

**Board of Education  
LANCASTER CENTRAL SCHOOL DISTRICT  
Lancaster, New York**

**MINUTES**

August 24, 2015

Regular Session

Court Street Elementary School, 91 Court Street, Lancaster

Patrick Uhteg, President  
William Gallagher, V. President  
Brenda Christopher, Trustee  
Kelly Depczynski, Trustee

Kenneth Graber, Trustee  
Marie MacKay, Trustee  
Michael Sage, Trustee

Michael Vallely, PhD, Superintendent of Schools  
Marie Perini, EdD, Asst. Superintendent for Curriculum, Instruction &  
Pupil Services

Jamie Phillips, Assistant Superintendent for Business & Support Services

John Armstrong, Director of Special Education

Andrew Kufel, PhD, Director of Secondary Education

Karen Marchioli, Director of Elementary Education

Michele Ziegler, Director of Instructional Technology & Accountability

District residents, staff members, students, and media representatives

The regular meeting of the board of education was called to order at 7pm by President Uhteg. The pledge to the flag was recited and Mr. Uhteg asked for a moment of silent reflection for Joel Java, a social studies teacher at the high school from 1965 through 1999, who passed away on August 11, 2015; Mary Ann Testa, mother-in-law of Richard Goss, who passed away on August 11, 2015; Paul Bannochie, an auto mechanic in the district from 1988 through 2011, who passed away on August 13, 2015; Barbara Cantie, a school monitor at John A. Sciole from 1976 through 2000, who passed away on August 15; Nanette Varco, a clerk typist in the district from 1976 through 2002, who passed away on August 18, 2015; Carletta Krupa, a bus attendant in the district from 1990 to 2014, who passed away on August 24, 2015; and for Malcolm Francis, former town employee, who passed away on August 21, 2015.

Dr. Al Dirschberger, Commissioner of the County of Erie Department of Social Services presented information to the board regarding details of a county initiative, involving several local school districts, that would place existing county social work personnel on site in schools to provide early intervention and access to the county's support services for at-risk students.

Mrs. Melissa Bernhardt, elementary summer school principal, presented information to the board about the district's Jump Start Program.

**MEETING DATE**

**KIND**

**PLACE**

**MEMBERS PRESENT**

**DISTRICT ADMINISTRATORS**

**OTHERS PRESENT**

- 1.0 **CALL TO ORDER**
- 2.0 **PLEDGE TO FLAG**
- 3.0 **MOMENT OF SILENCE**

- 4.0 **PRESENTATIONS**
- 4.1 **COMMUNITY  
CASEWORKER PROGRAM**

- 4.2 **ELEMENTARY JUMP  
START SUMMER  
PROGRAM**

Dr. Kufel presented information to the board about the district’s middle school summer programs.

4.3 MIDDLE SCHOOL  
SUMMER SCHOOL

Mr. Thomas Murphy, special education teacher, and Mrs. Kristy Goergen, summer school principal, presented information to the board about the summer school program. Mr. Murphy, Mrs. Goergen, Mr. Marchioli, and Mr. Uhteg presented diplomas to the summer graduates.

4.4 SUMMER SCHOOL  
GRADUATION

Several Notices of Petition pursuant to Section 708 of the Real Property Tax Law were received by the district.

5.0 CORRESPONDENCE  
5.1 TAX ASSESSMENT  
CHALLENGES

A letter was received from Linda Hoffman on August 5, 2015.

5.2 LETTER FROM LINDA  
HOFFMAN

MOVED by Gallagher SECONDED by Christopher to accept the minutes from the regular session held on August 3, 2015, as submitted.

6.0 APPROVAL OF MINUTES  
6.1 REGULAR SESSION  
AUGUST 3, 2015

VOTE ON THE MOTION: 7 Ayes 0 Nays  
MOTION APPROVED.

7.0 STAFF ORGANIZATIONS

Lancaster Administrative and Supervisory Association:

Mrs. Jacqueline Clinard spoke about summer school graduates and opening day.

Lancaster Central Teachers Association:

No one present to report.

Lancaster Association of Service Personnel:

Mrs. Kimberly Glauser had no items to report.

Lancaster Association of Substitute Teachers:

No one present to report.

8.0 BOARD REPORTS

Mr. Graber, Mrs. MacKay and Mr. Uhteg spoke about events they attended since the last board meeting. Mr. Graber submitted a report from the Western New York Educational Service Council law conference he attended on August 5, 2015.

9.0 SUPERINTENDENT’S  
ADMINISTRATIVE  
REPORT

Dr. Vallely presented his administrative report.

10.0 OLD BUSINESS

No old business was discussed.

11.0 NEW BUSINESS  
11.1 PERSONNEL ITEMS  
11.1.1 PERSONNEL CHANGES

MOVED by MacKay SECONDED by Graber to approve the personnel changes for the period ending August 24, 2015, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays  
MOTION APPROVED.

11.2 EDUCATION ITEMS  
11.2.1 COMMITTEE ON  
SPECIAL EDUCATION

MOVED by Christopher SECONDED by MacKay to approve recommendations of the committee on special education, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

MOVED by Sage SECONDED by MacKay to approve recommendations of the committee on preschool special education, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

MOVED by Christopher SECONDED by Gallagher to approve the financial reports, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

Policy # 7420 Sports and the Athletic Program, #6215 Probation and Tenure, #6216 Disciplining a Tenured Teacher or Certified Personnel, and #8280 Instruction for English Language Learners were presented to the board for a second reading. Policy #3110 Media/Municipal Governments/Senior Citizens/Past Board Members was presented to the board for a first reading. These policies will be placed on the next board agenda for a second reading and/or adoption.

MOVED by Depczynski SECONDED by MacKay to approve the recommended bid award for printed forms and stationery to multiple vendors, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

MOVED by MacKay SECONDED by Gallagher to approve agreement between the Lancaster Central School District and Carousel Nursery School, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

MOVED by MacKay SECONDED by Gallagher to approve the reserve fund activity for the fiscal year ending June 30, 2015, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

11.2.2 COMMITTEE ON PRESCHOOL SPECIAL EDUCATION

12.0 BUSINESS & FINANCIAL ITEMS

12.1 FINANCIAL REPORTS

12.2 - 12.6 POLICY 2<sup>ND</sup> READINGS #7420 SPORTS AND THE ATHLETIC PROGRAM, #6215 PROBATION AND TENURE, #6216 DISCIPLINING A TENURED TEACHER OR CERTIFIED PERSONNEL, #8280 INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS, POLICY 1<sup>ST</sup> READING #3110 MEDIA/MUNICIPAL GOVERNMENTS/SENIOR CITIZENS/PAST BOARD MEMBERS

12.7 BID AWARD - PRINTING

12.8 CONTRACT: CAROUSEL NURSERY SCHOOL

12.9 RESERVE FUND ACTIVITY

12.10 SURPLUS EQUIPMENT

MOVED by Gallagher SECONDED by Sage to declare the attached listings of equipment as surplus and prepare for disposal according to board policy #5250, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

**12.11 BOND RESOLUTION**

**BOND RESOLUTION OF THE BOARD OF EDUCATION OF THE LANCASTER CENTRAL SCHOOL DISTRICT, ERIE COUNTY, NEW YORK (THE “DISTRICT”) AUTHORIZING THE DISTRICT TO FINANCE A CAPITAL IMPROVEMENT PROJECT CONSISTING OF (I) ALTERATIONS, RENOVATIONS AND IMPROVEMENTS TO THE VARIOUS SCHOOL BUILDINGS, (II) THE CONSTRUCTION OF AN ADDITION TO THE NORTH ENTRANCE AT THE HIGH SCHOOL, (III) THE CONSTRUCTION OF A NEW TRANSPORTATION BUILDING, AND (IV) THE ACQUISITION AND INSTALLATION OF ORIGINAL FURNISHINGS AND EQUIPMENT RELATED THERETO, AT A MAXIMUM COST OF \$49,615,734; APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$47,115,734 IN SERIAL BONDS OF THE DISTRICT TO FINANCE SAID APPROPRIATION**

WHEREAS, the qualified voters of the Lancaster Central School District, Erie County, New York (the “District”) on May 19, 2015 approved a proposition (the “Proposition”) authorizing the Board of Education (the “Board”) of the District to undertake a District-wide capital improvement project consisting of (i) alterations, renovations and improvements to Lancaster High School, Lancaster Middle School, Court Street Elementary School, Como Park Elementary School, Hillview Elementary School, John A. Sciole Elementary School, the former Central Avenue Elementary School building and the Transportation Building, including in each case, site improvements for various school purposes and other appurtenant and related improvements (the “Renovation/Alterations Portion of the Project”), (ii) the construction at the High School of an approximately 1,700 square foot addition to the north entrance of the building to serve as an athletic entrance and to include a new entry with foyer, bathrooms, concessions, conference room and team rooms, and an approximately 9,900 square foot addition to the existing field house, including in each case all appurtenant and related improvements (the “High School Addition Portion of the Project”), (iii) the construction of a new approximately 17,000 square foot transportation building on land owned by the District at 4082 Walden Avenue, Lancaster, NY, 14086, to include offices, seven service bays, four permanent bus lifts, one portable bus lift, a wash bay, shop and storage areas, a break room and site improvements, including parking areas to accommodate approximately 110 buses and 130 cars, and (iv) the acquisition and installation in and around the foregoing buildings, facilities and improvements of original furnishings, equipment, machinery, apparatus, and other services incidental thereto, all at a total estimated maximum cost of \$57,314,099, provided, however, that in the event that the Lancaster Educational Alumni Foundation (“LEAF”) does not donate at least \$1,000,000 to the District to fund a portion of the cost of the Project then the estimated total cost of the Project shall not exceed

\$49,615,734, with such cost being raised by (a) the expenditure of \$2,500,000 from the District's existing general capital reserve fund established pursuant to a proposition approved by the qualified voters of the District on March 8, 2008, to fund a portion of the costs related to the alterations, renovations, improvements and additions described in clauses (i) and (ii) above, (b) the expenditure of moneys expected to be donated to the District by LEAF to contribute to the cost of the Project, and (c) with the balance thereof, in an amount not to exceed \$53,814,099, if LEAF makes such donation to the District in an amount not less than \$1,000,000, or in an amount not to exceed \$47,115,734, if LEAF does not make such donation to the District in an amount not less than \$1,000,000, being raised by a tax upon the taxable property of said District to be levied and collected in annual installments in the years and in the amounts as the Board of Education shall determine, with such tax to be partially offset by State aid available therefore, and in anticipation of such tax, by obligations of said District as may be necessary (the "Proposition"); and

WHEREAS, by resolution dated March 23, 2015, the Board determined that (i) the actions and improvements of which the Project is a part constitutes a "Type I" action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"), (ii) the Board has acted as lead agency for purposes of conducting a coordinated review of the Capital Project for purposes of SEQRA, and (iii) the Capital Project will not result in any significant adverse environmental impacts and issued a "negative declaration" pursuant to SEQRA; and

WHEREAS, the Board of the District now wishes to appropriate funds for the Project and to authorize the issuance of the District's serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE LANCASTER CENTRAL SCHOOL DISTRICT HEREBY RESOLVES (by the favorable vote of at least two-thirds of all the members of such Board), AS FOLLOWS:

SECTION 1. The District is hereby authorized to undertake the Capital Project, and to issue up to \$47,115,734 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance a portion of the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of the such bonds.

SECTION 2. (a) It is hereby determined that the maximum aggregate cost of the aforesaid specific object or purpose is \$49,615,734, said amount is hereby appropriated therefore and the plan for the financing thereof, shall consist of (i) the expenditure of \$2,500,000 from the District's existing general capital reserve fund to fund a portion of the costs related to the Renovation/Alterations Portion of the Project and the High School Addition Portion of the Project, as authorized by the Proposition, (ii) the issuance of \$47,115,734 in serial bonds of the District as authorized by Section 1 of this

resolution, or bond anticipation notes issued in anticipation thereof, and (iii) the application of state aid, and to the extent necessary, the levy and collection of taxes on the taxable real property in the District to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same may become due and payable.

(b) In the event that LEAF hereafter makes a donation of at least \$1,000,000 to the District to fund a portion of the cost of the Capital Project, as provided for by the Proposition, then it is anticipated that the Board may hereafter authorize, by amendment to this resolution or by a separate bond resolution, an increase in the maximum cost of the Capital Project in accordance with the Proposition, to \$57,314,899, with such additional cost to be raised by such donation of at least \$1,000,000 from LEAF, and the issuance of an additional \$6,698,365 in serial bonds of the District, as may be authorized by such amending resolution or bond resolution, or bond anticipation notes in anticipation thereof.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty (30) years, pursuant to subdivision 97. of paragraph (a.) of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the District, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The District shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of “official intent” to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and the said serial bonds and any bond anticipation notes issued in anticipation of the Bonds shall be general obligations of the District, payable as to both principal and interest by a general tax upon all the real property within the District without legal or constitutional limitation as to rate or amount. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal and interest on the serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the District by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Section 63.00 of the Law, the powers and duties of the Board relative to

authorizing serial bonds and bond anticipation notes, including without limitation the determination of whether to issue bonds providing for substantially level or declining debt service, and all matters incidental thereto, and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the such bonds, and the renewals of said bond anticipation notes, are hereby delegated to the President of the Board, the Chief Fiscal Officer of the District. The delegation of authority to the President of the Board contained in this Section 5 shall include the authority to determine whether to issue and sell the bonds in a private sale to the Dormitory Authority of the State of New York in accordance with Section 57.00(a) of the Law. In connection with, and in order to effectuate any such private sale of bonds to the Dormitory Authority of the State of New York pursuant to Section 57.00(a) of the Law, the President of the Board is hereby further authorized to execute one or more loan agreements, financing agreements and/or any other agreements with or for the benefit of the Dormitory Authority of the State of New York, including any amendments thereto and any instruments, certificates or other documents in connection therewith. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other bond resolutions of the Board of Education of the District, then the power of the Board to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the President of the Board, as the chief fiscal officer of the District.

SECTION 7. The President of the Board is hereby further authorized to take such actions and execute such documents as may be necessary (i) to ensure the continued status of the interest on the bonds authorized by this resolution and any bond anticipation 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 (ii) to designate the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The President of the Board is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The intent of this resolution is to give the President of the Board sufficient authority to execute those applications, agreements, instruments, certificates or to do any similar acts necessary or in the opinion of the President of the Board advisable to effect the issuance of the bonds or bond anticipation notes authorized by this resolution without resorting to further action of the Board.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

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

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 11. The District Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the District for legal notices, together with a notice of the District in substantially the form provided in Section 81.00 of the Law.

SECTION 12. This resolution shall take effect immediately upon its adoption.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

12.12 CONTRACT:  
AFTERCARE NURSING  
SERVICES

MOVED by Christopher SECONDED by MacKay to approve the agreement between the Lancaster Central School District and Aftercare Nursing Services, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

12.13 CONTRACT: PSA  
HEALTHCARE

MOVED by Gallagher SECONDED by Graber to approve the agreement between the Lancaster Central School District and PSA Healthcare, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

12.14 AUCTIONS  
INTERNATIONAL  
RESULTS

MOVED by Sage SECONDED by Gallagher to approve the Auctions International auction results, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

12.15 TAX ASSESSMENT  
CHALLENGE  
SETTLEMENT



MOVED by Graber SECONDED by Depczynski to authorize the proposed tax assessment challenge settlement to 491 Erie, LLC, which reduces the assessed value of the property by \$350,000, as submitted.

VOTE ON THE MOTION:           7 Ayes           0 Nays

MOTION APPROVED.

**13.0 PUBLIC HEARING**

Mary Jo Schaefer, 5894 Broadway Street, addressed the board regarding social media policy.

Julie Kaska, 239 Banko Drive, addressed the board regarding the Lancaster Educational and Alumni Foundation, Inc.

**14.0 FUTURE PRESENTATIONS**

Mr. Uhteg announced future presentations and the next board meeting.

At 8:23pm MOVED by Graber SECONDED by MacKay to adjourn the regular session.

VOTE ON THE MOTION:           7 Ayes           0 Nays

MOTION APPROVED.

**15.0 ADJOURNMENT**

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Sandra A. Janik, District Clerk