a notice of the School District Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows: Motion by Mr. Johanning, and seconded by Mr. Dunn, and carried 8-1 as follows:

Brian Casey	<u>YES</u>	Robert Domenici	<u>YES</u>	Richard Dunn	<u>YES</u>
Paul Gordon	<u>YES</u>	Shelle Jaquish	<u>YES</u>	Neil Johanning	<u>YES</u>
David Kiehle	<u>ABSTAIN</u>	Leonard Motto	<u>YES</u>	James T. Ryan	<u>YES</u>

9. ACKNOWLEDGEMENTS

Mr. Buhner acknowledged the following people present at the meeting: SCTA President Jeff Dutcher, Director of Human Resources David Seaver, Roesseville Principal Suzanne Moore, Veeder Principal Kathleen Gottschalk.

10. FUTURE MEETINGS

- Facilities & Transportation Committee: Tuesday, June 16 – 7:30 am, Wolf Road Diner
- Regular Board Meeting: Tuesday, June 16 – 7:00 p.m. – District Office
- 8th Grade Ceremonies: Thursday, June 25 – 5:15 pm Sand Creek, 7:30 pm Lisha Kill
- 2009 Graduation: Friday, June 26 – 7:00 p.m. – Empire State Plaza
- End-of-Year Board Meeting: June 30 – 6:00 p.m. – District Office
- Re-Organizational/Regular Board Meeting: Tuesday, July 7 – 7:00 p.m. – District Office

11. EXECUTIVE SESSION

Motion by Mr. Casey, seconded by Mr. Motto, and carried unanimously (9-0), to **enter** executive session to discuss employment matters relating to particular persons at 6:42 p.m.

Motion by Ms. Jaquish, seconded by Mr. Johanning, and carried unanimously (9-0), to **adjourn** executive session at 9:34 p.m.

11. ADJOURN

Motion made by Mr. Motto, seconded by Mr. Kiehle, and carried unanimously (9-0), that the regular meeting be adjourned at 9:35 p.m.

A. **Leave of Absence**

Name: Jennifer Furze

Position: Elementary Education teacher

Type: Child Care Leave Extension

Building: Roessleville Elementary School

Effective Date: July 1, 2008

Revised Ending Date: August 31, 2009

B. **Rescind Excessed Teachers**

Lindsay Steenrod

Renee Blot

Jennifer Keller

C. **Rescind Abolishment of Positions**

Rescind the abolishment of three full-time elementary education positions

A. Abolish Position

Abolish the following support staff position effective 07/01/09:

- (1) 0.54 (3.5 hour) Food Service Helper (SC)

B. Creation of Positions

Create the following support staff positions for the 2009-10 school year:

- (1) 0.69 (4.5 hour) Food Service Helper (LK)
- (1) 0.46 (3.0 hour) Food Service Helper (SC)

C. Appointments

1. Name: Carmen DiPiazza
Address: 38B Raylinsky Lane, Mechanicville, New York 12118
Position: Break-In School Bus Driver
Effective: May 28, 2009
Salary: Not paid during training

2. Name: Timothy J. Ryan
Address: 44 Cherry Street, Albany, New York 12205
Position: Probationary Custodial Worker (HS)
Effective: July 1, 2009
Salary: Schedule G, Step 2 per CSEA Contract
Hours: 8.0 hours per day (3:30-Midnight; Tues-Sat)
Current Location: Sand Creek Middle School
Probationary Period: July 1, 2009 to January 1, 2010

3. Reappointments as emergency conditional for compliance with NYS Education Law:
Patricia Crider Candace Morgan Jeanne VanPatten
Gina Hilson Caitlin O'Brien Layne Woodard

D. Change of Hours

Approval of the following support staff change of hours:

1. Name: Tracy Waddell
Address: 20 Debbie Marie Court, Niskayuna, New York 12309
Position: Probationary Part-Time Food Service Helper
Effective: September 1, 2009
Salary: \$10.42 per hour
Hours Change: 3.0 hours per day to 6.0 hours per day
Current Location: Sand Creek Middle School

E. Retirement

1. Name: Frances A. Otty
Position: Permanent School Monitor (SC)
Effective: June 30, 2009