

PERRY CENTRAL SCHOOLS
PERRY, NEW YORK 14530

BOARD OF EDUCATION

MINUTES

Perry Central School District Board of Education
33 Watkins Ave., Perry, NY 14530
Regular Meeting
May 23, 2022

I. Call to Order, Roll Call, Pledge of Allegiance

President Paddock called the meeting to order at 6:06 p.m.

A. Roll Call

Mr. Paddock	Mr. McLaughlin, <i>Superintendent</i>
Mrs. Beck	Mrs. Gilsinan, <i>Elementary Principal</i>
Mr. Milhollen	Mrs. Belkota, <i>Secondary Principal, absent</i>
Mr. Smithgall	Mr. Daniel Schuler, <i>Director of Pupil Services</i>
Mr. Westfall	Mr. Pettys, <i>School Business Administrator</i>
Mrs. Uveino	Mr. Wolfanger, <i>Director of Facilities III</i>
	Ms. Kowasz, <i>District Clerk</i>
	Mr. Philip Wyant, <i>H.S. Asst. Principal/AD</i>

II. Adopt Agenda

Upon motion made by Mr. Westfall, seconded by Mr. Milhollen, the agenda for the regular meeting of May 23, 2022 is hereby approved.

Vote: Yes 6, No 0 motion carried unanimously

III. Persons Wishing to Address the Board - none

IV. Presentations

A. Travel Club

V. Reports - none

VI. Minutes of Previous Meetings

A. May 9, 2022 – Regular Meeting

Upon motion made by Mrs. Uveino, seconded by Mr. Westfall, the minutes of the regular meeting of May 9, 2022 were approved.

Vote: Yes 5, No 0, Abstain 1 (Mr. Smithgall) motion carried

VII. Consideration of Accounts

A. Extra-Curricular Accounts – *April 2022*

B. Treasurer's Report – *April 2022*

Treasurer's Report for April 2022 General, T&A, Federal Aid, Debt Service, School Lunch Funds, Reserve Funds, Payroll, Capital, Transfers, Revenue Status and Appropriation Status.

C. Requests for Payment

Upon motion made by Mrs. Beck, seconded by Mr. Smithgall, the following resolution was offered:

RESOLVED: that upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby approves the following requests for payment for services/supplies related to Capital Project contracts:

- CPL Architecture Engineering Planning Invoice No. 82516 \$63,210.98
- Landry Mechanical Contractors Pay Application No. 1 \$950.00

Vote: Yes 6, No 0 motion carried unanimously

VIII. Old Business

A. Policy Amendments - Second Reading of Policy

Upon motion made by Mrs. Uveino, seconded by Mrs. Beck, the following resolution was offered:

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby approves the following policy for the Perry Central School District:

- 4211 – Perry Central School District Organizational Chart

Vote: Yes 6, No 0 motion carried unanimously

IX. New Business

A. Committee on Special Education Recommendations

Upon motion made by Mr. Westfall, seconded by Mr. Milhollen, the following resolution was offered:

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education has no objections to the recommendations of the Committee and approves the authorization of funds to implement the special education programs and services consistent with such recommendations dated 04/19/22, 04/25/22, 05/02/22, 05/03/22, and 05/10/22.

Vote: Yes 6, No 0 motion carried unanimously

B. Certify Voting Results of May 17, 2022

Upon motion made by Mr. Westfall, seconded by Mrs. Uveino, the Board of Education hereby certifies the following voting results:

Proposition #1: ANNUAL BUDGET

Shall the Board of Education of the Perry Central District be hereby authorized to expend \$19,554,407 to meet the expenditures for fiscal year 2022-2023, and the amount thereof shall be raised by a levy of tax upon the taxable property of the School District, after first deducting the monies available from State Aid and other sources as provided by law.

Yes 158 No 27

Proposition #2: ELECTION OF THREE BOARD OF EDUCATION MEMBERS

Three district residents have submitted petitions to run for three (3) seats on the Board of Education. Each open seat is for a three-year term beginning July 1, 2022 and expiring on June 30, 2025. * Please note, the candidate with the greatest number of votes, will assume Stacey Muolo's seat immediately following the annual meeting of district voters.

Bridget Givens **136**

Jason M. Sealy **155**

Christopher Smithgall **157**

Write-Ins: **0**

Proposition #3: EQUIPMENT RESERVE FUND

RESOLVED: That the Board of Education of Perry Central School shall be authorized to expend funds from the Capital Reserve Fund (Technology, Maintenance Vehicles and Equipment) established by the voters on May 16, 2017 under Section 3651 of Education Law for the acquisition of instructional, maintenance, and interscholastic athletic equipment not exceed a total sum of \$170,000.

Yes 162 No 20

Proposition #4: AUTHORITY TO ESTABLISH 2022 BUILDING & EQUIPMENT CAPITAL RESERVE FUND

BE IT RESOLVED, that the Board of Education of the Perry Central School District, Wyoming County, New York, is authorized to establish a capital reserve fund in accordance with New York State Education Law Section 3651 to be known as the "2022 Building & Equipment Capital Reserve".

- (1) The construction, reconstruction, additions, alterations, renovations, and improvement of school buildings and facilities and the acquisition and installation of machinery, equipment, apparatus, or furnishings and costs incidental thereto, such capital costs being of a type that would be eligible for financing under the Local Finance Law.
- (2) The purchase of equipment, including hardware, software, related networking infrastructure, and related peripheral machinery and apparatus as well as technology projects including District wide improvements to technology infrastructure, and ancillary or related work required in connection therein; and/or
- (3) The purchase of maintenance vehicles and equipment for school district use.

The source of monies to be paid into such reserve fund shall include: (a) current and future unappropriated fund balance from the General Fund of the District as directed by the Board of Education; (b) any appropriations authorized by the voters from time to time; (c) New York State Aid received and authorized by the Board of Education; and (d) fund balances transferred from other reserve funds of the District, as authorized by law.

Vote: Yes 6, No 0 motion carried unanimously

- 8110 – Curriculum Development, Resources, and Evaluation
- 8320 – Selection of Library and Multimedia Materials
- 8340 – Instructional Materials

Upon motion made by Mr. Milhollen, seconded by Mr. Smithgall, the following resolution was offered:

- (1) English Teacher
- (2) Special Education Teachers
- (1) Custodian

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E. 2012 DASNY Bond Refunding Resolution

Upon motion made by Mr. Milhollen, seconded by Mr. Westfall, the following resolutions were offered:

WHEREAS, the Perry Central School District, New York (the "School District") has heretofore duly issued \$6,720,000 initial aggregate principal amount of School District Refunding (Serial) Bonds, 2012F, such bonds being dated and issued on October 31, 2012, and maturing in annual installments in each of the years 2013 to 2027, both inclusive (the "Refunded Bonds"), as more fully described therein; and

WHEREAS, the Refunded Bonds were authorized pursuant to a refunding bond resolution dated August 14, 2012, to (i) pay the costs of issuance related to the Refunded Bonds, and (ii) purchase a portfolio of direct obligations of the United States of America, the principal of and investment income of which was sufficient to pay the maturing principal of, interest on and redemption premium, if any, payable with respect to the (a) \$3,700,000 School District Refunding (Serial) Bonds, Series B - 2002 dated November 26, 2002, and the (b) \$5,781,000 School District Refunding (Serial) Bonds, Series C - 2002 dated November 26, 2002, and the (c) \$1,042,000 School District Refunding (Serial) Bonds, Series D - 2002 dated November 26, 2002, previously issued by the School District; and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$3,265,000 outstanding principal balance of the Refunded Bonds (such outstanding principal balance being stated as of the date hereof), by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, such refunding will result in present value savings in debt service as required by Section 90.00 or 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED BY THE BOARD OF EDUCATION OF THE PERRY CENTRAL SCHOOL DISTRICT, NEW YORK (by the favorable vote of at least two-thirds of all the members of said Board of Education), AS FOLLOWS:

Section 1. For the object or purpose of refunding all or a portion of the \$3,265,000 outstanding aggregate principal amount of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized shall be sufficient to pay; (i) the principal amount of the Refunded Bonds; (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the maturity dates thereof or the date on which the Refunded Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Refunding Financial Plan, as hereinafter defined; (iii) the costs and expenses incidental to the issuance of refunding bonds herein authorized, if any that are not to be paid from current funds available therefor, including, without limitation, the development of the Refunding Financial Plan, compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the Escrow Contract, as hereinafter defined, and fees and charges of the Escrow Holder, as hereinafter mentioned; (iv) the redemption premium, if any, to be paid on the Refunded Bonds

which are to be called prior to their respective maturities, if any; and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$2,900,000 par amount of refunding serial bonds of the School District pursuant to the provisions of Section 90.00 and Section 90.10 of the Local Finance Law (the "Refunding Bonds"), plus an amount of original issue premium sufficient to effectuate the refunding financial plan, it being anticipated that the par amount of Refunding Bonds actually to be issued will be approximately \$2,690,000, with a net premium amount of \$205,065.60, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "SCHOOL DISTRICT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, as the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the President of the Board of Education, or by the Vice President of the Board in the event of the absence or unavailability of the President, pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph (f) of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the School District by lot in any customary manner of selection as determined by the President of the Board of Education. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the book-entry-only

system of DTC. In the event that either DTC shall discontinue the book-entry-only system, or the School District shall terminate its participation in such book-entry-only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such book-entry-only system. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the School District Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the School District maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the President of the Board of Education providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the President of the Board of Education, as fiscal agent of the School District for the Refunding Bonds (collectively, the "Fiscal Agent"). Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

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

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

The Refunding Bonds shall be executed in the name of the School District by the manual or facsimile signature of the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph (j) of Section 90.10 of the Local Finance Law and 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 of the Board of Education shall determine. It is hereby determined that it is to the financial advantage of the School District not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph e of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that: (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law; (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which the Refunded Bonds were issued is thirty (30) years, pursuant to subdivision 97 of paragraph a. of Section 11.00 of the Local Finance Law, with respect to each underlying series or purpose, computed from the date of the first obligations issued therefor; and (c) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to each of the Refunded Bonds subject to such requirements, if any, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The proposed financial plan for the refunding authorized by this resolution obtained for the School District by its Municipal Advisor, Bernard P. Donegan, Inc., and hereby accepted and approved (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, and, to the extent required by the Local Finance Law, the estimated present value of the total debt service savings, and the basis for the computation of the aforesaid estimated present value of total debt service savings, are referenced in the Exhibit attached hereto and made a part of this resolution. The President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, is hereby authorized to approve all details of the Refunding Financial Plan not contained herein. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series to refund all of the Refunded Bonds and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Refunding Financial Plan. This Board of Education recognizes that the Refunding Bonds may be issued in series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, interest rate or rates borne by the Refunding Bonds and provisions for redemption thereof prior to maturity, if applicable, will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto. The President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, is

hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, if any, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph c of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan and, in accordance herewith, all powers in connection therewith are hereby delegated to the President of the Board of Education, or to the Vice President of the Board in the event of the absence or unavailability of the President, provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The President or Vice President of the Board of Education shall file a copy of his or her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the District Clerk within ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, is hereby authorized and directed to enter into an escrow contract or contracts (collectively, the "Escrow Contract") with a bank or trust company or banks or trust companies located and authorized to do business in this State as he or she shall designate (collectively, the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said Perry Central School District, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding 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 such obligations becoming due and payable in such year. There shall be annually levied on all the taxable real property within said School District a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder. Accrued interest on the Bonds, if any, shall be paid to the School District to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders from time to time of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as

against all parties having claims of any kind in tort, contract or otherwise against the School District irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the School District shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated by the United States Treasury Department thereunder, as then in effect.

Section 9. Subject only to the issuance of the Refunding Bonds as herein authorized, the School District hereby elects to redeem all of the Refunded Bonds to be refunded maturing on and after the date of issuance of the Refunding Bonds that are callable at a present value savings, if any, as determined in the Refunding Financial Plan. Upon the issuance of the Refunding Bonds, the election to redeem such callable Refunded Bonds shall become irrevocable. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the School District in the manner and within the time provided in the respective Refunded Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to the underwriter or underwriters duly determined by the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President (collectively, the “Underwriter”) for purchase prices to be determined by the President or Vice President of the Board of Education, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of delivery of a payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, if applicable, the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the School District providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, to the Underwriter in accordance with said purchase contract upon the receipt by the School District of said purchase price, including accrued interest. The Board President is additionally authorized (but not required) to execute and deliver a financing agreement with the Dormitory Authority of the State of New York and any other agreements and documents necessary to accomplish a refinancing, all as may be determined in the discretion of the Board President.

Section 11. The President of the Board of Education and all other officers, employees and agents of the School District are hereby authorized and directed for and

Section 12. All other matters pertaining to the terms, issuance and sale of the Refunding Bonds, consistent with the provisions of Section 90.10 of the Local Finance Law, including without limitation, the determination to issue Refunding Bonds with substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.00, 90.10 and 168.00 of the Local Finance Law, shall be determined by the President of the Board of Education, or the Vice President of the Board in the event of the absence or unavailability of the President, and all powers in connection therewith not otherwise heretofore delegated thereto are hereby delegated to the Board President or Vice President.

1. Such obligations are authorized for an object or purpose for which said School District is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution (or a summary hereof) are not substantially complied with,

3. Such obligations are authorized in violation of the provisions of the Constitution.

Vote: Yes 6, No 0 motion carried unanimously

Upon motion made by Mrs. Beck, seconded by Mr. Smithgall, the following resolutions were offered:

RESOLVED: The Board of Education authorizes Superintendent Daryl T. McLaughlin to sign an agreement with the Wyoming County YMCA to work again with the Perry Central School District in the delivery of the schools UPK Program for the 2022-2023 school year.

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G. Board Member Vacancy

Upon motion made by Mr. Westfall, seconded by Mrs. Uveino, the following resolutions were offered:

WHEREAS, Christopher Smithgall was duly elected to serve a three-year term on the Board of Education from May 21, 2019 to June 30, 2022; and

WHEREAS, Christopher Smithgall received the greatest number of votes in the annual meeting of District voters on May 17, 2022; and

WHEREAS, Christopher Smithgall immediately assumed the Board of Education trustee seat vacated by Stacey Muolo; and

WHEREAS, Christopher Smithgall's current Board of Education trustee seat was vacated; and

WHEREAS, the Board has identified a qualified resident of the District who is willing and able to fill this vacancy.

NOW, BE IT THEREFORE RESOLVED that, pursuant to its authority under N.Y. Education Law § § 1804 and 2113, the Board of Education hereby appoints Jason M. Sealy to fill the position vacated by Christopher Smithgall.

Vote: Yes 5, No 0, Abstain 1 (Mr. Smithgall) motion carried

H. Approve Change Order MC-01 – CIP Valve and Fitting Replacement

Upon motion made by Mr. Milhollen, seconded by Mr. Smithgall, the following resolution was offered:

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin the Board of Education hereby approves Change Order MC-01 related to the 2021 CIP Valve and Fitting Replacement Project in the amount of \$77,600.88 (increase).

Vote: Yes 6, No 0 motion carried unanimously

X. Round Table Discussion

XI. **Personnel – Instructional (Consent)**

Upon motion made by Mr. Smithgall, seconded by Mrs. Uveino, the Personnel - Instructional consent agenda is hereby approved as presented.

Vote: Yes 6, No 0 motion carried unanimously

A. Appointments

1. Reading Teacher, *Brittany Hasler*

RESOLVED: That upon the recommendation of the Superintendent, Daryl T. McLaughlin, Brittany Hasler who holds professional certifications in Early Childhood Education (Birth-Grade 2), Childhood Education (Grades 1-6), Students with Disabilities (Grades 1-6), Literacy (Birth – Grade 6) and Literacy (Grades 5-12) is hereby appointed to a probationary position in the Remedial Reading tenure area for a four (3)-year probationary period commencing on July 1, 2022 and ending on June 30, 2025. This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law of either effective or highly effective in at least two (2) of the three (3) preceding years, and if the teacher receives an ineffective composite or overall rating in the final year of the probationary period, the teacher shall not be eligible for tenure at that time. Brittany Hasler shall receive a salary for the 2022-23 school year at Step 7 based on Appendix A, of the Collective Bargaining Agreement. This appointment is contingent upon Mrs. Hasler signing a Request from Teacher Transferring Tenure form.

2. Behavioral Health Specialist, *Stacee Muolo*

RESOLVED: That upon the recommendation of the Superintendent, Daryl T. McLaughlin, Stacee Muolo who holds permanent certification as a School Social Worker, is hereby appointed to a probationary position as Behavioral Health Specialist in the School Social Worker tenure area for a three (3)-year probationary period commencing September 1, 2022 and ending on August 31, 2025. This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of Education Law, in order to be granted tenure the social worker must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law of either effective or highly effective in at least two (2) of the three (3) preceding years, and if the social worker receives an ineffective composite or overall rating in the final year of the probationary period, the social worker shall not be eligible for tenure at that time. Stacee Muolo shall receive a salary for the 2022-23 school year at Step 17 based on Appendix A, of the Collective Bargaining Agreement. Mrs. Muolo may be required to perform per diem work over the summer of 2022 (July and August). Authorized per diem summer work shall be compensated at the curriculum rate (\$25.00 an hour) set forth in the collective bargaining agreement between the District and the Perry Professional Educators’

Association. This per diem summer work will not be credited toward Mrs. Muolo's probationary term.

3. Technology Teacher, *Sean Sporleder*

RESOLVED: That upon the recommendation of the Superintendent, Daryl T. McLaughlin, Sean Sporleder who holds an Emergency COVID-19 certification in Technology Education, is hereby appointed to a probationary position in the Technology Education tenure area for a three (4)-year probationary period commencing September 1, 2022 and ending on August 31, 2026. This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law of either effective or highly effective in at least three (3) of the four (4) preceding years, and if the teacher receives an ineffective composite or overall rating in the final year of the probationary period, the teacher shall not be eligible for tenure at that time. Sean Sporleder shall receive a salary for the 2022-23 school year at Step 5 based on Appendix A, of the Collective Bargaining Agreement. Mr. Sporleder may be required to perform per diem work over the summer of 2022 (July and August). Authorized per diem summer work shall be compensated at the curriculum rate (\$25.00 an hour) set forth in the collective bargaining agreement between the District and the Perry Professional Educators' Association. This per diem summer work will not be credited toward Mr. Sporleder's probationary term.

XII. **Personnel – Non Instructional (Consent)**

Upon motion made by Mr. Milhollen, seconded by Mrs. Beck, the Personnel - Instructional consent agenda is hereby approved as presented.

Vote: Yes 6, No 0 motion carried unanimously

A. Appointments

1. Receiving Clerk, *Victoria Putney*

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby appoints Victoria Putney as a receiving clerk at the rate of \$14.00 per hour effective July, 5, 2022.

B. Unpaid Leave

1. Teaching Assistant, *Lesley Rowley*

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby approves Lesley Rowley's request for unpaid from her position as Teaching Assistant a half day on May 9, 2022.

2. School Secretary, *Lindsay Cipolla*

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby approves Lindsay Cipolla's request for unpaid from her position as School Secretary May 3, 2022 through May 11, 2022.

3. Teacher Aide, *Tabitha Royce*

RESOLVED: That upon the recommendation of Superintendent Daryl T. McLaughlin, the Board of Education hereby approves Tabitha Royce's request for unpaid from her position as Teacher Aide on May 13, 2022 May 31, 2022.

Executive Session

Upon motion made by Mr. Milhollen, seconded by Mr. Smithgall, the following resolution was offered:

RESOLVED: That the Board of Education will adjourn to an executive session at 6:57 p.m. for the purpose of discussing and/or reviewing:

- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Vote: Yes 6, No 0 motion carried unanimously

President Paddock appointed Deborah Uveino as Clerk Pro Tem in the absence of the Clerk.

Returned to regular session at 7:56 p.m.

XIII. **Board Open Forum**

Upon motion made by Mr. Smithgall, seconded by Mr. Westfall, the following resolution was offered:

RESOLVED: That the Board of Education will adjourn to an executive session at 8:15 p.m. for the purpose of discussing and/or reviewing:

- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Vote: Yes 6, No 0 motion carried unanimously

President Paddock appointed Deborah Uveino as Clerk Pro Tem in the absence of the Clerk.

Returned to regular session at 9:23 p.m.

XIV. Adjournment

Upon motion made by Mr. Milhollen, seconded by Mrs. Beck, the Regular meeting of the Board of Education was adjourned at 9:23 p.m.

Vote: Yes 6, No 0 motion carried unanimously