

BOARD OF EDUCATION MEETING
MINUTES

December 21, 2015

Present: Michael Haberman, Board President; Jennifer Rosen; Paul Wasserman; Jan Fisher
Absent: Jonathan Satran, Vice President
Also Present: Mr. James Kaishian, Superintendent of Schools; Ms. Linda Peters, Asst. Superintendent for Finance & Operations; Mr. David Shaw, School Attorney; Juanita Brockett, District Clerk

The Briarcliff Manor Board of Education held a meeting on Monday, December 21, 2015 in the Middle school Theater and was called to order by Mrs. Rosen at 7:00 P.M.

On motion by Mr. Wasserman, seconded by Mrs. Fisher and passed 3-0, the Board moved to immediately adjourn into executive session for the purpose of discussing the employment history of particular persons.

Mr. Haberman arrived at 7:10 P.M.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, the Board moved to return to public session at 7:36 P.M.

WORK SESSION

- The Board reviewed applicants for the Facilities & Energy Committees.
- The Board reviewed the Code of Conduct and recommended some changes. The School Attorney will review and incorporate appropriate wording for those changes.

FINANCIAL WORK SESSION

The Board reviewed the following financial documents:

- November 2015 Claims Audit Report
- Budget transfers through Dec. 14, 2015
- Financial reports for October 2015: Treasurer’s Report, Appropriation Status Report, and Revenue Status Report
- Financial reports for November 2015: Treasurer’s Report, Appropriation Status Report, and Revenue Status Report
- October 2015 Warrants: #5 Fund A; #4 Fund TA; #4 Fund H
- November 2015 Warrants: #6 Fund A; #5 Fund TA; #6 Fund H
- General Fund expenditure and revenue reports for October 2015 & November 2015

POLICY WORK SESSION

1st Reading of the following policies was conducted:

Subject	NYSSBA Policy #	Briarcliff Policy #
Attendance	5100	7120 & 7140
Student Records	5500	New
Student Records Sample form Exhibit Directory of Information	5500E.2	New
Parents Bill of Rights for Student Data Privacy & Security	5500 E.4	New
Student Privacy	5550	7630
Computer Resources and Data Management	8630	3310, 5800, 6165, 6166
Defense and Indemnification	8705	5600

6000 Police Series	NYSSBA Policy #	Briarcliff Policy #
Fiscal Management Goals	6000	
Budget Planning	6110	

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Budget Transfers	6150	
Property Tax Exemption for the Elderly	6215	
Investments	6240	
Fund Balance	6245	
Authorized Signatures	6410	
Fiscal Accounting and Reporting	6600	
Fixed Assets Capitalization and Inventories	6645	
Claims Auditor	6650	
Claims auditor Exhibit	6650-E	
Independent/External Audits	6660	
External Audit Guidance for School District Officials	6660-E	
Petty Cash/Petty Cash Accounts and Cash in School Buildings	6670	
Internal Audit Function	6680	New
Purchasing	6700	5202
Purchasing Authority	6710	5410
Purchasing Procedures	6740	new
Contracting for Professional Services	6741	5202
Payroll Procedures	6800	New
Purchasing Regulation	6700-R	
Expense Reimbursement	6830	5337
Disposal of District Property	6900	5610

2nd Reading of the following policy was conducted:

Subject	NYSSBA Policy #	Briarcliff Policy #
Rights of Students with Disabilities under Section 504	5020.3	8570

APPROVAL OF MINUTES

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, the Board moved to approve the minutes of the Board of Education meeting held on November 23, 2015 as presented.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 3-0, the Board moved to approve the minutes of the special Board of Education meeting held on December 15, 2015 as presented.

Mr. Haberman abstained because he wasn't present at the meeting.

CONSENT AGENDA

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, the Board moved to approve the following consent agenda items:

Donation

RESOLVED, that the Board of Education does hereby accept, with appreciation the BMEF grant awarded to Gail Rosselot, Donna Grasso and Nathan Heltzel in the amount of \$3,000 for the Mariposa Senior Internship program.

Personnel

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Ms. Shannon Varekamp to the position of Short Term Substitute Teacher at the Middle School effective January 4, 2016 through approximate March 6, 2016 at the rate of \$120 per day.

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Ms. Rosaleen McCormack to the part-time probationary position of Senior Office Assistant/Automated Systems at the Middle School. This is a twelve month position/25 hour work week. Ms. McCormack will be paid a pro-rated annual salary of \$33,120 with an effective start date of December 22, 2015.

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Ms. Tamara Zimmer to the position of Advisor to the Middle School Coding Club for the remainder of the 2015-2016 school year in the stipend amount of \$1,700 as per the BTA Contract.

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the .1 FTE increase for Ms. Jessica Dubin. As of the second semester, Ms. Dubin will be teaching an additional High School Art Course (Photo 2) which was budgeted. Therefore, for the second half of 2015-2016, Ms. Dubin will teach 4 classes x .2 = .8 which will provide her with the proper FTE for this additional course for the second semester.

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby accept the resignation of Ms. Mabel Cabrera-Falcon, School Lunch Monitor at Todd, effective December 22, 2015.

RESOLVED that consistent with the provisions of the 2014-17 Briarcliff Teachers' Association Agreement and stipends approved by Board resolution dated July 15, 2015, the Board hereby approves the following co-curricular appointments:

Teacher(s)	Club or Activity	Stipend Amount
Michael Fraioli	Chamber of Music	\$3,100
Deirdre Dilworth/Patricia Manchisi	Habitat for Humanity	\$2,500 (shared)
Jeanne Claire Cotnoir/Michael Muranelli	Model UN	\$3,100 (shared)

Special Education

RESOLVED, that upon recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Addendum to the Mid-Westchester Consortium Agreement 2015-2016 prices for program and related services as presented.

Policies

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby adopt the following policy:

Subject	NYSSBA Policy #	Briarcliff Policy #
Rights of Students with Disabilities under Section 504	5020.3	8570

Financial Items

RESOLVED, that the Board of Education does hereby accept the Claims Audit report for November 2015.

ACTION ITEMS

Addendum to Asst. Superintendent's Contract

On motion by Mrs. Fisher, seconded by Mr. Wasserman and passed 4-0, the Board voted to move this resolution to the top of the Action Item agenda.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

BE IT RESOLVED that the Board hereby authorizes its President to sign an addendum agreement to the Assistant Superintendent for Finance and Operations October 2, 2015 contract as presented to the Board at this meeting. A copy of said addendum agreement, dated December 21, 2015 shall be incorporated by reference within the minutes of this meeting.

Conference/Travel Reimbursement

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve travel reimbursement expenses for Linda Peters in the amount not to exceed \$2,500 for her attendance at the Association of School Business Officials from October 22-26, 2015.

Special Education Settlement Agreements

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that upon recommendation of the Superintendent of Schools, the Board of Education does hereby approve the tuition agreement for one student (80506163) attending the Frederick L. Chamberlain School during the 2015-2016 school year, through November 15, 2015.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that upon recommendation of the Superintendent of Schools, the Board of Education does hereby approve a 3-year settlement agreement for tuition reimbursement for one student (80809077) attending the Windward School for the 2015-16, 2016-17 & 2017-18 school years.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that upon recommendation of the Superintendent of Schools, the Board of Education does hereby approve a 3-year settlement agreement for tuition reimbursement for one student (81213120) attending the Windward School for the 2015-16, 2016-17 & 2017-18 school year

Mrs. Rosen asked School Attorney to review the dates on the contract and correct if needed prior to signature.

Employee Benefit accrued Liability Reserve (EBLAR) 2015-16 Payment

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the transfer of up to \$18,000 from the Employee Benefit Accrued Liability Reserve Fund to the General Fund to be expended for accrued employee benefits due upon the termination of a certain employee's service effective December 31, 2015.

Emergency Electrical Repairs

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0,

WHEREAS, the District is having problems with the electrical system servicing Briarcliff Middle School and Briarcliff High School (the "Schools") resulting in the loss of power at one or both of such schools on one or more days; and

WHEREAS, emergency actions have been taken to the electrical system in order to restore power to the Schools, to enable them to remain open for students, staff and others, which is only a temporary solution and which has not been effective in terms of maintaining power to Briarcliff Middle School; and

WHEREAS, the lack of a functional and operational electrical system resulting in the inability to provide power to one or both of the Schools implicates the safety, health and welfare of the students, staff and visitors as well as the education of the students if the building cannot remain open and used as a school; and

WHEREAS, the District's Architects and an electrical contractor have been engaged to determine the scope and extent of the problem with respect to the electrical system servicing the Schools, as well as to determine how to resolve the problem; and

WHEREAS, the Board is empowered to determine that the expense of these activities is an ordinary contingent expense within the meaning of §2023 of the New York State Education Law and §170.2(l) of the Regulations of the Commissioner of Education and that the project constitutes an emergency within the meaning of §103 of the General Municipal Law to allow for the temporary measures to restore power to the Schools, as well as to replace the electrical system, to the extent necessary, on an immediate basis without the necessity of competitive bidding;

THEREFORE, BE IT RESOLVED, that the Board of Education hereby determines and declares that the cost of the temporary and permanent measures to enable the Briarcliff Middle School and Briarcliff High School buildings to remain open as well as the replacement of the electrical system, to the extent necessary, in order to permit students and staff to continue to occupy the Schools, including incidental costs and expenses, constitutes an ordinary contingent expense within the meaning of §2023 of the Education Law and §170.2(l) of the Regulations of the Commissioner of Education, and constitutes an emergency within the meaning of §103 of the General Municipal Law and hereby authorizes the expenditure of those funds necessary for such purposes; and

BE IT FURTHER RESOLVED, that the Board hereby determines that the temporary measures utilized by the District to enable one or both of the Schools to remain open, as well as the replacement/reconstruction of the electrical system servicing the Schools will not have a significant

environmental impact and declares this project to be a Type II Action pursuant to '617.5(c)(1), (2) and/or (8) of the State Environmental Quality Review Act regulations, and no further action is required; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the payment for the costs of this ordinary contingent expense by the transfer of funds in the unassigned fund balance in the general fund to the capital fund.

December 2015 Resolution re: NYS Underfunding of Public School Districts

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0,

Whereas, New York State, despite its promises, is underfunding our public school districts; and

Whereas, highly publicized increases in state aid to education over the past two years have not made up for draconian cuts in State aid due to the Gap Elimination Adjustment (GEA) and the Foundation Aid freeze. This year, 20% of the school districts in Westchester and Putnam Counties still receive less State education funding than they did in 2008, and another 28% have been increased by only 7% or less; and

Whereas, over the past six years, the State raided \$430 million in funds due Westchester and Putnam districts, and withheld \$9 billion GEA dollars statewide. This year alone, the Briarcliff Manor School District lost \$331,033 due to the GEA, for a total GEA state aid loss of \$3,118,513 since 2010. It is ironic that 72% of the districts in our region are still being shortchanged by over one-third of the GEA money due them while New York State runs a surplus; and

Whereas, the multi-year freeze in Foundation Aid funding has deprived districts in our two-county region of \$186 million dollars in 2015-16 alone, most of which is being taken from the highest need districts. To point, this year the State is shortchanging our district's Foundation Aid dollars by \$175,195., Yonkers by \$40 million, Port Chester by \$16 million, and Mount Vernon by \$22 million. The formula must be reinstated to reflect current need and enrollment changes; and

Whereas, these cuts and freezes have been put in place despite a 2007 court order REQUIRING the State to increase its funding of high need school districts over several years; and

Whereas, school districts have been eliminating programs, teachers, support personnel, administrative staff, course offerings including art, music and other non-mandated courses, as well as student extra-curricular offerings such as team sports. They have also had to increase class size and student to adult ratios in key areas such as guidance counselors; and

Whereas, since 2009, NYS has postured that it doesn't have the revenue to pay its share for public education, which is simply is not the case. Comptroller Thomas DiNapoli stated in his October 2015 State Cash Report, "State tax collections through October totaled \$42.3 billion and were just under \$4 billion or 10.3 percent higher than the same period last year. Year-to-date tax collections were \$5.4 million over the latest projections (released Nov. 5) and nearly \$1.7 billion over initial projections from the Enacted Budget."; and

Whereas, the State promise that reductions in costly state-mandated expenditures would be paired with the Tax Levy Limit (aka, the tax cap) has NOT been kept. State action is needed to reduce key expenditure mandates and provide local flexibility and local accountability; the era of one-size-fits-all initiatives must end. School districts have been saddled with new unfunded/ underfunded expenditures despite the static revenue flow. Race to the Top (RTTT), Common Core Learning Standards (CCLS) and Annual Professional Performance Review (APPR) requirements are the largest underfunded mandates in recent history. While school districts continue to find ways to share services and reduce expenditures, significant State mandate relief is long overdue; and

Whereas, given a 2016-17 tax levy limit based on a projected 0% CPI, and given the current State aid parameters, public school districts will continue to move towards educational and fiscal insolvency, and will continue to erode the programs and resources needed to provide a sound, basic education to every student. Some will reach a critical level sooner than others, but every district is traveling down that same path. Districts that have provided exemplary examples of quality education will have to level down their services, while they should be setting the bar for others; and

Whereas, School Board members believe that: public education is a New York State constitutional right; every child has the right to a sound, basic education; and New York State has an unconditional obligation to adequately fund our public school districts;

Therefore, be it resolved that: Public Education must be a top priority item in New York State, not one that is adjusted to make ends meet or satisfy political expediency. The GEA must be relegated to history and the Foundation Aid formula must be reinstated. Adequate and appropriate State funding to ensure every child has access to a quality public school districts is long overdue. School districts are relying on elected officials to take action to put students ahead of politics and make public education whole; and

Be it further resolved, that a copy of this resolution be sent to the Governor of New York State, the Commissioner of Education and the School District's local legislative leaders at the state and federal level; and

Be it further resolved, a copy of this resolution be placed on the district website.

ERS Reserve Budget Amendment – 2016 Contribution

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0,

WHEREAS, the District is in receipt of the New York State & Local Employees' Retirement System 2016 Annual Invoice in the amount of \$619,686; and

WHEREAS, the District's General Fund budget related to this invoice is \$425,000; and

WHEREAS, the District's budget plan called for utilization of remaining funds from the District's previously established Retirement Contribution Reserve to supplement the 2015-16 budget;

THEREFORE BE IT RESOLVED, that the Board of Education hereby authorizes the Assistant Superintendent for Finance & Operations to transfer the sum of up to and including \$194,686 from the Retirement Contribution Reserve to the General Fund to pay for the District's 2016 contribution.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, the Board moved to add resolutions to the agenda appointing members to the Energy Committee and Facilities Committee.

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that the Board of Education does hereby appoint the following members to the Facilities Committee for the 2015-16 school year:

Dina Brantman, Chair; Jonathan Satran, Board Member; and community members: Arslan Hussein, Lawrence Karp, Rachel Sama, Kim Izzarelli and Carolyn Elwood

On motion by Mrs. Rosen, seconded by Mr. Wasserman and passed 4-0, it is hereby

RESOLVED, that the Board of Education does hereby appoint the following members to the Energy Committee for the 2015-16 school year:

Jonathan Satran, Chair; and community members: Peter Tierny, Dan Singer, Seth Leitman, Joharath Kutty, Richard Couch and Kim Izzarelli

On motion by Mrs. Rosen, seconded by Mr. Wasserman, the Board moved to adjourn the public meeting at 8:58 P.M.