

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

October 13, 2009

Held in the Joseph M. Barton Bldg.

Meeting called to order at 6:30 p.m. by Robert Rossi, President of the Board of Education. On motion by Mrs. Waldron, 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.

At 8:11 p.m. Mrs. Waldron moved, Mr. Liguori seconded, and the Board reconvened the Regular Meeting.

Members present:

Neil S. Carlin	Robert Rossi
Louis Liguori	Joseph T. Saggese
Scott Martella	Gladys M. Waldron

Members absent:

Theresa Knox

Also present:

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

OPENING CEREMONY - conducted by Mr. Rossi

MINUTES - of the Regular Meetings held September 8 and 22, 2009 and the Special Meeting September 4, 2009 were presented for approval.

MOTION by Mrs. Waldron, seconded by Mr. Saggese that the above minutes be approved as presented.

All aye. Motion carried (6-0).

RECEIPT OF CLAIMS AUDITOR'S REPORTS - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Claims Auditor's Reports ending July 31, 2009 in the amount of \$11,367,387.20 and August 31, 2009 in the amount of \$8,189,329.35 be accepted.

MOTION by Mrs. Waldron, seconded by Mr. Saggese that the Claims Auditor's Reports be accepted.

All aye. Motion carried (6-0).

COMMUNICATIONS

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

1. Letter to Robert Rossi from Derek Solomon and Michael Aleci regarding Spirit Parade.
2. Letter to Board of Education from Supervisor Vecchio regarding invitation.
3. Letter to Members of the School Board from Nassau-Suffolk School Boards Association regarding proposed resolutions for annual NYSSBA Business Meeting.

MOTION by Mrs. Waldron, seconded by Mr. Saggese 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 (6-0).

Section B - General Communications – There were no general communications presented for the Board's review.

OLD BUSINESS

Mr. Saggese requested that the administration review the use of district-owned cell phones and try to reduce the cost by approximately fifty percent. The fifty percent figure was used to coincide with the figure used by the administration to reduce the stand-alone appliance electricity costs.

COMMITTEE REPORTS

Business Affairs

Mr. Saggese announced that the Audit Committee met on October 2nd. At that meeting the committee received the Internal Auditor's Report on risk assessment which contained a very good summary of the schedule of project expenditures – capital projects fund of the District. Mr. Saggese reported that the Audit Committee has directed the Internal Auditors to review the RFP for transportation in coordination with our RFP going forward.

A Business Affairs Committee Meeting is scheduled for tomorrow, 10/14. One agenda item will be the large bus transportation RFP. After back-and-forth discussion regarding flow of information, it was agreed that the TANS amount to be borrowed next year will be discussed next summer before the actual note sale. Mr. Saggese suggested that the District might have been able to borrow a lower amount this year.

Facilities

Mr. Liguori announced that a Facilities Committee Meeting will be held on Thursday, 10/15, to review the status of the projects that are on-going throughout the District and to plan on what can be done with any available additional funds.

Instructional Services

Mrs. Waldron announced that a meeting will be held on October 29th regarding AIS. Mr. Carlin requested that the Board receive the report a week ahead of time (10/22) to give the Board an opportunity to review the documents. This would allow the Board to formulate their questions prior to the actual meeting on October 29th. Mrs. Cahill agreed to the request. Mr. Carlin also requested that the presentation include the cost associated with the program. SED guidelines use minimum requirements of remediation of Levels 1 and 2. Mr. Carlin requested that the documentation show the number of students in each of the levels higher than 2 and the costs associated with anything above Level 2. Mrs. Cahill stated that she believes the presentation will answer all of the Board's questions. Mr. Carlin added that these numbers will enable the District to calculate how many AIS instructors are needed relative to the number of students.

Policy

Mr. Martella announced that there will be a meeting on October 20th at 7:00 p.m. to discuss Purchasing Authority. Referencing Policy 8410, Student Transportation, Mr. Martella asked that the Board be given the figures of students within a five-mile radius. Right now current policy sets the maximum limit at 20 miles; the State law is 15. Most neighboring districts are 15. The

administration noted that it is not as much a savings as you would think; but will provide the numbers.

SUPERINTENDENT'S REPORT

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

- SHS has three Semifinalists and 14 Commended Students named in the 2009 National Merit Scholarship Program. Francis Pinter, Alexander Spangher and Lucas Spangher have been named Semifinalists. The Commended Students are Joshua Weiss, Meagan Voulo, Valentine Esposito, John Dodaro, Kersten Folkerts, Ilana Selli, Stephanie Chocko, Matthew Hung, Bryan Kane, Reena Glaser, Eric Caruso, Jessica Noviello, John Carlson and Kelsey Roach.
- Amy Rapp, a senior at Smithtown High School East, has been selected as a recipient of the National Hispanic Recognition Program for Excellence in Academic Achievement.
- SHS West student, Taylor Rinefierd, received the NCTE (National Council of Teachers of English) Achievement Award for superior performance in writing.
- John Carlson, a senior at SHS West, has been selected as a recipient of the Rensselaer Medal, sponsored by Rensselaer Polytechnic Institute.
- Thirteen students have been selected as NYSSMA All State Participants and thirty-nine students selected for the NYSCAME/SCMEA 2009 All County Festival.
- A Business Affairs Meeting has been scheduled for October 14th, a Facilities Committee Meeting is scheduled for October 15th, and a Policy Committee Meeting will be held on October 20th. All of the meetings are at 7 p.m. at the Joseph M. Barton Administration Building at 26 New York Avenue.
- *Worried About Swine Flu?* will be the theme of the District's Fall Parent University on Monday, October 26th at 7:30 p.m. at High School West. Guest speakers will include a physician who is an expert in epidemiology and infectious diseases, a Suffolk County Health Department official, and school nurses. Please check the District website and Digest for further information.
- The Smithtown School District joined with Shanti Fund to celebrate "Pathways to Peace" at SHS East with a series of musical, dramatic and artistic performances in addition to speakers and great Indian food.
- Both SHS East and West will hold their annual Safe Halloween Program titled *Spooky Hallways* on Friday, October 30th from 3:30 to 6:30 pm at the respective schools. Elementary students, grades K-5, are invited to participate in fun activities.
- The Smithtown Teachers' Association (STA) made donations to all three fire departments in Smithtown to thank them for their dedicated service to the Smithtown Community. They also held a fundraiser to raise money for Breast Cancer Awareness and research.
- The SHS Guidance Department recently held three Parent Workshops entitled: College Application Process Workshop, College Testing Workshop and Transition to High School Workshop.
- A Parent Forum will be held October 28th for the parents of seniors of both HS East and West. This will be a mandatory one and one-half hour meeting.

Committee on Special Education

MOTION by Mrs. Waldron, seconded by Mr. Carlin that the recommendations of the Committee on Special Education for cases 310194, 306939, 310577, 304636, 306513, 194729, 304229, 300307, 310606, 302935, 310605, 310637, 161260, 310628, 304527, 302381, 304636, 303720, 310635, 304004, 305643, 301678 and 192179 be approved.

All aye. Motion carried (6-0).

Sub-Committee on Special Education

MOTION by Mrs. Waldron, seconded by Mr. Carlin that the recommendations of the Sub-Committee on Special Education for cases 302989, 303872, 301383, 301354, 309496, 305545, 200114, 306140, 300562, 178168, 302840, 308618, 308625, 308025, 179388, 304358, 182398, 304850, 180098, 200372, 304493, 150730, 302417, 304680, 178168 and 181628 be approved.

All aye. Motion carried (6-0).

Committee on Preschool Special Education

MOTION by Mr. Carlin, seconded by Mrs. Waldron that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the recommendations of the Committee on Preschool Special Education for Initial Placement – Program/Services for cases P310594, P310647, P310597, P310653, P310533, P310596, P310642, P310671 and P310548 be approved.

All aye. Motion carried (6-0).

MOTION by Mr. Carlin, seconded by Mrs. Waldron that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the recommendations of the Committee on Preschool Special Education for Annual IEP Review/Amended IEP for cases P310356, P310496, P309834, P309674, P310194, P310356, P309708, P310234, P310417, P309709, P310467 and P310356 be approved

All aye. Motion carried (6-0).

Calendar for October and November 2009 - The calendars were reviewed and amended by the Board.

Adoption of REVISED 2009-2010 School Year Calendar

MOTION by Mrs. Waldron, seconded by Mr. Saggese that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the attached revised 2009-2010 school district calendar be adopted.

All aye. Motion carried (6-0).

Litigation - was discussed during the earlier Executive Session.

INSTRUCTIONAL REPORT

MOTION by Mrs. Waldron, seconded by Mr. Martella approving Instructional Items A-C on a consent motion

All aye. Motion carried (6-0).

A. Overnight Field Trip Request – Smithtown High School West Varsity Kickline – March 5-9, 2010 – National Kickline Competition – Orlando, Florida - upon recommendation of the Superintendent of Schools, be it RESOLVED, that permission is granted for 20 students from Smithtown High School West Varsity Kickline to compete in the National Dance Alliance Championship, a National Kickline Competition, at Universal Studios, Orlando, Florida. Students will depart March 5, 2010 and return March 9, 2010.

B. Overnight Field Trip Request – Smithtown High School East and West Music Students – December 3-6, 2009 – All State Music Conference – Rochester, NY - upon recommendation of the Superintendent of Schools, be it RESOLVED, that permission is granted for 8 students from Smithtown High School East and West to perform in the All State Music Conference at the Eastman School of Music in Rochester, New York. Students will depart on December 3, 2009 and return December 6, 2009.

C. Career Exploration Program – upon recommendation of the Superintendent of Schools, be it RESOLVED, that permission is granted for the inclusion of the Career Exploration Program as a program option for high school students in the Smithtown Central School District. The program operational guidelines will be developed and collaborated with the New York State Education Department and Mary Pat Grafstein who is the Work Experience Coordinator for the district and will act as the Program Coordinator representing the school district.

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

1. Joseph Campanelli asked for an overview and the District’s timeline regarding negotiating several major upcoming contracts.
2. Jim Bartunek suggested that the District look into a pay-for-performance piece in the next teachers’ contract and an end to the tenure system.

BUSINESS AFFAIRS

Finance

MOTION by Mr. Saggese, seconded by Mrs. Waldron removing Item #16, to be voted upon separately.

All aye. Motion carried (6-0).

MOTION by Mrs. Waldron, seconded by Mr. Martella approving Finance Items 1 – 15 on a consent motion

All aye. Motion carried (6-0).

MOTION by Mrs. Waldron, seconded by Mr. Liguori approving Finance Item 16 on a consent motion

Mr. Saggese voted NO, motion carried (5-1).

Discussion

Item #4 – Mr. Carlin asked if this presentation was for teachers only. The answer was yes.

Item #6 – Mr. Martella asked for clarification regarding the rescinding of school physician.

1. **Bid Recommendations** - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following bid recommendations be approved as submitted herein:

- | | | |
|--------|------------|---------------------------------------|
| 08-33R | Rebid Ext. | Dust Mop Rental |
| 08-49 | Ext. | Concrete & Masonry Work |
| 08-50 | Ext. | Pointing and Sealing Brick |
| 09-40 | | Temperature Control Maintenance |
| 09-42R | | Automatic Temperature Controls & HVAC |
| | | Parts & % Discount |
| 09-45 | | Ice Melt Compound |
| 09-47 | | Musical Instrument Rental |

2. **Budgetary Transfers** - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following budgetary transfers of funds be approved for the 2009-10 school year:

FROM: 1621-449-51-0000 Prof/Tech \$9,768.00

TO: 1621-490-51-0000 BOCES Services \$9,768.00

3. 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 2009-2010 school year:

<u>School</u>	<u>Potential Donor</u>
Accompsett Middle School	PTA Donations Stop & Shop Target WaMu/Chase Bank
Nesaquake Middle School	Bank of Smithtown PTA Donations Target WaMu/Chase Bank

4. Contract for 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 Break the Sugar & Eating for Energy, on Superintendent's Conference Day, November 3, 2009, at a total cost of \$250.00:

Jennifer Ferraiuolo Kelly
167 Rosewood Road
Kings Park, NY 11754

5. 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 2009-10 school year with the public schools listed below for the placement of students with handicapping conditions, as approved by the Committee on Special Education:

Brentwood Union Free School District
Central Islip Union Free School District
Commack Union Free School District
Comsewogue Union Free School District
Connetquot Central School District
Half Hollow Central School District
Longwood Central School District
Middle Country Central School District
Miller Place Union Free School District
New York City Department of Education, District 11
North Babylon Union Free School District
Patchogue-Medford Union Free School District
Port Jefferson Union Free School District
Port Washington Union Free School District
Shoreham-Wading River Central School District
South Country Central School District
Three Village Central School District
West Islip Union Free School District

6. Rescind School Physician Appointments - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to rescind the appointments of the following physicians, for the 2009-2010 school year, previously approved on the Organizational Meeting, July 7, 2009:

Dr. Augustus Mantia
Dr. Philip Mantia
North Shore Medical Group

496 Nesconset Highway, Suite 105
 Smithtown, NY 11787-1454

7. External Auditor’s Management Representation Letter - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to sign the Management Representation Letter with R.S. Abrams & Company, LLP, dated July 15, 2009 in connection with their audit of the District’s financial statements as of June 30, 2010.
8. Agreement with CBIZ Valuation Group, LLC - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to execute an agreement between the Smithtown Central School District and CBIZ Valuation Group, LLC for Supplemental Consulting Services to provide capital asset electronic update services for the fiscal year, 6/30/09, for a fee of \$3,350.00.
9. Contract for Occupational 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 for the 2009-10 school year, to provide home based Occupational Therapy services, at the rates indicated:

Kids OT Workshop
 213 Hallock Road
 Suite 2B
 Stony Brook, NY 11790
 Occupational Therapy Services:
 \$45.00 per 30 min. session
 \$67.50 per 45 min. session
 \$99.00 per 60 min. session
 \$225.00 per each OT evaluation

10. Reallocation of Revenue – Year Ending June 30, 2009 - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education approves the reallocation of \$5,000,000 from revenue code A3289.000 (other State Aid) to A3101.00 (General Aid), as per the External Auditors’ direction.
11. Settlement Approval - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education is hereby authorized to approve the settlement for the attached stipulation in the amount of \$44,454.04, to be taken from the legal liability reserve.
12. Increase in 2008-2009 Budget and Revenues - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education hereby approves an increase in the 2008-09 budget for the payment of the settlement approval, resolution #11, in the amount of \$44,454.04, as per the External Auditors’ direction.

And be it further RESOLVED, that the revenues be adjusted and increased as follows:

A5997	\$44,454.04
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to be appropriated from the Liability Reserve.

13. Contract for Presenter - 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 two Zumba sessions at Superintendent’s Conference Day, November 3, 2009, at a cost of \$150.00 per session:

Bobbi Ann DePierro
 Bobbi Ann DePierro Consulting
 1301 Orchid Circle
 Bellport, NY 11713

14. Contract for Staff Development 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 individual/organization, to provide three hours of Staff Development training on a handwriting program, Handwriting Without Tears, for teachers new to kindergarten at \$125.00 per hour for a total fee of \$375.00:

Kristen Behrman
 New York Therapy Placement Services
 5225 Nesconset Highway
 Pt. Jefferson Station, NY 11776

15. Workers' Compensation Payment - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education is hereby authorized to approve the Workers' Compensation payment as discussed in Executive Session for employee (A).

16. Acceptance of Tax Anticipation Note Sale - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the sale of tax anticipation note in the amount of \$25,000,000, as indicated below, be hereby ratified:

June 25, 2010 Maturity

<u>Winning Bid</u>	<u>Amount</u>	<u>Coupon Rate</u>	<u>Premium</u>	<u>NIC</u>
JP Morgan Securities Inc.	\$25,000,000	1.000%	\$96,747.73	0.433672%
	Budgeted Interest	\$562,499.00		
	Interest to be Paid	<u>170,833.33</u>		
	Savings	\$391,665.67		

Operations

MOTION by Mrs. Waldron, seconded by Mr. Saggese approving Operations Items 1-3 on a consent motion.

All aye. Motion carried (6-0).

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:

- 18 Holt Social Students books, titled "People", edition 1986, at Dogwood Elementary
- Attached list of computer equipment
- Attached list of books at Mt. Pleasant Elementary *
- Attached list of AV equipment from Nesaquake Middle School
- Attached list of equipment from Nesconset Elementary
- Attached list of equipment from Smithtown Elementary
- Attached list of equipment from the Smithtown Teacher Center
- Sharp TV, model #25RV69, serial #343172, at Tackan Elementary

* List available upon request

2. Additions to List of Organizations Approved to Use School Facilities, 2009-10 School Year – upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following organizations, having made formal application, are hereby approved for applying to use school facilities of the Smithtown Central School District during the 2009-10 school year, subject to all school district policies, rules and regulations, Standard Uniform Practices and contract provisions.

Boy Scout Troop 111
 Branch Brook Children’s Foundation
 Catholic Middle School League
 Smithtown Friends of Music
 Smithtown Center for Rehabilitation & Nursing Care
 Suffolk County Boy Scouts
 Village of the Branch Soccer Club
 Windcrest @ Galleria H.O.A., Inc.

3. 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:

Donated By

1990 Toyota CST, ID No.
 JT2ST87N8L0021675

Mr. Stu Morecraft
 4640 Andier Avenue
 Durham, NC 27703

Shrubs, plantings, fence and appropriate landscaping around the Arthur House to restore it to its original appearance for his Eagle Scout Project

Kevin Rooney
 15 Thide Court
 Smithtown, NY 11787

\$488.80 for instructional supplies at Accomsett Elementary School

Target
 Take Charge of Education
 Mail Stop 2A-O
 P.O. Box 59214
 Minneapolis, MN 55459-0214

PERSONNEL

Certified – The following Amended Certified Personnel Items were presented for the Board’s approval (Attachment XI.A.1-16):

1. Notice of Resignation
2. Appointment of Regular Substitute Academic Intervention Tutor
3. Appointment of Academic Intervention Tutors
4. Appointment of Instructional Specialists 2009-2010
5. Appointment of Regular Substitute Teacher
6. Appointment of Part-Time Teacher
7. Appointment of SAT/PSAT Test Coordinators
8. Decrease of Assignment/Change of Status
9. Increase of Assignment/Change of Status
10. Appointment of Home Instruction Tutor(s)
11. Coaching Assignment Correction
12. Appointment of Interim Administrator
13. Appointment of STEMS Program Instructor
14. Appointment of Co-Curricular Activities Sponsors
15. Appointment of Substitute Teachers
16. Appointment of Volunteers

MOTION by Mrs. Waldron, seconded by Mr. Liguori approving the Amended Certified Personnel Items 1-16, as detailed in the attached resolutions.

Discussion

Item # 11 – Mr. Carlin asked if there has been a replacement hired for the cheerleading coach. Mrs. Ricigliano responded, no. Mr. Saggese noted that the HS East Varsity cheerleading squad has twelve students and two coaches. Mr. Rossi requested that the administration look into this situation and get back to the Board as quickly as possible.

All aye. Motion carried (6-0).

Classified - The following Classified Personnel Items were presented for the Board's approval (Attachment XI.B.1-7):

1. Appointments
2. Change of Status
3. Leave of Absence Unpaid
4. Leave of Absence – Reason(s)
5. Resignation
6. Terminations
7. School District Treasurer

MOTION by Mr. Martella, seconded by Mrs. Waldron approving the Classified Personnel Items 1-7, as detailed in the attached resolutions.

Discussion

Item #2 – Mr. Rossi asked for clarification regarding the change in Maintenance Mechanic title. The clarification was provided.

All aye. Motion carried (6-0).

NEW BUSINESS – none.

MOTION by Mrs. Waldron, seconded by Mr. Saggese at 9:10 p.m. to move into Executive Session to discuss Litigation.

All aye. Motion carried (6-0).

MOTION by Mrs. Waldron, seconded by Mr. Martella that the Board come out of Executive Session at 10:15 p.m. The Board noted that no motions were made during Executive Session.

All aye. Motion carried (6-0).

ADJOURNMENT

MOTION by Mrs. Waldron, seconded by Mr. Martella that the meeting be adjourned at 10:15 p.m.

All aye. Motion carried (6-0).

Respectfully submitted,

Mary Wilson
District Clerk