

The **REGULAR MONTHLY BUSINESS MEETING** of the Board of Education West Hempstead Union Free School District was called to order in the High School Video Conference Room on July 16, 2013 at 7:46 p.m.

**PRESENT:** Ms. Brohm, who presided, and four other members of the Board: Ms. Kurko, Ms. Rilling, Mr. Schindler and Mr. Trocchia. Ms. Lotito and Mr. Mariano were absent. Also present were Mr. Hogan, Ms. Peluso, Mr. Cunningham, Mr. Sheahan, Ms. Spinelli, Ms. Bryant, Ms. Girolamo and members of the staff and community.

Under **ROUTINE MATTERS** action was taken as follows:

**Docket #3-1:** The **MINUTES** of the Regular Business Meeting held on June 18, 2013, having been received by each member several days prior to the date of this meeting, were presented, and upon motion of Ms. Rilling, seconded by Mr. Trocchia and carried by five, that the reading of the Minutes of said meeting be dispensed with and that they be adopted as received.

**Docket #3-2:** The **MINUTES** of the Reorganization Meeting held on July 2, 2013, having been received by each member several days prior to the date of this meeting, were presented, and upon motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, that the reading of the Minutes of said meeting be dispensed with and that they be adopted as received.

**Docket #3-3:** The **TREASURER'S REPORT** for the month ended May 31, 2013, having been received by each member several days prior to the date of this meeting, was presented, and upon motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Schedule of Claims & Warrants, Appropriation Status Report and Revenue Status Report were placed on the table for discussion and then filed.

Under **REPORT OF COMMITTEES** action took place as follows:

There were no committees in attendance to report.

Under **SUPERINTENDENT'S REPORT** - Mr. Hogan gave his report that covered the summer programs – MS/HS summer school being run by Mrs. Scully and elementary skills at Cornwell Avenue being run by Ms. McInerney, parts being paid for by grant funding; SCOPE summer program at Cornwell Avenue being run by Mr. Mistretta; cleaning, painting, etc. are being done at the High School gym and café; Mrs. Grossane and Mrs. Martinez assumed their duties at the Middle School and High School, respectively; summer curriculum writing has begun; current interviews are being held for two elementary positions at Cornwell Avenue and Chestnut Street; resumes for the Chestnut Street Principal are being accepted and interviews will begin next week; and summer hours for the District Office and schools are 8:00 a.m. to 2:30 p.m. and will resume regular hours on August 26<sup>th</sup>.

Ms. Brohm then opened the meeting for residents to address the Board.

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Under **SUPERINTENDENT'S REPORT AND RECOMMENDATION** action took place as follows:

**Docket #3-4**: Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, Appointments, Resignations, etc. were placed on the table for discussion.

Upon the motion of Mr. Schindler, seconded by Mr. Trocchia and carried by five, a motion was made to amend this docket, and items were, accepted, granted and approved as follows:

**Topic: Probationary Appointment(s)**

<b><u>Name</u></b>	<b><u>Tenure Area</u></b>	<b><u>Certification</u></b>	<b><u>Salary</u></b>	<b><u>Effective</u></b>	<b><u>End of Probation</u></b>
Ferina, Kimberly	Director of Mathematics	School Building Leader Mathematics 7-12	\$125,000	7/22/13	7/22/16
Notti, Michelle	Principal George Washington	School Building Leader	\$138,000	7/17/13	7/17/16

**Topic: Resignation Request(s)**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Salary</u></b>	<b><u>Effective</u></b>
Notti, Michelle	Principal Chestnut Street	\$126,100	7/16/13

**Topic: Appointment of Part-Time Teachers**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Salary</u></b>	<b><u>Effective</u></b>
Christodoulou, Evangeline	Art Teacher HS - .4	\$73,197 6 MA + 15 plus neg. increase (pro-rated)	9/1/13-6/30/14
Dooley, Ryan	Physical Education Teacher CS - .4	\$62,205 4 BA + 30 plus neg. increase (pro-rated)	9/1/13-6/30/14

**Topic: Summer Help Appointments**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Salary</u></b>	<b><u>Effective</u></b>
Anderson, Patricia	Monitor MS	\$15.40/hr. (plus neg. increase)	8/26/13-8/30/13
Oppedisano, Sandra	Monitor SCOPE Program	\$15.40/hr. (plus neg. increase)	7/3/13 – 7/26/13
Lavrigata, Maria	Monitor PPS	\$15.40/hr. (plus neg. increase) <i>15 hour maximum per week</i>	7/17/13 – 8/30/13

**Topic: Per Diem Substitute Appointments**

<b><u>Name</u></b>	<b><u>Position</u></b>	<b><u>Salary</u></b>
Bowie, Stacie	Cleaner	\$11.36 per hour
VanVoorhees, Marianne	Monitor	\$10.11 per hour (7/25/13, 7/26/13)

**Topic: Appointments for Summer Curriculum Writing Projects**

<u>Name</u>	<u>Project</u>	<u>Salary</u>
Benson, Melissa	Mathematics – Grade 9 <i>Common Core Algebra</i>	\$169.87 per day plus neg. increase (3 day maximum)
Benson, Melissa	Mathematics – Mixed <i>Elementary Statistics</i>	\$169.87 per day plus neg. increase (3 day maximum)
Cavaliere, Ailene	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i>	\$169.87 per day plus neg. increase (5 day maximum)
Castoro, Joseph Administrator	Social Studies-Grade 9 <i>Pre-AP Course</i>	\$169.87 per day plus neg. increase (1 day maximum)
Castoro, Joseph Administrator	Social Studies-Grades 7-8 <i>Honors Curriculum Upgrade Maps/Projects/Readings</i>	\$169.87 per day plus neg. increase (1 day maximum)
Castoro, Joseph Administrator	Social Studies-Grades 7-10 <i>Honors Vertical Alignment</i>	\$169.87 per day plus neg. increase (1 day maximum)
Corrado, Jennifer	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i>	\$169.87 per day plus neg. increase (5 day maximum)
D’Elia, Patricia	ELA/Reading K-3 <i>Wilson Foundations Pacing Guide</i>	\$169.87 per day plus neg. increase (2 day maximum)
D’Elia, Phil	Social Studies-Grade 9 <i>Pre-AP Course</i>	\$169.87 per day plus neg. increase (5 day maximum)
D’Elia, Phil	Social Studies-Grades 7-8 <i>Honors Curriculum Upgrade Maps/Projects/Readings</i>	\$169.87 per day plus neg. increase (1 day maximum)
D’Elia, Phil	Social Studies-Grades 7-10 <i>Honors Vertical Alignment</i>	\$169.87 per day plus neg. increase (3 day maximum)
Escobar, Alvaro Administrator	World Languages <i>Spanish IB</i>	\$169.87 per day plus neg. increase (1 day maximum)
Geiger, Erin	Social Studies-Grades 7-8 <i>Honors Curriculum Upgrade Maps/Projects/Readings</i>	\$169.87 per day plus neg. increase (1 day maximum)
Gulisano, Stacy	Family & Computer Science Grades 7-8 <i>Update Curriculum</i>	\$169.87 per day plus neg. increase (1 day maximum)
Hafner, Barbara	Mathematics – Grade 6 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)
Healy, Julie	ELA/Vocabulary Grades 6-8 <i>Create Vocabulary Pacing Chart</i>	\$169.87 per day plus neg. increase (1 day maximum)
Hirschberg, Linda	World Languages <i>Spanish IB</i>	\$169.87 per day plus neg. increase (2 day maximum)
Jacobson, Pamela	Family & Computer Science Grades 7-8 <i>Update Curriculum</i>	\$169.87 per day plus neg. increase (1 day maximum)
Kenney, Suzanne	PE Grades 6-8 <i>Curriculum Update</i>	\$169.87 per day plus neg. increase (3 day maximum)
Klafter, Jaclyn	ELA/Vocabulary Grades 6-8 <i>Create Vocabulary Pacing Chart</i>	\$169.87 per day plus neg. increase (1 day maximum)
Kunz, Karen	World Languages <i>Spanish IB</i>	\$169.87 per day plus neg. increase (2 day maximum)
Kurzban, Sandra	Mathematics – Grade 9 <i>Common Core Algebra</i>	\$169.87 per day plus neg. increase (3 day maximum)
Lambo, Michelle	Social Studies-Grade 9 <i>Pre-AP Course</i>	\$169.87 per day plus neg. increase (1 day maximum)
Lambo, Michelle	Social Studies-Grades 7-8 <i>Honors Curriculum Upgrade Maps/Projects/Readings</i>	\$169.87 per day plus neg. increase (3 day maximum)
Lambo, Michelle	Social Studies-Grades 7-10 <i>Honors Vertical Alignment</i>	\$169.87 per day plus neg. increase (3 day maximum)

Lazaro, Danielle	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i> (1 grade level)	\$169.87 per day plus neg. increase (1/2 day maximum)
Luciere, Melissa	ELA/Reading K-3 <i>Wilson Foundations Pacing Guide</i>	\$169.87 per day plus neg. increase (2 day maximum)
Messana, Alison	Mathematics – Grade 6 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)
Messina, Edna	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i>	\$169.87 per day plus neg. increase (5 day maximum)
Mistretta, Chris Administrator	PE Grades 6-8 <i>Curriculum Update</i>	\$169.87 per day plus neg. increase (1 day maximum)
Napolitano, Danielle	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i> (1 grade level)	\$169.87 per day plus neg. increase (1/2 day maximum)
Nappi, Gina	Social Studies-Grade 9 <i>Pre-AP Course</i>	\$169.87 per day plus neg. increase (5 day maximum)
Notti, Michelle Administrator	ELA/Reading K-3 <i>Wilson Foundations Pacing Guide</i>	\$169.87 per day plus neg. increase (2 day maximum)
O'Farrell, Kathy Administrator	ELA/Vocabulary Grades 6-8 <i>Create Vocabulary Pacing Chart</i>	\$169.87 per day plus neg. increase (1 day maximum)
Parillo, Diana	Mathematics – Grade 7 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)
Parker, Suzanne	ELA/Vocabulary Grades 6-8 <i>Create Vocabulary Pacing Chart</i>	\$169.87 per day plus neg. increase (1 day maximum)
Perrotto, Kristina	Mathematics – Grade 7 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)
Popkin, Howard	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i>	\$169.87 per day plus neg. increase (5 day maximum)
Rowland, Cathieann	Mathematics – Grade 9 <i>Common Core Algebra</i>	\$169.87 per day plus neg. increase (3 day maximum)
Rowland, Cathieann	Mathematics – Mixed <i>Elementary Statistics</i>	\$169.87 per day plus neg. increase (3 day maximum)
Santoro, John	STELLAR- Grades K-5 <i>Develop Curriculum for New Program</i> (1 grade level)	\$169.87 per day plus neg. increase (1/2 day maximum)
Scaturro, Michael	PE Grades 6-8 <i>Curriculum Update</i>	\$169.87 per day plus neg. increase (3 day maximum)
Senia, Chris	Mathematics – Grade 9 <i>Common Core Algebra</i>	\$169.87 per day plus neg. increase (3 day maximum)
Sweet, Elaine	Mathematics – Grade 8 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)
Wilson, Andrew	Mathematics – Grade 8 <i>Update Standards-Based Curriculum Map</i>	\$169.87 per day plus neg. increase (1 day maximum)

**Topic: Appointments for CPSE/CSE Summer Meetings 2013**

<u>Name</u>	<u>Date(s)</u>	<u>Salary</u>
Emouna, Jasmin	8/6/13, 8/7/13, 8/8/13, 8/14/13	\$295.71 per day plus negotiated increase

**Topic: Appointments for CPSE/CSE Summer Meetings 2013 Rescinded**

<u>Name</u>	<u>Date(s)</u>
Emouna, Jasmin	8/23/13
Lublinter, Cari	8/6/13, 8/7/13, 8/8/13

**Docket #3-5:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, a resolution was adopted that Extra Pay for Extra Responsibility be approved as follows:

**Topic: Extra Pay for Extra Responsibility**

<u>Name</u>	<u>Activity</u>	<u>Salary</u>
<b><u>HIGH SCHOOL</u></b>		
Benson, Melissa	Grade 11 Co-Class Advisor	\$1,562.00 plus neg. increase
Benson, Melissa	Drama Production Choreographer	\$1,715.00 plus neg. increase
Benson, Melissa	Grades 10-12 Mathletes Co Advisor	\$ 918.50 plus neg. increase
Benson, Melissa	Show Choir Club Co-Advisor	\$ 497.50 plus neg. increase
Bonasia, Joseph	Environmental Club Advisor	\$ 995.00 plus neg. increase
Brown, Adam	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Brown, Adam	Grade 10 Co-Class Advisor	\$1,139.00 plus neg. increase
Brown, Adam	Girls' Winter Track Coach	\$6,292.00 plus neg. increase
Carre, Dominic	Cafeteria Supervisor	\$3,884.00 plus neg. increase
DiPasquale, Daniel	Drama Production Stage Director	\$3,020.00 plus neg. increase
DiPasquale, Daniel	Nat'l Tri-M Music Society Advisor	\$1,561.00 plus neg. increase
DiPasquale, Daniel	String Ensemble Director	\$ 995.00 plus neg. increase
Dunbar, Patricia	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Emouna, Jasmine	SADD Advisor	\$ 995.00 plus neg. increase
Gewirtz, Robert	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Grey, Collin	INK BLOT Editor	\$1,574.00 plus neg. increase
Heckler, Wayne	Drama Production Co-Director	\$2,192.00 plus neg. increase
Hutt, Tracy	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Kane, Joseph	Drama Production Co-Director	\$2,192.00 plus neg. increase
Karalius, Elisa	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Kunz, Karen	Grade 12 Co-Class Advisor	\$2,198.50 plus neg. increase
Lambo, Michelle	Key Club Advisor	\$2,156.00 plus neg. increase
Lent, Theresa	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Loveland, Jill	INK BLOT Art Editor	\$ 944.00 plus neg. increase
Loveland, Jill	Public Relations Advisor	\$ 995.00 plus neg. increase
Mejia, Natasha	World Language Club Advisor	\$1,246.00 plus neg. increase
McVetty, Patricia	Assistant Band Director	\$3,020.00 plus neg. increase
McVetty, Patricia	Drama Production Musical Director	\$3,020.00 plus neg. increase
McVetty, Patricia	Show Choir Club Co-Advisor	\$ 497.50 plus neg. increase
Ragin, Linda	Class Night Coordinator	\$1,246.00 plus neg. increase
Ragin, Linda	Homecoming Coordinator	\$1,246.00 plus neg. increase
Ross, Cassie	National Art Honor Society Advisor	\$1,561.00 plus neg. increase
Rowland, Cathieann	Grade 11 Co-Class Advisor	\$1,562.00 plus neg. increase
Rowland, Cathieann	Grades 10-12 Mathletes Co. Advisor	\$ 918.50 plus neg. increase
Scaturro, Michael	Girls' Varsity Soccer Coach	\$6,798.00 plus neg. increase
Schreiber, Karen	Student Council Advisor	\$4,928.00 plus neg. increase
Scully, Rosanne	National Honor Society Advisor	\$1,561.00 plus neg. increase
Scully, Rosanne	Yearbook Advisor	\$4,384.00 plus neg. increase
Seeberger, Donna	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Seeberger, Donna	Class Night Assistant Coordinator	\$ 681.00 plus neg. increase
Senia, Christopher	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Senia, Christopher	Grade 9 Mathletes Advisor	\$1,449.00 plus neg. increase
Silberman, Michael	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Spallino, Caterina	Grade 12 Co-Class Advisor	\$2,198.50 plus neg. increase
Tammany, Jill	Homework Club Advisor	\$ 995.00 plus neg. increase

Testa, Neil	Chess Club Advisor	\$ 995.00 plus neg. increase
Towers, Dianna	Grade 10 Co-Class Advisor	\$1,139.00 plus neg. increase
Ventura, Desiree	Central Treasurer	\$4,102.00 plus neg. increase
Weiss, Julie	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Ypsilantis, James	Cafeteria Supervisor	\$3,884.00 plus neg. increase

### **MIDDLE SCHOOL**

Basile, Michele	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Basile, Michele	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Blyskal, Terrence	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Caruthers, Matthew	Computer Club Supervisor	\$ 995.00 plus neg. increase (per 10 sessions)
Ciaravino, Joan	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Cuiman, Sylvia	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Cuiman, Sylvia	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Cuiman, Sylvia	Student Council Advisor	\$3,472.00 plus neg. increase
Eisen, Jeffrey	Homework Center Supervisor	\$ 67.00 plus neg. increase (per 45 minute session)
Eisen, Jeffrey	Math Olympiads Advisor	\$ 995.00 plus neg. increase
Gould, Dina	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Gould, Dina	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Kaminsky, Laurie	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Kenney, Suzanne	Intramurals – Aerobics Coach	\$ 564.00 plus neg. increase (per 8 sessions)
Kenney, Suzanne	Intramurals – Basketball Coach	\$ 564.00 plus neg. increase (per 8 sessions)
Kenney, Suzanne	Intramurals – Paddle Tennis Coach	\$ 564.00 plus neg. increase (per 8 sessions)
Kenney, Suzanne	Intramurals – Soccer Coach	\$ 564.00 plus neg. increase (per 8 sessions)
Kenney, Suzanne	Intramurals – Softball Coach	\$ 564.00 plus neg. increase (per 8 sessions)
Minchik, Richard	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Parker-Hall, Suzanne	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Parker-Hall, Suzanne	National Junior Honor Society Advisor	\$1,250.00 plus neg. increase
Puccio, Victoria	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Pusateri, Virginia	Homework Center Supervisor	\$ 67.00 plus neg. increase (per 45 minute session)
Santarelli, Margaret	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Santarelli, Margaret	Yearbook Editor	\$1,711.00 plus neg. increase
Santarelli, Margaret	Yearbook Art Editor	\$1,133.00 plus neg. increase
Sweet, Elaine	Cafeteria Supervisor	\$3,884.00 plus neg. increase
Sweet, Elaine	Central Treasurer	\$2,399.00 plus neg. increase
Sweet, Elaine	Detention Supervisor	\$ 27.26 plus neg. increase (per 30 minute session)
Sweet, Elaine	Homework Center Supervisor	\$ 67.00 plus neg. increase (per 45 minute session)
Sweet, Elaine	Mathletes Supervisor Grades 7-8	\$1,449.00 plus neg. increase
Terwilliger, Karen	Computer Club	\$ 995.00 plus neg. increase (per 10 sessions)

### **GEORGE WASHINGTON SCHOOL**

Hovanec, Michael	Intramurals Coach	\$ 564.00 plus neg. increase (per 10 sessions)
Schwartz, Stacey	Student Council Advisor	\$2,144.00 plus neg. increase
Schwartz, Stacey	Science Club Advisor	\$ 995.00 plus neg. increase

VanKovics, Chris      Intramurals Coach                      \$ 564.00 plus neg. increase  
(per 10 sessions)

**CORNWELL AVENUE SCHOOL**

Imhof, Christina      Intramurals Coach                      \$ 564.00 plus neg. increase  
(per 10 sessions)  
Messina, Edna      Student Council Advisor              \$2,144.00 plus neg. increase  
Santoro, John      Science Club                              \$ 995.00 plus neg. increase

**MISCELLANEOUS**

Karroll, Desiree      Mentor Trainer                          \$100.00 per hour

**Docket #3-6:**              Upon the motion of Mr. Schindler, and seconded by Ms. Rilling and carried by five, the Board approved a Termination of an Employee.

**Docket #3-7:**              Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board the contract with Guercio & Guercio, and authorize the President of the Board of Education to sign the contract attached herein.

**Docket #3-8:**              Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Appointment of Dignity for All Students Act (DASA) Coordinators.

**Docket #3-9:**              Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Individual Consultant Services Contracts of Catherine DeHey, Stephen Orlando and Dr. Eric Shoenfeld.

**Docket #3-10:**              Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Contracts for Special Education Services Instructional and Consultant to Abilities, Inc., Accessible Learning, Achieve Beyond, All About Kids, Alternative Tutoring, Ellen Anzovino, Brookville Center for Children’s Services, Leigh Campo, RN, Creative Tutoring, Christine Fennes, Lisa Fox, RN, Melissa Grealla, RN, Home Care for Children, Long Island Development Consulting, Maryhaven, Nassau Suffolk Services for Autism, Positive Behavior Support, Dr. Andrew Singer, St. James Tutoring, Syosset Home Tutoring, Inc., Dr. Karen Wachtel and Susan Wihnyk, RN.



**Docket #3-11:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Health and Welfare Services Agreements for 2012-13 with Malverne UFSD and Rockville Centre UFSD.

**Docket #3-12:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling, and carried by five, a resolution was adopted as follows:

The following Gross Budget in the West Hempstead Union Free School District in the Town of Hempstead, Nassau County, New York, for the school year 2013 - 2014 is hereby fixed at \$55,675,720 for School purposes, and \$3,473,814 for Library purposes, having a combined total of \$59,149,534.

The net amount which must be raised by taxation is hereby fixed at \$42,322,557 for School purposes, and \$3,304,026 for Library purposes having a combined total of \$45,626,583.

The Superintendent of Schools is hereby authorized to notify the Assessors Office that the net amount which must be raised by taxes is \$45,626,583.

**Docket #3-13:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling, and carried by five, that pursuant to the recommendation of the Superintendent of Schools, religious holidays for the school year 2013 - 2014 be adopted and recognized only for the purpose of adjusting average daily attendance as follows:

September 19-20	-	Sukkot
September 26	-	Shemini Atzeret
September 27	-	Simchat Torah
November 1	-	All Saints Day
December 2-5	-	Hanukkah
January 16	-	Tu B'Shvat
May 29	-	Ascension Thursday
June 4-5	-	Erev Shavuot

**Docket #3-14:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board authorized the contribution of \$10,000 deductible under insurance policy SCL 01-011-27-91 with Chartis Insurance.

**Docket #3-15:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board accepted donation of \$122.45 from Stop and Shop A+ School Rewards Program for Chestnut Street; \$185.73 and \$180.00 from Stop and Shop A+ School Rewards Program for Cornwell Avenue; \$927.43 from Stop and Shop A+ School Rewards Program for George Washington; \$1,119.41 from Stop and Shop A+ School Rewards Program for the High School; \$563.28 from Stop and Shop A+ School Rewards Program for the Middle School; \$42.04 from Lifetouch for the Middle School and \$1,000.00 from Liberty Tax Service to the High School.

**Docket #3-16:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, that pursuant to the provisions of Chapter 853, Laws of 1976, as amended, the Committees on Special Education and Pre-School Education recommend to the Board of Education placement, change of placement, and transfers of students, identified by number only, in the school indicated.

The **REPORT OF THE DEPUTY SUPERINTENDENT**, having been received by each member several days prior to the date of this meeting, was presented, and action items therein were considered as follows:

**Docket #3-17:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, the Board accepted the recommendations to add new vendors to the District vendor list.

**Docket #3-18:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, the Board approved the budgetary transfers.

**Docket #3-19:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, the Board approved the Refunding Bond Resolution with Exhibit A being attached hereto.

**Docket #3-20:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, the Board approved the Investigative Service Cooperative Bid 2013-14.

**Docket #3-21:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by five, the Board motioned to discuss this docket.

Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board accepted the Administrative Services Agreement with Fitzharris Benefits Administrators for Section 125 Flexible Benefits Program as amended, subject to legal counsel.

**Docket #3-22:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Transportation Contract Extensions for the Summer 2013 and Bids – Summer and Fall.

**Docket #3-23:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Prices for Milk and Student Meals for 2013-14 as follows:

		<b><u>Reduced Price</u></b>	<b><u>Full Price</u></b>
Breakfast	All Schools	\$.25	\$1.25
Milk	All Schools		\$ .60
Student Meals	Kindergarten	\$.25	\$2.20
	Elementary	\$.25	\$2.20
	Middle School	\$.25	\$2.45
	High School	\$.25	\$2.45

**Docket #3-24:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the rejection of all responses to the Transportation Request for Proposals dated June 28, 2013, and declines to award a contract pursuant to the Transportation Request for Proposals process initiated on June 7, 2013.

**Docket #3-25:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Rescinding of Docket 2-292, Cooperative Bid for Fuel Tank Alarm Repair.

**Docket #3-26:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Cooperative Bid for Fuel Tank Alarm Repair 2013-14.

**Docket #3-27:** Upon the motion of Mr. Schindler, seconded by Ms. Rilling and carried by five, the Board approved the Use of Facilities as follows:

<u>Organization</u>	<u>Day/Time</u>	<u>Room/ Field</u>
<b>CORNWELL AVENUE</b>		
Boy Scouts of America	09/09/13-06/16/14 Mon – 7:00-9:00 p.m. Troop Meetings	Gym, Cafeteria & Library
WH SEPTA	09/25/13, 10/16/13, 01/15/14 03/05/14, 05/07/14 & 06/11/14 Meetings	Library
<b>MIDDLE SCHOOL</b>		
WH Little League	07/17/13-08/15/13 Mon-Fri – 4:30 p.m.-Dark Sat & Sun – 9:00 a.m.-Dark Baseball & Softball	Field
WH Bronco Cheerleading	08/08/13-11/26/13 Tues & Thurs – 6:00-7:30 p.m. Practices	Field Gym or Café - if Raining
<b>CHESTNUT STREET</b>		
WH Little League	07/17/13-08/15/13 Mon-Fri – 5:00 p.m.-Dark Sun – 9:00 a.m.-5:00 p.m. Baseball	Field
WH Little League	09/01/13-11/15/13 Sun – 9:00 a.m.-Dark Baseball & Softball	Field
<b>GEORGE WASHINGTON</b>		
Girl Scout Troop 1705	09/09/13-06/16/14 Every Other Thurs – 3:00-5:00 p.m. Troop Meetings	Multi Purpose Room

Under **OLD BUSINESS** action was taken as follows:

There was no old business to be addressed.

Under **NEW BUSINESS** action was taken as follows:

**Docket #3-28:** Upon the motion of Ms. Rilling, seconded by Mr. Schindler, and carried by five, the Board approved a Letter to Governor and State Legislators.

Under **BOARD PRIVILEGE OF THE FLOOR** – No action was taken.

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Ms. Brohm again opened the meeting for residents to address the Board.

At 8:01 p.m., upon the motion of Mr. Schindler, seconded by Mr. Trocchia and carried by five, the Board adjourned to Executive Session for the purpose of discussing contract negotiations and advice from counsel.

Mr. Mariano arrived at 8:20 p.m.

Upon the motion of Mr. Schindler, seconded by Mr. Trocchia and carried by six, Executive Session adjourned at 8:55 p.m.

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Kathryn Girolamo, District Clerk

## **LABOR COUNSEL AGREEMENT**

AGREEMENT made this day 16<sup>th</sup> of July 2013, by and between the BOARD OF EDUCATION OF WEST HEMPSTEAD UNION FREE SCHOOL DISTRICT, hereinafter referred to as the "BOARD", and GUERCIO & GUERCIO, LLP, hereinafter referred to as the "ATTORNEYS":

WHEREAS, the parties desire to record the terms and conditions of such retainer in contract form,

NOW, THEREFORE, it is agreed as follows:

I. Term: July 1st, 2013 through June 30th, 2014.

II. Services:

Negotiations with all bargaining units as follows:

- a) Preliminary study of the union's demands;
  
- b) In conference with District personnel and the BOARD, study of union demands, and preparation of the District's demands;
  
- c) Negotiate on the above through mediation, fact-finding and post fact-finding until agreement is reached.

III. The Retainer:

For the above services the fee shall be \$37,750.00 annually. Retainers and services provided on an hourly basis shall be billed monthly.

IV. Litigation:

Separate compensation for litigation services such as arbitrations, Public Employment Relations Board hearings, and other labor-related court litigation at the rate of \$245.00 per hour. In the event that a dispute arises between us relating to our fees, you may have the right to arbitration of the dispute pursuant to Part 137 of the Rules of the Chief Administrator of the Courts, a copy of which will be provided to you upon request.

V. Expenses: The BOARD shall reimburse GUERCIO & GUERCIO, LLP, for "out-of-pocket" expenses incurred in the performance of services as Labor Counsel. These shall include, but not be limited to, travel, long-distance calls, Westlaw research, copying, printing, supplies, expressage or deliveries. Nothing hereinabove set forth shall preclude the furnishing of any of the foregoing directly by the District and the non-necessity to procure reimbursement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed this 16<sup>th</sup> day of July 2013.

BOARD OF EDUCATION  
WEST HEMPSTEAD UNION  
FREE SCHOOL DISTRICT

By: \_\_\_\_\_  
PRESIDENT

GUERCIO & GUERCIO, LLP

By: \_\_\_\_\_  
GREGORY J. GUERCIO

ATTEST:

\_\_\_\_\_  
DISTRICT CLERK

**GENERAL COUNSEL**  
**AGREEMENT**

AGREEMENT made this 16<sup>th</sup> day of July 2013, by and between the BOARD OF EDUCATION OF WEST HEMPSTEAD UNION FREE SCHOOL DISTRICT, hereinafter referred to as the "BOARD", and GUERCIO & GUERCIO, LLP, hereinafter referred to as the "ATTORNEYS":

WHEREAS, the BOARD, at a regular meeting of July 2, 2013 retained GUERCIO & GUERCIO, LLP, as the attorneys for the School District for the school year July 1, 2013 through June 30, 2014, and

WHEREAS, the BOARD and the ATTORNEYS desire to record the terms and conditions of such retainer in contract form,

NOW, THEREFORE, it is agreed as follows:

I. Term: July 1, 2013 through June 30, 2014.

II. Services:

1. The daily rendering of legal opinions, orally or by memorandum, concerning all matters affecting the administration of school affairs.
2. Attendance at regular BOARD meetings unless the President determines that such attendance is unnecessary.
3. Prepare all legal documents and notices, and provide for all necessary equipment and supplies in connection with the annual and special meetings of the residents of the School District.
4. Conduct correspondence on behalf of the School District where the same has, or may have, legal implications.
5. Confer in the preparation of all legal documents in connection with short-term borrowing.
6. Cooperate with Bonding Counsel in connection with bond issues attendant upon long-term borrowing.
7. Represent the School District and the Board in connection with the purchase, sale or leasing of real property from the initial stage of negotiations to closing.
8. Writing or approving contracts between the District and other parties.



9. Examination and approval of vendors' bonds, insurance policies and other legal documents.

10. Matters falling in the category of litigation, as enumerated in Article IV, which are settled or otherwise disposed of in their preliminary stages.

III. Annual Retainer: For the above service, the fee shall be \$52,000.00. Retainers and services provided on an hourly basis shall be billed monthly.

IV. Litigation: Separate compensation for litigation services shall be at the rate of \$245.00 per hour. Litigation services include services such as special procedures, motions, trials and appeals; Human Rights Commission Hearings, matters involving tax certiorari, etc. Excluded herefrom are services for labor contract arbitrations and PERB proceedings, for which provision is made elsewhere. In the event that a dispute arises between us relating to our fees, you may have the right to arbitration of the dispute pursuant to Part 137 of the Rules of the Chief Administrator of the Courts, a copy of which will be provided to you upon request.

V. Expenses: The BOARD shall reimburse GUERCIO & GUERCIO, LLP, for "out-of-pocket" expenses incurred in the performance of services as General Counsel. These shall include, but not be limited to travel, long-distance calls, Westlaw research, copying, printing, supplies, expressage or deliveries. Nothing hereinabove set forth shall preclude the furnishing of any of the foregoing directly by the District and the non-necessity to procure reimbursement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed this 16<sup>th</sup> day of July 2013.

BOARD OF EDUCATION  
WEST HEMPSTEAD UNION  
FREE SCHOOL DISTRICT

By: \_\_\_\_\_  
President

GUERCIO & GUERCIO, LLP

By: \_\_\_\_\_  
GREGORY J. GUERCIO

ATTEST:

\_\_\_\_\_  
DISTRICT CLERK

EXTRACT OF MINUTES

Meeting of the Board of Education of the  
West Hempstead Union Free School District,  
in the County of Nassau, New York

July 16, 2013

\* \* \*

A regular meeting of the Board of Education of the West  
Hempstead Union Free School District, in the County of Nassau, New York, was  
held within said School District on July 16, 2013, at \_\_\_\_\_ o'clock P.M.  
(Prevailing Time).

There were present: \_\_\_\_\_, President of  
the Board of Education; and

Board Members:

There were absent:

Also present: Kathryn Girolamo, District Clerk

\* \* \*

Board Member \_\_\_\_\_ offered the  
following resolution and moved its adoption:

**REFUNDING BOND RESOLUTION OF THE WEST HEMPSTEAD UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED JULY 16, 2013, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$9,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.**

Recitals

WHEREAS, the West Hempstead Union Free School District, in the County of Nassau, New York (herein called the "District"), issued \$9,925,000 School District Serial Bonds-2006 on September 7, 2006, pursuant to the bond resolution entitled:

"Bond Resolution of the West Hempstead Union Free School District, New York, adopted August 19, 2003, authorizing the acquisition of land and the construction of the new West Hempstead Public Library building thereon, stating the estimated total cost thereof is \$9,975,000, appropriating said amount therefor, and authorizing the issuance of \$9,975,000 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 present and voting at the Annual District Meeting duly called and held on June 3, 2003;

WHEREAS, \$8,505,000 of said bonds are currently outstanding (the "Outstanding Bonds") and mature on March 1 in the years and in the principal amounts and bear interest payable on March 1 and September 1 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2014	\$ 240,000	4.30%	2025	\$ 410,000	4-3/8%
2015	255,000	4-3/8	2026	430,000	4-3/8
2016	265,000	4-3/8	2027	450,000	4-3/8
2017	280,000	4-3/8	2028	470,000	4-3/8
2018	295,000	4-3/8	2029	495,000	4-3/8
2019	305,000	4-3/8	2030	520,000	4-3/8
2020	320,000	4-3/8	2031	545,000	4-3/8
2021	335,000	4-3/8	2032	565,000	4-3/8
2022	355,000	4-3/8	2033	590,000	4-3/8
2023	370,000	4-3/8	2034	620,000	4-3/8
2024	390,000	4-3/8			

WHEREAS, the Outstanding Bonds maturing on or after March 1, 2016, are subject to redemption prior to maturity, at the option of the District, on March 1, 2015, and thereafter on any date, as a whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the price equal to the par principal amount thereof, plus accrued interest to the date of redemption;

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), authorize the District to issue new bonds to refund all or a portion of the Outstanding Bonds provided the issuance of new bonds for such purpose will result in present value debt service savings for the District; and

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

THEREFORE, THE BOARD OF EDUCATION OF THE WEST  
HEMPSTEAD UNION FREE SCHOOL DISTRICT, NEW YORK HEREBY

RESOLVES (by the favorable vote of at least two-thirds of all the members of said Board of Education), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- (a) “Bond To Be Refunded” or “Bonds To Be Refunded” means all or any portion of the Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.
- (b) “Escrow Contract” means the contract to be entered into by and between the District and the Escrow Holder pursuant to Section 9 hereof.
- (c) “Escrow Holder” means the bank or trust company designated as such pursuant to Section 9 hereof.
- (d) “Financial Advisor” means New York Municipal Advisors Corporation.
- (e) “Outstanding Bonds” means the \$8,505,000 bonds referred to in the Recitals to this Resolution.
- (f) “Present Value Savings” means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually), necessary to discount the debt service payments on the Refunding Bonds

from the maturity dates thereof to the date of issue of the Refunding Bonds and to the bona fide initial public offering price including estimated accrued interest, or, if there is no public offering, to the price bid, including estimated accrued interest.

- (g) “Redemption Date” or “Redemption Dates” means March 1, 2015, or any date thereafter with respect to the Outstanding Bonds maturing on and after March 1, 2016, as determined by the President of the Board of Education pursuant to Section 8 hereof.
- (h) “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$9,000,000 Refunding Serial Bonds of the West Hempstead Union Free School District, authorized pursuant to Section 3 hereof.
- (i) “Refunding Bond Amount Limitation” means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the Redemption Date, plus any redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, plus costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 9 hereof.

- (j) “Refunding Financial Plan” means the proposed financial plan for the refunding in the form attached hereto as **Exhibit A** and prepared for the District by the Financial Advisor.

Section 2. The Board of Education of the District (herein called the “Board of Education”), hereby authorizes the refunding of the Bonds To Be Refunded and appropriates an amount not to exceed \$9,000,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$9,000,000 Refunding Bonds, and the levy and collection of a tax upon all the taxable real property within the District to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. The Refunding Financial Plan is hereby accepted and approved, and includes (i) the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 9 hereof, (ii) the payment of all costs incurred by the District in connection with said refunding from such proceeds, and (iii) the investment of a portion of such proceeds by the Escrow Holder in certain obligations, the principal of and interest thereon, together with the balance of such proceeds to be held uninvested, shall be sufficient to pay the principal of and interest on and premium, if any, on the Bonds To Be Refunded becoming due and payable on and prior to the Redemption Date and to be called for redemption prior to maturity on the Redemption Date.

Section 3. Refunding Bonds in the aggregate principal amount of not to exceed \$9,000,000 are hereby authorized to be issued pursuant to the Law, and shall mature in such amounts, on such dates, and shall bear interest at such

rates of interest per annum as shall be determined at the time of the sale of such bonds.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The period of probable usefulness (“PPU”) of the objects or purposes for which the Outstanding Bonds were issued is thirty (30) years.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the Refunding Financial Plan, and computed in accordance with subdivision two of paragraph b of Sections 90.00 and 90.10 of the Law. Said Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount and will mature, be of such terms, and bear such interest as set forth therein. The actual principal amount of the Refunding Bonds, the terms thereof, and the resulting Present Value Savings, may vary from the Refunding Financial Plan.

Section 6. (A) The Refunding Bonds may be sold at public or private sale.

(i) If the Refunding Bonds are sold at private sale, the President of the Board of Education is hereby authorized (a) to cause the Financial Advisor to solicit proposals for the refunding of the Outstanding Bonds from at least three (3) qualified firms recommended by the Financial Advisor; and (b) to execute a purchase contract on behalf of the District for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller.



(ii) If the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the President of the Board of Education is hereby authorized and directed to prepare or have prepared a Notice of Sale, which shall be published at least once in "*The Bond Buyer*," published in the City of New York, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale (a) to the State Comptroller, Albany, New York 12236; (b) to at least two (2) banks or trust companies having a place of business in the County in which the District is located, or, if only one (1) bank is located in such County, then to such bank and to at least two (2) banks or trust companies having a place of business in an adjoining County; and (c) to "*The Bond Buyer*", 1 State Street Plaza, New York, New York 10004; and (d) at least ten (10) bond dealers.

(B) Prior to the issuance of the Refunding Bonds the President of the Board of Education shall file with the Board of Education all requisite certifications, including a certificate approved by the State Comptroller setting forth the Present Value Savings to the District resulting from the issuance of the Refunding Bonds. In connection with the sale of Refunding Bonds, the District authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The President of the Board of Education and his designees are hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of

and payment for services rendered or to be rendered to the District in connection with said refunding, including the preparation of the Refunding Financial Plan.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the District payable as to both principal and interest by a general tax upon all the taxable real property within the District, without limitation as to rate or amount. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the District for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.10 and 168.00 of the Law, the powers and duties of the Board of Education relative to determining the amount of Bonds To Be Refunded, the Redemption Date, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, approving all details of the Refunding Financial Plan not contained herein, executing any arbitrage certification relative thereto, as well as executing any agreements for credit enhancements and executing the Official Statement referred to in Section 6, and the Escrow Contract described in Section 9, are hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 9. Prior to the issuance of the Refunding Bonds, the District shall contract with a bank or trust company located and authorized to do business in this state, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the Refunding Financial Plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the District, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the District the notice of redemption authorized to be given pursuant to Section 12 hereof, and (d) to invest the monies held by it consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 10. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the District with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct

obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the provisions of the Escrow Contract shall be returned to the District and shall be applied by the District only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 11. That portion of such proceeds from the sale of the Refunding Bonds, together with any interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys not required for such payments on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion thereof as shall be required by the Refunding Financial Plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such

pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 12. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Board of Education hereby elects to call in and redeem all the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as such date is determined by the President of the Board of Education. The sums to be paid therefor on such Redemption Date shall be the par value thereof, the accrued interest to the Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause notice(s) of such call for redemption to be given in the name of the District by mailing such notice(s) to the registered holders of the Bonds To Be Refunded which are subject to prior redemption at least thirty days prior to such Redemption Date. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded subject to prior redemption on the Redemption Date and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 13. The Board of Education hereby appoints the firm of Hawkins Delafield & Wood LLP, One Chase Manhattan Plaza, 42<sup>nd</sup> floor, New York, New York to provide all necessary Bond Counsel legal services in connection with the authorization, sale and issuance of the Refunding Bonds of the District.

Section 14. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

(a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 15. This bond resolution shall take effect immediately, and the District Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in one of the District's official newspapers, and hereby designated the official newspaper of said District for such publication.

\* \* \*

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

AYES:

NOES:

The resolution was declared adopted.