

**SMITHTOWN CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION  
REGULAR MEETING**

October 12, 2010

Held in the Joseph M. Barton Bldg.

Meeting called to order at 6:30 p.m. by Joseph Saggese, Vice President of the Board of Education. On motion by Mrs. Knox, seconded by Mr. Liguori, the Board voted unanimously to convene in Executive Session to discuss collective bargaining, employment and/or appointment of particular persons, and pending litigation. Mr. Rossi joined the meeting at 8:00 p.m.

At 8:00 p.m. Mrs. Knox moved, Mr. Martella seconded, and the Board reconvened the Regular Meeting.

Members present:

Theresa Knox	Robert Rossi
Louis Liguori	Joseph T. Saggese
Scott Martella	

Members absent:

Neil S. Carlin	Gladys M. Waldron
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Also present:

Edward Ehmann, Superintendent  
Mary Cahill, Asst. Supt.  
Joan Niles, Asst. Supt.  
Karen Ricigliano, Asst. Supt.  
Eugene Barnosky, Lindsay T. Crocker, Board Counsel  
Visitors  
Mary Wilson, District Clerk

**I. OPENING CEREMONY** - conducted by Mr. Rossi

**II. MINUTES** - of the Regular Meetings held September 14 and 28, 2010 and the Special Meetings September 2 and 30, 2010 were presented for approval.

MOTION by Mrs. Knox, seconded by Mr. Martella that the above minutes be approved as presented.

All aye. Motion carried (5-0).

**III. RECEIPT OF CLAIMS AUDITOR'S REPORTS** – none.

**IV. COMMUNICATIONS**

**A. Correspondence** - The following correspondence was presented for the Board's review.

1. Letter to Robert Rossi from Ms. Jessica D'Auria regarding Article 78 petition.
2. Letter to Robert Rossi from Mr. Steven Jenkins regarding Article 78 petition.
3. Letter to Robert Rossi from Mr. Neil Murtha regarding Article 78 petition.
4. Letter to Robert Rossi from Mr. Adam Sherrard regarding Article 78 petition.

MOTION by Mrs. Knox, seconded by Mr. Martella that the correspondence in Section A, as listed above, be received and the recommendations of the administration (where indicated) be accepted.

All aye. Motion carried (5-0).

**B. General Communications** – The following general communications were presented for the Board's review.

1. Nassau-Suffolk School Boards Association memo regarding annual NYSSBA Business Meeting.

MOTION by Mrs. Knox, seconded by Mr. Martella that the general communications listed above be received and filed.

All aye. Motion carried (5-0).

## **V. OLD BUSINESS**

### **A. Hiring Freeze**

Mr. Saggese stated that at the previous meeting he had brought up the idea of a hiring freeze on non-essential personnel. Mr. Ehmann stated that the department heads are going through the efficiencies that have been achieved over the last few years. This information will be shared either at a Business Affairs meeting, an Instructional meeting or at a general BOE meeting. Mr. Saggese asked if the Board could receive information on the number of employees, full-time and part-time; perhaps by W-2 reports. Mr. Saggese offered to share with the administration the 2005 report for use in compiling information showing the employment trend. Mr. Saggese reiterated that the objective is to slow the pace of the footprint of the District.

## **VI. COMMITTEE REPORTS**

### **A. Business Affairs**

Mr. Saggese reported that the purpose of the Business Affairs Committee meeting scheduled for October 20<sup>th</sup> was to go over the state refund and what we were going to do with it; however, we will not have the financial report by then. That report will be key for us to use; therefore, it was proposed that next week's meeting be cancelled. The BOE agreed to cancel the October 20<sup>th</sup> meeting.

### **B. Negotiations**

Mr. Saggese asked the administration for an update on negotiations. The Superintendent noted that he and Mr. Forzano had a couple of informal meetings. The administration is in the process of finding a date that the three parties can agree upon (District, STA and mediator).

## **VII. SUPERINTENDENT'S REPORT**

**A. Updates** – The Superintendent brought the Board up-to-date on the following items of interest:

- *Bullying, Drugs, Health and Safety: Smart Choices for Parents and Children* will be the theme of the District's Fourth Annual Parent University on Monday, October 25<sup>th</sup> at 7:30 p.m. at SHS West. The evening will highlight a panel of professionals. New this year will be a special pre-Parent University Workshop and Food Presentation/Tasting at 6:30 p.m. in the HSW Cafeteria. Chef/Dr. Robert Dell'Amore will present: ***The Power of FOOD: Raising the Bar for Our Children's Health.***
- Smithtown High School Seniors Erin Purdy and Angelina Seffens have been named Semifinalists in the 2011 National Achievement Scholarship Program. Officials of National Merit Scholarship Corporation announced the names of more than 1,600 Black American high school seniors who have been designated Semifinalists in the 47<sup>th</sup> Annual National Achievement Scholarship Program.
- Smithtown High School West Senior Ryan Schneider and Smithtown High School East Senior Nicole Aleman are the recipients of the National Hispanic Recognition Award.
- High School East and High School West have been named Schools of Distinction by Section 11 for the 2009-2010 school year.
- The Smithtown Teachers' Association made a donation to the Smithtown Children's Foundation to help those in need within our Smithtown Community and is proud to

support all three fire departments within the Smithtown, Nesconset and St. James communities by making donations to their annual drives.

- Congratulations to Mark Valentino, who organized a successful 5-K Run in memory of Coach Pat Harmon. More than \$10,000 was raised by the event and has been donated to the American Cancer Society.
- Smithtown High School East Musical Production *Sweeney Todd* will be presented on November 10<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup>.
- Smithtown High School West Thespian Troupe Production *Our Town* will be held on November 10<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup>.
- More than 250 Smithtown students at Nesaquake Middle School and High School East, along with their teachers, participated in a drive for Blanca's House, a volunteer group of healthcare professionals who donate their time to provide free medical treatment throughout the world. The students and teachers collected \$3,200 in monetary donations, 150 pairs of shoes, 300 backpacks, and enough school supplies to equip four schools in Ecuador for a year.
- The United States Air Force Concert Band and the Singing Sergeants performed a concert at HS West which received great reviews.
- Mr. Ehmann thanked Mr. Rob Varello for his donation of material and labor for the beautification of the entrance to HS East.
- The turf field at HS East will be turned over to the District on October 23<sup>rd</sup>.

#### **B. Committee on Special Education**

MOTION by Mrs. Knox, seconded by Mr. Martella approving Committee on Special Education Items 1-2 on a consent motion.

All aye. Motion carried (5-0).

1. Committee on Special Education - RESOLVED that the recommendations of the Committee on Special Education for cases 308233, 309353, 308205, 304527, 200980, 300307, 306069, 159040, 311729, 311728, 302434, 300325, 304131, 304012, 303972, 304414, 311714, 311210 and 305505 be approved.
2. Sub-Committee on Special Education – RESOLVED that the recommendations of the Sub-Committee on Special Education for cases 308047, 302655, 301190, 307329, 301979, 200077, 305493, 300556, 157350, 200838, 303694, 306911, 305687, 301446, 306756 and 304635 be approved.

#### **C. Committee on Preschool Special Education**

MOTION by Mrs. Knox, seconded by Mr. Martella approving Preschool Special Education Items 1-2 on a consent motion.

All aye. Motion carried (5-0).

1. Initial Placement for Preschool Special Education Program/Services – RESOLVED that the recommendations of the Committee on Preschool Special Education for Initial Placement – Program/Services for cases P311775, P310546, P311596 and P311639 be approved.
2. Special Education Preschool Annual IEP Review/Amended IEP – RESOLVED that the recommendations of the Committee on Preschool Special Education for Annual IEP Review/Amended IEP for cases P311620, P310903, P311202, P310651, P311452, P310811, P310596, P311341 and P310822 be approved.

**D. Calendar for October and November 2010** - The calendars were reviewed and amended by the Board.

#### **E. Litigation.**

**1. Denial of Indemnification Request**

MOTION by Mrs. Knox, seconded by Mr. Martella that WHEREAS, the Board of Education has received requests for defense and indemnification pursuant to Education Law Sections 3023 and 3811 by a District employee in a case brought by the People of the State of New York, Docket No. 2010SU043167; and

WHEREAS, neither Section 3023 nor Section 3811 authorize the District to provide for the defense or indemnification of an employee in a criminal proceeding; and

WHEREAS, the Superintendent of Schools notified the employee of the denial of the employee's first request by letter dated October 4, 2010;

BE IT RESOLVED, that the Board of Education hereby affirms the Superintendent's denial of the employee's first request for defense and indemnification and denies the employee's second request for defense and indemnification.

All aye. Motion carried (5-0).

**2. Denial of Indemnification Request**

MOTION by Mrs. Knox, seconded by Mr. Martella that WHEREAS, the Board of Education has been placed on notice of the commencement of an Article 78 proceeding in the matter of Catherine Guerriere v. Board of Education of Smithtown Central School District and Neil P. Murtha, Adam J. Sherrard, Jessica M. D'Auria and Steve M. Jenkins, Docket No. 10-30674; and

WHEREAS, Neil P. Murtha, Adam J. Sherrard, Jessica M. D'Auria and Steve M. Jenkins have been named as respondents in the proceeding;

WHEREAS, Neil P. Murtha, Adam J. Sherrard, Jessica M. D'Auria and Steve M. Jenkins served the District with requests for defense and indemnification; and

WHEREAS, the allegations of the above Article 78 proceeding do not arise from the performance of the individual Respondents' duties or actions within the scope of their employment; and

WHEREAS, the Superintendent of Schools notified the Respondents of the denial of their request by letter dated October 4, 2010; and

BE IT RESOLVED, that the Board of Education hereby affirms the Superintendent's denial of the requests for defense and indemnification.

All aye. Motion carried (5-0).

**VIII. INSTRUCTIONAL REPORT****A. 21<sup>st</sup> Century Skills**

Mrs. Cahill announced that this evening's presentation would be on the IAB's subcommittee "Preparing Students for the 21<sup>st</sup> Century". Ms. Bradshaw used a PowerPoint presentation highlighting a survey done with some of the graduating seniors and local businesses.

**IX. AUDIENCE** – Mr. Rossi welcomed the members of the audience and called speakers to the podium from the sign-in sheet.

1. Pam Farino questioned the cost incurred in hiring another interim administrator for Accomsett Elementary. Mrs. Farino asked when an RFP would be going out for the roof at High School West. She also noted the problems with leaks at Accomsett Elementary.
2. Rick Schломann questioned when cash flow reports and financial statements would again be on the agenda. Mr. Schломann asked if there has been any study with regard to how the national health care bill will impact the health care costs of the school district. Mr. Rossi asked that Ms. Niles inform the Board of any information she acquires at the December SSEHP meeting.
3. Stan Meyers stated that he wanted to share certain facts with the STA: Suffolk County has the highest foreclosure rate in the state; unemployment on LI is about 7.6%. Also the STA's job security is something that you should cherish and account for it in your contract negotiations. The taxpayers are going to have to make up for the pension funds. Mr. Meyers also stated that he is on Social Security and did not get a raise this year and will not be getting a raise next year.

**X. BUSINESS AFFAIRS**

**A. Finance**

MOTION by Mrs. Knox, seconded by Mr. Martella approving Finance Items 1 – 16 on a consent motion

All aye. Motion carried (5-0).

1. Financial Reports - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following reports for the months indicated be accepted:

1 – Reports of Claims Auditor  
7/31/10 and 8/31/10

2. Bid Recommendation - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following bid recommendation be approved as submitted herein:

08-03 Ext. Refrigeration Maintenance

3. Budgetary Transfers - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following budgetary transfers of funds be approved for the 2010-11 school year:

FROM:	2110-490-51-9500	BOCES Services	\$8,925.00	
TO:	1480-490-51-0000	BOCES Services		\$8,925.00
FROM:	See attached		\$194,404.56	
TO:	See attached			\$194,404.56

4. Extra Classroom Activity Accounts - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education hereby approves the following list of potential donors for Extra Classroom Activity Accounts for the 2010-2011 school year:

<u>School</u>	<u>Potential Donor</u>
Accompsett Middle School	PTA Donations Stop & Shop Target WaMu / Chase Bank
Branch Brook Elementary School	Chase Citibank Great American Opportunities

	Newsday PTA Donations Stop & Shop Target
Dogwood Elementary School	Chase Citibank Great American Opportunities Jack Keats Foundation, Inc. Newsday PTA Donations Stop & Shop Target
Great Hollow Middle School	PTA Donations Smithtown Kickers Target WaMu / Chase Bank
Mills Pond Elementary School	Chase Citibank Great American Opportunities Newsday PTA Donations Stop & Shop Target
Mt. Pleasant Elementary School	Chase Citibank Great American Opportunities Newsday PTA Donations Stop & Shop Target
Nesaquake Middle School	Bank of Smithtown PTA Donations Target WaMu / Chase
St. James Elementary School	Chase Citibank Great American Opportunities Newsday PTA Donations Stop & Shop Target
Smithtown Elementary School	Chase Citibank Great American Opportunities Newsday PTA Donations Stop & Shop Target
Tackan Elementary School	Chase Citibank Great American Opportunities Newsday PTA Donations Stop & Shop Target

5. Contract for Health Presentation - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual, to present "Energy Drinks A New Eye Opener" to the District's health students at both high schools and the middle schools, during the 2010-11 school year, at a cost of \$300.00 per presentation:

MaryAnn Birmingham  
Suffolk County Department of Health Services  
225 East Rabro Drive  
Hauppauge, NY 11788

The funds for this program will come out of the Title IV Safe and Drug Free Grant.

6. Contract for HIV/AIDS Awareness Presentations - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual, to make HIV/AIDS Awareness Presentations at Smithtown High School East and West, during the 2010-2011 school year, at a cost of \$375.00 per presentation:

Juliann Canzoneri  
49 Devon Street  
Malverne, NY 11565

7. Contract for Sports Medicine and First Aid Presentations - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual, to make Sports Medicine and First Aid presentations to Smithtown High School East and West, during the 2010-2011 school year, at a cost of \$75.00 per presentation:

Christopher Fischer  
28 Vernon Valley Road  
East Northport, NY 11731

8. Contract for Presentations - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual, to make Eating Disorders presentations at Smithtown High School East and West, during the 2010-2011 school year, at a cost of \$150.00 per presentation:

Kelly Imperial  
69 Hurtin Blvd.  
Smithtown, NY 11787

9. Appointment of Faculty Auditor - upon the recommendation of the Superintendent of Schools, be it RESOLVED, that Theresa Livingston be appointed as Faculty Auditor for the 2010-2011 school year, to oversee the Extra Classroom Student Activity funds, at no additional cost to the District.

10. Contract for Alcohol and Drug Dependency Presentation - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual, to present "Too Good for Drugs" to the students at Smithtown Central School District, during the 2010-2011 school year, at a cost of \$5,000.00 for the program:

Jeffrey Reynolds  
207 Hillside Avenue  
Williston Park, NY 11596

11. Contract for Special Education Private School Placement - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to enter into a contract for the 2010-11 school year with the private school listed below for the placement of students with handicapping conditions, as approved by the Committee on Special Education:

New York Institute of Technology  
P.O. Box 392  
Northern Blvd.  
Old Westbury, NY 11568

12. Contracts for Special Education Public School Placements - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to enter into contracts for the 2010-11 school year with the public schools listed below for the placement of students with handicapping conditions, as approved by the Committee on Special Education:

Harborfields Central School District  
Mount Sinai Union Free School District  
North Babylon Union Free School District  
Northport-East Northport Union Free School District  
Port Jefferson Union Free School District

13. Contract for Speech Therapy Services - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following organization to provide P.R.O.M.P.T. Speech Therapy Services, for the 2010-11 school year:

All About Kids aka Mid Island Therapy Associates  
150 Vanderbilt Motor Parkway  
Suite 401  
Hauppauge, NY 11788  
\$225.00 each P.R.O.M.T. evaluation

Note: P.R.O.M.T. is a specialized speech service for severely language impaired students. Some of these students are educated in our elementary schools.

14. Contract for Speech Services - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following organization to provide speech services, for the 2010-11 school year, at the rates listed:

Acoustic Achievements  
16 Victory Street  
Ronkonkoma, NY 11779  
\$130.00/hr. Speech Therapy (school or office location)  
\$150.00/hr. Teacher of Hearing Impaired, Aural/Cochlear Implant Rehabilitation (school location)  
\$130.00/hr. Teacher of Hearing Impaired, Aural/Cochlear Implant Rehabilitation (@ Acoustic Achievements Office)

15. Contract for Workshops - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following individual to present nutrition workshops, "Break the Sugar & Eating for Energy", on Superintendent's Conference Day, November 2, 2010, at a cost of \$69.16/hr. with a maximum of 3 hours:

Jennifer Kelly  
167 Rosewood Road  
Kings Park, NY 11754

16. Contract for Behavioral/ABA Training - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute a contract with the following organization, during the 2010-2011 school year, to provide Behavioral/Applied Behavioral Analysis (ABA) at the rates listed:

Variety Child Learning Center  
47 Humphrey Drive



Syosset, NY 11791

\$55.00/30 min. per child Behavioral/ABA Training from Certified Teacher  
\$30.00/30 min. per child Behavioral/ABA Training from Teacher Assistant

**B. Operations**

MOTION by Mrs. Knox, seconded by Mr. Martella approving AMENDED Operations Items 1-2 on a consent motion.

**Discussion** – Mr. Rossi noted that the Booster Club’s gift had been withdrawn; there might have been some liability issues. Typically, such a donation is done in a way of funding so that the District can then make the purchase.

All aye. Motion carried (5-0).

1. Declaration of Obsolete Items - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following items, due to poor condition and/or obsolescence, are no longer useful to the District, and are hereby declared to be obsolete, and are to be disposed of in a manner that is in the best interest of the Smithtown Central School District:

- Amsco’s Mathematics B, ISBN 9791567655512, total count: 83;
- Amsco’s Preparing for the Regents Examination Mathematics B, 9781567655568, total count: 251 at High School West
- Attached lists of overhead projectors/carts in the elementary schools
- Burroughs Check-Signing Machine #7005465 in Accounting Department
- AV equipment at Nesaquake Middle School:
  - 4 Eiki Overheads Model #3875 BA, Serial #'s 4201053, 4202084, 4202069, and 4202032
- Pole Vault Mats at Nesaquake Middle School

2. Acceptance of Gifts - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education authorizes the acceptance of the following gifts:

	<u>Donated By</u>
<b>(WITHDRAWN)</b> Four ION D concussion football helmets to High School West	The Booster Club P.O. Box 166 Smithtown, NY 11787
Base and pole pads for the volleyball system at Branch Brook Elementary	The Long Island Volleyball Club 34 Maple Glen Lane Nesconset, NY 11767
\$693.00 to fund field trips for the 2010-2011 school year	Tackan Elementary parents
Clarinet and Violin donation to Nesaquake Middle School	Denise Viup & Family 12 Longley Place Huntington Station, NY 11746

**XI. PERSONNEL**

**A. Certified** – The following AMENDED Certified Personnel Items were presented for the Board’s approval (Attachment XI. A. 1-11):

1. Appointment of Substitute Teachers
2. Appointment of Interim Administrator
3. Appointment of Regular Substitute Academic Intervention Tutor
4. Appointment of Event Chaperone(s)
5. Request for FMLA, Leave of Absence W/O Pay

6. Appointment of Co-Curricular Activities Sponsors
7. Appointment of Potential Proctors/Hall Monitors
8. Appointment of Possible Parade Directors
9. Notice of Resignation
10. Partial Restoration to Former Position
11. Appointment of Academic Intervention Tutors

MOTION by Mrs. Knox, seconded by Mr. Martella approving the Amended Certified Personnel Items 1-11, as detailed in the attached resolutions.

All aye. Motion carried (5-0).

**B. Classified** - The following Classified Personnel Items were presented for the Board's approval (Attachment XI. B. 1-8):

1. Appointments
2. Appointment – Reason(s)
3. Change of Status
4. Change of Status – Reason(s)
5. Leave of Absence Unpaid
6. Leave of Absence – Reason(s)
7. Resignation
8. Correction from prior Board Meeting

MOTION by Mrs. Knox, seconded by Mr. Martella approving the Classified Personnel Items 1-8, as detailed in the attached resolutions.

All aye. Motion carried (5-0).

## **XII. NEW BUSINESS**

### **Encroachment**

Mr. Saggese stated that the District has been discussing whether to notify homeowners about their encroachment on District property. The District needs to go forward on this issue.

### **Negotiations**

Mr. Saggese asked for an update on the SSEA negotiations. Mrs. Ricigliano reported that the administration had negotiations with the SSEA on 9/15 and 10/7; meetings are scheduled for 10/27, 11/17 and 12/9.

## **XIII. ADJOURNMENT**

MOTION by Mrs. Knox, seconded by Mr. Martella that the meeting be adjourned at 9:00 p.m.

All aye. Motion carried (5-0).

Respectfully submitted,

Mary Wilson  
District Clerk