

**EXTRACT OF MINUTES OF MEETING OF BOARD OF
EDUCATION ADOPTING BOND RESOLUTION**

At a meeting of the Board of Education of the Averill Park Central School District, New York, duly held on the 10th day of July, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED JULY 10, 2019 OF THE
BOARD OF EDUCATION OF THE AVERILL PARK
CENTRAL SCHOOL DISTRICT AUTHORIZING NOT TO
EXCEED \$809,834 AGGREGATE PRINCIPAL AMOUNT
OF GENERAL OBLIGATION BONDS TO FINANCE THE
ACQUISITION OF SCHOOL BUSES AND EQUIPMENT AT
AN AGGREGATE ESTIMATED MAXIMUM COST OF
\$809,834, LEVY OF TAX IN ANNUAL INSTALLMENTS IN
PAYMENT THEREOF, THE EXPENDITURE OF SUCH
SUM FOR SUCH PURPOSE, AND DETERMINING OTHER
MATTERS IN CONNECTION THEREWITH.**

WHEREAS, the qualified voters of the Averill Park Central School District, New York (the "School District"), at the annual meeting of such voters duly held on the 21st day of May, 2019, duly approved a proposition authorizing the issuance of general obligation bonds and notes in an aggregate principal amount of not to exceed \$809,834 to finance the acquisition of eight (8) school buses and one (1) compact utility tractor, the expenditure of such sum for such purposes, and the levy of the necessary tax therefor, to be levied upon the taxable property of the District and collected in annual installments as provided by Section 416 of the Education Law;

NOW THEREFORE, BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:

Section 1. The School District shall acquire eight (8) school buses at a cost not to exceed \$774,198 and one (1) compact utility tractor at a cost not to exceed \$35,636, as more particularly described in Section 3 hereof, and as generally outlined to and considered by the voters of the School District at the annual District meeting of May 21, 2019.

Section 2. The School District is hereby authorized to issue its general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$809,834 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the “Purpose”) is the acquisition of eight (8) school buses and one (1) compact utility tractor.

Section 4. It is hereby determined and declared that (a) as estimated by the Board of Education, the maximum cost of the eight (8) school buses is \$774,198 and the maximum cost of the compact utility tractor is \$35,636, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the School District plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred and the credit received from the trade-in or resale of existing equipment.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 89 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five (5) years.

Section 6. 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 sale of the Bonds, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes, including renewal notes, and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the President of the Board of Education. The President of the Board of Education is hereby authorized to sign and the District Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the School District.

Section 8. The faith and credit of the Averill Park Central School District are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes 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 levied annually on all taxable real property of the School District, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Bond Resolution shall constitute the School District's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with Bonds and notes herein authorized. The School District shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution, or a summary thereof, shall be published by the District Clerk of the School District together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the School District. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the School District is not authorized to expend money, or 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 (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. Barclay Damon LLP, is hereby appointed bond counsel to the School District in connection with the issuance of the Bonds and bond anticipation notes authorized herein.

Section 12. This Resolution shall take effect immediately upon its adoption.

The Motion having been duly seconded by Steven Keller, it was adopted and the following votes were cast:

AYES

NAYS

ABSENT

STATE OF NEW YORK)
) SS.:
COUNTY OF RENSSELAER)

I, the undersigned Clerk of the Averill Park Central School District, do hereby certify as follows:

1. A Regular Meeting of the Board of Education of the Averill Park Central School District, State of New York, was duly held on July 10, 2019, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the Minutes of meetings of said Board. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extracts.

2. Said Minutes correctly state the time when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

3. Public Notice of the time and place of said Meeting was duly given to the public and the News media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that the members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Averill Park Central School District this ____ day of July, 2019.

District Clerk

[Seal]

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on the 10th day of July, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Averill Park Central School District is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

A complete copy of the bond resolution summarized herewith is available for public inspection during regular business hours at the Office of the School District Clerk of the School District for a period of twenty days from the date of publication of this Notice.

Susan M. Radley
District Clerk

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SUM FOR SUCH PURPOSE, AND DETERMINING OTHER
MATTERS IN CONNECTION THEREWITH.**

Class of objects or purposes: acquisition of eight (8) school buses and one (1) compact utility tractor

Maximum Estimated Cost: eight (8) school buses: \$774,198
one (1) compact utility tractor: \$35,636

Period of probable usefulness: Five (5) years

Amount of obligations to be issued: \$809,834