



ENLARGED CITY SCHOOL DISTRICT OF

TROY

TODAY'S STUDENTS. TOMORROW'S LEADERS.

BOARD OF EDUCATION
2920 Fifth Avenue
Troy, NY 12180

BOARD OF EDUCATION MINUTES

Date of Meeting: October 21, 2013
Type of Meeting: **SPECIAL BOARD MEETING**
Location: Troy Middle School

I. MEETING CALLED TO ORDER

At 5:30 pm Mr. Jason Schofield, President, called the meeting to order.

II. ROLL CALL

Members Present: Mr. Jason Schofield, President
Mr. Bill Strang, Vice President
Mrs. Ann Apicella
Mr. Tom Mayo
Mr. Michael Tuttman
Mrs. Anne Wager-Rounds
Ms. Martha Walsh

Members Absent: Ms. Elizabeth Denio
Mrs. Carol Harvin

Also Present: Mr. John Carmello, Superintendent of Schools
Dr. Donna Watson, Assistant Superintendent
of Curriculum and Instruction

III. EXECUTIVE SESSION

At 5:30 pm, Mr. Schofield made a motion to move to Executive Session to discuss a contractual matter. This was seconded by Mr. Strang and carried 7-0. Mr. Carmello was invited to attend.

IV. PUBLIC SESSION

At 6:00 pm Mr. Schofield called the meeting to order with the Pledge of Allegiance.

V. PUBLIC INPUT ON AGENDA AND NON-AGENDA ITEMS

No public comment.

VI. TECHNOLOGY AND SECURITY CAPITAL PROJECT RESOLUTIONS

Mr. Schofield made a motion to approve Item 1.

Second: Mr. Strang

Carried: 7-0

1. SEQR Determination

WHEREAS, the Board of Education of the Enlarged City School District of Troy is considering a project consisting of the following (the "Project"): reconstruction of various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus; and

WHEREAS, the proposed Project entails the maintenance, repair, replacement, reconstruction and/or rehabilitation involving no substantial changes or expansion beyond 10,000 square feet of existing structures and/or facilities; and

WHEREAS, the Board has considered the information and documentation which describes the design and intent of the proposed Project;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Enlarged City School District of Troy, based upon the record before it, including the general, specific and detailed knowledge of the Board of the proposed Project and under the applicable standards of SEQRA and 6 NYCRR Part 617.5, hereby determines that the Project is a Type II Action, and that no further action is required to satisfy the requirements of the New York State Environmental Quality Review Act.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

Mr. Schofield made a motion to approve Item 2.

Second: Mr. Strang

Carried: 7-0

2. RESOLUTION SPECIFYING THE NECESSITY FOR THE REQUIRED PURPOSE FOR WHICH SUCH RECONSTRUCTED BUILDINGS ARE TO BE USED, SUCH FACILITIES LOCATED IN THE CITY OF TROY, RENSSELAER COUNTY, NEW YORK.

WHEREAS, it is the judgment of the Board of Education of the Enlarged City School District of Troy, Rensselaer County, New York (the "District"), that the needs of the District require the reconstruction of various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus miscellaneous

WHEREAS, the Board of Education of the District has been presented with a proposal for the aforesaid Project at a maximum estimated cost not to exceed \$8,400,000; and

WHEREAS, Section 2512 of the Education Law requires that whenever in the judgment of the Board of Education a building or property, or both, are to be reconstructed, constructed or otherwise improved, such Board of Education shall prepare a Resolution specifying, in detail, the necessity therefor and the estimated cost of the funds necessary for such purposes;

NOW, THEREFORE BE IT RESOLVED, by the Board of Education of the Enlarged City School District of Troy, Rensselaer County, New York, as follows:

Section 1. It is determined that the Project, as more fully described in the preamble hereof, is necessary in order to (A) enhance and improve the health, safety and welfare of the students, faculty and staff of the District, and (B) enhance and improve the District's technology.

Section 2. It is hereby estimated that the amount of funds necessary for the aforesaid purposes are as set forth in the preamble hereof and shall not exceed the sum of \$8,400,000.00.

Section 3. This resolution shall take effect immediately.

Mr. Schofield made a motion to approve Item 3.

Second: Mr. Strang

Carried: 7-0

3. BOND RESOLUTION DATED OCTOBER 21, 2013 OF THE BOARD OF EDUCATION OF THE ENLARGED CITY SCHOOL DISTRICT OF TROY AUTHORIZING NOT TO EXCEED \$8,400,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE RECONSTRUCTION OF VARIOUS SCHOOL DISTRICT BUILDINGS, INCLUDING TECHNOLOGY, SAFETY AND SECURITY SYSTEM IMPROVEMENTS AT AN ESTIMATED MAXIMUM COST OF \$8,400,000.00, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:

Section 1. The Enlarged City School District of Troy (the "School District") shall reconstruct various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such buildings are to be used at a maximum cost of \$8,400,000.00, as more particularly described in Section 3 hereof.

Section 2. The School District is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$8,400,000.00 pursuant to the Local Finance Law of the State of New York.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction of various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such buildings are to be used.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Board of Education, is \$8,400,000.00, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the School District plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 97 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is thirty (30) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said President of the Board of Education, consistent with the provisions of the Local Finance Law.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the President of the Board of Education. The President of the Board of Education is hereby authorized to sign and the District Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the School District.

Section 8. The faith and credit of the School District are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds and bond anticipation notes 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 such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the District, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the declaration of the School District's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

Section 10. This Resolution, when effective, shall be published in full by the District Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the District. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are 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 said obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution shall become effective immediately upon approval thereof by the voters of the School District at a special meeting of such voters.

Mr. Schofield made a motion to approve Item 4.

Second: Mr. Strang

Carried: 7-0

4. RESOLUTION OF THE BOARD OF EDUCATION OF THE ENLARGED CITY SCHOOL DISTRICT OF TROY AUTHORIZING A PROPOSITION TO BE PRESENTED TO THE VOTERS AT A SPECIAL DISTRICT MEETING.

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ENLARGED CITY SCHOOL DISTRICT OF TROY (the "School District") that a special meeting of the qualified voters of said District be and the same is hereby called to be held at the Polling Centers listed below on Tuesday, December 10, 2013 from 7:00 a.m. until 8:00 p.m. for the purpose of voting on the following proposition:

Shall the bond resolution adopted by the Board of Education authorizing: (a) the reconstruction of various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such buildings are to be used, at a maximum cost of \$8,400,000; (b) the expenditure of such sum for such purpose; (c) the levy of the necessary tax therefore, to be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education taking into account state aid received; and (d) in anticipation of the collection of such tax, the issuance of bonds and notes of the School District at one time or from time to time in the principal amount not to exceed \$8,400,000, and the levy of a tax to pay the interest on said obligations when due, be approved?

PLEASE TAKE FURTHER NOTICE, that the aforesaid Proposition shall appear on the ballot labels of the voting machines in the following abbreviated form:

Shall the bond resolution authorizing the Board of Education to reconstruct various School District buildings, including technology, safety and security system improvements, site work and the acquisition of original furnishings, equipment, machinery or apparatus, (the "Project") at a maximum cost of \$8,400,000, and providing that the cost of the Project (including the interest due on any District obligations), taking into account state aid received, be raised by a tax levy to be collected in annual installments. with District obligations to be issued in anticipation thereof. be approved? The vote upon such proposition shall be by machine or absentee ballot. The hours during which the polls shall be kept open shall be from 7:00 a.m. to 8:00 p.m. prevailing time or for as long thereafter as necessary to enable qualified voters who are in the polling place at 8:00 p.m. to cast their ballots.

Such voting shall take place at the following locations:

- School 2 located at 470 – 10th Street (at Middleburgh)
- School 12 located at 475 -1st Street (at Harrison)
- School 14 located at 1700 Tibbits Avenue
- School 16 located at 40 Collins Avenue (at Walker)
- School 18 located at 417 Hoosick Street (at Lee)
- Carroll Hill School located at 112 Delaware Avenue

Personal registration of voters is required, either pursuant to Section 2014 of the Education Law or pursuant to Article 5 of the Election Law. Only those qualified voters who are not registered under permanent personal registration on or before the last registration day found on the original or duplicate registers or records or list furnished by the Board of Elections and have not voted at an intervening school district election, shall be required to present themselves personally for registration.

The School District Board of Registration shall meet for the purpose of preparing the register for the School District at the School District Business Office located at School 12, 475 First Street, Troy, New York and shall hold registration between the hours of 12 noon and 4:00 p.m. on Tuesday, November 26, 2013 for any person who is not registered under permanent registration with the Rensselaer County Board of Elections and has not voted at an intervening school district election. Any person shall be entitled to have his or her name placed on the register provided that at such meeting of the Board of Registration, he or she is known or proven to the satisfaction of the Board of Registration to be then or thereafter entitled to vote at the school meeting for which such register is prepared.

The register prepared by the Board of Registration shall be filed in the office of the District Clerk (475 First Street, Troy, New York) and shall be open for inspection by any qualified voter of the School District from 8:00 a.m. until 4:00 p.m. prevailing time on weekdays on each day in the two weeks prior to the vote.

Absentee ballots may be applied for at the office of the District Clerk from 8:00 a.m. until 4:00 p.m. Applications for absentee ballots must be received by the District Clerk at least seven days prior to the vote if the ballot is to be mailed to the voter, or on or prior to December 9, 2013, if the ballot is to be delivered personally to the voter. Absentee ballots must be received by the District Clerk not later than 5:00 p.m. on Tuesday, December 10, 2013. A list of all persons to whom absentee ballots have been issued will be available for public inspection during regular business hours (8:00 a.m. to 4:00 p.m.) of the District Clerk on each weekday prior to the vote. Any qualified voter may, upon examination of such list, file a written challenge of the qualifications as a voter of any person whose name appears on such list, stating the reasons for such challenge. Such written challenge will be transmitted by the Clerk to the inspectors of election on the vote date.

BE IT FURTHER RESOLVED, that the District Clerk is hereby authorized and directed to publish a notice of such meeting in two newspapers of general circulation within the District, four (4) times within the seven (7) weeks next preceding such District meeting, the first publication to be at least forty-five (45) days prior to the date of the meeting.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately.

VII. DISCUSSION

Mr. Schofield stated that the Board discussed consolidating voting sites to one site at the Troy Middle School. However, we have been advised by counsel that is not permissible under Education Law for a small city school district. Therefore we will keep the same polling locations at each elementary building and School 12.

Mr. Tuttmann stated that in light of another school shooting today in Nevada, he would like to discuss our school emergency plans. This will be scheduled for the next workshop meeting.

VIII. FUTURE MEETINGS

1. November 6, 2013 at 7:00 pm (TMS)
2. November 20, 2013 at 6:00 pm (CHS)

IX. ADJOURN

There being no other business, the meeting was adjourned at 6:05 pm with a motion by Mr. Schofield. This was seconded by Mr. Strang and carried 7-0.

Respectfully submitted by,

Mary Beth Bruno
Board Clerk