

BOARD OF EDUCATION MEETING
Special Meeting
January 23, 2023

Present: Mrs. Cathi Root, President
Mrs. Pamela Zwierlein, Vice-President
Mr. Aaron Lounsbury, Member
Mr. Chris Klossner, Member
Mr. Gregory Schweiger, Member
Mr. Joshua Whitmore, Member
Mrs. Lee Wood, Member

Adm./Others: Mr. Joshua Roe, Superintendent
Mrs. Kristy Robertson, Clerk

Others:

Absent:

1. CALL TO ORDER

Mrs. Root called the special meeting to order at 5:00 pm.

2. PLEDGE TO THE FLAG

3. VOICE OF THE PUBLIC

4. FINANCIAL

A MOTION was made by Gregory Schweiger, seconded by Joshua Whitmore, and carried by a vote of 7-0 to approve the Financial Agenda Item 4A as follows:

Approval of the Bus Bond Resolution as follows:

BOND RESOLUTION DATED JANUARY 23, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$294,000 BONDS OF TIOGA CENTRAL SCHOOL DISTRICT, TIOGA COUNTY, NEW YORK, TO PAY THE COST OF THE purchase of 2 SCHOOL BUSES FOR SAID SCHOOL DISTRICT.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, at the Annual District Meeting of the qualified voters of Tioga Central School District, Tioga County, New York (the "School District"), held on May 17, 2022, a proposition was duly adopted authorizing the Board of Education of said School District to undertake the purchase of two school buses as described therein, including incidental expenses in connection therewith, at a maximum estimated cost of \$294,000, such proposition providing for the levy of

a tax therefor to be collected in installments, with not to exceed \$294,000 obligations of said School District to be issued in anticipation thereof; and

WHEREAS, it is now desired to provide for the authorization of such purpose and for the financing thereof; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Education of Tioga Central School District, Tioga County, New York, as follows:

Section 1. The purchase of two school buses, including incidental expenses in connection therewith, at a maximum estimated cost of \$294,000 for the Tioga Central School District, Tioga County, New York, is hereby authorized.

Section 2. The plan for the financing of the aforesaid maximum estimated cost shall be by the issuance of not to exceed \$294,000 bonds of said School District hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five (5) years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said Tioga Central School District, Tioga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such 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 bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said School District, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said 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 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 the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the President of the Board of Education, the chief fiscal officer of such School District. Such bonds 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 of the Board of Education shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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 as of the date of publication of this 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

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said School District for such purpose, together with a notice of the School District Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

A MOTION was made by Pamela Zwierlein, seconded by Aaron Lounsbury, and carried by a vote of 7-0 to approve Financial Agenda Item 4B as follows:

Approval of the Athletic Facilities Capital Project Bond Resolution as follows:

BOND RESOLUTION DATED JANUARY 23, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,100,000 BONDS OF THE TIOGA CENTRAL SCHOOL DISTRICT, TIOGA COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF VARIOUS SCHOOL DISTRICT BUILDINGS AND FACILITIES, INCLUDING ATHLETIC FACILITIES, IN AND FOR SAID SCHOOL DISTRICT.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA") as a Type II Action, have been performed and it has been determined pursuant to 6 NYCRR Part 617.5(c)(1), (2) and (10) of to the regulations of the New York State Department of Environmental Conservation promulgated thereunder that said capital project, as such, will not have any significant adverse environmental impact; and

WHEREAS, at a Special District Meeting of the qualified voters of Tioga Central School District, Tioga County, New York (the "School District"), held on December 14, 2022, a proposition was duly adopted authorizing the Board of Education of said School District to authorize the financing of the cost of the construction of improvements to and reconstruction of School District buildings and facilities including various athletic facilities at various schools in and for said School District, and site improvements, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,500,000, with \$400,000 to be paid from available monies and with the remaining \$4,100,000 of said amount or so much thereof as may be necessary, to be raised by the levy of a tax upon the taxable property of said School District and collected in special installments as provided by Section 416 of the Education Law, and in anticipation of such tax, not exceeding \$4,100,000 obligations of said School District to be issued; and WHEREAS, it is now desired to provide for the authorization of such class of objects or purposes and for the financing thereof; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Education of Tioga Central School District, Tioga County, New York, as follows:

Section 1. The construction of improvements to and reconstruction of School District buildings and facilities including various athletic facilities at various schools in and for said School District, and site improvements, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,500,000, is hereby authorized.

Section 2. The plan for the financing of the aforesaid maximum estimated cost shall consist of:

- a) the issuance of not to exceed \$4,100,000 bonds of said School District hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- b) the expenditure of \$400,000 available monies hereby authorized to be expended therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty (30) years, pursuant to subdivision 97 of paragraph a of Section 11.00 of the Local Finance Law, as a "school construction project eligible for the apportionment of aid" as described therein.

Section 4. The faith and credit of said Tioga Central School District, Tioga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such 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 bonds becoming due and payable in such year. There shall specially be levied on all the taxable real property in said School District, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said 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 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 the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the President of the Board of Education, the chief fiscal officer of such School District. Such bonds 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 of the Board of Education shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said School District for such purpose, together with a notice of the School District Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

5. VOICE OF THE PUBLIC

6. ADJOURN

A MOTION was made by Lee Wood, seconded by Pamela Zwierlein, and carried by a vote of 7-0 to adjourn the meeting at 5:02pm.

Kristy Robertson
Clerk