

**MINUTES OF REORGANIZATIONAL AND
REGULAR MEETING
OF THE BOARD OF EDUCATION
NEWARK VALLEY CENTRAL SCHOOL DISTRICT
July 11, 2023**

The Newark Valley Central School District Board of Education met in regular session at 5:30 p.m. The following Board Members were in attendance: Randal H. Kerr, Susan Watson, James Phillips, Sarah Hines, Lisa Jensen and Stuart Wandell. Board Member Anthony Tavelli was absent. The following school personnel were in attendance Todd Schaffer, Ji Katchuk, Edward Mertson and Tina Engelhard.

ATTENDANCE

On the motion by S. Watson, and seconded by S. Wandell, Tina A. Engelhard was appointed District Clerk for the 2023-2024 school year with a \$8,500 stipend.

**APPROVE 2023-2024
DISTRICT CLERK**

Vote: 6 Yes 0 No 1 Absent Motion carried.

**ADMIN OATH OF OFC –
TINA ENGELHARD-
DISTRICT CLERK**

Tina A. Engelhard was administered the Oath of Office for District Clerk.

On the motion by J. Phillips, and seconded by S. Hines, to nominate Randal H. Kerr to serve as President of the Board of Education for the 2023-2024 school year. There were no other nominations.

NOMINATE BOE PRES

Vote: 6 Yes 0 No 1 Absent Motion carried.

R. Kerr was elected as President of the Board and the Oath of Office was administered.

**ADMIN OATH OF OFC –
R. KERR, PRESIDENT**

On the motion by J. Phillips, and seconded by L. Jensen, to nominate Susan Watson to serve as Vice President of the Board of Education for the 2023-2024 school year. There were no other nominations.

**NOMINATE BOE VICE
PRES**

Vote: 6 Yes 0 No 1 Absent Motion carried.

S. Watson was elected as Vice President of the Board and the Oath of Office was administered.

**ADMIN OATH OF OFC –
S. WATSON, VICE PRES**

Motion by S. Watson, and seconded by J. Phillips, to approve the appointment of the following Officers for 2023-2024:

**APPROVE 2023-2024
APPTS –
DISTRICT TREASURER,
DEPUTY TREASURER,
TAX COLLECTOR &
DEPUTY TAX
COLLECTOR**

District Treasurer: Patricia Walsh, No Stipend
Deputy Treasurer: Michael Krassin, No Stipend
Tax Collector: Julie Kephart, No Stipend
Deputy Tax Collector: Kymberlee Zimmer, No Stipend

Vote: 6 Yes 0 No 1 Absent Motion carried.

Motion by S. Watson, and seconded by A. Tavelli, for the approval of the following appointments:

APPROVE APPTS –

Appoint School Attorney: Ferrara Fiorenza PC, Johnson City, New York
Appoint Bond Counsel: Squire Patton Boggs, LLP
Census Enumerator: Scott Wandell, No Stipend
Attendance Officer: Scott Wandell, No Stipend
Claims Auditor: Broome-Tioga BOCES Central Business Office
Extra Classroom Treasurer: Diane Obregon, \$5,250 Stipend
Substitute District Clerk: Karen Umiker, \$18.00/Hour
Board of Education Representative to Broome-Tioga School Boards Association
Legislative Committee: Randal H. Kerr
Board of Education Representative to Broome-Delaware-Tioga Cooperative Health Insurance Arrangement: Randal H. Kerr and Alternate Representative(s): Susan Watson
Board of Education Representative to Workers' Compensation Self Insurance Alliance: Randal H. Kerr and Alternate Representative(s): Susan Watson
Board of Education Committees for 2023-2024:
NTH Site Based Team – Sarah Hines
Middle School Site Based Team – James Phillips
High School Site Based Team – Stuart Wandell
Wellness Committee – Stuart Wandell
Audit Committee (3 members) – Randal Kerr, Susan Watson, Lisa Jensen
Technology Committee – James Phillips
Health and Safety Committee – Anthony D. Tavelli
Facilities Planning Team – James Phillips, Lisa Jensen, Stuart Wandell
Records Access Officer: Tina Engelhard, No Stipend
Safety Officer: Gregory Asfoury, No Stipend
Compliance Officer: Robert Rodgers, No Stipend
Fiscal Officer: Ji Z. Katchuk, No Stipend

**SCHOOL ATTORNEYS,
BOND COUNSEL,
CENSUS ENUMERATOR,
ATTENDANCE OFCR,
INTERNAL CLAIMS
AUDITOR, DEPUTY
INTERNAL CLAIMS
AUDITOR, DISTRICT
AUDITOR, INTERNAL
AUDIT SRVC, EXTRA
CLASSROOM
TREASURER, BOE REP
TO B-T SCHOOL BRDS
ASSOC LEGISLATIVE
COMMITTEE, BOE REP
B-D-T COOP HEATH INS
ARRANGE-MENT, BOE
REP TO WRKRS' COMP
SELF-INSURANCE
ALLIANCE, BOARD OF
EDUCATION
COMMITTEES,
RECORDS ACCESS
OFCR, SAFETY OFCR,
COMPLIANCE OFCR,
FISCAL OFCR,**

**APPROVE APPTS
(CONT) –**

Records Management Officer: Tina Engelhard, No Stipend
Dignity for All Students Coordinators: Robert Rodgers, Elementary School Principal, Gregory Asfoury, Middle School Principal, Edward Mertson, High School Principal
Reappoint District Physician: United Health Services provider health care services, James Skiff, M.D. and Amy Lord, FNP

Vote: 6 Yes 0 No 1 Absent Motion carried.

**APPROVE 2023-2024
DESIGNATIONS:**

Motion by S. Watson, and seconded by S. Wandell, for approval of the following designations for the 2023-2024 school year:

**DESIGNATE BANK
DEPOSITORIES**

Official Bank Depositories:
J. P. Morgan Chase
NBT Bank
M&T Commercial Banking

**DESIGNATE
NEWSPAPER**

Official Newspapers:
Binghamton Press & Sun-Bulletin
Tioga County Courier

Vote: 6 Yes 0 No 1 Absent Motion carried.

**APPROVE 2023-2024
AUTHORIZATIONS:**

Motion by S. Wandell, and seconded by J. Phillips, for approval of the following authorizations for the 2023-2024 school year:

**PAYROLL CERT,
PURCHASING AGENT,
DEP PURCHASING
AGENT, BUDGET
TRANSFERS, INTER
FUND TRANSFERS,
CONF APPROVAL,
SIGNING CHECKS**

Payroll Certification: Chief School Officer
Purchasing Agent: Blake Rowe
Deputy Purchasing Agent: Tracy Baker
Budget Transfers: Chief School Officer
Inter Fund Transfers: RESOLVED, That the District Treasurer, when approved by the Superintendent of Schools and reported to the Board, be authorized to make temporary advances of available general fund monies to other operating funds. Such advances are necessary as a result of cash flow problems arising from delayed payment of State and Federal Aid. At no time will the temporary advances be greater than the amount of State and Federal Aid receivable.
Conference Approval: Chief School Officer, within budget allocations.
Signing Checks: Disbursements from all funds except the Extra Classroom Funds will be made by using the single signature of the District Treasurer or in her absence the Deputy Treasurer.

Vote: 6 Yes 0 No 1 Absent Motion carried.

APPROVE BONDING

Motion by L. Jensen, and seconded by J. Phillips, for bonding:
Blanket Bond: \$100,000.00

Vote: 6 Yes 0 No 1 Absent Motion carried.

Motion by J. Phillips, and seconded by S. Wandell, for approval of the following:

**ADOPT 2023-2024
POLICIES**

RESOLVED, That the Policies heretofore in effect at the end of the 2022-2023 school year are hereby adopted as Policies of the 2023-2024 school year.

**ADOPT IRS MILEAGE
REIMBURSEMENT**

Adoption of prevailing IRS mileage reimbursement rate.

**ADOPT BOE MEETING
CALENDAR**

Calendar of Board of Education Meetings:
July 11, 2023
August 21, 2023
September 18, 2023
October 10, 2023 (Tuesday)
October 23, 2023
November 13, 2023
November 27, 2023
December 11, 2023
January 8, 2024
January 22, 2024
February 12, 2024
February 26, 2024
March 11, 2024
March 25, 2024
April 8, 2024
April 22, 2024

Calendar of Board of Education Meetings (Continued):
May 13, 2024 (Public Hearing and Regular Meeting)
May 21, 2024 (School Budget Vote)
May 28, 2024 (Tuesday)
June 10, 2024
June 24, 2024

**ADOPT BOE MEETING
CALENDAR (CONT)**

Vote: 6 Yes 0 No 1 Absent Motion carried.

The Board then considered regular business presented.

Motion by J. Phillips, and seconded by S. Watson, for approval of Minutes of June 26, 2023 Regular Board Meeting and the June 26, 2023 Executive Session.

MINUTES

Vote: 6 Yes 0 No 1 Absent Motion carried.

Superintendent's Report: None.

New Business:

Motion by J. Phillips, and seconded by S. Watson, for approval of resolutions 7-23-G1, 7-23-G2, 7-23-G3, 7-23-G4, 7-23-G5, 7-23-G6, 7-23-G7, 7-23-G8, 7-23-G9, 7-23-G10, 7-23-G11, 7-23-G12, 7-23-G13, 7-23-G14, 7-23-G15, 7-23-G16, 7-23-G17, 7-23-G18 and 7-23-G19

7-23-G1

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, that the Board of Education hereby approves appointment of the following Committee on Preschool Special Education and list of Preschools within Tioga County and adjoining Counties:

**APPT COMMITTEE ON
PRESCHOOL EDUCA-
TION AND APPROVED
PRESCHOOLS**

1. The parents of the preschool child,
2. An additional parent member of a child with a disability residing in the school district or a neighboring school district and whose child is enrolled in a preschool or elementary level education program, provided that such parent is not a required member, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting (Michele Benjamin),
3. Not less than one regular education teacher of the child whenever the child is or may be participating in the regular education environment. The specific staff member to attend will be determined by the CPSE Chairperson.
4. Not less than one special education teacher, or, if appropriate, not less than one special education provider of the child. The specific staff member to attend will be determined by the CPSE Chairperson.
5. A representative of the district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of preschool special education programs and services and other resources of the school district and municipality. The representative of the school district shall serve as the chairperson of the committee. This person is appointed as Chairperson – Jami Fabrizio (Alternate: Morgan Crandell, Suzette Fahey, or Meredith Meister).
6. An individual who can interpret the instructional implications of evaluation results, provided that such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill this role on the committee.
7. Other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the committee on special education.
8. For a child in transition from early intervention programs and services, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and the child with the disability, whenever appropriate.
9. A representative of the municipality of the preschool child's residence, provided that the attendance of the appointee of the municipality shall not be required for a quorum.
10. For Initial Referrals Only - a professional who participated in the evaluation of the child, appointed by the evaluating agency, for any meetings prior to the initial recommendation for a child for whom services are first being sought, or, an appropriate professional employed by the school district – Morgan Crandell (Alternates: Suzette Fahey, Debra Berghorn, Meredith Meister).

**APPT COMMITTEE ON
PRESCHOOL EDUCA-
TION AND APPROVED
PRESCHOOLS (CONT)**

List of Approved Preschools: Broome County: Children's Therapy Network, Children's Unit for Treatment & Evaluation, Racker Center Inc., Handicapped Children's Association, Family Enrichment Network/The Child Development Council. **Tioga County:** Children's Therapy Network, Children's Unit for Treatment & Evaluation, Racker Center Inc., Handicapped Children's Association, Family Enrichment Network/The Child Development Council, Newark Valley Central Schools, Newark Valley CSD (SEIS only). **Tompkins County:** Children's Therapy Network, Children's Unit for Treatment & Evaluation, Racker Center Inc., PLLC Hear 2 Learn.

**APPT COMMITTEE ON
SPECIAL EDUCATION**

7-23-G2

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, that the Board of Education hereby approves appointment of the following Committee on Special Education (District Level):

1. The parents or persons in parental relationship to the student.
2. Not less than one regular education teacher of the child whenever the child is or may be participating in the regular education environment. The specific staff member to attend will be determined by the CSE Chairperson.
3. Not less than one special education teacher, or, if appropriate, not less than one special education provider of the child. The specific staff member to attend will be determined by the CSE Chairperson.
4. A school psychologist.
5. A representative of the district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of resources of the school district, provided that an individual who meets these qualifications may also be the same individual appointed as the special education teacher or the special education provider of the student or school psychologist. The representative of the school district shall serve as the chairperson of the committee. This person is appointed as Chairperson – Jami Fabrizio (Alternate: Morgan Crandell, Suzette Fahey, or Meredith Meister).
6. An individual who can interpret the instructional implications of evaluation results, provided that such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill this role on the committee.
7. A school physician, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting.
8. An additional parent member of a child with a disability residing in the school district or a neighboring school district, provided that such parent may be the parent of a student who has been declassified within a period not to exceed five years or the parent of a student who has graduated within a period not to exceed five years if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting (Michele Benjamin).
9. Other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the committee on special education.
10. The child with the disability, whenever appropriate.

Subcommittees on Special Education membership (Nathan T. Hall Elementary School, Middle School, High School)

1. The parents of the student.
2. Not less than one regular education teacher of the student whenever the student is or may be participating in the regular education environment.
3. Not less than one of the student's special education teachers or, if appropriate, not less than one special education provider of the student. The specific staff member to attend will be determined by the CSE Chairperson.
4. A representative of the district who is qualified to provide, administer or supervise special education and who is knowledgeable about general education curriculum and who is knowledgeable about the availability of resources of the school district. This person is appointed as Chairperson – Jami Fabrizio (Alternate: Morgan Crandell, Suzette Fahey, or Meredith Meister).
5. A school psychologist, whenever a new psychological evaluation is reviewed or a change to a program option with a more intensive staff/student ratio is considered.

6. An individual who can interpret the instructional implications of evaluation results, who may be a member appointed pursuant to sections 2-5 or 7 of this paragraph.
7. Other persons having knowledge or special expertise regarding the student, including related services personnel as appropriate, as the committee or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the subcommittee on special education.
8. The student, if appropriate.

APPT COMMITTEE ON SPECIAL EDUCATION (CONT)

7-23-G3

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, that the Board of Education hereby approves appointment of the following Impartial Hearing Officers, as well as any other subsequent revisions available through the IHRS, for the 2023-2024 School Year:

APPT IMPARTIAL HEARING OFFICERS

Tina Millman	Kenneth Ritzenberg	Jerome Schad
Aaron Turetsky	James Walsh	Israel Wahrman
Sebastian Weiss	Mindy Wolman	Lynn Botwinik Almeleh
Ned Kassman	Ellen Cutler-Igoe	Maryanne Dimeo
Lana Flame	Randy Glasser	Vanessa Gronback
David Gronbach	Jeffrey Guerra	Jeanne Keefe
Martin Kehoe III	Michael Lazan	Nancy Lederman
James McKeever	Hashim Rahman	

7-23-G4

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the Lunch Policy Statement for Free and Reduced Price Meals for the 2023-2024 school year.

APPR LUNCH POLICY STATEMENT

7-23-G5

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves continuing Substitute Teacher and Substitute Teaching Assistant pay rates as follows:

APPR CONTINUING SUB TEACHER & SUB TEACHING ASST PAY RATES

	Uncertified Teachers	Certified Teachers	Retired NVCS D Teachers	Teaching Assistants
1-20 days	\$112/day	\$118/day	\$128/day	\$78/day
> 20 days	\$112/day	\$128/day	\$136/day	\$88/day

7-23-G6

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves continuing Substitute Nurse pay rates as follows:

APPR CONTINUING SUB NURSE PAY RATES

1-20 days	\$118/day	> 20 days	\$123/day
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7-23-G7

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves continuing Substitute Teacher and Substitute Teaching Assistant hourly pay rates for curriculum work and other instructional assignments as follows:

APPR SUB TEACHER & SUB TEACHING ASST PAY RATES FOR CURRICULUM WORK & OTHER INSTR ASSIGNMENTS

Certified Teachers	\$25/hour
Uncertified Teachers	\$20/hour
Teaching Assistants	\$17/hour
Retired NV Teacher	Teacher's rate per current contract

7-23-G8

RESOLVED, Upon the motion of J. Phillips, seconded by S. Watson, Randal H. Kerr is designated trustee, and Susan Watson is designated alternate trustee, from the Newark Valley Central School District to the Workers Compensation Self-Insurance Alliance for 2023-2024.

APPT 2023-2024 TRUSTEE DESIGNEE, WORKERS COMPT SELF-INS ALLIANCE

7-23-G9

RESOLVED, Upon the motion of J, Phillips, seconded by S. Watson, Randal H. Kerr is designated trustee, and Susan Watson is designated alternate trustee, from the Newark Valley Central School District to the Broome-Tioga-Delaware Health Insurance Consortium for 2023-2024.

APPT 2023-2024 TRUSTEE DESIGNEE, B-T-D HEALTH INS CONSORTIUM

**DESIGNATE 2023-2024
PETTY CASH
CUSTODIANS**

7-23-G10

On motion of J. Phillips, seconded by S. Watson, the Board of Education hereby designates the following individuals as custodians of Petty Cash Funds for the 2023-2024 School Year:

Central Office	Tina Engelhard, District Clerk
Elementary School	Andrea Raymond, Office Specialist I, Main Office
Middle School	Jeanne Laskowski, Office Specialist I, Main Office
High School	Christine Rhodes, Office Specialist I, Main Office
Bus Garage	Randy Zukowski, Transportation Supervisor
School Lunch	Lorraine Trotman, School Lunch Director
Buildings and Grounds	Michelle Tavelli, Accounting Associate I

**AUTH VENDING
MACHINE START UP
MONEY**

7-23-G11

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby authorizes that the School Lunch Director receive \$34 to be used as Start-Up Money for two (2) vending machines located in the High School. This \$34 will be returned to the School Business Administrator at the close of the 2023-2024 school year.

**AUTH CASHIER START-
UP MONEY-HS & MS**

7-23-G12

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby authorizes that the School Lunch Director receive \$193 to be used as Start-Up Money for cashiers located in the High School and the Middle School. This \$193 will be returned to the School Business Administrator at the close of the 2023-2024 school year.

**AUTH ATHLETIC
DIRECTOR START-UP
MONEY**

7-23-G13

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby authorizes that the Athletic Director receive \$400 to be used as Start-Up Money for making change for customers. This \$400 will be returned to the School Business Administrator at the close of the 2023-2024 school year.

**EST & MAINTAIN
PROCEDURES-
AFFORDABLE CARE
ACT**

7-23-G14

WHEREAS, the Newark Valley Central School District maintains a group health plan for its employees (“health plan”); and

WHEREAS, the Newark Valley Central School District is required to offer coverage under its health plan to eligible full-time employees pursuant to the Patient Protection and Affordable Care Act (“ACA”); and

WHEREAS, the Newark Valley Central School District employs persons for variable hours whose full-time status must be determined pursuant to guidance issued under the ACA;

NOW THEREFORE BE IT RESOLVED that the School District hereby is, authorized and directed to establish and maintain procedures for the purpose of compliance with the ACA, including but not limited to the following:

1. For variable-hour employees, the Newark Valley Central School District shall establish a 12-month standard measurement period beginning July 1, 2023 and ending the following June 30, 2024;
2. The initial measurement period for new variable-hour employees shall be the 12-month period beginning on the date of hire and ending on the anniversary date thereof;
3. The administrative period following the standard measurement period if the period beginning July 1, 2024 and ending August 31, 2024;
4. The administrative period for new variable-hour employees shall be the 30 day period following the anniversary date; and
5. The stability period, during which time a variable-hour employee’s status as eligible or ineligible for health plan coverage is fixed, is the period beginning September 1, 2024 and ending August 31, 2025.

BE IT FURTHER RESOLVED that the School District is authorized and directed to take such actions as determined necessary or proper to give effect to this resolution.

**AUTH B-T CENTRAL
BUSINESS OFFICE TO
CORRECT ERRONEOUS
TAX BILLS**

7-23-G15

WHEREAS, there are times the District may issue an erroneous tax bill due to a clerical or arithmetic error and holding the correction to the next Board of Education meeting may result in an overpayment by the taxpayer or an underpayment to the District; and

WHEREAS, the District seeks the most efficient and expeditious means of correcting the tax bill.

AUTH B-T CENTRAL BUSINESS OFFICE TO CORRECT ERRONEOUS TAX BILLS (CONT)

BE IT RESOLVED, that the Board of Education delegates authority to the Broome-Tioga Central Business Office (CBO) to make corrections up to \$2,500 in erroneous property tax bills.

7-23-G16

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby waives the Third Reading of Policy 3220 – Public Expressions at Meetings and adopts as presented.

ACCEPT WAIVING OF 3RD READING & ADOPT REVISED POLICY 3220- PUBLIC EXPRESSIONS @ MEETINGS

7-23-G17

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, and on motion of J. Phillips, seconded S. Watson, the Board of Education hereby approves the funding for the agreement between the Interim Superintendent of Schools of the Newark Valley Central School District and the Newark Valley United Teachers.

APPR FUNDING-NV UNITED TEACHERS AGREEMENT

7-23-G18

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the Transportation Request for the 2023-2024 school year:

APPR 2023-2024 TRANSPORTATION REQUEST

Ross Corners Christian Academy 1 student

7-23-G19

BOND RESOLUTION, DATED JULY 11, 2023, AUTHORIZING THE ISSUANCE OF UP TO \$425,925 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE NEWARK VALLEY CENTRAL SCHOOL DISTRICT, LOCATED IN THE COUNTIES OF TIOGA, TOMPKINS, CORTLAND AND BROOME, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF SCHOOL BUSES IN AND FOR THE SCHOOL DISTRICT.

AUTHORIZE SERIAL BOND ISSUANCE

WHEREAS, the qualified voters of the Newark Valley Central School District, a school district of the State of New York, located in counties of Tioga, Tompkins, Cortland and Broome, New York (the “School District”), adopted two propositions on May 16, 2023 to authorize (i) the purchase of school buses at a maximum cost of \$473,250, \$425,925 of which will be financed through the issuance of serial bonds and (ii) the expenditure of \$47,325 from moneys in a capital reserve fund for the purchase of such school buses; and

WHEREAS, the Board of Education of the School District (the “School District”), pursuant to the Local Finance Law, hereby determines that it is in the public interest to finance a portion of the costs of the acquisition of school buses, in and for the School District, including any preliminary and incidental costs related thereto, in the amount of \$425,925;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Newark Valley Central School District, located in the counties of Tioga, Tompkins, Cortland and Broome, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the School District, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$425,925, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of school buses, in and for the School District, including any preliminary and incidental costs related thereto (the “Project”).

Section 2. The Board of Education of the School District has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$473,250; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Education of the School District plans to finance the costs of the Project from (i) the proceeds of the serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized by the qualified voters of the School District on May 16, 2023, and as authorized herein, except to the extent of New York State aid received by the School District, which shall reduce the principal amount of such obligations *pro tanto* and (ii) \$47,325 from a voter approved capital reserve fund established by the District on May 12, 1993, as amended on May 21, 2002; and (d) the maturity of such serial bonds authorized herein shall not be in excess of five (5) years.

**AUTHORIZE SERIAL
BOND ISSUANCE
(CONT)**

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is five (5) years, and the serial bonds authorized and issued pursuant to this bond resolution shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the President of the Board of Education, as chief fiscal officer of the School District. The President of the Board of Education of the School District is hereby authorized to execute by manual or facsimile signature on behalf of the School District, all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the School District Clerk is hereby authorized to impress the seal of the School District (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the President of the Board of Education of the School District.

Section 5. When this bond resolution takes effect, the School District Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the Press & Sun-Bulletin, a newspaper having a general circulation in the School District. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the School District is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the School District are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due and payable.

Section 7. Prior to the issuance of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Board of Education of the School District shall comply with all relevant provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal Laws and Regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Education of the School District will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Education of the School District that the Project will not have significant effect on the environment.

Section 8. The School District hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The School District hereby covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the School District, and will not make any use of the Project, which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the School District to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would

cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the School District to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provision hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Education of the School District.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the School District agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the School District's continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the President of the Board of Education of the School District is authorized and directed to sign and deliver, in the name and on behalf of the School District, the commitment authorized by subsection 6(c) of the Rule (the "Commitment"), to be placed on file with the School District Clerk, and which shall constitute the continuing disclosure agreement made by the School District for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the School District and that are approved by the President of the Board of Education on behalf of the School District, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the School District's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet the costs the School District would be required to incur to perform thereunder. The President of the Board of Education of the School District is further authorized and directed to establish procedures in order to ensure compliance by the School District with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the President of the Board of Education of the School District shall consult with, as appropriate, the School District attorney and bond counsel or other qualified independent special counsel to the School District, and shall be entitled to rely upon any legal advice provided by the School District attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Education of the School District.

Vote: 6 Yes 0 No 1 Absent Motion carried.

Personnel:

Motion by J. Phillips, and seconded by L. Jensen, for approval of resolutions 7-23-C1, 7-23-C2 and 7-23-C3

7-23-C1

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the following probationary appointment (T. Hardenstine transfer):

**APPR PROB APPT-
MATHEMATICS
TEACHER**

Name of Appointee:	Richard Swartz
Tenure Area:	Mathematics
Date of Commencement of Probationary Services:	September 1, 2023
Expiration Date of the Appointment:	June 30, 2027
Certification Status:	Mathematics 7-12, Professional Certificate, Effective February 1, 2011

**APPR PROB APPT-
SCIENCE TEACHER**

7-23-C2

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the following probationary appointment (M. Palmer resignation):

Name of Appointee: Konstantina Lazaros
Tenure Area: Science
Date of Commencement of Probationary Services: September 1, 2023
Expiration Date of the Appointment: June 30, 2027
Certification Status: Biology 7-12, Professional Certificate, Effective March 21, 2023; General Science 7-12 Extension, Professional Extension Certificate, Effective April 20, 2023

**ACCEPT RESIGNATION-
SPECIAL EDUCATION
TEACHER**

7-23-C3

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby accepts the resignation of Heidi Cardone, Special Education Teacher, effective July 24, 2023.

Vote: 6 Yes 0 No 1 Absent Motion carried.

Personnel:

Motion by S. Watson, and seconded by J. Phillips, for approval of resolutions 7-23-NC1, 7-23-NC2 and 7-22-NC3

**APPR PERMANT APPT-
OFFICE SPECIALIST I**

7-23-NC1

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the permanent appointment of Crystal Malarkey, Office Specialist I, effective August 1, 2022. (vice: P. Budney retirement)

**APPR APPT-SUB
CLERICAL**

7-23-NC2

RESOLVED, Upon the Recommendation of the Interim Superintendent of Schools, That the Board of Education hereby approves the appointment of Vickie Bigelow, Substitute Clerical, effective July 10, 2023.

Vote: 6 Yes 0 No 1 Absent Motion carried.

**NEXT BOE MTG-8/21/23
BOE MTG**

Board Matters:

- Board of Education Meeting, August 21, 2023, 5:30 p.m. in the Richard H. Kerr Board Room, High School
- Board of Education Meeting, September 18, 2023, 5:30 p.m. in the Richard H. Kerr Board Room, High School

Motion by S. Watson, seconded by J. Phillips, for the Board to go into Executive Session at 5:39 p.m. for the purpose of discussing particular personnel.

Vote: 6 Yes 0 No 1 Absent Motion carried.

Motion by S. Watson, seconded by J. Phillips, for the Board to go into Executive Session at 6:23 p.m. for the purpose of discussing particular personnel.

Motion by J. Phillips, seconded by S. Wandell, for the Board to return to Regular Session at 5:56 p.m.

Meeting adjourned at 5:57 p.m.

July 11, 2022


Tina A. Engelhard, District Clerk
Newark Valley Central School District