

DUNKIRK CITY SCHOOL DISTRICT

Date: April 19, 2023

Place: The Reverend Roosevelt Haynes Large Group Instruction and Conference Room

<https://www.dunkirkcsd.org/Page/4894>

Time: 5:30 p.m.

Agenda

Pledge of Allegiance

1.0 Roll Call:

Members Present:

Members Absent:

Members Excused:

Also Present

2.0 Questions and Oral Communications of the Public Pertaining to this Evening's Agenda Items:

3.0 Written Communication:

4.0 Report of Superintendent of Schools:

5.0 Report of Board of Education President:

5.1 Report from Board of Education Buildings & Transportation Committee:

5.2 Report from Board of Education Finance Committee:

6.0 Consensus Items:

A. Request Time for Comment

B. Request to Add or Withdraw Consensus Item(s)

C. Motion to Approve Consensus Item(s)

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RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approves the following:

6.1 Financial Matters:

6.1.1 - February 2023 - Treasurer's Report

6.1.2 - March 2023 - Appropriation Status Report

6.1.3 - March 2023 - Revenue Status Report

6.1.4 - March 2023 - Journal Entry Report

6.1.5 - March 2023 - Budget Transfer Report

6.1.6 - March 2023 - Overtime Report

6.1.7 - March 2023 - Warrant Reports

6.1.8 - March 2023 - Claims Auditor Reports

6.2 Approval - Resignations/Terminations/Retirements:

Item No.	Action	Name	Position & Location	Effective Date	Bargaining Unit
6.2.1	Resignation for the purpose of Retirement	Daniel Genovese	Director of Student Development Districtwide	June 30, 2023	DAA
6.2.2	Resignation for the purpose of Retirement	Alan Gens	Athletic Director & Supervisor of Attendance Districtwide	December 30, 2023	DAA
6.2.3	Resignation	Aleah McAfee	Social Worker School 7	April 30, 2023	DTA
6.2.4	Resignation for the purpose of Retirement	Constance Meginnis	House Principal Secondary School	October 21, 2023	DAA
6.2.5	Resignation	Joel Ortiz	Outreach Liaison, Secondary School	April 14, 2023	CSEA

6.3 Approval - Extracurricular/Stipend Appointments:

Item No.	Action	Name	Position/Location	Effective Date	Bargaining Unit
6.3.1	Appointment	Amy Piede	STEP Grant Substitute Tutor	April 20, 2023	DTA

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6.4 Notification - Transfers:

Item No.	Name	Former Position & Location	New Position & Location	Effective Date	Bargaining Unit
6.4.1	Ana Rivas-Navedo	Teacher Aide Secondary School	Teacher Aide School 7	April 24, 2023	CSEA

6.5 Approval - Leave of Absence/Return from Leave of Absence: None

Item No.	Type & Action	Name/Employee Number	Position & Location	Effective Date Range	Bargaining Unit

6.6 Approval - Amendments and Corrections: None

Item No.	Action

6.7 Approval - Surplus and Donations:

Item No.	Action
6.7.1	Approval of disposal of outdated workbooks from School 7 as presented to the individual Board of Education members
6.7.2	Approval to dispose of surplus books from the Intermediate School as presented to the individual Board of Education members

6.8 Approval - Create/Abolish Positions:None

Item No.	Action

6.9 Approval - Athletics:

Item No.	Name	Title	Effective Date Range
6.9.1	Joella Bauza	Lifeguard	March 21, 2023
6.9.2	Joseph Pucciarelli	Unpaid Assistant Coach, Varsity, Softball, Girls'	March 24, 2023
6.9.3	Joseph Pucciarelli	Unpaid Assistant Coach, Junior Varsity, Softball, Girls'	March 24, 2023
6.9.4	Sixto Rosario	Coach, Junior Varsity, Softball, Girls'	March 23, 2023
6.9.5	Adam Woelfle	Coach, Varsity, Track & Field, Boys'	March 24, 2023

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6.10 Approval - Calendar, Contracts, Clubs, Memorandum of Agreement or Understanding, & Trips:

Item No.	Action
6.10.1	Approval of the 2023-2024 School Calendar
6.10.2	Approval of the contract with Double Talk - Bilingual Speech Therapy Services for one year, for evaluation of speech sound production with evaluation of language comprehension and expression on an as needed basis

6.11 Approval - Internships or Plans/Policies:

Item No.	Action
6.11.1	Approval of Policy #7133 - Education of Students in Foster Care
6.11.2	Approval of the update to Policy #7242 - Graduation Options/Early Graduation/Accelerated Programs
6.11.3	Approval of the update to Policy #7222 - Diploma or Credential Options for Students with Disabilities
6.11.4	Approval of the update to Policy #7440 - Student Voter Registration and Pre-Registration
6.11.5	Approval of the update to Policy # 7511 - Immunization of Students
6.11.6	Approval of the update to Policy #7540 - Suicide
6.11.7	Approval of the update to Policy #7551 - Sexual Harassment of Students
6.11.8	Approval of the update to Policy #7552 - Student Gender Identity
6.11.9	First Read of the update to Policy #8110 - Curriculum Development, Resources, and Evaluation
6.11.10	First Read of the update to Policy #8320 - Textbooks, Library Materials, and other Instructional Materials
6.11.11	First Read of the update to Policy #8330 - Objection to Instructional Materials and Controversial Issues
6.11.12	First Read of the update to Policy #8340 - Instructional Materials and Nonpublic School Students

6.12 Special Education Placements:

WHEREAS, the Dunkirk Committee on Special Education met on various dates in March and April 2023 to review and evaluate the condition and placement of students who have been identified as having physical, mental, or emotional disability, and

WHEREAS, the documentation and evidence presented at these meetings indicate that the Committee on Special Education made the below-listed recommendations to the Board of Education; now therefore, be it

RESOLVED, that the recommendation for placement or change in placement of the children listed below be approved as follows:

6.12.1 Committee on Pre-School Education:

Recommended Program	Student ID Number(s)
<i>Related Service</i>	900570894, 900570549, 900570659, 900570612, 900570247, 900570750,
<i>Special Class</i>	900570631, 900570630,

6.12.2 Sub Committee on Special Education:

6.12.3 Committee on Special Education:

Recommended Program	Student ID Number and Grade
<i>Consultant Teacher Services</i>	900569321 (6), 900568648 (5), 900569994 (9), 110840000 (9), 900570983 (9), 900566982 (9), 900570455 (12), 900567774 (8), 900568473 (10), 900566988 (9), 900568377 (8), 900570172 (10), 900570863 (7)
<i>Integrated Co-Teaching</i>	900569939 (3), 900568770 (4), 900570790 (4), 900570388 (5), 900568464 (6), 900570269 (2), 900570956 (2), 900569070 (5), 900569644 (3), 900570723 (5), 900569750 (2), 900570974 (6), 900570001 (2), 900569633 (8), 900569613 (1)
<i>Psychological Counseling</i>	102230000 (11), 900570150 (11)
<i>Related Service</i>	900569351 (1), 900570547 (2), 900569870 (2), 900569820 (1), 900570033 (K), 900569978 (K)
<i>Special Class</i>	900566678 (9), 900567920 (UG), 900568134 (5), 900568028 (5), 900569651 (1), 082610001 (UG), 900569175 (2), 900566864 (12), 900568487 (4), 900569668 (1), 900566653 (8), 900568681 (3), 900569680 (1), 900568538 (8), 900438517 (UG), 900569377 (2), 900569254 (3), 900568511 (4), 900570615 (K), 900570030 (K)

6.13 Approval of Minutes:

6.13.1 - March 14, 2023 - Regular Board of Education Meeting Minutes

6.13.2 - March 28, 2023 - Special Board of Education Meeting Minutes

7.0 Presentation of Items for Board Action (Resolutions):

A. Request to Add

7.1 New Hire Appointments

Resolved, upon the recommendation of the Superintendent of Schools, that the following individuals are hereby appointed to the listed positions below:

7.1.1 Civil Service Employees' Association (CSEA):

Item No.	Name	Residence	Position & Assignment Location	Step	Grade	Months Worked	Hourly Salary	Annual Salary	Effective Date
7.1.1a	Zachery Meadows	Dunkirk, NY	Office Clerk	7		12	\$15.75	\$32,886	April 20, 2023
Probationary period will be April 20, 2023 through April 19, 2024									

7.1.2 Dunkirk Administrators' Association (DAA): None

Item No.	Name	Residence	Position & Assignment Location	Months Worked	Annual Salary	Effective Date

7.1.3 Dunkirk Teachers' Association (DTA): None

Item No.	Name	Residence	Position Tenure Area & Location	Months Worked	Credits/ Step	Annual Salary	Effective Date

7.1.4 Substitutes:

Item No.	Name	Residence	Position/Location	Daily, Permanent Daily, or Long-Term	Rate
7.1.4a	Erica Acevedo	Dunkirk, NY	Substitute Teacher Aide	Daily	\$14.20/hour
7.1.4b	Gloria Gonzalez Hernandez	Dunkirk, NY	Substitute Cleaner	Daily	\$14.20/hour
7.1.4c	Nelvelyn Maldonado Rivera	Dunkirk, NY	Substitute Community School Assistant	Daily	\$14.20/hour
7.1.4d	Nelvelyn Maldonado Rivera	Dunkirk, NY	Substitute Teacher Aide	Daily	\$14.20/hour
7.1.4e	Alexis Schuman	Fredonia, NY	Substitute Teacher, Non-Certified, Bachelor's Degree	Daily	\$125/day
7.1.4f	Naimadys Soto Collazo	Dunkirk, NY	Substitute Teacher, Non-Certified, Bachelor's Degree	Daily	\$125/day
7.1.4g	Alison Spacciapolli	Fredonia, NY	Substitute Teacher, Certified	Daily	\$150/day 03/22/2023

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Item No.	Name	Residence	Position/Location	Daily, Permanent Daily, or Long-Term	Rate
7.1.4h	Alison Spacciapolli	Fredonia, NY	Substitute Teacher, Certified	Permanent Daily	\$220/day effective 04/27/2023
7.1.4i	Ashila Velez Marin	Dunkirk	Substitute Cleaner	Daily	\$14.20/hour
7.1.4j	Westin VerHoef	Fredonia, NY	Substitute Teacher, Non-Certified, Associates Degree	Daily	\$100/day
7.1.4k	Ethan Yannie	Dunkirk, NY	Substitute Teacher, Non-Certified, Bachelor's Degree	Daily	\$125/day

7.1.5 Other: None

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7.2 Board of Education Vote for Erie 2-Chautauqua-Cattaraugus BOCES Candidates:

Whereas, there are five (5) vacancies on the Board of Cooperative Education Services to be filled at the annual election to be held on Wednesday, April 19, 2023. There are four (4) seats for a three-year term to expire on June 30, 2026, and one seat with terms set to expire June 30, 2024. And,

Whereas, the Board of Education of each component school district, by resolution, may cast one (1) vote per each vacancy to be filled; now, therefore, be it

Resolved, that the Board of Education of the Dunkirk City School District casts one (1) vote for each of the following candidates:

Mr. Jeff Chase, Conewango Valley, NY, Pine Valley Central School District
Mr. Gregory Cole, Silver Creek, NY, Silver Creek Central School District
Mr. Thomas Dejoie, Brocton, NY, Brocton Central School District
Mr. David Lowrey, Elma, NY, Iroquois Central School District
Mrs. Christine Schnars, Jamestown, NY Jamestown Central School District

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7.3 Approval for the Tentative Erie 2-Chautauqua-Cattaraugus BOCES Administrative Budget:

Resolved, that the Board of Education of the Dunkirk City School District hereby approves the 2023-2024 tentative BOCES Administrative Budget in the amount of \$3,729,872.00.

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7.4 Approval of Occasional Drivers:

Resolved, upon the recommendation of the Superintendent of Schools, that the following individual is hereby approved as an occasional driver for the 2022-2023 school year:

Item No.	Name	Bargaining Unit
7.2.1	Adam Wolfley	DTA

7.5 Approval of Budget Transfer:

Resolved, upon the recommendation of the Superintendent of Schools that the budget transfer totaling \$43,457.85 as presented to the individual Board of Education members and listed below be approved.

Account Number FROM	Amount	Account Number TO
A1310.150-00-0000	\$43,457.85	A1430.150-00-0000
*For Executive Director Salary		

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7.6 Approval of Change Orders for Construction:

Resolved, that the following Interior Reconstruction change orders for the Capital Outlay Project 2022-2023 project be approved as follows:

EE Austin and Son	GC-001	(\$11,860.00)
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7.7 **Acceptance of the 2022 Internal Audit:**

Resolved, upon the recommendation of the District's Audit Committee, copies of the Final Federal Internal Control System Audit for June 2022, prepared by Buffamonte Whipple and Buttafara, PC for the City School District of the City of Dunkirk, New York, for the 2021-2022 school year ending June 30, 2022 have been completed in the form prescribed by the Commissioner of Education and presented to the Board of Education members;
Now, therefore be it

Resolved, that the said audit report is hereby received and that the same be recorded in the official minutes and copies of said audit report shall be filed with the Clerk of the City School District of the City of Dunkirk, New York, with the New York State Education Department, and with the Office of the New York State Comptroller.

*Note: The Corrective Action Plan response from the District is also accepted by the Board of Education and this report shall be filed with the Clerk of the City School District of the City of Dunkirk, New York, and with the New York State Education Department, and with the Office of the New York State Comptroller.

7.8 Approval of Contract with Sansoucy Associates:

Whereas, the City of Dunkirk (“City”), in cooperation with Chautauqua County and the Dunkirk City School District, wishes to enter into a contract with Sansoucy Associates, a licensed professional appraisal firm, for the preparation of a professional appraisal report for the two parcels comprising the NRG Dunkirk Station, a closed coal-fired electric station; and

Whereas, the property owner is planning on filing an assessment challenge for the 2023-2024 tax year; and

Whereas, the assessment of these properties involves a significant amount of potential tax revenue to the District and the valuation of this property is complicated and requires an appraisal firm with special expertise in valuing this type of property; and

Whereas, Sansoucy Associates has extensive experience in performing professional valuation services and preparing court-ready appraisal reports regarding facilities of this nature; and

Whereas, it is in the District’s interest to obtain a professional appraisal report to assist in the valuation of the property and defense of a potential assessment challenge; and

Whereas, the City has requested that the District and the County of Chautauqua share in the cost of the appraisal; it is hereby

Resolved, that the District is hereby authorized and directed to share in the cost of the agreement between the City of Dunkirk and Sansoucy Associates for the preparation of a USPAP-compliant appraisal report at a total cost not to exceed \$60,000.00; and it is further

Resolved, that the District shall reimburse the City for its share of the appraisal cost on a prorated basis, and that the Superintendent is hereby authorized to sign any necessary documents required for the services to be performed.

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7.9 **Approval of the Erie-2 Chautauqua-Cattaraugus BOCES Commitment Statement for the 2023-2024 School Year:**

Whereas, the Board of Education of the Dunkirk City School District has reviewed the Commitment Statement from Erie-2 Chautauqua-Cattaraugus BOCES in the amount of \$6,675,119.76, for services to be provided during the 2023-2024 school year; and

Whereas, the Board of Education of the Dunkirk City School District agrees that such services are required to complete the existing educational program, therefore be it,

Resolved, that the services be provided and the cost proration are acceptable to the District

- 7.10 **A resolution, dated April 19, 2023, specifically authorizing the City School District of the City of Dunkirk, Chautauqua County, New York (the “District”), to participate in a program that is currently being structured and implemented by the dormitory authority of the State of New York (the “Authority”) pursuant to which the District will be able to secure permanent financing arrangements for a certain Capital Project of the District, and further specifically authorizing the District (acting through the President of it’s Board of Education) to enter into, deliver and perform (A) a financing agreement (incorporating a proposed financial plan) with the Authority and (B) all other reasonable necessary and related documents required to be executed and delivered by the District in connection with such program:**

Whereas, The City School District of the City of Dunkirk, Chautauqua County, New York (the “District”) heretofore issued its \$7,200,000 Bond Anticipation Note, 2022 (the “Prior Note”) to finance an approved “Planned Facilities Upgrade 2020” project consisting of the reconstruction and renovation, in part, and the construction of improvements, additions and upgrades to, various District buildings and facilities and the sites thereof (the “Project”); and

Whereas, the Prior Note remains outstanding pending the entry by the District into arrangements for the permanent financing of the Project that was temporarily financed by the issuance of the Prior Note; and

Whereas, the Prior Note was issued by the District pursuant to a bond resolution that was adopted by the Board of Education of the District (the “Board”) on March 10, 2020 (the “Bond Resolution”); and

Whereas, the District also wishes to enter into arrangements for the permanent financing of the remaining authorized amount of the Project (\$2,300,000); and

Whereas, the Bond Resolution provides that, subject to certain provisions of statutory law, the powers and duties of the Board relative to prescribing the terms, form and contents and details as to the sale and issuance of the bonds authorized by the Bond Resolution are delegated to the President of the Board, as the chief fiscal officer of the District (the “President”) or, under certain circumstances, to the Vice President of the Board; and

Whereas, the Bond Resolution remains in full force and effect and has not been amended, modified or revoked; and

Whereas, Chapter 383 of the Laws of 2001 (the “Act”) significantly altered the method and timing whereby building aid from the State of New York (the “State”) is to be paid to the District; and

Whereas, the Act contemplates and permits the participation of individual school districts in a program for pooled financing of their outstanding indebtedness and other authorized but unissued indebtedness through the issuance of bonds by such school districts directly to the

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Dormitory Authority of the State of New York (the “Authority”), in connection with the contemporaneous issuance of bonds by the Authority to the public; and

Whereas, school districts electing to participate in such program are able to obtain, pursuant to the Act, the assurance of the State Education Department that they will receive building aid for all or substantially all of the aid-eligible portion of the debt service payments to be made on the bonds that they issue to the Authority; and

Whereas, the Authority duly adopted, on February 7, 2018 its Amended and Restated Master School Districts Financing Program Revenue Bond Resolution (the “Master Resolution”), and on one or more dates subsequent thereto duly adopted its Supplemental Resolutions (each such Supplemental Resolution being referred to herein as the “Supplemental Resolution”) authorizing multiple Series of its School Districts Revenue Bond Financing Program Revenue Bonds (the “Authority Bonds”); and

Whereas, the Authority has deemed it necessary and in keeping with its purposes to issue, under the Master Resolution (and the Supplemental Resolution), the Authority Bonds therein authorized for the purpose of lending to certain school districts as defined in the Act funds sufficient to (A) finance or refinance the costs of certain capital projects undertaken by such school districts, and (B) pay the costs of issuance of the bonds to be issued by the Authority; and

Whereas, the District has requested the Authority to finance or refinance the Project, and the Authority has agreed, on the basis of certain representations and warranties to be made by the District, to make a loan or loans to the District to provide additional new money to finance a portion of the Project and to currently refund and retire the Prior Note; and

Whereas, the District desires to receive a loan or loans from the Authority upon substantially the terms and conditions set forth in the Financing Agreement between the Authority and the District, a substantially final form of which has been presented to the Board and by this reference is incorporated herein (the “Financing Agreement”), and has authorized the execution and delivery of bonds of the District payable to the Authority (the “School District Bonds” or the “Bonds”) to evidence its obligation to repay such loan or loans; and

Whereas, the Authority has authorized the issuance of the Authority Bonds pursuant to the Master Resolution (and the Supplemental Resolution), a portion of the proceeds of which are to be applied for purposes of making a loan or loans to the District for the permanent financing of the Project; and

Whereas, the Authority Bonds are to be special obligations of the Authority payable solely from the revenues or other receipts, funds or moneys to be derived by the Authority under or pursuant to the Financing Agreement and from other revenues pledged and available therefor under the Master Resolution (and the Supplemental Resolution); and

Whereas, pursuant to the Financing Agreement the District will deliver its School District Bonds to the Authority and pledge to the Authority, to secure the payments to be made by the District under the Financing Agreement, a sufficient portion of any and all public funds to be apportioned or otherwise made available by the State of New York to the District;

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Now, therefore be it,

Resolved, by the Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1 - For the purposes of providing additional new money to finance a portion of the Project, currently refunding and retiring the Prior Note relating to the Project and generating moneys that will be sufficient to pay (A) the principal amount of the Prior Note, (B) the costs and expenses incidental to the issuance of the School District Bonds herein authorized and the Authority Bonds which they support, including, but not limited to, the District's proportionate share of the fees and costs of the Authority incurred in connection with the issuance of the Authority Bonds (including, without limitation, the compensation payable to the underwriter of the Authority Bonds), (C) the fees and costs of the municipal advisory and bond counsel firms retained by the District in connection with the issuance of the School District Bonds, and (D) all other fees and costs of issuance associated with the issuance of the Authority Bonds and the School District Bonds, there are hereby specifically authorized to be issued by the District the School District Bonds, as contemplated by the Financing Agreement, in an aggregate principal amount not to exceed \$9,445,000 with the precise final amount to be determined by the President of the Board (acting on the advice of the District's municipal advisory firm) and included in the Financing Agreement. The Bonds shall be dated on or about June 15, 2023, shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity (unless a bond of odd denomination is required), and shall mature and shall bear interest on such dates as are set forth in a Notice of Terms that is to be delivered by the Authority to the District, a form of which is attached as Exhibit I to the Financing Agreement (the "Notice of Terms").

Section 2 - The School District Bonds shall be executed in the name of the District by the manual or facsimile signature of the President of the Board, and the District's seal shall be imprinted thereon and attested by the District Clerk. The School District Bonds shall contain the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals as the President of the Board shall determine.

Section 3 - A Financial Plan showing the estimated details of the proposed issuance of the Authority Bonds and the School District Bonds will be prepared by the underwriter retained by the Authority (the "Financial Plan"). The Financial Plan will show the estimated sources, amounts and uses of all funds required to accomplish such transaction. The Financial Plan will be prepared based upon the assumption that the School District Bonds will be issued in the aggregate principal amount of not more than \$9,445,000 and that the School District Bonds will be issued in such amount, will mature, will be of such terms, and will bear interest as set forth in the final Notice of Terms that is to be approved by the President of the Board in accordance with this resolution. The President of the Board is hereby authorized and directed to determine (or adjust) the amount of the Prior Note (or any replacement notes) to be refunded, the amount of the School District Bonds to be issued, the date of such School District Bonds and the date of issue, maturities and

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terms thereof, the provisions relating to any redemption of the School District Bonds prior to maturity, whether the School District Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, the terms of the private sale of the School District Bonds to the Authority, including the form, terms and conditions of the Financing Agreement providing for the sale of the School District Bonds, and all powers in connection therewith are hereby delegated to the President of the Board; provided that the terms of the School District Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of any applicable law. The President of the Board shall file a copy of the certificate determining the final details of the School District Bonds and the final Financial Plan with the District Clerk not later than ten (10) days after the delivery of the Bonds, as herein provided.

Section 4 - The President of the Board is hereby delegated all powers of the Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for the School District Bonds including, but not limited to, the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5 - The faith and credit of the District are hereby irrevocably pledged for the payment of the principal of and interest on the School District Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on the School District Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the District a tax sufficient to pay the principal of and interest on the School District Bonds as the same become due and payable.

Section 6 - The Board hereby approves and directs the execution and delivery (by the President of the Board, acting on behalf of the District) of the Financing Agreement, the School District Bonds, the Letter of Representation, the Continuing Disclosure Agreement, the Arbitrage and Use of Proceeds Certificate (all as defined in the Financing Agreement) and any and all other agreements, certificates or other documents required or contemplated by the Financing Agreement (collectively, the "Agreements") in order to provide for the permanent financing of all or a portion of the Prior Note, as may be required by the Authority. The President of the Board is authorized and directed to execute such other documents, and take such other actions, as are necessary or appropriate to refinance all or a portion of the Prior Note (or any notes issued in contemplation or replacement thereof) through the Authority and to perform the District's obligations under the Agreements (if applicable). The President of the Board's execution and delivery of any such documents prior to the date hereof is hereby ratified, approved and adopted.

Section 7 - The President of the Board is further authorized to take such actions and execute such documents as may be necessary to ensure (if applicable) the continued status of the interest on the School District Bonds as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of

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1986, as amended (the “Code”) and (if applicable) to designate the School District Bonds authorized by this resolution as “qualified tax-exempt obligations” in accordance with Section 265 of the Code.

Section 8 - In the absence or unavailability of the President of the Board, the Vice President of the Board is hereby specifically authorized to exercise the powers delegated to the President of the Board in this resolution.

Section 9 - The District hereby determines that the issuance of the School District Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determinations or procedures under the State Environmental Quality Review Act (“SEQR”) are required.

Section 10 - The President of the Board and, to the extent appropriate, the District Clerk, are hereby authorized and directed for and on behalf of the District to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved or contemplated hereby, including, but not limited to, the Financing Agreement, the other Agreements, and all documents defined therein or required or contemplated thereby.

Section 11 - All other matters pertaining to the terms and issuance of the School District Bonds shall be determined by the President of the Board and all powers in connection therewith are hereby delegated to the President of the Board.

Section 12 - Except to the extent modified by this resolution, the Bond Resolution is hereby confirmed and ratified in all respects.

Section 13 - This resolution shall take effect immediately upon its adoption.

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8.0 Other Matters for Consideration:

1. **Old Business**

2. **New Business**

9.0 Questions and Oral Communications of the Public:

10.0 Adjournment: