

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

June 30, 2008

Held in the Joseph M. Barton Bldg.

Meeting called to order at 7:05 p.m. by Carl Gianino, President of the Board of Education.

Members present:

Carl E. Gianino	Robert Rossi	Neil S. Carlin, Member-elect
Theresa Knox	Joseph T. Saggese	
Louis Liguori	Gladys M. Waldron	
Kalervo Raustiala		

Also present:

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

OPENING CEREMONY - conducted by Mr. Gianino.

OLD BUSINESS

Bid Recommendation

MOTION by Mrs. Waldron, seconded by Mr. Raustiala that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following bid recommendation be approved as submitted herein:

08-07 Request for Proposal – Pupil Transportation
(5 Year Term)

Discussion – Mr. Gianino asked if the District had any discussion with Mr. Corrado (Suffolk Transit) regarding extending the RFP. Mr. Ehmann responded that Mr. Corrado had replied that he would not be interested in extending the RFP at this point. Discussion ensued about the legality of putting this item out for a bid, but the timeline had been missed. Mr. Gianino asked for explanation as to why the District did not entertain discussion with Mr. Corrado regarding an extension earlier in the year. Mr. Ehmann responded that Ms. Niles did the preliminary negotiations and then he took it up in the later half, but Mr. Corrado was convinced right from the beginning of the expiration of this RFP that he was not going to extend. Discussion continued regarding State Education Law as it applies to transportation.

In discussing the options available to the District Mr. Gianino noted that the District is left to decide whether to accept the one-year contract, accept the five-year contract or decline the whole thing. Mr. Gianino suggested that whatever is decided he would like to see this go to the Commissioner with a cover letter at least explaining the situation that the Board of Education was faced with. In that way the Commissioner would have the facts at hand as he evaluates this.

Mr. Rossi asked Ms. Niles for an explanation of how the wet contract works, noting that this issue was one of the points in the contract. Ms. Niles explained that the District purchases the fuel from a State contract; we then have the fuel delivered to his yard by the people who have the State contract. When they reach the maximum fuel allowance, which usually happens the end of May, the beginning of June, we no longer pay for fuel.

Mr. Carlin asked how the District follows up on the RFP's – do the recipients respond with yes or no – or is a non-response considered we are not interested? Mr. Ehmann responded that is a question for the Purchasing Agent. Mr. Carlin asked how the District verifies that the company did receive the bid/RFP. It is in the District's best interest to have the most bidders. If that takes a little bit of follow-up, on such large ticket items it would be in the District's best interest to do that. Mr. Gianino added that in his experience if a company does not respond to bids after a certain number of times they are dropped from the bidders' list. Usually they are required to say, we opt not to bid, but they let you know that so that they remain on the bidders' list. He also questioned whether Smithtown has such a system.

Mr. Saggese noted that during the last five years the contract cost \$22 million, going forward for the next five years it will cost almost \$33 million – that is \$11 million, a very big increase. The community might also be interested in standing up for themselves if they know that this is exorbitant – or they think it is an exorbitant increase. Nowadays everything is being scrutinized; this needs to be scrutinized, it is a big ticket item. He stated that he is not comfortable going for five years, we only got one vendor, we have our back against the wall – nobody else will bid. I would prefer we take the one year. The one year costs more money, which is another poison pill in there. If you have a ten-year relationship with a client, there is a give and take – a sort of partnership. I think we should go for the one-year and then re-bid it and try to do something creative; we will have a year to work on it and hopefully we can get the same contract for less.

Mr. Gianino stated that during the April 17th Business Affairs Meeting he was under the impression that this contract was for “the bus contract” for the District. He noted that the literature did not specify that it was for a multi-year *mini-bus* contract. If we do the one-year contract, we are in the hole for \$800,000. He expressed his hope that the one-year contract would make the vendor reconsider his bid and hopefully we will get another bidder.

Mrs. Waldron stated that the BOE has had four to five meetings on this and she will not go with the one-year \$800,000 and go out to an unknown. Out of the twenty-five people who we sent the bids to only four responded and most of them were not capable of handling the 95 vans.

Mr. Liguori stated that if the District takes the one year you need to do due diligence to find other contractors to take on your needs for busing – whether it's two separate contracts, whether its one contract for parochial schools, one contract for special needs. You need to try to get other people to bid on it; there was also mention of a Canadian company. Mr. Liguori added that he has a hard time taking the five-year deal; but he will be equally, or more frustrated, if the District does not take a proactive approach or put some type of game plan in place for next year's bid. The numbers in this bid package do not add up.

Mr. Ehmann stated that there are things for the Board to keep in mind when they make their decision. The first aspect is the quality of service to the kids who are a highly specialized clientele. The second thing is the level of service that this company has given Smithtown. The third is our net cost per unit – is it in the ballpark with everyone else? This apparently is the best deal that this vendor says that he can operate with our district.

Mrs. Knox stated that she thought it is cock-eyed optimism to think that you are going to be able to recoup the \$800,000 or even \$700,000 in next year's contract. Massapequa was listed in the newspaper with a 25% increase. She added that she thinks this is more industry-wide than we may want to believe; which throws the odds of this rolling the dice a bit. If they are looking at a 25% increase; how are we, with going to a one-year contract, going to get such a better deal? Mrs. Knox added that she would have to go with the longer contract; explaining that she could not vote for a single-year contract, thinking it is a waste of money.

Mr. Raustiala said that he does not think we should take the risk of having a one-year contract; it is too risky with too much money involved. We don't know what kind of company we are going to get, after a year we don't know what the cost is going to be. The rational decision is to go with the five-year contract.

Mr. Rossi said the Board is painted into a corner; we have no choice. I don't agree with the five-year contract. We should look for another option.

Mr. Gianino stated that if we accept the five-year contract, we are left wondering what might have been. We also have done a lot of things in the last year that a lot of people would have been skeptical that we could even do. We have been able to do many things and I would like to see us pull this together and send the vendor a message and let him know that we just are not going to accept this kind of an increase. It is to our advantage then to do the best we can to see if we can't get a better deal. I would probably want to see how we do with taking the one-year contract.

VOTE ON 5-YEAR TERM:

YES Mrs. Waldron, Mrs. Knox, Mr. Raustiala
NO Mr. Rossi, Mr. Saggese, Mr. Gianino,
Mr. Liguori

MOTION FOR 5 -YEAR TERM DOES NOT CARRY. (3-4)

MOTION by Mrs. Knox, seconded by Mr. Rossi that upon recommendation of the Superintendent of Schools, be it RESOLVED, that the following bid recommendations be approved as submitted herein:

08-07 Request for Proposal – Pupil Transportation
(1-Year Term)

VOTE ON 1-YEAR TERM:

YES Mr. Liguori, Mr. Raustiala, Mrs. Knox,
Mr. Gianino
NO Mr. Rossi, Mr. Saggese, Mrs. Waldron

MOTION FOR 1-YEAR TERM CARRIED. (4-3)

AMEND AGENDA

MOTION by Mrs. Waldron, seconded by Mrs. Knox to AMEND the agenda.

All aye. Motion carried. (7-0)

MOTION by Mrs. Waldron, seconded by Mrs. Knox that upon the recommendation of the Superintendent of Schools, be it RESOLVED, that the appointment of Robert Sapir, to serve as a Hearing Officer in a N.Y.S. Civil Service Law Section 75 proceeding against an employee of the District, is hereby rescinded, and

that Paul Dashefsky is hereby appointed to serve as a Hearing Officer in a N.Y.S. Civil Service Law Section 75 proceeding against an employee of the District.

All aye. Motion carried (7-0).

MOVE TO EXECUTIVE SESSION

MOTION by Mr. Rossi, seconded by Mrs. Knox that the meeting go into Executive Session at 8:20 p.m. to discuss Particular Personnel.

All aye. Motion carried (7-0).

RESUME MEETING

The Board came out of Executive Session at 9:15 p.m. and indicated that no motions had been made in Executive Session.

PERSONNEL

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

- 1. Non-Aligned, Non-Instructional Personnel Merit Pay

MOTION by Mr. Rossi, seconded by Mrs. Waldron approving the Certified Personnel Item 1 as detailed in the attached resolution.

VOTE ON MOTION: YES Mr. Liguori, Mr. Raustiala, Mr. Rossi
 Mr. Gianino, Mrs. Waldron
 NO Mrs. Knox, Mr. Saggese

Motion carried (5-2).

Classified - The following AMENDED Classified Personnel Items were presented for the Board’s approval(attachment III.B.1):

- 1. Non-Aligned, Non-Instructional Personnel Merit Pay

MOTION by Mr. Rossi, seconded by Mrs. Waldron approving the Classified Personnel Item 1, as detailed in the attached resolution.

VOTE ON MOTION: YES Mr. Liguori, Mr. Raustiala, Mr. Rossi
 Mr. Gianino, Mrs. Waldron
 NO Mrs. Knox, Mr. Saggese

Motion carried (5-2).

ADJOURNMENT

MOTION by Mr. Raustiala, seconded by Mrs. Waldron that the meeting be adjourned at 9:15 p.m.

All aye. Motion carried (7-0).

Respectfully submitted,

Mary Wilson
District Clerk