

**BRIARCLIFF MANOR BOARD OF EDUCATION
MEETING MINUTES**

June 18, 2012

Present: Mr. Guy Rotondo, President; Mrs. Rosella Ranno, Vice President;
Mr. Eric Bashford, Mr. Sal Maglietta, Mrs. Jennifer Rosen

Also Present: Mr. Neal Miller, Superintendent of Schools; Mr. Stuart Matthey, Asst.
Superintendent for Business & Technology; Ms. Lisa Rusk, Mr. Marc Scharf,
School Attorneys; Ms. Juanita Brockett, District Clerk

The Board of Education held a meeting on Monday, June 18, 2012 and was called to order by Mr. Rotondo at 6:03pm.

On motion by Mrs. Ranno, seconded by Mrs. Rosen 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 and to seek legal counsel.

Mr. Bashford arrived at 7:55pm

On motion by Mrs. Ranno, seconded by Mrs. Rosen and passed 5-0 the Board moved to return to public session at 8:05pm.

Student Recognition

The following students received certificates of recognition:

BHS Winners of the Avogadro International Chemistry Competition on May 17, 2012 (scoring in the top 5%):

Eric Wasserman, William Hou, Sara Goldstein
Laura Birnbaum, Ryan Rosen, Joseph Pennacchio

2012 Varsity Baseball Class B State Finalists:

Wyatt Cowan, Kevin Louie, Joe Karlik, Colin Orr, Lou Carrafiello, Ryan Huegel
Asa Barkan, Spencer Kulman, Vinny Giacovas, John Fussell, Chris Marinaccio
Dan Levine, Jackson Plimpton, Matt Pasternak, Paul Henshaw, Jesse Korzen
Mike Pandolfo, Robert Contento

Participants at the New York State Track and Field Championships – 2012:

Rebecca Bianco, Sophie Feuer, Samantha Kirsch
Sharon Luan, Stephen Shine, Madeline Zimmerman

The following students received scholarships from the Booster Club

Kristiana Roth, Rebecca Bianco, Jesse Korzen, Paul Henshaw

Mr. Miller presented Mr. Rotondo and Mr. Bashford with certificates of recognition for their dedicated service as board members, from the Westchester Putnam School Board Association.

Presentation

Mr. Damon Hacker of Armory Associates LLC, gave a presentation on GASB 45 Actuarial Valuation.

Approval of Minutes

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

RESOLVED, that the Board of Education does hereby approve the minutes of the May 21, 2012, Board of Education meeting as presented.

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

RESOLVED, that the Board of Education does hereby approve the minutes of the June 4, 2012, Board of Education meeting as presented.

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

RESOLVED, that the Board of Education does hereby approve the minutes of the special meeting held on June 13, 2012 as presented.

1. CONSENT AGENDA

On motion by Mrs. Ranno, seconded by Mr. Maglietta, the Board moved to approve the following consent agenda items:

- a. RESOLVED, that the Board of Education does hereby accept, with thanks, the following BMEF Teacher's Institute grant:

Tracy Campanile	To attend the National Council of Teachers of Mathematics Regional Conference – Oct. 2012	\$450.00
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- b. RESOLVED, that the Board of Education does hereby accept, with thanks the donation from Box Tops for Education Program from General Mills Corp., in the amount of \$435.40.

- c. RESOLVED that the Board of Education does hereby approve the following career increments effective September 1, 2012:

Deborah Adelberg (2 nd increment)	Suzanne Mauriello (1 st increment)
Kathleen Brancato (2 nd increment)	Christopher Melito (1 st increment)
Debra Conroy (1 st increment)	Christine Meola (2 nd increment)
Jeanne Claire Cotnoir (1 st increment)	Daniel Murphy (1 st increment)
Thomas Durkin (2 nd increment)	Stephanie Muson (1 st increment)
Michael Fraioli (1 st increment)	Mary Oliver (1 st increment)
David Golod (1 st increment)	Anna Ostrofsky (4 th increment)

Pamela Gordon (2 nd increment)	Ryan Scott (1 st increment)
Donald Hamlin (1 st increment)	Jeanne Smith (1 st increment)
Michael Inglis (1 st increment)	Claudia Sullivan (1 st increment)
Patricia Manchisi (1 st increment)	Mary Yulo (3 rd increment)

- d. RESOLVED, that the Board of Education does hereby approve the lateral transfer of Maria Rivas from the position of Custodial Worker/Bus Driver to Custodial Worker effective June 25, 2012, in accordance with civil service regulations.
- e. RESOLVED, that the Board of Education does hereby approve the appointment of Joseph Piacquadio to the probationary position of Cleaner effective July 1, 2012, at Step 2 of the Local 456, International Brotherhood of Teamsters Contract.
- f. RESOLVED, that the Board of Education does hereby approve the increase in time for Cheryl Paulenoff, Computer Aide, from an 11 Month employee to a 12 Month employee according to the terms of the Briarcliff Educational Support Team Contract.
- g. RESOLVED, that the Board of Education does hereby approve the creation of the position of Athletic Trainer.
- h. RESOLVED, that the Board of Education does hereby approve the Health Services Contract with the Ardsley Union Free School District in the amount of \$1,139.88 for one Briarcliff student attending Lyceum Kennedy French American School.
- i. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$45,000 to cover legal services as provided by Sive, Paget & Riesel, PC.
- j. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$70,000 to cover additional expense for legal services as provided by Bryan Cave LLP.
- k. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$86,961.19 to cover the cost of teacher aide retirement incentives as per the SRP contract.
- l. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$16,165 to cover cost of custodial worker's retirement benefit as per the Teamster's contract.
- m. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$60,500 to cover projected social security expense through June 30, 2012.
- n. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$70,000 to cover out-of-district transportation through June 30, 2012.

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- o. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$56,317 For Primary Mathematics textbooks and Math Buddies software – Singapore Math Program.
 - p. RESOLVED, that the Board of Education does hereby approve the budget transfer in the amount of \$128,500 to cover BOCES expenses through June 30, 2012.
 - q. RESOLVED that the Board of Education does hereby declare the list of items appended to these minutes as surplus and obsolete and hereby directs the Assistant Superintendent for Business and Technology to sell these items for fair market value.
 - r. RESOLVED, that the Board of Education does hereby approve the Student Assistance Services Contract for the 2012-2013 school year.
 - s. RESOLVED, that the Board of Education does hereby accept the Claims auditor's report for the month of April 2012.
 - t. RESOLVED, that the Board of Education does hereby accept the Year-End Report from the Audit Committee as presented on June 4, 2012.
 - u. RESOLVED, that the Board of Education does hereby approve the Extension of School Registration and Participation Agreement for the 2012-13 school year with MSG Varsity Network LLC
 - v. RESOLVED, that the Board of Education does hereby approve the Renewal Services Agreement with 403(b) third party administrator, The Omni Group, for the 2012-13 school year in the amount of \$5,365.
 - w. RESOLVED, that the Board of Education does hereby approve the 2012-13 contract with SchoolWorld for web hosting services in the amount of \$4,000.
 - x. RESOLVED, that the Board of Education does hereby approve the 2012-13 contract with eSchoolData, LLC for providing a student information management system in the amount of \$40,693.44
 - y. +RESOLVED, that the Board of Education hereby authorizes the Board 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, 2012 through June 30, 2013, at an annual fee of \$550.00.
 - z. RESOLVED, that the Board of Education does hereby approve the 2012-13 contract with Centris Group, LLC for special education IEP software in the amount of \$10,006.20
 - aa. RESOLVED, that the board of education does hereby approve for the 2012-13 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 \$69,180 plus an amount not to exceed \$11,400 for services and materials related to training.

bb. RESOLVED, that the Board of Education does hereby abolish 6.0 School Lunch Monitor positions effective close of business day on June 22, 2012.

cc. Be it Resolved, that the Board of Education does hereby award bid #12-13-008F for district wide Site and Masonry Repairs to Landi Contracting Inc. as follows:

Base Bid \$46,000

ACTION ITEMS

On motion by Mr. Maglietta, seconded by Mrs. Ranno and passed 5-0, the Board moved to combine the adoption of plans and policies into a consent agenda.

On motion by Mrs. Ranno, seconded by Mr. Maglietta and passed 5-0, the Board moved to approve the following plans and polices:

Response to Intervention District Plan 2012-2014

RESOLVED that the Board of Education does hereby adopt the 2012- 2014 Response to Intervention District Plan and authorizes the Board President to sign document.

District Code of Conduct 2012-2013

RESOLVED that the Board of Education does hereby adopt the District Code of Conduct for the 2012-2013 school year as amended.

Special Education District Plan 2012-2014

RESOLVED, that the Board of Education does hereby adopt the 2012- 2014 Special Education District Plan.

Dignity for all Students (DASA)

RESOLVED that the Board of Education does hereby adopt the Dignity for all Students Policy #7640 as written and present.

Concussion Policy

RESOLVED, that the Board of Education does hereby adopt the Concussion Policy # 7503A as written and presented

Title VI Civil Rights Act Non-Discrimination & Anti-Harassment in Schools Policy

RESOLVED, that the Board of Education does hereby approve the Student Title VI Civil Rights Act Non-Discrimination & Anti-Harassment in Schools Policy #7562 as written and presented.

Sexual Harassment Student Policy

RESOLVED, that the Board of Education does hereby adopt the Sexual Harassment Student Policy #7560.

Internet Safety Policy

RESOLVED that the Board of Education does hereby adopt the Internet Safety Policy #7601 as written and presented.

Creation of position (Asst. Superintendent for Curriculum, Instruction Assessment & Human Resources)

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

RESOLVED, that the Board of Education does hereby approve the creation of the position of Asst. Superintendent for Curriculum, Instruction, Assessment & Human Resources.

Tax Cert ID # 98.09/1/44

On motion by Mr. Maglietta, seconded by Mr. Bashford, and passed 5-0, it is hereby

RESOLVED, that the Board of Education does hereby authorize the refund of taxes due for the property with tax identification number 98.09/1/44 as required by the terms of the Consent Judgment.

BE IT FURTHER RESOLVED, that the Board of Education does hereby approve an increase to budget line A1930.400 (Judgment and Claims) in the amount of \$32,792.39. This expenditure represents tax certiorari refunds due for the 2008-09 through 2011-12 school tax years in accordance with the terms of the Consent Judgment and will be funded from the Tax Certiorari Reserve.

Risk Assessment Report

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

RESOLVED that the Board of Education does hereby receive the risk assessment report as prepared by the district's environmental consultant, Henningson, Durham & Richardson (HDR), and Dr. Robert Laumbach in regards to the district's continued field remediation efforts and further directs the District Clerk to post this report on the district's website.

Surplus Equipment (Buses)

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

RESOLVED, that the Board of Education does hereby declare the following vehicles as surplus effective June 25, 2012, and hereby directs the Assistant Superintendent for Business and Technology to sell these items for fair market value

Bus #	Year	Passenger Capacity	VIN
20	2000	66	1HVBBAAN5YH284946
21	2001	66	4UZAAXBV22CK05433
23	2002	20	1GDHG31F721148741
25	2009	66	1BAKFCPA19F255929

Inter Schola

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

RESOLVED, that the Board of Education does hereby approve the service agreement with Interscholastic Trading Company for auction management services in relation to previously declared surplus and/or obsolete equipment in the amount described in Exhibit B of the agreement.

Multi-Function Devices (District-wide copier solutions)

On motion by Mrs. Ranno, seconded by Mr. Maglietta and passed 5-0,

WHEREAS, the Board of Education of the Briarcliff Manor UFSD (hereafter referred to as the "District") desires to enter into a five (5) year service contract with the Southern Westchester Board of Cooperative Educational Services (hereafter referred to as "SWBOCES") pursuant to Education Law 1950(4)(jj), in order for the Lower Hudson Regional Information Center ("LHRIC") to furnish certain services to the District including, not limited to, network printing services in Co-Ser 510 and/or Co-Ser 611,

NOW THEREFORE, it is

RESOLVED, that the Board of Education of the District agrees to a multi-year contract with SWBOCES for the provision of said services to the District at a cost not to exceed over the term of the agreement \$756,658, plus overage charges incurred by SWBOCES on behalf of the District, plus yearly RIC support during the term of this contract. This amount may be amended with the approval of both parties. Payments will be made as part of the regular annual BOCES Contract for Services. The Superintendent of Schools or designee is hereby authorized to approve the final terms of the contract and to execute on behalf of the District all documents necessary or appropriate to carry out the intent of this resolution.

School Attorney Transfer

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

RESOLVED that Shaw, Perelson, May & Lambert LLP be substituted as attorneys on behalf of the District in place of Kuntz, Spagnuolo, Murphy & Gronbach, P.C. in the tax certiorari proceeding captioned In the Matter of Board of Managers of Copley Court Condominium v. Town of Ossining and Briarcliff Manor Union Free School District for all pending years in issue at an hourly rate of \$190.

32000 SEQRA – Type II Todd Playground

On motion by Mr. Bashford, seconded by Mr. Maglietta and passed 5-0,

WHEREAS, the Board of Education of the Briarcliff Manor Union Free School District is contemplating a capital project involving the construction of a playground facility at Todd Elementary School, including replacement of equipment, site work and ancillary costs (the “Proposed Action”); and

WHEREAS, the Board of Education wishes to comply with the requirements of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board of Education has reviewed the proposed Scope of Work and has consulted with its Architect with respect to the potential for environmental impacts resulting from the Proposed Action; and

WHEREAS, the Board of Education has reviewed the Proposed Action with respect to the Type II criteria set forth in the SEQRA Regulations at 6 NYCRR Part 617.5 and has determined that the Proposed Action is a Type II action pursuant to Section 617.5(c)(2) and (8) of the SEQRA Regulations;

THEREFORE, BE IT RESOLVED, that the Board of Education of the Briarcliff Manor Union Free School District hereby determines that the proposed construction of the playground facility at Todd Elementary School, including replacement of equipment, site work and ancillary expenses, is a Type II action pursuant to Section 617.5(c)(2) and (8) of the SEQRA Regulations and will not have a significant adverse impact on the environment, and that no further review of the Proposed Action is required.

The contact person for the Briarcliff Manor Union Free School District is: Stuart Matthey, Assistant Superintendent for Business and Technology.

Playground Project

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

RESOLVED, that the following proposition be placed on the ballot at a Special Meeting of the qualified voters of the Briarcliff Manor Union Free School District, Westchester County, New York, to be conducted on August 7, 2012:

PROPOSITION

Shall the Board of Education of the Briarcliff Manor Union Free School District be authorized to expend a sum not to exceed \$160,000.00 to pay for the costs of constructing a new playground facility at the Todd Elementary School, including the costs of site preparation, site improvement and incidental expenses, with the

funds to be transferred from the unassigned fund balance to pay for the costs of such project?

AND BE IT FURTHER RESOLVED, that the School District Clerk is hereby authorized and directed to publish Legal Notice of the Special Meeting in the designated newspapers in accordance with the Education Law.

Bond Resolution

On motion by Mr. Bashford, seconded by Mrs. Ranno and passed 5-0

BOND RESOLUTION OF THE BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT, NEW YORK, ADOPTED JUNE 18, 2012, AUTHORIZING THE CONSTRUCTION OF ATHLETIC FACILITY, INSTRUCTIONAL PROGRAM AND INFRASTRUCTURE IMPROVEMENTS TO ALL DISTRICT BUILDINGS AND SITES, STATING THE ESTIMATED TOTAL COST THEREOF IS \$10,525,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$10,525,000 SERIAL BONDS OF SAID DISTRICT TO FINANCE SAID APPROPRIATION.

Recital

WHEREAS, at the Annual District Meeting and Election duly called and held on May 15, 2012, in the Briarcliff Manor Union Free School District, in the County of Westchester, New York, the qualified voters present and voting approved the Bond Proposition authorizing the Board of Education to construct athletic facility, instructional program, and infrastructure improvements at all District buildings and sites, at the estimated total cost of \$10,525,000, and to levy and collect a tax to be collected in annual installments to pay the principal of and interest on the serial bonds authorized to be issued;

Now, therefore,

THE BOARD OF EDUCATION OF THE BRIARCLIFF MANOR UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF WESTCHESTER, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Education) AS FOLLOWS:

Section 1. The Briarcliff Manor Union Free School District, in the County of Westchester, New York (herein called "District"), is hereby authorized to construct athletic facility, instructional program, and infrastructure improvements at all District buildings and sites, substantially as outlined in the District's "Capital Improvement Project - Complete Listing of Proposed Project Items" dated March 26, 2012 (the "Project Plan"), including as and where necessary: the installation of artificial turf fields (non-SBR materials) and other track, field and playground improvements; interior renovation and space reconfiguration; roof reconstruction and/or replacement; computer and other technology improvements; improvements to lighting, boiler, energy management, heating, ventilation, air-conditioning, electrical, clock and public address

systems, replacement of windows and doors, and building envelope improvements; all of the foregoing to include the original furnishings, equipment, machinery, apparatus and ancillary or related site work required in connection therewith. The estimated total cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$10,525,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$10,525,000 serial bonds of the District to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the District to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the District in the principal amount of \$10,525,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the class of objects or purposes for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 97 of the Law, is thirty (30) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the District for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the District, payable as to both principal and interest by general tax upon all the taxable real property within the District without limitation of rate or amount. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the District by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Education relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation

notes, are hereby delegated to the President of the Board of Education, the chief fiscal officer of the District. Notwithstanding the foregoing, any bonds and notes sold pursuant to this bond resolution must be sold by competitive sale pursuant to the Law.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the District Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the official newspapers of the District, each having a general circulation in the District and hereby designated the official newspapers of said District for such publication.

On motion by Mrs. Ranno, seconded by Mrs. Rosen and passed 5-0, the Board moved to adjourn into executive session at 9:26pm for the purpose of discussing the employment history of a particular person.

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

On motion by Mrs. Rosen, seconded by Mr. Rotondo, and passed 5-0, the Board moved to adjourn executive session and return to public session at 10:05pm.

On motion by Mrs. Rosen, seconded by Mr. Bashford, and passed 5-0, the Board moved to adjourn the public session at 10:06pm.

Juanita Brockett, District Clerk

Guy Rotondo, Board President