

BETHPAGE UNION FREE SCHOOL DISTRICT
Bethpage, New York
BOARD OF EDUCATION
Special Meeting

August 4, 2005 – 7:30 p.m. – Administration Building Boardroom

A Special Meeting of the Bethpage Board of Education was held in the Boardroom at the Administration Building on August 4, 2005. Mr. Frost called the meeting to order at approximately 7:35 p.m. and led everyone in the Pledge of Allegiance. This was followed by a moment of silence in honor of Joseph Viola, Senior Maintainer/Carpenter, who passed away suddenly last week. He was an employee of the district for over 25 years.

Present: Messrs. Tom Frost, Michael Kelly, Joel Dauman, Kurt Spears, and Donald Tichy.

Absent: Mr. Louis Orfan and Mrs. Sandra Watson.

Also Present: Dr. Richard Marsh, Superintendent; Mr. Joseph Marchesiello, Assistant Superintendent for Business; Ms. Caroline Lavelle, Assistant Superintendent for Human Resources; Mr. Terrence Clark, Assistant Superintendent for Instruction and Technology; Ms. Kim Parahus, Director of Facilities; Ms. Laurie Baum, District Treasurer; Laura Granelli, Esq. of Jaspan Schlesinger Hoffman LLP; Mr. John Grillo, Architect; and Mr. Vincenzo Russo of School Construction Consultants.

Two members of the public were also present.

Both Ms. Parahus and Mr. Russo brought everyone up to date on the building project. Mr. Russo also reviewed his weekly report dated July 28th and distributed a list of anticipated/potential change orders. A lengthy discussion followed concerning the feasibility of changing the newly planned general science lab room 207 at the high school into a chemistry lab. After listening to the rationale, the Board decided they would vote on a resolution this evening.

This was followed by a review of potential district-wide capital projects by Mr. Grillo, after which Dr. Marsh recommended the order of priority at each school.

Mr. Marchesiello and Ms. Baum led a lengthy discussion concerning increasing the funding of both the Employment Benefit Accrued Liability Reserve Fund and the Unemployment Insurance Payment Reserve Fund, which have been depleted over the past few years. He advised that the District's external auditors, Coughlin Foundotos Cullen & Danowski, LLP, concurred with this recommendation. If the Board desired to act upon this recommendation, action would have to be taken prior to voting on the tax levy resolution. Dr. Marsh read the two proposed resolutions to the Board and public. After entertaining questions from the public, the meeting moved forward with the approval of resolutions.

SUPERINTENDENT’S RECOMMENDATIONS

FUNDING OF THE EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education transfer \$1,077,195 from the existing 2004-2005 fund balance to the existing Employee Benefit Accrued Liability Reserve Fund, effective immediately.

Motion carried (4-1-0).

Ayes	4
Noes	1 (Mr. Tichy)
Abstentions	0

FUNDING OF THE UNEMPLOYMENT INSURANCE PAYMENT RESERVE FUND

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education modify the Unemployment Insurance Payment Reserve Fund to be funded by any funds that may be legally appropriated; and
BE IT FURTHER RESOLVED that the Board of Education transfers \$60,000 from the existing 2004-2005 fund balance to the Unemployment Insurance Payment Reserve Fund, effective immediately.

All aye. Motion carried (5-0).

APPROVAL OF MINUTES

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education approve the minutes of the Special/Agenda Meeting held on June 21, 2005.

All aye. Motion carried (5-0).

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education approve the minutes of the Regular Meeting held on June 28, 2005.

All aye. Motion carried (5-0).

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education approve the minutes of the Reorganization Meeting held on July 12, 2005.

All aye. Motion carried (5-0).

ACCEPTANCE OF TREASURER’S REPORT

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education accept the Treasurer’s Report for the period ending June 30, 2005.

All aye. Motion carried (5-0).

MOTION TO ENTER EXECUTIVE SESSION

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education enter Executive Session to discuss a matter of particular personnel.

All aye. Motion carried (5-0).

The Board entered Executive Session at 9:30 p.m.

MOTION TO EXIT EXECUTIVE SESSION

MOTION by Mr. Tichy, seconded by Mr. Kelly, that the Board exit Executive Session.

All aye. Motion carried (5-0).

The Board exited Executive Session at 9:40 p.m.

SUPERINTENDENT'S RECOMMENDATIONS (Continued)

PERSONNEL

Resignation for Retirement

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education accept the irrevocable resignation of Eileen Blades, Account Clerk, effective September 2, 2005.

All aye. Motion carried (5-0).

Resignations

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education accept/ratify the following irrevocable resignations, with effective dates noted:

Theresa Black	.2 Art Teacher	August 31, 2005
Gina Polak	Typist Clerk	July 18, 2005

All aye. Motion carried (5-0).

Rescind Part-Time Instructional Appointment

MOTION by Mr. Tichy, seconded by Mr. Kelly, that the Board of Education rescind the appointment of Ronny Ciarniello as .8 LOTE teacher for the 2005-2006 school year, which was previously approved at the Regular Meeting held on June 28, 2005.

All aye. Motion carried (5-0).

Appointments

Extracurricular Appointments

MOTION by Mr. Kelly, seconded by Mr. Spears, that the Board of Education approve the extracurricular appointments, as submitted, for the 2005-2006 school year.

Note: A copy of the Extracurricular Activities Schedule is available in the Human Resources Office.

All aye. Motion carried (5-0).

Elementary Summer School Nurses

MOTION by Mr. Spears, seconded by Mr. Dauman, that the Board of Education approve the per diem appointments of the following Elementary Summer School Nurses, effective July 5 through August 17, 2005, as needed, at a salary of \$126.67 per day:

Regina Femminella

Alice Wierzbowski

All aye. Motion carried (5-0).

Probationary Instructional

MOTION by Mr. Spears, seconded by Mr. Dauman, that the Board of Education approve the full-time probationary appointment of Theresa Black, in the special subject tenure area of Education of Children with Handicapping Conditions – General Special Education tenure area, effective September 1, 2005 through August 31, 2008. Salary will be \$56,582, based on Step 1 of the MA+15 2005-2006 salary schedule. Ms. Black is permanently certified to teach Special Education in the State of New York.

Note: This is not a new position.

Motion carried (4-0-1).

Ayes	4
Noes	0
Abstentions	1 (Mr. Tichy)

MOTION by Mr. Spears, seconded by Mr. Kelly, that the Board of Education approve the full-time probationary appointment of Ronny Ciarniello, in the academic tenure area of Foreign Language (French), effective September 1, 2005 through August 31, 2008. Salary will be \$57,465, based on Step 3 of the MA 2005-2006 salary schedule. Ms. Ciarniello is permanently certified to teach French in the State of New York.

Note: This is not a new position.

All aye. Motion carried (5-0).

Regular Substitute (Leave Replacement)

MOTION by Mr. Spears, seconded by Mr. Tichy, that the Board of Education approve the Regular Substitute (Leave Replacement) appointment of Cynthia Dale in the area of elementary education for the 2005-06 school year, effective September 1, 2005. Salary will be \$54,022, based on Step 1 of the MA 2005-2006 salary schedule. Ms. Dale is initially certified as an elementary teacher in the State of New York.

All aye. Motion carried (5-0).

Senior Typist Clerk (Full Time, 10 Months)

MOTION by Mr. Spears, seconded by Mr. Dauman, that the Board of Education approve the appointment of Carol Arigo as Senior Typist Clerk (Full Time – 10 Months), effective pending fingerprint clearance, with a maximum probationary period of twenty-six (26) weeks. Annual salary will be \$33,597, based on Step 6 of the 2005-2006 Operations Contract salary schedule, with benefits.

Note: This is not a new position.

All aye. Motion carried (5-0).

ADOPTION OF FIRST READING OF NEW POLICIES

MOTION by Mr. Spears, seconded by Mr. Kelly, that the Board of Education acknowledge that it has performed its first reading of the following new policies, and approves the adoption of these new policies:

- | | |
|-------------------|-----------------------------|
| Policy No. 5320.3 | Use of District Credit Card |
| Policy No. 5320.2 | Use of District Cell Phones |

All aye. Motion carried (5-0).

FIRST READING OF POLICIES

MOTION by Mr. Dauman, seconded by Mr. Spears, that the Board of Education acknowledge that it has performed the first reading of the following policies, as submitted:

- | | |
|-----------------|-----------------------------------|
| Policy No. 5410 | Principles of Purchasing |
| Policy No. 5420 | Competitive Bids and Quotations |
| Policy No. 5421 | Procurement of Goods and Services |
| Policy No. 5430 | Contracts for Goods and Services |
| Policy No. 7310 | Code of Conduct |

All aye. Motion carried (5-0).

COMMENCEMENT OF ACTION IN CONNECTION WITH G & A RENOVATION AND RESTORATION, INC. AND GULF INSURANCE COMPANY

MOTION by Mr. Spears, seconded by Mr. Dauman: WHEREAS, G & A Renovation and Restoration, Inc. ("G & A") was deemed in default in accordance with the terms of its contract to perform proposed exterior renovations to JFK Middle School and Central Boulevard Elementary School (General Work, Masonry Work, Contract G 4-3); and

WHEREAS, the surety to G & A pursuant to the Performance Bond under that contract, Gulf Insurance Company ("Gulf") was given timely notice of the default but has failed to respond with reasonable promptness and is thereby deemed in default pursuant to the provisions of paragraph 5 of the Performance Bond;

BE IT HEREBY RESOLVED THAT, upon recommendation of the Superintendent of Schools, the Board authorizes the District, through its legal and administrative representatives, to take all necessary and appropriate action including but not limited to commencing and pursuing litigation against G & A and Gulf, and any other interested parties, to ensure the proper completion of work under this contract and to recover any damages owed to the District in connection thereto.

All aye. Motion carried (5-0).

INTERMUNICIPAL AGREEMENT

MOTION by Mr. Kelly, seconded by Mr. Tichy, that the Board of Education approve an Intermunicipal Agreement between the County of Nassau, Town of Oyster Bay, and the Bethpage Union Free School District, which provides that the District shall receive 60% of the PILOTS received from the Long Island Lighting Co. d/b/a LIPA, pursuant to a PILOT agreement approved on May 5, 2005 by the Office of the State Comptroller regarding the Calpine generating facilities located in the Town of Oyster Bay, and further authorizes the Superintendent to sign the agreement on its behalf.

All aye. Motion carried (5-0).

DONATION OF FUNDS

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education accept the donation of \$7,000 from the Bethpage High School Tri-M Society in gratitude of the support of the District's commitment to the Cultural Arts Program. This contribution is a gift to the school district and is not directed to any specific program.

All aye. Motion carried (5-0).

INSTRUCTIONAL SERVICES AGREEMENT

MOTION by Mr. Tichy, seconded by Mr. Spears, that the Board of Education approve the Instructional Services Agreement between the Bethpage Union Free School District and the Locust Valley Central School District for the purpose of providing specialized educational services at an estimated cost of \$44,796 per child during the 2005-2006 school year at Bethpage High School to two Locust Valley children. The Board further authorizes the Board President to execute the Agreement on its behalf.

Note: The estimated per student tuition for the CAP program is \$44,796.

All aye. Motion carried (5-0).

THERAPY SERVICES

MOTION by Mr. Spears, seconded by Mr. Dauman, that the Board of Education approve the agreement with New York Therapy Placement Services, Inc., for the purpose of providing occupational therapists, speech providers, physical therapists, special education teachers, ABA aides and certified social workers to provide related services to school-age children as mandated by the students' IEPs for the 2005-2006 school year. The fee for services will be \$120 for Evaluations/Tri-Annuals; \$42.00 per 30-minute individual session; \$55.00 per 30-minute group session; ABA Services (home-based or school-based) Aide is \$35.00 per 60-minute session and SEIT at \$75.00 per 60-minute session. The Board further authorizes the Board President to execute the Agreement on its behalf.

All aye. Motion carried (5-0).

TAX LEVY RESOLUTION

MOTION by Mr. Kelly, seconded by Mr. Dauman: BE IT RESOLVED, that the Bethpage Union Free School District Board of Education hereby acknowledges receipt of the Certification of the Chairman and Chief Deputy Assessor of the Nassau County Department of Assessment for the Bethpage Union Free School District. Such certification indicates the assessed valuation of the property appearing on the School District Assessment Rolls of the Town of Oyster Bay for the year 2005-2006, as follows:

Real Property Class Assessed Valuations

One	\$10,718,587
Two	\$ 62,615
Three	\$ 267,204
Four	<u>\$ 3,550,893</u>
 TOTAL	 \$14,599,299

BE IT FURTHER RESOLVED, that the Board of Education certifies that the budget gross amount of the necessary claims and expenditures for the 2005-2006 School Year amount to:

\$59,125,594	For School Purposes
<u>\$ 2,208,795</u>	For Library Purposes
 \$61,334,389	 TOTAL

And, that the following sums are the amounts to be raised by taxation for the year 2005-2006, to be levied upon the taxable property of the School District as said property has been certified to by the Board of Assessors of Nassau County.

\$46,755,730	For School Purposes
<u>\$ 2,036,295</u>	For Library Purposes
 \$48,792,025	 TOTAL

BE IT FINALLY RESOLVED that the District Clerk is hereby authorized and directed, pursuant to Sections 6-18.0, 6-19.0 and 6-20.0, and amendments thereto of the Nassau County Administrative Code, to file those resolutions with the Nassau County Legislature and the Board of Assessors, Mineola, New York, on or before August 15, 2005.

Motion carried (4-1-0)

Ayes	4
Noes	1 (Mr. Tichy)
Abstentions	0

AWARD OF TRANSPORTATION BID

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education accept the results of the transportation bids for the 2005-2006 school year, including summer, that were received by the Southeast Nassau Transportation Cooperative (“SENTCO”) at Seaford School District on June 13, 2005, and reserve the right to contract with the lowest responsible bidder meeting specifications for any schools from that bid, as needed. The Board further authorizes the Board President to execute any applicable agreements in accordance therewith.

Note: The Bethpage School District is not utilizing any of the contracts from the bid at this time, but reserves the right to contract with the successful bidders as needed. A copy of the bid summary is available in the Business Office.

All aye. Motion carried (5-0).

OPPORTUNITY FOR THE PUBLIC TO BE HEARD: No comments.

MOTION TO ENTER EXECUTIVE SESSION

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education enter Executive Session to discuss litigation involving Consolidated Construction and J. Barr, and also negotiations concerning administrators and employment of specific contractors. (Mr. Frost indicated that the Board may vote on more resolutions after exiting Executive Session.)

All aye. Motion carried (5-0).

The Board entered Executive Session at 10:00 p.m.

MOTION TO EXIT EXECUTIVE SESSION

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board exit Executive Session.

All aye. Motion carried (5-0).

The Board exited Executive Session at 12:07 a.m. and proceeded to vote on the following two resolutions:

TENDER AGREEMENT WITH NATIONAL GRANGE INSURANCE COMPANY

MOTION by Mr. Dauman, seconded by Mr. Kelly, that the Board of Education approve a tender agreement with National Grange Insurance Company whereby National Grange Insurance Company, the surety to defaulted contractor J. Barr Construction Corp., will fully compensate the District for the costs of contractor RVS to perform J Barr's work as described in the tender agreement and exhibits to the tender agreement, in an amount not less than \$131,569.55, plus additional costs of repairs made by the District and possible professional fees, subject to substantiation, and further authorizes the Board president to sign the agreement on its behalf.

All aye. Motion carried (5-0).

BHS ROOM 207 LAB

MOTION by Mr. Kelly, seconded by Mr. Dauman, that the Board of Education authorize the District's constructional professionals and administration to take all actions necessary and appropriate to effectuate renovations under the District's Bond Project at the High School Room 207" into an All-Purpose Lab (that will have the capabilities of a Chemistry Lab) for a cost not to exceed \$70,000 and in accordance with Law, including but not limited to New York State General Municipal Law.

Note: This action enables the District to comply with changes in New York State Education Department mandates and increased enrollment.

All aye. Motion carried (5-0).

ADJOURNMENT

MOTION by Mr. Dauman, seconded by Mr. Tichy, that the Board adjourn the Special Meeting.

All aye. Motion carried (5-0).

The Special/Agenda Meeting adjourned at 12:15 a.m.

Respectfully submitted,

Marléne Jannotta
District Clerk