

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

Also Present: Mr. James Kaishian, Acting Superintendent of Schools, Mr. Stuart Matthey, Asst. Superintendent for Finance & Operations; Dr. Kusum Sinha, Asst. Superintendent for Curriculum, Instruction & Assessment & H.R.; Mr. David Shaw School Attorney; Ms. Juanita Brockett, District Clerk

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The Annual Reorganization meeting of the Briarcliff Manor Union Free School District was held on Wednesday, July 10, 2013 in the Middle School Theater and was called to order by Ms. Brockett, the District Clerk at 7:00 P.M..

The District Clerk motioned for the nomination of a presider to act as temporary Chairperson pending the election of a President at the start of the Reorganization meeting.

Mrs. Brantman nominated Mrs. Rosen to act as temporary Chairperson. Mr. Haberman seconded and Mrs. Rosen was named Chairperson on a vote of 5-0.

The Board then adjourned into executive session at 7:05pm for the purpose of discussing the employment history of a particular person and to seek legal counsel.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to return to public session at 8:00 P.M. and begin the reorganization meeting.

*Oath of Office – Board of Education*

The District Clerk administered the Oath of Office to newly elected Board Members, Mr. Paul Wasserman and Mr. Jonathan Satran, both for a term of three years, July 1, 2013 to June 30, 2016.

*Nomination and Election of Board Officers*

The District Clerk called for the nomination for the office of President of the Board of Education. Mrs. Brantman nominated Mrs. Rosen, seconded by Mr. Haberman. No other individuals were nominated and Mrs. Rosen accepted the nomination.

On the motion made by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board elected Mrs. Rosen as President of the Board of Education for the 2013-2014 school year.

Mrs. Rosen called for the nomination for the office of Vice President of the Board of Education. Mr. Satran nominated Mrs. Brantman seconded by Mrs. Rosen. Mr. Wasserman nominated himself and this was seconded by Mr. Haberman. There were no other nominations and on a vote of 4-1, Mrs. Brantman was elected Vice President. Mr. Wasserman voted Nay.

The District Clerk administered the Oath of Office to Mrs. Rosen and Mrs. Brantman.

Mrs. Rosen asked for a motion to create consent agenda item # 5-30. On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board approved the creation of a consent agenda.

**Agenda Items #5 - 30**

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to approve consent agenda items #5-30.

**Agenda Item #5: Appointment of District Officers and Personnel**

a) School District Clerk

RESOLVED, that Ms. Juanita Brockett is hereby appointed as School District Clerk for the 2013-2014 school year.

b) School District Treasurer

RESOLVED, that Nicole Susa is hereby appointed as School District Treasurer for the 2013-2014 school year.

c) School District Deputy Treasurer

RESOLVED, that the Board appoints Jennifer DeFillippo as Deputy Treasurer for the 2013-2014 school year.

d) School District Claims Auditor

RESOLVED that the Board of Education hereby approve the appointment of John Beltramo, as Claims Auditor, for the Briarcliff Manor Union Free School District, for the period commencing July 1, 2013 through June 30, 2014 at the rate of \$ 85 /hr, and authorizes the Board President to execute a Claims Auditor Contract with John Beltramo that sets forth the terms and conditions of his employment, a copy of said agreement shall be incorporated by reference within the minutes of this meeting.

e) School District Internal Auditor

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby, approve the appointment of Tobin & Company as internal auditors for the 2013-14 school year as follows:

|  |         |
|--|---------|
| Risk Assessment  | \$6,140 |
| Blended hourly rate to perform targeted internal audit | \$125   |

f) School Attorney

RESOLVED, that Shaw, Perelson, May & Lambert, LLP is hereby appointed as School District Counsel to at an annual retainer fee of \$108,000 for the 2013-2014 school year and authorizes the Board President to execute an Agreement with the School Attorney. Services not covered by the retainer fee will be billed at the rate of \$200 per hour, subject to advance authorization by the Board of Education. A copy of the Agreement shall be incorporated by reference within the minutes of this meeting.

g) School District Physician

RESOLVED, that the Board of Education hereby approve the appointment of Dr. Nelly Sereny, as School Physician for the contractual sum of \$24,480 to be paid in equal installments of \$2,040 for the period commencing July 1, 2013 and terminating on June 30, 2014 and authorizes the Board President to execute an Agreement with the School District Physician as presented to the Board at this meeting. A copy of said Agreement which sets forth the terms and conditions shall be incorporated by reference within the minutes of this meeting

h) Purchasing Agent

RESOLVED, that Stuart Matthey is hereby appointed as School District Purchasing Agent for the 2013-2014 school year.

i) Records Access Officer

RESOLVED, that Stuart Matthey is hereby appointed as the School District's Records Access Officer for the 2013-2014 school year.

j) Records Management Officer

RESOLVED, that Karen McKeon is hereby appointed as School District Records Management Officer for the 2013-2014 school year at an annual stipend of \$2,000 to continue the project of establishing and implementing a records management plan.

k) Educational Liaison for Students in Homeless Situations

RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as School District Educational Liaison for Students in Homeless Situations for the 2013-2014 school year.

l) Section 504/Americans with Disabilities Act Compliance Officer

RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as School District Section 504/Americans with Disabilities Act Compliance Officer for the 2013-2014 school year.

m) Mediation Session Designee

RESOLVED, that Deborah Serio-Vaughan or her designee, in her absence, is designated to attend last chance resolution sessions or mediation sessions required by the IDEA with the authority to execute settlement agreements on behalf of the District, following consultation with the Superintendent of Schools, where practicable, and notification to the Board President, or Vice-President in his/her absence, of the contents of any settlement agreement for the 2013-2014 school year.

n) DASA Compliance Officer

RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as the School Districts' DASA Compliance Officer for the 2013-2014 school year. Building DASA Compliance Officers: Jennifer Jacobs (Todd School); Susan Howard (BMS); Daniel Murphy(BHS).

o) School District Title VI Compliance Officer

RESOLVED, that Dr. Kusum Sinha is hereby appointed as the School District Title VI Compliance Officer for the 2013-2014 school year.

- p) School District Title VII Compliance Officer  
RESOLVED, that Dr. Kusum Sinha is hereby appointed as the School District Title VII Compliance Officer for the 2013-2014 school year.
- q) School District Title IX Compliance Officer  
RESOLVED, that Dr. Kusum Sinha is hereby appointed as the School District Title IX Compliance Officer for the 2013-2014 school year.
- r) Residency Designee  
RESOLVED, that the Board of Education hereby delegates its authority, pursuant to Commissioner's Regulations 100.2(y), to the Superintendent of Schools who shall have the full and final authority to make determinations regarding student residency.
- s) School District Designated Education Official (DEO)  
RESOLVED, that Daniel Murphy is hereby appointed as School District Designated Education Official (in compliance with S.A.V.E. Legislation) for the 2013-2014 school year.
- t) School District Asbestos Designee  
RESOLVED, that Anthony Bauso is hereby appointed as the School District Asbestos designee for the 2013-2014 school year.
- u) Pesticide Representative  
RESOLVED, that Anthony Bauso is hereby appointed as the School District Pesticide Representative for the 2013-2014 school year.
- v) Chemical Hygiene Officer (OSHA)  
RESOLVED, that Anthony Bauso is hereby appointed as Chemical Hygiene Officer (OSHA) for the 2013-2014 school year.
- w) School District Attendance Officer  
RESOLVED, that the Superintendent of Schools is hereby appointed as the School District Attendance Officer for the 2013-2014 school year.
- x) School District Designated Chief Technology & Chief Information Officer  
RESOLVED, that Erica Beasley is hereby appointed as School District Designated Chief Technology & Chief Information Officer for the 2013-2014 school year.

**Agenda Item #6: Authorization of Petty Cash Funds**

RESOLVED, that Petty Cash funds in the following amounts are hereby authorized and approved:

|                              |          |
|------------------------------|----------|
| Superintendent's Office      | \$100.00 |
| Business Office              | \$100.00 |
| Middle School Office         | \$100.00 |
| High School Office           | \$100.00 |
| Todd School Office           | \$100.00 |
| Buildings and Grounds Office | \$100.00 |

**Agenda Item #7: Call-Back Verification and Written Confirmation in Connection with Fund Transfers Initiated Outside of the Online Banking Systems**

RESOLVED:

1. Treasurer and Deputy Treasurer are hereby designated as authorized persons in connection with all bank depositories now or hereafter maintained for and in the name of this District for the purposes of (i) verifying, by telephone call-back, verbal payment orders issued in the name of this District, including those issued by telecopier; and (ii) issuing written confirmations of payment orders issued in the name of this District.
2. That the depository may rely upon telephone verification and/or written confirmations given by the authorized persons identified in paragraph one hereof, and all payment orders verified by telephone call-back shall be deemed to be authorized orders of this District.
3. That the depository may place telephone call-backs to the telephone number of this District as reflected in the records of the depository or to such other telephone number as may hereafter be designated in writing by an officer of this District.
4. That each of the foregoing Resolutions and the authority thereby conferred shall remain in full force and effect until written notice of revocation or modification is received by the depository, provided that such notice shall not be effective with respect to any exercise of said authorities prior to the receipt of such notice. That the District Clerk or any other officer of this District is hereby authorized and directed to certify under the Corporate Seal, or not, but with like effect in the latter case, to the depository, the Resolutions, the names of the officers and other representatives of this District, any changes from time to time in the said officers and representatives and specimens of their respective signatures; and that the depository may conclusively assume that persons at any time certified to it by officers or other representatives of this District continue as such until receipt by the depository of written notice to the contrary.

**Agenda Item #8: Certificates of Deposit**

RESOLVED, that the Treasurer and Deputy Treasurer be authorized to sign for the purchase of Certificates of Deposit, with all depositories, on behalf of the Briarcliff School District, under the supervision of the Asst. Superintendent for Finance & Operations. All investment purchases and sales require Board approval. All Certificates of Deposit purchases will be in compliance with requirements of Policy # 5201.

**Agenda Item #9: Review of the Register of Outstanding Bonds**

**Agenda Item #10: Designation of Dates for Regular Board Meetings**

RESOLVED, that the Board of Education will meet on two Mondays each month, or as needed, and that the time of such meetings will be as designated by the Board.

**Agenda Item #11: Designation of Official School District Newspaper**

RESOLVED, that The Journal News of White Plains, New York, is hereby designated as the official newspaper of the School District.

**Agenda Item #12: Designation of Hearing on School District Budget**

RESOLVED, that the Board designates May 6, 2014 as the date of the public hearing on the budget (must be between 7 and 14 days prior to Annual Meeting).

**Agenda Item #13: Approval of Voting Hours and Designation of Voter Registration Day**

RESOLVED, that the Board hereby approves the voting hours of Board Elections, Referenda, or any proposals requiring a vote by the residents of the District as follows:  
6:00 a.m. to 9:00 p.m.

RESOLVED, that the Board hereby approves the designation of Wednesday, May 14, 2014 as the extended voter registration day from the hours of 4:00 p.m. to 8:00 p.m.

**Agenda Item #14: Approval of Impartial Hearing Officer Selection, Appointment and Compensation Protocol**

RESOLVED, that the District shall utilize the most recent rotational list of impartial hearing officers for the District as established by the State Education Department, on a rotating basis, for the purpose of conducting impartial hearings pursuant to Section 200.5 of the Regulations of the Commissioner of Education. Appointment and compensation shall be in accordance with the following:

- 1) That the District Clerk shall date stamp her receipt of any written impartial hearing request and note such receipt in a written log;
- 2) That upon receipt of a written impartial hearing request, the District Clerk shall immediately, but not later than two business days, begin the process of selecting an impartial hearing officer;
- 3) That should an impartial hearing officer decline appointment, or if, within 24 hours, the impartial hearing officer fails to respond or is unreachable after reasonable efforts by the District, each successive impartial hearing officer whose name next appears on the list shall be offered appointment, until such appointment is accepted;
- 4) That in selecting an impartial hearing officer, the District Clerk must document when an impartial hearing officer has declined appointment, or that, within 24 hours, an impartial hearing officer failed to respond or was unreachable after reasonable efforts to contact him or her;
- 5) That, in recognition that the Board must immediately appoint the impartial hearing officer selected by the District Clerk from the District's rotational list, the Board hereby delegates to the President and/or Vice President of the Board of Education the authority to immediately appoint impartial hearing officers who are selected in accordance with the procedures set forth herein.

- 6) That impartial hearing officers selected by the District Clerk and appointed by the Board will be compensated for their services as follows:
- **Billing Rate:** The District will compensate certified impartial hearing officers appointed in due course for services rendered at a rate of \$100 per hour for pre-hearing, hearing, and post-hearing activities.
  - **Time of Submission:** A statement for fees and expenses shall be submitted at the conclusion of the hearing. The District will not consider interim statements for fees and expenses, except in extraordinary circumstances. An impartial hearing officer wishing to submit an interim bill may do so only upon receiving prior approval from the District, pursuant to a written request describing the extraordinary circumstance and stating when the impartial hearing officer expects the matter to be terminated or concluded.
  - **Format of Statement:** All statements for fees and expenses shall be in narrative form and shall list each individual item of service or expense, the date it occurred and the time spent, by hour or fraction thereof. Each individual item of service shall be separately and specifically described.
  - **Appropriateness of Charge:** The District will accept a minimum charge for a service, not to exceed .10 hour. Time charges must be appropriate. For example, a charge of .5 hour for receipt and review of a fax is inappropriate, without further elaboration. The District will not pay for clerical or secretarial costs, postage or toll calls, all of which are covered under the hearing officer's hourly fee.
  - **Reimbursable Expenses:** The District will reimburse impartial hearing officers for the following expenses only:
    - 1) Travel at the IRS reimbursement rate, up to a distance of 100 miles, each way, or a time charge for the actual time spent in travel, up to an hour each way, but not both.
    - 2) Costs associated with overnight delivery such as Federal Express or Express Mail.
  - **Lodging and Meals:** The District will not accept charges for lodging or meals except in extraordinary circumstances upon prior application, in writing, by the impartial hearing officer, describing the extraordinary circumstance and receiving prior approval from the District.

- Cancellation of hearings: When the impartial hearing officer is notified of a cancellation of a hearing on less than three (3) business day's notice, the District will pay a cancellation fee of \$350, which should be submitted as a part of the statement for fees and expenses.

**Agenda Item #15: Approval of Athletic Reconditioning Fees**

RESOLVED, that the Board hereby approves Athletic Reconditioning Fees as set by the Athletic Director and Equipment Manager.

**Agenda Item #16: Establish Rate for Mileage Reimbursement**

RESOLVED, that the Board hereby sets the rate for mileage reimbursement as recommended by the Internal Revenue Service.

**Agenda Item #17: Establish Rate for Meal Reimbursement**

RESOLVED, that the Board hereby sets the rate for meal reimbursement as recommended by the U.S. General Services Administration.

**Agenda Item #18: Establish Rate for Parking Fees**

RESOLVED, that the Board hereby approves the collection of student parking fees in the amount of \$75 per student, per semester. The fee will be collected at the beginning of each semester for those seniors who wish to park in the HS/MS campus.

**Agenda Item #19: Certification of Payroll**

RESOLVED, that the Board hereby authorizes the Superintendent to certify the payroll for certified instructional personnel and the Asst. Superintendent for Finance & Operations to certify the payroll for non-certified personnel.

**Agenda Item #20: Attendance at Conferences**

RESOLVED, that the Board hereby designates the Superintendent or his/her designee to approve all employee requests to attend conferences.

**Agenda Item #21: Approval of Budget Transfers**

RESOLVED, that the Superintendent or his/her designee is authorized to approve budget transfers as per policy No. 5320.

**Agenda Item #22: Application for Grants**

RESOLVED, that the Board hereby authorizes the Superintendent or his/her designee to apply for educational grants.



**Agenda Item #23: Bonding of Employees**

RESOLVED, that the Board hereby authorizes the bonding of the following employees:

|   |             |
|---|-------------|
| District Treasurer                            | \$1,000,000 |
| Superintendent                                | \$1,000,000 |
| Asst. Superintendent for Finance & Operations | \$1,000,000 |
| Student Activity Accts. Treasurer             | \$1,000,000 |
| Deputy Treasurer                              | \$1,000,000 |
| District Clerk                                | \$1,000,000 |
| Claims Auditor                                | \$1,000,000 |

**Agenda Item #24: Board Policies**

RESOLVED, that the Board hereby re-adopts Board policies. *(It has been District practice to assign sections of Board policies to be reviewed and revised during the course of the year. All policies that are revised will have a discussion, first reading and adoption).*

**Agenda Item #25: Designation of Depositories**

RESOLVED, that the following banks and/or trust companies be designated as the official depositories for investment of funds during the 2013-2014 school year; JPMorgan Chase Bank; Signature Bank; and Webster Bank.

**Agenda Item #26: Signatures Authorization**

RESOLVED, that JPMorgan Chase Bank, Signature Bank, and Webster Bank (hereinafter called the Banks) are designated Banks of this District and they (including their correspondent banks) are hereby requested, authorized and directed to honor all checks, drafts or other orders for payment of money drawn in this District's name on their Accounts when bearing the facsimile or original signature of the following:

District Treasurer  
Deputy Treasurer

and the Banks (including their correspondent banks) shall be entitled to honor and to charge this District for all such checks, drafts or other orders for the payment of money, if such facsimile signature or signatures resemble the facsimile specimens filed with the Banks by the District Clerk or other officer of this District.

In addition, the Banks shall be entitled to honor and charge this District for all funds transfers initiated online by the District Treasurer or Deputy Treasurer through their secure online banking systems.

**Agenda Item #27: High School Accounts**

RESOLVED, that the High School Principal and the Central Treasurer, acting jointly, are hereby authorized to make deposits and withdrawals to and from the following accounts at JPMorgan Chase Bank:

HS Student Activity Account, and be it

FURTHER RESOLVED, that the High School Principal and the Central Treasurer, acting jointly, are hereby authorized to sign checks drawn against the HS Student Activity Checking Account and JPMorgan Chase Bank is hereby authorized and directed to honor checks drawn against this account when so signed.

**Agenda Item #28: Middle School Accounts**

RESOLVED, that the Middle School Principal, and the Central Treasurer, acting jointly, or the High School Principal, acting jointly with either the Middle School Principal or the Central Treasurer are hereby authorized to make deposits and withdrawals to and from the following accounts at JPMorgan Chase Bank:

MS Extra Classroom Activity Account, and be it

FURTHER RESOLVED, that the Middle School Principal and the Central Treasurer, acting jointly, or the High School Principal acting jointly with either the Middle School Principal or the Central Treasurer are hereby authorized to sign checks drawn against the MS Extra Classroom Activity Checking Account and JPMorgan Chase Bank is hereby authorized and directed to honor checks drawn against this account when so signed.

**Agenda Item #29: Approval of Mandated District Plans and Policies**

RESOLVED, that the Board hereby approves the Health and Safety Plan for the 2013-2014 school year (*available in the District Office*);

RESOLVED, that the Board hereby approves the District Code of Conduct for the 2013-2014 school year (*available in the District Office & District Website*);

RESOLVED, that the Board hereby approves the Academic Intervention Services Plan for the 2013-2014 school year (*available in the District Office*);

RESOLVED, that the Board hereby approves the Professional Development Plan for the 2013-2014 school year (*available in the District Office*);

**Agenda Item # 30 - Supplemental Defense and Indemnification**

WHEREAS, Section 18 of the Public Officers Law of the State of New York authorizes municipal corporations, including Boards of Education, to adopt supplemental defense and indemnification provisions to those contained in the Education Law; and

WHEREAS, the statute authorizes Boards of Education to defend, indemnify and save harmless, members of Boards of Education and officers, agents and employees of the Boards of Education and parent volunteers in connection with any claims asserted or judgment obtained against such Board members, officers, agents or employees in any State or Federal Court, or in the amount of any settlement of any such claim, provided the act or omission from which such judgment or claim arose occurred while the Board member, officer, agent or employee was acting within the scope of his or her office of employment;

NOW THEREFORE, BE IT RESOLVED that the Board of Education of the Briarcliff Manor School District hereby adopts the supplemental defense and indemnification provisions contained in Section 18 of the Public Officers Law for its Board members, officers, agents and employees, and parent volunteers on school-based planning and shared decision making committees or other community volunteer performing volunteer service with the consent of the Board and/or Superintendent of Schools. This coverage shall supplement and shall be in addition to the coverage available to such employees under other enactments, including but not limited to the Education Law of the State of New York.

### **Agenda Items # 31 – District Committees**

#### School District Health & Safety Committee

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

RESOLVED, that the following people are hereby appointed as the School District Health & Safety Committee for the 2013-2014 school year:

|   |                                    |
|---|------------------------------------|
| Superintendent of Schools   | Assistant Director of Facilities   |
| Assistant Superintendent for Finance & Operations                                 | Todd School Custodian              |
| Assistant Superintendent for Curriculum, Instruction, Assessment, Human Resources | MS/HS Custodian                    |
| Todd School Principal   | Security Officer                   |
| Middle School Principal   | Safety and Security BOCES Liaison  |
| High School Principal   | Briarcliff Manor Police Department |
| School Board President  | Briarcliff Manor Fire Department   |
| High School Student Representative  | SRP Bargaining Representative      |
| BTA Representative from Todd School   | BEST Bargaining Representative     |
| BTA Representative from MS/HS   | BPTA Representative                |
| Teamsters Bargaining Unit Representative  |                                    |

#### School District Audit Committee

Mrs. Brantman made a motion to nominate Mr. Wasserman to serve as Board Member Chair to the Audit Committee. The nomination was seconded by Mr. Satran. There were no further nominations and the Board voted 5-0 in favor of Mr. Wasserman.

Mr. Wasserman motion to nominate Mrs. Rosen as the second Board Member representative to serve on the Audit Committee. This was seconded by Mrs. Brantman and the motion passed 5-0.

Mr. Haberman motion to nominate Mr. Saurabh Rastogi to serve as community member representative on the Audit Committee. This was seconded by Mrs. Brantman and passed 5-0.

Mr. Satran motion to nominate Mrs. Sharon BeHarry to serve as community member representative on the Audit Committee. This was seconded by Mrs. Brantman and passed 5-0.

Mr. Wasserman motion to nominate Mr. Ken Torosian to serve as community member representative on the Audit Committee. Mr. Satran seconded and on a vote of 1- 4, this motion failed. Mr. Wasserman voted in favor of the nomination. Mrs. Rosen, Mrs. Brantman, Mr. Haberman & Mr. Satran voted Nay.

Mrs. Brantman motion to nominate Mrs. Wendy Gottlieb to serve as community member representative on the Audit Committee. This was seconded by Mr. Haberman. The Board voted 4-1 in favor of the nomination, the motion passed. Mr. Wasserman voted Nay.

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

RESOLVED, that the following individuals are hereby appointed to the Audit Committee for the 2013-2014 school year:

|                        |                      |                                       |
|------------------------|----------------------|---------------------------------------|
| <u>Paul Wasserman</u>  | Board Member & Chair | <u>Advisory:</u>                      |
| <u>Jennifer Rosen</u>  | Board Member         | James Kaishian, Acting Superintendent |
| <u>Saurabh Rastogi</u> | Community Member     | Stuart Matthey, Asst. Superintendent  |
| <u>Sharon BeHarry</u>  | Community Member     | for Finance & Operations              |
| <u>Wendy Gottlieb</u>  | Community Member     | Nicole Susa, District Treasurer       |

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn the reorganization meeting and begin the regular business meeting at 8:30 P.M.