

**WESTLAKE CITY SCHOOLS
BOARD OF EDUCATION MINUTES**

**Monday, July 30, 2012 – 5:30 p.m. – Regular Meeting
Administration Building - 27200 Hilliard Blvd.**

Call to Order: Time: 5:30 p.m.

Roll Call Vote:

Mr. Mays	<u>Present</u>
Ms. Winter	<u>Present</u>
Mr. Cross	<u>Present</u>
Mr. Falcone	<u>Present</u>
Mrs. Leszynski	<u>Present</u>

Pledge of Allegiance – President Mays led the assembly in the Pledge of Allegiance.

District Vision & Mission

VISION STATEMENT

The Westlake City School District will provide a dynamic, student centered, 21st Century learning environment. Our district will be characterized by high achievement, actively engaged learners, mutual respect, shared knowledge, pursuit of new skills and capabilities, collaborative learning, willingness to take action, a team commitment to data-driven continuous improvement, and tangible results.

MISSION STATEMENT

WE EDUCATE FOR EXCELLENCE...Empowering all students to achieve their educational goals, to direct their lives, and to contribute to society.

Acknowledgment of Visitors – President Mays thanked all in attendance.

Approval of Agenda

Motion by Ms. Winter
Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>
Mr. Cross	<u>AYE</u>
Mr. Falcone	<u>AYE</u>
Mrs. Leszynski	<u>AYE</u>

*Hearing of Public (15 Minutes) Agenda Items

Duane VanDyk: Read a prepared statement which asked the Board to consider his thoughts when they address the upcoming negotiations with the unions.

A. Approval of Minutes

1. Work Session of June 11, 2012

Motion by Ms. Winter
Seconded by Mr. Falcone

Board Discussion:

Mr. Cross noted he sent an email to the superintendent, CFO and Board on July 30th stating the minutes are not an accurate representation of transpired at the June 11, 2012 meeting and as a result will vote 'no' on the motion. President Mays responded to Mr. Cross that comments from the meeting are available on tape and reminded Mr. Cross that the Board had agreed the minutes would contain a summary of what transpires, and verbatim statements would be entered into the record only by vote of the Board. Mr. Cross responded the subject matter contained in the minutes does not accurately reflect his statements and that this matter clearly illustrates the ridicule of those who speak out on behalf of the taxpayer. Mr. Cross then asked Mr. Pepera to do a better job of constructing the minutes and urged his colleagues to vote 'no' on the motion. Mr. Pepera responded to Mr. Cross that the minutes were constructed in a fashion as directed by the Board and stated digital recordings of meetings are available on the district website. Mrs. Leszynski spoke about her experience as a recording secretary and indicated she has never seen minutes detailed to the level being requested. Ms. Winter then asked Mr. Cross if he had alternate wording he would like to suggest. Mr. Cross stated he already provided alternate language and suggested the Board table the item. Mr. Pepera asked Mr. Cross to clarify his statement about providing alternate language and Mr. Cross stated he already gave his entire statement to Mr. Pepera and the Board. Ms. Winter suggested Mr. Cross may want to consider contacting Mr. Pepera with alternative wording. President Mays asked Mr. Cross for clarification on whether he is disputing the accuracy of the minutes or just the fact that they are not prepared in sufficient detail. Mr. Cross stated the minutes as currently drafted provide an inaccurate portrayal of the conversations that occurred at the meeting.

Roll Call Vote:

Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>
Mr. Cross	<u>NO</u>
Mr. Falcone	<u>AYE</u>
Mrs. Leszynski	<u>AYE</u>

2. Regular Meeting of June 28, 2012

Motion by Ms. Winter
Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>
Mr. Cross	<u>AYE</u>
Mr. Falcone	<u>AYE</u>
Mrs. Leszynski	<u>AYE</u>

B. Special Reports & Recognitions – None

C. Superintendent's Report & Master Facility Plan Phase I Report

Superintendent Keenan noted the following:

1. Thanked Kiwanis for their efforts in hosting the Special Olympics at the high school.
2. The Report Card Performance Index is tentatively at 107.9. This is the highest score in district history.
3. The Construction project is progressing as planned.
4. Expressed gratitude to Dr. Lipinski for his interim services as business manager.
5. Ruth Weible is the new administrative assistant for Academic Services.
6. There will be a special plaque located on the former Red Brick site.
7. Sarah Burneson will speak to our staff on opening day.
8. Beth Spinks, contracted food service supervisor, spoke about her upcoming efforts to comply with SB210.

President Mays thanked Beth Spinks and Stan Lipinski for their service.

Dave Puffer provided a Construction update.

Mr. Cross stated he was appreciative of the site tour provided by the Superintendent and Construction Manager. He suggested showing the public pictures of the construction to date in relationship to the intended design. Mrs. Leszynski asked if the City will contribute to the Dover traffic signal cost. Superintendent Keenan noted the City has declined to split this cost with the District but has waived some requirements regarding data connectivity.

D. Treasurer's Report/Recommendations

1. Financial Presentation – FY12 Quarterly Financial Update/Forecast
2. Action Items
 - a. Resolution to Approve Quarterly Report and Financial Forecast Exhibit D-2-a
 - b. Resolution to Approve Participation in the 2013 CompManagement Workers' Compensation Group Retrospective Rating Program Exhibit D-2-b
 - c. Resolution to Appoint Delegate and Alternate to the 2012 Annual OSBA Business Meeting Exhibit D-2-c
 - d. Resolution to Approve Student Activity Purpose Statements and Budgets Exhibit D-2-d
 - e. Resolution to Accept Funds Exhibit D-2-e
 - f. Resolution to Authorize Treasurer to Return Advance Exhibit D-2-f
 - g. Resolution to Adjust the FY13 Temporary Appropriations Exhibit D-2-g
 - h. Resolution to Approve FY13 Additional Temporary Appropriations – Other Funds Exhibit D-2-h
 - i. Resolution to Approve Tax Deferred Payroll Deduction Exhibit D-2-i
 - j. Resolution to Issue Then and Now Certificate Exhibit D-2-j

E. CAC Report - None.

F. New Business

1. Action Items
 - a. Resolution to Accept Gifts and Contributions Exhibit F-1-a
 - b. Resolutions to Approve Staff Recommendations
 1. Resolution to Approve Resignations and Employment for Staff Members Exhibit F-1-b-1

- | | |
|--|------------------|
| 2. Resolution to Approve Certified Reclassification | Exhibit F-1-b-2 |
| 3. Resolution to Approve Resignations and Employment of Substitutes for Staff Members | Exhibit F-1-b-3 |
| 4. Resolution to Approve the Employment of Adult Basic Literacy Education Personnel 2012 - 2013 | Exhibit F-1-b-4 |
| 5. Resolution to Approve Stipends for Adult Basic Literacy Education Professional Development | Exhibit F-1-b-5 |
| 6. Resolution to Approve Contracts for Services for Non-Public Schools and Employment of Auxiliary Personnel for Non-Public Schools | Exhibit F-1-b-6 |
| 7. Resolution to Approve Employment of Auxiliary Services Personnel | Exhibit F-1-b-7 |
| 8. Resolution to Approve Contract for Services Supervised by Local Education Agency for Non-Public Schools | Exhibit F-1-b-8 |
| 9. Resolution to Approve Employment Paid From Grant Funds | Exhibit F-1-b-9 |
| 10. Resolution to Approve Employment for Administrative Personnel | Exhibit F-1-b-10 |
| 11. Resolution to Approve Extended Time for Staff Members | Exhibit F-1-b-11 |
| 12. Resolution to Approve Unpaid Leave of Absence for Workers' Compensation Purposes | Exhibit F-1-b-12 |
| 13. Resolution to Approve Summer 2012 Athletic Camp Stipends | Exhibit F-1-b-13 |
| c. Resolution to Approve Agreements for Admission of Tuition Pupils and Purchased Services | Exhibit F-1-c |
| d. Resolution to Approve Participation in Ohio Schools Council Cooperative Programs | Exhibit F-1-d |
| e. Resolution to Approve Field Trip | Exhibit F-1-e |
| f. Resolution to Accept Bids and Award Bus Bid | Exhibit F-1-f |
| g. Resolution to Approve Foreign Exchange Student | Exhibit F-1-g |
| h. Resolution to Publicly Post Previously Approved Construction Change Orders | Exhibit F-1-h |
| i. Resolution to Accept Bids and Award Construction Contracts | Exhibit F-1-i |
| j. Resolution to Approve Dover Intermediate School Change Event | Exhibit F-1-j |
| k. Resolution to Award Traffic Control Contract | Exhibit F-1-k |
| l. Resolution to Approve District Trash/Recycling Contract | Exhibit F-1-l |
| m. Resolution to Approve Membership in the Ohio Schools Council/Lake Erie Educational Media Consortium (LEEMC) | Exhibit F-1-m |
| n. Resolution to Authorize Conveyance of Water Meter Vault Easements and Traffic Signal System Easements in Connection with New Middle School and High School Projects | Exhibit F-1-n |

Board Discussion: Mr. Cross asked if the total cost of the traffic signal is over the projected estimate. Dr. Keenan responded the estimate for the permanent light at Dover Center was \$195,000 and that the temporary light and the installation of a permanent light exceeded the estimate by roughly \$1,600. Mrs. Leszynski asked what the Dover Center Road residents say about the traffic issue on Dover. Dr. Keenan responded that the residents are extremely concerned about the traffic issue. Mr. Cross then asked when the signal will be operational if the temporary light resolution is approved. Dr. Keenan stated it would be operational by the start of school. Mr. Cross asked what opportunity the Board will have to provide feedback on the timing of the light. Dr. Keenan and Mr. Puffer indicated the district will have the opportunity to provide input, but the ultimate timing of the light is the City's responsibility.

G. Board Items - None

President Mays reminded the Board of the upcoming OSBA meeting and encouraged each member to attend a portion of the conference. President Mays noted that Ms. Winter and Mr. Cross will be meeting with Mr. Giffels prior to the next meeting to brainstorm on essential agreements. Mr. Cross stated he prefers this sort of discussion to include the entire board and be a part of a work session.

*Hearing of Public (15 Minutes) – None.

H. Adjourn to Executive Session

Time: 7:29 p.m.

Purpose: To Discuss Negotiations

Motion by Mr. Falcone
Seconded by Ms. Winter

Discussion:

Mr. Cross noted that Mr. VanDyk brought up some very good points that are well taken and will impact how he votes on this motion.

Roll Call Vote:

Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>
Mr. Cross	<u>NO</u>
Mr. Falcone	<u>AYE</u>
Mrs. Leszynski	<u>AYE</u>

Others in Attendance: Keenan, Pepera

*Mr. Cross indicated he would not attend Executive Session and left the meeting at 7:30 p.m.

President Mays declared a brief recess at 7:30 p.m. and resumed the meeting at 7:40 p.m.

Adjourn Executive Session and Return to Regular Session

Time: 10:03 p.m.

Upon adjournment from Executive Session, President Mays stated he did urge Mr. Cross to stay for Executive Session so that he may have input with regard to upcoming negotiations but Mr. Cross declined. He also stated that Mr. Cross indicated he would have a chance to vote on the matter at some later point in time. President Mays stated it is his hope that Mr. Cross will stay and provide input at the August 13th Executive Session.

I. Adjournment

Motion by Mr. Falcone
Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays	<u>AYE</u>
Ms. Winter	<u>AYE</u>
Mr. Falcone	<u>AYE</u>
Mrs. Leszynski	<u>AYE</u>

President Mays adjourned the meeting at 10:04 p.m.

President

Treasurer

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.

July 30, 2012
12-410

EXHIBIT D-2-a
RES. #12-244

RESOLUTION TO APPROVE QUARTERLY REPORT AND FINANCIAL FORECAST

RESOLVED that the Westlake Board of Education approves the 4th quarter financial update and five-year forecast.

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

July 30, 2012
12-411

EXHIBIT D-2-b
RES. #12-245

RESOLUTION TO APPROVE PARTICIPATION IN THE 2013 COMPMANAGEMENT
WORKERS' COMPENSATION GROUP RETROSPECTIVE RATING PROGRAM

RESOLVED that the Westlake Board of Education approves participation in the 2013
CompManagement Workers' Compensation Group Retrospective Rating Program.

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT D-2-c
RES. #12-246

RESOLUTION TO APPOINT DELEGATE AND ALTERNATE
TO THE 2012 ANNUAL OSBA BUSINESS MEETING

RESOLVED that the Westlake Board of Education appoints **Mr. Falcone** to serve as delegate and **Mrs. Leszynski** to serve as alternate to the OSBA Annual Business Meeting on November 12, 2012.

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT D-2-d
RES. #12-247

RESOLUTION TO APPROVE STUDENT ACTIVITY
PURPOSE STATEMENTS AND BUDGETS

RESOLVED that the Westlake Board of Education approves the following Student Activity Purpose Statements and Budgets.

2012-13 Policy and Purpose Statements*				Estimated Revenue	Estimated Expenses
Fund	Object	SCC	Description		
018	400	9710	Westlake All Class Reunion	\$26,000.00	\$25,650.00
018	500	9720	Vending Machine - Red Brick	\$500.00	\$500.00
018	500	9722	Vending Machine - Transportation	\$1,300.00	\$1,300.00
			Vending Machine - WHS Teachers		
018	500	9724	Lounge	\$1,800.00	\$1,800.00
018	400	9726	Board Contribution Fund	\$5,000.00	\$3,000.00
018	500	9748	Library - Holly Lane	\$9,875.00	\$12,600.00
018	600	9748	Library - Holly Lane		\$2,000.00
018	500	9749	Library - Bassett	\$8,200.00	\$10,400.00
018	600	9749	Library - Bassett		\$1,000.00
018	500	9751	In-Service Bassett	\$11,000.00	\$11,000.00
018	500	9753	In-Service Dover	\$9,000.00	\$7,900.00
018	600	9753	In-Service Dover		\$500.00
018	500	9755	In-Service Hilliard	\$4,650.00	\$4,550.00
018	600	9755	In-Service Hilliard		\$1,000.00
018	500	9756	Library - Dover	\$12,025.00	\$10,925.00
018	600	9756	Library - Dover		\$1,000.00
018	500	9757	In-Service Holly Lane	\$3,300.00	\$3,250.00
018	500	9759	Library - Hilliard	\$7,100.00	\$9,100.00
018	500	9760	Library - L.B.	\$1,900.00	\$1,900.00
018	500	9761	In-Service L.B.	\$146,600.00	\$146,600.00
018	600	9761	In-Service L.B.		\$3,000.00
018	500	9762	Library - P.S.	\$11,950.00	\$11,950.00
018	500	9763	In-Service P.S.	\$109,500.00	\$109,500.00
018	500	9764	In-Service WHS	\$10,500.00	\$10,000.00
018	500	9765	Music Fees - WHS	\$7,000.00	\$7,000.00
018	500	9766	Guidance - WHS	\$46,000.00	\$56,150.00
018	600	9766	Guidance - WHS		\$3,000.00
018	500	9767	Library - WHS	\$2,925.00	\$4,200.00

EXHIBIT D-2-d
(Continued)

018	600	9767	Library - WHS		\$2,000.00
018	500	9770	Music Programs - Bassett	\$300.00	\$300.00
018	600	9770	Music Programs - Bassett		\$400.00
018	500	9771	Music Programs - Dover	\$750.00	\$1,000.00
018	500	9772	Music Programs - Hilliard	\$650.00	\$650.00
018	500	9773	Music Programs - Holly Lane	\$775.00	\$590.00
018	500	9774	Music Programs - Lee Burneson	\$1,000.00	\$500.00
018	600	9774	Music Programs - Lee Burneson		\$500.00
018	500	9775	Music Programs - P.S.	\$1,500.00	\$1,500.00
018	500	9776	Band-Music Programs - WHS	\$6,500.00	\$3,000.00
018	600	9776	Band-Music Programs - WHS		\$3,500.00
018	500	9777	Strings - Music Program - L.B.	\$750.00	\$250.00
018	600	9777	Strings - Music Program - L.B.		\$500.00
018	500	9778	Choral-Music Program - WHS	\$2,000.00	\$1,000.00
018	600	9778	Choral-Music Program - WHS		\$1,000.00
			Total 018 Fund	\$450,350.00	\$477,465.00
200		9111	Art Gallery - WHS	\$1,900.00	\$1,400.00
200		9131	Drama Club - WHS	\$4,000.00	\$4,000.00
200		9140	WHBS-TV - WHS	\$20,000.00	\$20,000.00
200		9150	Newspaper Club - L.B.	\$150.00	\$150.00
200		9165	German Club - WHS	\$0.00	\$250.00
200		9171	Science Olympiad - WHS	\$1,000.00	\$1,080.00
200		9175	Environmental Club - LB	\$6,500.00	\$5,000.00
200		9185	Spanish Club - WHS	\$600.00	\$564.00
200		9195	French Club - WHS	\$457.00	\$488.00
200		9200	Foreign Language Club - WHS	\$5,300.00	\$4,500.00
200		9220	Math Club - WHS	\$960.00	\$890.00
200		9314	Work Study Lab - WHS	\$0.00	\$300.00
200		9390	Work Study - WHS	\$1,000.00	\$1,550.00
200		9400	Band - P.S.	\$525.00	\$525.00
200		9401	Chorus - P.S.	\$2,025.00	\$1,500.00
200		9460	Encore/Orchestra - L.B.	\$100.00	\$100.00
200		9470	Music - L.B.	\$2,000.00	\$2,000.00
200		9490	Band - WHS	\$112,000.00	\$112,000.00
200		9491	Choir - WHS	\$13,000.00	\$9,400.00
200		9559	Ski Club - WHS	\$80,000.00	\$73,000.00
200		9560	Cheerleaders - L.B.	\$150.00	\$150.00
200		9604	Project Support - WHS	\$200.00	\$200.00
200		9610	Student Council - P.S.	\$2,800.00	\$2,875.00
200		9611	Student Council - L.B.	\$4,275.00	\$4,275.00
200		9612	Student Council - WHS	\$16,300.00	\$13,000.00

EXHIBIT D-2-d
(Continued)

200	9613	Student Activities - WHS	\$0.00	\$2,300.00
200	9614	Academic Challenge - WHS	\$300.00	\$190.00
200	9615	Student Council - Bassett	\$3,200.00	\$3,200.00
200	9632	Key Club - WHS	\$1,100.00	\$1,050.00
		Students Against Drunk Driving (SADD)		
200	9636	WHS	\$50.00	\$0.00
200	9650	TechMates Club - WHS	\$250.00	\$250.00
200	9680	Panorama - WHS	\$3,500.00	\$3,200.00
200	9691	Green & White - WHS	\$3,500.00	\$3,500.00
200	9710	National Honor Society - WHS	\$2,500.00	\$2,500.00
200	9720	Leadership Challenge - WHS	\$10,055.00	\$7,950.00
200	9805	P. E. Action - WHS	\$500.00	\$1,000.00
200	9847	Class of 2014 - WHS	\$4,900.00	\$1,150.00
200	9848	Class of 2015 - WHS	\$650.00	\$400.00
200	9849	Class of 2016 - WHS	\$500.00	\$100.00
		Total 200 Fund	\$306,247.00	\$285,987.00
300	9500	Athletics - WHS	\$270,000.00	\$297,900.00
300	9502	Vending Machine Athletics - WHS	\$2,000.00	\$22,000.00
300	9563	Swim Pool - WHS	\$10,000.00	\$10,000.00
		Total 300 Fund	\$282,000.00	\$329,900.00

*Original copies of Purpose Statements and Budgets are on file in the CFO/Treasurer's Office.

Motion by Mr. Falcone
 Seconded by Mrs. Leszynski
 Roll Call Vote:
 Mr. Mays AYE
 Ms. Winter AYE
 Mr. Cross AYE
 Mr. Falcone AYE
 Mrs. Leszynski AYE

EXHIBIT D-2-e
RES. #12-248

RESOLUTION TO ACCEPT FUNDS

RESOLVED that the Westlake Board of Education accepts the following funds:

Federal Funds	Amount	Fund	Special Cost Center
Adult Basic & Literacy Education – Instruction Fund FY13	\$72,946.00	501	9313
Adult Basic & Literacy Education – EL & Civics Fund FY13	\$18,253.00	501	9513
Title VI Special Education, Part-B-IDEA FY13	\$765,897.94	516	9613
Title III LEP FY13	\$34,8750.00	551	9513
Title I FY13	\$451,805.69	572	9113
Early Childhood Special Education FY13	\$18,718.63	587	9013
Title II-A Improving Teacher Quality FY13	\$71,525.09	590	9013

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT D-2-f
RES. #12-249

RESOLUTION TO AUTHORIZE TREASURER TO RETURN ADVANCE

RESOLVED that the Westlake Board of Education authorizes the Treasurer to return the following advances:

From	To	Amount
ABLE FY12 (501-9312)	General Fund (001)	\$6,025.52
EL Civics FY12 (501-9512)	General Fund (001)	\$4,087.31
Title IID TechnologyFY12 (533-9912)	General Fund (001)	\$412.50
Title III Immigrant FY12 (551-9612)	General Fund (001)	\$424.05

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT D-2-g
RES. #12-250

RESOLUTION TO ADJUST FY13 TEMPORARY APPROPRIATIONS

RESOLVED that the Westlake Board of Education adjusts the following FY13 temporary appropriations:

MONTESSORI CHILDREN'S FY12			
Account	From	To	Difference
401-3200-500-9512			
Supplies & Materials	\$15,549.46	\$15,553.62	\$4.16
Total	\$15,549.46	\$15,553.62	\$4.16
WESTLAKE MONTESSORI FY12			
Account	From	To	Difference
401-3200-500-9612			
Supplies & Materials	\$5,890.38	\$5,891.84	\$1.46
Total	\$5,890.38	\$5,891.84	\$1.46
ST. PAUL FY12			
Account	From	To	Difference
401-3200-500-9712			
Supplies & Materials	\$1,157.09	\$1,168.06	\$10.97
Total	\$1,157.09	\$1,168.06	\$10.97
ST. BERNADETTE FY12			
Account	From	To	Difference
401-3200-500-9812			
Supplies & Materials	\$49,062.81	\$49,091.45	\$28.64
Total	\$49,062.81	\$49,091.45	\$28.64
LE CHAPERON ROUGE FY12			
Account	From	To	Difference
401-3200-500-9912			
Supplies & Materials	\$192.86	\$194.35	\$1.49
Total	\$192.86	\$194.35	\$1.49

EXHIBIT D-2-g
(Continued)

Funds were advanced in June and returned in July

ABLE FY12			
Account	From	To	Difference
501-7400-900-9312			
Return of Advance	<u>\$0.00</u>	<u>\$6,025.52</u>	<u>\$6,025.52</u>
Total	\$0.00	\$6,025.52	\$6,025.52
EL CIVICS FY12			
Account	From	To	Difference
501-7400-900-9512			
Return of Advance	<u>\$0.00</u>	<u>\$4,087.31</u>	<u>\$4,087.31</u>
Total	\$0.00	\$4,087.31	\$4,087.31
TITLE II -D TECHNOLOGY FY12			
Account	From	To	Difference
533-7400-900-9912			
Return of Advance	<u>\$0.00</u>	<u>\$412.50</u>	<u>\$412.50</u>
Total	\$0.00	\$412.50	\$412.50
TITLE III IMMIGRANT FY12			
Account	From	To	Difference
551-7400-900-9612			
Return of Advance	<u>\$0.00</u>	<u>\$424.05</u>	<u>\$424.05</u>
Total	\$0.00	\$424.05	\$424.05
TITLE I FY12			
Account	From	To	Difference
572-1100-100-9112			
Instruction Salaries & Wages	\$7,434.34	\$9,870.90	\$2,436.56
572-1900-100-9112			
Other-Instruction Salaries & Wages	<u>\$43,130.90</u>	<u>\$40,694.34</u>	<u>(\$2,436.56)</u>
Total	\$50,565.24	\$50,565.24	(\$0.00)

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

July 30, 2012
12-421

EXHIBIT D-2-h
RES. #12-251

RESOLUTION TO APPROVE FY13 ADDITIONAL TEMPORARY APPROPRIATIONS -
OTHER FUNDS

RESOLVED that the Westlake Board of Education approves the following FY13 additional Temporary Appropriations – Other Funds:

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

FY13 ADDITIONAL TEMPORARY APPROPRIATIONS - OTHER FUNDS

Exhibit D-2-h

<u>FND FUNC</u>	<u>OBJ SCC</u>	<u>DESCRIPTION</u>	<u>TEMP. APPROP.</u>	<u>TOTALS</u>
516 1200 400 9613		TITLE VI-B, IDEA FY13 SPECIAL INSTR PURCHASED SERVICE	\$ 382,500.00	
516 1200 500 9613		TITLE VI-B, IDEA FY13 SPECIAL INSTR SUPPLIES & MATERIALS	\$ 1,280.23	
516 1200 600 9613		TITLE VI-B, IDEA FY13 SPECIAL INSTR EQUIPMENT	\$ 5,000.00	
516 2100 400 9613		TITLE VI-B, IDEA FY13 SUPPORT SERV PURCH SERV-PUPILS	\$ 246,850.00	
516 2200 100 9613		TITLE VI-B, IDEA FY13 SUPPORT SERVICES & PD SALARIES	\$ 69,434.00	
516 2200 200 9613		TITLE VI-B, IDEA FY13 SUPPORT SERVICES BENEFITS	\$ 39,864.10	
516 2200 400 9613		TITLE VI-B, IDEA FY13 SUPPORT SERV & PD PURCH SERV-STAFF	\$ 2,000.00	
516 3200 100 9613		TITLE VI-B, IDEA FY13 NON PUBLIC SALARIES & WAGES	\$ 9,157.74	
516 3200 400 9613		TITLE VI-B, IDEA FY13 NON PUBLIC PURCHASED SERVICES	\$ 9,811.87	
TOTAL TITLE VI-B, IDEA FY13				\$ 765,897.94
551 1200 100 9513		TITLE III LEP FY13 SPEC INSTRUCTION SALARIES	\$ 10,000.00	
551 1200 500 9513		TITLE III LEP FY13 SPEC INSTRUCTION SUPPLIES	\$ 4,000.00	
551 1200 600 9513		TITLE III LEP FY13 SPEC INSTRUCTION EQUIPMENT	\$ 3,000.00	
551 2200 100 9513		TITLE III LEP FY13 PROF DEVELOP SALARIES	\$ 1,500.00	
551 2200 400 9513		TITLE III LEP FY13 PROF DEVELOP PURCHASED SERVICES	\$ 5,990.00	
TOTAL TITLE III LEP FY13				\$ 24,490.00
572 1100 100 9113		TITLE I FY13 INSTRUCTION SALARIES & WAGES	\$ 8,428.26	
572 1100 200 9113		TITLE I FY13 INSTRUCTION BENEFITS	\$ 1,433.30	
572 1100 400 9113		TITLE I FY13 INSTRUCTION PURCHASED SERVICES	\$ -	
572 1100 500 9113		TITLE I FY13 INSTRUCTION SUPPLIES & MATERIALS	\$ 40,000.00	
572 1900 100 9113		TITLE I FY13 SPEC INSTRUCTION SALARIES & WAGES	\$ 257,034.00	
572 1900 200 9113		TITLE I FY13 SPEC INSTRUCTION BENEFITS	\$ 43,695.28	
572 2200 100 9113		TITLE I FY13 PROF DEVELOPMENT SALARIES & WAGES	\$ 20,000.00	
572 2200 200 9113		TITLE I FY13 PROF DEVELOPMENT BENEFITS	\$ 3,400.00	
572 2200 400 9113		TITLE I FY13 PROF DEVELOPMENT PURCHASED SERVICES	\$ 59,438.71	
572 2200 500 9113		TITLE I FY13 SUPPORT SERVICES/PD SUPPLIES & MATERIALS	\$ 11,000.00	
572 2400 100 9113		TITLE I FY13 GOVERNANCE/ADMIN SALARIES	\$ 2,000.00	
572 2400 200 9113		TITLE I FY13 GOVERNANCE/ADMIN BENEFITS	\$ 340.00	
572 2800 100 9113		TITLE I FY13 TRANSPORTATION SALARIES & WAGES	\$ -	
572 3200 100 9113		TITLE1 FY13 NON PUBLIC SALARIES & WAGES	\$ 910.00	
572 3200 200 9113		TITLE1 FY13 NON PUBLIC BENEFITS	\$ 154.20	
572 3200 400 9113		TITLE1 FY13 NON PUBLIC PURCHASED SERVICES	\$ 1,064.20	
572 3200 500 9113		TITLE1 FY13 FAMILY/COMMUNITY SUPPLIES & MATERIALS	\$ 2,000.00	
TOTAL TITLE I FY13				\$ 450,897.95
587 1200 500 9013		EARLY CHILDHOOD SPECIAL ED FY13 SPEC INSTR SUPPLIES	\$ 868.63	
587 1200 600 9013		EARLY CHILDHOOD SPECIAL ED FY13 SPEC INSTR EQUIPMENT	\$ 500.00	
587 2100 100 9013		EARLY CHILDHOOD SPECIAL ED FY13 SUPP SERV SAL & WAGES	\$ 15,750.00	
587 2200 400 9013		EARLY CHILDHOOD SPECIAL ED FY13 PROF DEV PURCH SERVICES	\$ 1,600.00	
TOTAL EARLY CHILDHOOD SPECIAL EDUCATION FY13				\$ 18,718.63
590 1100 100 9013		IMPROVING TCHR QUALITY FY13 INSTRUCTION SALARIES	\$ 38,000.00	
590 1100 200 9013		IMPROVING TCHR QUALITY FY13 INSTRUCTION BENEFITS	\$ 6,460.00	
590 2200 100 9013		IMPROVING TCHR QUALITY FY13 PROF DEV SALARIES	\$ 12,250.00	
590 2200 200 9013		IMPROVING TCHR QUALITY FY13 PROF DEV BENEFITS	\$ 2,082.50	
590 2200 400 9013		IMPROVING TCHR QUALITY FY13 PROF DEV PURCH SERVICES	\$ 9,434.88	
590 2200 500 9013		IMPROVING TCHR QUALITY FY13 PROF DEV SUPPLIES	\$ 3,000.00	
590 3200 400 9013		IMPROVING TCHR QUALITY FY13 NON PUBLIC PURCH SERVICE	\$ 297.71	
TOTAL IMPROVING TEACHER QUALITY, TITLE II-A FY13				\$ 71,525.09
TOTAL OTHER FUNDS APPROPRIATIONS				\$ 1,331,529.61

EXHIBIT D-2-i
RES. #12-252

RESOLUTION TO APPROVE TAX DEFERRED PAYROLL DEDUCTION

RESOLVED that the Westlake Board of Education approves the following tax deferred payroll deduction.

WHEREAS, Internal Revenue Code Section 414(h)(2) permits employer pickup of the employee portion of contributions to a retirement plan, thereby resulting in tax deferral of employee contributions; and

WHEREAS, under the School Employees Retirement System of Ohio (SERS) laws and rules, members may: (1) redeposit contributions previously withdrawn plus interest and/or (2) purchase eligible service credit.

NOW, THEREFORE, BE IT RESOLVED that in order to permit tax deferral for these additional amounts, any employee who wishes to purchase SERS credit or restore STRS, PERS or SERS credit by payroll deduction must enter into a binding irrevocable payroll deduction authorization and such employee shall not have the option of choosing to receive the amounts directly instead of having them paid by the employer to SERS.

BE IT FURTHER RESOLVED that additional amounts specified through payroll deduction from salary are designated as being picked up by the employer and paid by the employer in accordance with Internal Revenue Code requirements.

This resolution shall be effective July 30, 2012.

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

TREASURER'S CERTIFICATION

I certify that this is a true and complete copy of the Resolution adopted by a majority of the full membership of the Westlake City School District Board of Education at its meeting held on July 30, 2012 as was recorded by me in the official proceedings of the Board.

Dated: July 30, 2012

Treasurer, Board of Education
Westlake City School District, Ohio

July 30, 2012
12-425

EXHIBIT D-2-j
RES. #12-253

RESOLUTION TO ISSUE THEN AND NOW CERTIFICATE

RESOLVED that the Westlake Board of Education authorizes a Then and Now Certificate for the following purchase order:

PO No.	Vendor	Description	Amount
89188	Green Building Certification Institute (GBCI)	LEED for Schools v2009 Design Review for new Middle School	\$4,112.84

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-a
RES. #12-254

RESOLUTION TO ACCEPT GIFTS AND CONTRIBUTIONS
(ORC 3313.36)

RESOLVED that the Westlake Board of Education accepts with gratitude the following donations and in so doing hereby acknowledges the positive and supportive activities of those listed:

Milano Monuments 14600 Brookpark Road Cleveland, OH 44135	Donated the plaque etching to Westlake Board of Education for the Red Brick memorial monument.
St. John Medical Center Mr. William A. Young, Jr., CEO 29000 Center Ridge Road Westlake, OH 44145	Donated \$2,000.00 to the Westlake/Dover All Class Reunion to promote the events associated with the All Class Reunion scheduled for September 28 and 29, 2012.
Trader Joe's Mr. Kevin O'Meara 175 Market Street Westlake, OH 44145	Donated two cases of bananas to the third and fourth graders at Dover Elementary School to provide a healthy snack prior to the administration of the OAAs.
Westlake Boys Basketball Parents c/o Ms. Doreen Turk 1844 Farr's Garden Path Westlake, OH 44145	Donated \$1,051.00 to the Athletic Department of Westlake High School to supplement the Boys Basketball program.

Motion by Mr. Falcone

Seconded by Ms. Winter

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-1
RES. #12-255

RESOLUTION TO APPROVE RESIGNATIONS, EMPLOYMENT
AND SUPPLEMENTAL CONTRACTS FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approves the following amended resignations and employment for staff members.

<u>Resignations</u>						
<u>Name</u>	<u>Effective Date</u>					
Matt Stricker	08/13/2012					
Rob Pace	07/18/2012					
<u>Amended Resignation Dates for Purpose of Retirement</u>						
<u>Name</u>	<u>Effective Date</u>					
Judith Metz	From 07/01/2012 to 06/30/2012					
Judith Popelka	From 06/21/2012 to 06/30/2012					
<u>Classified Employment</u>						
<u>Name</u>	<u>Building/Position</u>	<u>Effective</u>	<u>Step</u>	<u>Hours</u>	<u>Days</u>	<u>Months</u>
Susan Grazia	LBMS Special Education Asst.	08/14/2012	4	7.0	5	9
Ruth Weible	Curriculum Dept. Admin. Asst.	07/30/2012	0	Exempt 3-Clerical		12
Nicole Grillo	LBMS Guidance Secretary-Class C	08/01/2012	0	7.5	5	10.25
Linda Bailey	Driver	08/16/2012	10	2.0	5	9
David Gamon	Driver	08/16/2012	1	4.75	5	9
Kathleen Page	Driver	08/16/2012	5	2.0	5	9
Kevin Saari	Driver	08/16/2012	1	4.5	5	9
<u>Amended Classified Employment</u>						
Camilia Saliba	WHS Library Assistant	From Step 6 to Step 11				
Joseph Ciaccia	Service Center-Seasonal Employment	Effective 06/27/12 - 08/31/12				
<u>Rescind & Approve Supplemental Employment</u>						
Nancy English	Rescind WHS Varsity Basketball Cheerleading Coach				8	Y
Nancy English	Rescind WHS JV Basketball Cheerleading Coach				8	Y
Nancy English	Approve WHS Varsity/JV Basketball Cheerleading Coach				8	Y

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-2
RES. #12-256

RESOLUTION TO APPROVE CERTIFIED RECLASSIFICATION

RESOLVED that the Westlake Board of Education approves the reclassification of certified staff members as follows:

<u>Name</u>	<u>Step</u>	<u>From</u>	<u>To</u>	<u>Effective</u>
Stacey Abfall	11	MA+20	MA+30	08/01/2012
Kathy D'Ettorre	19	MA	MA+10	08/01/2012
Heather Eichenberg	4	MA+10	MA+30	08/01/2012
Christine Latham	15	BA+10	BA+20	08/01/2012
Caitlin Shea	10	MA+10	MA+20	08/01/2012
Sandra Stanley	7	MA	MA+10	08/01/2012
Tharasa Szabo	19	MA+20	MA+30	08/01/2012

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-3
RES. #12-257

RESOLUTION TO APPROVE RESIGNATIONS AND EMPLOYMENT
OF SUBSTITUTES FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approves the resignations and employment of substitutes for staff members as follows for the 2012-2013 school year:

<u>Classified Substitute Resignations</u>	<u>Certified Substitute Resignations</u>
Angela Baker Emily DiFiorie Susan Graham Janet Jacobs Diane Kline Therese Laskey	Sandra Lewis Julie Parobek Kathleen Ritchie Elaine Swift Laura VanHoose
	Susan Baggs Deborah Basiewicz Beth Bebenroth Christine Biel Amy Blenkhorn Alison Bohnenkamp Michelle Brody Cynthia Brown Carolann Carran Nicole Cobb Denise Cukrowicz Sue Daroczy Emily DiFiore Lee Ann Eyre
	Vicki Gehrke Jerrin Holt Jeremy Krausz Elizabeth Little Justin Lorko Emily McManamon Regan Pore Andrew Robinson Dolores Root Mark Saksa Cathleen Samiec Lindsay Sereika Georgia Wilder
<u>Classified Substitutes</u>	<u>Certified Substitutes</u>
Laura Cooley Sharon Didion David Gamon Elizabeth Kacirek Susan Kantner Patrick Mahoney Amanda Serrano Gary Standen	Brittany Akins Edward Barbour Leah Behymer Janis Koch Judith Maher
	Patrick Mahoney Jenna Simon Sharon Willis Alyssa Zaharewicz

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-4
RES. #12-258

RESOLUTION TO APPROVE THE EMPLOYMENT OF ADULT
BASIC LITERACY EDUCATION PERSONNEL 2012 - 2013

RESOLVED that the Westlake Board of Education approves the employment of personnel for the Adult Basic Literacy Education (A.B.L.E.) Program. Contracts are to be paid out of the following grants: A.B.L.E. Project Number 045062-AB-S1-2012C, A.B.L.E. Project Number 045062-AB-S1-2013, A.B.L.E. English Literacy and Civics Education Project Number 045062-AB-S2-2012C and A.B.L.E. English Literacy and Civics Education Project Number 045062-AB-S2-2013.

<u>Name</u>	<u>Position</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Not to Exceed</u>
Paula Kertes	A.B.L.E. Director	180.00	\$35.80	\$6,444.00
Paula Kertes	A.B.L.E. Coordinator	427.50	\$35.80	\$15,304.50
Paula Kertes	EL Civics Coordinator	36.00	\$35.80	\$1,288.80
Victoria Emblom	EL Civics/ESOL Instructor	85.00	\$23.86	\$2,028.10
Lisa Feldman	EL Civics/ESOL Instructor	85.00	\$23.86	\$2,028.10
Donna Hinson	EL Civics/ESOL Instructor	85.00	\$23.86	\$2,028.10
Gloria Muntean	EL Civics/ESOL Instructor	255.00	\$23.86	\$6,084.30
Victoria Emblom	A.B.L.E./ESOL Instructor	121.00	\$23.86	\$2,887.06
Lisa Feldman	A.B.L.E./ESOL Instructor	85.00	\$23.86	\$2,028.10
Donna Hinson	A.B.L.E./ESOL Instructor	85.00	\$23.86	\$2,028.10
Mark Laurenzi	A.B.L.E./Orient. Instructor	96.00	\$23.86	\$2,290.56
Gloria Muntean	A.B.L.E./ESOL Instructor	279.00	\$23.86	\$6,656.94
Cheryl Williams	A.B.L.E./GED Instructor	228.00	\$23.86	\$5,440.08
Cheryl Williams	A.B.L.E./Orient. Instructor	60.00	\$23.86	\$1,431.60
Jessica Untch	A.B.L.E./GED Instructor	204.00	\$23.86	\$4,867.44
Carol Paulin	A.B.L.E./Clerk Typist	380.00	\$17.36	\$6,596.80

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-5
RES. #12-259

RESOLUTION TO APPROVE STIPENDS FOR ADULT BASIC LITERACY EDUCATION
PROFESSIONAL DEVELOPMENT

RESOLVED that the Westlake Board of Education approves stipends at the negotiated rate for the following staff members for Professional Development to be paid from the Adult Basic Literacy Education (A.B.L.E.) Program.

<p><u>2012-2013 School Year</u> <i>Not to exceed 8 hours per person</i></p> <p>Victoria Emblom Lisa Feldman Donna Hinson Mark Laurenzi Gloria Muntean Cheryl Williams Jessica Untch</p>
<p><u>2012-2013 School Year</u> <i>Not to exceed 6.5 hours per person</i></p> <p>Carol Paulin</p>

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-6
RES. #12-260

RESOLUTION TO APPROVE CONTRACTS FOR SERVICES FOR NON-PUBLIC SCHOOLS
AND EMPLOYMENT OF AUXILIARY PERSONNEL FOR NON-PUBLIC SCHOOLS

RESOLVED that the Westlake Board of Education approves contracted services for non-public schools for the 2012-2013 school year as follows to be paid out of Auxiliary Services Funds and/or Title VI-B IDEA Funds, and approves the employment of the following auxiliary personnel for St. Paul Lutheran School for the school year 2012-2013, to be paid from the Auxiliary Services Fund and /or Title VI-B IDEA Funds as follows:

<u>PSI Affiliates, Inc. Contracts - St. Bernadette</u>	
Intervention Specialist	72 days
School Nurse	720 hours
Speech & Hearing Pathologist	36 days
Psychologist	36 days
<u>PSI Affiliates, Inc. Contracts - St. Paul Lutheran</u>	
School Nurse	9 days
Health Aides	540 hours
<u>Montessori Children's School -Cuyahoga County Board of Health Contract</u>	
Registered Nurse	8 hours/month
<u>St. Paul Lutheran School - Auxiliary Personnel</u>	
Donna Collins, Speech Therapist	Rate: BA, Step 20, 20% Contract

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-7
RES. #12-261

RESOLUTION TO APPROVE EMPLOYMENT OF AUXILIARY SERVICES PERSONNEL

RESOLVED that the Westlake Board of Education approves the employment of the following auxiliary personnel for the school year 2012-2013, to be paid from the Auxiliary Services Fund.

Corlett Bine, St. Paul Lutheran – Clerk/Typist Rate: Class A, Step 20, 9.5 Months, 6 hours/day/5 days per week
Barbara Sennhenn, St. Paul Lutheran – SST Teacher Rate: BA, Step 20, 3-1/2 hours/day, 5 days per week
Anna Bakalar, St. Bernadette – Clerk/Typist Rate: Class A, Step 10, 9 Months, 7.5 hours/day/ 2 days per week

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-8
RES. #12-262

RESOLUTION TO APPROVE CONTRACT FOR SERVICES
SUPERVISED BY LOCAL EDUCATION AGENCY FOR NON-PUBLIC SCHOOL

RESOLVED that the Westlake Board of Education approves the Contract for Services Supervised by Local Educational Agency with the Educational Service Center of Summit County for St. Paul Lutheran Non-Public School for the 2012-2013 school year, to be paid from the Auxiliary Services Fund.

St. Paul Lutheran Non-Public School

Contract for Services - 2012-2013 School Year
Educational Service Center of Summit County

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-9
RES. #12-263

RESOLUTION TO APPROVE EMPLOYMENT PAID FROM GRANT FUNDS

RESOLVED that the Westlake Board of Education approves the employment of the following personnel for the 2012-2013 school year, partially or fully funded by the following grants:

<u>TITLE I</u>		
Cindy Archer	Trudy Pauken	Leslie Telloni
<u>TITLE VI-B SPECIAL EDUCATION IDEA</u>		
Donna Collins	Kristine Hamilton	Patricia Wasko
<u>TITLE II-A</u> Improving Teacher Quality	<u>TITLE III</u> Limited English Proficient (LEP)	
Hun Piazza	Celina Bigio	
<u>EARLY CHILDHOOD SPECIAL EDUCATION</u>		
Karen Kane		

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-10
RES. #12-264

RESOLUTION TO APPROVE EMPLOYMENT
FOR ADMINISTRATIVE PERSONNEL

RESOLVED that the Westlake Board of Education approves the employment for the following administrator for the 2012-2013 school year:

Carol Froehlich Coordinator of Gifted Services	FTE 0.60; 169 Days Effective 08/01/2012
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Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-11
RES. #12-265

RESOLUTION TO APPROVE EXTENDED TIME FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approves the following extended time for staff members as follows:

Stephanie Morgan – Pupil Services Director

4 Extended Days in July, 2012 at Daily Rate

Erin Fenderbosch – Lead Site Coordinator – Project Link

Up to 5 Extended Days to be used by August 10, 2012

Adeena Sedlak-Horne – LBMS Guidance Counselor

7 Extended Days for 2012-2013 School Year

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-12
RES. #12-266

RESOLUTION TO APPROVE UNPAID LEAVE OF ABSENCE
FOR WORKERS' COMPENSATION PURPOSES

RESOLVED that the Westlake Board of Education approves the unpaid leave of absence for workers' compensation purposes for the following employee:

Joseph Colombo
Unpaid Leave of Absence for Workers' Compensation Purposes
Effective January 5, 2012

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-b-13
RES. #12-267

RESOLUTION TO APPROVE SUMMER 2012 ATHLETIC CAMP STIPENDS

RESOLVED that the Westlake Board of Education approves Summer 2012 Athletic Camp stipends as follows, paid by Camp Fees:

<u>Boys Basketball</u> Shawn Hood - Director Dave Fazekas - Adult Coach Mike Flood - Adult Coach Kevin Considine - Adult Coach Gavin Skelly-Student Coach	<u>Wrestling</u> Mike Antonyzyn - Director Tom DeLuca - Adult Coach Jake Percival - Adult Coach Jed Failor - Adult Coach
<u>Girls Basketball</u> Chip Weiss - Director Art Daniels - Adult Coach Lynn Maugherman - Adult Coach	<u>Volleyball</u> Meghan Mental - Director Sally Falatach - Adult Coach Amanda Gordon - Adult Coach Adeline Mental - Adult Coach Jen Seighman - Adult Coach Jay Valadez - Adult Coach
<u>Pole Vault</u> John Holland - Director Mike Sedlak - Assistant Director	

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-c
RES. #12-268

RESOLUTION TO APPROVE AGREEMENTS FOR ADMISSION OF
TUITION PUPILS AND PURCHASED SERVICES

RESOLVED that the Westlake Board of Education approves the following Agreements and Purchased Services:

2012-2013 School Year

Mary O'Doherty - Physical Therapy Contract

Ombudsman - Alternative Education Services Agreement

Motion by _____ Ms. Winter

Seconded by _____ Mr. Falcone

Roll Call Vote:

Mr. Mays _____ AYE

Ms. Winter _____ AYE

Mr. Cross _____ AYE

Mr. Falcone _____ AYE

Mrs. Leszynski _____ AYE

July 30, 2012
12-441

EXHIBIT F-1-d
RES. #12-269

RESOLUTION TO APPROVE PARTICIPATION IN
OHIO SCHOOLS COUNCIL COOPERATIVE PROGRAMS

RESOLVED that the Westlake Board of Education approves participation in the Ohio Schools Council Cooperative Program for the 2012-2013 school year at the cost of \$4,920.44.

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-e
RES. #12-270

RESOLUTION TO APPROVE FIELD TRIP

RESOLVED that the Westlake Board of Education approves the following field trip:

Lee Burneson & Westlake High School Environmental Club
Animal Science, Adaptation & Environmental Responsibility
Cincinnati Zoo, Cincinnati, Ohio
Friday 9:00 AM-Saturday 6:00 PM, 11/16/2012 - 11/17/2012
Approximate Cost Per Pupil: \$100.00*
*All Costs Paid by Student Fees

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-f
RES. #12-271

RESOLUTION TO ACCEPT BIDS AND AWARD BUS BID

WHEREAS, bids were solicited by advertisement on behalf of the Westlake City School District by the Ohio Schools Council for one (1) Transit School Bus Body and Chassis, received and publicly opened on May 31, 2012; and

WHEREAS, the following bids were received:

Cardinal Bus Sales, Inc. - Blue Bird	\$106,686
Myers Equipment - Thomas	\$108,082
CCI Northcoast - International	No Bid

THEREFORE, the Westlake Board of Education awards the Transit School Bus Body and Chassis contract to Cardinal Bus Sales, Inc. - Blue Bird in the amount of \$106,686, as the lowest responsible bidder for the work specified for the contract.

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

July 30, 2012
12-444

EXHIBIT F-1-g
RES. #12-272

RESOLUTION TO APPROVE FOREIGN EXCHANGE STUDENT

RESOLVED THAT the Westlake Board of Education approves the following Foreign Exchange Student to attend Westlake High School of s for the 2012-2013 school year:

Julia Bandeira Oswaldo - Brazil

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-h
RES. #12-273

RESOLUTION TO PUBLICLY POST PREVIOUSLY APPROVED
CONSTRUCTION CHANGE ORDERS

RESOLVED that the Westlake Board of Education approves the public posting of the following previously approved Construction Change Orders; authorized by Board Resolution #10-222 on June 28, 2010.

<u>CO #</u>	<u>Site</u>	<u>Contractor</u>	<u>Amount</u>	<u>Description</u>
058	WHS	Jeffry Carr	\$2,608.04	Provide railing on roof parapet per City Plan Review.
059	WHS	Jeffry Carr	\$1,126.91	Provide 2 Ticket Booth Windows in Room F101B.
049	New MS	Great Lakes Crushing	\$10,660.00	Undercut & replace subgrade shale and backfill.
050	New MS	Great Lakes Crushing	\$2,343.52	Reroute & connect found storm sewer to CB-26A.
051	New MS	Great Lakes Crushing	\$6,745.00	Remove coal cellar and replace with onsite fill.
052	New MS	Great Lakes Crushing	\$4,275.00	Remove contaminated soil offsite & replace with onsite material.
053	New MS	Great Lakes Crushing	\$12,992.00	Remove found buried building rubble in east parking lot & replace with onsite material.
054	New MS	Great Lakes Crushing	\$11,040.50	Remove found buried building rubble in north-east parking lot.
003	Dover IS	Bay Mechanical	\$673.16	Remove gasline dresser coupling & replace with flanged fitting.
004	Dover IS	Bay Mechanical	\$471.78	Provide 16"x12" fire damper in branch duct to RTU-2 to classroom 129.
005	Dover IS	Bay Mechanical	\$851.92	Install isolation valve at Boiler Room for Gym RTUs to shut off Gym RTUs only.
006	Dover IS	Bay Mechanical	\$950.13	Replace existing gas supply line to kitchen.
007	Dover IS	Bay Mechanical	\$3,886.17	Replace existing gas supply line to Gym RTUs.

Motion by _____ Ms. Winter
Seconded by _____ Mr. Falcone
Roll Call Vote:
Mr. Mays _____ AYE
Ms. Winter _____ AYE
Mr. Cross _____ AYE
Mr. Falcone _____ AYE
Mrs. Leszynski _____ AYE

EXHIBIT F-1-i
RES. #12-274

RESOLUTION TO ACCEPT BIDS AND AWARD CONSTRUCTION CONTRACTS

<u>Westlake Middle School MS 12</u> <u>Dover Center Road Traffic Light</u>	
<u>Bidder</u>	<u>Base Bid</u>
Perram Electric, Inc.	\$178,600.00
Signal Service Co.	\$179,482.00
Thompson Electric, Inc.	\$205,100.00
Zenith Systems LLC	\$206,400.00

WHEREAS, bids were received on July 25, 2012 for the MS 12 Dover Center Road Traffic Light contract for the new Lee Burneson Middle School project, and the apparent low bid was submitted by Perram Electric, Inc., Wadsworth, Ohio, in the base bid amount of \$178,600.00; and

WHEREAS, the Construction Manager, together with the Architect, reviewed the apparent low bid submitted for the work, met with a representative of the apparent low bidder to determine that the specified work was included in the bid amount and that the bidder had the experience and qualifications to perform the work, and recommend that the contract for the MS 12 Dover Center Road Traffic Light be awarded to Perram Electric, Inc. in the amount of \$178,600.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District as follows:

1. Based upon the recommendation of the Construction Manager, made with the concurrence of the Architect, the Board awards the MS 12 Dover Center Road Traffic Light contract to Perram Electric, Inc. in the amount of \$178,600.00 as the lowest responsible bidder for the work specified for the contract.
2. The Director of Business Affairs, working with the Superintendent and Treasurer, is authorized to work with the Construction Manager to prepare the contract and to proceed with the signing of the contract for the work.

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-j
RES. #12-275

RESOLUTION TO APPROVE DOVER INTERMEDIATE SCHOOL CHANGE EVENT

RESOLVED that the Westlake Board of Education approves the following Construction Change Event for Dover Intermediate School:

Kalkreuth Roofing & Sheet Metal

Dover Intermediate School Change Event #002

Provide an additional inch of roof insulation per City Plan Review to comply with current code.

ADD \$78,474.51

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-k
RES. #12-276

RESOLUTION TO AWARD TRAFFIC CONTROL CONTRACT

RESOLVED that the Westlake Board of Education awards the following Traffic Control Contract at the Dover Elementary/Lee Burneson Middle School Site:

Signal Service Company

Temporary Traffic Signal - Dover Center Road

Installation of Semi-Vehicle activated traffic signal using wood poles and microwave detectors. Use of equipment until new signal is energized - not to exceed eight months.

Removal of equipment upon completion of new signal.

Complete Price, Materials & Installation: \$18,000.00

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-1
RES. #12-277

RESOLUTION TO APPROVE DISTRICT TRASH/RECYCLING CONTRACT

RESOLVED that the Westlake Board of Education approves the contract for district recycling and trash services as follows:

<u>Trash & Recycling Contract</u>
Rumpke Waste & Recycling Services - Cincinnati, Ohio
3-Year Agreement: 08/01/2012 - 07/31/2015

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

July 30, 2012
12-450

EXHIBIT F-1-m
RES. #12-278

RESOLUTION TO APPROVE MEMBERSHIP IN THE
LAKE ERIE EDUCATIONAL MEDIA CONSORTIUM (LEEMC)

RESOLVED that the Westlake Board of Education approves membership in the Lake Erie Educational Media Consortium (LEEMC) for the 2012-2013 school year, effective July 1, 2012 through June 30, 2013.

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

EXHIBIT F-1-n
RES. #12-279

RESOLUTION TO AUTHORIZE CONVEYANCE OF WATER METER VAULT EASEMENTS
AND TRAFFIC SIGNAL SYSTEM EASEMENTS IN CONNECTION WITH
NEW MIDDLE SCHOOL AND HIGH SCHOOL PROJECTS

WHEREAS the Westlake City School District Board of Education (“Board”) is the owner of certain parcels of real property designated as Cuyahoga County tax parcel numbers 212-26-007 (the “MS Site”) and 212-24-006 (the “HS” Site), respectively being the sites of the new Lee Burneson Middle School and the new Westlake High School; and

WHEREAS a water meter vault easement and traffic signal system easement through portions of both the MS Site and the HS site will be necessary to enable the City of Westlake (as to all of the easements) and the City of Cleveland (as to the water meter vault easements) (together, the “Grantees”) to provide services to the MS Site and HS Site in conjunction with the new school facilities being constructed thereon; and

WHEREAS, the Board desires to convey such easements to the Grantees over and across the relevant portions of each development site, as more specifically depicted and described in the four (4) easement agreements, which will serve to grant the applicable easement interests in the MS Site and HS Site to the Grantees; and

WHEREAS, the easements will provide a benefit to the new Lee Burneson Middle School and the new Westlake High School.

NOW, THEREFORE, BE IT RESOLVED by the Westlake City School District Board of Education as follows:

1. The Board hereby approves the granting of the easements and associated rights to the Grantees on the terms and conditions set forth in the easement agreements.
2. The Treasurer and Board President are hereby authorized to execute the easement agreements to grant the easements and associated rights to the Grantees.

Motion by _____ Ms. Winter

Seconded by _____ Mr. Falcone

Roll Call Vote:

Mr. Mays _____ AYE

Ms. Winter _____ AYE

Mr. Cross _____ AYE

Mr. Falcone _____ AYE

Mrs. Leszynski _____ AYE

TRAFFIC SIGNAL SYSTEM EASEMENT

The **Board of Education of the Westlake City School District**, a school district and political subdivision of the State of Ohio (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants (subject to existing easements and other rights of record) to the **City of Westlake, Ohio**, a municipal corporation and political subdivision of the State of Ohio (“Grantee”), and to Grantee’s successors and assigns, a perpetual easement in, over, under, across, and through the easement area depicted by cross-hatching (and designated as the Traffic Signal Easement) and described on **Exhibit A** attached hereto (the “Easement Area”) for the purposes of installing, constructing, accessing, maintaining, repairing, replacing, operating, and utilizing a traffic signal control system and related equipment, lines, and facilities (collectively, the “Facilities”), along with a right of access through such portion of Grantor’s Parcel (as defined below) as may be reasonably necessary to gain access to the Easement Area.

The Easement Area comprises a portion of Grantor’s real property located in the City of Westlake, Cuyahoga County, Ohio (the “Grantor’s Parcel”), being tax parcel number 212-24-006, acquired by Grantor by deed recorded at Volume __, Page __, Cuyahoga County Recorder’s Office.

Construction. Grantee, its successor and assigns, agents and contractors, during any initial installation and construction of, and during any maintenance, repair, or replacement of the Facilities, shall have the right, as reasonably necessary, to remove and displace earth and vegetation and to store earth, materials, and equipment in the Easement Area, and, after such construction, maintenance, repair, and/or replacement work has been completed, Grantee shall, as diligently as possible, repair or cause its contractors to repair any damage caused to the Easement Area or adjacent property, including but not limited to the restoration of asphalt, concrete, and other paved areas, landscaping, grass (i.e., by seeding and strawing), and other surface areas to as close as reasonably possible to pre-construction or pre-repair condition. All such work shall be performed in a good and workmanlike manner, in accordance with all applicable laws, rules, ordinances, and regulations.

No Build Area. Grantor shall not cause or allow to be constructed, installed, or maintained within the Easement Area any building, structure, or other obstructions that would interfere with or inhibit the exercise of the rights of Grantee hereunder, but Grantor shall have the right to install paved improvements within the Easement Area. Grantor also shall not physically alter the Easement Area or surrounding property in such a way as to impair the land support of the Facilities, or impair the ability to use or maintain the Facilities, or cause the Facilities to become a hazard.

Maintenance. Grantee, at Grantee’s expense, shall be responsible for maintaining and repairing the Facilities installed by Grantee within the Easement Area and shall be responsible for ensuring that the Facilities function properly to the extent required of Grantee under applicable law. Grantee also shall maintain in good condition all directional striping, boundary lines, and other traffic markers and striping within the Easement Area as reasonably necessary in conjunction with the operation of the Facilities.

Reservation of Rights. Grantor reserves, for itself and its successors and assigns, as the owner of fee simple title to the Easement Area located within the Grantor’s Parcel, the right to use the Easement Area for any purpose that will not materially and adversely affect, limit, or unduly burden the Grantee’s use of the Facilities or exercise of its other rights hereunder.

Notices. Any notice, request, or demand required or permitted to be given hereunder shall be in writing, signed by or on behalf of the party giving the notice, and shall be deemed to have been given when delivered personally to an authorized agent of the other party, or on the next business day after

the same has been deposited for overnight delivery with any nationally recognized overnight courier service, addressed to the last best known address for the other party.

Authority. Grantor has taken the requisite Board or other corporate action to convey the rights and easements granted hereunder.

Successors and Assigns. The easements, rights, covenants, obligations, and interests created and granted under this instrument shall run with the land and shall be binding upon and inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties hereto.

Severability. If any provision hereof is determined to be invalid or unenforceable by any court of competent jurisdiction, that determination shall not affect the remaining provisions of this instrument, which shall remain in full force and effect.

Governing Law. The terms of this instrument shall be governed by and construed in accordance with the laws of the State of Ohio.

No Waiver. No waiver of any breach or default by either party shall be implied from any omission or failure to take any action with respect to such breach or default if the same breach or default continues or is repeated.

Headings. The headings used herein are intended for convenience of reference only and shall not serve to limit or otherwise affect the interpretation of this instrument.

Modifications. The provisions of this agreement may be amended, supplemented, or terminated, in whole or in part, only by the written agreement of each party (or its then-successor in interest hereunder), properly executed and acknowledged on behalf of each party.

Grantor has executed this instrument as of the _____ day of _____, 2012.

GRANTOR:

Board of Education of the Westlake City School District,
a school district and political subdivision of the State of Ohio

Signature: _____
Printed Name: Thomas C. Mays
Title: President, Board of Education

Signature: _____
Printed Name: Mark C. Pepera
Title: Treasurer, Board of Education

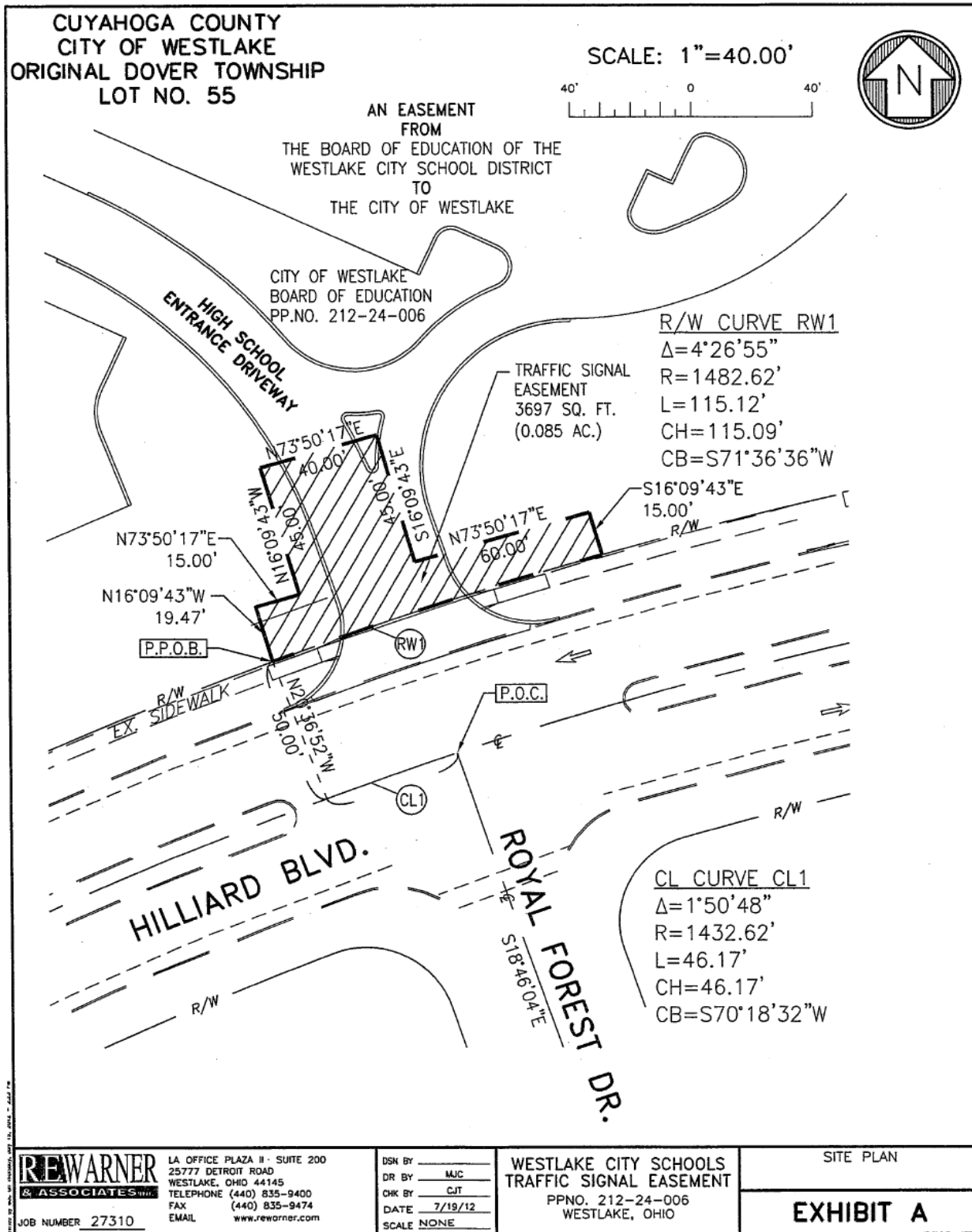
STATE OF OHIO :
COUNTY OF CUYAHOGA : SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Thomas C. Mays, the Board President, and Mark Pepera, the Treasurer, of the Board of Education of the Westlake City School District, a school district and political subdivision of the State of Ohio, on behalf of the political subdivision.

Notary Public

Commission Expires: _____

EXHIBIT A
Depiction of the Easement Area



Legal Description of the Easement Area

Traffic Signal Easement over PPNo. 212-24-006

Situated in the State of Ohio, County of Cuyahoga, City of Westlake, known as being part of Original Dover Township Lot No. 55 bounded and described as follows:

Commencing at the centerline intersection of Hilliard Boulevard and Royal Forest Drive.

Thence along said centerline of Hilliard Boulevard, being a curve deflecting to the left, radius 1432.62 feet, an arc distance of 46.17 feet, and a chord bearing S 70°18'32" W and distance of 46.17 feet;

Thence N 20°36'52" W, a distance of 50.00 feet to the northerly Right of Way line of Hilliard Boulevard and the **Principal Point of Beginning** of the easement herein described;

Thence N 16°09'43" W, a distance of 19.47 feet;

Thence N 73°50'17" E, a distance of 15.00 feet;

Thence N 16°09'43" W, a distance of 45.00 feet;

Thence N 73°50'17" E, a distance of 40.00 feet;

Thence S 16°09'43" E, a distance of 45.00 feet;

Thence N 73°50'17" E, a distance of 60.00 feet;

Thence S 16°09'43" E, a distance of 15.00 feet to the northerly Right of Way line of Hilliard Boulevard;

Thence along said northerly Right of Way line, being a curve deflecting to the left, radius 1482.62 feet, an arc distance of 115.12 feet, and a chord bearing S 71°36'36" W and distance of 115.09 feet to the **Principal Point of Beginning** enclosing 3697 square feet (0.085 acres) of land, more or less, but subject to all legal highways and easements of record.

The basis of bearing is the centerline of Dover Center Road as aforementioned. This description prepared by R.E. Warner & Associates, Inc., Christopher J. Tomko, Professional Surveyor #8243 in July, 2012.

UTILITY EASEMENT

The **Board of Education of the Westlake City School District**, a school district and political subdivision of the State of Ohio (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants (subject to existing easements and other rights of record) to the **City of Westlake, Ohio** and the **City of Cleveland, Ohio**, each a municipal corporation and political subdivision of the State of Ohio (together referred to herein jointly, and jointly and severally responsible hereunder, as “Grantee”) and to each such Grantee’s successors and assigns, a perpetual easement in, over, under, across, and through the easement area depicted by cross-hatching (and designated as the Water Meter Vault Easement) and described on **Exhibit B** attached hereto (the “Easement Area”) for the purposes of installing, constructing, accessing, maintaining, repairing, replacing, operating, and utilizing a water meter vault and related pipes, lines, and facilities (collectively, the “Facilities”), along with a right of access through such portion of Grantor’s Parcel (as defined below) as may be reasonably necessary to gain access to the Easement Area.

The Easement Area comprises a portion of Grantor’s real property located in the City of Westlake, Cuyahoga County, Ohio (the “Grantor’s Parcel”), being tax parcel number 212-24-006, acquired by Grantor by deed recorded at Volume __, Page __, Cuyahoga County Recorder’s Office.

Construction. Grantee, its successor and assigns, agents and contractors, during any initial installation and construction of, and during any maintenance, repair, or replacement of the Facilities, shall have the right, as reasonably necessary, to remove and displace earth and vegetation and to store earth, materials, and equipment in the Easement Area, and, after such construction, maintenance, repair, and/or replacement work has been completed, Grantee shall, as diligently as possible, repair or cause its contractors to repair any damage caused to the Easement Area or adjacent property, including but not limited to the restoration of asphalt, concrete, and other paved areas, landscaping, grass (i.e., by seeding and strawing), and other surface areas to as close as reasonably possible to pre-construction or pre-repair condition. All such work shall be performed in a good and workmanlike manner, in accordance with all applicable laws, rules, ordinances, and regulations.

No Build Area. Grantor shall not cause or allow to be constructed, installed, or maintained within the Easement Area any building, structure, or other obstructions that would interfere with or inhibit the exercise of the rights of Grantee hereunder, but Grantor shall have the right to install paved improvements within the Easement Area. Grantor also shall not physically alter the Easement Area or surrounding property in such a way as to impair the land support of the Facilities, or impair the ability to use or maintain the Facilities, or cause the Facilities to become a hazard.

Maintenance. Grantee, at Grantee’s expense, shall be responsible for maintaining and repairing the Facilities installed by Grantee within the Easement Area.

Reservation of Rights. Grantor reserves, for itself and its successors and assigns, as the owner of fee simple title to the Easement Area located within the Grantor’s Parcel, the right to use the Easement Area for any purpose that will not materially and adversely affect, limit, or unduly burden the Grantee’s use of the Facilities or exercise of its other rights hereunder.

Notices. Any notice, request, or demand required or permitted to be given hereunder shall be in writing, signed by or on behalf of the party giving the notice, and shall be deemed to have been given when delivered personally to an authorized agent of the other party, or on the next business day after the same has been deposited for overnight delivery with any nationally recognized overnight courier service, addressed to the last best known address for the other party.

Authority. Grantor has taken the requisite Board or other corporate action to convey the rights and easements granted hereunder.

Successors and Assigns. The easements, rights, covenants, obligations, and interests created and granted under this instrument shall run with the land and shall be binding upon and inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties hereto.

Severability. If any provision hereof is determined to be invalid or unenforceable by any court of competent jurisdiction, that determination shall not affect the remaining provisions of this instrument, which shall remain in full force and effect.

Governing Law. The terms of this instrument shall be governed by and construed in accordance with the laws of the State of Ohio.

No Waiver. No waiver of any breach or default by either party shall be implied from any omission or failure to take any action with respect to such breach or default if the same breach or default continues or is repeated.

Headings. The headings used herein are intended for convenience of reference only and shall not serve to limit or otherwise affect the interpretation of this instrument.

Modifications. The provisions of this agreement may be amended, supplemented, or terminated, in whole or in part, only by the written agreement of each party (or its then-successor in interest hereunder), properly executed and acknowledged on behalf of each party.

Grantor has executed this instrument as of the _____ day of _____, 2012.

GRANTOR:

Board of Education of the Westlake City School District,

A school district and political subdivision of the State of Ohio

Signature: _____
Printed Name: Thomas C. Mays
Title: President, Board of Education

Signature: _____
Printed Name: Mark C. Pepera
Title: Treasurer, Board of Education

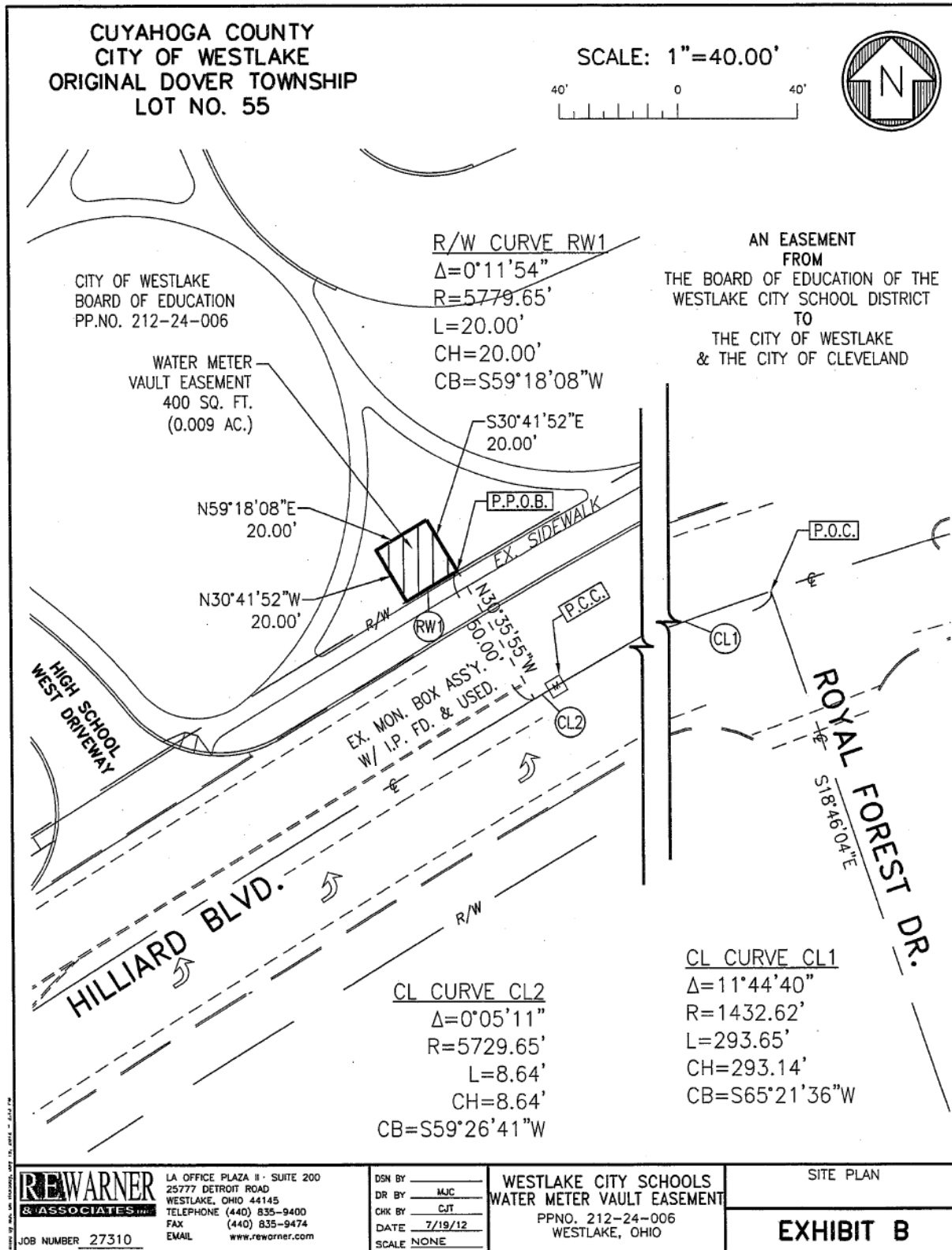
STATE OF OHIO :
COUNTY OF CUYAHOGA : SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Thomas C. Mays, the Board President, and Mark Pepera, the Treasurer, of the Board of Education of the Westlake City School District, a school district and political subdivision of the State of Ohio, on behalf of the political subdivision.

Notary Public

Commission Expires: _____

EXHIBIT B
Depiction of the Easement Area



Legal Description of the Easement Area

Water Meter Vault Easement over PPNo. 212-24-006

Situated in the State of Ohio, County of Cuyahoga, City of Westlake, known as being part of Original Dover Township Lot No. 55 bounded and described as follows:

Commencing at the centerline intersection of Hilliard Boulevard and Royal Forest Drive.

Thence along said centerline of Hilliard Boulevard, being a curve deflecting to the left, radius 1432.62 feet, an arc distance of 293.65 feet, and a chord bearing S 65°21'36" W and distance of 293.14 feet to a point of compound curvature;

Thence continuing along said centerline, being a curve deflecting to the left, radius 5729.65 feet, an arc distance of 8.64 feet, and a chord bearing S 59°26'41" W and distance of 8.64 feet;

Thence N 30°35'55" W, a distance of 50.00 feet to the northerly Right of Way line of Hilliard Boulevard and the **Principal Point of Beginning** of the easement herein described;

Thence along said northerly Right of Way line, being a curve deflecting to the left, radius 5779.65 feet, an arc distance of 20.00 feet, and a chord bearing S 59°18'08" W and distance of 20.00 feet;

Thence N 30°41'52" W, a distance of 20.00 feet;

Thence N 59°18'08" E, a distance of 20.00 feet;

Thence S 30°41'52" E, a distance of 20.00 feet to the northerly Right of Way line of Hilliard Boulevard and the **Principal Point of Beginning** enclosing 400 square feet (0.009 acres) of land, more or less, but subject to all legal highways and easements of record.

The basis of bearing is the centerline of Dover Center Road as aforementioned. This description prepared by R.E. Warner & Associates, Inc., Christopher J. Tomko, Professional Surveyor #8243 in July, 2012.

TRAFFIC SIGNAL SYSTEM EASEMENT

The **Board of Education of the Westlake City School District**, a school district and political subdivision of the State of Ohio (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants (subject to existing easements and other rights of record) to the **City of Westlake, Ohio**, a municipal corporation and political subdivision of the State of Ohio (“Grantee”), and to Grantee’s successors and assigns, a perpetual easement in, over, under, across, and through the easement area depicted by cross-hatching (and designated as the Traffic Signal Easement) and described on **Exhibit A** attached hereto (the “Easement Area”) for the purposes of installing, constructing, accessing, maintaining, repairing, replacing, operating, and utilizing a traffic signal control system and related equipment, lines, and facilities (collectively, the “Facilities”), along with a right of access through such portion of Grantor’s Parcel (as defined below) as may be reasonably necessary to gain access to the Easement Area.

The Easement Area comprises a portion of Grantor’s real property located in the City of Westlake, Cuyahoga County, Ohio (the “Grantor’s Parcel”), being tax parcel number 212-26-007, acquired by Grantor by deed recorded at Volume __, Page __, Cuyahoga County Recorder’s Office.

Construction. Grantee, its successor and assigns, agents and contractors, during any initial installation and construction of, and during any maintenance, repair, or replacement of the Facilities, shall have the right, as reasonably necessary, to remove and displace earth and vegetation and to store earth, materials, and equipment in the Easement Area, and, after such construction, maintenance, repair, and/or replacement work has been completed, Grantee shall, as diligently as possible, repair or cause its contractors to repair any damage caused to the Easement Area or adjacent property, including but not limited to the restoration of asphalt, concrete, and other paved areas, landscaping, grass (i.e., by seeding and strawing), and other surface areas to as close as reasonably possible to pre-construction or pre-repair condition. All such work shall be performed in a good and workmanlike manner, in accordance with all applicable laws, rules, ordinances, and regulations.

No Build Area. Grantor shall not cause or allow to be constructed, installed, or maintained within the Easement Area any building, structure, or other obstructions that would interfere with or inhibit the exercise of the rights of Grantee hereunder, but Grantor shall have the right to install paved improvements within the Easement Area. Grantor also shall not physically alter the Easement Area or surrounding property in such a way as to impair the land support of the Facilities, or impair the ability to use or maintain the Facilities, or cause the Facilities to become a hazard.

Maintenance. Grantee, at Grantee’s expense, shall be responsible for maintaining and repairing the Facilities installed by Grantee within the Easement Area and shall be responsible for ensuring that the Facilities function properly to the extent required of Grantee under applicable law. Grantee also shall maintain in good condition all directional striping, boundary lines, and other traffic markers and striping within the Easement Area as reasonably necessary in conjunction with the operation of the Facilities.

Reservation of Rights. Grantor reserves, for itself and its successors and assigns, as the owner of fee simple title to the Easement Area located within the Grantor’s Parcel, the right to use the Easement Area for any purpose that will not materially and adversely affect, limit, or unduly burden the Grantee’s use of the Facilities or exercise of its other rights hereunder.

Notices. Any notice, request, or demand required or permitted to be given hereunder shall be in writing, signed by or on behalf of the party giving the notice, and shall be deemed to have been given when delivered personally to an authorized agent of the other party, or on the next business day after

the same has been deposited for overnight delivery with any nationally recognized overnight courier service, addressed to the last best known address for the other party.

Authority. Grantor has taken the requisite Board or other corporate action to convey the rights and easements granted hereunder.

Successors and Assigns. The easements, rights, covenants, obligations, and interests created and granted under this instrument shall run with the land and shall be binding upon and inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties hereto.

Severability. If any provision hereof is determined to be invalid or unenforceable by any court of competent jurisdiction, that determination shall not affect the remaining provisions of this instrument, which shall remain in full force and effect.

Governing Law. The terms of this instrument shall be governed by and construed in accordance with the laws of the State of Ohio.

No Waiver. No waiver of any breach or default by either party shall be implied from any omission or failure to take any action with respect to such breach or default if the same breach or default continues or is repeated.

Headings. The headings used herein are intended for convenience of reference only and shall not serve to limit or otherwise affect the interpretation of this instrument.

Modifications. The provisions of this agreement may be amended, supplemented, or terminated, in whole or in part, only by the written agreement of each party (or its then-successor in interest hereunder), properly executed and acknowledged on behalf of each party.

Grantor has executed this instrument as of the _____ day of _____, 2012.

GRANTOR:

Board of Education of the Westlake City School District,

A school district and political subdivision of the State of Ohio

Signature: _____
Printed Name: Thomas C. Mays
Title: President, Board of Education

Signature: _____
Printed Name: Mark C. Pepera
Title: Treasurer, Board of Education

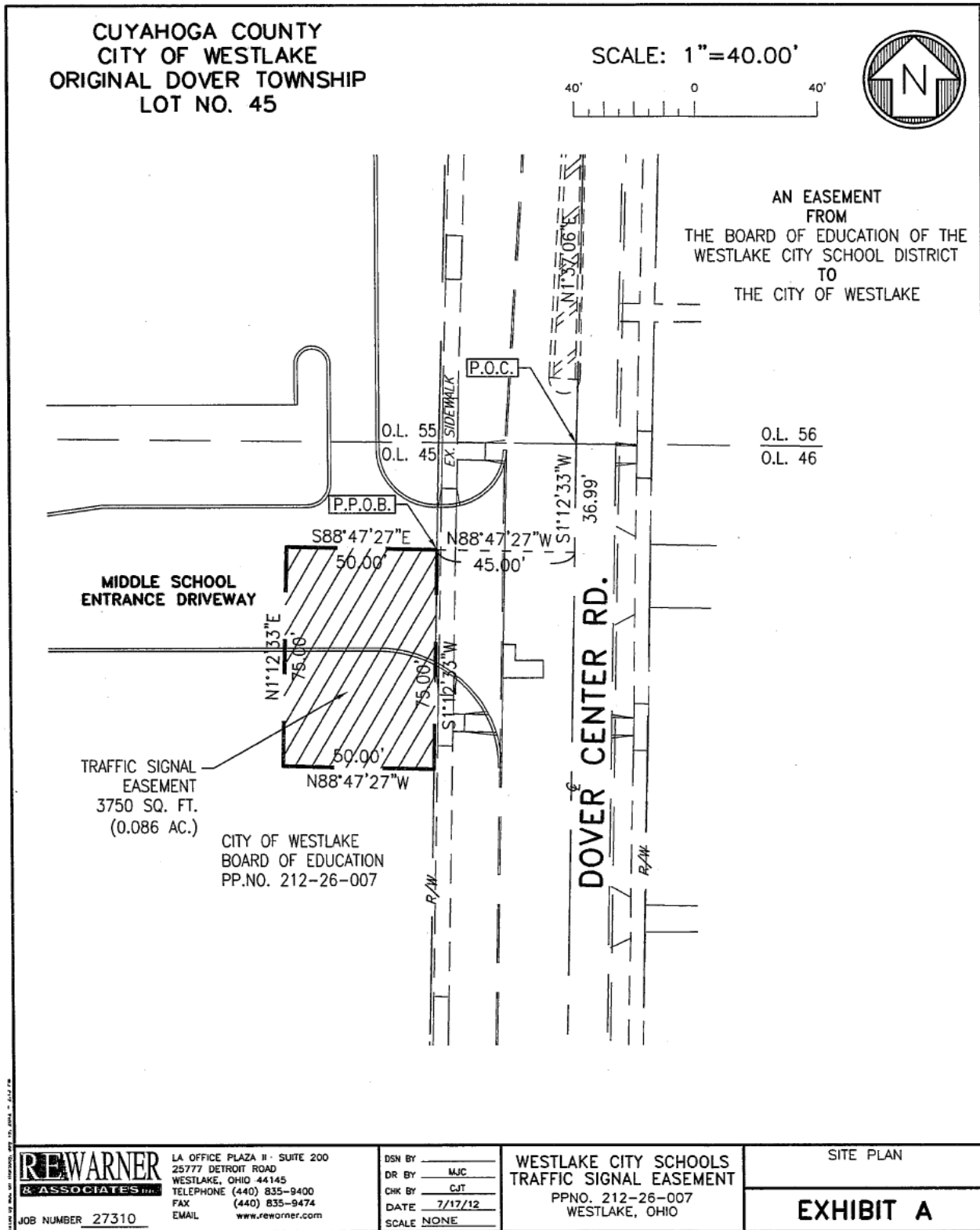
STATE OF OHIO :
COUNTY OF CUYAHOGA : SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Thomas C. Mays, the Board President, and Mark Pepera, the Treasurer, of the Board of Education of the Westlake City School District, a school district and political subdivision of the State of Ohio, on behalf of the political subdivision.

Notary Public

Commission Expires: _____

EXHIBIT A
Depiction of the Easement Area



Legal Description of the Easement Area

Traffic Signal Easement over PPNo. 212-26-007

Situated in the State of Ohio, County of Cuyahoga, City of Westlake, known as being part of Original Dover Township Lot No. 45 bounded and described as follows:

Commencing at the northeast corner of Lot Forty-Five where found an iron pin monument in the centerline of Dover Center Road.

Thence S 01°12'33" W, along said centerline of Dover Center Road, a distance of 36.99 feet;

Thence N 88°47'27" W, perpendicular to said centerline, a distance of 45.00 feet to the westerly Right of Way line of Dover Center Road and the **Principal Point of Beginning** of the easement herein described;

Thence S 01°12'33" W, along said Right of Way line, a distance of 75.00 feet;

Thence N 88°47'27" W, perpendicular to said centerline, a distance of 50.00 feet;

Thence N 01°12'33" E, parallel with said centerline, a distance of 75.00 feet;

Thence S 88°47'27" E, perpendicular to said centerline, a distance of 50.00 feet to the **Principal Point of Beginning** enclosing 3750 square feet (0.086 acres) of land, more or less, but subject to all legal highways and easements of record.

The basis of bearing is the centerline of Dover Center Road as aforementioned. This description prepared by R.E. Warner & Associates, Inc., Christopher J. Tomko, Professional Surveyor #8243 in July, 2012.

UTILITY EASEMENT

The **Board of Education of the Westlake City School District**, a school district and political subdivision of the State of Ohio (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants (subject to existing easements and other rights of record) to the **City of Westlake, Ohio** and the **City of Cleveland, Ohio**, each a municipal corporation and political subdivision of the State of Ohio (together referred to herein jointly, and jointly and severally responsible hereunder, as “Grantee”) and to each such Grantee’s successors and assigns, a perpetual easement in, over, under, across, and through the easement area depicted by cross-hatching (and designated as the Water Meter Vault Easement) and described on **Exhibit B** attached hereto (the “Easement Area”) for the purposes of installing, constructing, accessing, maintaining, repairing, replacing, operating, and utilizing a water meter vault and related pipes, lines, and facilities (collectively, the “Facilities”), along with a right of access through such portion of Grantor’s Parcel (as defined below) as may be reasonably necessary to gain access to the Easement Area.

The Easement Area comprises a portion of Grantor’s real property located in the City of Westlake, Cuyahoga County, Ohio (the “Grantor’s Parcel”), being tax parcel number 212-26-007, acquired by Grantor by deed recorded at Volume ___, Page ___, Cuyahoga County Recorder’s Office.

Construction. Grantee, its successor and assigns, agents and contractors, during any initial installation and construction of, and during any maintenance, repair, or replacement of the Facilities, shall have the right, as reasonably necessary, to remove and displace earth and vegetation and to store earth, materials, and equipment in the Easement Area, and, after such construction, maintenance, repair, and/or replacement work has been completed, Grantee shall, as diligently as possible, repair or cause its contractors to repair any damage caused to the Easement Area or adjacent property, including but not limited to the restoration of asphalt, concrete, and other paved areas, landscaping, grass (i.e., by seeding and strawing), and other surface areas to as close as reasonably possible to pre-construction or pre-repair condition. All such work shall be performed in a good and workmanlike manner, in accordance with all applicable laws, rules, ordinances, and regulations.

No Build Area. Grantor shall not cause or allow to be constructed, installed, or maintained within the Easement Area any building, structure, or other obstructions that would interfere with or inhibit the exercise of the rights of Grantee hereunder, but Grantor shall have the right to install paved improvements within the Easement Area. Grantor also shall not physically alter the Easement Area or surrounding property in such a way as to impair the land support of the Facilities, or impair the ability to use or maintain the Facilities, or cause the Facilities to become a hazard.

Maintenance. Grantee, at Grantee’s expense, shall be responsible for maintaining and repairing the Facilities installed by Grantee within the Easement Area.

Reservation of Rights. Grantor reserves, for itself and its successors and assigns, as the owner of fee simple title to the Easement Area located within the Grantor’s Parcel, the right to use the Easement Area for any purpose that will not materially and adversely affect, limit, or unduly burden the Grantee’s use of the Facilities or exercise of its other rights hereunder.

Notices. Any notice, request, or demand required or permitted to be given hereunder shall be in writing, signed by or on behalf of the party giving the notice, and shall be deemed to have been given when delivered personally to an authorized agent of the other party, or on the next business day after the same has been deposited for overnight delivery with any nationally recognized overnight courier service, addressed to the last best known address for the other party.

Authority. Grantor has taken the requisite Board or other corporate action to convey the rights and easements granted hereunder.

Successors and Assigns. The easements, rights, covenants, obligations, and interests created and granted under this instrument shall run with the land and shall be binding upon and inure to the benefit of the heirs, legal representatives, successors, and assigns of the parties hereto.

Severability. If any provision hereof is determined to be invalid or unenforceable by any court of competent jurisdiction, that determination shall not affect the remaining provisions of this instrument, which shall remain in full force and effect.

Governing Law. The terms of this instrument shall be governed by and construed in accordance with the laws of the State of Ohio.

No Waiver. No waiver of any breach or default by either party shall be implied from any omission or failure to take any action with respect to such breach or default if the same breach or default continues or is repeated.

Headings. The headings used herein are intended for convenience of reference only and shall not serve to limit or otherwise affect the interpretation of this instrument.

Modifications. The provisions of this agreement may be amended, supplemented, or terminated, in whole or in part, only by the written agreement of each party (or its then-successor in interest hereunder), properly executed and acknowledged on behalf of each party.

Grantor has executed this instrument as of the _____ day of _____, 2012.

GRANTOR:

Board of Education of the Westlake City School District,
a school district and political subdivision of the State of Ohio

Signature: _____

Printed Name: Thomas C. Mays

Title: President, Board of Education

Signature: _____

Printed Name: Mark C. Pepera

Title: Treasurer, Board of Education

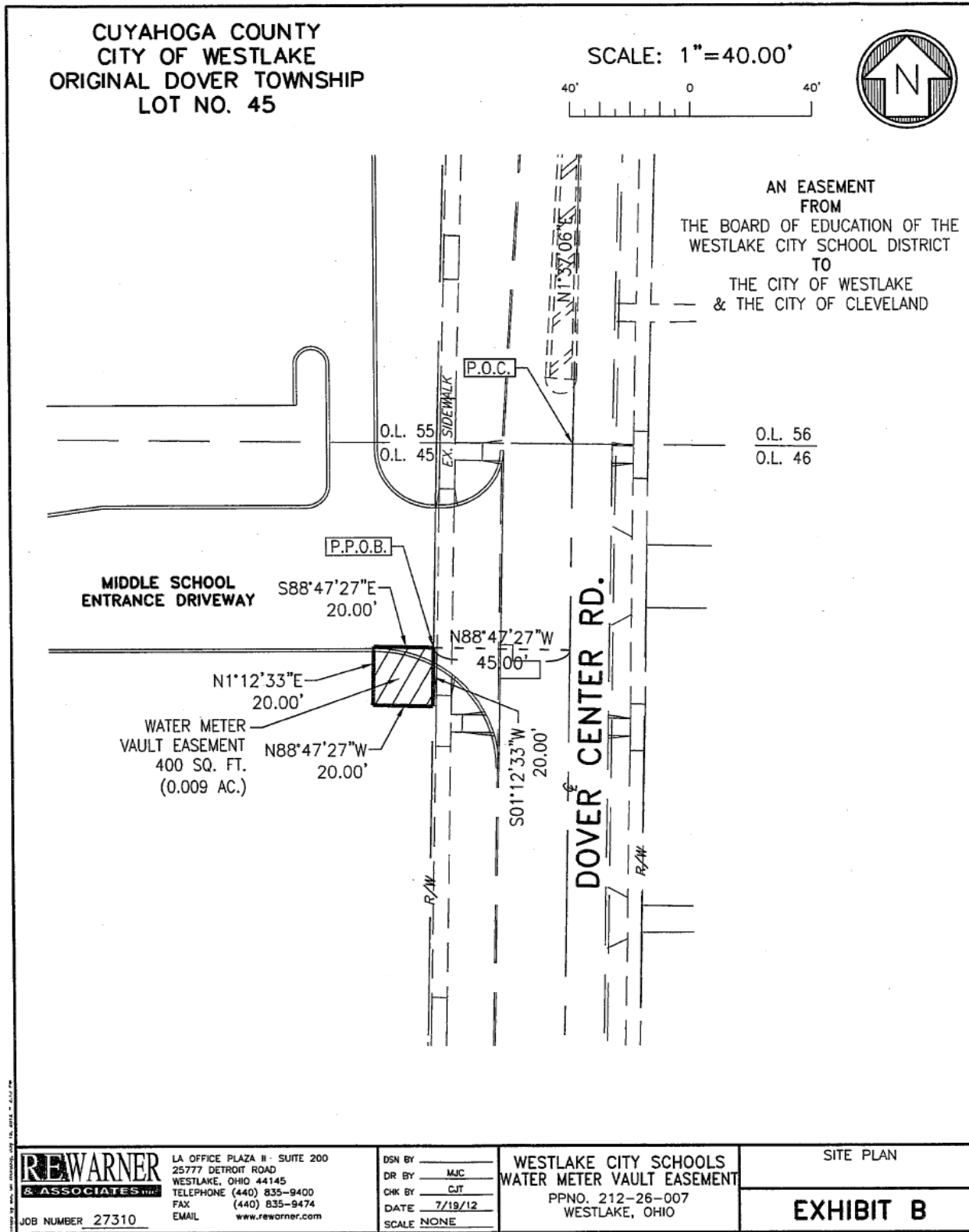
STATE OF OHIO :
COUNTY OF CUYAHOGA : SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Thomas C. Mays, the Board President, and Mark Pepera, the Treasurer, of the Board of Education of the Westlake City School District, a school district and political subdivision of the State of Ohio, on behalf of the political subdivision.

Notary Public

Commission Expires: _____

EXHIBIT B
Depiction of the Easement Area



Legal Description of the Easement Area

Water Meter Vault Easement over PPNo. 212-26-007

Situated in the State of Ohio, County of Cuyahoga, City of Westlake, known as being part of Original Dover Township Lot No. 45 bounded and described as follows:

Commencing at the northeast corner of Lot Forty-Five where found an iron pin monument in the centerline of Dover Center Road.

Thence S 01°12'33" W, along said centerline of Dover Center Road, a distance of 70.31 feet;

Thence N 88°47'27" W, perpendicular to said centerline, a distance of 45.00 feet to the westerly Right of Way line of Dover Center Road and the **Principal Point of Beginning** of the easement herein described;

Thence S 01°12'33" W, along said Right of Way line, a distance of 20.00 feet;

Thence N 88°47'27" W, perpendicular to said centerline, a distance of 20.00 feet;

Thence N 01°12'33" E, parallel with said centerline, a distance of 20.00 feet;

Thence S 88°47'27" E, perpendicular to said centerline, a distance of 20.00 feet to the **Principal Point of Beginning** enclosing 400 square feet (0.009 acres) of land, more or less, but subject to all legal highways and easements of record.

The basis of bearing is the centerline of Dover Center Road as aforementioned. This description prepared by R.E. Warner & Associates, Inc., Christopher J. Tomko, Professional Surveyor #8243 in July, 2012.