

Center Moriches Union Free School District

BOARD OF EDUCATION
Joseph W. McHeffey, President
Wendy R. Turkington, Vice President
Daniel Finnegan
Thomas R. Hogan
Heather Schaub-Magill

Patricia A. Galietta
District Clerk

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Deputy Superintendent

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Business Official

Diane M. Smith
Treasurer

REGULAR MEETING BOARD OF EDUCATION

CENTER MORICHES, NY
JANUARY 18, 2012

The Board of Education, Center Moriches Union Free School District, held a Regular Meeting in the Board Room on Wednesday, January 18, 2012 at 7:00 p.m. Those present were Board Members Joseph W. McHeffey, Wendy R. Turkington, Daniel Finnegan and Thomas R. Hogan (Heather Schaub-Magill joined the meeting at 7:23 p.m.); Superintendent Russell J. Stewart; Business Official Carol M. Perkins, District Treasurer Diane M. Smith and District Clerk Patricia A. Galietta.

President McHeffey called the Regular Meeting to order at 7:07 p.m. with the Pledge of Allegiance. There were 15 visitors present.

1. Superintendent's Report

- **PTA Arts in Education Donation** – Mrs. Gina Biamonte, President of the Center Moriches P.T.A., presented the Board with a check in the amount of \$7000 to be used for the BOCES Arts in Education program.
- Business Official Carol Perkins made a presentation to the Board concerning Governor Cuomo's proposed budget for next year, and how the District's budget may be impacted by the proposed increase in state-aid.

2. Minutes – On motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following minutes as submitted:

Regular Meeting of January 4, 2012

PERSONNEL SECTION

3. Resignations

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to accept the following resignations:

Name	Position	Effective Date (At the Close of Business)
Jennifer Gray	Substitute Teacher	11/08/11
Thomas Silverstein	Substitute Custodian	01/03/12

4. Leave of Absence

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following leave(s) of absence:

4. Leave of Absence (Continued)

Name	Position/Building	Effective Date
Caitlin Golden	Paraprofessional	01/30/12-05/15/12 (without pay & without benefits)

5. Substitutes: 2011-2012 School Year

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to appoint the following individuals as substitutes for the 2011-2012 school year, as follows:

Name	Type/Building	Effective Date	Stipend
Susan Kelly Dunn	Per Diem Substitute District-Wide (secondary)	01/23/12-06/30/12	\$50/day
Jennifer Maddaloni	Preferred Substitute (LR for K. Amcher)	01/17/12-06/30/12 or until no longer needed	\$125/day
Teresa Nolan	Per Diem Substitute District-Wide (secondary)	02/01/12-06/30/12	\$90/day adjusted

6. Appointments of Teaching and Support Staff

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following appointments:

Name	Position/Subject	Effective Date(s)	Building	Salary/Step
Daniel Fournier	Technology Club Advisor	2011-2012 adjusted	MS	\$1,455 adjusted
Teresa Nolan	Home Instruction Tutor	02/01/12- 06/30/12	DW	\$47.50/hr
Francesca Ocasio	Substitute Cafeteria/Recess Monitor	01/23/12- 06/30/12	Elem	\$8.50/hr
John Slavin	Paraprofessional	01/09/12	MS	Step 1 prorated
Eileen Tenney	Substitute Cafeteria/Recess Monitor	01/23/12- 06/30/12	Elem	\$8.50/hr
FROST VALLEY INFORMATION				
Name	Position/Subject	Effective Date(s)	Bldg.	Salary/Step
Debra Chance	Grade 6 Frost Valley Trip Chaperone	05/09/12- 05/11/12	MS	As per CMTA Contract
Timothy Clancy	Grade 6 Frost Valley Trip Chaperone	05/09/12- 05/11/12	MS	As per CMTA Contract
Patricia Cunningham	Grade 6 Frost Valley Administrator/Chaperone	05/09/12- 05/11/12	MS	Daily Rate of Pay
Jennifer Flieger	Grade 6 Frost Valley Trip Chaperone	05/09/12- 05/11/12	MS	As per CMTA Contract

6. **Appointments of Teaching and Support Staff (continued)**

Tracey Forman	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Jacqueline Goodwin	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Daniel Hassett	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Christopher O'Brien	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Jason Roy	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Thomas Schiavoni	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
Lawrence Voelger	Grade 6 Frost Valley Trip Chaperone	05/09/12-05/11/12	MS	As per CMTA Contract
WASHINGTON, D.C. INFORMATION				
Name	Position/Subject	Effective Date(s)	Bldg.	Salary/Step
Lea Brady	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Timothy Clancy	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Patricia Cunningham	Grade 8 Washington, D.C. Trip Administrator/Chaperone	05/22/12-05/24/12	MS	Daily Rate of Pay
Jennifer Flieger	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Tracey Forman	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Jacqueline Goodwin	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Teresa Horoszewski	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Christopher O'Brien	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Gregory Schauer	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Thomas Schiavoni	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Kevin Scott	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract
Lawrence Voelger	Grade 8 Washington, D.C. Trip Chaperone	05/22/12-05/24/12	MS	As per CMTA Contract

FISCAL SECTION

7. **Salary Moves**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following salary moves on the salary schedule, effective January 30, 2012:

Names	From	To
Ashley Russo	D/6	E/6
Philip Tozzi	G/13	H/13

8. **Payment Authorization**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to accept the report by the Independent Claims Auditor for the month of December 2011 and authorize payment of the monthly bills listed on Warrants for the month of December 2011, as audited by the Independent Claims Auditor as follows:

Warrant:	31, 45	32, 41	43, 44	48	33, 47, 51
Date:	12/1	12/8	12/15	12/16	12/22

9. **Budget Transfers – January 18, 2012**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the budget transfers.

10. **Treasurer’s Report**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0, the Board of Education voted to approve the Treasurer’s Report for the month of November 2011.

11. **Contract**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0, the Board of Education voted to approve the following contract in accordance with the terms and conditions of the contract, as well as at the established cost contained in said contract:

St. Joseph’s College Nursing Contract (01/05/12 – 06/30/12).

12. **CMTA Memorandum of Agreement**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the following Memorandum of Agreement between the school district and the CMTA:

Appendix P (2008-2013).

13. **Bond Refunding**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the following:

REFUNDING BOND RESOLUTION OF THE CENTER MORICHES UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED JANUARY 18, 2012, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$13,800,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,800,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.

Recitals

WHEREAS, the Center Moriches Union Free School District, in the County of Suffolk, New York (herein called the "District"), issued **\$4,400,000 School District (Serial) Bonds, 1995** on August 23, 1995, pursuant to a bond resolution adopted on April 21, 1993 (and herein referred to as the "1993 Bond Resolution"), following the approval by the voters of a proposition at a Special District Meeting held on March 3, 1993, authoring the issuance of an aggregate amount of \$4,480,000 serial bonds of the District to finance (a) the reconstruction of various buildings in the District (\$3,731,130), (b) various playground and athletic field improvements (\$396,048), (c) various paving improvements (\$269,662), and (d) new fencing (\$83,160); and

WHEREAS, \$480,000 of said bonds are currently outstanding (the "Outstanding 1995 Bonds") and mature on August 15 in the years and in the principal amounts and bear interest payable on February 15 and August 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2012	\$ 240,000	5.60%
2013	240,000	5.60

WHEREAS, the Outstanding 1995 Bonds are subject to redemption prior to maturity, at the option of the District, as a whole, or in part, on any interest payment date, at par, plus accrued interest to the date of redemption; and

WHEREAS, the District issued **\$10,000,000 School District (Serial) Bonds-2002, Series A** on March 21, 2002, pursuant to a bond resolution adopted on September 20, 2000, following the approval by the voters of a proposition at a Special District Meeting held on June 20, 2000, entitled (and herein referred to as the "2000 Bond Resolution"):

"A RESOLUTION AUTHORIZING THE ISSUANCE OF \$23,600,000 SERIAL BONDS OF THE CENTER MORICHES UNION FREE SCHOOL DISTRICT, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF ADDITIONS AND THE RECONSTRUCTION OF VARIOUS SCHOOL DISTRICT BUILDINGS OF AND FOR SAID SCHOOL DISTRICT"

WHEREAS, \$6,565,000 of said bonds are currently outstanding (the "Outstanding 2002A Bonds") and mature on March 15 in the years and in the principal amounts and bear interest payable on March 15 and September 15 in each year, as follows:

13. **Bond Refunding (continued)**

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2012	\$ 525,000	4.50%
2013	555,000	4.50
2014	580,000	4.75
2015	605,000	5.00
2016	635,000	5.00
2017	665,000	5.00
2018	700,000	5.00
2019	730,000	5.00
2020	765,000	5.00
2021	805,000	5.00

WHEREAS, the Outstanding 2002A Bonds maturing on March 15, 2014, and thereafter, are subject to redemption prior to maturity, at the option of the District, in whole, or in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), on any date on or after March 15, 2013, at the following redemption prices, plus accrued interest to the date of redemption:

<u>Redemption Dates</u>	<u>Redemption Price as a Percentage of Par Amount</u>
March 15, 2013 to March 14, 2014	101%
March 15, 2014 to March 14, 2015	100-1/2%
March 15, 2015 and thereafter	100%

WHEREAS, the District, issued **\$2,500,000 School District (Serial) Bonds-2002, Series B** on March 21, 2002, pursuant to the 2000 Bond Resolution, and \$1,585,000 of said bonds are currently outstanding (the "Outstanding 2002B Bonds") and mature on March 15 in the years and in the principal amounts and bear interest payable on March 15 and September 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2012	\$ 125,000	4.50%
2013	135,000	4.50
2014	140,000	4.50
2015	145,000	5.00
2016	155,000	5.00
2017	160,000	5.00
2018	170,000	5.00
2019	175,000	5.00
2020	185,000	5.25
2021	195,000	5.25

WHEREAS, the Outstanding 2002B Bonds maturing on March 15, 2013, and thereafter, are subject to redemption prior to maturity, at the option of the District, in whole, or in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), on any date

13. **Bond Refunding (continued)**

on or after March 15, 2012, at the following redemption prices, plus accrued interest to the date of redemption;

<u>Redemption Dates</u>	<u>Redemption Price as a Percentage of Par Amount</u>
March 15, 2012 to March 14, 2013	101%
March 15, 2013 to March 14, 2014	100-1/2%
March 15, 2014 and thereafter	100%

WHEREAS, the District, issued **\$11,100,000 School District (Serial) Bonds-2002, Series C** on December 9, 2002, pursuant to the 2000 Bond Resolution, and \$6,845,000 of said bonds are currently outstanding (the "Outstanding 2002C Bonds," which together with the Outstanding 1995 Bonds, the Outstanding 2002A Bonds, and the Outstanding 2002B Bonds, are herein collectively referred to as the "Outstanding Bonds") and mature on December 1 in the years and in the principal amounts and bear interest payable on June 1 and December 1 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2012	\$ 640,000	4.25%
2013	665,000	4.25
2014	695,000	4.25
2015	725,000	4.375
2016	755,000	4.50
2017	790,000	4.60
2018	820,000	4.625
2019	860,000	4.75
2020	895,000	4.75

WHEREAS, the Outstanding 2002C Bonds maturing on December 1, 2015, and thereafter, are subject to redemption prior to maturity, at the option of the District, in whole, or in part, in any order of their maturity and in any amount within a maturity, on any date on or after December 1, 2014, at par, plus accrued interest to the date of redemption;

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), authorize the District to issue new bonds to refund all or a portion of the Outstanding Bonds provided the issuance of new bonds for such purpose will result in present value debt service savings for the District; and

WHEREAS, in order effectuate the refunding, it is now necessary to adopt a refunding bond resolution;

THEREFORE,

THE BOARD OF EDUCATION OF THE CENTER MORICHES UNION FREE SCHOOL DISTRICT, NEW YORK HEREBY RESOLVES (by the favorable vote of at least two-thirds of all the members of said Board of Education), AS FOLLOWS:

13. Bond Refunding (continued)

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- (a) "Bond To Be Refunded" or "Bonds To Be Refunded" means all or any portion of the Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.
- (b) "Escrow Contract" means the contract to be entered into by and between the District and the Escrow Holder pursuant to Section 9 hereof.
- (c) "Escrow Holder" means the bank or trust company designated as such pursuant to Section 9 hereof.
- (d) "Financial Advisor" means New York Municipal Advisors Corporation ("NYMAC").
- (e) "Outstanding Bonds" means the Outstanding 1995 Bonds, the Outstanding 2002A Bonds, the Outstanding 2002B Bonds and the Outstanding 2002C Bonds referred to in the Recitals to this Resolution.
- (f) "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually), necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the bona fide initial public offering price including estimated accrued interest, or, if there is no public offering, to the price bid, including estimated accrued interest.
- (g) "Redemption Date" or "Redemption Dates" means (i) any interest payment date with respect to the Outstanding 1995 Bonds; (ii) March 15, 2013, or any date thereafter with respect to the Outstanding 2002A Bonds; (iii) March 15, 2012, or any date thereafter with respect to the Outstanding 2002B Bonds; and (iv) December 1, 2014, or any date thereafter with respect to the Outstanding 2002C bonds; as determined by the President of the Board of Education pursuant to Section 8 hereof.
- (h) "Refunding Bond" or "Refunding Bonds" means all or a portion of the \$13,800,000 Refunding Serial Bonds of the Center Moriches Union Free School District, authorized pursuant to Section 3 hereof.
- (i) "Refunding Bond Amount Limitation" means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the Redemption Date, plus any redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, plus costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 9 hereof.
- (j) "Refunding Financial Plan" means the proposed financial plan for the refunding in the form attached hereto as **Exhibit A** and prepared for the District by the Financial Advisor.

Section 2. The Board of Education of the District (herein called the "Board of Education"), hereby authorize the refunding of the Bonds To Be Refunded and appropriates an amount not to exceed \$13,800,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$13,800,000 Refunding Bonds, and the levy and collection of

13. **Bond Refunding (continued)**

a tax upon all the taxable real property within the District to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. The Refunding Financial Plan is hereby accepted and approved, and includes (i) the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 9 hereof, (ii) the payment of all costs incurred by the District in connection with said refunding from such proceeds, and (iii) the investment of a portion of such proceeds by the Escrow Holder in certain obligations, the principal of and interest thereon, together with the balance of such proceeds to be held uninvested, shall be sufficient to pay the principal of and interest on and premium, if any, on the Bonds To Be Refunded becoming due and payable on and prior to the Redemption Date and to be called for redemption prior to maturity on the Redemption Date.

Section 3. Refunding Bonds in the aggregate principal amount of not to exceed \$13,800,000 are hereby authorized to be issued pursuant to the Law, and shall mature in such amounts, on such dates, and shall bear interest at such rates of interest per annum as shall be determined at the time of the sale of such bonds.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The maximum periods of probable usefulness applicable to the purposes for which the Outstanding Bonds were issued, as measured from the dates of original issuance of the first note or bond issued for the purposes for which the Outstanding Bonds were issued, are set forth below:

Reconstruction of various buildings - 1993 Bond Resolution	20 years
Playground and athletic field improvements - 1993 Bond Resolution	15 years
Paving improvements- 1993 Bond Resolution	10 years
Fencing improvements- 1993 Bond Resolution	5 years
Construction of Additions and Reconstruction - 2000 Bond Resolution	20 years

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the Refunding Financial Plan, and computed in accordance with subdivision two of paragraph b of Sections 90.00 and 90.10 of the Law. Said Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount and will mature, be of such terms, and bear such interest as set forth therein. The actual principal amount of the Refunding Bonds, the terms thereof, and the resulting Present Value Savings, may vary from the Refunding Financial Plan.

Section 6. (A) The Refunding Bonds may be sold at public or private sale.

(i) If the Refunding Bonds are sold at private sale, the President of the Board of Education is hereby authorized (a) to cause the Financial Advisor to solicit proposals for the refunding of the Outstanding Bonds from at least three (3) qualified firms recommended by the Financial Advisor; and (b) to execute a purchase contract on behalf of the District for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller.

(ii) If the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the President of the Board of Education is hereby authorized and directed to prepare or have prepared a Notice of Sale, which shall be published at least once in "The Bond Buyer," published in the City of New York, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale (a) to the State Comptroller, Albany, New York 12236; (b) to at least two (2) banks or trust

13. **Bond Refunding (continued)**

companies having a place of business in Suffolk County in which the District is located, or, if only one (1) bank is located in such County, then to such bank and to at least two (2) banks or trust companies having a place of business in an adjoining County; and (c) to "*The Bond Buyer*", 1 State Street Plaza, New York, New York 10004; and (d) at least ten (10) bond dealers.

(B) Prior to the issuance of the Refunding Bonds the President of the Board of Education shall file with the Board of Education all requisite certifications, including a certificate approved by the State Comptroller setting forth the Present Value Savings to the District resulting from the issuance of the Refunding Bonds. In connection with the sale of Refunding Bonds, the District authorize the preparation of an Official Statement and approve its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The President of the Board of Education and his designees are hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the District in connection with said refunding, including the preparation of the Refunding Financial Plan.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the District payable as to both principal and interest by a general tax upon all the taxable real property within the District, without limitation as to rate or amount. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the District for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.10 and 168.00 of the Law, the powers and duties of the Board of Education relative to determining the amount of Bonds To Be Refunded, the Redemption Date, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, approving all details of the Refunding Financial Plan not contained herein, executing any arbitrage certification relative thereto, as well as executing any agreements for credit enhancements and executing the Official Statement referred to in Section 6, and the Escrow Contract described in Section 9, are hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 9. Prior to the issuance of the Refunding Bonds, the District shall contract with a bank or trust company located and authorized to do business in this state, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the Refunding Financial Plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the District, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract

13. **Bond Refunding (continued)**

and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the District the notice of redemption authorized to be given pursuant to Section 12 hereof, and (d) to invest the monies held by it consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 10. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the District with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the provisions of the Escrow Contract shall be returned to the District and shall be applied by the District only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 11. That portion of such proceeds from the sale of the Refunding Bonds, together with any interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys not required for such payments on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion thereof as shall be required by the Refunding Financial Plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 12. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Board of Education hereby elects to call in and redeem all the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as such date is determined by the President of the Board of Education. The sums to be paid therefore on such Redemption Date shall be the par value thereof, the accrued interest to the Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause notice(s) of such call for redemption to be given in the name of the District by mailing such notice(s) to the registered holders of the Bonds To Be Refunded which are subject to prior redemption at least thirty days prior to such Redemption Date. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded subject to prior redemption on the Redemption Date and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the

13. **Bond Refunding (continued)**

requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 13. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, 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
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 14. This bond resolution shall take effect immediately, and the District Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "Newsday," a newspaper having a general circulation in the District and hereby designated the official newspaper of said District for such publication.

14. **Lease Agreement (BOCES) – Instructional Technology (4 Years)**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the instructional technology lease agreement (BOCES) as follows:

WHEREAS, the Center Moriches Union Free School District (District) and the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (BOCES), desire, pursuant to §109 and §119 of the General Municipal Law, Section 1950(4)(aa) of the Education Law and Comptroller's Opinion #79-557, to undertake a Technology Project consisting of the acquisition and installation of computer equipment and other services as indicated in said Technology Project, and

WHEREAS, the cost of the Instructional Equipment Project # #CM-06-12122011-2011-2015 Instructional Technology Project is \$281,574.97 to be paid over a four-year period.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the District as follows:

The President of the Board of Education and the Superintendent of Schools are hereby authorized, on behalf of the District, to execute and deliver the Eastern Suffolk BOCES Multi-Year Service Agreement; the execution thereof by the President of the Board of Education and Superintendent of Schools to constitute conclusive evidence of such approval. The officers, employees and agents of the District are hereby authorized and directed for and in the name and on behalf of the District to do all acts and things required or provided for by the provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, including all acts and things necessary to ensure the payments due thereunder, and deliver all additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officers, employee or agent acting, desirable and proper to effect the purpose of the foregoing resolution and to cause compliance by the District with all of the terms, covenants and provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, binding upon the District.

15. Lease Agreement (BOCES) – Administrative Technology (4 Years)

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the administrative technology lease agreement (BOCES) as follows:

WHEREAS, the Center Moriches Union Free School District (District) and the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (BOCES), desire, pursuant to §109 and §119 of the General Municipal Law, Section 1950(4)(aa) of the Education Law and Comptroller's Opinion #79-557, to undertake a Technology Project consisting of the acquisition and installation of computer equipment and other services as indicated in said Technology Project, and

WHEREAS, the cost of the Instructional Equipment Project # #CM-06-12132011-2011-2015 Administrative Technology Project is \$91,015.90 to be paid over a four-year period.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the District as follows:

The President of the Board of Education and the Superintendent of Schools are hereby authorized, on behalf of the District, to execute and deliver the Eastern Suffolk BOCES Multi-Year Service Agreement; the execution thereof by the President of the Board of Education and Superintendent of Schools to constitute conclusive evidence of such approval. The officers, employees and agents of the District are hereby authorized and directed for and in the name and on behalf of the District to do all acts and things required or provided for by the provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, including all acts and things necessary to ensure the payments due thereunder, and deliver all additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officers, employee or agent acting, desirable and proper to effect the purpose of the foregoing resolution and to cause compliance by the District with all of the terms, covenants and provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, binding upon the District.

16. Donations

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to accept the following donations:

- ❖ \$7,000 from the **Center Moriches PTA** to be used for the BOCES Arts in Education Program and to adjust the budget accordingly; and
- ❖ \$750 from the **Pride Club** to be used towards the purchase of the sign above the scoreboard and to adjust the budget accordingly.

PROGRAM SECTION

17. CPSE/CSE – Recommendations

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the recommendations of the Committees on Special Education and Preschool Special Education for the month of December 2011.

18. **Student Trips**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve approximately 47 students (Tri-M Music Honor Society) accompanied by 3 adults, to attend a performance of "How to Succeed in Business Without Really Trying" in New York City on March 21, 2012. The approximate cost to each student is \$110. There will be no cost to the district for this trip.

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve approximately 50 students (DECA), accompanied by approximately 5 adults, to travel to Yankee Stadium on March 14, 2012. The approximate cost to each student is \$55. There will be no cost to the district for this trip.

MISCELLANEOUS SECTION

19. **Budget Workshop Meetings and Board of Education Meetings**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to approve the following Board of Education meeting dates:

Board of Education Meetings

**February 1, 2012*

**February 15, 2012*

March 7, 2012*

March 21, 2012*

April 4, 2012*

April 18, 2012*

May 2, 2012 – Budget Hearing

Budget Workshops

**February 8, 2012

**February 29, 2012

**February meetings will start at 6:00 p.m.

*Budget workshop will take place on that evening.

20. **First Policy Reading**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0 the Board of Education voted to conduct a first reading of the following policies:

Highly-Qualified Personnel (Policy #6231) – new policy; and
Chapter 408 of New York State Laws of 2002 (Policy #7613a) – replaces old un-coded CM policy.

21. **Second Policy Reading**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0, the Board of Education voted to conduct a second reading of the following policies:

Sexual Harassment of District Personnel (Policy #6121) – replaces old CM Policy GBEB & JHGB;

21. Second Policy Reading (continued)

Special Education Personnel (Policy #6230) – replaces old CM policy IGBA;
 Child Abuse & Neglect/Maltreatment (Policy #7530) – replaces old CM Policy JHG, JHGA, & un-coded policy;
 Sexual Harassment of Students (Policy #7551) – replaces old CM policy GBEB & JHEB; and
 Confidentiality of Student Records (Policy #7580) – new policy.

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0, the Board of Education voted to table a second reading of the following policies:

Comprehensive Attendance (Policy #7110) – replaced old CM un-coded policy;

22. Third Policy Reading and Adoption

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 5-0, the Board of Education voted to conduct a third reading of the following policies and subsequently moves to adopt the policies:

Use of Audio-Visual Equipment at Board Meetings (Broadcasting & Taping of Board Meetings) (Policy #1511) – new policy;
 Concussion Management & Awareness Protocol (Policy #7522) – new policy;
 Guidelines for Participation of Students with Disabilities in State and District-Wide Assessments (Policy #7619) – new policy; and
 Participation in the General Education Curriculum (Policy #7622) – replaces old CM Policy IGBA, IGBAB, IGBAD.

ADDENDUM

4a. Leaves of Absence

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following leave(s) of absence:

Name	Position/Building	Effective Date(s)
Maryanne Jimenez	Paraprofessional/Elementary	01/25/12 - 06/04/12
Vicki Osterloh	Teacher Assistant/Elementary	01/30/12 – 06/04/12

11a. Appointments of Teaching and Support Staff

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Finnegan and carried 4-0, the Board of Education voted to approve the following appointment(s):

Name	Position/Subject	Effective Date(s)	Bldg	Salary/Step
Maryanne Jimenez	Long-Term TA Substitute (LR for V. Osterloh)	01/25/12-06/04/12 or until no longer needed	Elem	D/1 Prorated (80% of D/1)

11a. **Appointments of Teaching and Support Staff (continued)**

Vicki Osterloh	Long-Term Special Education Substitute Teacher (LR for A. Russo)	01/30/12-06/04/12 or until no longer needed	Elem	D/2 Prorated
Kara Symington	Leave Replacement School Nurse (LR for M. Pallas)	02/01/12-06/22/12 or until no longer needed	MS/	\$104/day (no benefits)

On motion by Mrs. Turkington, seconded by Mr. Finnegan and approved 5-0, the Board of Education voted to go into Executive Session at 7:48 p.m.

The Regular Meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Patricia A. Galietta
District Clerk