

**CHATHAM CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION**

BOARD MEETING AGENDA

M.E.D. Elementary Library
CHATHAM, NY

DATE: January 31, 2012

TIME: 6:30 P.M.

John Wapner, President_____ James Toteno, Vice Pres_____

James Cartin_____ Michael Clark_____ Gail Day_____ Francis Iaconetti _____

James Marks_____ David O'Connor_____ Melony Spock_____

Catherine Fowler, Student Rep_____ Cheryl Nuciforo, Superintendent_____

Others in attendance: _____

A. CALL TO ORDER **Time:** _____

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF PRESENT AGENDA

Motion by _____, seconded by _____ to
approve the present agenda as written or amended.

PASS _____ YES _____ NO

D. PUBLIC COMMENT

Recognizing its responsibility for proper governance of the schools and the need to conduct its business in an orderly and efficient manner, the Board may schedule on its agenda at least one period for public participation during each regular meeting. It will set a time limit in the length of this period and/or a time limit for individual speakers. The Board President will be responsible for recognizing speakers, who shall properly identify themselves, for maintaining proper order and for adherence to time limits (Board Policy 2310). Questions concerning matters which are not on the agenda may be taken under consideration and addressed at a subsequent Board meeting (Board Policy 1230).

E. SUPERINTENDENT'S REPORTS

E.1. Joint Board Meeting with New Lebanon - Update

E.2. Questar III Leadership Meeting

E.3. CPI and State Aid Update

E.4. Refunding Initiative

F. BOARD COMMITTEE REPORTS

F.1. Audit Committee

F.2. Finance Committee

G. STUDENT REPRESENTATIVE'S REPORT

H. OLD BUSINESS

H.1 BOARD DISCUSSION ITEMS

H.1.a. 5th Grade Program Location

I. NEW BUSINESS

I.1 BOARD DISCUSSION ITEMS

I.1.a. Shared Services Presentation and Discussion – Dr. James Baldwin

I.2 INSTRUCTION

R. 87 BE IT RESOLVED that the Board of Education accept the December 27, 2011, January 17 and 23, 2012 recommendations of the Committee on Special Education, and the January 29 and 24, 2012 recommendations of the Committee on Preschool Special Education.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 88 BE IT RESOLVED that the Board of Education adopt Chatham Public Library Policy #LIB 1222, Relationship With The Friends of the Chatham Public Library and The Friends of the Canaan Public Library, as read at the December 13, 2011 and January 10, 2012 Board meetings.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 89 BE IT RESOLVED that the Board of Education adopt Chatham Public Library Policy #LIB 4528, Internet Use Policy, as read at the December 13, 2011 and January 10, 2012 Board meetings.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 90 BE IT RESOLVED that the Board of Education adopt Chatham Public Library Policy #LIB 4528.1, Computer Use Policy, as read at the December 13, 2011 and January 10, 2012 Board meetings.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 91 BE IT RESOLVED that the Board of Education adopt Chatham Public Library Policy #LIB 4528, Inclement Weather Policy, as read at the December 13, 2011 and January 10, 2012 Board meetings.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 92 BE IT RESOLVED that effective September, 2012, the fifth grade program will be located in the Mary E. Dardess Elementary School building.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

I.3 FINANCE

R. 93 REFUNDING BOND RESOLUTION OF THE CHATHAM CENTRAL SCHOOL DISTRICT DATED JANUARY 31, 2012 AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS, STATING THE PLAN OF REFUNDING, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,963,000 REFUNDING BONDS AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Chatham Central School District, New York (the "School District") has heretofore duly issued \$15,805,000 aggregate principal amount of School District Refunding (Serial) Bonds, 2003, such bonds being dated April 29, 2003 and maturing in annual installments in each of the years 2003 to 2019, both inclusive (the "Prior Bonds"), as more fully described therein; and

WHEREAS, the Prior Bonds were authorized pursuant to a refunding bond resolution dated March 11, 2003; and

WHEREAS, the Prior Bonds were issued to refund certain bonds that were issued to finance the costs of the construction of additions to and reconstruction of various School District buildings; and

WHEREAS, it would be in the public interest to refund all or a portion of the \$6,480,000 outstanding principal balance of the Prior Bonds maturing in the years 2013 - 2019 (the "Refunded Bonds") by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will 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 THE BOARD OF EDUCATION AS FOLLOWS:

Section 1. The School District is hereby authorized to refund all or a portion of the outstanding principal balance of the Refunded Bonds.

Section 2. Attached hereto as Appendix "A" and incorporated herein by reference is the estimated financial plan for the refunding of the Refunded Bonds (the "Refunding Financial Plan") showing the sources and amounts of all amounts of moneys required to accomplish the Refunding Financial Plan. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds (as defined herein) will be issued in a single series to refund all of the Refunded Bonds. 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, and that the Refunding Financial Plan also will 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 the timing thereof.

Section 3. Subject only to the issuance of the Refunding Bonds as herein authorized, the School District hereby elects to redeem all of the Refunded 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 (as defined herein) 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 Refunded Bonds and in Section 53 of the Local Finance Law. Upon the issuance of the Refunded 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 Section 3 shall become irrevocable, provided that this Section 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 4. The School District is hereby authorized to issue its serial general obligation refunding bonds (the "Refunding Bonds") in the aggregate principal amount of not to exceed \$6,963,000, in order to refund (on a current basis for federal income tax purposes) all or a portion of the Refunded Bonds. 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 on such dates in such years, bearing interest 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 Sections 5 and 10 hereof. It is hereby further determined that such Refunding Bonds may be issued to refund all or a portion of the Refunded Bonds, subject to the limitation hereinafter described in Section 13 hereof relating to approval by the State Comptroller.

Section 5. The President of the Board of Education is hereby authorized and directed to determine 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 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. 34-31856, 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 issued initially 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 defined herein) to the Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the Refunding Bonds are registered in the name of Cede & Co. in accordance with such book-entry-only system. Principal shall be payable only 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 to the registered owners of the Refunding Bonds as shown on the registration books of the School District maintained by the Fiscal Agent, 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 be payable only 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 shall 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/she 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 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.

Section 6. The maximum amount of Refunding Bonds authorized to be issued does not exceed the amount sufficient to pay the sum of (a) the principal amount of the Refunded Bonds, which will be outstanding as of the date of issue of the Refunding Bonds, (b) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including either the dates the Refunded Bonds mature or, if such Refunded Bonds are to be called for redemption prior to their maturities, the dates set for such redemption in accordance with the Refunding Financial Plan, (c) redemption premiums, if any, payable on the Refunded Bonds as of such redemption dates and (d) costs and expenses incident 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.

Section 7. The maximum period of probable usefulness permitted by law at the time of issuance of the Refunded Bonds for the object or purpose or objects or purposes for which the Refunded Bonds were issued is thirty (30) years.

Section 8. The President of the Board of Education is hereby authorized and directed to contract on behalf of the School District with a bank or trust company located and authorized to do business in the State of New York for the purpose of having such bank or trust company act as the escrow holder (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, and any other moneys provided by the School District to accomplish the Refunding Financial Plan. The contract with the Escrow Holder shall comply in all respects with Section 90.10 of the Local Finance Law.

Section 9. That portion of the proceeds of the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on, the Refunded 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 Refunded 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 the proceeds of the sale of the Refunding Bonds not required for such payments on the Refunded Bonds to be refunded, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds and the holders of the Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for in this Section 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.

Section 10. Subject to the provisions of the Local Finance Law and this Resolution, the power to determine the final Refunding Financial Plan, to prescribe the terms, form and contents of the Refunding Bonds and to sell (including the power to sell the Refunding Bonds at a discount and pursuant to a private sale), issue and deliver the Refunding Bonds is hereby delegated to the President of the Board of Education, the chief fiscal officer of the School District. The Refunding Bonds shall be sold at private sale to Jefferies & Company, Inc. (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 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 is hereby authorized to execute and the District Clerk is hereby authorized to attest any Refunding Bonds issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Refunding Bonds the corporate seal of the School District. The President of 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. The faith and credit of the Chatham Central School District, New York are hereby irrevocably pledged for the payment of the principal of and interest on such Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on the Refunding Bonds becoming due and payable in such year. There shall be levied annually on all taxable real property of the School District, a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same becomes due and payable.

Section 13. Notwithstanding anything to the contrary contained herein, the School District shall not issue the Refunding Bonds until it shall have obtained the approval of the Office of the State Comptroller in accordance with the provisions of Section 90.10 of the Local Finance Law.

Section 14. This Resolution shall be published in summary form by the District Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each of the official newspapers of the School District. The validity of the Refunding Bonds may be contested only if such obligations are authorized for an object or purpose for which the School District is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of the summary of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 15. This Resolution shall take effect immediately upon its adoption.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

R. 94 BE IT RESOLVED the Board of Education approve that the emergency repairs designated by the Board of Education at the December 13, 2011 meeting be awarded to Precision Industrial Maintenance, Inc. at a price not to exceed \$21,950.00.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

J. CONSENSUS AGENDA

R. 95 BE IT RESOLVED that the Board of Education accept the Consensus Agenda of the January 31, 2012 Board meeting, as written.

MOTION _____ 2nd _____

PASS _____ YES _____ NO

J.1 That the Board of Education accept the minutes of the January 10, 2012 Board of Education meeting.

J.2 PERSONNEL

Resignations/Leaves

- a. That the Board of Education approve the request of Maria C. Hayes, Family and Consumer Science teacher, for a short-term parental leave, effective on or about April 5, 2012 through June 22, 2012.
- b. That the Board of Education accept the resignation of Joshua Noble from his position as 2011-2012 grade 5 mathematics Academic Achievement Opportunity Program teacher, effective January 27, 2012.

Appointments

Please note: All appointments are contingent upon NYSED clearance from the fingerprint supported criminal background check, as required by Chapter 180 of the Laws of 2000.

- c. That the Board of Education appoint Rodney Stickles, who holds initial certification in students with disabilities 1-6, to a .6 FTE long-term substitute special education teaching position, effective January 30, 2012 through June 30, 2012, on MA step1, at the annual salary of 43,000.00, prorated at .6 FTE for the stated period of employment.
- d. That the Board of Education appoint the following per diem substitutes, effective February 1, 2012: Sally Hallock, teacher
Heather Simmons, teacher, TA/aide
Lauren Liberati-Conant, teacher, home tutor
Christine Flood, teacher
Linda Randall, TA/aide, food service
Erin Walsh, teacher
Samantha Torrey, teacher, TA/aide
Darrick Layton, cleaner/custodian
William Dodge, cleaner/custodian
- e. That the Board of Education amend the appointment of the following approved per diem substitutes, effective February 1, 2012:
Carol Hargis, Teacher, TA/Aide
Emily Warrington, Teacher, TA/Aide, Clerical Office Worker
Ryan Behrens, cleaner/custodian

J.3 BUSINESS/FINANCE

- a. That the Board of Education accept miscellaneous donations to the Chatham Public Library totaling \$301.70 for the months of November and December, 2011, and increase the 2011-12 budget by the same amount.
- b. That the Board of Education approve the Claims Auditor's reports for the month of December, 2011.
- c. That the Board of Education accept the budget comprehensive status and revenue status reports for the General Fund, School Lunch Fund, Federal Fund, Capital Fund, and Treasurer's Report for the month of December, 2011.

K. ITEMS FOR FUTURE AGENDA

L. EXECUTIVE SESSION

The Board of Education anticipates the need for an executive session to discuss:

- collective negotiations.
- the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
- proposed, pending, or current litigation.
- the preparation, grading, or administration of exams.
- matters that will imperil the public safety if disclosed.
- a matter that may disclose the identity of a law enforcement agent or informer.

