

**MEETING OF THE BOARD OF EDUCATION OF THE
EDWARDS-KNOX CENTRAL SCHOOL DISTRICT
IN THE COUNTY OF ST. LAWRENCE, NEW YORK**

November 13, 2018

A regular meeting of the Board of Education of the Edwards-Knox Central School District in the County of St. Lawrence, New York was held in the School District Library, 2512 County Route 24, Russell, New York on November 13, 2018, at 6:30 o'clock P.M. (Prevailing Time).

There were present:

Reginald LaPoint, President
Stacia Kroniser, Vice President
Penny Allen
Lynn Collier
Jennifer Hotaling
Derek LaPoint
Tom O'Brien
Bobbie Trudeau
Michael White

Also present:

Erin E. Woods, Superintendent
Glenda Morales-Hanley, Assistant Business Manager
Brandi Graham, District Clerk

There were absent:

* * * * *

Upon motion duly made by _____ and seconded by _____,
the following resolution was adopted:

BOND RESOLUTION OF THE EDWARDS-KNOX CENTRAL SCHOOL DISTRICT, ST. LAWRENCE COUNTY, NEW YORK, ADOPTED NOVEMBER 13, 2018, AUTHORIZING A CAPITAL IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$4,300,000 AND THE ISSUANCE AND SALE OF SERIAL BONDS OR NOTES IN AN AMOUNT NOT TO EXCEED \$4,300,000.

RECITAL

WHEREAS, the qualified voters of the Edwards-Knox Central School District, St. Lawrence County, New York (the "District"), at the special District meeting duly called and held on October 30, 2018, did vote and adopt propositions authorizing a capital improvement project consisting of construction, renovation and improvements to the District's K-12 school building, including building interior upgrades, building envelope improvements, mechanical system upgrades and security improvements, associated site improvements, furnishings, fixtures and equipment, architectural and legal fees, interest during construction and all other costs incidental to such work (collectively referred to herein as the "Project") at a maximum cost of \$4,300,000, the levy of a tax in the amount of \$4,300,000, which tax may be collected in annual installments as provided by Section 416 of the Education Law and in anticipation of such tax, the issuance of bonds and bond anticipation notes in the principal amount not to exceed \$4,300,000, and the levy of a tax to pay the interest on said obligations; and

WHEREAS, the Edwards-Knox Central School District (the "District"), is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, the District's Board of Education reviewed the impact of the Project upon the environment, as required by the Regulations, and concluded by resolution adopted on July 10, 2018 that the Project is a Type II Action as defined in SEQRA and therefore is not subject to review under SEQRA because the Project involves "maintenance or repair involving no substantial changes in an existing structure or facility" (Section 617.5(c)(1) and the "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site" (Section 617.5(c)(2); and

NOW, THEREFORE BE IT RESOLVED, ON NOVEMBER 13, 2018, BY THE BOARD OF EDUCATION OF THE DISTRICT, (by favorable vote of not less than two thirds of all members of said board of education) AS FOLLOWS:

Section 1. Subject to the provisions of Section 3 hereof, the District is hereby authorized to accomplish the Project and purchase such furnishings, fixtures, equipment, machinery and apparatus as may be required for the purposes for which the Project is to be used and to expend therefor an amount, including preliminary costs and costs incidental thereto and to financing thereof, not to exceed the estimated maximum cost of \$4,300,000; and the said amount is hereby appropriated therefor. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,300,000 and the plan of financing includes the use of any available State aid and the issuance of serial bonds in the aggregate principal amount not to exceed \$4,300,000 and the levy and collection of taxes on all the taxable real property in the District in the amount of \$4,300,000 to pay the principal of said bonds and the interest thereon as the same shall become due and payable, subject to applicable amounts of state assistance available or to any revenues available for such purpose from any other source.

Section 2. Bonds and bond anticipation notes, including renewals thereof, of the District are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York (the "Local Finance Law"), in a principal amount not to exceed \$4,300,000 to finance said appropriation for the Project.

Section 3. The following additional matters are hereby determined and declared:

(a) Under the Local Finance Law, the period of probable usefulness of the Project is thirty (30) years pursuant to Section 11 of the Local Finance Law;

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. The temporary use of available funds of the District, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the District's General Fund. It is intended that the District shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the District's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof shall contain the recital of validity as prescribed by Section 52.00 of the Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the District, payable as to both principal and interest by general tax upon all the taxable real property within the District without limitation of rate or amount. The bonds may be issued such that annual principal and interest payments will be substantially similar or declining as provided by law. The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the District of appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said 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 days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The power to issue and sell the bonds and any notes issued in anticipation thereof, including all powers or duties pertaining or incidental thereto, is hereby delegated to the President of the Board of Education, as Chief Fiscal Officer, except as herein provided. The bonds shall be of such terms, form and contents as may be determined by the Chief Fiscal Officer, pursuant to the Local Finance Law. The Chief Fiscal Officer is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent and provisions hereof.

Section 8. Trespasz & Marquardt, LLP is appointed bond counsel to the District for the Project.

Section 9. This resolution shall take effect immediately. The District Clerk is hereby authorized and directed to publish a summary of the foregoing resolution, together with a Notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the newspapers having general circulation in the District and designated the official newspapers of District for such publication.

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

Reginald LaPoint, President	Voting	_____
Stacia Kroniser, Vice President	Voting	_____
Penny Allen	Voting	_____
Lynn Coller	Voting	_____
Jennifer Hotaling	Voting	_____
Derek LaPoint	Voting	_____
Tom O'Brien	Voting	_____
Bobbie Trudeau	Voting	_____
Michael White	Voting	_____

The resolution was declared adopted.

STATE OF NEW YORK :
 : ss:
COUNTY OF ST. LAWRENCE :

I, the undersigned District Clerk of the Edwards-Knox Central School District, St. Lawrence County, New York, **DO HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of the meeting of the Board of Education of the District, including the resolution contained therein, held on November 13, 2018 with the original therein, on file in my office and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting.

I FURTHER CERTIFY, that, pursuant to the Public Officers Law, said meeting was open to the general public.

I FURTHER CERTIFY, that, **PRIOR** to the time of said meeting I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

Watertown Daily Times

District Web Site

I FURTHER CERTIFY that prior to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice

Date of Posting

All District Buildings

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of said District this ____ day of November, 2018.

Brandi Graham, District Clerk

[SEAL]