

**Fort Edward Union Free School District
Meeting of the Board of Education**

**Agenda
December 9, 2019**

**Board Committee Meeting, Building Project Committee, in Boardroom at 5:30 p.m.
Regular Board Meeting, in Boardroom at 6:30 p.m.**

I. Pledge of Allegiance

II. Community Comments:

Community members, who wish to address the Board, are requested to complete the speaker request form and submit it to the Board President prior to the meeting. Comments regarding agenda items will be taken first. Speakers are reminded of the five-minute time limit. The Board of Education reserves the right to limit this portion of comments to 30 minutes in order to complete its public business in an efficient fashion. Additional comments may be taken prior to adjournment.

III. Recognition of Successes:

- a. Certificates presented to members of the Fall Season Scholar Athletes

IV. Presentations

- a. **FETA to present Character Education Donation**
- b. **Progress to Tenure Report by Superintendent in Executive Session**

****Board Yearbook Photo RETAKE if all are present****

V. Reports:

a. Board Committee Reports (9 Board Committees)

- i. Finance Committee (next meeting, 1/6/2019 @ 5:30)
- ii. Grievance and Negotiations Committee (Met 9/23/19, next meeting TBD)
- iii. Curriculum Committee (Met 12/4/2019 @ 5:30, next meeting Spring 2020)
- iv. Policy Committee (met 11/12/19, next meeting TBD)
- v. Athletic Committee – (Met 12/19/2019 @5:30, next meeting early Spring)
- vi. Strategic Planning Committee (next meeting, 12/18/19 @ 5:30)
- vii. Personnel Committee (next meeting TBD)
- viii. Building and Grounds Committee for Health & Safety (next meeting TBD)
- ix. Building Project Committee (next meeting 12/9/19 @ 5:30)

b. Superintendent Report:

- i. Policy Committee Follow up and BOCES review update
- ii. Pipe Manufacturer and PILOT
- iii. Building Project
- iv. Smartbond Security Project
- v. Bond Refinance
- vi. FETA Negotiations
- vii. Graduation Date Follow up
- viii. Legislative Session Shortened 3 Weeks

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- c. **Treasurer Report**
- d. **Elementary Principal Report**
- e. **High School Principal Report**
- f. **Buildings and Grounds Report**

VI. Discussion Items:

- a. Community Forum (All Feedback Distributed prior to MTG)

VII. Consent Agenda:

Although Board action is required, it is generally unnecessary to hold discussion on these items. With the consent of all members, they are therefore grouped and approval is given in one motion. In the event a Board member wants to discuss any item, it is moved to an appropriate place on the agenda.

- a. Approval of Minutes for the November 12, 2019 Board Meeting
- b. Approval of Warrants and Claims for November 2019
- c. Approval of Treasurer Reports for October and November 2019

VIII. Action:

- a. Motion to approve the CSE/CPSE recommendations as included in the **December** Board packets.
- b. Motion to approve Policy 7440 **STUDENT VOTER REGISTRATION AND PRE-REGISTRATION** as included in the Board Packets (**Policy is required per new Ed Law Requirement**)
- c. Motion to approve the contract for School Psychological Consultant Services between the Fort Edward UFSD and Barbara Fribourg.
- d. Motion to approve the contract for School Psychological Consultant Services between the Fort Edward UFSD and Jeanne Kozloski.
- e. Motion to rescind the November 12th, 2019 BOE approval of football mergers for the 2020-2021 school year..
- f. Motion to approve a football merger for all levels between Fort Edward, Corinth and Argyle Schools for the 2020-2021 school year.
- g. Motion to approve the resolution for the refunding of bonds as resolved below (requires $\frac{2}{3}$ approval of full BOE)
 - i. **REFUNDING BOND RESOLUTION OF THE FORT EDWARD UNION FREE SCHOOL DISTRICT DATED DECEMBER 9, 2019 AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS, STATING THE PLAN OF REFUNDING, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,590,000 REFUNDING BONDS AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**
 - ii. WHEREAS, the Fort Edward Union Free School District, New York (the "School District") has heretofore duly issued \$6,270,308 aggregate principal amount of School District (Serial) Bonds, 2010, such bonds being dated March 24, 2010 and maturing in annual installments in each of the years 2011 to 2025, both inclusive (the "Series 2010 Bonds"), as more fully described therein; and

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- iii. WHEREAS, the Refunded Bonds were authorized pursuant to a bond resolution dated June 8, 2009, to finance the cost of renovation and reconstruction of the Main School Facility, including site work thereat, and the acquisition of original furnishings, equipment, machinery or apparatus; and
- iv. WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the outstanding Series 2010 Bonds (the “Refunded Bonds”) by the issuance of refunding bonds; and
- v. WHEREAS, such refunding will result in present value savings in debt service as required by the Local Finance Law;
- vi. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION AS FOLLOWS:
- vii. Section 1. The School District is hereby authorized to refund all or a portion of the outstanding principal balance of the Refunded Bonds.
- viii. Section 2. Attached hereto as Appendix “A” and incorporated herein by reference is the estimated financial plan for the refunding of the Refunded Bonds (the “Refunding Financial Plan”) showing the sources and amounts of all amounts of moneys required to accomplish the Refunding Financial Plan. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds (as defined herein) will be issued in a single series to refund all of the Refunded Bonds. This Board of Education recognizes that the Refunding Bonds may be issued in series, and for portions of the Refunded Bonds, and that the Refunding Financial Plan also will most probably be different from that attached hereto. The President of the Board of Education is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and the timing thereof.

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- ix. Section 3. Subject only to the issuance of the Refunding Bonds as herein authorized, the School District hereby elects to redeem all of the Refunded Bonds that are callable at a present value savings, if any. Upon the issuance of the Refunding Bonds, the election to redeem such callable Refunded Bonds shall become irrevocable. The Escrow Agent (as defined herein) for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the School District in the manner and within the time provided in the Refunded Bonds and in Section 53 of the Local Finance Law. Upon the issuance of the Refunded Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this Section 3 shall become irrevocable, provided that this Section may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.
- x. Section 4. The School District is hereby authorized to issue its serial general obligation refunding bonds (the "Refunding Bonds") in the aggregate principal amount of not to exceed \$2,590,000 in order to refund all or a portion of the Refunded Bonds. The Refunding Bonds shall each be designated substantially "SCHOOL DISTRICT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be dated on such dates, and shall mature on such dates in such years, bearing interest on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the President of the Board of Education pursuant to Sections 5 and 10 hereof. It is hereby further determined that such Refunding Bonds may be issued to refund all or a portion of the Refunded Bonds.

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- xi. Section 5. The President of the Board of Education is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, if any, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph c of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan and, in accordance herewith, all powers in connection therewith are hereby delegated to the President of the Board of Education.
- xii. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the President of the Board of Education shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular Refunding Bonds of such maturity to be redeemed shall be selected by the School District by lot in any customary manner of selection as determined by the President of the Board of Education. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-26856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

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- xiii. The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be issued initially in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), which will act as securities depository for the bonds in accordance with the book-entry-only system of DTC. In the event that either DTC shall discontinue the book-entry-only system, or the School District shall terminate its participation in such book-entry-only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as defined herein) to the Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the Refunding Bonds are registered in the name of Cede & Co. in accordance with such book-entry-only system. Principal shall be payable only upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the School District Clerk as Fiscal Agent as hereinafter provided).
- xiv. In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent to the registered owners of the Refunding Bonds as shown on the registration books of the School District maintained by the Fiscal Agent, as of the close of business on the fifteenth day of the calendar month or last business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the President of the Board of Education providing for the details of the Refunding Bonds. Principal shall be payable only upon surrender of bonds

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at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the President of the Board of Education as fiscal agent of the School District for the Refunding Bonds (collectively, the “Fiscal Agent”). Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds shall be payable in lawful money of the United States of America.

- xv. The President of the Board of Education, as chief fiscal officer of the School District, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he/she shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act in connection with the Refunding Bonds as the Fiscal Agent for said School District, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the School District, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the President of the Board of Education is hereby authorized to name the School District Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

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

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- xvii. Section 6. The maximum amount of Refunding Bonds authorized to be issued does not exceed the amount sufficient to pay the sum of (a) the principal amount of the Refunded Bonds, which will be outstanding as of the date of issue of the Refunding Bonds, (b) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including either the dates the Refunded Bonds mature or, if such Refunded Bonds are to be called for redemption prior to their maturities, the dates set for such redemption in accordance with the Refunding Financial Plan, (c) redemption premiums, if any, payable on the Refunded Bonds as of such redemption dates and (d) costs and expenses incident 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.
- xviii. Section 7. The maximum period of probable usefulness permitted by law at the time of issuance of the Refunded Bonds for the object or purpose or objects or purposes for which the Refunded Bonds were issued is thirty (30) years.
- xix. Section 8. The President of the Board of Education is hereby authorized and directed to contract on behalf of the School District with a bank or trust company located and authorized to do business in the State of New York for the purpose of having such bank or trust company act as the escrow holder (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, and any other moneys provided by the School District to accomplish the Refunding Financial Plan.
- xx. Section 9. That portion of the proceeds of the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on, the Refunded 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

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holders of the Refunded 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 the proceeds of the sale of the Refunding Bonds not required for such payments on the Refunded Bonds to be refunded, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds and the holders of the Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for in this Section 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.

- xxi. Section 10. Subject to the provisions of the Local Finance Law and this Resolution, the power to determine the final Refunding Financial Plan, to prescribe the terms, form and contents of the Refunding Bonds and to sell (including the power to sell the Refunding Bonds at a discount and pursuant to a private sale), issue and deliver the Refunding Bonds is hereby delegated to the President of the Board of Education, the chief fiscal officer of the School District. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross, Inc. (or any successor thereto) (the “Underwriter”) for purchase prices to be determined by the President of the Board of Education, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of delivery of payment for the Refunding Bonds. The President of the Board of Education is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the School District providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the President of the Board of Education to the Underwriter in accordance with said purchase contract upon the receipt by the School District of said purchase price, including accrued interest.

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- xxii. Section 11. The President of the Board of Education is hereby authorized to execute and the District Clerk is hereby authorized to attest any Refunding Bonds issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Refunding Bonds the corporate seal of the School District. The President of Board of Education and all other officers, employees and agents of the School District are hereby authorized and directed for and on behalf of the School District to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.
- xxiii. Section 12. The faith and credit of the Fort Edward Union Free School District, New York are hereby irrevocably pledged for the payment of the principal of and interest on such Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on the Refunding Bonds becoming due and payable in such year. There shall be levied annually on all taxable real property of the School District, a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same becomes due and payable.
- xxiv. Section 13. This Resolution shall be published in summary form by the District Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each of the official newspapers of the School District. The validity of the Refunding Bonds may be contested only if such obligations are authorized for an object or purpose for which the School District is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of the summary of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is

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commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

xxv. Section 14. The law firm of Barclay Damon LLP is hereby appointed to serve as bond counsel to the School District in connection with the issuance of the Refunding Bonds.

xxvi. Section 15. This Resolution shall take effect immediately upon its adoption.

h. Motion to approve the following resolution regarding the Board of Education’s 2020 Advocacy Priorities:

i. **THE FORT EDWARD SCHOOL DISTRICT BOARD OF EDUCATION REGARDING
ADVOCACY PRIORITIES FOR THE 2020 LEGISLATIVE SESSION**

WHEREAS, the Fort Edward School District strives to provide an outstanding education and post-secondary pathway for each and every student; and

WHEREAS, the District works diligently to meet the needs of all students while still fulfilling the ever increasing list of state mandates, best practices and contractual obligations; and

WHEREAS, our School District’s free and reduced lunch rate has increased from **46% to 62% since 2012**; and

WHEREAS, the district continues to work diligently to create a balanced budget that respects the needs of area taxpayers; and

WHEREAS, property tax levy legislation at the state level has provided an increased need for State Aid to maintain quality programs; and

WHEREAS, public schools are being asked to do more for students than ever before, so they are prepared for college, military or a career; and

WHEREAS, each child in Fort Edward only has one opportunity to go through the full elementary and secondary educational experience;

THEREFORE, BE IT RESOLVED that the Fort Edward Board of Education calls on the New York State Legislature and Governor Andrew Cuomo to act upon the following priorities:

1. Fund and Adjust the Foundation Formula

- a. Review and Update the Foundation Amount-Currently \$6,714.00 per pupil**
- b. Provide a minimum increase of 2% in foundation aid to all school districts**
- c. Maintain the “SAVE Harmless” provision.**
- d. Adjust the weighting factor for Free and Reduced Lunch from .65 to .75-.80 to reflect large increases in this population.**

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- 2. Increase the \$30,000 threshold on BOCES Aid for Career and Technical Education (CTE) Programs by providing 100% aidability for the salaries of CTE teachers**
- 3. Allow Districts to Access to the BOCES Health Safety and Risk Management Service to Offset the Costs and to Increase the Number of School Resource Officers**
- 4. Support a Permanent Solution to the Small Group Health Insurance Issue**
- 5. Support Efforts to Prevent the use of E-Cigarettes, including Vaping**
- 6. Building Aid for Small Capital Projects**
 - a. Increase the threshold for base year capital outlay expenses from the current amount, established in 2002 from \$100,000 to \$250,000 to assist districts in making critical capital improvements.**

IX. Personnel:

- a. Motion to accept, with thanks and gratitude for exemplary service to the Fort Edward School District, the letter of resignation, effective June 30, 2020, for the purpose of retirement from Tobie Bessette.
- b. Motion to accept, with thanks and gratitude for exemplary service to the Fort Edward School District, the letter of resignation, effective June 30, 2020, for the purpose of retirement from Cathy Halloran.
- c. Motion to rescind the November 12, 2019 appointment of Hidie Eveland as a substitute teacher aide/bus aide.
- d. Motion to rescind the October 15th 2019, coaching appointment of Lexi Thomas as J.V. Girls Basketball Coach due to low enrollment.
- e. Motion to appoint Lexi Thomas as an unpaid volunteer assistant Varsity Girls Basketball Coach.
- f. Motion to accept the letter of resignation, effective December 13th, 2019, from part-time teacher aide Tracey Currie- LaFontaine.

X. Executive Session:

I need a motion to enter executive session to discuss matters referring to the employment of specific individuals.

Motion by _____ 2nd by _____
Any Discussion?

Board of Education Members and other individuals invited into executive session are reminded that all matters discussed during executive session must be kept in the strictest confidence.

As I see that there is no further discussion we will vote.
All in favor _____ All Opposed _____ Any abstentions _____

Time: _____

XI. Return to Public Session

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Motion by _____ 2nd by _____

All in favor _____ All Opposed _____ Any abstentions _____

Time: _____

XII. Second Public Comment Period (if needed)

XIII. Adjournment

Motion by _____ 2nd by _____

All in favor _____ All Opposed _____ Any abstentions _____

Time: _____