

BOARD OF EDUCATION
OSSINING UNION FREE SCHOOL DISTRICT
Ossining, New York

Executive Session/Work Session/Special Meeting
Roosevelt School Cafeteria

28 November 2012
Executive Session: 5:45 p.m.
Work Session/Special Meeting: 7:30 p.m.
Executive Session: Immediately Following

MINUTES

Present: Mr. Bill Kress, *President*; Ms. Dana Levenberg, *Vice President*; Dr. Kimberly Case, Mr. Graig Galef, Mr. Frank Schneckner, Mr. Steve Wardwell, Ms. Cindy Winter

Others

Present: Dr. Phyllis Glassman, *Superintendent of Schools*; Mr. Raymond Sanchez, *Deputy Superintendent*; Dr. Angela White, *Assistant Superintendent for Elementary Education and Administrative Services*, Ms. Alita Zuber, *Assistant Superintendent for Business*, Dr. James T. Langlois, *District Superintendent, Putnam-Northern Westchester BOCES*, Mr. John McCarthy, *Assistant Superintendent, Putnam-Northern Westchester BOCES*

I. Call to Order -- *President*

Board President, Bill Kress, called the 28 November 2012 Special Meeting of the Board of Education to order at 5:55 p.m.

II. Motion to Enter into Executive Session

Dana Levenberg moved and Cindy Winter seconded the motion to enter into Executive Session for the purpose of discussing a student matter.

Motion carried: 5-0

Dr. James T. Langlois and Mr. John McCarthy entered at 6:05 p.m.
Frank Schneckner arrived at 6:08 p.m.
Steve Wardwell was absent.

No formal action was taken

III. Motion to Reconvene the Work Session/Special Meeting

At 6:43 p.m. Dana Levenberg moved and Frank Schneckner seconded the motion to reconvene the Work Session/Special Meeting of 28 November 2012.

IV. Pledge of Allegiance

Steve Wardwell led all those present in the Pledge of Allegiance.

Board President Bill Kress shared the following:

- Ossining High School Senior and star athlete, Saniya Chong, signed with the University of Connecticut
- Daniel McQuade competed in the Siemens National Science Competition – November

15-17, 2012

- Brookside School ESL Teacher Patricia Vieira received Nation Board Certification
- Ossining Rotary presents “Thesauruses” to fifth grade students
- District O-Gram has been posted to our District website
- The community is encouraged to attend the following Superintendent Search Community Forums:
 - Thursday, November 29, 2012 – 7:30 p.m. – in Spanish
 - Saturday, December 1, 2012 – 10:00 a.m. – in English and at 11:30 a.m. in Spanish
- The next Board Informal Dialogue Discussion will be held on Thursday, November 29, 2012 at 7:00 p.m. at the Ossining Public Library - Theater

V. Special Acknowledgment

- *Staff Retiree*

Superintendent of Schools Dr. Phyllis Glassman congratulated Ms. Susan Fitzpatrick on her retirement and presented Ms. Fitzpatrick with a certificate in recognition of her dedicated service to the children of the Ossining School District. Deputy Superintendent Mr. Raymond Sanchez said a few words on behalf of Ms. Susan Fitzpatrick and wished her well in her retirement. Brookside School Principal Ms. Ann Dealy thanked Ms. Fitzpatrick for her professionalism and dedication and wished her well in her retirement.

Ms. Fitzpatrick thanked the Board, Mr. Sanchez, Ms. Dealy, and the administration for the opportunity to be a part of the Ossining School District family.

VI. Work Session

- *Elementary and Secondary Schools Action Plans: Focus on Student Achievement*

Deputy Superintendent Mr. Raymond Sanchez highlighted the collaborative efforts of the school principals in working together and presenting their action plans for each of their respective buildings with a focus on the whole child, student achievement, incorporating parent-community partnerships and effective teaching practices with an environment centered on the student. The PowerPoint presentation slides contain a condensed format of each building’s plan maintaining a focus on the three (3) components of the “Race To The Top” (RTTI) Initiative:

- Common Core ELA and Math Standards
- Data-driven Instruction (DDI)
- Great Teachers and Leaders

Assistant Superintendent for Elementary Education Dr. Angela White provided an overview of what the balanced scorecards represent:

- Continuous improvement
- Data-driven decisions
- Strategies
- Focus on the Whole Child
- Alignment across each of our buildings

The following principals each presented their respective building action plans for the 2012-2013 school year:

- Ms. Carrieann Sipos, Principal, Park Early Childhood Center
- Ms. Ann Dealy, Principal, Brookside School
- Ms. Carmen Soto, Principal, Claremont School
- Dr. Corey Reynolds, Principal, Roosevelt School
- Ms. Regina M. Cellio, Principal, Anne M. Dorner Middle School
- Mr. Joshua Mandel, Principal, Ossining High School

Board discussion took place. The Board thanked the principals for presenting their goals and vision for their respective buildings and for the amazing collaborative work taking place within the District.

Audience Recognition:

Ms. Francine Vernon

Ms. Beth Sniffen

▪ ***Budget: Status Report and Multi-Year Plan Update***

Assistant Superintendent for Business Ms. Alita Zuber provided an update pertaining to the property tax levy cap and its impact on future budgets. Ms. Zuber incorporated charts and graphs into the PowerPoint presentation in order to illustrate three possible scenarios of a 5-year budget projection impacted by a 2% tax levy cap, a 2.5% tax levy cap, and 3% tax levy cap. Budget assumptions and projections are fluid in that budget projections are adjusted as the budget is developed and further information becomes available.

The goal is to minimize the impact on classes and programs. The District will need to look at reducing expenses and transportation costs. It will need to review last year's list of potential cuts and prioritize based on community survey results and recommendations from the administration. With regard to transportation costs, the District would need to look at actual ridership to reduce routes wherever possible and consider changing mileage limits.

Next Steps:

- Review expenses
- Review revenue
- Increase transportation mileage limits
- Constant communication with the community – develop a survey during the month of December in order to determine as early as possible what the community priorities are and obtain feedback and input from the community by mid-January 2013

Board discussion took place. A community survey will be developed to gauge community support. Budget discussions will be incorporated into each future Board of Education meeting and the community is encouraged to participate in these meetings and share thoughts and ideas. The New York State Department of Education has imposed mandates that have placed school districts across the board to cut programs and services. The District will need to look at creative ways to do more with less and the possibility of consolidating services. Board consensus was reached to continue budget discussions at every Board meeting going forward.

Audience Recognition:

Mr. Andy Kaplan, Calam Avenue
Mr. Tim Mooney, Hungerford Road
Ms. Francine Vernon, Cedar Lane
Mr. Evan Jennings, Briarbrook Drive
Mr. Ronnie Kopera, Locust Road
Ms. Marcela Levin, Park School Main Office

The Board thanked Ms. Zuber for her presentation.

VII. Special Meeting

Dana Levenberg moved and Cindy Winter seconded the motion to move Resolutions A-1 through A-3.

Section A – Business of the Board

A-1 Motion to Adopt Bond Resolution

BOND RESOLUTION OF OSSINING UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED NOVEMBER 28, 2012, APPROPRIATING \$1,115,628 TO PAY THE DISTRICT'S SHARE OF THE COST OF THE RECONSTRUCTION OF, AND CONSTRUCTION OF IMPROVEMENTS TO, VARIOUS BOCES FACILITIES OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF THE SOLE SUPERVISORY DISTRICT OF PUTNAM/NORTHERN WESTCHESTER COUNTIES ("BOCES"); STATING THE MAXIMUM COST OF SAID OBJECT OR PURPOSE IS \$16,944,701, OF WHICH THE DISTRICT'S SHARE HAS BEEN DETERMINED TO BE \$1,115,628 AND AUTHORIZING THE ISSUANCE OF \$1,115,628 SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION.

RECITAL

WHEREAS, the Ossining Union Free School District (the "District") is one of the eighteen component school districts of the Board of Cooperative Educational Services of the Sole Supervisory District of Putnam/Northern Westchester Counties ("BOCES"); and

WHEREAS, the District has heretofore adopted a resolution authorizing the District to enter into a Joint Agreement with BOCES and the other seventeen component school districts of BOCES (the "Components") for the reconstruction of, and construction of improvements to, various BOCES facilities of BOCES pursuant to §1950 of the Education Law, (the "Project"); and

WHEREAS, the District, BOCES, and the Components have heretofore entered into a Joint Agreement providing, *inter alia*, for the payment to BOCES by each component school district of its respective proportionate share of the cost of the Project; the total cost of the Project is \$16,944,701 and the portion thereof to be paid by the District in accordance with said Joint Agreement is \$1,115,628; and

WHEREAS, it is now necessary to provide for the financing of such share;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF OSSINING UNION FREE SCHOOL DISTRICT (by a vote of not less than a majority of all the members of said Board of Education) AS FOLLOWS:

Section 1. The District hereby appropriates \$1,115,628 to pay its share of the cost of the Project; and said amount is hereby appropriated therefor. The plan of financing to pay the District's share includes the issuance of \$1,115,628 serial bonds of the District and the levy and collection of a tax upon all the taxable real property in the District in an amount sufficient to pay the principal of and interest on said bonds as they become due and payable.

Section 2. Serial bonds of the District in the principal amount of \$1,115,628 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") for the specific object or purpose described in Section 1 hereof.

Section 3. The following additional matters are hereby determined and declared:

(a) It is hereby determined that the period of probable usefulness applicable to the purposes for which said \$1,115,628 serial bonds are to be issued, pursuant to §1950 of the Education Law, is thirty (30) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the District for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the District, payable as to both principal and interest by general tax upon all the taxable real property within the District. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the District by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Education relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, 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 7. This resolution shall take effect immediately and shall be published, in summary, by the District Clerk in one of the official newspapers of the District, together with a notice attached to such resolution in substantially the form as prescribed by §81.00 of the Law.

A-2 Motion to Adopt Refunding Bond Resolution

REFUNDING BOND RESOLUTION OF THE OSSINING UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED NOVEMBER 28, 2012, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$13,300,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,300,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.

Recitals

WHEREAS, the Ossining Union Free School District, in the County of Westchester, New York (herein called the "District"), issued \$6,893,798 School District Serial Bonds-1998 on December 22, 1998, pursuant to the bond resolution entitled:

"Bond Resolution of the Ossining Union Free School District, New York, adopted January 28, 1998, authorizing: (i) the construction of an addition and improvements to the Ossining High School Building, at the estimated maximum cost of \$4,870,400; and (ii) the construction and installation of technology infrastructure improvements at various District buildings, at the estimated maximum cost of \$2,023,398; stating the estimated total cost thereof is \$6,893,798; appropriating said amount therefor; and authorizing the issuance of \$6,893,798 serial bonds of said District to finance said appropriation,"

duly adopted by the Board of Education on the date therein referred to, following the approval of a Proposition by the qualified voters of the District present and voting at the Special District Meeting duly called and held on December 3, 1997; and

WHEREAS, \$1,220,000 of said bonds are currently outstanding (the "Outstanding 1998 Bonds") and mature on April 15 in the years and in the principal amounts and bear interest payable on April 15 and October 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2013	\$595,000	4.20%
2014	635,000	4.20

WHEREAS, the Outstanding 1998 Bonds are subject to redemption prior to maturity, at the option of the District, on any date hereafter as a whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the price equal to the par principal amount thereof, plus accrued interest to the date of redemption; and

WHEREAS, the District also issued \$15,840,000 School District Serial Bonds-2005 on May 16, 2005, pursuant to the bond resolution entitled:

"Bond Resolution of the Ossining Union Free School District, New York, adopted November 19, 2003, authorizing the construction of a new Ossining Public Library building, stating the estimated total cost thereof is \$15,841,543, appropriating said amount therefore, and authorizing the issuance of \$15,841,543 serial bonds of said District to finance said appropriation,"

duly adopted by the Board of Education on the date therein referred to, following the approval of a Proposition by the qualified voters of the District present and voting at the Special District Meeting duly called and held on October 21, 2003; and

WHEREAS, \$12,160,000 of said bonds are currently outstanding (the "Outstanding 2005 Bonds") and mature on May 15 in the years and in the principal amounts and bear interest payable on May 15 and November 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2013	\$710,000	4.00%
2014	740,000	4.00
2015	775,000	4.00
2016	810,000	4.00
2017	845,000	4.00
2018	885,000	4.00
2019	925,000	4.00
2020	965,000	4.00
2021	1,010,000	4.10
2022	1,055,000	4.25
2023	1,100,000	4.25
2024	1,145,000	4.25
2025	1,195,000	4.25

WHEREAS, the Outstanding 2005 Bonds maturing on or after May 15, 2015, are subject to redemption prior to maturity, at the option of the District, on any date on or after May 15, 2014, as a whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the price equal to the par principal amount thereof 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 1998 Bonds and the Outstanding 2005 Bonds (herein referred to collectively as 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 OSSINING UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF WESTCHESTER, NEW YORK HEREBY RESOLVES (by the favorable vote of at least two-thirds of all the members of said Board of Education), AS FOLLOWS:

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, Corp., Syosset, New York.
- (e) "Outstanding Bonds" means the Outstanding 1998 Bonds and the Outstanding 2005 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 any date hereafter with respect to the Outstanding 1998 Bonds, and any date on or after May 15, 2014, with respect to the Outstanding 2005 Bonds maturing on or after May 15, 2015, 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 \$13,300,000 Refunding Serial Bonds of the Ossining 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 authorizes the refunding of the Bonds To Be Refunded and appropriates an amount not to exceed \$13,300,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$13,300,000 Refunding Bonds, and the levy and collection of 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 Dates.

Section 3. Refunding Bonds in the aggregate principal amount of not to exceed \$13,300,000 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 objects or purposes financed by the proceeds of the Outstanding Bonds are set forth below:

- (1) the construction of an addition and improvements to the Ossining High School Building and the construction and installation of technology infrastructure improvements at various District buildings, 20 years
- (2) the construction of a new Ossining Public Library building, 30 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 companies having a place of business in the 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 authorizes the preparation of an Official Statement and approves 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 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 Dates, as such dates are determined by the President of the Board of Education. The sums to be paid therefor on such Redemption Dates shall be the par value thereof, the accrued interest to the Redemption Dates 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 Dates. 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 Dates 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 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 one (1) of the following newspapers: "*The Journal News*" or "*The Gazette*" each having a general circulation in the District and hereby designated the official newspaper of said District for such publication.

A-3 Resolution to Establish Secondary Intern Position

RESOLVED, that the Board of Education approves the establishment two (2) interns for the 2012-2013 school year

Motion carried: 7-0

Kimberly Case moved and Cindy Winter seconded the motion to move resolutions C-1 through C-3.

Section C – Business of the Board

C-1 Resolution Regarding Acceptance of Donation for Claremont School

RESOLVED: That upon the recommendation of the Superintendent of Schools, the Ossining Board of Education hereby rescinds Resolution C-3 of November 14, 2012 and increases the Special Aid fund budget as detailed below. The offsetting revenue shall be F-CRAN-2770.000, “Gifts and Donations”.

BE IT FURTHER RSOLVED: That the \$8,956 received under this donation be appropriated to the following budget code:

<u>Budget Code</u>	<u>Description</u>	<u>Amount</u>
F-CRAN-2110-500-14-O	Classroom Donation Funds – Claremont	\$8,956

C-2 Resolution Regarding Interfund Transfer Within 2012-13 Budget

RESOLVED: That the Board of Education authorizes the Superintendent of Schools to execute the following interfund transfer within the 2012-13 budget.

From: A-5540-401-00-0000 Contract Transport
 To: A-5510-161-00-0000 Dist. Trans P/T, O/T, Office
 Amount \$13,000
 Reason: To cover OT cost for District drivers. This OT cost results in an approximate savings of \$48,270 by eliminating the need to contract for an additional van.

C-3 Resolution Regarding Acceptance of Donation

RESOLVED: That the Board of Education hereby accepts the donation of \$100 from the Westchester East-Putnam PTA, and upon recommendation by the Superintendent of Schools, hereby increases the 2012-13 General Fund budget as detailed below. The offsetting revenue shall be A-2705-000, “Gifts and Donations”.

BE IT FURTHER RESOLVED: That the total amount of \$100 be appropriated to the following budget code:

<u>Budget Code</u>	<u>Description</u>	<u>Amount</u>
A-5541-401-00-0000	Cultural Arts - Transportation	\$100

Motion carried: 7-0

Steve Wardwell moved and Cindy Winter seconded the motion to move resolutions D-1 through D-3.

Section D – Personnel Matters

D-1 Resolution Regarding Civil Service Staff Appointments

I move that upon recommendation of the Superintendent of Schools the Board of Education approve the Civil Service appointments so noted.

<i>Name</i>	<i>Appointm ent Type/Date</i>	<i>Job Title</i>	<i>Building</i>	<i>Salary</i>	<i>% Time</i>	<i>Effect. Date</i>	<i>Expir. Date</i>	<i>Fund Source</i>	<i>Staff Relation</i>
Monica Orozco	Annual	Bus Attendant	N/A	13.00/hr.	1-5 hrs./wk.	12/3/12	6/30/13	General	None
Aurora Aguilera	Annual	Bus Attendant	N/A	13.00/hr.	1-5 hrs./wk.	12/3/12	6/30/13	General	None
Johanna Pagan	Annual	Bus Attendant	N/A	13.00/hr.	1-5 hrs./wk.	12/3/12	6/30/13	General	None

D-2 Resolution Regarding a Professional Staff Appointment – Before/After School Programs

I move that upon recommendation of the Superintendent of Schools the Board of Education approve the Before/After School program Professional Staff appointment so noted.

<u>Name</u>	<u>Cert. Status</u>	<u>Step</u>	<u>Salary</u>	<u>Appt Type</u>	<u>Program</u>	<u>Building</u>	<u>% Time</u>	<u>Effect. Date</u>	<u>Expir. Date</u>	<u>Staff Relation</u>
William Nugent	Init. Earth Science 7-12	5	67.52/hr.	Annual	Alternative Education	AMD	1-3 hrs./wk.	11/19/12	6/21/13	AMD Teacher

D-3 Resolution Regarding Approval of School Volunteers

I move that the persons listed on the following page be appointed by the Board of Education as school volunteers for the 2012-2013 school year.

<u>Name</u>	<u>Volunteer Title</u>	<u>Type</u>
Eileen Calderone	Non-Parent/Park	Assist in Kindergarten classroom

Motion carried: 7-0

VIII. Motion To Enter Into An Executive Session

At 11:30 p.m. Dana Levenberg moved and Kimberly Case seconded the motion to enter into an Executive Session for the purpose of discussing personnel.

No formal action was taken

IX. Motion to Reconvene the Special Meeting

At 12:11 a.m. Dana Levenberg moved and Cindy Winter seconded the motion to reconvene the Special Meeting of the Board of Education of 28 November 2012 for the purpose of adjournment.

Motion carried: 7-0

X. Adjournment

At 12:12 a.m. Steve Wardwell moved and Cindy Winter seconded the motion to adjourn the Special Meeting of the Board of Education of 28 November 2012.

Motion carried: 7-0

Ileana Ortiz
District Clerk