

North Shore Schools
Board of Education
Minutes
May 7, 2009

The meeting was called to order by president Beyer at 7:15 pm in the High School Alumni Room. Present were Trustees Genovesi, Glassman, Pombar and Webb. Trustee Kolkhorst arrived at 9:30 pm. Trustee Sharkey was absent. Also present were Dr. Melnick, Mr. Chlebicki and Ms. Buatsi.

Executive Session

At 7:15 pm on motion of president Beyer and seconded by Trustee Glassman and all in favor, the Board moved to go into Executive Session in the High School Faculty Room for discussions regarding proposed, pending or current litigation, the medical history of a particular person and matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

At 8:00 pm, the Board resumed the regular meeting. There were approximately 5 people in the audience.

Pledge of Allegiance

President Beyer led the audience in the pledge of allegiance.

Town Meeting Format

Miles Sibel, Glen Head, asked the Board to clarify information he received on a possible artificial turf field to be placed at the high school and a meeting to be held on May 27th to discuss this issue.

The Board explained the events that led up to a meeting being scheduled for May 27th with the Board sub-committee, Town of Oyster Bay and representatives of local athletic groups. The Board clarified their position that nothing has been decided, this issue has not been brought to the Board for discussion or approval. At this time the construction steering sub-committee has been reporting to the Board on meetings it has had with the Town; the Town has not made a decision whether they want to proceed with a project in our district, therefore, the Board is not in a position of accepting or declining any offer. The reason for the May 27th meeting is so the athletic groups can receive the same information as the Board to avoid misinformation in the public. There is a plan to hold a subsequent meeting with contiguous neighbors of the high school, after the May 27th meeting. It was noted that at the Board Meeting of April 23rd, a sub-committee report was given to the Board outlining the status of talks with the Town. This report is reflected in the minutes of that meeting and will be on the web site for public access.

Paul Echausse, Glen Head, expressed his strong objections to pursuing an artificial turf field at the high school. His property borders the high school and he detailed the negative impact this field would have on all of the neighbors. He is circulating a petition and has written a letter to Supervisor Venditto outlining his objections. He suggested that if there is interest by residents to have an artificial turf field at the high school, a referendum be placed on the ballot to allow all residents to vote on the issue. He also asked for clarification of a rumor that the field is a gift from the Town of Oyster Bay.

The Board responded to Mr. Echausse and had a lengthy discussion with him about their intentions in this matter. They reiterated that the sub-committee has asked the Town all of the questions he was asking the Board and are still awaiting answers. They also noted that there are many residents on the other side of this issue and the Board's role as elected officials

is to listen to all sides. The Board also clarified the rumor of a gift by stating the artificial turf field would not be considered a gift from the Town of Oyster Bay.

Lisa Breen, Glen Head, expressed her objection to an artificial turf field at the high school. She does not feel it is appropriate for there to be a community field on the high school property. She also asked for the next steps in the process.

Dr. Melnick explained that the Board would have a public discussion once the Town makes an actual proposal.

Trustee Beyer added that the Board operates in a completely transparent fashion. They welcome input from the community and want everyone to have accurate information. The Board always takes the needs and wants of the community into consideration but there must be a process to hear from all constituents.

Anne Sheerin, Glen Head, asked why the Town is insisting that the high school project is contingent on lights. She is aware of a similar project in Plainedge where the Town is not installing lights.

Dr. Melnick explained that since the field in Plainedge would be owned by the Town and be solely for community use, it would eliminate the need for night use. In the case of our field, the steering committee made it clear to the Town that unless we get extra usage of the field it would make no sense to go forward with discussions. The school would get first choice of usage leaving most of the community usage at night, thus requiring lights. Dr. Melnick also stated he does not support night games for our students.

Ms. Sheerin also asked what "Quiet Day" is at the high school.

Dr. Melnick responded he did not know, but would find out and get back to her.

Prior to the budget reading, Dr. Melnick noted that the district is anticipating an additional expense of \$195,000 due to the MTA payroll tax although the State is promising reimbursement of this amount for the first year. The amount billed to the district will be payable in one lump sum. This year's cost will come from fund balance, but next year it will need to be part of the budget. As with many other initiatives, this may become one where money is promised from the State but does not come through.

Trustees noted for the record that the Board actively lobbied against this legislation.

Budget Reading

The proposed budget for the 2009-10 school year is \$83,682,596 a total increase of 3.39% over the 2008-09 budget. We anticipate revenue of \$8,135,601 which will result in a tax levy of \$75,546,995. The proposed contingent budget is set at \$83,335,018 a 2.9% increase over last year. The difference between the proposed 2009-10 budget and the contingency budget is less than 1%.

The District Clerk will include a copy of the budget proposal as a record of the minutes of this meeting. Copies of the adopted budget proposal are available on the back table at this evening's meeting and at the Central Office, 112 Franklin Avenue, Sea Cliff. The election of Trustees and vote on the budget will take place on Tuesday, May 19 from 7:00 am – 10:00 pm in the North Shore High School gymnasium.

Approval of Minutes

On motion of Trustee Webb and seconded by Trustee Pombar with Trustees Beyer, Genovesi, Pombar and Webb in favor and Trustee Glassman abstaining, the minutes of April 21, 2009 and April 23, 2009 were approved.

Regular Business

The Board decided to act simultaneously on Action Items C-L

On motion of Trustee Glassman and seconded by Trustee Genovesi and all in favor it was:

Personnel

Resignation for Retirement Purposes - Administration

Resolved: To accept the resignation for retirement purposes of Robert Wihnyk, Director of Technology, effective August 31, 2009

Resignation - Administration

Resolved: To accept the resignation of Richard Rozakis, High School Principal, effective June 30, 2009

Resignation for Retirement Purposes - Certified

Resolved: To accept the resignation for retirement purposes of Virginia Galli, Mathematics, effective June 30, 2009

Resolved: To accept the resignation for retirement purposes of Jill Janco, Special Education, effective June 30, 2009

Resolved: To accept the resignation for retirement purposes of Ronald Schwartz, Physics, effective June 30, 2009

Resignation - Certified

Resolved: To accept the resignation of Laurie Brown, Family & Consumer Science, effective June 30, 2009

Resolved: To accept the resignation of Rachael Brown, Social Studies, effective June 30, 2009

Resolved: To accept the resignation of Jenny Graziano, Elementary, effective June 30, 2009

Resolved: To accept the resignation of Lenie Morley, Special Education, effective June 30, 2009

Resolved: To accept the resignation of Sima Lis, Science, effective June 30, 2009

Appointment - Administration

Resolved: To approve the probationary appointment of Paul Pelech, Director of Technology, effective July 15, 2009

Leave of Absence for Child Rearing Purposes

Resolved: To approve a leave of absence for child rearing purposes for Kimberly Cunneen, Elementary, effective September 1, 2009 through January 29, 2010

Resolved: To approve a leave of absence for child rearing purposes for Kerri Giorgianni, Elementary, effective September 1, 2009 through June 30, 2010

Resolved: To approve a leave of absence for child rearing purposes for Kelly Gorman, Elementary, effective September 1, 2009 through January 29, 2010

Resolved: To approve a leave of absence for child rearing purposes for Sandra Maciel, Special Education effective September 1, 2009 through January 29, 2010

Resolved: To approve a .5 leave of absence for child rearing purposes for Mia Ramirez, Elementary, effective September 1, 2009 through June 30, 2010

Resolved: To approve a leave of absence for child rearing purposes for Ellen Renaldo, English, effective September 1, 2009 through June 30, 2010

Resolved: To approve a leave of absence for child rearing purposes for Milena Scalzo, Elementary, effective September 1, 2009 through June 30, 2010

Resolved: To approve a leave of absence for child rearing purposes for Michaela Solomita, Elementary, effective September 1, 2009 through June 30, 2010

Resolved: To approve a leave of absence for child rearing purposes for Christine VanVorst, Occupational Therapy, effective September 1, 2009 through June 30, 2010

Leave of Absence - Certified

Resolved: To approve a leave of absence for Richard Hance, Spanish, effective February 2010 through June 30, 2010

Resolved: To approve a part-time (.3) leave of absence for Robert Lablanc, English, effective September 1, 2009 through June 30, 2010

Resolved: To approve a part-time (.5) leave of absence for Joanne Rossiter, Math, effective September 1, 2009 through June 30, 2010

Leave of Absence/Special Assignment - Certified

Resolved: To approve a leave of absence for Janet Goldberg, Elementary, to assume the position as a teacher on special assignment for the purposes of teaching the centering course at the high school, effective September 1, 2009 through June 30, 2010

Appointment - Certified

Resolved: To approve a probationary appointment for Christine Kingsley, Library Media Specialist, on Step 3 of the MA salary schedule, effective September 1, 2009 through September 1, 2012

Regular Substitute (Leave Replacement) Appointments - Certified

Resolved: To approve a regular substitute (leave replacement) appointment for Lydia Horowitz, Chemistry, on Step 10 of the MA+30 salary schedule effective April 8, 2009 through April 27, 2009

Resolved: To approve a regular substitute (leave replacement) appointment for Daniel Spitaliere, Social Studies, on Step 1 of the BA salary schedule effective May 6, 2009 through June 30, 2009

Abolishment of Position

BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the Board of Education hereby abolishes one (1) teacher aide position at Glen Head Elementary School effective May 6, 2009, in that the services provided to the student by the incumbent in the position are no longer required under the student's IEP

BE IT FURTHER RESOLVED THAT, as a result of the abolishment of said position, the professional services of Alexa Ventimiglia is hereby terminated also effective May 6, 2009

Approval of Overage

Resolved: To approve an additional .08 overage for Jennifer Horton, Math, effective March 24, 2009 through June 30, 2009

Approval of Additions to the Per Diem Substitute List

Resolved: To approve the following additions to the per diem substitute list:

Constantine Benetos	Secondary
Jeanne Boeggeman	Secondary
Christine Cawley	Elementary
Kevin Doherty	Physical Education

Approval of a Resolution Pursuant to Education Law Section 913 - Directing an Employee to Report for a Medical Examination

BE IT RESOLVED, pursuant to the provisions of Education Law Section 913, that the employee discussed in executive session on April 23, 2009 be and hereby is directed to report for a medical and/or psychological examination before Dr. Steven Ender who is hereby designated as a medical inspector of the school district for this purpose, at his office at 4250 Hempstead Turnpike, Suite #21, Bethpage, NY 11714 on May 15, 2009 at 11:00 am and/or at any adjourned/subsequent dates for the purpose of ascertaining whether the employee is fit to perform the duties and responsibilities of said employee's position, and it is hereby further

RESOLVED, that said employee be and is hereby directed to produce at said examination any and all medical records related to this employee's physical/mental health status during the last three (3) years.

Approval of Resolution for Tax Anticipation Notes

Resolved: To approve the attached resolution authorizing the issuance of not to exceed \$5,000,000 tax anticipation notes in anticipation of the receipt of taxes to be levied for the fiscal year ending June 30, 2010

Approval of Resolution Announcing the Intention to Accept Proposals for the Refunding of Bonds

RESOLUTION OF THE NORTH SHORE CENTRAL SCHOOL DISTRICT, NEW YORK, ADOPTED MAY 7, 2009, ANNOUNCING THE INTENTION OF THE SCHOOL DISTRICT TO ACCEPT PROPOSALS FOR THE REFUNDING OF BONDS OF SAID SCHOOL DISTRICT.

Recitals

WHEREAS, the North Shore Central School District, in the County of Nassau, New York (herein called "District"), has heretofore issued on July 17, 2000, \$13,000,000 School District Serial Bonds-2000, which are currently outstanding in the principal amount of \$7,400,000 (the "Outstanding Bonds"), and were issued pursuant to a bond resolution duly adopted by the Board of Education on April 19, 1999, following the approval of a proposition by the qualified voters of the District at the Special District Meeting on March 18, 1999 to finance the partial

reconstruction of and construction of additions and/or improvements to all District buildings 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 with the District's Financial Advisor, Capital Markets Advisors, LLC (the "Financial Advisor"), and has determined that the District will achieve debt service savings by proceeding with such refunding;

Now, therefore,

THE BOARD OF EDUCATION OF THE NORTH SHORE CENTRAL 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 Financial Advisor is hereby directed to prepare 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 the Assistant Superintendent for Business and Personnel Services is hereby authorized and directed to forward such RFP by regular, express or electronic mail, or by facsimile transmission, to said firms and to all other parties as shall request same, or, in the alternative, the Assistant Superintendent for Business and Personnel Services may direct the Financial Advisor to transmit the RFP to potential Underwriters and to provide the Assistant Superintendent for Business and Personnel Services with copies of said RFP as well as a list of the organizations to which such RFP was sent, together with an affidavit of mailing.

Section 3. 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 4. The Financial Advisor is hereby requested to provide 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 5. This resolution shall take effect immediately.

Approval of Resolution Authorizing the Refunding of Outstanding Serial Bonds

REFUNDING BOND RESOLUTION OF THE NORTH SHORE CENTRAL SCHOOL DISTRICT, NEW YORK, ADOPTED MAY 7, 2009, 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 \$6,100,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,100,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.

Recitals

WHEREAS, the North Shore Central School District, in the County of Nassau, New York (herein called the "District"), has heretofore issued on July 17, 2000, \$13,000,000 School District Serial Bonds-2000, which are currently outstanding in the principal amount of \$7,400,000 (the "Outstanding Bonds"), which bonds were issued pursuant to the bond resolution entitled: "Bond Resolution of the North Shore Central School District, New York, adopted April 19, 1999, following the approval of a proposition by the qualified voters of the District at the Special

District Meeting on March 18, 1999, authorizing the partial reconstruction of and construction of additions and/or improvements to all District buildings and the sites thereof; stating the estimated total cost thereof is \$30,000,000; appropriating said amount therefor; and authorizing the issuance of \$30,000,000 serial bonds of said District to finance said appropriation,” duly adopted by the Board of Education on the date therein referred to, following the approval of a proposition by the qualified voters of the District at the Special District Meeting on March 18, 1999 and such Outstanding Bonds mature on July 15 in the years and in the principal amounts and bear interest payable on January 15 and July 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2009	\$885,000	5.25%
2010	935,000	5.25
2011	990,000	5.25
2012	1,050,000	5.25
2013	1,110,000	5.25
2014	1,180,000	5.25
2015	1,250,000	5.25

WHEREAS, the Bonds maturing on or after July 15, 2011 will be subject to redemption prior to maturity at the option of the District, on any date on or after July 15, 2010, in whole or in part, plus accrued interest to the date of redemption, at the following redemption prices:

<u>Redemption Dates</u>	<u>Redemption Price as a Percentage of Par</u>
July 15, 2010 to and including July 14, 2011.....	101%
July 15, 2011 and thereafter	100

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 financial advisor 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 NORTH SHORE CENTRAL 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 July 15, 2010 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 \$6,100,000 Refunding Serial Bonds of the North Shore Central 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 \$6,100,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$6,100,000 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 \$6,100,000 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 \$6,100,000 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, is as set forth below:

<u>Purpose</u>	<u>Amount</u>	<u>PPU</u>
Class “A” Construction to portions of the High School, Middle School and portions of the Glen Head, Glenwood Landing and Sea Cliff Elementary Schools	\$15,670,000	20
Class “B” Construction to portions of the Glen Head, Glenwood Landing and Sea Cliff Elementary Schools	\$14,330,000	15

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, a summary of which shall be published at least once in (a) “THE BOND BUYER”, published in the City of New York and (b) the official newspaper(s) of the District having general circulation within said District, 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 legal services in connection with the authorization, sale and issuance of the Refunding Bonds of the District.

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 "The Glen Cove Record Pilot," and "The Gold Coast Gazette," two newspapers having general circulation in the District and hereby designated the official newspapers of said District for such publication.

Approval of Contract Renewal with North Shore Before/After Child Care, Inc.

Resolved: To approve a five year contract renewal with North Shore Before/After School Child Care, Inc. to provide a before/after school child care program for the North Shore School District effective September 1, 2009 through June 30, 2014 with a fee for the 2009-2010 school year to be in the amount of \$23,860

Approval of Health Services Agreement

Resolved: That the Board of Education enter into a contract for Health Services with South Huntington UFSD for 8 students residing within the North Shore Schools and attending St. Anthony's High School and 5 students residing within the North Shore Schools and attending Long Island School for the Gifted for the 2008-09 school year at a cost of \$764.83 per student, as provided under the Education Law of the State of New York

Approval of a Resolution for a SEQRA Type II Determination for Proposed Improvements at the North Shore Middle School

WHEREAS, the Board of Education of the North Shore Central School District is proposing improvements at the North Shore Middle School (hereinafter the "proposed project"), including the replacement of roofs at the cafeteria atrium and library atrium, replacement of flashing and trim, and associated asbestos abatement; and

WHEREAS, the Board of Education of the North Shore Central School District has retained VHB Engineering, Surveying and Landscape Architecture, P.C. to review the proposed project, the State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, and to make a recommendation to the Board of Education of the North Shore Central School District as to the proper classification of the proposed project;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the North Shore Central School District, as lead agency, after review of the action proposed at the North Shore Middle School, 6 NYCRR §617.5, and the opinion provided by VHB Engineering, Surveying and Landscape Architecture, P.C., hereby determines that the proposed action is a Type II Action pursuant to 6 NYCRR §§617.5(c)(1) and (2) of the implementing regulations of the State Environmental Quality Review Act, and will, therefore, by definition, have no significant adverse impact on the environment.

Approval of Consultant Agreements for Superintendent's Conference Day

Resolved: To approve an agreement with Robin Appel to provide three workshop sessions on May 22, 2009 in the amount of \$200

Resolved: To approve an agreement with Sandra Carrion to provide three workshop sessions on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement with the Coalition against Domestic Violence to provide two workshop sessions on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement with Tom Howard to provide three workshop sessions on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement for Bryant Kaplan, LSCW, to provide three workshop sessions on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement with Kathleen Emmet Ligure to provide two workshop sessions on May 22, 2009, in the amount of \$100

Resolved: To approve an agreement with Dr. Anthony Pantaleno, School Psychologist to provide two workshop sessions of "Stress Reduction for Educators" on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement with Rae Pica to provide two workshop sessions on May 22, 2009 in the amount not to exceed \$1,300

Resolved: To approve an agreement with Glenn Poveromo to provide three workshop sessions on May 22, 2009 in the amount of \$100

Resolved: To approve an agreement with Elisa Weidenbaum Waters to provide three workshop sessions on May 22, 2009 in the amount of \$100

Approval of Special Education Consultant

Resolved: To approve an agreement with Michael Cohen, Ph.D., Psychologist, for neuropsychological evaluations, for the 2008-2009 school year

Wellness Policy

Dr. Melnick explained that one of the charges from the Tri State Committee was to revise our Wellness Policy. Rob Chlebicki and Terry Glassman both served on the committee; they reviewed the recommended changes and explained the new policy will address overall wellness not just nutrition and physical education. The Board discussed the suggestions from the committee and it was decided that Dr. Melnick would draft the wording for a new policy and regulations and present both for further discussion by the Board at their next meeting

Legislative Issues

The Board had a brief discussion in regard to the current status of litigation and appeal relating to tax refund liability in Nassau County. Currently Nassau County pays all refunds of property taxes arising from erroneous assessments challenged in tax certiorari cases. If the appeal is affirmed school districts would be liable for these refunds which could result in a cost of approximately \$1.2 million to the district. Dr. Melnick explained that the tax certiorari reserve fund needed to be liquidated and the district is not permitted to re-establish this fund in anticipation of the liability. Trustee Genovesi suggested there be Board representation at the hearing that will decide this. It was also requested that the district's counsel, John Gross, attend the meeting of June 4th to brief the Board on the status of this issue.

Old Business

Trustee Pombar asked for an update on the status of renting the transportation facility to other districts.

Ms. Buatsi responded she has had some contact with Herricks and will follow up with a report to the Board at the next meeting.

New Business

The Board discussed a letter published in the Glen Cove Gazette from a parent who accused North Shore teachers of bullying her child when he was a student. Dr. Melnick said he would reach out to the parent directly.

Adjournment

At 10:25 pm on motion of Trustee Pombar and seconded by Trustee Webb and all in favor, the meeting was adjourned.

Elizabeth Ciampi
District Clerk