

**BOARD OF EDUCATION MEETING
MINUTES**

June 16, 2014

Present: Mrs. Jennifer Rosen, President; Mrs. Dina Brantman, Vice President;
Mr. Jonathan Satran; Michael Haberman; Mr. Paul Wasserman

Also Present: Mr. James Kaishian, Superintendent of Schools; Mr. Stuart Matthey, Asst. Superintendent for Finance & Operations; Dr. Kusum Sinha, Asst. Sup't for Curriculum, Instruction & Assessment and H.R.; Mr. David Shaw, School Attorney; Juanita Brockett, District Clerk

The Briarcliff Manor Board of Education held a meeting on Monday, June 16, 2014 in the Middle School Theater and was called to order by Mrs. Rosen at 7:25 P.M.

Mr. Haberman was present but not in the room at the time of roll and was present for executive session and the regular meeting.

On motion by Mrs. Brantman, seconded by Mr. Satran and passed 4-0, the Board of Education moved to immediately enter into executive session for the purpose of discussing Taylor Law Negotiations and to seek legal counsel.

On motion by Mrs. Brantman, seconded by Mr. Satran and passed 5-0, the Board of Education moved to return to public session at 8:16 P.M.

Presentation

Mr. Fernando Gonzalez, Town of Ossining Assessor, discussed the town's reassessment project.

The following work-session items were discussed:

- The reorganization meeting will be held July 14, 2014.
- An "All Call" for Audit Committee applicants will be sent on June 13, 2014.
- A proposed board meeting schedule for 2014-15 was reviewed and will be adopted at the reorganization meeting.
- The Board Docs system is tentatively scheduled for implementation at the first meeting in September.
- The Todd School Dismissal Committee Report

The Board conducted 1st readings of the following policies.

Policy	Briarcliff #	NYSSBA #
Per Diem Meal Expense Reimbursement	5335	6830
Impartial Hearing Officer Selection, Appointment & Compensation		8560
Age of Entrance	7100	
Board Annual Organizational Meeting		2210
Board Officers		2220
Appointed Board Officials		2230

The following financial work session items were reviewed.

- a. Claims Audit Report for May 2014
- b. Budget transfers requiring pre-approval
- c. Budget transfers through June 12, 2014
- d. Fixed Asset Disposal
- e. May 2014 Warrants: #11 Fund A; #11 Fund TA; #11 Fund H
- f. General Fund expenditure and revenue reports for May 2014
- g. Fund Balance

Approval of Minutes

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 3-0, with 2 abstentions, it is hereby

RESOLVED, that the Board of Education does hereby approve the minutes of the Board of Education meeting held on May 17, 2014.

Mr. Haberman and Mr. Satran abstained because they were not present at the meeting.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 4-0, with 1 abstention, it is hereby

RESOLVED, that the Board of Education does hereby approve the minutes of the Board of Education meeting held on June 2, 2014.

Mr. Wasserman abstained because he was not present at the meeting.

Consent Agenda

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to amend the consent agenda by removing the adoption of policy on “Per Diem Meal Expenses Reimbursement” and “Age of Entrance”.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the consent agenda as amended.

- a. RESOLVED, that the Board of Education hereby designates July 14, 2014 as the date of the Annual Organizational Meeting.
- b. RESOLVED, that the Board of Education does hereby adopt the following Board policies, waiving the requirement of a 2nd reading:

Policy	NYSSBA #
Impartial Hearing Officer Selection, Appointment & Compensation	8560
Board Annual Organizational Meeting	2210
Board Officers	2220
Appointed Board Officials	2230

- c. RESOLVED, that the Board of Education does hereby accept the resignation of Alana Gulotta, Teaching Assistant, effective June 30, 2014.
- d. RESOLVED, that the Board of Education does hereby accept the resignation of Maryann Schipani, Teaching Assistant, effective June 30, 2014.
- e. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Gina Guerra, who has Initial Mathematics Education 7-12 certification to the 1.0 FTE probationary position as Mathematics Teacher in the tenure area of Mathematics to commence on September 1, 2014 and to expire on August 31, 2017. Ms. Guerra will be paid a salary of \$66,577, MA 30 Step 1, as per the current BTA contract.
- f. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Jennifer Vogrincic, who has Initial Spanish 7-12 certification to the 0.40 FTE position as Spanish teacher, effective September 2, 2014. Mrs. Vogrincic will be paid a salary of \$54,541 pro-rated, BA Step 1 as per the current BTA contract.
- g. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Jean Gilroy, who has Permanent English 7-12 certification to the position as Leave Replacement Teacher for the period September 2, 2014 to June 30, 2015. Ms. Gilroy will be paid a salary of 61,116. MA Step 1, as per the current BTA contract.
- h. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of John P. Fasano, who has Initial Math 5-9 & 7-12, certification to a 0.50 FTE the position Mathematics teacher, effective September 2, 2014. Mr. Fasano will be paid a salary of \$69,848 pro-rated, MA Step 1,+45 as per the current BTA contract.
- i. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the lateral transfer of James Trapani from the position of Custodial Worker/Groundskeeper to Custodial Worker effective July 1, 2014.
- j. RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Health Services Contract with the Ossining Union Free School District in the amount of \$3,342.00 for 4 Briarcliff students who attend private schools in the Ossining Union Free school District for the 2013-14 school year.
- k. RESOLVED that, the Board of Education does hereby accept the Claims Audit Report for May 2014.

-
- l. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$20,000 to cover projected health insurance expenses through June 30, 2014.
 - m. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$24,896.91 to cover projected ERS expense through June 30, 2014.
 - n. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$135,328.71 to cover reclassification of 2013-14 athletic transportation expenses from athletic codes to transportation code.
 - o. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$10,703.86 to cover projected dental insurance expense through June 30, 2014.
 - p. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$336,117.24 to cover projected BOCES expenses through June 30, 2014.
 - q. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$45,000 to cover projected NY Power Authority electricity expenses through June 30, 2014.
 - r. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$75,415.75 to cover projected in-district, out-of-district and field trip transportation expenses through June 30, 2014.
 - s. RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$181,601.89 to cover projected payroll expenses through June 30, 2014.
 - t. WHEREAS, the Board of Education received information and discussed certain payroll transfers at the December 2, 2013 meeting; and

WHEREAS, an authorizing resolution was inadvertently excluded from the agenda at the December 2, 2013 meeting;

NOW THEREFORE BE IT RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$2,034,268.97 effective December 2, 2013 to cover payroll expenses through June 30, 2014.

- u. WHEREAS, the Board of Education received certain supporting documentation in regards to budget transfers item 4r at the June 2, 2014 meeting; and

WHEREAS, upon execution of transfers account codes were found to be insufficient to cover anticipated expenses;

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$12,600 to cover additional funds needed to pay for water bills, gas and diesel fuel charges for District vehicles and equipment based on updated supporting documentation.

- v. WHEREAS, the Board of Education received information regarding the disposal of certain surplus equipment at the November 4, 2013 meeting; and

WHEREAS, an authorizing resolution was inadvertently excluded from the agenda at the November 4, 2013 meeting;

NOW THEREFORE BE IT RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby declare the following list of items as surplus and/or obsolete effective November 4, 2013, and hereby directs the Assistant Superintendent for Finance and Operations to sell these items for fair market value or if efforts to sell are unsuccessful, to dispose of them in the safest, least expensive and most environmentally friendly manner.

Asset Tag #	Serial #	Description
100018	None	Continental 3-door refrigerator
100617	102831901	Husqvarna golf cart utility vehicle

1. ACTION ITEMS

APPR Plan Document

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that the Board of Education of the Briarcliff Manor Union Free School District hereby adopts its Annual Professional Performance Review (“APPR”) Plan for classroom teachers and building principals covered under Education Law Section 3012-c for the 2013-14 school year as approved by the State Education Department, which shall remain in full force and effect pursuant to Education Law Section 3012-c(2)(l) until such time that the negotiable provisions of a subsequent APPR Plan are agreed upon and approved by the Commissioner of Education.

Rosecliff

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

WHEREAS, Rosecliff Homeowners Association, Inc. has expressed to the School District its willingness to permit school buses to transport children residing in Rosecliff via Wilderness Way, a private road, to public and nonpublic schools;

THEREFORE, BE IT RESOLVED that the Board of Education hereby authorizes the Superintendent of Schools to execute an agreement with Rosecliff Homeowners Association, Inc. to enable the Briarcliff Manor school buses to traverse Wilderness Way in order to transport children residing in Rosecliff to public and nonpublic schools, upon approval of same by the School Attorney.

Board Docs

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, that the Board of Education does hereby approve, pending attorney review, the End User Agreement with Emerald Data Solutions, Inc. for use of BoardDocs; a web-based service to enhance communication between administration, the public and the board.

Consulting Services – Artist in Residence

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the proposal from Undercurrent Designs, Inc. (DBA Day in Clay) for providing Artist in Residence services (Todd Mural Project) related to the \$10.525 million capital project per the proposal dated June 4, 2014 at an estimated cost of \$13,540.

Omni 2014-15

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Renewal Services Agreement with 403(b) third party administrator, The Omni Group, for the 2014-15 school year in the amount of \$5,476.

Parature, Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, that the Board of Education does hereby approve, pending attorney review, the cost proposal from Parature, Inc. for help desk services software for the period from July 1, 2014 through June 30, 2015, at an annual fee of \$4,900.

Blackboard Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, that the board of education approve for the 2014-15 school year the comprehensive cost proposal from Blackboard Inc., for a course management system, a web portal system and a content management system in the amount of \$50,722.30 plus an amount not to exceed \$5,000 for services and materials related to training and hereby authorizes the Board President to execute the agreement, subject to review by the school attorney.

EDGE Document Solutions LLC

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, that the Board of Education hereby authorizes the Board President to execute a software license agreement with EDGE Document Solutions LLC for the Educator's EDGE High School Reporting System, for the period from July 1, 2014 through June 30, 2015, at an annual fee of \$550.00, subject to review by the school attorney.

eSchoolData, LLC

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, the Board of Education does hereby approve the 2014-15 cost proposal from eSchoolData, LLC for providing a student information management system in the amount not to exceed \$34,750.08, subject to review by the school attorney.

Centris Group, LLC

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the 2014-15 agreement with Centris Group, LLC for special education IEP software and Centris Sync Renewal in the amount of \$10,437.10, subject to review by the school attorney.

Change Order – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order item related to the \$10.525MM capital project for the site contractor Landscape Unlimited Inc. for Phase II work.

Item #	Project #	Description	Amount
A	66-14-02-02-004-012	Sod upgrade to RTF at HS Soccer and Field Hockey Fields	\$75,000.00
		TOTAL	\$75,000.00

Change Order – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the following resolution was TABLED.

RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order item related to the \$10.525MM capital project for the site contractor Landscape Unlimited Inc. for Phase II work.

Item #	Project #	Description	Amount
A	66-14-02-02-004-012	Dugout Improvements	\$14,490.00
		TOTAL	\$14,490.00

Change Order – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order item related to the \$10.525MM capital project for the site contractor Landscape Unlimited Inc.

Item #	Project #	Description	Amount
A	66-14-02-02-004-012	Level & fill low spots on existing track and related areas	\$8,880.00
		TOTAL	\$8,880.00

Deed Restriction – Softball Field

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

WHEREAS, the Softball Field, the Practice Field, and the West Slope area (the “Affected Fields”) of the Briarcliff High School and Middle School Campus, located at 444 Pleasantville Road, Briarcliff Manor, NY 10510, are the subject of a New York State Department of Environmental Conservation (“NYSDEC”) Order on Consent (the “Consent Order”), Enforcement Case # 3-20010816-113, executed on 30 July 2003, to address unauthorized construction and demolition debris fill material unlawfully disposed at the Affected Fields; and

WHEREAS, in August 2012 the Board of Education (the “Board”) directed its environmental consultant, Henningson, Durham & Richardson Architecture & Engineering, P.C.’s (HDR), to submit the Imported Fill at Middle School/High School Campus – Remedial Action Work Plan (the “RAWP”) in order to comply with the Consent Order;

WHEREAS, on November 15, 2012 NYSDEC, in conjunction with the New York State Department of Health approved the RAWP and determined that the testing carried out at the Affected Fields satisfied the requirements of the Consent Order and that the remedial measures which are proposed in the RAWP are protective of public health and the environment (the “RAWP Approval”); and

WHEREAS, on January 16, 2013 the Board resolved to undertake the work identified in the RAWP and the RAWP Approval (the "Project") so as to finally resolve the enforcement action embodied in the Consent Order and protect the welfare of the District's students, staff and the environment; and

WHEREAS, HDR has begun the Project and has already completed the Softball Field portion of the work required by the RAWP Approval; and

WHEREAS, the Consent Order and RAWP Approval require the District to record a deed restriction on the Affected Fields to ensure the continued operation, monitoring and maintenance of the remedial work undertaken to complete the Project;

THEREFORE, IT IS RESOLVED, that the Board authorizes the execution of the Declaration of Covenants and Restrictions attached hereto as Attachment "1" (the "Declaration") and authorizes its counsel, Sive, Paget & Riesel, P.C. to record such Declaration (in substantially the same form) in furtherance of completing the Project; and

BE IT FURTHER RESOLVED, that pursuant to the State Environmental Quality Review Act statute and regulations ("SEQRA"), the Board has determined that execution and recording of the Declaration is part of the Project and therefore a Type II action pursuant to Section 617.5 of Title 6 of the New York Codes, Rules and Regulations ("NYCRR") and not subject to SEQRA.

Employee Benefit Accrued Liability Reserve Fund

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 4-1, it is hereby

WHEREAS, the Board Of Education has previously established an Employee Benefit Accrued Liability Reserve (EBALR) Fund pursuant to the provisions of Section 6-p of the General Municipal Law, for the purpose of paying the costs of certain employee benefits and now wishes to provide additional funding in said reserve fund;

RESOLVED, that the Board hereby authorizes increasing the funding of the EBALR to an amount not to exceed \$277,980 from unappropriated unassigned fund balance in the general fund for the 2013-14 school year, with the exact amount to be transferred to the EBALR to be determined prior to the issuance of the tax warrant.

Mr. Wasserman voted Nay.

Employee Benefit Accrued Liability Reserve

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorize the transfer of up to \$36,000 from the Employee Benefit Accrued Liability Reserve Fund to the General Fund to be expended for accrued

employee benefits due upon the termination of certain employees' service during the 2013-2014 school year.

CFE Consulting Services – Stormwater

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the proposal for environmental consulting and engineering services for compliance with the District's MS4 Permit NYR20A507 for stormwater discharges to CFE Consulting Services, LLC in an estimated amount of \$9,000 including out of pocket expenses.

Participation in the US Communities Government Purchasing Alliance

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

WHEREAS, the Briarcliff Manor Union Free School District (School District) pursuant to the authority granted in General Municipal Law, Article 5A (Public Contracts), Section 103 desires to participate in the U.S. Communities Cooperative Purchasing Alliance, which is sponsored by the New York State Association of Counties; Association of School Business Officials International; the National Association of Counties; the National Institute of Governmental Purchasing; the National League of Cities; the United States Conference of Mayors and New York State School Boards Association; and

WHEREAS, Section 103 of the General Municipal Law permits the School District to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may be required by the School District therein through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities; and problems

WHEREAS, the School District desires to participate for the purpose of fulfilling and executing its public governmental purposes, goals, objectives, programs and functions; and

WHEREAS, the School District has reviewed the benefits of participating in this program and based on this review has concluded the program will provide the best value to taxpayers of this School District through the anticipated savings to be realized;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Briarcliff Manor Union Free School District authorizes the School District's participation in the U.S. Communities Government Purchasing Alliance and authorizes the Assistant Superintendent for Finance & Operations or designee to register for the U.S. Communities program on behalf of the School District.

School Lunch Program

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 4-0, with one abstention, it is hereby

WHEREAS, the District's School Lunch Program Consultant, HMB Consultants, has recommended that the Board of Education consider moving from the National School Lunch Program (Type II) to an all a la carte program (Type III) in order to provide a wide array of healthy choices, as well as other choices, for the District's School Lunch Program, including allowing the continuation of bake sales and pizza sales; and

WHEREAS, the Consultant believes that the increase in overall sales would offset the lack of reimbursement from New York State or the Federal Government;

THEREFORE, BE IT RESOLVED, that the Board of Education, in accordance with the recommendation of HMB Consultants, hereby determines to utilize the Type III Contract (all a la carte sales program) instead of the Type II Contract (National School Lunch Program) for the 2014-2015 school year, provided that students who qualify for free and reduced meals will continue to receive free or reduced meals through the cafeteria fund.

Mr. Wasserman abstained due to possible small conflict of interest.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn into executive session at 10:45 P.M. for the purpose of discussing Taylor Law Negotiations and to seek legal counsel.

On motion by Mr. Haberman, seconded by Mr. Satran and passed 5-0, the Board moved to appoint Mrs. Brantman as Clerk Pro Tem.

On motion by Mr. Satran, seconded by Mr. Haberman and passed 5-0, the Board moved to return to public session and adjourn the meeting at 11:48 P.M.