

**BOARD OF EDUCATION MEETING  
MINUTES**

**March 1, 2017**

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Present: Mrs. Jennifer Rosen, President; Mrs. Jan Fisher, Vice President; Mr. Michael Haberman; Mr. Paul Wasserman, Mr. Kenneth Torosian

Also Present: Dr. James Kaishian, Superintendent of Schools; Ms. Linda Peters, Asst. Superintendent for Finance & Operations; Mr. David Shaw, School Attorney; Ms. Juanita Brockett, District Clerk

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The Briarcliff Manor Board of Education held a meeting on Wednesday, March 1, 2017, in the Middle School Theater and was called to order by Mrs. Rosen at 7:00 P.M.

On motion by Mrs. Fisher, seconded by Mr. Torosian and passed 4-0, the Board moved to immediately adjourn into executive session for the purpose of discussing the employment history of a particular person, Taylor Law negotiations and to seek legal counsel.

Mr. Haberman arrived at 7:15 P.M.

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to return to public session at 8:13 P.M.

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to amend the consent agenda by removing the personnel section and bringing it to this point on the agenda.

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the following personnel resolutions:

Personnel

- (a) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Jessica Kelsey to the 1.0 FTE probationary position of Teaching Assistant at Todd School, in the tenure area of Teaching Assistant, effective February 16, 2017 and to expire on February 15, 2021. Ms. Kelsey will be compensated at the TA level salary of \$22,200 as per the BTA Contract.
- (b) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Nicole Pearson to the 1.0 FTE probationary position of Music Teacher, replacing Kate Stocker, in the tenure area of Music, at an annual salary of \$55,571 BA Step 1, effective February 17, 2017 through February 16, 2021, subject to receipt of composite or overall annual professional performance review ratings pursuant to Education Law Section 3012-c and/or 3012-d of either effective or highly effective in at least three (3) of the four (4) preceding years, and if the probationer receives an ineffective composite in the final year of the probationary period, he or she shall not be eligible for tenure at that time.

(c) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the request of Ruben Santos, Custodial Worker, for an unpaid Parental Leave effective March 21 through March 31, 2017. Mr. Santos will be on paid Parental Leave, using his accumulated sick and vacation days, effective February 27 through March 20, 2017.

**Presentations**

Building Principals gave presentation on their instructional programs.

**Work Session**

The Board reviewed a draft version of the 2017-18 school calendar proposed by the Superintendent. Further work to be done.

**Policy Work Session**

The Board conducted a 2<sup>nd</sup> reading of the following policies:

<b>Policy</b>	<b>NYSSBA</b>
Non-Discrimination & Equal Opportunity	0100
School Board Elections	2120
Personnel Goals	9000
Recruiting & Hiring	9240
Staff substance abuse	9610
Child Abuse in an Educational Setting Regulation	9620-R

**Financial Work Session**

The Board reviewed the following financial documents:

- Budget transfers requiring pre-approval
- Claims Audit Report for January 2017
- Financial reports January 2017: Treasurer's Report, Appropriation Status Report: and Revenue Status Report
- January 2017 Warrants: #8 Fund A; #8 Fund TA; #6 Fund H
- General Fund expenditure and revenue reports for January 2017
- e and revenue reports for January 2017

**Minutes**

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the minutes of the Board of Education meeting held on March 1, 2017, as presented.

**Consent Agenda**

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

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Donations

(a) RESOLVED, that the Board of Education does hereby accept, with appreciation, the BMEF grant awarded to the following faculty members:

Teacher	Purpose	Amount
John Fasano	Attend the AP Computer Science Principles course	\$1,150
Timothy Pellegrin	Enroll in Mindful Fundamentals and Mindful Educator Essentials	\$ 675
Alma Medeo	Attend National Association of School Nurses Annual Conference.	\$725
Laura Gualtiere	Attend NYS Council for the Social Studies	\$711.70

- (a) RESOLVED, that the Board of Education does hereby accept, with appreciation, the Intel Science Talent Search 2016 award for semifinalist Dalton Waldo, in the amount of \$1,000, from the Society for Science & the Public. The money will be used to purchase materials and equipment to further support excellence in science, math and/or engineering education at Briarcliff High School.
- (b) RESOLVED, that the Board of Education does hereby accept, with appreciation, a check in the amount of \$100.00 from Stephen B. Wuori, on behalf of the BHS Class of 1964, to award a “Class of 1964 Scholarship” to a 2017 BHS graduate who demonstrates financial need and who plans to attend a S.U.N.Y university or college in Fall 2017.
- (c) RESOLVED, that the Board of Education does hereby accept, with appreciation, 2 All Ball Pro Rebounders donated by Briarcliff Manor Youth Lacrosse. The rebounders will be used at Briarcliff High School by the JV & Varsity lacrosse teams to practice throwing/catching skills. Estimated cash value of \$1,750.

Budget Vote & Board Elections

- (a) RESOLVED, that the Board of Education does hereby approve the appointment of Jonathan Satran as the volunteer Election Chairperson for the May 16, 2017 Budget Vote & Board Elections.
- (b) RESOLVED, that the Board of Education does hereby approve the following individuals to work for the May 16, 2017 Budget Vote & Board Elections.

Rose Corrigan	Election Worker \$10/hr	Donna Walsh	Election Worker \$10/hr
Lorraine Silbert	Election Worker \$10/hr	Dorothy Haase	Election Worker \$10/hr
Henry Haase	Election Worker \$10/hr	Nancy Tomaso	Election Worker \$10/hr
Mary Edgar Herrera	Chief Inspector \$200/day	Raphael Herrera	Chief Inspector \$200/day

Financial Items

RESOLVED that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$12,000 to cover 2016-17 printing and mailing costs for the summer newsletter, budget notice, and budget newsletter.

Admission of Faculty Children

RESOLVED that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the request of faculty member, Amanda Schwartz to register her son, Weston in the Briarcliff Manor School District, entering Kindergarten in September 2017, in accordance with the provisions in the Briarcliff Teachers' Contract Article VI L.

Policies

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

<b>Policy</b>	<b>NYSSBA</b>
Non-Discrimination and Equal Opportunity	0100
School Board Elections	2120
Personnel Goals	9000
Recruiting and Hiring	9240
Staff Substance Abuse	9610
Child Abuse in an Educational Setting Regulation	9620-R

Action Items

Special Education Tuition Agreements

On motion by Mrs. Fisher, 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 Tuition Agreement with the Edgemont School District for Student # XXXX5136 for the 2016-2017 school year.

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

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Tuition Agreements with the Edgemont School District for Student # XXXX5124 for the 2016-2017 school year.

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

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Tuition Agreements with the Edgemont School District for Student #XXXX5042 for the 2016-2017 school year.

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Capital Project Closeout

On motion by Mrs. Fisher, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that the Board of Education does hereby approve an interfund transfer of \$155,134.79 from the Capital Fund to the Debt Service Fund in order to close out the following completed projects:

2012-13 Facilities Improvement Proposition (\$10.525M) – Athletic facility, instructional program, and infrastructure improvements at various District buildings and sites - \$155,115.30

2013-14 Practice Field & Asbestos Removal Projects (\$1.525M) - Remediation and refurbishment of MS/HS practice field; asbestos removal in Todd Elementary School crawlspace - \$19.49

WPSBA Resolution

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to TABLE the following resolution.

WHEREAS, the Board of Regents and State Education Associations called for an increase of over \$2 billion in state funding for public education, the Executive Budget includes a \$1 billion increase; and

WHEREAS, State Education Associations called for a three-year phase-in of the \$4.3 billion outstanding in Foundation Aid, equating to approximately \$1.2 billion for 2017-18, the Executive Budget proposes only \$378 million in Foundation Aid (plus \$50 million for Community Schools); and

WHEREAS, The Executive Budget ignores its obligation to fully fund the 2007 Foundation Aid phase-in dollars and instead sets its 2017-18 level as the new Foundation Aid base, thereby defaulting on the State's responsibility to comply with Court ordered state funding levels to provide students the opportunity for a sound basic education under the NYS Constitution; and.

WHEREAS, the Foundation Aid formula is based on 2000 census data and outdated enrollment, poverty, ELL, special education costs, and related data, rather than actual year-to-year changes; and

WHEREAS, the State measures poverty based on the Federal income threshold rather than poverty measures that incorporate salary, expenditures, and regional cost differences; and

WHEREAS Westchester and Putnam Counties are included in the Hudson Valley Regional Cost Index rather than the Nassau-Suffolk-NYC Regional Cost Index, and SED uses a county by county regional cost index for building aid, the Hudson Valley Regional Cost does not reflect our true regional costs, and

**WHEREAS, the BRIARCLIFF MANOR School District is underfunded by \$208,657 for this year alone as per the current fully funded Foundation Aid formula.**

WHEREAS for the third year in a row, the New York State Tax Levy Cap will be under 2%, a pattern which is unsustainable, particularly for school districts that rely heavily on tax levy funding; and

WHEREAS the Governor and State Legislature continue to support the tax levy limit, the current equation is not sustainable. Onerous mandates must be addressed, and levy limit formula adjustments approved, enrollment, poverty, ELL student changes; 0% levy floor and minimum 2% cap; account for PILOTS or large *tax certiorari*; allowing Boards of Education to override with a 60% vote, followed by a majority vote by the community.

NOW THEREFORE BE IT

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the New York State Assembly and New York State Senate to **OPPOSE** the adoption of any budget that does not include an increase in foundation aid in accordance with phased-in payments of Foundation Aid dollars due under the formula with a save-harmless provision.

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** calls upon the Governor, NYS Assembly and NYS Senate to actively **SUPPORT** the use of regularly updated district data, more appropriate student need weightings and poverty measures in Foundation Aid Formula; and

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** calls upon the Governor, NYS Assembly and NYS Senate to **SUPPORT** a valid regional cost index by including our counties in the Nassau-Suffolk-NYC Regional Cost Index; or ideally, by applying the SED county-by-county cost index to all school aid formulas; and

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the Governor, NYS Assembly and NYS Senate to **SUPPORT** key adjustments to mandates and the tax levy limit; and

**FURTHER BE IT RESOLVED** that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the Governor, NYS Assembly and NYS Senate to **OPPOSE** the adoption of any State budget that does not fulfill the State's obligation to appropriately fund public education and meet the needs of our student, and to do so with transparency and evidence-based measures.

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to split the above WPSBA resolution into two parts.

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On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the following resolution:

(1) WPSBA – Foundation Aid

WHEREAS, the Board of Regents and State Education Associations called for an increase of over \$2 billion in state funding for public education, the Executive Budget includes a \$1 billion increase; and

WHEREAS, State Education Associations called for a three-year phase-in of the \$4.3 billion outstanding in Foundation Aid, equating to approximately \$1.2 billion for 2017-18, the Executive Budget proposes only \$378 million in Foundation Aid (plus \$50 million for Community Schools); and

WHEREAS, The Executive Budget ignores its obligation to fully fund the 2007 Foundation Aid phase-in dollars and instead sets its 2017-18 level as the new Foundation Aid base, thereby defaulting on the State's responsibility to comply with Court ordered state funding levels to provide students the opportunity for a sound basic education under the NYS Constitution; and.

WHEREAS, the Foundation Aid formula is based on 2000 census data and outdated enrollment, poverty, ELL, special education costs, and related data, rather than actual year-to-year changes; and

WHEREAS, the State measures poverty based on the Federal income threshold rather than poverty measures that incorporate salary, expenditures, and regional cost differences; and

WHEREAS Westchester and Putnam Counties are included in the Hudson Valley Regional Cost Index rather than the Nassau-Suffolk-NYC Regional Cost Index, and SED uses a county by county regional cost index for building aid, the Hudson Valley Regional Cost does not reflect our true regional costs, and

WHEREAS, the **BRIARCLIFF MANOR** School District is underfunded by \$208,657 for this year alone as per the current fully funded Foundation Aid formula

NOW THEREFORE BE IT

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the New York State Assembly and New York State Senate to OPPOSE the adoption of any budget that does not include an increase in foundation aid in accordance with phased-in payments of Foundation Aid dollars due under the formula with a save-harmless provision.

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the Governor, NYS Assembly and NYS Senate to actively SUPPORT the use of regularly updated district data, more appropriate student need weightings and poverty measures in Foundation Aid Formula; and

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the Governor, NYS Assembly and NYS Senate to SUPPORT a valid regional cost index by including our counties in the Nassau-Suffolk-NYC Regional Cost Index; or ideally, by applying the SED county-by-county cost index to all school aid formulas; and

RESOLVED that, the Board of Education of the BRIARCLIFF MANOR School District calls upon the , NYS Assembly and NYS Senate to OPPOSE the adoption of any State budget that does not fulfill the State's obligation to appropriately fund public education and meet the needs of our student, and to do so with transparency and evidence-based measures.

(2) WPSBA - Tax cap

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 4-1, the Board moved to approve the following resolution:

WHEREAS for the third year in a row, the New York State Tax Levy Cap will be under 2%, a pattern which is unsustainable, particularly for school districts that rely heavily on tax levy funding; and

WHEREAS the Governor and State Legislature continue to support the tax levy limit, the current equation is not sustainable. Onerous mandates must be addressed, and levy limit formula adjustments approved, enrollment, poverty, ELL student changes; 0% levy floor and minimum 2% cap; account for PILOTS or large *tax certiorari*; allowing Boards of Education to override with a 60% vote, followed by a majority vote by the community

RESOLVED that the Board of Education of the **BRIARCLIFF MANOR** School District calls upon the Governor, NYS Assembly and NYS Senate to SUPPORT key adjustments to mandates and the tax levy limit; and

FURTHER BE IT RESOLVED, that the Board of Education of the Briarcliff Manor School District calls upon the Governor, NYS Assembly and NYS Senate to OPPOSE the adoption of any State budget that does not fulfill the State's obligation to appropriately fund public education and meet the needs of our student, and to do so with transparency and evidenced-based measures.

Mr. Wasserman voted Nay.

Contract Agreement with Westchester County Board of Elections

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

RESOLVED, that the Board of Education does hereby approve the contract agreement with the Westchester County Board of Elections for the use of their electronic voting machines for the May 16, 2017 budget vote and board elections. A copy of said agreement shall be incorporated by reference within the minutes of this meeting.

**BOARD OF EDUCATION MEETING  
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**March 1, 2017**

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On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn the public meeting at 10:29 P.M., and enter into executive session for the purpose of discussing the employment history of a particular person and to seek legal counsel.

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

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to return to adjourn public session at return to public session at 11:13 P.M.

On motion by Mrs. Fisher, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn the meeting the public meeting at 11:13 P.M.