

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

August 28, 2008

Held in Joseph M. Barton Bldg.

Meeting called to order at 7:20 p.m. by Carl Gianino, President of the Board of Education.

Members present:

Neil S. Carlin	Louis Liguori
Carl E. Gianino	Joseph T. Saggese
Theresa Knox	Gladys M. Waldron

Members absent:

Robert Rossi

Also present:

Edward Ehmann, Superintendent  
Mary Cahill, Asst. Supt.  
Karen Ricigliano, Asst. Supt.  
Peter G. Albert, Board Counsel  
Visitors  
Mary Wilson, District Clerk

**OPENING CEREMONY** - conducted by Mr. Gianino. Mr. Gianino apologized for the late start of the meeting.

**COMMUNICATIONS**

**Section A - Correspondence** – none.

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

1. WS BOCES Minutes – July 8, 2008.

MOTION by Mrs. Waldron, seconded by Mrs. Knox that the above general correspondence be accepted.

All aye. Motion carried (6-0).

**OLD BUSINESS**

**Annex General Contracting, Inc. Contract**

The Superintendent announced that the Annex General Contracting Company has signed a release from the Branch Brook project. Tonight Mr. Gianino will sign the release so that we can move forward and accept the bid from Aparo.

**Authorization to Release Annex General Contracting, Inc.**

MOTION by Mrs. Knox, seconded by Mrs. Waldron that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to sign and execute the General Release with regards to the dispute with Annex General Contracting, Inc.

All aye. Motion carried (6-0).

**Amended Certified Personnel – Non-Aligned, Non-Instructional Personnel Merit Pay**

**Classified Personnel – Non-Aligned, Non-Instructional Personnel Merit Pay**

The Superintendent announced that he would be asking for the Merit Pay resolutions to be passed.

MOTION by Mrs. Waldron, seconded by Mrs. Knox that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following **Amended** Non-Aligned, Certified Personnel of the Smithtown Central School District shall receive merit pay for the achievement of specific goals and objectives for the 2007-2008 school year as per the list below:

<u>Name</u>	<u>Title</u>	<u>Merit Pay Amount</u>
Mary Cahill	Assistant Superintendent	\$5,000
Karen Ricigliano	Assistant Superintendent	\$5,000
Steven Epstein	Coordinator of Budget and Capital Projects	\$3,500
Meryl Ain	Assistant to Superintendent	\$1,000
Jennifer Bradshaw	Director of Curriculum	\$5,000
Patricia Russo	Director of Adult Education	\$1,000

MOTION by Mrs. Waldron, seconded by Mrs. Knox that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following Non-Aligned, Non-Instructional Personnel of the Smithtown Central School District shall receive merit pay for the achievement of specific goals and objectives for the 2007-2008 school year as per the list below:

<u>Name</u>	<u>Title</u>	<u>Merit Pay Amount</u>
Mary Augugliaro	Transportation Supervisor	\$5,000
Regina Dunne	School Lunch Director	\$3,500
Neil Goldman	Purchasing Agent	\$3,500
Peter Mastrangelo	Network Specialist	\$3,000
John Nolan	Network & Systems Coordinator	\$5,000
Joseph Piro	Plant Facilities Administrator	\$5,000

Discussion - Mrs. Waldron asked the Superintendent who decided the amount of pay for these positions. Mr. Ehmann responded that he had made that determination. The Board approved a cost of living increase for the central office administrators and then, dependent upon goals established by these individuals and the Superintendent, at the end of the year we established a stipend. The stipend is called merit pay in the sense that they have deserved these amounts based on performance of their goals achieved throughout the year. Mrs. Waldron added that these people have satisfied your desires in how they obtained their goals on all of the positions that should be here. Mr. Ehmann responded yes, for the 07-08 school year.

**VOTE ON MOTION**

YES Mr. Carlin, Mr. Liguori, Mrs. Knox, Mrs. Waldron, Mr. Gianino

NO Mr. Saggese

Motion carried (5-1).

**COMMITTEE REPORTS**

**Facilities**

Mr. Liguori reported that a meeting was held last week and there will be one held each month. The following facts regarding our facilities were reported:

- The temporary classrooms at Accomsett Elementary have been demolished
- Great Hollow Middle School lockers are in
- The fields at Great Hollow are being reseeded and watered through a water canon
- Accomsett MS is scheduled for locker replacement on November 1<sup>st</sup>
- Nesaquake MS is scheduled for locker replacement on November 15<sup>th</sup>
- The Dogwood Elementary School turf is being installed in the playground. Mr. Ehmann added that the NYS Department of Health has given the green light to synthetic turf. We are still waiting for the Department of Environmental Conservation to do its impact study, but the play area at Dogwood is so small that we have approved the installation of the synthetic turf in that play area.
- The elementary schools have air conditioning in the computer labs
- 77 Smart Boards have been installed throughout the District

### **Instructional Services Committee**

Mrs. Waldron reported that there will be Instructional Services Committee meetings October 7<sup>th</sup> on Grading and November 10<sup>th</sup> on Math.

### **SUPERINTENDENT'S REPORT**

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

- Thanks were extended to Assemblyman Fitzpatrick for getting a grant for the Smithtown School District last year for the enhancement of our communication – the new digital sign at the intersection of New York Avenue and Jericho Turnpike.

**Calendar for August and September 2008** - The calendars were reviewed and amended by the Board.

**Litigation** - was discussed during the earlier Executive Session.

### **INSTRUCTIONAL REPORT**

#### **Overnight Field Trip Request - Smithtown High School East AP Physics with Calculus Student – September 9, 2008- September 10, 2008 – Launching of the Large Hadron Collider – Fermilab, Batavia, Illinois**

MOTION by Mrs. Waldron, seconded by Mrs. Knox that upon recommendation of the Superintendent of Schools, be it RESOLVED, that permission is granted for 1 student from Smithtown High School East AP Physics with Calculus class to witness the Launching of the Large Hadron Collider in Geneva, Switzerland from the Fermilab in Batavia, Illinois. Student will depart September 9, 2008 and return September 10, 2008.

All aye. Motion carried (6-0).

**SECTION C - AUDIENCE** – no speakers.

### **BUSINESS AFFAIRS**

#### **Finance**

MOTION by Mrs. Knox, seconded by Mrs. Waldron approving Finance Items 1-7 on a consent motion.

All aye. Motion carried (6-0).

1. Budgetary Transfers - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following budgetary transfers of funds be approved for the 2007-08 school year:

FROM: See attached list \$26,580.97  
**2007-2008**

TO: See attached list \$26,580.97  
**2007-2008**

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

07-37 Rebid Waste Water System Replacement at Branch Brook  
 Elementary – SED#58-08-01-06-0-030-017, subject to  
 obtaining a release from Annex General Contracting, Inc.  
 08-40 Partitions

3. Review of Smithtown Schools Employees' Association Welfare and Benefit Fund - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the firm, R.S. Abrams & Company, be appointed to review the Smithtown Central School District's SSEA Welfare and Benefit Fund for the 2007-08 school year at a fee of \$6,300.
4. Review of Smithtown Teachers' Association Benefit Trust Fund - upon recommendation of the Superintendent of Schools, be it RESOLVED, that R.S. Abrams & Company be appointed to review the Smithtown Central School District's STA Benefit Trust Fund for the 2007-08 school year at a fee of \$6,300.
5. Contract for Health and Health-Related 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 for the 2008-09 school year with the school district listed below to provide health and health-related services for Smithtown students attending private and parochial schools in the school districts indicated, pursuant to Section 912 of the New York State Education Law:

Mineola Union Free School District

6. Amended Contract with Amy Benjamin - 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, as a Staff Developer, on Superintendent's Conference Day, October 10, 2008, at a fee of \$2,000.00, plus hotel:

Amy Benjamin  
 1427 14<sup>th</sup> Street  
 Lakewood, New Jersey 08701

7. SEQRA Recommendation – Smithtown Middle School (H.S. East) - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the Board of Education of the Smithtown Central School District, after review of the action proposed at Smithtown Middle School (High School East), hereby determines that the proposed dugouts are a Type II Action pursuant to 6NYCRR Part 617.5(c)(2) of the implementing regulations of the State Environmental Quality Review Act, and will, therefore, by definition, have no significant adverse impact on the environment.

*Approved under Old Business* - 8. Authorization to Release Annex General Contracting, Inc. - upon recommendation of the Superintendent of Schools, be it RESOLVED, that the President of the Board of Education is hereby authorized to sign and execute the General Release with regards to the dispute with Annex General Contracting, Inc.

**Operations**

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

All aye. Motion carried (6-0).

1. 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><u>AMENDMENT</u></b> \$1,731.44 for the purchase of one pair of soccer goals for High School East soccer teams, previously approved on 8/12/08 as the actual goals	The Booster Club P.O. Box 166 Smithtown, NY 11787
Donation of approximately \$34,500 for new dugouts at High School East (Final amount will cover all expenses.)	The Booster Club P.O. Box 166 Smithtown, NY 11787

2. 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:

- GBC Shredmaster 950s (7005450)
- Board of Education sign at New York Avenue
- Attached list of math textbooks
- Attached list of books from Dogwood Elementary \*
- Attached list of basement inventory items from New York Avenue

\* List available upon request

3. Additions to List of Organizations Approved to Use School Facilities 2008-09 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 2008-09 school year, subject to all school district policies, rules and regulations, Standard Uniform Practices and contract provisions:

- Boy Scouts of America
- Fitness Together of Lake Grove
- Smithtown Council of PTA
- Smithtown High School East PTSA
- VFW Post 395

**PERSONNEL**

**Certified** – The following **Amended** Certified Personnel Items were presented for the Board’s approval (Attachment IX.A.1-20):

- 1. Appointment of Probationary Teacher(s)

2. Increase of Assignment/Change of Status
3. Appointment of Part-Time Teachers
4. Appointment of Lead Teachers 2008-2009
5. - 5a Appointment of Instructional Specialists 2008-2009
6. Appointment of STEP Program Teachers
7. Notice of Resignation
8. Tenure List – Information for the Board of Education
9. Non-Aligned, Certified Personnel Merit Pay (*Approved under Old Business*)
10. Appointment of Substitute Teacher(s)
11. Approval of Emergency Conditional Fingerprint Clearance
12. Appointment of Athletic Trainers 2008-2009
13. Approval of Compensation for Athletic Event Trainer Supervision
14. Coaching Assignments 2008-2009
15. Appointment of SAT/PSAT Test Coordinator 2008-2009
16. Appointment of Regular Substitute Teachers
17. Appointment of Academic Intervention Tutors
18. Appointment of Mentor Program Coordinator
19. Appointment of Regular Substitute Academic Intervention Tutor
20. Increase of Assignment/Additional Classes

Mrs. Ricigliano introduced the newly hired employees.

Mr. Gianino, on behalf of the Board of Education, welcomed the newly hired employees.

MOTION by Mrs. Knox, seconded by Mrs. Waldron approving the Certified Personnel Items 1-20, as detailed in the attached resolutions.

All aye. Motion carried (6-0).

**Classified** - The following Classified Personnel Items were presented for the Board's approval (Attachment IX.B.1-9):

1. Appointments
2. Change of Status
3. Leave of Absence
4. Leave of Absence-Reasons
5. Resignations
6. Correction
7. Correction-Reason
8. Non-Aligned Supervisors (*Approved under Old Business*)
9. Emergency Conditional Fingerprint Clearance

MOTION by Mrs. Knox, seconded by Mrs. Waldron approving the Classified Personnel Items 1-9 as detailed in the attached resolutions.

All aye. Motion carried (6-0).

## **NEW BUSINESS**

### **Policy 9120.1 – Conflict of Interest**

Mr. Gianino said that upon reflecting on the events leading up to the May 25<sup>th</sup> sporting incident, perhaps there might be a possibility to amend our Conflict of Interest Policy, 9120.1. In my line of work when something goes askew we conduct a “root cause” analysis to determine the underlying reason. In applying that same tactic here I firmly believe that based on complaints by parents, who even before this incident, conveyed the reasons for their annoyance; I am convinced, based on those conversations and correspondence, that the underlying root cause of their discontentment stems from allowing an employee to instruct their own child. And therefore, respectfully request that the Policy Committee convene to discuss, and allow for community input, as to whether or not Policy 9120.1, which currently states “No person employed by the district shall hire, supervise, evaluate, promote, review or discipline any other

employee who is a member of the same family,” be amended to read “No person employed by the district shall hire, supervise, evaluate, promote, review or discipline any other employee **OR STUDENT** who is a member of the same family.” Again, my request is simply to allow debate on the issue to take place and nothing more than that. I leave that for the Policy Committee to consider and come back with whether or not they want to hold a session on that.

Mrs. Waldron commented that she does have a problem changing our policy to this and would repeat her concerns at a meeting; stating that she does not believe that we should have a knee-jerk reaction to change policies. Over the past thirty-one years we probably have had four or five coaches who have coached their own children and I believe this is the first time that it has come to the attention of the Board to change policy with community input. The Board’s major responsibility is to set policy and not to leave it up to the community to set policy. The thing that scares me the most is that we do have fine young teachers who have decided to coach for us who have decided to buy a house in Smithtown and pay our taxes and are doing a fine job in coaching. And to now say that we will set a policy to say to these young coaches that when your child gets old enough you are going to have to leave Smithtown.

Mrs. Knox stated that she thinks it warrants a Policy Meeting. It warrants a discussion for a few different reasons, but really focusing in on where we get into a situation of having to tell people where they are going to live. You can play it out in a few different scenarios, and it’s not as simple as it looks, although it sounds admirable. I think there are problems with going that way. Given all of the discussion, a discussion on the record at a Policy Meeting is warranted.

Mr. Gianino responded that the purpose here is just to have that debate. This would provide the opportunity for the people who have been bringing this issue up to have a democratic ability to explore the issue.

Mrs. Waldron added that the community is able to voice their opinion at Policy Committee Meetings; but she will not go out and solicit community input.

Mr. Saggese stated that we should look at enforcing this policy in the District before we go out and change it. We can ask the administration if there are cases of this policy not being enforced.

Mr. Liguori asked, from an academic standpoint, what is the District policy if a teacher has their own child. Is there a practice where we refrain from a teacher teaching their own child?

Mrs. Ricigliano responded that if there were any way to avoid that, we would not schedule a child in their parent’s class. Mrs. Knox stated that she did not believe that we could tell a student that they would have to drop violin because their parent is the orchestra teacher. Mr. Liguori noted that if you follow that practice from an academic standpoint, my question is why aren’t we looking at it in the same way from the phys. ed. standpoint. That would be an avenue that we should pursue.

## **ADJOURNMENT**

**MOTION** by Mrs. Waldron, seconded by Mrs. Knox that the meeting be adjourned at 7:40 p.m. Motion carried.

Respectfully submitted,

Mary Wilson  
District Clerk