

COXSACKIE-ATHENS CENTRAL SCHOOL DISTRICT
Special Board of Education Meeting

The mission of the Cocksackie-Athens Central School District is to provide a comprehensive education program for all students to compete successfully and contribute to a global society

Date: October 28, 2008 **Location:** Middle School Library **Time:** 7:00 p.m.

I. Call to Order

II. Roll Call

III. Public Input – Agenda Items

At this point in the agenda, members of the attending public are invited to address the Board on issues that the board will be considering **on this evening's agenda**. Individuals are asked to stand, to state their name, and to summarize their concerns for the Board. Any written documents may be given to the Clerk of the Board for distribution to Board members. We request that, if at all possible, comments be kept to three to five minutes in length to afford all interested parties the opportunity to speak.

IV. Public Input – Non Agenda Items

At this point in the agenda, members of the attending public are invited to address the Board on issues of general concern that the Board may wish to consider at **future** Board of Education meetings, if appropriate, or to provide information to the Board on matters of importance. Individuals are asked to stand, to state their name, and to summarize their concerns for the Board. Any written documents may be given to the Clerk of the Board for distribution to Board members. We request that, if at all possible, comments be kept to three to five minutes in length to afford all interested parties the opportunity to speak.

V. Communications/Board Discussion

A. Construction and Renovation Project

VI. Superintendent's Recommendations

A. Business Matters

1. State Environmental Quality Review Act

Be it RESOLVED, by the Board of Education of the Cocksackie-Athens Central School District, Greene County, New York as follows:

Section 1. It is hereby determined that the Board of Education adopting this resolution has declared itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated there under for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. Based upon the proposed scope of work and additional documents attached hereto and made a part hereof, it is hereby determined that the project described in Section 3 hereof is an Unlisted Action which will not have a significant impact upon the environment in accordance with the regulatory provisions under SEQRA. SEQRA forms appended hereto are available in the office of the School District Clerk for inspection during regular business hours.

Section 3. The project which is the subject of this resolution is described as follows:

Construction of additions to and reconstruction of School District buildings and facilities including original equipment, machinery, apparatus, appurtenances and incidental improvements and expenses.

Section 4. This resolution shall take effect immediately.

2. Special School District Election

Be it RESOLVED, by the Board of Education of the Coxsackie-Athens Central School District, Greene County, New York as follows:

Section 1. A Special School District Meeting in and for the Coxsackie-Athens Central School District, Greene County, New York, shall be held on December 16, 2008, at Coxsackie Elementary School, 24 Sunset Boulevard in Coxsackie, New York, and at E. J. Arthur Elementary School in Athens, New York, at 7:00 p.m. and the polls shall be kept open for voting by voting machines between the hours of 1:00 p.m. and 9:00 p.m., Prevailing Time, on said date. The proposition hereinafter set forth in the Notice of said Meeting is described in Exhibit A attached hereto and hereby incorporated herein by reference.

Section 2. Voting at said Meeting shall be conducted by the use of voting machines.

Section 3. The Clerk of said School District is hereby authorized and directed to cause a Notice of said Meeting in substantially the form attached hereto as Exhibit A to be published in the *Daily Mail* and the *Kingston Freeman*, being the newspapers having a general circulation in said School District, such publications to be made so that such notice shall appear in said newspapers each four times within the seven weeks next preceding such district meeting, the first publication to be at least forty-five days (but, preferably, not more than forty-nine days) before said meeting, and to give such other notice as may be deemed desirable.

Section 4. The School District Clerk is hereby authorized to amend the Notice of said Special School District Meeting from time to time as, in his or her discretion, such amendment may be required or desirable.

Section 5. To the extent required by law, the Board of Education shall appoint election personnel to conduct said Special School District Meeting pursuant to a separate resolution of this Board of Education.

Section 6. This resolution shall take effect immediately.

3. PILOT Agreements

A. Peckham Asphalt Resale Corporation

Be it RESOLVED, the board of Education approve the pilot agreement proposal and the taxing authority allocation agreement for the proposed Peckham Asphalt Resale Corporation Project.

WHEREAS, November 7, 2007, Peckham Asphalt Resale Corporation (the "Company") presented an application to the Greene County Industrial Development Agency (the "Agency"), requesting that the Agency undertake the following project (the "Project") consisting of: (A) (1) the acquisition of an interest in an existing approximately thirteen (13) acre parcel of land located at 763 Schoharie Turnpike, Town of Athens, County of Greene, State of New York (the "Land"), (2) the construction on the Land of two 30 ft. diameter by 34 ft. high storage tanks, one 55 foot diameter by 34 ft high storage tank and a utility building approximately 500 square feet (collectively the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property including without limitation transfer and heating equipment (the "Equipment") (the Land, the Building and the Equipment being collectively referred to as the "Project Facility") (B) the granting of certain "financial assistance" (within meaning of Section 854(14) of the Act) with respect to the foregoing, consisting of potential exemptions from certain sales and use taxes and mortgage recording taxes and real property taxes by way of a payment in lieu of tax agreement (the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company, and agreed upon by the Agency.

WHEREAS, in connection with the Project, the Company has requested that the Agency provide an exemption from applicable

New York State sales and use taxes for the Project Facility, New York State mortgage recording taxes for the Project Facility, and real property taxes.

WHEREAS, part of the financial assistance requested by the Company is a payment in lieu of tax agreement; and

WHEREAS, the payment in lieu of tax agreement deviated from the Uniform Tax Exemption Policy of the Greene County Industrial Development Agency ("Agency"); and

WHEREAS, in accordance with Section 874 of the General Municipal Law, the Agency provided to the Superintendent of the School District thirty (30) days notice, along with an explanation of the proposed deviation and payments (the "Deviation Notice") prior to the meeting of the Agency at which the Agency considered whether to approve such proposed deviation; and

WHEREAS, the School Board has reviewed the PILOT Agreement Proposal and the Taxing Authority Allocation Agreement, copies of which are attached hereto as Exhibit "A" (the "PILOT Documents").

NOW, THEREFORE, BE IT RESOLVED by the members of the School Board of the School District as follows:

1. The School Board has reviewed the PILOT Documents.
2. The form and substance of the PILOT Documents is hereby approved.
3. The President of the School Board is hereby authorized and directed to distribute copies of this resolution to the Company and to the Agency and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.
4. This resolution shall take effect immediately.

B. Empire Merchants North LC

Be it RESOLVED, the Board of Education approve the Pilot agreement proposal and the taxing authority allocation agreement for the proposed Empire Merchants North LLC project.

WHEREAS, August 20, 2008, Empire Merchants North LLC (the "Company") presented an application to the Greene County Industrial Development Agency (the "Agency"), requesting that the Agency undertake the following project (the "Project") consisting of: (A) (1) the acquisition of an interest in the parcel of land consisting of approximately 21.046 acres located in the Kalkberg Commerce Park, Towns of Coxsackie and New Baltimore, Greene County, New York (the "Land"), (2) the construction of an approximately 255,000 square foot facility to be used primarily for the warehouse and office use (the "Facility"), and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property including without limitation tenant improvement and finish (the "Equipment") (the Land, the Building and the Equipment being collectively referred to as the "Project Facility");(B) the granting of certain "financial assistance" (within meaning of Section 854(14) of the Act) with respect to the foregoing, consisting of potential exemptions from certain sales and use taxes and mortgage recording taxes and real property taxes by way of a payment in lieu of tax agreement (the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company, and agreed upon by the Agency.

WHEREAS, in connection with the Project, the Company has requested that the Agency provide an exemption from applicable New York State sales and use taxes for the Project Facility, New York State mortgage recording taxes for the Project Facility, and real property taxes.

WHEREAS, part of the financial assistance requested by the Company is a payment in lieu of tax agreement; and

WHEREAS, the payment in lieu of tax agreement deviated from the Uniform Tax Exemption Policy of the Greene County Industrial Development Agency ("Agency"); and

WHEREAS, in accordance with Section 874 of the General Municipal Law, the Agency provided to the Superintendent of the School District thirty (30) days notice, along with an explanation of the proposed deviation and payments (the "Deviation Notice") prior to the meeting of the Agency at which the Agency considered whether to approve such proposed deviation; and

WHEREAS, the School Board has reviewed the PILOT Agreement Proposal and the Taxing Authority Allocation Agreement, copies of which are attached hereto as Exhibit "A" (the "PILOT Documents").

NOW, THEREFORE, BE IT RESOLVED by the members of the School Board of the School District as follows:

1. The School Board has reviewed the PILOT Documents.
2. The form and substance of the PILOT Documents is hereby approved.
3. The President of the School Board is hereby authorized and directed to distribute copies of this resolution to the Company and to the Agency and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.
4. This resolution shall take effect immediately.

VII. Public Input

VIII. Request for Reports/Information

IX. Establishment of Future Meetings

A. Board of Education Meetings

Regular Board of Education meeting November 18, 2008, 7 p.m.
Middle School Library.

B. Committee Meetings

X. Adjourn

One District, One Mission, One Vision for Every Student