

September 27, 2016

The regular meeting of the Le Roy Central School Board of Education was called to order on Tuesday, September 27, 2016 at 7:00 p.m. by President Donald Hobart in the Library of the Le Roy Junior/Senior High School.

The following members were present:

Mr. Lawrence Bonacquisti
Mrs. Denise Duthe
Mr. Donald Hobart
Mr. Lloyd Miller
Mr. Richard Lawrence
Mr. Peter Loftus
Mrs. Jacalyn Whiting

The following administrators were present:

Mrs. Kim M. Cox, Superintendent of Schools
Mr. Tim McArdle, High School Principal
Ms. Beth Russ, Director of Special Education
Mr. Brian Foeller, Business Administrator
Mr. Robert Blake, Director of Instruction, Curriculum
& Technology

For the “Something Special” segment of tonight’s meeting, the Board of Education toured the renovated spaces in the Jr./Sr. High School.

Superintendent’s Report: Mrs. Cox reported on the New York State Council of School Superintendents Conference that she attended over the weekend. New York State Education Commissioner MaryEllen Elia spoke about the upcoming revisions to the common core standards. The new standards can be reviewed on the website,

www.nysed.gov/aimhighny, and is open for public comment through November 4th.

Approximately 60% of ELA and 55% of Math standards have been adjusted. The new standards are the result of a year-long process of gathering input from both teachers and parents. Two committees of about 100 teachers and parents reviewed every one of the

1600 standards and the proposal reflects their recommendations. The ELA standards aim to streamline reading for information and reading for literature standards by merging the two. Also, there will be a greater emphasis on developmental appropriateness for pre k-2 standards, along with the organization of the New York State Early Learning Task Force to discuss the concerns around the P-2 grades. The committee recommendations also include a reorganization of the writing standards so that it is easier to implement across content areas.

The recommended adjustments to the Math standards include a clarification of the standards to allow teachers, students and parents to more clearly understand expectations without placing a limit on flexibility of classroom instruction, while maintaining the rigor of the standards. The committee aims to strengthen the connection of learning across grade levels, improve the focus on major content and skills and provide more time for students to develop a deeper understanding. A Glossary of Verbs associated with math standards will also be created.

The Board of Regents hopes to adopt these new standards in the spring of 2017. The 2017-18 school year will be utilized to align the new standards to the assessments, which will commence in the 2018-19 school year.

Commissioner Elia also reported on the new Every Student Succeeds Act (“ESSA”), which replaces the federal No Child Left Behind legislation. President Obama signed this new legislation into law on December 10, 2015. The ESSA establishes new accountability measures that districts must submit in order to continue to receive federal aid. The New York State Plan is slated for submission in March of 2017, with a roll-out to districts in September 2017. States are permitted to select its own goals that address proficiency on tests, English-language proficiency and graduation rates. However, states

may take into account the rigor offered in courses, course participation rates and achievement, while looking at the whole school picture not just results from assessments.

Other issues discussed at the conference included the new regulations for English Language Learners. Mrs. Cox reported that, even though Le Roy does not have a large population of students with English as a second language, the changes will still impact the district. Every district is required to devote a portion of staff development to provide ELL training for all teachers. The district must have an ELL Plan in place by November 22nd and will be required to submit progress reports on all ELL students.

Mrs. Cox also noted that there is continuing concern across the State on the number of students opting out of the assessment testing. She encouraged communication with parents to inform about the changes that have already taken place in the assessment testing, with more changes on the way, and further encourage students to participate.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Bonacquisti, the Board of Education approved the following consent items, as listed:

1. Minutes of the September 13, 2016 regular meeting, as presented.
2. Warrants for the following accounts and bills contained thereon:

GENERAL ACCOUNT	-	\$ 135,678.78
CAFETERIA ACCOUNT	-	\$ 4,007.09
CAPITAL ACCOUNT	-	\$ 2,574,130.95
TRUST AND AGENCY	-	\$ 77.01

3. Recommendations of the Committee for Special Education.

Voting: 7 Yes, 0 No. Motion carried.

Presentation: Mr. Blake presented the 2016-19 Strategic Plan, focusing on the District Goals in **Academic** (to ensure all students are college and career ready), **Cultural** (to create a unified school culture that promotes learning and exhibits positive staff, student and community relationships), **Leadership** (to ensure that all members of the school community continuously strive to reach their maximum leadership potential) and **Organizational** (to ensure a safe and healthy 21st century learning environment while being fiscally responsible to the community). The School Improvement Goals, for the Jr./Sr. High School, Wolcott Street School and Districtwide, take into consideration the district goals to set more specific endeavors targeting improvement objectives.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Whiting and seconded by Mr. Lawrence, the Board of Education approved the appointment of Ms. Conor Rose Tomaszewski to the Genesee County Civil Service labor position of substitute food service helper effective September 28, 2016 at a rate of \$9.96 per hour. This appointment is pending successful completion of NYS fingerprinting clearance. Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mr. Miller, the Board of Education approved the appointment of Mr. Matt Walther to a position as a volunteer performance and fitness trainer for the athletic program for the 2016-17 school year. Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mrs. Duthe, the Board of Education approved the reinstatement of Mr. Anthony Macaluso to the district list of active substitute teachers. Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mrs. Whiting, the Board of Education approved the appointment of Mrs. Jamie DeMartino to a position as a substitute teacher/teaching assistant, pursuant to the district policy for substitute teachers. This appointment is pending successful completion of New York State fingerprinting clearance. Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mr. Loftus, the Board of Education approved the following extra-curricular appointments for the 2016-17 school year.

<u>Name</u>	<u>Position</u>	<u>Stipend</u>
Tim Denmark	Assistant Marching Band Director	Per LTA Contract
Tim Denmark	Winterguard Director (.050 FTE)	Per LTA Contract
Brad Meholick	Winterguard Director (0.50 FTE)	Per LTA Contract

Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mrs. Duthe, the Board of Education adopted the 2016-19 Le Roy Central School District Strategic Plan, as amended. Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Miller and seconded by Mr. Loftus, the Board of Education excised the following volleyball equipment for disposal:

Knee Pads
Spandex

Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Whiting and seconded by Mr. Miller, the Board of Education adopted the following resolution:

BE IT RESOLVED, that the Le Roy Central School District is hereby authorized to participate in the following cooperative bids for the 2017-18 school year. These bids will be coordinated by the Genesee-Livingston-Steuben-Wyoming BOCES during the 2016-17 school year:

- A. Copier Paper and Computer Paper
- B. Custodial Supplies
- C. Athletic/Physical Ed. Supplies
- D. Milk/Milk Products
- E. Ice Cream Products
- F. Food Service Paper Supplies
- G. Refuse Collection
- H. Medical
- I. Bus and Vehicle Supplies
- J. School and Office Supplies
- K. Printer Supply

Voting: 7 Yes, 0 No. Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Loftus, the Board of Education adopted the following Refunding Bond Resolution, on a roll call vote:

REFUNDING BOND RESOLUTION

A regular meeting of the Board of Education of the Le Roy Central School District, Genesee and Livingston Counties, New York, held in the Library of the Le Roy Junior/Senior High School, located at 9300 South Street Road, Le Roy, New York 14482, on September 27, 2016 at 7:00 p.m., prevailing time.

The meeting was called to order by President Donald Hobart, and upon roll being called, the following were:

PRESENT: Mr. Bonacquisti, Mrs. Duthe, Mr. Hobart,
Mr. Lawrence, Mr. Loftus, Mr. Miller,
Mrs. Whiting

ABSENT: None

The following resolution was offered by Mrs. Duthe, who moved its adoption, seconded by Mr. Loftus, to-wit:

REFUNDING BOND RESOLUTION OF THE BOARD OF EDUCATION OF THE LE ROY CENTRAL SCHOOL DISTRICT, GENESEE AND LIVINGSTON COUNTIES, NEW YORK (THE "DISTRICT") AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE DISTRICT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,785,000 PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

WHEREAS, the Le Roy Central School District, Genesee and Livingston Counties, New York (the "District") heretofore issued its School District (Serial) Bonds, 2009, dated June 15, 2009 in the original aggregate principal amount of \$5,248,152 (the "Series 2009 Bonds"), pursuant to a bond resolution adopted by the Board of Education of the District on November 27, 2007, for the object or purpose identified in Exhibit A attached hereto, which bonds have an outstanding principal amount of \$3,190,000, and mature in the following respective years and principal amounts: \$340,000 in the year 2017, \$355,000 in the year 2018, \$370,000 in the year 2019, \$385,000 in the year 2020, \$400,000 in the year 2021, \$415,000 in the year 2022, \$435,000 in the year 2023, \$275,000 in the year 2024, \$40,000 in the year 2025; \$45,000 in the year 2026, \$45,000 in the year 2027, \$50,000 in the year 2028, and \$35,000 in the year 2029 (the "Prior Bonds"); and

WHEREAS, the District has the power and authority to issue refunding bonds of the District for the purpose of refunding and thereby refinancing the outstanding Prior Bonds, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Section 90.10 of the Local Finance Law; and

WHEREAS, the Prior Bonds maturing in the years 2019 and thereafter are subject to redemption prior to their stated maturity at the option of the District on any date occurring on or after June 15, 2018; and

WHEREAS, the District has received a refunding proposal from Piper Jaffray & Co. containing a proposed refunding financial plan, a copy of which is attached hereto as Exhibit B, which proposal calls for the refunding of all of the outstanding Prior Bonds maturing in the years 2019 and thereafter; and

WHEREAS, the Board of Education has reviewed and considered the Refunding Financial Plan in consultation with the President of the Board of Education, and the financial advisory and bond counsel firms retained by the District; and

WHEREAS, such refunding will result in present value savings in debt service as required by Section 90.10 of the Local Finance Law; and

WHEREAS, Section 90.10 of the Local Finance Law requires that the District adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the details in connection with the proposed refunding transaction.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF EDUCATION OF THE LEROY CENTRAL SCHOOL DISTRICT, GENESEE AND LIVINGSTON COUNTIES, NEW YORK (BY THE FAVORABLE VOTE OF NOT LESS THAN TWO-THIRDS (2/3'S) OF ALL THE MEMBERS OF THE BOARD OF EDUCATION) AS FOLLOWS:

SECTION 1. Based on the recommendation of Fiscal Advisors & Marketing, Inc., the financial advisory firm retained by the District, the Board of Education hereby determines to undertake a refunding of the Prior Bonds maturing in the years 2019 and thereafter (the "Refunded Bonds"), through the issuance of refunding bonds of the District, and hereby determines to retain the services of Piper Jaffray & Co., as underwriter (the "Underwriter"), in connection with the issuance of such refunding bonds.

SECTION 2. For the object or purpose of refunding the \$2,495,000 aggregate outstanding principal balance of the Refunded Bonds, including providing moneys which together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (a) the principal amount of the Refunded Bonds, (b) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date or dates on which the Refunded Bonds which are optionally redeemable are to be called for redemption prior to their respective maturities in accordance with the refunding financial plan, (c) the redemption premiums, if any, payable on the Refunded Bonds which are to be called for redemption prior to their respective maturities, (d) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including without limitation the development of the refunding financial plan, compensation to the Underwriter, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as defined in Section 7 of this resolution), and fees and charges of the Escrow Holder (as defined in

Section 7 of this resolution), financial advisory fees, printing fees and legal fees and (e) the premium or premiums for any policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds as herein authorized, or any portion thereof, there are hereby authorized to be issued the "School District Refunding (Serial) Bonds" of the District in an aggregate principal amount not to exceed \$2,785,000 pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being currently anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$2,435,000 as described in Section 6 hereof. The Refunding Bonds shall be dated as of such date as shall hereinafter be determined by the President of the Board of Education of the District (the "President of the Board of Education") pursuant to Section 6 hereof, and shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity. The Refunding Bonds shall mature annually and shall bear interest payable semi-annually on such dates as shall be determined by the President of the Board of Education pursuant to Section 6 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the President of the Board of Education. Notwithstanding anything in this resolution to the contrary, the Refunding Bonds shall only be issued by the District if the refunding of the Refunded Bonds will result in present value savings as determined in accordance with the methodology set forth in Section 90.10(b)(2) of the Local Finance Law.

SECTION 3. The President of the Board of Education, as the chief fiscal officer of the District, is hereby delegated all powers of the Board of Education with respect to agreements for credit enhancement derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 4. The Refunding Bonds shall be executed in the name of the District by the manual or facsimile signature of the President of the Board of Education, and a facsimile of its corporate seal shall be imprinted thereon and attested by the District Clerk. The Refunding Bonds shall contain the recital required by Section 90.10(j)(4) of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals as the President of the Board of Education shall determine.

SECTION 5. It is hereby determined that:

(a) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.10(b)(1) of the Local Finance Law;

(b) The maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds or, if applicable, the first bond anticipation notes issued in anticipation thereof, for the object or purpose for which the Refunded Bonds were issued is as shown in Exhibit A attached hereto.

(c) In accordance with Section 90.10(c)(1) of the Local Finance Law, the last installment of the Refunding Bonds will mature not later than the expiration of the remaining period of probable usefulness for the object or purpose for which the Refunded Bonds were issued from the date of issuance of the first bond anticipation note issued in anticipation thereof, whichever is earlier.

(d) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of Section 90.10(c)(1) of the Local Finance Law, is as shown in the Refunding financial plan described in Section 6 hereof.

SECTION 6. The financial plan for the refunding authorized by this resolution, showing the sources and amounts of all moneys required to accomplish such refunding, and the estimated present value of the total debt service savings anticipated to result from the issuance of the Refunding Bonds, computed in accordance with the requirements of Section 90.10(b)(2)(a) of the Local Finance Law is set forth in Exhibit B attached hereto and made a part of this resolution (the "Refunding Financial Plan"). The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$2,435,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit B. This Board of Education recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate and rates borne by the Refunding Bonds may be different from such assumptions. The President of the Board of Education is hereby authorized and directed to determine the actual amount of the Refunding Bonds to be issued (not in excess of the maximum principal amount authorized by Section 2 of this resolution), the maturities and amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions in accordance with Section 12 hereof and authorizing and directing the Escrow Holder described in Section 7 hereof to cause notice of such redemption or redemptions to be given in the name of the District, the dated date of the Refunding Bonds, and the date of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds shall provide for substantially level or declining debt service as authorized by Section 21.00 of the Local Finance Law, whether

the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities pursuant to Section 168.00 of the Local Finance Law, the amount of the annual installments of the Refunding Bonds to be paid pursuant to Section 90.10(c)(3) of the Local Finance Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final refunding financial plan (the "Final Refunding Financial Plan") for the Refunding Bonds, and, pursuant to Sections 50.00 and 56.00 of the Local Finance Law, all powers in connection therewith are hereby delegated to the President of the Board of Education; provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The President of the Board of Education shall file with the District Clerk not later than the date of issuance of the Refunding Bonds, as herein provided, (a) a certificate determining the details of the Refunding Bonds and the Final Refunding Financial Plan and (b) a certificate setting forth the present value of the total debt service savings as approved by a Certificate of the State Comptroller, as required by Section 90.10(g) of the Local Finance Law.

SECTION 7. The President of the Board of Education is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the President of the Board of Education shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

SECTION 8. The faith and credit of said District are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds herein authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the District, a tax sufficient, after taking into consideration the amount of building aid to be received by the District from the State of New York for debt service on the Refunding Bonds, to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 9.

(a) All of the proceeds from the sale of the Refunding Bonds, including the premium, if any (the "Proceeds of the Refunding Bonds"), shall immediately upon receipt thereof be placed in escrow with the

Escrow Holder for the Refunded Bonds. From the Proceeds of the Refunding Bonds, the portion thereof as is necessary to pay the outstanding principal amount of the Refunded Bonds, the aggregate amount of unmatured interest on the Refunded Bonds to and including the respective maturity dates or redemption dates thereof as set forth in the Final Refunding Financial Plan prepared by or on behalf of the District in accordance with Section 6 of this resolution, and the redemption premiums, if any, payable on the Refunded Bonds on such redemption dates (such amount being hereinafter referred to as the "Escrow Deposit Amount"), shall be deposited in the escrow deposit fund to be established pursuant to the Escrow Contract, and either held in cash or invested 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 such moneys will be required to make payments in accordance with the Final Refunding Financial Plan. Amounts held on deposit in the Escrow Fund, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of, interest on, and redemption price of the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such monies held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the Escrow Fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims or 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 pledge and liens, need be filed or recorded.

(b) After depositing the Escrow Deposit Amount into the Escrow Fund, in accordance with paragraph (a) above, the remaining balance, if any, of the Proceeds of the Refunding Bonds not so deposited shall immediately upon receipt thereof, be placed in escrow with the Escrow Holder for the Refunded Bonds and deposited in the expense fund to be established under the Escrow Contract by the Escrow Holder to pay, to the President of the Board of Education, as chief fiscal officer, or as the President of the Board of Education may direct and applied to pay (i) accrued interest on the Refunding Bonds from the dated date thereof to the date of issuance thereof, if any, and (ii) costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds.

SECTION 10. The President of the Board of Education is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if applicable, to designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265 of the Code.

SECTION 11. The Board of Education hereby determines that issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In accordance with the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, the Board of Education of the District hereby elects to call in and redeem the Series 2009 Bonds on June 15, 2018, or, such later date or dates as may be hereinafter determined by the President of the Board of Education and provided for in the Final Refunding Financial Plan (the "Redemption Date"). The sum to be paid therefor on the Redemption Date shall be the par value of the Refunded Bonds being redeemed on such date plus the redemption premium, if any, and the accrued interest thereon to the Redemption Date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the District in the manner and within the times provided in the respective Refunded Bonds being redeemed or in the certificates or documentation of the District pursuant to which they were issued. Upon the issuance of the Refunding Bonds or a series thereof, the election to call in and redeem the applicable Refunded Bonds that are subject to redemption at the option of the District and the direction to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 13. In connection with the issuance of the Refunding Bonds, the President of the Board of Education is further authorized to enter into a continuing disclosure undertaking on behalf of the District, containing provisions in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 14. Subject to compliance with the provisions of Section 90.10(f)(2) of the Local Finance Law, the Refunding Bonds shall be sold at a private sale. The President of the Board of Education is hereby

authorized to negotiate the terms of such private sale with the Underwriter or such other investment banking firm as may be recommended by the District's financial advisory firm and selected by the President of the Board of Education (the "Purchaser"), consistent with the Refunding Financial Plan approved in Section 6 hereof, and to execute and deliver a bond purchase agreement for the Refunding Bonds in the name and on behalf of the District providing the terms and conditions for the sale and delivery of the Refunding Bonds; provided, however, that the sale of the Refunding Bonds pursuant to such bond purchase agreement shall be subject to the approval of the terms and conditions of such sale by the State Comptroller as required by Section 90.10(f)(2) of the Local Finance Law. After the Refunding Bonds have been duly executed, they shall be delivered by the President of the Board of Education in accordance with said bond purchase agreement upon the receipt by the District of said purchase price, including accrued interest.

SECTION 15. The President of the Board of Education, the District Clerk, and all other officers, employees and agents of the District are hereby authorized and directed for and on behalf of the District to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

SECTION 16. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the President of the Board of Education and all powers in connection therewith are hereby delegated to the President of the Board of Education.

SECTION 17. In the absence or unavailability of the President of the Board of Education, the Deputy President of the Board of Education is hereby specifically authorized to exercise the powers delegated to the President of the Board of Education in this resolution.

SECTION 18. The validity of the Refunding Bonds may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said District is not authorized to expend money; or

(b) The provisions of law which should be complied with at the date of publication of this resolution 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 19. Upon this resolution taking effect, the District Clerk of the Board of Education is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, together with a notice in substantially the form set forth in Section 81.00 of the Local Finance Law in the official newspaper(s) of the District for legal notices.

SECTION 20. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows.

Mr. Lawrence Bonacquisti	VOTING	Yes
Mrs. Denise Duthe	VOTING	Yes
Mr. Donald Hobart	VOTING	Yes
Mr. Richard Lawrence	VOTING	Yes
Mr. Peter Loftus	VOTING	Yes
Mr. Lloyd Miller	VOTING	No
Mrs. Jacalyn Whiting	VOTING	Yes

The foregoing resolution was thereupon declared duly adopted.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mrs. Duthe, the Board of Education approved the Memorandum of Agreement by and between the Le Roy Central School District and the Le Roy Teachers' Association regarding flexible hours for the Wolcott Street School Fitness Center supervision, as presented and amended. Voting: 7 Yes, 0 No. Motion carried.

Mr. Foeller discussed the recently enacted New York State legislation requiring school districts to undergo mandatory lead testing. Le Roy will contract with Leader Environmental Services to complete the testing for the district. All districts are mandated by New York State to test all water sources that you can fit a cup under. The collection will be done over a weekend. Results will be released and posted on the district website.

COMMITTEE REPORTS:

Facilities: The next Owner-Architect-Contractor Meeting on the R.I.T.E. Project is scheduled for October 3rd at 10:00 a.m. The construction team will provide a project update at the October 25th Board of Education meeting.

Negotiations: There has been a request from the Le Roy Teachers' Association for a meeting on October 20th at 2:30 p.m. to open negotiations.

On a motion given by Mrs. Whiting and seconded by Mr. Bonacquisti, the Board of Education entered into executive session at 8:18 p.m. for the purpose of discussion of the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. Voting: 7 Yes, 0 No. Motion carried.

The Board returned to open session at 9:04 p.m.

A motion to adjourn was offered by Mr. Bonacquisti and seconded by Mr. Miller at 9:06 p.m. Voting: 7 Yes, 0 No. Motion carried.

Lori E. Wrobel
District Clerk