

**Sherman Central School
Board of Education
REGULAR BOARD MEETING
February 29, 2016**

TIME & PLACE: 5:30 PM – Board Room #118

MEMBERS PRESENT: Brian Bates, Gary DeLellis, Jennifer Ferreira, Colleen Meeder

MEMBERS ABSENT: Emily Reynolds

OTHERS PRESENT: Kaine Kelly, Kimberly Oehlbeck, Tracie Cederquist, Michael Ginestre, Reporters

President Bates called the **meeting to order** at 5:33 PM. The pledge of allegiance was recited and board member roll call was taken with 4 members present and 1 absent.

**ORDER
PLEDGE
ROLLCALL**

C. Meeder moved to **approve the minutes** of the January 25, 2016 meeting. Second by G. DeLellis, carried 4-0.

**APPROVE
MINUTES**

C. Meeder moved to approve the **financial consent agenda** including the following items:

**FINANCIAL
CONSENT
AGENDA**

- 2a) **Cash Disbursements** for period ending 01/31/16
- 2b) **Treasurer Reports** for period ending 01/31/16
- 2c) **Extra Curricular Treasurer Reports** period ending 01/31/16
- 2d) **Financial Reports** period ending 01/31/16

**Cash Disbursements
Treasurer Reports
Financials**

Second by J. Ferreira, carried 4-0

School Business Administrator – Kimberly Oehlbeck distributed preliminary budget information including GASB-45 changes, BOCES Budget, Program section of the budget, and expenditures. The tax cap info needs to be submitted by March 1st.

**SCHOOL BUSINESS
ADMINISTRATOR
REPORT**

Superintendent Kelly informed the board of the recent meeting he had with the President and Vice President of JCC when they visited our district this week. They discussed the future success which JCC anticipates having, which in turn will be successes for many of our students with more robust programming options and the flexibility of offering our students college credit courses to jump start their college experience. A \$100,000 capital outlay project has been built into the preliminary budget figures. If it goes to fruition, it could mean funding for the day-to-day maintenance projects in the next year, having no impact on the fund balance. Superintendent Kelly and the business administrator are looking and financing options to pay for the BOCES capital project in the most feasible way. An auditor from the State Comptroller's office will be in the district tomorrow to explain the details of the upcoming audit of the district's financial records. They will determine which areas that they will focus on as they work closely with the business office and administration. Mr. Jordan Nicholas from the office of Senator Chuck Schumer contacted our district and announced the receipt of technology aid for our district in the form of five new computers. An inquiry was received from a home instruction family and a response will be forthcoming. Superintendent Kelly presented a PowerPoint highlighting the Chautauqua County Education Coalition (CCEC) and their goals, one being, having students' workforce ready and early intervention is the key and we want to be a part of this prospect by starting at the pre-k level. The presentation included a grant which we may be eligible for, Quality Stars. We are currently applying our pre-k program to qualify. We are also working with Beth Starks (CCEC and Chautauqua Lake Daycare and the possibility of having a B-3 year old program in our building. We need to show that our area is in need in early childhood daycare.

**SUPERINTENDENT
REPORT**

C. Meeder moved to approve the **departmental reports**. Second by G. DeLellis, carried 4-0.

**DEPARTMENT
REPORTS**

G. DeLellis moved to approve the following **new business consent agenda** including the following items:

**NEW BUSINESS
CONSENT:**

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| 4a) | CSE placements as per the recommendation by the CSE/CPSE chair of the attached student roster. (Att. #14) | CSE/CPSE
Placements |
| 4b) | Adopt the Sherman Central School 2016-17 academic calendar. | Adopt 2016-17
Academic
Calendar |
| 4c) | Approve the following resolution to adopt a deferred compensation plan as follows: | Deferred Comp
Plan |

WHEREAS, the Sherman Central School District wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the Sherman Central School District is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law* and **WHEREAS**, the Sherman Central School District has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Sherman Central School District by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the Sherman Central School District hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Sherman Central School District are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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|-----|--|-------------------------------------|
| 4d) | Adopt the following Policy Updates | Adopt Policies:
5675/ 7513/ 7521 |
| | <ul style="list-style-type: none"> ▪ 5675 - Student Grading Information Systems ▪ 7513 - Administration of Medication ▪ 7521 - Students with Life Threatening Health Conditions | |

- | | | |
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| 4e) | Adopt the following Bond Resolution for Financing of the BOCES Capital Project: | Adopt Bond
Resolution –
Financing
BOCES Capital
Project |
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BOND RESOLUTION DATED FEBRUARY 22, 2016 AUTHORIZING THE ISSUANCE OF \$282,710 GENERAL OBLIGATION BONDS OF THE SHERMAN CENTRAL SCHOOL DISTRICT, CHAUTAUQUA COUNTY, NEW YORK, TO PAY SAID SCHOOL DISTRICT'S SHARE OF THE COST OF CERTAIN CAPITAL IMPROVEMENTS TO THE EXISTING BOCES FACILITIES.

WHEREAS, the Board of Cooperative Educational Services, Second Supervisory District, Erie, Chautauqua and Cattaraugus Counties, New York (“BOCES”) has heretofore been created and this School District is one of the component school districts thereof;

WHEREAS, the BOCES has proposed to construct and equip improvements to various BOCES school facilities to increase their utility for the purposes of the BOCES at an estimated maximum cost of \$25,000,000 (the “Project”) and in furtherance thereof, has entered into an agreement by and among the BOCES and each of the component school districts of the BOCES providing

for such construction and equipping, the allocation and apportionment of such estimated maximum cost among such component school districts, the payment by each such component school district of its respective share to the BOCES and other matters incidental thereto (the "Agreement");

WHEREAS, the Agreement has heretofore been duly executed by BOCES and by each of the component school districts thereof;

WHEREAS, pursuant to Section 1950(14) of the Education Law, neither the approval of the voters of the component school districts, nor the voting of a special tax or a tax to be collected in the installments are conditions precedent to the adoption by the boards of education of each respective component school district of BOCES of bond resolutions authorizing the financing of their respective proportionate share of the aforesaid estimated maximum costs;

WHEREAS, the BOCES has heretofore determined that the purpose hereinafter described constitutes a Type II action under the State Environmental Quality Review Act of the State of New York ("SEQRA") and the applicable regulations thereunder which will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize (but not require) the financing by this School District of its share of the aforesaid estimated maximum cost, as authorized by said Section 1950(14) of the Education Law; and

WHEREAS, the Board wishes to rescind its previous (November 16, 2015) bond resolution relating to the proposed Project, which was adopted prior to the execution of the Agreement by all component districts of the BOCES, and replace it with this bond resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Education of the Sherman Central School District, Chautauqua County, New York (hereinafter referred to as the "School District"), as follows:

SECTION 1. The School District has reviewed the Project, and has considered and concurs with the prior BOCES determination that the Project constitutes a Type II action pursuant to SEQRA and the applicable regulations promulgated thereunder which will not have a significant adverse impact on the environment and that the Project is therefore not subject to any further environmental review under SEQRA.

SECTION 2. The specific object or purpose to be financed pursuant to this resolution is the share of the School District of the estimated maximum cost of the aforesaid construction and equipping of facilities owned by BOCES, as more fully described in the preambles hereto (the "Purpose"). No money has heretofore been authorized to be applied to the payment of the cost of the Purpose.

SECTION 3. The share of the School District of the estimated maximum cost of the aforesaid purpose is \$282,710 (which share of said costs constitutes the maximum estimated cost thereof to the School District, for purposes of Section 32.00 of the Local Finance Law), and the plan for the financing thereof is by the issuance of up to an aggregate of \$282,710 of general obligation serial bonds (and, if desirable, notes (and renewals) in anticipation thereof) of said School District, hereby authorized to be issued pursuant to the Local Finance Law. Investment earnings on such obligations shall be applied to either the debt service on such obligations, or to the costs of the aforesaid Purpose within the School District's share amount as set forth above or as proportionately increased within the overall BOCES authorization. Such bonds and notes are to be payable from amounts which shall annually be levied on all the taxable real property in the School District (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York), and the faith and credit of the School District are hereby pledged for the payment of the bonds and notes and the interest thereon.

SECTION 4. It is hereby determined that the period of probable usefulness of the aforesaid purpose is thirty years, pursuant to subdivision 14(b) of Section 1950 of the Education Law.

SECTION 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds herein authorized and the bond anticipation notes in anticipation of the issuance and sale of such bonds, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer, or to the Vice President of the Board in the event of the absence or unavailability of the President. Such bonds and notes shall be of such terms, forms and contents, and shall be sold in such manner, as may be prescribed by said President or Vice President of the Board of Education, consistent with the provisions of the Local Finance Law.

SECTION 6. All other matters except as provided herein relating to the bonds and notes herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein, and the manner of execution of the same including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, shall be determined by the President of the Board of Education, or by the Vice President of the Board in the event of the absence or unavailability of the President. Such bonds and notes shall contain substantially 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, in addition to those required by Section 51.00 of the Local Finance Law, as the President or Vice President of the Board of Education shall determine consistent with the provisions of the Local Finance Law.

SECTION 7. It is hereby determined and declared that the School District reasonably expects to reimburse the general fund (or such other fund as may be utilized), not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

SECTION 8. The President of the Board is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 9. The President of the Board is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds authorized hereunder (or any bond anticipation notes issued in anticipation of the sale of such bonds), containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, as promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The School District Clerk is hereby authorized to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the School District, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the School District, which newspaper shall be designated by the Board in a separate resolution. The validity of the serial bonds authorized hereby, or of

any bond anticipation notes issued in anticipation of the sale of such serial bonds, may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the School District is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution (or a summary thereof) are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. This resolution is intended to, and hereby does, rescind and replace that particular bond resolution that was adopted on November 16, 2015 in connection with the Project.

SECTION 12. This resolution shall take effect immediately.

Second by C. Meeder, carried 4-0.

C. Meeder moved to approve the following consent agenda for Personnel including the following items:

**PERSONNEL
CONSENT
AGENDA**

5a) Approve the following **substitutes** for the 2015-16 school year as an emergency conditional appointment pending proper fingerprint clearance:

SUBSTITUTES

Samantha Delcamp – Uncertified Teacher
John Spann – Uncertified Teacher
Mark Teets – Uncertified Teacher

Second by G. DeLellis, carried 4-0.

G. DeLellis moved to suspend the regular order of business and enter **executive session** at 6:30 PM to discuss a staff related issue and negotiations with no action to be taken. Second by J. Ferreira, carried 4-0.

**EXEC.
SESSION**

B. Bates moved to **adjourn** the meeting at 7:10 PM. Second by J. Ferreria, carried unanimously.

ADJOURN

Respectfully submitted,

Tracie Cederquist
District Clerk