

MINUTES OF BOARD OF EDUCATION MEETING, COMMACK, NEW YORK

Date of Meeting: January 15, 2015
Place: Hubbs Administration Center
Members Present: Mrs. Guber, Mr. Hartman, Mrs. DiGirolamo, Mrs. Masciello
Members Absent: Mr. Tampellini
Administration
Present: Dr. James, Mrs. Ryan, Dr. Pecora, Mr. Kolahifar, Mrs. Newman
Counsel Present: Mr. Barnosky, Ms. Harvey, Ms. Mathews
Guests: None

Meeting called to order by Mrs. Guber at 6:32 p.m.

Motion made by Mr. Hartman, seconded by Mrs. Masciello and carried unanimously to adjourn into Executive Session at 6:32 p.m. for the purpose of discussing:

- pending litigation in the matter of Donna Blanco v. Commack Union Free School District and Commack Union Free School District Board of Education;
- negotiations conducted pursuant to the Taylor Law involving the CTA; and
- a disciplinary matter involving a particular student.

Motion made by Mrs. Guber, seconded by Mr. Hartman and carried unanimously to adjourn Executive Session and return to public meeting at 7:52 p.m. for the purpose of conducting the public portion of the Regular Board Meeting. Meeting continued at 8:02 p.m.

Members Present: Mrs. Guber, Mr. Hartman, Mrs. DiGirolamo, Mrs. Masciello
Members Absent: Mr. Tampellini
Administration
Present: Dr. James, Mrs. Newman, Mrs. Ryan, Dr. Pecora, Mr. Kolahifar, Mrs. Budde
Counsel Present: Mr. Barnosky, Ms. Harvey, Ms. Finkelstein, Mr. Karson, Mr. Cohen, Ms. Gomez, and Ms. Mathews
Guests: Approximately 100 guests

- Pledge of Allegiance
- Roll Call

II. OPENING CEREMONIES

- A. The Commack Educational Foundation presented the District with a \$10,000 donation to purchase the VEX robotics equipment and program for Commack Middle School in support of the STEM initiative.
- B. The Board of Education recognized Commack High School students for their achievement as Fall All-State Athletes.
- C. The Board of Education recognized the Boys Varsity Soccer Team for their achievement as Suffolk County Champions; Long Island Champions; and State Champions.

OPENING CEREMONIES
CEF presented the District with \$10,000 donation.

CHS students – Fall All-State Athletes.

Boys Varsity Soccer Team.

III. ADMINISTRATIVE REPORT

- Presentation – Legal Services.
- Presentation – Athletics; Facilities, and Technology: highlights and progress initiatives.

ADMINISTRATIVE REPORT

Legal Services

Athletics, Facilities and Technology.

BOARD STRUCTURE STATEMENT

Statement read by Mr. Hartman regarding Board of Education Meeting structure/guidelines.

BOARD STRUCTURE STATEMENT

PUBLIC PARTICIPATION ON AGENDA ITEMS

No questions or comments heard regarding agenda items.

PUBLIC PARTICIPATION

None.

IV. CORRESPONDENCE

The Board of Education acknowledged receipt of the following correspondence:

CORRESPONDENCE

Acknowledged receipt of correspondence.

1. Communication dated December 5, 2014 from Jason Waterman re: safety and security concerns. This item handled administratively.
2. Communication dated December 9, 2014 from Barbara DeSonne and Frank Ammaccapane re: grateful for commendation of daughter at December board meeting.
3. Communication dated December 10, 2014 from Pamela Verity re: field test resolution. This item handled administratively.
4. Communication dated December 11, 2014 from Dennis Briordy re: veterans' exemption cap levels. This item being handled administratively.
5. Communication dated December 15, 2014 from Valerie Bauman re: Gap elimination adjustment. This item handled administratively.
6. Communication dated December 19, 2014 from Peter Wunsch re: medical insurance buybacks. This item handled administratively.
7. Communication dated January 7, 2015 from Elif Binger re: Commack Coalition of Caring. This item being handled administratively.

V. CONSENT AGENDA

Motion made by Mrs. DiGirolamo, seconded by Mrs. Masciello and carried unanimously to approve the consent agenda as recommended and amended, with the exception of New Business, Items F.1 and F.2 which were moved to Item VI. – Items removed from consent agenda for a separate vote.

A. MINUTES – December 11, 2014 Board of Education Meeting.

B. OLD BUSINESS

1. The Board of Education is requested to remove from the table and make a motion to approve a second reading of revised Policy #2411 – Organizational Chart – Commack Public Schools (see attached).
2. The administration recommends that the Board of Education adopt revised Policy #8331 – Public Participation at Board of Education Meetings (see attached).
3. The administration recommends that the Board of Education approve a second reading of revised Policy #1300 – Code of Conduct (see attached).
4. The administration recommends that the Board of Education approve a second reading of revised Policy #9361.11 – Broadcasting and Taping of Board Meetings (see attached).

C. PERSONNEL – Approve personnel as recommended (see attached).

D. BIDS

Bid #	Name of Bid	Award Recommendation	Reason
14.23A	Transmission Service	Accord Transmission	Low bidder

CONSENT AGENDA

Approved Consent Agenda.

MINUTES – November 20, 2014

OLD BUSINESS – Approved the following:
2nd reading – revised Policy #2411;

Adoption of revised Policy #8331;

2nd reading of revised Policy #1300;

2nd reading of revised Policy #9361.11

PERSONNEL
Approved personnel.

BIDS – Approved.

Transmission Service.

V. CONSENT AGENDA (Continued)

CONSENT AGENDA, continued:

E. NEW BUSINESS

NEW BUSINESS:

1. Approve and authorize President of the Board to sign same:

Approved agreements:

	Consultant/Vendor/ Association	Purpose	Budget Code
a.	Brookville Child Services	Provide the District with educational tuition services for Commack students attending the autism program for the 2014-15 school year as well as educational tuition services for the 2014-15 school year.	A2250-470-00
b.	Family Pediatric Home Care	Provide the District with nursing, physical therapy, occupational therapy and speech therapy services for the 2014-15 school year.	A2250-400-00
c.	All About Kids	Provide the District with evaluations, therapy, and consultation services for the 2014-15 school year.	A2250-400-00

Brookville Child Services

Family Pediatric Home Care

All About Kids

2. Approve the tuition contract with the Smithtown Central School District for guest students placed in our 2014 summer special education program and authorize the President of the Board to sign same.

Approved tuition contract with Smithtown Central School District – 2014 SE summer program.

3. Approve the tuition contract with the Smithtown Central School District for guest students placed in our special education program for the 2014-15 school year.

Approved tuition contract with Smithtown Central School District – SE program 2014-15 school year.

V. CONSENT AGENDA (Continued)

E. NEW BUSINESS (Continued)

4. Accept the following donations:

- a. Donation from the Feal-Good Foundation of a seedling from the 9/11 Survival Tree to be planted at Mandracchia-Sawmill Intermediate School.
- b. Donation from Child Care Council of Suffolk, Inc. of \$150 in gratitude of the Commack High School Jazz Ensemble's performance at the organization's Champion of Children Luncheon. These funds to be placed in the Donald P. Sites Music Department Scholarship Fund for the purpose of enhancing the nationally recognized music program provided for the students.
- c. Donation from the Commack Educational Foundation of \$10,000 to purchase the VEX robotics equipment and program for Commack Middle School in support of the STEM initiative.

On behalf of the Board of Education Mrs. Guber thanked all of the donors for their generous contributions to the District.

5. The administration recommends that the Board of Education approve the obsolescence and disposal of the following equipment:
 - a. 1995 Crown Vic (VIN #2FALP71W7SX183122), mileage 164,039
 - b. Traulsen refrigerator unit (Inventory Tag 96-01796)
 - c. Scottsman ice machine (Inventory Tag #96-00801)
6. The administration recommends that the Board of Education approve the November non-payroll related budget transfer request and authorize the President of the Board to sign same.
7. The administration recommends that the Board of Education approve the agreements for the 2014-15 IDEA Flow-Through Funds for the following providers and authorize the President of the Board to sign same:
 - Center for Developmental Disabilities
 - NYSARC, Inc. – Suffolk – Saul & Elaine Seiff Educare Center
 - Variety Child Learning Center
 - Alternatives for Children

CONSENT AGENDA, continued:

NEW BUSINESS, continued:

Accepted donations:

Feal-Good Foundation – seedling from 9/11 survival tree;

Child Care Council of Suffolk of \$150 – Donald P. Sites Music Department Scholarship Fund;

CEF - \$10,000 in support of the STEM initiative.

Approved the obsolescence and disposal of various equipment.

Approved November non-payroll related budget transfer request.

Approved 2014-15 IDEA Flow-Through Funds with providers listed.

- Developmental Disabilities Institute
- Kidz Therapy Services
- Suffolk County Department of Health Services
- Building Blocks Developmental Preschool
- ACDS

F. LEGAL

1. This item removed from Consent Agenda to Item VI.
2. This item removed from Consent Agenda to Item VI.
3. The administration recommends that the Board of Education adopt the following resolution:

WHEREAS, the parents of the student on the attached correspondence have appealed to the Board of Education from the Superintendent’s determination; and

WHEREAS, the Board has carefully reviewed the record on appeal; and

WHEREAS, the Board has deliberated on the appeal in Executive session;

NOW, THEREFORE, BE IT RESOLVED, that the Board affirms the Superintendent’s determination.

LEGAL

Item F1 moved out of consent agenda.

Item F2 – moved out of consent agenda.

Adopted resolution involving a particular student.

VI. ITEMS REMOVED FROM CONSENT AGENDA FOR A SEPARATE VOTE:

REMOVED FROM CONSENT AGENDA:

F. LEGAL – Item F. 2:

LEGAL, Item F. 2

Motion made by Mr. Hartman, seconded by Mrs. Masciello and carried unanimously to adopt the below resolution:

Adopted resolution with respect to the proposals for the Federally Taxable Lease Financing and related determinations.

The administration recommends that the Board of Education adopt the below resolution:

THE BOARD OF EDUCATION OF THE COMMACK UNION FREE SCHOOL DISTRICT, SUFFOLK COUNTY, NEW YORK, HEREBY RESOLVES (by a majority vote of all the members of said Board) AS FOLLOWS:

Section 1. Following the solicitation of proposals, the Board of Education of the Commack Union Free School District (the “District”) received a single proposal to provide federally taxable lease financing for the Energy Performance Contract with Johnson Controls, Inc. (the “Agreement”).

LEGAL – Item F.2:
continued.

Section 2. Following a discussion of the Board of Education of the District, and based upon the written recommendation received from Munistat Services, Inc., the District’s Financial Advisor, it is hereby determined that such proposal submitted by Banc of America Public Capital Corp (the “Lessor”) is hereby accepted.

Section 3. The President of the Board of Education, the Vice President of the Board of Education, the Superintendent of Schools and the Assistant Superintendent for Business (collectively the “Authorized Representatives” and individually, the “Authorized Representative”) acting on behalf of the District, are hereby authorized to negotiate, enter into, execute, and deliver one or more lease purchase agreements (collectively the “Equipment Leases” or individually the “Equipment Lease”) with the Lessor, such documents to be made available for public inspection at the office of the District Clerk. The Authorized Representatives are hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Authorized Representatives deem necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. The aggregate original principal amount of the Equipment Leases shall not exceed the \$2,199,646.00 and shall bear interest as set forth in the Equipment Leases and shall contain such options to purchase by the District as set forth therein.

Section 5. The District’s obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Board of Education of the District as set forth in each Equipment Lease and the District’s obligations under the Equipment Leases shall not constitute a general obligation of the District or indebtedness under the Constitution or laws of the State of New York.

Section 6. The Authorized Representatives are hereby authorized to take any and all other actions necessary in connection with the Agreement and any financing related thereto.

Legal, Item #F.2 (Continued)

LEGAL, Item F. 2:
continued.

Section 7. The resolution adopted by the Board of Education of the District on October 23, 2014 entitled:

“RESOLUTION OF THE COMMACK UNION FREE SCHOOL DISTRICT, SUFFOLK COUNTY, NEW YORK (THE “DISTRICT”) DECLARING THE FINDINGS OF THE DISTRICT WITH RESPECT TO THE PROPOSALS FOR THE TAX-EXEMPT LEASE FINANCING OF SAID SCHOOL DISTRICT AND MAKING CERTAIN OTHER DETERMINATIONS IN CONNECTION THEREWITH,”

is hereby revoked, rescinded and repealed.

Section 8. This resolution shall take effect immediately.

F. LEGAL – Item F. 1:

LEGAL , Item F. 1

The Board of Education acknowledged receipt of the statement for professional services rendered on non-retainer matters in the amount of \$10,846.28 for the period ending December, 2014.

Acknowledged receipt
of L&B statement –
December, 2014.

VII. BOARD BUSINESS

BOARD BUSINESS

On behalf of the Board of Education Mrs. Guber acknowledged receipt of the following Board Business:

Acknowledged receipt:

A. The Board of Education is requested to acknowledge receipt of the Internal Claims Auditor’s Monthly Update.

Internal Claim’s
Auditor’s Monthly
Update.

B. The Board of Education is requested to acknowledge receipt of the following financial reports:

Acknowledged receipt
of financial reports.

1. Revenue Status Report as of 11/30/2014
2. General Fund Trial Balance for Fiscal Year 2015 – Post dates: 7/01/14 to 11/3/14
3. Budget Status Report as of 11/30/14
4. Budgetary Transfer Report
5. Cash Flow Report
6. Treasurer’s Reports

C. The Board of Education is requested to acknowledge receipt of the CSE/CPSE recommendations approved on the following dates: November 20, 24, 25, and 26, 2014; and December 1, 3, 4, 5, 8, 9, 10, 11, 12, 15 and 16, 2014.

Acknowledged receipt
of CSE/CPSE
recommendations.

PUBLIC PARTICIPATION

Heard questions and comments with regard to the following topics: contribution by parents for athletic trips; commended sports programs; solar panels; commended parent academy K-5 common core presentation; commended administrative report presentations; SED approval of buildings not occupied by students; SED approval of MCP.

ADJOURNMENT

Motion made by Mrs. Masciello, seconded by Mr. Hartman and carried unanimously to adjourn meeting at 9:55 p.m.

Respectfully submitted by,

Mary Jane Budde
District Clerk

PUBLIC PARTICIPATION

Heard questions and comments from the public.

ADJOURNMENT

Adjourned public meeting at 9:55 p.m.