

Date: January 23, 2018

Kind of Meeting: Regular Meeting CVMS

Members Present: Peter Agro, President
Dori Johnson, Vice President
Lloyd Greer, Jr.
Kristi Kheiralla
Gretchen Meier
Roseanne Sullivan

Members Absent: Cara Robertson

Others Present: Tim Mains, Superintendent of Schools
Michael Pacella, Assistant Superintendent for Business
Donna Geidel, Assistant Superintendent for Instruction
Deborah June, District Clerk
Approximately 26 residents/students/staff members

Call to Order/ Regular Session
The meeting of the Board of Education was called to order at district office by President Peter Agro. at approximately, 7:01 PM with the following motion offered to proceed with regular session.
MOVED by Trustee Sullivan, second by Trustee Meier, that the Board of Education open the regular meeting.
YES - 6 NO - 0 CARRIED

BOE Amends Minutes
Approval of Amended Minutes
MOVED by Trustee Johnson, second by Trustee Kheiralla, that the Board of Education amend the minutes of the January 9, 2018, meeting as submitted by the District Clerk, noting the second public participation was opened by Mr. Agro.
YES - 6 NO - 0 CARRIED

BOE Approves Amended Minutes
MOVED by Trustee Johnson, second by Trustee Kheiralla, that the Board of Education approve the amended minutes of the January 9, 2018, meeting as submitted by the District Clerk.
YES - 6 NO - 0 CARRIED

BOE Approves Consent Agenda and Addition to the Consent Agenda
Reports, Recommendations of the Superintendent of Schools
Consent Agenda
*MOVED by Trustee Sullivan, second by Trustee Johnson, that the Board of Education approve the following Consent Agenda and addition to the Consent Agenda** as submitted by the Superintendent of Schools:*

Resignations
D. Gloster/TA
Resignation
Non-Instructional
Deborah Gloster, resignation from her position as a 6.0 hour/day Teaching Assistant, effective at the close of business January 12, 2018.

J. Tana/ TA
Jessica Tana,** resignation of from her position as a 6.0 hour/day Teaching Assistant, effective at the close of business January 30, 2018.

Appointments
Instructional
G. Sullivan/ Teacher
Appointments
Instructional
Gina Sullivan, who holds an Initial certificate in Students with Disabilities 7 - 12 Generalist, be appointed to the *probationary position* as a 1.0 FTE teacher, in the Special Education (General) tenure area, commencing for a four year *probationary period* January 18, 2018 and ending January 17, 2022. Salary at MA30, Step 1 of the salary schedule, (pro-rated). *Be it further resolved that, to the extent applicable under Education Law Section 3012-d and the accompanying Commissioner's Regulations, in order to be considered for tenure, Gina Sullivan, must have received an APPR rating of effective or highly effective in three of the four probationary years and must not receive an ineffective in the fourth year.*

Non-Instructional
C. Neeld
Non-Instructional - Increase in Hours
Cimarron Neeld, amend the approval of the *increase in hours* in her position as a Food Service Helper, from 3.5hrs/day to 6.50 hrs/day, to reflect an amended effective date of January 10, 2018, salary as per contract.

M. Shultis/ Cust. Worker
Matricia Shultis, *probationary* appointment as a full-time 12 month/year Custodial Worker effective January 24, 2018, salary as per contract (pro-rated).

C. Warren/ Cust. Worker
Chase Warren, *probationary* appointment as a full-time 12 month/year Custodial Worker effective January 24, 2018, salary as per contract (pro-rated).

J. Tompkins/ Cook Manager
Jullana Tompkins,** *probationary* appointment to the position as a 8 hour/day 10-month Cook Manager, effective February 12, 2018, salary at \$32,000(*pro-rated*) *per contract of the Terms & conditions of Employment for Non-Affiliated Management/Administrative Food Service Employees.*Such appointment is conditioned upon the District's receipt of clearance for employment from the N.Y. State Education Department relating to the fingerprinting and criminal history record check of the prospective school employees. The emergency conditional segments of the appointments shall commence as of February 24, 2018 and shall not exceed twenty (20) business days.*

Per Diem Substitutes

Board approval of the appointment of the following individuals as *per diem substitutes* effective January 24, 2018 at board approved *per diem substitute rates*:

- Lexus Diamond
- Rachel Lewis
- Brian Stabner
- Ashley Valdes
- Jennifer Walsh
- Mark Wolf

YES - 6 NO - 0 CARRIED

**BOE Approves
Additional
Athletic Team**

Board Approval of Additional Athletic Team

MOVED by Trustee Johnson, second by Trustee Kheiralla, that the Board of Education approve the following additional athletic team for the 2017-2018 school year:

Spring Unified Basketball

YES - 6 NO - 0 CARRIED

**BOE Approves
CSE/CPSE
Recs**

CSE/CPSE Placement Recommendations

MOVED by Trustee Sullivan, second by Trustee Johnson, that the Board of Education approve all IEPs of the Committee on Special Education and the Committee on Preschool Special Education as submitted by the CSE and CPSE Chairperson and reviewed by Trustee Gretchen Meier.

YES - 6 NO - 0 CARRIED

**Presentation:
Long Range
Planning
/Demo Update**

Long Range Planning Study Report / Demographics Update

Mike Pacella, Assistant Superintendent for Business provided a PowerPoint presentation summarizing the Long Range Planning Study / Demographic Update for 2018. Some of the highlights of this presentation included a review of the following: *Census/Population Data; Home Sales; Public School Enrollment Projections; Enrollment from 06/07 through 16/17; Accuracy of Actual numbers vs. Projected numbers; Five Year Projected Enrollment Comparisons of Grades K-12, Five year Historical District Enrollment Numbers; Five Year Projected District Enrollment; Grade Configuration Change (by average) Actual 2012-2018 and Projected 2018-2027. A summary of the information provided was as follows: 5 Year actual enrollment decrease of 431 students from 2013-2014 to current year 2017-2018, Projected enrollments for next 5 years indicate a further decrease of 258 students, Declining births and increased non-public school enrollment continue to account for enrollment decreases, To date, we are aware of 2 private schools opened in Bloomingburg and we will continue to watch for the impact of the Chestnut Ridge Project, There are a number of housing projects before the planning boards, many of them are on hold and little activity has been reported. Mr. Pacella was thanked for his presentation. (The complete presentation was provided at the meeting as well as the district website).*

**Budget
Presentation
2018-2019**

Budget Work Session Segment

Presentations - Building a Budget

- 2018-2019 Budget Rollover Projections
- Projected State Aid / Establish BOE Guidance

Mike Pacella, Assistant Superintendent for Business presented on our preliminary 2018-2019 budget. The presentation addressed 2018-2019 "Rollover" Budget, 2018-2019 Property Tax Cap Calculation, and 2018-2019 Preliminary State Aid Analysis. The presentation began with a brief review of "what is a Rollover Budget" followed by Major Changes to the Budget as follows: Except for debt service, BOCES, salaries and benefits, the majority of the line item budgets are not changed

The current major categories' changes are:

Salaries and Extra Earnings	\$1,638,928 increase
Employee Benefits	\$ 688,528 increase
Debt Service	\$ 217,000 decrease
BOCES & Other Special Ed Services	\$ 316,453 increase

Mr. Pacella continued with a review of "Current Budget to Rollover Budget (listed as follows):

2017-2018 Approved Budget	\$114,243,524
2018-2019 "Rollover" Budget	\$116,609,301
Dollar Change	\$ 2,365,777
Percentage Change	2.07%

The presentation continued with a review highlighting some of the following: *Comparison of the Governor's Proposed Aid; Explanation of the Tax Levy to Support the Budget; Tax Cap Calculations; Increase in revenues needed to fund the "Rollover" budget; Unknown factors in preparing the 2018-19 Budget. Mr. Pacella was thanked for his presentation. Some discussion/questions and comments ensued amongst the board members.*

**Public
Participation**

Public Participation

Mr. Agro opened the first public participation at approx 7:41 PM, beginning by reading the protocols established for public participation. He further continued offering the opportunity to those in attendance to speak requesting no personal references. No comments/ questions/concerns were raised.

**BOE Acknow.
Receipt and
Accepts Grant**

Acknowledge Receipt and Acceptance of Grant

MOVED by Trustee Johnson, second by Trustee Sullivan, that the Board of Education accept a \$2,700 grant from Lowe's Toolbox for Education for the submission of "New Dimensions Library," submitted by Circleville Elementary School Library Media specialist, Helen Lynch. The money will be used to purchase a 3D printer and other items in order to add a Makerspace section to CES Library.

YES - 6 NO - 0 CARRIED

- BOE Acknow. Receipt and Accepts Donations** **Acknowledge Receipt and Acceptance of Donations**
MOVED by Trustee Johnson, second by Trustee Sullivan, that the Board of Education acknowledge receipt and acceptance of the following donations:
- Donation in the amount of \$1,500 on behalf of Dr. Oran Pachter of Pachter Orthodontics, designated for Unpaid School Lunch Charges.
 - Donation of a complete Grand Slam Fencing Kit on behalf of the Pine Bush Baseball Alumni Association for the Varsity Baseball Field.
- YES - 6 NO - 0 CARRIED**

- BOE Approves Athletic Invitational** **Approval for Athletic Invitational**
MOVED by Trustee Kheiralla, second by Trustee Sullivan, that the Board of Education approve officially approve the participation of the following athletic invitational, *noting this not OCIAA sanctioned and, therefore, not part of the roster. Board approval of the following allows students attending to be covered under the district insurance.*
- Pine Bush High School Varsity Boys Swim/Diving Team participation in the Cornwall Diving Invitational on Friday, January 26, 2018 at Cornwall Central High School Natatorium (day trip).
Funding Source: Boys Swimming Activity Account \$100.00
Transportation provided by parents.
- YES - 6 NO - 0 CARRIED**

- BOE Approves Amended Policies for First Reading** **Approval of Amended / New Policies for First Reading:**
MOVED by Trustee Meier, second by Trustee Kheiralla, that the Board of Education approve the following amended or new policies for the first reading.
- Approval of Amended Policy 3280: Use of School Facilities, Materials, and Equipment (*Title of policy corrected at Bd. Mtg. noting incorrectly initially listed in agenda*)
 - Approval of New Policy 5511: Maintenance of Fund Balance
 - Approval of Amended Policy 5630: Facilities: Inspection, Operation & Maintenance
 - Approval of New Policy 6111: Testing Misconduct and Mandatory Reporting Requirements
- YES - 6 NO - 0 CARRIED**

- BOE Tables Review of Policy 7132** **MOVED by Trustee Greer, second by Trustee Johnson,** that the Board of Education table review of the following policy:
- Policy 7132: Non-Resident Students
- YES - 6 NO - 0 CARRIED**

- Upcoming Board Meetings / Events / Old, New Business/ Updates** **Upcoming Board Meetings, Events / Old, New Business / Updates**
Our upcoming board meetings announced Tuesday evening:
- Regular Board Meetings**
- **Tuesday, February 13, 2018**
Pine Bush High School - 7:00 p.m.
Budget Presentations:
CAPITAL-Operations & Maintenance
ADMIN - Management Staff and Classified Staff
PROGRAM - Technology/Sports Activities/Transportation/Extracurricular
Mr. Pacella noted the Transportation presentation will need to be rescheduled to a later date.
 - **Tuesday, February 27, 2018**
Circleville MS - 7:00 p.m.
Budget Presentations:
PROG.- Instruction Program
- Other Important Dates/Events:**
- **Wednesday, February 7, 2018, 7:00 PM**
OCSBA Delegates' Meeting at OU BOCES Admin. Conference Rm
Delegates' Meeting
 - BOCES Update & Technology for Board Members with Legal Do's & Don'ts:
William Hecht, BOCES District Superintendent
Forrest Addor, BOCES Director of Technology
Sharlene DePew, BOCES Executive Assistant & Board Clerk
TBA - Representative from Shaw, Perelson, May & Lambert, LLP
 - Legislative Advocacy Update
 - **Sunday, February 11, 2018**
NYSSBA Capital Conference—Albany, NY
NYSSBA Capital Conference Program
 - February 11th - Conference Day
 - February 12th - Meet with Your Legislators
 - **Friday, February 16, 2018 and Monday February 19, 2018**
Presidents' Weekend - NO SCHOOL

- Other Updates** **Other Updates:**
- Longaberger Bingo, March 9, 2018 — Doors Open at 5 PM
Noting this event supports All Night Graduation;
 - Assistant Superintendent for Business mention that the Transportation Presentation will need to be postponed to a later meeting, originally scheduled for 2/13/2018;

Old-New Business BOE Discussion to Create a Capital Reserve
BOE Approves Alternate Resolution/ Steps to Create a Capital Reserve

- Superintendent shared information regarding the Governor's Budget Proposal. Mr. Mains will set up meetings with our local politicians and coordinate with the BOE;
- Vice President Johnson met with local resident to review his concerns regarding fencing and the Stars Facility and shared that conversation with the Superintendent.

Old-New Business:

BOE Discusses Steps to Create a Capital Reserve

Superintendent Mains initiated a discussion regarding the Steps to Create a Capital Reserve to offset costs related to future Capital Projects. A conversation ensued amongst the board members and concluded in the approval of the following resolution:

BOE Approves Alternate Resolution / Steps to Create a Capital Reserve

MOVED by Trustee Agro, second by Trustee Sullivan, that the Board of Education approve the following amended resolution on the Creation of a Capital Reserve (by substitution), with the Steps to Create a Capital Reserve as submitted that evening:

WHEREAS, Pine Bush CSD last secured voter approval for a Capital Initiative in May 2013 for a total of \$16,100,000, and

WHEREAS, the most recent Building Condition Survey identified a need for at least \$50,000,000 in maintenance and repairs for our current capital inventory, and,

WHEREAS, the Pine Bush Board of Education anticipates the need for a new Capital Proposal to place before the voters, and

WHEREAS, the Pine Bush Board of Education wishes to mitigate the potential impact of our next Capital Initiative on district taxpayers,

NOW THEREFORE, BE IT RESOLVED, that the Pine Bush CSD Board of Education hereby directs the Superintendent of Schools, in consultation with the Assistant Superintendent for Business, to work with our attorneys to develop the necessary language needed to place before the voters to establish a Capital Reserve. Said Capital Reserve should be targeted to have a maximum value of \$20,000,000, and said Capital Reserve shall be used to cover either the costs of construction or debt service on construction. Said Capital Reserve shall be funded at the discretion of the Board from its undesignated Fund Balance on an annual basis. It is the intent of the Board of Education to begin funding said Capital Reserve once it has been established by the voters from our current undesignated Fund Balance in an amount at or under \$6,500,000.

Dated: January 23, 2018

YES - 6 NO - 0 CARRIED

Roll Call Vote

G. Meier	Yes	R. Sullivan	Yes
L. Greer, Jr.	Yes	D. Johnson	Yes
K. Kheiralla	Yes	P. Agro	Yes

BOE Approves Claims Auditor Report

Business & Finance

Claims Auditor's Reports

MOVED by Trustee Sullivan, second by Trustee Johnson, that the Board of Education acknowledged receipt and acceptance of the following Claims Auditor's Reports as submitted:

Warrant #0042

<input type="checkbox"/>	Claims Auditor's Report covering Warrant #0042, dated 1/5/18, authorizing payments in the amount of \$654,114.73		
	Cafeteria Fund (3 checks 004462-004464)	\$	6,539.35
	HS Activity Fund (2 checks 003559-003560)		318.00
	Trust and Agency (0 checks)		500.00
	Academy of Finance (1 check 001591)		32.41
	Federal Fund (1 checks 002309)		240.00
	General Fund (49 checks 051625-051673)		646,349.15
	District Activity AC (1 check 004172)		<u>135.82</u>
	Total	\$	654,114.73

Warrant #0043

<input type="checkbox"/>	Claims Auditor's Report covering Warrant #0043, dated 1/10/18 payroll, authorizing payments in the amount of \$ 915,239.29		
	Trust and Agency Acct. (8 checks 003568-003)	\$	<u>915,239.29</u>
	Total	\$	915,239.29

Warrant #0044

<input type="checkbox"/>	Claims Auditor's Report covering Warrant #0044, dated 1/12/18, authorizing payments in the amount of \$2,035,175.16		
	Cafeteria Fund (12 checks 004465-004476)	\$	48,565.51
	Crispell SAF (2 checks 002227-002228)		217.59
	HS Activity Fund (5 checks 003561-003565)		4,118.67
	Trust and Agency (2 check 003576-003577)		14,544.85
	Academy of Finance (2 checks 001592-001593)		1,235.86
	Federal Fund Acct (4 checks 002310-002313)		11,054.80
	General Fund (113 checks 051674-051786)		1,942,180.10

District Activity AC (5 checks 004173-004177)

13,257.78

Total \$ 2,035,175.16

Warrant #0045

□ *Claims Auditor's Report* covering Warrant #0045, dated 1/18/18, authorizing payments in the amount of \$665,401.68

Cafeteria Fund (1 check 004477)	\$	2001.46
Crispell SAF (1 check 002229)		36.95
HS Activity Fund (2 checks 003566-003567)		241.25
Trust and Agency (0 checks)		14,055.05
Federal Fund Acct (1 check 002314)		693.96
General Fund (58 checks 051787-051844)		<u>648,373.01</u>

Total \$ 665,401.68

YES - 6 NO - 0 CARRIED

BOE Approves
Treasurer's
Rpt

District Treasurer's Report / Cash Flow

MOVED by Trustee Sullivan, second by Trustee Kheiralla, that the Board of Education acknowledge receipt and acceptance of the District Treasurer's Reports / Cash Flow for the period December 1, 2017 - December 31, 2017 ■ **General Fund Reports:**

Monthly Treasurer's Reports / Transfers

Budget Status

■ *Monthly Treasurer's Reports / Budget Status for:*

School Lunch Fund

Capital Fund

Federal Fund

■ *Monthly Treasurer's Reports for:*

Trust & Agency Fund

District-wide Activity Fund

Student Activity Funds for: Pine Bush High School,

Circleville Middle School and Crispell Middle School

Expendable Trust Fund (Scholarships)

Academy of Finance

Human Services Academy

Debt Service

YES - 6 NO - 0 CARRIED

BOE Approves
Smart Schools
Project Phase I
ContractsApproval of District-wide Smart Schools Technology Project -
Phase 1 Contract Approvals /

Electrical Construction, Mechanical Construction, General Construction, and Technology Equipment
The Board of Education proceeded with the approval of the following resolutions individually:

MOVED by Trustee Kheiralla, second by Trustee Sullivan, that the Board of Education approve the following resolution:

- **Adirondack Cabling, Inc. — Smart Schools Project Phase 1 / Electrical Construction**

BE IT RESOLVED, that the Board of Education of the Pine Bush Central School District authorizes Adirondack Cabling, Inc. to provide Electrical Construction throughout each required area (district-wide) in the amount of \$673,334.00, as an expenditure of the Smart Schools Project Phase 1 and authorizes the Superintendent of Schools and/or President of the Board of Education to sign any and all applicable documents.

Dated: January 23, 2018

YES - 6 NO - 0 CARRIED

MOVED by Trustee Kheiralla, second by Trustee Sullivan, that the Board of Education approve the following resolution:

- **Ashley Mechanical, Inc. — Smart Schools Project Phase 1 / Mechanical Construction**

BE IT RESOLVED, that the Board of Education of the Pine Bush Central School

District authorizes Ashley Mechanical, Inc. to provide Mechanical Construction throughout each required area (district-wide) in the amount of \$39,557.50, as an expenditure of the Smart Schools Project Phase 1 and authorizes the Superintendent of Schools and/or President of the Board of Education to sign any and all applicable documents.

Dated: January 23, 2018

YES - 6 NO - 0 CARRIED

MOVED by Trustee Sullivan, second by Trustee Kheiralla, that the Board of Education approve the following resolution:

- **Collier Construction, LLC. — Smart Schools Project Phase 1 / General Construction**

BE IT RESOLVED, that the Board of Education of the Pine Bush Central School District authorizes Collier Construction, LLC. to provide General Construction throughout each required area (district-wide) in the amount of \$33,676.00, as an expenditure of the Smart Schools Project Phase 1 and authorizes the Superintendent of Schools and/or President of the Board of Education to sign any and all applicable documents.

Dated: January 23, 2018

YES - 6 NO - 0 CARRIED

MOVED by Trustee Sullivan, second by Trustee Kheiralla, that the Board of Education approve the following resolution:

- **Open Systems Metro — Smart Schools Project Phase 1 / Technology Equipment**

BE IT RESOLVED, that the Board of Education of the Pine Bush Central School District authorizes Open Systems Metro. to provide Technology Equipment (NYS OGS State Contract #PC67449) throughout each required area (district-wide) in the amount of \$78,425.73, as an expenditure of the Smart Schools Project Phase 1 and authorizes the Superintendent of Schools and/or President of the Board of Education to sign any and all applicable documents.

Dated: January 23, 2018

YES - 6 NO - 0 CARRIED

**BOE Approves
Refunding
Resolution**

Approval of Refunding Bond Resolution

A regular meeting of the Board of Education of the Pine Bush Central School District, in the Counties of Orange, Sullivan, and Ulster, State of New York, was held within said School District on January 23, 2018, at 7:00 PM (Prevailing Time).

There were present: Peter Agro, President of the Board of Education; and

Board Members: Dori Johnson, Vice President, Roseanne Sullivan, Kristi Kheiralla, Gretchen Meier, and Lloyd Greer, Jr.

Board Member Absent: Cara Robertson

Also Present: Deborah June, District Clerk, Tim O. Mains, Superintendent of Schools, Michael Pacella, Assistant Superintendent for Business, and Donna Geldel, Assistant Superintendent for Instruction.

MOVED by Trustee Sullivan, second by Trustee Kheiralla, that the Pine Bush Central School District Board of Education adopt the following Refunding Bond Resolution, at its regular meeting, held within said School District on January 23, 2018 at approximately 7:00 PM (prevailing time), in the Counties of Orange, Sullivan and Ulster, New York:

REFUNDING BOND RESOLUTION OF THE PINE BUSH CENTRAL SCHOOL DISTRICT, NEW YORK, ADOPTED JANUARY 23, 2018, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$5,600,000 THEREFOR,

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,600,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.

Recitals

WHEREAS, the Pine Bush Central School District, in the Counties of Orange, Sullivan and Ulster, New York (herein called the "District"), issued \$9,136,761 School District Serial Bonds-2010 on September 22, 2010, pursuant to a bond resolution entitled:

"Bond Resolution of the Pine Bush Central School District, New York, adopted September 23, 2008, authorizing the construction of improvements to all district school buildings; stating the estimated total cost thereof is \$11,115,281, appropriating said amount therefor, authorizing the issuance of \$11,115,281 serial bonds of said District to finance said appropriation, and stating that any State of New York reimbursement aid received shall be applied to offset and reduce taxes authorized to be levied therefor, duly adopted and amended by the Board of Education on the dates therein referred to,

following the approval of a proposition by a majority of the qualified voters of the District present and voting at the Annual District Meeting duly called and held on May 20, 2008;

WHEREAS, \$5,950,000 of said bonds are currently outstanding (the "Outstanding 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>
2018	\$550,000	2.00%
2019	600,000	2.00
2020	600,000	2.25
2021	600,000	2.50
2022	600,000	3.00
2023	600,000	3.00
2024	600,000	3.00
2025	600,000	3.00
2026	600,000	3.00
2027	600,000	3-1/8

WHEREAS, the Outstanding Bonds maturing on and after March 15, 2019 are subject to redemption prior to maturity, at the option of the District, on March 15, 2018, and thereafter on any date, 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 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 PINE BUSH CENTRAL 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:

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 Munistat Services, Inc., Port Jefferson Station, New York.
- (e) "Outstanding Bonds" means the \$5,950,000 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 March 15, 2018, or any date thereafter with respect to the Outstanding Bonds maturing on and after March 15, 2019, 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 \$5,600,000 Refunding Serial Bonds of the Pine Bush Central 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 \$5,600,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$5,600,000 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 Date.

Section 3. Refunding Bonds in the aggregate principal amount of not to exceed \$5,600,000 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 period of probable usefulness of the original bonds or the first bond anticipation notes issued in anticipation of the sale of the original bonds which were refunded by the Outstanding Bonds, is thirty (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/her 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 Date, as such date is determined by the President of the Board of Education. The sums to be paid therefor 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 requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 13. The Board of Education hereby appoints the firm of Hawkins Delafield & Wood LLP, 7 World Trade Center, 250 Greenwich Street, 41st floor, New York, New York to provide all necessary Bond Counsel legal services in connection with the authorization, sale and issuance of the Refunding Bonds of the District.

Section 14. 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 15. 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 of the District's official newspapers, hereby designated the official newspaper of said District for such publication.

* * *

The adoption of the foregoing resolution was motion by Board Member Sullivan seconded by Board Member Kheiralla and duly put to a vote on roll call, which resulted as follows:

AYES: 6 (Roll Call: K. Kheiralla, R.Sullivan, D.Johnson, P.Agro, G. Meier, L.Greer, Jr.)

NOES: 0

MOTION Carried /The resolution was declared adopted.

EXHIBIT A

PROPOSED REFUNDING FINANCIAL PLAN* (to be attached to minutes)

* Preliminary, subject to change based upon market conditions that exist at the time of sale of the bonds authorized by this resolution.

Public Participation

Public Participation

Mr. Agro opened the second public participation at approx 9:09 PM requesting no personal references. No comments/questions/concerns were raised.

BOE Adjourns to Executive Session

Consideration of Executive Session

MOVED by Trustee Johnson, second by Trustee Sullivan, that the Board of Education adjourn to Executive Session at approximately, 9:09 PM, for discussion regarding a contractual matter.

YES - 6 NO - 0 CARRIED

BOE Returns to Regular Session

Return to Regular Session

MOVED by Trustee Meier, second by Trustee Sullivan, the Board of Education return to regular session at approximately 9:31 PM.

YES - 6 NO - 0 CARRIED

Adjournment

Adjournment

MOVED by Trustee Sullivan, second by Trustee Johnson, that the Board of Education adjourn its meeting, noting the time at 9:32PM.

YES - 6 NO - 0 CARRIED

Note: BOARD MEETINGS are video recorded and can be viewed at www.pinebushschools.org


Deborah A. June, District Clerk
Pine Bush CSD