

Date: **Tuesday, October 20, 2009**
 Place: Hilltop Board Room
 Kind of Meeting: **Regular Meeting**

Members Present: Amy Applebaum, President
 Thomas LaColla, Vice President
 Claudette Clarke, Secretary
 Michael Lagana, Trustee
 Claudette Jimerson, Trustee
 Michael Mark, Trustee
 Chloe Soukas, Student Representative

Members Absent: Bryan Burrell, Trustee

Others Present: Dr. Valencia Douglas, Superintendent
 Walter Woodhouse, Ass't Supt. For Instruction
 Gail Fleur, District Clerk
 Community Members
 Staff Members

President Applebaum called the public meeting to order at 6:10 PM.

Trustee Jimerson moved and Trustee Mark seconded to go into Executive Session for discussion of personnel matters.

Motion Approved (6-0)

Trustee Mark moved and Trustee LaColla seconded to adjourn from Executive Session at 7 40 PM and reconvene to Public Session. The Pledge of Allegiance was recited.

Motion Approved (6-0)

President's Report

President Applebaum reported that the Chamber Orchestra performed beautifully at the recent NYS School Boards Conference in NYC. She also mentioned that the Board should discuss the way the District's minutes are done since we now have the podcast. The minutes can be aligned with the podcast so people can hear the details if they are interested. It should be on a future agenda for discussion.

Superintendent's Report

Dr. Douglas reported that she had attended the NYSSBA Conference and it was excellent. Gail Fleur, Communications Director, was honored with an award for the District's Public Relations Marketing Campaign for the Parents That Host Lose the Most program. Dr. Douglas was a panel member for a workshop on Saturday afternoon and the Chamber Orchestra performed for conference attendees on Sunday morning.

The Math specialists at each elementary school have started the robotics program. November 4 is the Red and Black annual fall dinner.

She encouraged parents to come to that Thursday's Parent Institute on prescription drug abuse.

School Board Recognition

Dr. Douglas commended the Board for walking the talk and supporting programs that benefit all children. The academics, athletics and the arts are all progressing because of the vision and teamwork of the Board and its ability to make difficult decisions. She thanked the Board for all it does.

Kevin Graham, PTA Council President, read the **attached letter** thanking the Board members and stating that the PTAs are all contributing money toward the Isador Schlachter and Pat Roy scholarship funds.

Student Representative Chloe Soukas read the NYS proclamation in honor of School Board Recognition Week and thanked the Board for all it does for students.

Student Representative Report

Chloe Soukas said Homecoming Week students showed a lot of spirit and the dance was a big success. She said that most of the students were disgusted with the acts of vandalism at the school during the week and were helping to get to the bottom of the incidents.

Board of Education Reports

Board members thanked all for their kind words about their service.

Trustee Mark said he had attended the School Board Institute classes on Thursday at the NYSSBA Convention. A school Board member from New Paltz, whom he met after Sunday, gave him accolades about our chamber orchestra.

Trustee Lagana reminded all that the Foundation's Casino Night would be on February 27 this year and he hoped many people once again would attend.

Trustee Clarke congratulated the football team members, even though they did not win the Homecoming game for a great try and wonderful sportsmanship. She also congratulated the High School's Moot Court Team which also received honors at a recent competition. Commendation also went to the District for taking a pro active stance about underage drinking, which districts all over are facing.

Trustee LaColla thanked the Foundation for its help.

Trustee Jimerson said her Board service was an act of love because she so deeply believes in the District.

Citizens Proposals, Questions and Concerns:

Kevin Graham thanked the Foundation for its contribution of \$1000 to each of the PTA units. Its work further strengthens the community.

Kevin Sullivan, Social Studies teacher and advisor to the Moot Court Team, thanked Trustee Clarke for the recognition. It has been a great reward for him to see the students grow. He is also the co-advisor to the Student Council. He thanked the staff for helping at Homecoming and said the students were on their best behavior.

Barbara Anderson, representing the NTA, read the attached statement thanking Board members for their time and energy devoted to the District.

Dan Juechter, the Nyack Inspire Excellence Foundation President said the Foundation gave the \$1000 to the PTAs to give some money that would be readily tangible for parents and students.

WORKSHOP

District Safety Plan: Assistant Superintendent for Business, Carleen Millsaps, said NYS requires the Plan to be reapproved every year. There are minor changes this year. President Applebaum remarked that she will approve the Plan but every year she has to reinforce that it includes an evacuation plan for an Indian Point disaster that is not realistic. The District Safety Plan will be on the next agenda for action approval.

Investment Policy #6240: and Purchasing Policy #6700: Assistant Superintendent for Business, Carleen Millsaps, said every year these have to be reapproved. There is a small change in the Investment policy and the Purchasing Policy is the same. The Board will vote on them at its next meeting

Cablevision's Madison Square Garden (MSG) Varsity Network: This is a new Cablevision effort that involves districts supplying Cablevision (channel 14) with footage of its sports and extra curricular events, and allowing MSG to film them for a 24 hour network on event for broadcast on Channel 14. MSG has provided an agreement for districts to sign that gives districts some equipment, training and scholarship money in return for the above.

Dr. Douglas and Athletic, Health, Wellness and Physical Education Director, Joe Sigillo agreed that it provided an inviting opportunity to showcase our students, but there were a number of District liabilities and legal issues that had to be discussed and cleared up before a contract could be signed. Mr. Sigillo and Gail Fleur had met once with MSG as a preliminary conversation.

The Board brought up issues such as content review, MSG staff interaction with students and the advertisement of the program, among others. Some districts have already signed on and the question arose of what if we play a team that has signed on, but we haven't and the students have not signed permission forms to be photographed. This is another issue. The consensus of the Board was to have the District proceed to work with legal counsel on discussions with MSG to see if a mutually agreeable contract can be written. The Board will be kept updated about the matter.

Debbie Kykin, parent and Red and Black co-President, asked if we have any control over photographing being done. Legal counsel said much is public domain, but an agreement changes the nature of the filming. The District becomes a participant entity.

Citizens' Comments

James Marshall asked for a clarification of the Open Campus Policy. He was told there was a large conversation about it two years ago when the Code of Conduct was originally revised and the Board voted to maintain it. The feeling was that if there were specific concerns that involved the Open Campus that the principal had to analyze the situation and make recommendations. He was concerned about what happens if there is a lockdown and students are off campus and if students had more opportunity for substance abuse during the day. There was no direct evidence that Open Campus was causing problems. Dr. Douglas recommended that he speak with the High school principal. He asked where the liability lay if something happened and legal counsel said it depended on the details of the situation. President Applebaum said the Open Campus could be on a future agenda.

ACTION

GENERAL

Minutes 9/08/09 and 9/15/09

Trustee Clarke moved and Trustee Mark seconded to approve the following:

BE IT RESOLVED, that the minutes from August 6 and August 25, 2009 be approved.

Motion Approved (6-0)

Instruction and Business

Trustee Clarke moved and Trustee Mark seconded to approve the following in one motion:

Treasurer's Report, Budget Status Report, Revenue Status Report, Co-Curricular Activity Fund Report, Budget Transfers Report from June, July and August, 2009 and the , Claims Auditor Reports from September, 2009

Committees on Special Education

BE IT RESOLVED, that the recommendations of the Committees on Special Education be approved.

Gifts and Donations

BE IT RESOLVED: That the Board of Education hereby accepts gifts/grants from the following donors:

- 1) Target Take Charge of Education Program
 - A donation in the amount of \$2,000.00 for the Nyack High School Music Residency Program.
 - A donation in the amount of \$250.40 to Nyack High School.
- 2) Wal-Mart Foundation – A Community Grant in the amount of \$1,000.00 to the Nyack High School LOTE Department.

Disposal of Obsolete Equipment

BE IT RESOLVED: That the Board of Education hereby declares the following equipment obsolete and authorizes their disposal as described on the attached Request to Dispose of Equipment/Textbook forms:

1. Two cafeteria tables at Valley Cottage Elementary School
2. One Fargo Direct Card 500 I.D. Card Printer

Motions Approved (6-0)

Extension of Out of District Transportation Contract for 2009-10

Trustee Clarke moved and trustee Mark seconded to approve the following resolution:

BE IT RESOLVED, That the Board of Education of the Nyack Union Free School District hereby extends the Out of District Contract with Student Bus Company in the amount of \$19,437.60 for the period of September 15, 2009 to June 25, 2010 pursuant to Commissioner of Education's Rules and Regulations.

Trustee Lagana asked if of a prior year's contract and was it rebid or renegotiated. Mr. Millsaps said no, it was rolled over.

Motion Approved (4-2)
Trustees Lagana and LaColla No

Trustee Clarke moved and Trustee Mark seconded to approve the following:

Increase Small Bus Contract

BE IT RESOLVED, That the Board of Education of the Nyack Union Free School District hereby increases the General Small Bus from six (6) to seven (7) buses with Vel Coach. This is an increase of one (1) bus, costing \$45,091.80.

Change Order on High School Track Improvements

BE IT RESOLVED, That the Board of Education of the Nyack Union Free School District hereby approves the attached change order #1, #2, and #3 for the High School Track repairs in the total amount of \$96,408 and authorizes the President of the Board of Education to execute the change order. The following is a description of the change orders:

1. \$79,708 was actually awarded in the original resolution (Alternate #1) appointing DeRosa Tennis Contractors as a contingent item if needed (so this is not an additional cost above the original contract award). The architect determined that the asphalt leveling course was necessary to repair the track. Accordingly, a change order was generated to add the cost to DeRosa's contract.
2. \$10,000 for 100 tons of additional asphalt that the architect determined to be necessary once the rubber was removed from the track. High and low points under the surface of the track were hidden by the rubber. Once the rubber was removed the additional problem was detected.
3. \$6,700 was needed to rebuild the pole vault landing area.

Tax Certiorari

BE IT RESOLVED That the Board of Education of the Nyack Union Free School District approves the **attached** resolution, as written by legal counsel, and authorizes the payment terms set forth in the proposed Consent Judgment and Stipulation to settle the claim of Gisondi Family Limited Partnership.

Bond for Roof Project

BE IT RESOLVED: That the Board of Education hereby adopts the attached bond resolution authorizing capital improvements, including roof replacements as approved by the voters on May 19, 2009 and authorizes financing in an amount not to exceed \$1,471,341 for said purpose. Further the Board of Education authorizes the summary form of the bond resolution be published in the District's Official Newspaper.

Lease Agreement with BOCESr

BE IT RESOLVED: That the Board of Education hereby approves the attached lease agreement with the Board of Cooperative Educational Services, Rockland County, for the period July 1, 2008 through June 30, 2013, with a renewal option for an additional five (5) year period. Further, the Board of Education hereby authorizes the President of the Board of Education to execute the agreement.

Motions Approved (6-0)

Memorandum of Agreement with the Nyack Professional Security Personnel

Trustee Mark moved and Trustee Clarke seconded to approve the following:

BE IT RESOLVED: That the Board of Education hereby approves the attached Memorandum of Agreement with the Nyack Professional Security Personnel for a three (3) year and five (5) month period beginning January 17, 2008 through June 30, 2011.

Motion Approved (4-1-1)
Trustee Lagana No Trustee LaColla abstained

PERSONNEL Staff Appointments

Trustee Mark moved and Trustee Clarke seconded to table item 18 on **VICTOR MYERS** being appointed to the position of Coordinator of Project SEE, Nyack Middle School

Motion Approved (6-0)

Trustee Mark moved and Trustee Clarke seconded to approve the following:

BE IT RESOLVED, on the recommendation of the Superintendent Schools that **CHERYL SCHWARTZ** be appointed to a part-time .8 position of ESL Teacher, District-wide, Scale 6, Step 3, \$57,880.* , pro-rated \$46,304.* Appointee subject to being cleared by the NYS Education Department.

BE IT RESOLVED, that the Board of Education on the recommendation of the Superintendent Schools that **BARBARA BETZ** be appointed to the Civil Service position of Part-Time Payroll Clerk at the Administration Building on a probationary basis, effective October 21, 2009, Scale 2, Step 1 - \$17,864, pending Civil Service approval.

Be it resolved, on the recommendation of the Superintendent of Schools that the individual named on the **attached** sheet (**Winter Coaching**) be appointed to the terms set forth.

Unpaid Child Leave of Absence

BE IT RESOLVED, on the recommendation of the Board of Education and the Superintendent of Schools, that **CHRISTINA HENNESSY**, Business Education Teacher, Nyack Middle School, be granted an Unpaid Childcare Leave of Absence, effective October 19, 2009 through June 30, 2010.

Staff Resignation

BE IT RESOLVED, that the Board of Education on the recommendation of the Superintendent of Schools, accepts the resignation of **KARA GREGORIUS**, Family and Consumer Science Teacher, Nyack Middle School, effective November 17, 2009.

Staff Termination

BE IT RESOLVED, that the Board of Education, on the recommendation of the Superintendent of Schools, approve the termination of **ADRIENNE HEADY**, Personnel Assistant, Administration Building, effective October 21, 2009.

Trustee Mark moved and Trustee LaColla seconded to adjourn to Executive Session for discussion of personnel matters at 8:50 PM.

Motions Approved (6-0)

Trustee Clarke moved and Trustee Lagana seconded to reconvene to Public Session at 9:30 PM and adjourn.

Motion Approved (6-0)

Trustee Lagana moved and Trustee Mark seconded to adjourn at 9:25 PM.

Motion Approved (6-0)

Respectfully submitted,

Gail Fleur
District Clerk