

**BOARD OF EDUCATION
LEVITTOWN UNION FREE SCHOOL DISTRICT
LEVITTOWN, NY**

DATE: November 14, 2012

REGULAR MEETING

MINUTES

THE REGULAR BOARD MEETING OF THE BOARD OF EDUCATION, was duly called and held on Wednesday, November 14, 2012 in the Board Meeting Room of the Levittown Memorial Education Center.

CERTIFICATION:

The District Clerk certified that pursuant to Section 104, Open Meetings Law, notice of meeting was sent to the local newspapers, the Public Library and posted on the district's website. Further, all members of the Board of Education had due notice of said meeting.

PRESENT:

BOARD MEMBERS

Ms. Peggy Marengi
Mr. James Moran – (excused absence)
Mr. Michael Pappas – President
Mr. Peter Porrazzo – Vice President
Mr. Edward Powers
Mr. Kevin Regan – Secretary (excused absence)
Mr. Frank Ward

ADMINISTRATION

Dr. James Grossane – Superintendent of Schools
Ms. Darlene Rhatigan – Assistant Superintendent
Ms. Debbie Rifkin – Assistant Superintendent
Mr. Mark Flower – Assistant Superintendent

OTHERS

Ms. Elizabeth Appelbaum – District Clerk
Ms. Jennifer Newins – MacArthur High School Student Liaison

I. CALL TO ORDER

- A.** Pledge of Allegiance
- B.** Mr. Pappas, President, called the Regular Board Meeting to order at 6:15 PM. On a motion by Mr. Powers, seconded by Mr. Porrazzo and approved (5-0) that the Board adjourn to Executive Session to discuss items on the Executive Session Agenda relating to schedules.
- C.** The Board reconvened in Public Session at 7:35 PM at which time Mr. Pappas asked everyone to stand for the Pledge of Allegiance and a moment of silence for our troops fighting around the world, for those individuals who suffered losses during the horrific weather we experienced the last two weeks and for Ms. Hendler, the Principal of Gardiners Ave, on the loss of her father.

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II. ANNOUNCEMENTS

Dr. Grossane announced that Abbey Lane would be sponsoring a pancake breakfast for hurricane relief on Saturday morning. The proceeds of this fundraiser will be going to the American Red Cross. The notice will be posted on the website.

Mr. Pappas thanked the staff, administrators, teachers, students, faculty and the Board of Education for an amazing job during the storm. He stated that the community pulled together to have the schools opened quickly to provide a safe, warm environment for our children.

III. APPROVAL OF MINUTES

MOTION: Mr. Porrazzo moved to “Make the necessary corrections and move the approval of the minutes of October 10, 2012 (Regular Meeting) and October 24, 2012 (Special Meeting).”

APPROVAL OF MINUTES

Seconded: Ms. Marengi

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

IV. REPORTS

A. Recognition:

1. a. Students: National Merit Scholarship Program

Division Avenue High School:	Emily Doglio – Commended Student Ashley Stinnertt– Commended Student Matthew Wilson – Commended Student
MacArthur High School:	Harley Dietz – Commended Student John Carruba – Commended Student Gabreilla Cirffetelli – National Hispanic Scholar Liam Lang – Semi-Finalist

Ms. Rifkin was happy to report that several students will be honored who were named Commended Students through the 2013 National Merit Scholarship Program. This means they were in the top five percent in the nation out of 1.5 million students who took the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT). Ms. Rifkin noted that in addition, we have one student who is a Semi-Finalist, who was in the top one percent of those taking PSAT's, along with a National Hispanic Scholar. The principals of the two high schools, Ms. Valentino and Dr. Ianni, were asked to call up their students to receive certificates from the Board. They congratulated the students and noted the tremendous odds these students were up against. The Board asked the students' parents to stand for recognition.

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IV. REPORTS (continued)

b. Hurricane Sandy Work Force

To be discussed at the November 28, 2012 Planning Session Meeting.

c. Election Day PTA Support

To be discussed at the November 28, 2012 Planning Session Meeting.

2. Art Display – Wisdom Lane Elementary School

Dr. Grossane reported that the art work was still up from Wisdom Lane due to the hurricane.

B. Superintendent:

1. Follow-up to Public Be Heard Questions

Dr. Grossane shared that he had met with those individuals who had asked questions about books from last month's meeting. He noted that regarding the Marine Science books, they were available. The teacher was using them in a way the parent did not understand. The issue has been resolved. Another question was on vocabulary books used in the Secondary English Program. He reported that the order for the books had been placed late but have now arrived. He commented that all students did have access to the material via the computer. Dr. Grossane spoke about the philosophical question regarding the use of vocabulary books, by stating that this is the last year the district will be using this method to increase student vocabulary. He commented that after this transitions year, learning vocabulary will be achieved through the Common Core, test books and literature. He stated that is how students learn vocabulary best.

2. Follow-up to Board Questions
(none)

3. Reports: Storms Update

Dr. Grossane reported that Hurricane Sandy was the largest storm we can recall. He stated that the buildings fared well in terms of physical damage. There was very minor damage such as some flashing ripped off and roof leaking. Dr. Grossane shared that the grounds crew had to deal with several downed trees on our property which they quickly took care of. He remarked that all buildings except Division, Wisdom and East Broadway were powered up by Friday of the first week. Since all buildings were back on line by Saturday, and the roads were deemed safe, we were able to open on Monday. He commended the town for making the streets passable and having the traffic lights working. Dr. Grossane mentioned that the decision was made to bring the students back to a place that was lit, safe and warm. In some instances, this was the first hot meal the students received. He shared that the attendance for the week was around 94% for students and 96% for staff.

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IV. REPORTS (continued)

In regards to the Nor'easter, Dr. Grossane reported that the district tried a delayed opening but the roads were not passable because of low wires and more trees down. During the week that schools were closed, central office was developing contingency plans for the re-deployment of students in the event buildings were without power. As it turned out, Summit Lane students needed to be moved. He thanked the central office team, building administrators and the faculty and staff at Summit Lane for the professional manner in which the plan was implemented. It showed us that with good planning, instruction can continue.

Dr. Grossane commented that the challenge now is to de-brief to see what worked and what didn't. He noted that communication was a tremendous issue. He stated that we were fortunate to have the Red Cross shelter housed in Levittown Memorial so that the generator could maintain our website, mainframe and communication. In this way, we were able to update our website and send out e-mails. He thanked the PTA for their help in relaying messages to the community. Dr. Grossane stated that although it was a very trying time, it was also very reassuring to know that we have a good team here. He mentioned that the custodial staff at Memorial was working 12 hour shifts, 24 hours a day, to host the people in the Red Cross Shelter. At the height of the storm, there were over 400 people here. Dr. Grossane noted that Miller's Ale House provided a hot breakfast every day and a hot lunch on many days for the those in the shelter. He reported that the shelter closed on Sunday afternoon, with those individuals who had no home to go to, relocating to Nassau Community College. Additionally, Memorial housed linemen from all over the country sleeping in the Panther Room. He stated that the shelter was available to any resident of Levittown.

Dr. Grossane remarked he was very proud to be the Superintendent and to know that the community extended their hand to anyone in need. He thanked his staff for a phenomenal job.

Mr. Pappas commended Dr. Grossane for his excellent work and extraordinary leadership during these trying times.

C. Board of Education:

1. Comments & Reports

(none)

2. Correspondence

(None)

3. Student Liaisons to the Board of Education

Ms. Newins reported on events from Mac Arthur: the football team won in the playoffs at Hofstra and will advance to the next round against Wantagh High School, the Drama Club will be performing the Sound of Music this weekend, all of the girls and two boys running

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IV. REPORTS (continued)

on the races for Varsity Cross Country Team, got All Conference Runners. Mr. Pappas added that the girls Soccer Team had lost in the finals. He was proud of the coaching for both the boys and girls teams.

Since the student liaison from Division Avenue High School was absent, Dr. Ianni, Principal of Division Avenue reported on the happenings at his school. He noted that the girls Varsity Soccer lost during the playoffs. He commented that a junior was competing in the New York State Cross Country Championship Meet because of her amazing performance in the Conference Championship Race.

V. PUBLIC BE HEARD
(None)

VI. ACTION ITEMS: NEW BUSINESS

1. **MOTION:** Mr. Powers moved, "RESOLVED, that the Levittown Board of Education does, hereby, accept the attached Treasurer's report for the month ending September 30, 2012 and place same on file:

RESOLUTION # 12-13-97
Treasurer's Report

Seconded: Mr. Porrazzo

NOTE: Mr. Porrazzo stated that the encumbrances looked a little low on the expense side. Mr. Flower explained that is because we have encumbered payroll and that's the reason for all of the budget transfers as well. Mr. Porrazzo asked if Finance Manager automatically encumbered the payroll. Mr. Flower responded it did not, the payroll is a process you have to initiate.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

2. **MOTION:** Mr. Powers moved, "WHEREAS, in compliance with New York State Government Accounting practices, the attached list of budget transfers have been prepared and are recommended by the Acting Assistant Superintendent for Business & Finance,

RESOLUTION #12-13-98
Budget Transfers

NOW, THEREFORE, BE IT RESOLVED, that the Levittown Board of Education does, hereby, approve the attached list of budget transfers."

Seconded: Mr. Porrazzo

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VI. ACTION ITEMS: NEW BUSINESS

NOTE: Mr. Pappas remarked that there were over 2.5 million in budget transfers. Mr. Flower answered that was because we changed the budget codes this year and reassigned codes. He noted there was no net increase to the payroll since there was money available in each code, so it was just a matter of moving money from one code to the other code. Mr. Pappas remarked you have less of a piggy bank now since you chipped away at what we had saved for next year. Mr. Flower explained that the only money taken out of the Appropriate Fund Balance line was for transportation because we had made plans to modify the way the business office was structured. He stated that after the budget was approved it was decided not go ahead with the plans. Mr. Pappas was displeased with the amount spent in each code. He commented that you have less money for the following year to roll over.

Mr. Powers asked about a code that didn't total correctly. Mr. Flower checked and reported that it was a typo and the number was incorrect. It was amended.

AMEND AS FOLLOWS: On code A 2250.1550 – Speech/Hear Srv Speech Therapist the amount should be \$272,000 instead of \$172,000.

**MOTION CARRIED. Four members present voting yes.
One member abstaining. (Mr. Pappas)**

APPROVED AS AMENDED 4-0-1.

3. **MOTION:** Mr. Powers moved, "RESOLVED, that the Levittown Board of Education does, hereby, accept the attached Appropriation and Revenue Status Reports for the period ending September 30, 2012."

RESOLUTION # 12-13-99
Appropriation and Revenue
Status Report

Seconded: Mr. Porrizzo

NOTE: Mr. Pappas asked about the cafeteria stipend of \$66,300, in code 2110-140 which used to be a club code. Mr. Flower responded it should not have been a club code. He remarked that the club codes were in the wrong budget codes last year and should have been in, code 2815, the extra-curricular activity expenses. He noted that when all the budget codes were redone this year, the clubs were moved to the appropriate place, 2815. Mr. Flower commented that the cafeteria, which is part of General Instruction, stayed in 2110. Mr. Porrizzo asked if the sum of those two pieces were the same. Mr. Flower answered yes.

Mr. Pappas asked about the amount in the health incentive code. He wanted to know when it is normally paid. Mr. Flower remarked the annual payment can vary but he would like to change it to once a year. He commented that most school district's pay it out once a year in January when we get the new rates for the following year. Mr. Pappas inquired if it was based on a school year. Mr. Flower responded it was based on a calendar year and enrollees can opt out from September to June. Mr. Pappas requested a three year history of this.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

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VI. ACTION ITEMS: NEW BUSINESS

4. **MOTION:** Ms. Marengi moved, "RESOLVED, that the Levittown Board of Education does hereby, accept with thanks, the following gifts: RESOLUTION # 12-13-100
Gifts to Schools
- a. a check in the amount of \$1,603.73 for Northside Elementary School, given by Stop & Shop A+ Program, P. O. Box 7200, Carlisle, PA 17013;
 - b. a hi-definition video camera for Lee Road Elementary School, given by Lee Road PTA (Box Tops for Education Program), 901 Lee Road, Wantagh, NY 11793
 - c. two dugouts for the main baseball field at Division Avenue High School, given by Frank Russo, 750 S.E. 22nd Avenue, Pompano Beach, FL."
 - d. a 32 inch t.v. with mounting bracket for the lobby/entrance area of Abbey Lane School, given by the Abbey Lane PTA."

Seconded: Mr. Porrazzo

NOTE: Mr. Pappas thanked all of the generous gift givers for their donations to the Levittown School District. He asked Dr. Grossane to make sure we were in compliance with Title IX on item C.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

5. **MOTION:** Ms. Marengi moved, "RESOLVED, that the Levittown Board of Education does, hereby, declare the items on the attached lists obsolete and that the items may be discarded and/or donated, as possible or sold at the highest possible salvage value." RESOLUTION # 12-13-101
Obsolete Equipment

<u>Building/Department</u>	<u>No. of Items</u>	<u>Date of List</u>
LMEC (chairs and desks)	9	October 10, 2012."

Seconded: Mr. Porrazzo

NOTE: Mr. Ward asked if the desks could be repaired and then donated. Dr. Grossane noted they were too old to repair and were falling apart.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

6. **MOTION:** Ms. Marengi moved, "BE IT RESOLVED, that the Levittown Board of Education does, hereby, extend the contracts with MSG Varsity Network LLC for Division Avenue and General Douglas MacArthur High Schools, as per the attached School Registration & Participation Agreements." RESOLUTION # 12-13-102
MSG Varsity Network LLP -
Contract Extension.

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VI. ACTION ITEMS: NEW BUSINESS – Continued

Seconded: Mr. Porrazzo

NOTE: Mr. Pappas asked if there were any changes to the contract from last year. Ms. Rifkin remarked that there were no changes from last year, all terms remained the same.

**MOTION CARRIED. Four members present voting yes.
One member abstaining. (Mr. Powers)**

APPROVED 4-0-1.

- 7. MOTION:** Mr. Powers moved, “RESOLVED, that the Director of Computer & Media Services is, hereby, designated to be the District individual responsible for adding new users in Finance Manager, and the Principal Account Clerk with the approval of the Assistant Superintendent for Business & Finance is responsible for giving out permissions and code assignments.”

RESOLUTION # 12-13-103
Finance Manager Permissions

Seconded: Mr. Porrazzo

NOTE: Mr. Flower explained that in the past, during the Re-Organizational Meeting, the Director of Computer Technology was assigned to give out the account codes for Finance Manager and the Business Office was giving out permissions. This new resolution assigns the ability to create a new user in Finance Manager with the IT Department and the Principal Account Clerk is now allowed to give out permissions and code assignments with the Assistant Superintendent’s approval.

Mr. Porrazzo wanted to know if this rises to the level of a policy. Dr. Grossane responded that you could make this a policy but it is more a procedure that’s in place. Mr. Pappas asked where this procedure information could be found if it was not a policy. Dr. Grossane replied that it is included in the Re-Organizational Meeting each year. It usually just lists the IT person but this resolution states a new separation of duties. Mr. Pappas remarked that he would like to see this made into a policy so it can be easily found. Mr. Porrazzo suggested seeking legal counsel on this issue.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

- 8. MOTION:** Mr. Ward moved, “RESOLVED, that the Levittown Board of Education does, hereby, renew the following bid with J & B Musical Instruments:

RESOLUTION # 12-13-104
Renewal of Bid

Bid 07E No. 19 – Musical Instrument Repair – not to exceed:
\$10,000 – Elementary School Repairs
\$16,000 – Middle School Repairs
\$11,500 – High School Repairs.”

Seconded: Ms. Marengi

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VI. ACTION ITEMS: NEW BUSINESS – Continued

NOTE: Mr. Pappas commented that there is always some reconditioning of instruments but he felt that if you break something, you have to pay for it and then it becomes yours. He noted that he had spoken to legal counsel on this subject and was told that the district is within their rights to ask students to pay for instruments they break. Mr. Porrazzo had a problem with this because then some students will receive new instruments and some refurbished ones that have wear and tear. Ms. Rifkin reported that the money requested is not just for repairs but also for reconditioning. She commented that we would expect the student to pay if they purposely inflicted damage on an instrument. Some Board members suggested putting a policy in place for this issue. Mr. Powers asked how many students were in the band and the orchestra. It was determined at least 30% of the student body. It was calculated that approximately \$16 per music student is spent on repair. Mr. Powers felt that was reasonable. Dr. Grossane remarked that he would get information from the Music Chairperson, Mr. Walden, on how much money is spent for reconditioning, how much is for actual repair and if there were incidents of vandalism, to see if a policy is needed.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

9. **MOTION:** Ms. Marenghi moved, "RESOLVED, that the Levittown Board of Education does, hereby, declare the books on the attached lists obsolete and that the items may be discarded and/or donated as possible or sold at the highest possible salvage value:

RESOLUTION # 12-13-105
Obsolete Books

<u>School</u>	<u>Book Title</u>	<u>Date</u>	<u>Number</u>
MacArthur	library books	-	48
Division Avenue	Sociology	1995	30
Division Avenue	Psychology	1995	45
Division Avenue	China & Opposing Views	1989	14
Division Avenue	Latin America	1987	36
Division Avenue	Japan & Opposing Views	1989	14
Wisdom Lane	World Adventure in Time & Place."	1999	95

Seconded: Mr. Powers

NOTE: Mr. Pappas explained to Ms. Newins, that the previous student liaisons had a book donation program and she should contact Ms. Rifkin for information.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

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VI. ACTION ITEMS: NEW BUSINESS – Continued

10. **MOTION:** Mr. Powers moved, “RESOLVED, that the external auditor’s management letter for the fiscal year ending June 30, 2012 be accepted by the Levittown Board of Education.” RESOLUTION # 12-13-106
Annual Audit Report

Seconded: Mr. Ward

NOTE: Mr. Pappas noted that this resolution is just for accepting the receipt of the report not the discussion of it. Mr. Porrazzo reported that in other districts the Audit Committee meets with the Auditor to discuss the report. Mr. Flower commented that there was a scheduling problem with the auditor, Ms. Van Duynes, for this evenings meeting . He remarked that Ms. Van Dyne could present the report to just the Audit Committee or at the December Board Meeting. Mr. Porrazzo felt that the report should be discussed at an open meeting so the community could attend. Mr. Flower explained that Ms. Van Duynes recommended accepting the report now and after that we have 90 days to develop a Corrective Action Plan that has to be presented. She would come in to review the report and discuss the Corrective Action Plan. Mr. Flower reported that the Annual Audit Report had already been mailed to the State. He noted that a lot of issues from last year had been cleaned up but we still have some problems to address and continue to work on. Mr. Porrazzo stated that this report was one of the better ones and commended Mr. Flower on a good job. Dr. Grossane felt Mr. Flower has made great strides this year.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

11. **MOTION:** Mr. Porrazzo moved “WHEREAS, the District is in receipt of a disclosure statement from employee, Ron Bracco, that he is the President of the Ron James Orchestra; and RESOLUTION # 12-13-107
Ron James Orchestra

WHEREAS, the Levittown Board of Education has determined that Mr. Bracco’s relationship with the aforesaid orchestra does not represent a conflict of interest;

NOW, THEREFORE, BE IT RESOLVED, that the Levittown Board of Education does, hereby, agree to hire the Ron James Orchestra to perform for the Levittown School District Senior Citizens’ Prom on May 10, 2013, at an amount not to exceed \$2,900.”

Seconded: Mr. Powers

NOTE: Mr. Ward had concerns about the amount of money being spent for an orchestra. He felt the district has some of the best student musicians who could play at the prom. Dr. Grossane explained that a large portion of the cost of the orchestra is covered by the ticket price. He noted that this orchestra has been providing the music for the prom for several years. Ms. Marengi stated it was not the amount of money involved but it would be nice to have the high school students play and give back to our seniors. It gives a sense of community and coming together. Mr. Porrazzo noted there could be logistical and time commitment problems. He noted the cost is a discounted rate. Dr. Grossane remarked he would speak to the band directors regarding having students play to see if that is a viable option and if the students have long enough play sets. Additionally, Dr. Grossane mentioned that this year we are transitioning the organization of this event to the Key Clubs for community service. The Board decided to TABLE this motion for further review.

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VI. ACTION ITEMS: NEW BUSINESS – Continued

MOTION: Mr. Porrazzo moved, "To Table Item #11 until the December Regular Board Meeting."

MOTION TO TABLE

Seconded: Mr. Powers

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

- 12. REFUNDING BOND RESOLUTION OF THE LEVITTOWN UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED NOVEMBER 14, 2012, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID DISTRICT, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$16,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$16,000,000 REFUNDING SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS ALL RELATIVE THERETO.**

RESOLUTION #12-13-108
Refinancing of Bond

MOTION : Mr. Ward moved, "WHEREAS, the Levittown Union Free School District, in the County of Nassau, New York (herein called the "District"), issued \$12,500,000 School District (Serial) Bonds-2003 on October 1 2003, pursuant to the bond resolution entitled:

"BOND RESOLUTION, DATED MARCH 13, 2002, AUTHORIZING THE ISSUANCE OF \$12,500,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OF THE LEVITTOWN UNION FREE SCHOOL DISTRICT, NEW YORK, TO FINANCE THE CONSTRUCTION AND RECONSTRUCTION AND RENOVATION OF SCHOOL BUILDINGS INCLUDING COST INCIDENTAL THERETO"

WHEREAS, \$8,435,000 of said bonds are currently outstanding (the "Outstanding 2003 Bonds") and mature on April 1 in the years and in the principal amounts and bear interest payable on April 1 and October 1 in each year, as follows:

Year of <u>Maturity</u>	Principal <u>Amount</u>	Interest <u>Rate</u>
2013	\$610,000	3.75%
2014	640,000	3.75
2015	670,000	3.75
2016	700,000	3.75
2017	730,000	4.00
2018	760,000	4.00
2019	795,000	4.125
2020	825,000	4.25
2021	865,000	4.375
2022	900,000	4.50
2023	940,000	4.50

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VI. ACTION ITEMS: NEW BUSINESS – Continued

12. Refinancing of Bond – Continued.

“BOND RESOLUTION, DATED AUGUST 13, 2003, AUTHORIZING THE ISSUANCE OF \$12,000,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL BONDS OF THE LEVITTOWN UNION FREE SCHOOL DISTRICT, NEW YORK, TO FINANCE THE COSTS OF THE CONSTRUCTION AND RECONSTRUCTION AND RENOVATION OF SCHOOL BUILDINGS, INCLUDING COST INCIDENTAL THERETO”

WHEREAS, \$8,495,000 of said bonds are currently outstanding (the “Outstanding 2006 Bonds”) and mature on April 15 in the years and in the principal amounts and bear interest payable on April 15 and October 15 in each year, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2013	\$ 795,000	4.125%
2014	825,000	4.125
2015	865,000	4.125
2016	900,000	4.125
2017	940,000	4.25
2018	980,000	4.25
2019	1,020,000	4.25
2020	1,060,000	4.25
2021	1,110,000	4.25

WHEREAS, the Outstanding 2006 Bonds maturing on April 15, 2016, and thereafter, are subject to redemption prior to maturity, at the option of the District, in whole, or in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), on April 15, 2015, and any date thereafter, at a redemption price of par, 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 2003 Bonds and the Outstanding 2006 Bonds (herein referred to collectively as 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 LEVITTOWN 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.

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VI. **ACTION ITEMS: NEW BUSINESS – Continued**

12. Refinancing of Bond – Continued.

- (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 (“NYMAC”), Syosset, New York.
- (e) “Outstanding Bonds” means the Outstanding 2003 Bonds and the Outstanding 2006 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 any date with respect to the Outstanding 2003 Bonds, and any date on or after April 15, 2015, with respect the Outstanding 2006 Bonds, 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 \$16,000,000 Refunding Serial Bonds of the Levittown 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 \$16,000,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$16,000,000 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

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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 \$16,000,000 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 maximum periods of probable usefulness applicable to the objects or purposes financed by the proceeds of the Outstanding 2003 Bonds are set forth below:

- | | |
|---|----------|
| (1) Construction of additions to and the reconstruction of MacArthur High School | 30 years |
| (2) Construction hallway lockers at MacArthur High School, Division Avenue High School, Salk Middle School, Wisdom Lane Middle School and Memorial Center, and construction of classrooms at Salk Middle School, Summit Lane School and Lee Road School | 20 years |

The maximum period of probable usefulness applicable to the objects or purposes financed by the proceeds of the Outstanding 2006 Bonds is 25 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 Albany,

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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,

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(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

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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 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 14. 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 (1) of the following newspapers: “*The Levittown Tribune*,” “*The Wantagh/Seaford Citizen*” or “*Newsday*,” each having a general circulation in the District and hereby designated the official newspaper of said District for such publication.”

Seconded: Mr. Porrazzo

NOTE: Mr. Flower explained that the District has 60 million dollars of outstanding bonds that are callable which means they have reached a point in the life of the bond that we can now a buy back a portion of the bonds at the current interest rate which is lower. He remarked that by refinancing these bonds we can save the district approximately \$960,000 over the life of the bonds. Mr. Flower commented that this resolution authorizes us to be able to sell these outstanding bonds and refinance them at a lower rate. Mr. Powers commented it was a good savings. Mr. Pappas thanked Mr. Flower for all his hard work.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

- 13. MOTION :** Ms. Marengi moved, “WHEREAS, the Levittown receipt School District is continuing its review and update of all existing Levittown Board policies; and

RESOLUTION #12-13-109
Approval of Policies - Personnel
and Administration Series

WHEREAS, the Levittown Board of Education has completed its review of the final section of the Personnel Policy series and the Administration Policy Series 4000 with all appropriate parties and revised same as necessary;

NOW, THEREFORE, BE IT RESOLVED, that the Levittown Board of Education does, hereby, accept the attached Personnel Policies 6410 to 6552 and Administration Policy Series 4000.”

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Seconded: Mr. Powers

Note: Dr. Grossane noted that there was only one more group of polices to review.

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

- 16. MOTION:** Mr. Powers moved, "To approve the following Schedules:

RESOLUTION# 12-13-110
Schedules

Schedule 12-G-6 (Resignation/Termination – Certified Personnel)."	1001
Schedule 12-H-8 (Appointments – Certified Personnel)."	1002 Items #5-17 PULLED
Schedule 12-H-8c (Designation - Consultants)."	1003
Schedule 12-H-8g (Designation - Coaches)."	1004
Schedule 12-H-8h (Appointments, Extra –Curricular)."	1005
Schedule 12-HH-8 (Appointments – Non-Instructional Personnel)."	1006
Schedule 12-J-1 (Tenure)."	1007
Schedule 12-JJ-1 (Permanent Status – Non-Instructional Personnel)."	1008
Schedule 12-K-5 (Leave of Absence- Certified Personnel)."	1009
Schedule 12-KK-5 (Leave of Absence- Non-Instructional Personnel)."	1010

Seconded: Mr. Porrazzo

SEPARATE VOTE on Schedule 12-H-8:

Items #1-4 and #18 **AMEND AS FOLLOWS:** Effective date on #18 should read - **To Be Determined**
Items #5-17 **PULLED**

MOTION CARRIED. Five members present voting yes.

APPROVED AS AMENDED 5-0.

VOTE ON ALL OTHER SCHEDULES:

MOTION CARRIED. Five members present voting yes.

APPROVED 5-0.

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VI. ACTION ITEMS: NEW BUSINESS – Continued

20. Ad Hoc –

a. Policy Review

First read 3310-3510 Community Relations

To be reviewed at the next meeting

Second read 3110-3290 Community Relations

Ms. Rifkin went over changes to the policy under her department. She noted that the name of policy #3240 was changed to Information Dissemination, to better describe the contents of the policy. Mr. Pappas asked that the policy be made gender neutral.

Mr. Flower explained that policy #3271 is for Solicitation of Charitable Donations, a new policy. He noted that this policy replaces three old policies (#1510, #5251 and #5660) and combines them all into one. Mr. Flower stated the policy prohibits students from being asked to donate for charitable events on school grounds. The Board had many questions on this policy. Ms. Marenghi asked whether some of the Board's responsibilities cited in the policy are being done. She requested that the Board be given a better handle on what is going on in the community. Mr. Porrazzo was concerned with the Board deciding which organizations can solicit charitable donations. Mr. Pappas stated this policy leaves a lot to interpretation which is a good thing. He noted that students can fundraise before or after school but not during instructional time. Mr. Powers questioned what defined instructional time. Dr. Grossane said that he thought that a lot of the responsibility is up to the building administrator's discretion and then it becomes a matter of simple notification to the Board. He stated he would look at what the procedures are at each building. Dr. Grossane reported that he would speak to legal counsel for guidance as to whether a formal resolution is needed. It was determined that more discussion and information was needed on this policy.

On policy #3280 – Use of School Facilities, Materials and Equipment and #3280.1 – Use of School Facilities, Mr. Flower explained they replace old facilities usage polices. He notes the only change was in the approval process for requests which is now done internally through School Dude instead of through the Board. Mr. Pappas stated that in the past, the Board only approved requests from new groups and once they were established they no longer needed Board approval. Dr. Grossane noted this new policy would be changed to reflect that. Mr. Powers asked that, in the second paragraph, some references to designee be changed. Additionally, he questioned the paragraph on use of school duplicating equipment and asked that Mr. Flower look back into its history. Mr. Pappas suggested looking into using forms for copying large amounts. Dr. Grossane stated he would review using forms and codes. Mr. Powers asked about Leisure Passes under fees for admission. Mr. Flower responded to Mr. Ward's concern about how the insurance worked, by stating that organizations must submit a Certificate of Insurance which we forward to our insurance agency, NYSIR. They review the coverage and make a determination as to whether it's acceptable or not. This is why there is no dollar amount. Dr. Grossane will review the policy with legal counsel and address all the Board's concerns.

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On Policy # 3280.1 – Use of School Facilities, Mr. Powers mentioned that this policy was reviewed previously and suggestions were made regarding the charges. Mr. Pappas discussed some of the issues. Mr. Flower noted that earlier, he had presented a new facilities policy that was rejected by the Board. Mr. Ward mentioned that possibly the two policies could be merged together. Dr. Grossane stated he would look at some historical data and come back with an adjusted fee schedule.

6400 Identification Badges

To be discussed at the next meeting

5511 Online Banking and Wire Transfers

There will be a resolution for this policy at the next regular Board meeting.

VII. **ADJOURN**

MOTION: Mr. Ward moved, seconded by Mr. Ward to adjourn the public meeting 9:17 PM.

ADJOURNMENT

Respectfully submitted

Elizabeth Appelbaum
District Clerk

NOTE: TAPES OF THE MEETING ARE AVAILABLE FOR REVIEW AT THE LEVITTOWN LIBRARY.