

BETHPAGE UNION FREE SCHOOL DISTRICT
Bethpage, New York
BOARD OF EDUCATION
Regular Meeting
August 24, 2010 – 7:30 p.m. – Administration Building Boardroom

Mr. Dauman called the meeting to order at approximately 7:34 p.m. and led everyone in the Pledge of Allegiance.

Present: Joel S. Dauman, President; Sandra Watson, Vice President; Tom Frost; Anna Israelton; and Marie Swierkowski. Michael J. Kelly was not present at the beginning of the meeting.

Absent: James A. McGlynn.

Also Present: Terrence Clark, Superintendent; John DeTommaso, Assistant Superintendent for Instruction & Technology; Caroline Lavelle, Assistant Superintendent for Human Resources; Joseph Marchesiello, Assistant Superintendent for Business; Patricia Hantzidiamantis, Executive Director of Pupil Personnel Services; and Laura Granelli, Esq., of Jaspan Schlesinger LLP.

Approximately five members of the public were present.

BOARD ENTERS EXECUTIVE SESSION

MOTION by Mr. Frost, seconded by Mrs. Israelton, that the Board of Education enter into Executive Session to discuss contracts.

All aye. Motion carried (5-0).

The Board entered Executive Session in the Boardroom at 7:35 p.m.

ACTING DISTRICT CLERK

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education appoint Mr. DeTommaso to serve as District Clerk Pro Tem.

All aye. Motion carried (5-0).

Mr. Kelly joined Executive Session at 7:43 p.m.

BOARD EXITS EXECUTIVE SESSION

MOTION by Mr. Frost, seconded by Mrs. Israelton, that the Board exit Executive Session.

All aye. Motion carried (6-0).

The Board exited Executive Session at 8:11 p.m.

APPROVAL OF MINUTES

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education approve the minutes of the Special/Agenda Meeting held on August 10, 2010.

All aye. Motion carried (6-0).

ACCEPTANCE OF FINANCIAL STATUS REPORTS

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education accept the Financial Status Reports for the period ending June 30, 2010.

All aye. Motion carried (6-0).

ACCEPTANCE OF WARRANT

MOTION by Mr. Kelly, seconded by Mr. Frost, that the Board of Education accept the Warrant for the period ending July 31, 2010.

All aye. Motion carried (6-0).

OPPORTUNITY FOR PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY: None.

SUPERINTENDENT’S RECOMMENDATIONS

PERSONNEL

Resignations

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education accept the following irrevocable resignations with effective dates noted:

Maria Karambatsakis	Account Clerk	September 1, 2010
Ann Margaret Rich	Teacher Assistant	August 31, 2010
Jennifer Zito	Teacher Assistant	August 31, 2010

All aye. Motion carried (6-0).

Rescind Appointment

MOTION by Mr. Frost, seconded by Mrs. Watson, that the Board of Education rescind the extracurricular appointment of Erwin Dill as Varsity Assistant Football Coach for the 2010-2011 school year.

All aye. Motion carried (6-0).

Appointments

Per Diem Substitute Teachers

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education approve the Per Diem Substitute Teacher appointments, as submitted, for the 2010-2011 school year. Salary is in accordance with the Substitute Teachers' compensation policy.

Note: A copy of the list of per diem substitute teachers is available in the Human Resources Office.

All aye. Motion carried (6-0).

Per Diem Substitute Nurses

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education approve the Per Diem Substitute Nurse appointments, as submitted, for the 2010-2011 school year. Salary is in accordance with the Substitute Nurse compensation policy.

Note: A copy of the sub list is available in the Human Resources Office.

All aye. Motion carried (6-0).

Extracurricular/Co-Curricular

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education approve the extracurricular/co-curricular appointments, as submitted, for the 2010-11 school year.

Note: A copy of the Extracurricular/Co-Curricular Activities Schedule is available in the Office of Human Resources.

All aye. Motion carried (6-0).

Part-Time Teacher

MOTION by Mrs. Watson, seconded by Mr. Frost, that the Board of Education approve the .5 part-time appointment of Tracey Beechay as ESL (English as a Second Language) teacher for the 2010-2011 school year, effective September 1, 2010, with prorated benefits. Salary will be \$63,543, based on Step 1 of the MA 2010-2011 salary schedule, to be prorated from date of commencement. Ms. Beechay is certified as follows in the State of New York: Initial: Students w/Disabilities 1-6 & Childhood Education 1-6, and Pending: ESL, Early Childhood B-2 & Students w/Disabilities B-2.

All aye. Motion carried (6-0).

Regular Substitute (Leave Replacement)

MOTION by Mrs. Watson, seconded by Mrs. Israelton, that the Board of Education approve the Regular Substitute (Leave Replacement) appointment of Jennifer Zito in the area of Special Education for the first semester of the 2010-2011 school year, effective September 1, 2010. Salary will be \$63,543, based on Step 1 of the MA 2010-2011 salary schedule, to be prorated. Ms. Zito is certified as follows in the State of New York: Initial – Childhood Education, Gr. 1-6, Students w/Disabilities Gr. 1-6, and Early Childhood Education, B-2.

All aye. Motion carried (6-0).

Permanent Per Diem Substitute Teachers

MOTION by Mrs. Watson, seconded by Mr. Frost, that the Board of Education approve the following appointments of Permanent Per Diem Substitute Teachers with effective dates indicated through June 1, 2011 and thereafter at the Board's discretion on a per diem basis, as necessary. Salary is in accordance with the Permanent Substitute Teacher Salary Schedule.

Audrey Bieber	September 1, 2010
Ashleigh DiLorenzo	September 1, 2010
Brooke McKinney	September 2, 2010
Melissa Ostrom	September 2, 2010
Allison Robb	September 1, 2010

All aye. Motion carried (6-0).

Senior Account Clerk, Full Time, 12 Months

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education approve the appointment of Maria Karambatsakis as Senior Account Clerk, Full Time, 12 Months, effective September 1, 2010, with a maximum probationary period of 26 weeks. Salary is \$61,163 per year, based on Step 10 of the Senior Account Clerk salary schedule, with benefits.

All aye. Motion carried (6-0).

School Monitor, Part Time

MOTION by Mrs. Watson, seconded by Mrs. Swierkowski, that the Board of Education approve the appointment of Rosemarie Crossan as School Monitor, Part Time, effective September 1, 2010, at a rate of \$10.74 per hour, based upon Step 1 of the 2010-2011 Elementary Monitor Salary Schedule, not to exceed 19 ½ hours per week, without benefits.

All aye. Motion carried (6-0).

Lifeguards I/Grade I (Part Time)

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education approve the appointments of the following individuals as Lifeguard I/Grade I (Part Time) for the Open Swim, Learn to Swim, and Family Swim Programs (CPR and Lifeguard Certificates), effective September 1, 2010, at the rate of \$10.23 per hour, based upon the 2010-2011 salary schedule, without benefits:

Daniel Alanko
Bryan Gottlieb

All aye. Motion carried (6-0).

Lifeguard Trainee (Part Time)

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education approve the appointment of Kayla Mladinich as Lifeguard Trainee (Part Time), effective September 1, 2010 (CPR and Lifeguard Certificates), at a rate of \$7.62 per hour, based on the 2010-2011 salary schedule, without benefits.

All aye. Motion carried (6-0).

Part-Time Teacher

MOTION by Mrs. Watson, seconded by Mrs. Israelton, that the Board of Education approve the .2 part-time appointment of Janna Fitje as English teacher for the 2010-2011 school year, effective September 1, 2010, with prorated benefits. Salary will be \$63,543, based on Step 1 of the MA 2010-2011 salary schedule, to be prorated from date of commencement. Ms. Fitje is certified as follows in the State of New York: Pending New York State Certification English Grades 5-12.

All aye. Motion carried (6-0).

Probationary – Teacher Assistants

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Melanie Arigo as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Arigo is certified as follows in the State of New York: Initial Certification Elementary Education Grades 1-6, and Initial Certification Secondary Education, Math, 7-12.

All aye. Motion carried (6-0).

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Heather Berke as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Berke is certified as follows in the State of New York: Initial Certification Childhood Education, and Pending – Literacy Certification.

Note: This is a new position.

All aye. Motion carried (6-0).

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Lisa Bordt as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Bordt is certified as follows in the State of New York: Early Childhood, B-2; Childhood, Grades 1-6; and Students with Disabilities, B-6.

Note: This is a new position.

All aye. Motion carried (6-0).

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Kristen Bremner as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Bremner is certified as follows in the State of New York: Initial Physical Education; Initial Health Education; and Licensed Athletic Trainer.

All aye. Motion carried (6-0).

MOTION by Mrs. Israelton, seconded by Mrs. Swierkowski, that the Board of Education approve the full-time probationary appointment of Joanna Rysanek as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Rysanek is certified as follows in the State of New York: Initial Certification Childhood Education Grades 1-6.

All aye. Motion carried (6-0).

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Jaime Gettinger as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Gettinger is certified as follows in the State of New York: Supplemental Certification in Earth Science and Secondary Special Education; Pending – Early Childhood Education B-2; Initial Certification Childhood Education Grades 1-6; Pending – Students with Disabilities B-2; and Initial Certification Students with Disabilities Grades 1-6.

All aye. Motion carried (5-0-1).

Ayes 5
Noes 0
Abstentions 1 (Mr. Dauman)

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education approve the full-time probationary appointment of Kelly Sozio as Teacher Assistant in the special subject tenure area of Teaching Assistant, effective September 1, 2010 through August 31, 2013, at an annual salary of \$22,000, with benefits. Ms. Sozio is certified as follows in the State of New York: Teacher Assistant Certification – Pending Level 1.

All aye. Motion carried (6-0).

Custodian

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education approve the appointment of Kurt Mann as Custodian, full time, effective upon fingerprint clearance, with a maximum probationary period of 26 weeks. Annual salary will be \$52,284, based upon Step 5 of the 2010-2011 salary schedule, with benefits.

All aye. Motion carried (6-0).

Acting Purchasing Agent

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the appointment of Joseph Marchesiello as Acting Purchase Agent, effective September 1, 2010.

Note: Mr. Marchesiello is temporarily working in this capacity, due to the resignation of the Purchasing Agent.

All aye. Motion carried (6-0).

Per Diem Substitute Teacher Aides

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education approve the following appointments of Per Diem Substitute Teacher Aides for the 2010-2011 school year, without benefits. Salary is in accordance with the Substitute Teacher Aides' compensation policy.

Stacey Marinos
Tara Pizzuto
Frances Soileau

All aye. Motion carried (6-0).

Regular Substitute (Leave Replacement)

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the Regular Substitute (Leave Replacement) appointment of Jaclyn Wepler in the area of Special Education for the 2010-11 school year, effective September 1, 2010. Salary will be \$72,313, based on Step 5 of the MA 2010-2011 salary schedule. Ms. Wepler is certified as follows in the in the State of New York: Permanent, Special Education, N-12; Permanent, Elementary Education, N-6; Professional, Literacy, B-6; and Professional, Literacy, Grades 5-12.

All aye. Motion carried (6-0).

Family Medical Leave of Absence

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education ratify a Family Medical Leave of Absence for Mark Zaidel, effective August 24, 2010, not to exceed 12 weeks.

All aye. Motion carried (6-0).

Correction to Probationary Period Recited in Agenda of June 29, 2010

MOTION by Mr. Frost, seconded by Mr. Kelly, that the resolution from the June 29, 2010 Regular Meeting regarding the appointment of Tara McCarthy shall be deemed ratified effective June 29, 2010 to indicate that her probation is effective September 1, 2010 through August 31, 2013.

All aye. Motion carried (6-0).

CPSE AND CSE DOCUMENTS

CPSE: July 13, 2010	July 21, 2010	July 30, 2010	
CSE: April 7, 2010	April 14, 2010	April 19, 2010	April 27, 2010
May 4, 2010	May 12, 2010	May 17, 2010	May 18, 2010
May 21, 2010	May 26, 2010	May 27, 2010	June 3, 2010
June 16, 2010	June 21, 2010	July 19, 2010	July 29, 2010

MOTION by Mrs. Israelton, seconded by Mrs. Swierkowski, that the recommendations of the CPSE/CSE for the above dates have been reviewed by the Board of Education, and arrangements will be made for the special educational programs and services and parent notification.

All aye. Motion carried (6-0).

SOFTWARE SERVICE CONTRACT

MOTION by Mrs. Israelton, seconded by Mr. Kelly, that the Board of Education approve the service contract with S&B Technologies for the purpose of providing support of the Student Tracker software at a cost of \$4,950 for the 2010-11 school year. The Board further authorizes the Board President to execute said agreement on their behalf.

Note: This is for our ongoing use of 21st Century Scholars software.

All aye. Motion carried (6-0).

AWARD OF BID #005-1011 COMPREHENSIVE COMMUNICATIONS SERVICES

MOTION by Mr. Frost, seconded by Mrs. Israelton, that the Board of Education accept the results of the Invitation to Bid for Comprehensive Communications Services for 2010-2011 and award the Bid to Syntax Communication, the lowest responsive and responsible bidder meeting specifications, for a total cost of \$59,500 for full service. The Bid opening was held on August 5, 2010. The Board further authorizes the Board President to execute the contract with Syntax Communication on its behalf, as provided for and pursuant to the terms of the proposal package.

Note: A total of nine (9) RFP packets were mailed out and a total of three (3) proposals were received. A copy of the bid summary is available in the Business Office for public perusal.

All aye. Motion carried (6-0).

CHANGE ORDER

MOTION by Mrs. Israelton, seconded by Mr. Frost, that the Board of Education approve the following Change Order pertaining to the below-noted projects, for the purpose of adding modifications to the scope of work by the General Contractor, as approved by the Architect and Construction Manager:

Contract for: General Contractor
Contractor: Valco Inc.
Project No.: 28-05-21-03-0-002-029
Project: JFK Middle School

Change Order No. 1: Proposal to paint the Auditorium and remove transite ceiling in custodial area and install new ceiling.

Total Increase: \$54,900

The Board of Education further authorizes the Board President and the Superintendent to execute the Change Order on the Board's behalf.

All aye. Motion carried (6-0).

REFUSE AND TRASH COLLECTION SERVICES

MOTION by Mrs. Israelton, seconded by Mrs. Watson, that the Board of Education extend the agreement with Jamaica Ash & Rubbish Removal Co., Inc., awarded under Bid #005-0910 for the 2010-2011 school year at the same prices, terms and conditions as indicated below:

	Jamaica Ash & Rubbish Removal Co., Inc.
Compactor	(Submitted bid based on a 35 Cubic Yard Compactor)
Price per Cubic Yard	\$9.65
Container	
Price per Cubic Yard	\$2.00
Base Bid	\$33,449.25
40 Cu. Yd. Roll-off	\$495.00
30 Cu. Yd. Roll-off	\$395.00
20 Cu. Yd. Roll-off	\$290.00

The Board further authorizes the Board President to execute the agreement on its behalf.

All aye. Motion carried (6-0).

AWARD OF BID #003-1011 HUMANE CANADA GEESE CONTROL

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education accept the results of the Invitation to Bid for Humane Canada Geese Control for 2010-2011 and award the Bid to Long Island Geese Control, Inc., the lowest responsive and responsible bidder meeting specifications, as set forth below. Bids were received by the District on June 25, 2010. Six (6) bid packets were mailed out and two (2) were received. The Board further authorizes the Board President to execute said agreement on their behalf.

	Amount
Base Contracted Services to include three (3) patrol sessions per day, five (5) days per week, plus one (1) patrol each Saturday for a sixteen (16) week period starting in September 2010	\$5,392.00
Maintenance Program for the remainder of the contract term (twenty-seven (27) weeks) in which contractor will inspect all District schools two (2) times per day, five (5) days per week, plus one (1) patrol each Saturday, and remove all geese that may be present	\$6,507.00
Total:	\$11,899.00

Note: A copy of the bid summary is available in the Business Office for public perusal.

All aye. Motion carried (6-0).

RESOLUTION OF THE BETHPAGE UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED AUGUST 24, 2010, ANNOUNCING THE INTENTION OF THE SCHOOL DISTRICT TO ACCEPT PROPOSALS FOR THE REFUNDING OF BONDS OF SAID SCHOOL DISTRICT.

Recitals

WHEREAS, the Bethpage Union Free School District, in the County of Nassau, New York (herein called "District"), has heretofore issued on December 23, 2002, \$17,155,000 School District Serial Bonds-2002 Series A, which are currently outstanding in the principal amount of \$12,140,000 (the "Outstanding Bonds"), and were issued pursuant to a bond resolution duly adopted by the Board of Education on August 29, 2000, following the approval of a proposition by the qualified voters of the District at a Special District Meeting duly called and held on June 14, 2000 in the District, authorizing the issuance of serial bonds to finance the construction of alternations and improvements to all District building and the sites thereof; and

WHEREAS, Section 3602 of the Education Law and Sections 90.00 and 90.10 of the Local Finance Law constituting Chapters 16 and 33-a of the Consolidated Laws of the State of New York, respectively, permit the District to refund all or a portion of the outstanding unredeemed maturities of such Outstanding Bonds by the issuance of new bonds, the issuance of which will result in a net present value savings to the District; and

WHEREAS, the District has reviewed and discussed the refunding of the Outstanding Bonds and has determined that the District will achieve debt service savings by proceeding with such refunding;

Now, therefore,

THE BOARD OF EDUCATION OF THE BETHPAGE UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by a majority vote of all the members of said Board) AS FOLLOWS:

Section 1. The Board of Education hereby states, certifies and determines that it is the intention of the District to accept proposals for the refunding of certain Outstanding Bonds heretofore issued by the District.

Section 2. The Assistant Superintendent for Business is hereby directed to prepare or cause to be prepared a Request For Proposals ("RFP") for the purpose of effecting such refunding, together with a mailing list of firms to which, such RFP will be sent, and is hereby authorized and further directed to forward or cause to be forwarded such RFP by regular, express or electronic mail, or by facsimile transmission, to said firms and to all other parties as shall request same.

Section 3. The Assistant Superintendent for Business shall maintain a copy of said RFP, as well as, a list of the organizations to which such RFP was sent, together with an affidavit of mailing.

Section 4. It is hereby announced that proposals for the refunding of certain Outstanding Bonds will be accepted by the District on a date to be determined which is not less than 14 days from the date hereof.

Section 5. The Assistant Superintendent for Business is hereby requested to provide or cause to be provided an evaluation of the proposals for consideration and discussion by the Board at a public meeting of the Board of Education to be held on a date to be determined which is not less than 14 days from the date hereof.

Section 6. As an alternative to selling the refunding bonds via private sale, the District reserves the right, as set forth in the Refunding Bond Resolution adopted on the date hereof to sell the refunding bonds via public sale.

Section 7. This resolution shall take effect immediately.

* * *

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

AYES:	Mr. Frost	Mrs. Watson	Mr. Dauman
	Mr. Kelly	Mrs. Swierkowski	Mrs. Israelton
NOES:	None.		

The resolution was declared adopted (6-0).

REFUNDING BOND RESOLUTION OF THE BETHPAGE UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED AUGUST 24, 2010, AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$11,500,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,500,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.

Recitals

WHEREAS, the Bethpage Union Free School District, in the County of Nassau, New York (herein called the "District"), has heretofore issued on December 23, 2002, \$17,155,000 School District Serial Bonds-2002 Series A, which are currently outstanding in the principal amount of \$12,140,000 (the "Outstanding Bonds"), which bonds were issued pursuant to the bond resolution duly adopted by the Board of Education on August 29, 2000, following the approval of a proposition by the qualified voters of the District at a Special District Meeting duly called and held on June 14, 2000 in said District authorizing the issuance of serial bonds to finance the construction of alterations and improvements to all District buildings and the sites thereof, and such Outstanding Bonds mature on February 1 in the years and in the principal amounts and bear interest payable on February 1 and August 1 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2011	\$810,000	4.00%
2012	835,000	4.00
2013	870,000	4.00
2014	900,000	4.00
2015	935,000	4-1/8
2016	975,000	4-1/8
2017	1,015,000	4.25
2018	1,060,000	4-3/8
2019	1,105,000	4.50
2020	1,155,000	4.50
2021	1,210,000	4.50
2022	1,270,000	4-5/8

WHEREAS, the Bonds maturing on or after February 1, 2013 are subject to redemption prior to maturity, at the option of the School District, February 1, 2012 and thereafter on any date, in 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 amount, 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"), permit the District to refund all or a portion of the Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the District;

WHEREAS, pursuant to Section 3602 of the Education Law, the Board of Education has heretofore on the date hereof announced its intention to receive proposals for the refunding of the Outstanding Bonds, and will receive proposals therefor on a date to be determined;

WHEREAS, the Assistant Superintendent for Business for the District, will evaluate such proposals for the Board of Education, and the Board of Education will review and discuss such proposals at a public meeting to be held on a date to be determined, such date being no sooner than 14 days from the date hereof; and

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

THEREFORE, THE BOARD OF EDUCATION OF THE BETHPAGE UNION FREE SCHOOL DISTRICT, NEW YORK HEREBY RESOLVES (by the favorable vote of 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 a 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 10 hereof.
- (c) "Escrow Holder" means the bank or trust company designated as such pursuant to Section 10 hereof.
- (d) "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.
- (e) "Redemption Date" or "Redemption Dates" means February 1, 2012 or any date thereafter with respect to the Outstanding Bonds, as determined by the President of the Board of Education pursuant to Section 8 hereof.
- (f) "Refunding Bond" or "Refunding Bonds" means all or a portion of the \$11,500,000 Refunding Serial Bonds of the Bethpage Union Free School District, authorized pursuant to Section 2 hereof.
- (g) "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 10 hereof.

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 \$11,500,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$11,500,000 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. Serial Bonds of the District in the maximum principal amount of not to exceed \$11,500,000 are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as Exhibit A (the "Refunding Financial Plan") prepared for the District, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the District in connection with said refunding from such proceeds, and 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 (a) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to the Redemption Date and (b) the principal of and interest on and premium, if any, on the Bonds To Be Refunded to be called for redemption prior to maturity on the Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the Outstanding Bonds, as referred to in the Recitals hereof. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed \$11,500,000 shall mature in amounts and at dates to be determined. The President of the Board of Education, the chief fiscal officer of the District, is hereby authorized to approve all details of the refunding financial plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The maximum period of probable usefulness ("PPU") of the Bonds to be Refunded, as measured from the original date of issuance of said bonds or the first bond anticipation notes issued in anticipation of the sale of said bonds, is twenty (20) years.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed refunding financial plan attached hereto as Exhibit A, 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 Board of Education recognizes that the principal amount of the Refunding Bonds, the provisions, if any, for the redemption thereof prior to maturity, and whether or not all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the refunding financial plan may vary from that attached hereto as Exhibit A.

Section 6. The Refunding Bonds may be sold at public or private sale and, if the Refunding Bonds are sold at private sale, the President of the Board of Education, the chief fiscal officer of the District, is hereby authorized 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. Prior to the issuance of the Refunding Bonds the President of the Board of Education shall have filed 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 such sale, 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. In the event that 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 direct to prepare or have prepared a Notice of Sale, to be published in accordance with the Law and the regulations promulgated by the State Comptroller, 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 to (1) the State Comptroller, Albany, New York 12236; (2) at least two banks or trust companies having a place of business in the county in which the District is located, or, if only one bank is located in such County, then to such bank and to at least two banks or trust companies having a place of business in an adjoining county; (3) "*The Bond Buyer*", 1 State Street Plaza, New York, New York 10004; and (4) at least 10 bond dealers. 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 referred to in Section 2 hereof.

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 Dates, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing any arbitrage certification relative thereto, as well as executing any agreements for credit enhancements and executing the Escrow Contract described in Section 10 and the Official Statement referred to in Section 6, are hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 9. 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 10. 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, if required by law, 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 13 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 11. 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 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 12. That portion of such proceeds from 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 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 13. 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 dates are 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 14. The Board of Education hereby appoints the firm of Hawkins Delafield & Wood LLP, One Chase Manhattan Plaza, 42nd floor, New York, New York

to provide all necessary bond counsel services to the District for the 2010-2011 fiscal year, including all legal matters related to the proposed refunding of the Bonds and any cash flow borrowings of the District. The Board of Education hereby authorizes the President of the Board of Education to execute a letter of engagement with Hawkins Delafield & Wood LLP for such purposes.

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 at least two (2) of the following newspapers: “*The Tribune*,” “*The Newsgram*,” or “*Newsday*” , each are newspapers having general circulation in the District and hereby designated the official newspapers of said District for such publication.

* * *

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

AYES:	Mrs. Israelton	Mrs. Swierkowski	Mr. Kelly
	Mr. Dauman	Mrs. Watson	Mr. Frost

NOES: None.

The resolution was declared adopted.

FOOD SERVICE MANAGEMENT CONSULTANT

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education extend the agreement with H.M.B. Consultants, awarded under Bid #009-0910, from the date of Board approval through June 30, 2011, at no increase in cost of services. The Board further authorizes the Board President to execute the agreement on their behalf.

Note: This is a renewal. A copy of the bid summary is available in the Business Office.

All aye. Motion carried (6-0).

SECURITY SERVICES AGREEMENT

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board of Education extend the agreement with Westech Investigations, Inc., awarded under Bid #001-0809 for the purpose of providing daytime security (“school days”) as well as special assignment/projects. The hourly billable rates for the 2010-2011 school year are as follows:

- * **Hourly Regular Rate as Bid in Section A – Base Bid Work;**
- | | | |
|----------------|--|---|
| 7/1/10-6/30/11 | Supervisor | \$22.00 x 2.2% CPI Adjustment = \$22.48 |
| 7/1/10-6/30/11 | Guard | \$20.00 x 2.2% CPI Adjustment = \$20.44 |
| 7/1/10-6/30/11 | Elementary (i) & Secondary (ii) Summer School Guard, Daytime | \$20.00 x 2.2% CPI Adjustment = \$20.44 |
- * **Hourly Rate as Bid in Section B – Additional Service**
- | | | |
|----------------|------------|---|
| 7/1/10-6/30/11 | Supervisor | \$22.00 x 2.2% CPI Adjustment = \$22.48 |
| 7/1/10-6/30/11 | Guard | \$20.00 x 2.2% CPI Adjustment = \$20.44 |
- * **Hourly Rate as Bid in Section C – Special Assignment/OPTIONAL**
- | | | |
|----------------|---|---|
| 7/1/10-6/30/11 | Special Assignment (i – ii) | |
| | Guard | \$20.00 x 2.2% CPI Adjustment = \$20.44 |
| 7/1/10-6/30/11 | Other Special Assignment (iii – x), if utilized | |
| | Supervisor | \$33.00 x 2.2% CPI Adjustment = \$33.72 |
| | Guard | \$30.00 x 2.2% CPI Adjustment = \$30.66 |

- * These rates reflect the May 2010 CPI-U rate adjustment as indicated in Section 5.1.5 in the Invitation to Bid.

The Board further authorizes the Board President to execute the agreement on its behalf.

All aye. Motion carried (6-0).

TAX ANTICIPATION NOTE RESOLUTION OF BETHPAGE UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED AUGUST 24, 2010, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,400,000 TAX ANTICIPATION NOTES IN ANTICIPATION OF THE RECEIPT OF TAXES TO BE LEVIED FOR THE FISCAL YEAR ENDING JUNE 30, 2011.

RESOLVED BY THE BOARD OF EDUCATION OF BETHPAGE UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF NASSAU, NEW YORK, AS FOLLOWS:

Section 1. Tax Anticipation Notes (herein called “Notes”) of Bethpage Union Free School District, in the County of Nassau, New York (herein called “District”), in the principal amount of not to exceed \$6,400,000, and any notes in renewal thereof, are hereby authorized to be issued pursuant to the provisions of Sections 24.00 and 39.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”).

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes to be levied for school purposes for the fiscal year commencing July 1, 2010 and

ending June 30, 2011, and the proceeds of the Notes shall be used only for the purposes for which said taxes are levied.

(b) The Notes shall mature within the period of one year from the date of their issuance.

(c) The Notes are not issued in renewal of other notes.

(d) The total amount of such taxes remains uncollected at the date of adoption of this resolution.

Section 3. The Notes hereby authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the District, and the faith and credit of the District are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the District and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 61.00 of the Law, the power to sell and issue the Notes authorized pursuant hereto, or any renewals thereof, and to determine the terms, form and contents, including the manner of execution, of such Notes, and to execute arbitrage certifications relative thereto, is hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 5. The Notes shall be executed in the name of the District by the manual signature of one of the following: the President of the Board of Education, the Vice President of the Board of Education, the District Treasurer, the District Clerk, or such other officer of the District as shall be designated by the chief fiscal officer of the District; and shall have the corporate seal of the District impressed or imprinted thereon which corporate seal may be attested by the manual signature of the District Clerk.

Section 6. This resolution shall take effect immediately.

* * *

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

AYES: Mrs. Israelton Mrs. Siwerkowski Mr. Dauman
Mr. Kelly Mr. Frost

NOES: Mrs. Watson

The resolution was declared adopted (5-1-0).

OLD BUSINESS: None.

PRESENTATION OF ITEMS BY BOARD MEMBERS

Mrs. Watson reported that the Discovery Post School Program will be closing at 5:00 p.m. instead of 6:00 p.m., in order for the school district to be in compliance with state regulations.

OPPORTUNITY FOR THE PUBLIC TO BE HEARD: None.

BOARD ENTERS EXECUTIVE SESSION

MOTION by Mr. Frost, seconded by Mrs. Watson, that the Board enter into Executive Session for the purpose of discussing particular personnel and contracts.

All aye. Motion carried (6-0).

The Board entered Executive Session at 9:16 p.m.

BOARD EXITS EXECUTIVE SESSION

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board exit Executive Session.

All aye. Motion carried (6-0).

The Board exited Executive Session at 9:22 p.m.

ADJOURNMENT

MOTION by Mr. Frost, seconded by Mr. Kelly, that the Board adjourn the Regular Meeting.

All aye. Motion carried (6-0).

The Board adjourned the Regular Meeting at 9:23 p.m.

Respectfully submitted,

John DeTommaso
District Clerk Pro Tem

Marléne Jannotta
District Clerk