

**SPECIAL BOARD MEETING OF THE
MALVERNE UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

MINUTES

August 1, 2013

Marguerite O'Connor	Danielle Hopkins	Josephine Bottitta	Michael Taylor	Jack Tulley	AGENDA ITEM:	ACTION TAKEN:
					<u>BOARD MEMBERS PRESENT</u>	
					Marguerite O'Connor , Danielle Hopkins, Josephine Bottitta ,Jack Tulley, Dr. James Hunderfund, and, Thomas McDaid Jr.,	
					Absent were: Michael Taylor and Richard Banyon and Spiro Colaitis	
					<u>I - CALL TO ORDER</u>	Call to order
					Meeting was held in Conference room at Central Office	
S				M	Jack Tulley motioned to open the meeting at 6:31 pm	
Y	Y	Y		Y	Seconded by Marguerite O'Connor	
					4 Yes 0 No, Motion carried	
					<u>II -EXECUTIVE SESSION</u>	Executive Session
					M Jack Tulley motioned to open the meeting at 6:31pm	
S				M	Seconded by Marguerite O'Connor	
Y	Y	Y		Y	4 Yes , 0 No Motion carried	
					<u>III -ADJOURNMENT OF EXECUTIVE SESSION</u>	
					Marguerite O'Connor motioned to adjourn the executive session at 7:09 pm	
M				S	Seconded by Jack Tulley	
Y	Y	Y		Y	4 Yes , 0 No Motion Carried	
					<u>IV -OPENING OF PUBLIC SESSION</u>	Opening of Public Session
					Marguerite O'Connor motioned to open the public meeting at 7:10 pm	
	S				Seconded by Danielle Hopkins	
Y	Y	Y		Y	4 Yes , 0 No Motion carried	
					<u>V - MINUTES</u>	Minutes None
					None	
					<u>VI -TREASURER'S REPORT</u>	
					None	
					<u>VII- COMMUNICATIONS</u>	
					<u>VIII SUPERINTENDENT'S REPORT/ ANNOUNCEMENTS</u>	

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Y	S Y	M Y	Y	<p><u>IX –PERSONNEL</u> Josephine Bottitta motioned to approve Christopher Caputo as as the Business Administrator for the Malverne Union Free School District effective August 26, 2013 Seconded by Danielle Hopkins 4 Yes , 0 No Motion carried <u>Appointments</u></p> <p><u>Business Administrator</u> Christopher Caputo , Effective Date 8/26/13 – 8/25/16</p> <p><u>X- OLD BUSINESS</u> None</p> <p><u>XI NEW BUSINESS</u></p> <p>A. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the Malverne High School football team to attend Football camp to be held on August 26, 2013 – August 30, 2013 at Camp Kinderling, Hopewell Junction, NY for the 2013/ 2014 school year.</p> <p>B. BE IT HEREBY RESOLVED the maximum amount of \$1,200,000 is authorized to be transferred from unappropriated surplus into the Retirement Contribution Reserve for the year ended June 30, 2013.</p> <p>C. BE IT HEREBY RESOLVED the maximum amount of \$200,000 is authorized to be transferred from unappropriated surplus into the Unemployment Reserve for the year ended June 30, 2013.</p> <p>D. BE IT HEREBY RESOLVED the maximum amount of 1.95 million is authorized to be transferred from unappropriated surplus into the Capital Reserve for the year ended June 30, 2013 previously established under Education Law Sec 3651.</p> <p>E. BE IT HEREBY RESOLVED the maximum amount of \$200,000 is authorized to be transferred from unappropriated surplus into the Employee Benefits Reserve for the year ended June 30, 2013.</p>	<p>Approval of Business Administrator</p> <p>Old Business None</p> <p>Approval of MHS Football Team attending Camp Kinderling August 26, 2013 August 30, 2013</p> <p>Approval of \$1,200,000 Is authorized to be transferred from unappropriated surplus to Retirement Contributio</p> <p>Approval of \$200,000 is authorized to be transferred from unappropriated surplus into the Unemployment Reserv</p> <p>Approval of 1.95 million to be transferred from unappropriated surplus into the Capital Reserve</p> <p>Approval of \$200,000 is authorized to be transferred from unappropriated surplus</p>
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2005 Lease Agreement and accepting the proposal of Municipal Leasing Consultants ("MLC") and authorizing the Board of Education and/or the Business Administrator to negotiate, approve, enter into, execute, and deliver any and all contracts, agreements, and other documents necessary or incidental to effectuate the refinancing of the 2005 Lease Agreement (the "July 9, 2013 Resolution"); and

WHEREAS, MLC has subsequently informed the District that it is now unable to fulfill its responsibilities to refinance the 2005 Lease Agreement,

THE BOARD OF EDUCATION OF THE MALVERNE UNION FREE SCHOOL DISTRICT, NASSAU COUNTY, NEW YORK, HEREBY RESOLVES (by a majority vote of all the members of said Board) AS FOLLOWS:

Section 1. The Malverne Union Free School District (the District"), Nassau County, New York is hereby authorized to refinance the 2005 Lease Agreement with the proceeds of one or more lease agreements to be entered into by the District.

Section 2. The proposal of First Niagara Leasing, Inc. is hereby accepted and the President of the Board of Education and/or the Business Administrator are hereby authorized to negotiate, approve, enter into, execute, and deliver any and all contracts, agreements, and other documents necessary or incidental to effectuate the refinancing of the 2005 Lease Agreement; and such contracts, agreements and other documents are hereby approved.

Section 3. The principal amount of any new lease agreement entered into to refinance the 2005 Lease Agreement shall not exceed \$1,335,329.12; and the term of such new lease agreement shall not extend beyond August 20, 2020.

Section 4. The District's obligations under any new lease agreements entered into to refinance the 2005 Lease Agreement shall be subject to annual appropriation or renewal by the Board of Education of the District and the District's obligations under the such agreements shall not constitute a general obligation of the District or indebtedness under the Constitution or laws of the State of New York.

Section 5. The President of the Board of Education and/or the Business Administrator are hereby authorized to take any and all other actions necessary or desirable in connection with the refinancing of the 2005 Lease Agreement.

Section 6. The July 9, 2013 Resolution is hereby rescinded.

Section 7. This resolution shall take effect immediately

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The adoption of the foregoing resolution was seconded by Board Member Danielle Hopkins and duly put to a vote on roll call, which resulted as follows:

