

Minutes of the Regular Meeting of the Board of Education, Island Trees Union Free School District, Town of Hempstead, County of Nassau, Levittown, New York. The meeting was held at the Stephen E. Karopczyc School, 74 Farnedge Road, Levittown, New York, on Wednesday, October 27, 2010.

The meeting was called to order by Ms. Mahon, President, at 7:28 PM.

MEMBERS PRESENT: Ms. Patricia Mahon, President
Mr. Kenneth Rochon, Vice President
Mr. Robert Condela
Mrs. Kristen Daum
Mrs. Christine Holt
Mrs. Kim McDonough
Mrs. Barbara Medellin

ALSO PRESENT: Dr. Charles J. Murphy, Superintendent of Schools
Dr. Arlene Genden Sage, Assistant Superintendent for Special Ed.
Mrs. Susan Hlavenka, Assistant Superintendent for Business
Mrs. Randy Glasser, General Legal Counsel
Ms. Kathryn Maier, General Legal Counsel
Mrs. Concetta Carr, District Clerk

PLEDGE OF Ms. Mahon led the
pledge of allegiance to the flag followed by a
ALLEGIANCE: moment of silence.

MINUTES: Upon the recommendation of the Superintendent of Schools, a **Motion** was made Mr. Rochon, seconded by Mrs. Medellin, and carried unanimously (7-0) to approve the following minutes:

Regular Meeting & Executive Session – September 29, 2010
Special Meeting & Executive Session – October 4, 2010
Committee on Special Education – September 21 and October 5, 2010
Committee on Preschool Special Education – October 7 and 14, 2010

RECOGNITION

Dr. Murphy announced that this week is designated as Board Recognition Week. Offering their thanks and appreciation to the Board of Education on behalf of their respective organizations were Mr. Peter Gibbons, Island Trees Administrators Association; Mr. Charles Smith, U.T.I.T.; Mrs. Patricia Guidice, CSEA Clerical Unit, and Mrs. Ellissa Fazio, PTA Council. Mr. Andrew McCrea, President of the CSEA Custodial/Food Services Unit, was unable to attend; therefore, Dr. Murphy extended thanks on behalf of Mr. McCrea. Mr. Richard Reineker and three students from the Island Trees Memorial Middle School Student Council verbally thanked the Board and presented them with a basket of handwritten thank-you cards from the students. Ms. Mahon, Board President, thanked everyone for their expressions of appreciation.

Certificates from the Board of Education were presented by Mr. Peter Gibbons, Director of Fine and Performing Arts, and Dr. Charles Murphy, Superintendent of Schools, to six Island Trees High School students who were chosen as winners of the New York State School Music Association 2010 Electronic Music Composition Showcase. Their music compositions will be presented at the NYSSMA All-State Winter Conference in Rochester, NY, on December 3, 2010. Mr. Peter Hansen, Music Technology teacher, was commended for his hard work and dedication to his students.

The meeting broke for refreshments provided by the PTA Council at 7:48 PM. The meeting resumed at 8:00 PM.

COMMENTS FROM VISITORS:

The Board heard comments and concerns from members of the audience.

ACTION ITEMS

1. Board of Education Acceptance of Audit Report

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Medellin, seconded by Mrs. Daum, and unanimously carried (7-0) to accept from R.S. Abrams & Co. LLP the following audited reports for the fiscal year ended June 30, 2010:

1. Management's Discussion & Analysis
2. Auditors Report and Financial Statements
3. Management Letter
4. Extraclassroom Activity Fund Financial Statements and Auditors Report
5. SAS 114 Letter

2. Board of Education Approval of Field Trip for Island Trees High School Tri-M Music Honor Society

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Daum, seconded by Mr. Condela, and unanimously carried (7-0) to support and agree to sponsor the Island Trees High School Tri-M Music Honor Society field trip to attend the Broadway production of "Jersey Boys" on Wednesday, November 3, 2010, at a cost of \$80 per student.

3. Board of Education Approval of Island Trees High School Field Trip to Bronx Zoo

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Condela, seconded by Mrs. Holt, and unanimously carried (7-0) to support and agree to sponsor the Island Trees High School field trip to the Bronx Zoo on Tuesday, March 29, 2011, at a cost of \$34 per student.

4. **Board of Education Approval of Island Trees High School Field Trip to Museum of Modern Art**

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Holt, seconded by Mrs. McDonough, and unanimously carried (7-0) to support and agree to sponsor the Island Trees High School field trip to the Museum of Modern Art on Thursday, October 28, 2010, at a cost of \$20 per student.

5. **Board of Education Approval of Field Trip for Island Trees Memorial Middle School Chorus**

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. McDonough, seconded by Mr. Rochon, and unanimously carried (7-0) to support and agree to sponsor the Island Trees Memorial Middle School Chorus 7/8 field trip to attend the Broadway musical "Mary Poppins" on Wednesday, March 30, 2011, at a cost of \$80 per student.

6. **Board of Education Acceptance of Donation from J. Fred Sparke PTA for Cultural Arts Program**

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Rochon, seconded by Mrs. Medellin, and unanimously carried (7-0) to accept a donation from the J. Fred Sparke PTA in the amount of \$1,375.00 to cover the related expense of a cultural arts program, increasing budget line 2110.490.12 (BOCES Arts in Education), and directs that a letter be sent from the Board of Education thanking them for their generosity.

7. **Board of Education Acceptance of Donation from a Community Resident**

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Medellin, seconded by Mrs. Daum, and unanimously carried (7-0) to accept as a donation from a community resident the following items: 4X6 trailer and hitch (valued at \$1,000); lawn mower (valued at \$1,400); and lawn edger (valued at \$200). The Board of Education is directed to send a thank you letter to the resident.

8. Board of Education Approval to Declare Surplus and Dispose of J. Fred Sparke, Michael F. Stokes and Island Trees Memorial Middle School Library Books

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Daum, seconded by Mr. Condela, and unanimously carried (7-0) to approve to declare surplus and dispose of library books that are obsolete or in poor condition from the J. Fred Sparke School, Michael F. Stokes School, and Island Trees Memorial Middle School libraries as it sees fit pursuant to the State Education Department's recommended procedures.

9. Board of Education Approval to Declare Surplus and Dispose of an Obsolete Typewriter from the Island Trees Transportation Office

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Condela, seconded by Mrs. Holt, and unanimously carried (7-0) to approve to declare surplus and dispose of an obsolete Brother Typewriter from the Island Trees Transportation Office, Model EM-605, Serial #C2345895, Island Trees Tag #101531.

10. Board of Education Acceptance of the Revised Two-Year Special Education District Plan

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Holt, seconded by Mrs. McDonough, and unanimously carried (7-0) to accept the revised two-year Special Education District Plan, as presented.

11. Board of Education Approval of Zero Dollar Transportation Contracts

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. McDonough, seconded by Mr. Rochon, and unanimously carried (7-0) to approve the zero dollar amount 2010-2011 regular school year transportation contracts as per the schedule submitted and authorizes the Board President to sign said contracts.

	I.T. Contract No.	Contractor	Amount	Bid Date
Regular School Year	675.011.010	Acme	\$0	5/6/2010
Regular School Year	675.011.011	Any Time	\$0	5/6/2010
Regular School Year	675.011.012	EBT	\$0	5/6/2010
Regular School Year	675.011.013	First Student	\$0	5/6/2010
Regular School Year	675.011.014	Suburban	\$0	5/6/2010
Regular School Year	675.011.015	WE Transport	\$0	5/6/2010
Regular School Year	675.011.016	Acme	\$0	6/23/2010

Regular School Year	675.011.017	EBT	\$0	6/23/2010
Regular School Year	675.011.018	Acme	\$0	8/25/2010
Regular School Year	675.011.019	EBT	\$0	8/25/2010

12. Board of Education Approval of Extra-Classroom Activity Club Charters

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Rochon, seconded by Mrs. Medellin, and unanimously carried (7-0) to approve the Extra-Classroom Activity Club charters as presented, and authorizes the Board President to sign the charters.

13. Board of Education Approval of Special Education Services Contract for 2009-2010

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Medellin, seconded by Mrs. Daum, and unanimously carried (7-0) to approve the special education services contract with Seaford UFSD, which was reviewed and approved by District Counsel, for the 2009-2010 school year, and authorizes the Board President to sign such contract.

14. Board of Education Acceptance of Revised Policy #5252 – Student Activities Funds Management – 1st Reading

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Daum, seconded by Mr. Condela, and unanimously carried (7-0) to accept as a first reading the revised Student Activities Funds Management Policy #5252 as presented.

15. Board of Education Acceptance of Revised Policy #5150,– School Admissions - 2nd Reading

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Condela, seconded by Mrs. Holt, and unanimously carried (7-0) to accept the revised School Admissions Policy #5150 as presented.

16. Board of Education Acceptance of Revised Policy #6700 & 6700-R,– Purchasing and Purchasing Regulation – 2nd Reading

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Holt, seconded by Mrs. McDonough, and unanimously carried (7-0) to accept the revised Purchasing Policy #6700 and Purchasing Regulation Policy #6700-R as presented.

17. Board of Education Acceptance of Revised Policy #8330 – Authorized Use of School-Owned Materials and Equipment – 2nd Reading

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. McDonough, seconded by Mr. Rochon, and unanimously carried (7-0) to accept the revised Authorized Use of School-Owned Materials and Equipment Policy #8330 as presented.

18. Board of Education Acceptance of Revised Policy #4526-E.4 – Computer Network for Education Exhibit Acknowledgment or Responsibilities, Employer User – Internet User Agreement – 2nd Reading

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Rochon, seconded by Mrs. Medellin, and unanimously carried (7-0) to accept the revised Computer Network for Education Exhibit Acknowledgment or Responsibilities Policy #4526-E.4, Employer User – Internet User Agreement, as presented.

19. Board of Education Acceptance of Budget Preparation Dates for 2011-2012

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Medellin, seconded by Mrs. Daum, and unanimously carried (7-0) to accept the Budget Preparation Dates for 2011-2012, as presented.

20. Board of Education Approval of Special Education Services Contract for 2010-2011

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Daum, seconded by Mr. Condela, and unanimously carried (7-0) to approve the special education services contract with Rockville Centre UFSD, which was reviewed and approved by District Counsel, for the 2010-2011 school year, and authorizes the Board President to sign such contract.

21. Board of Education Approval of Emergency Purchase Orders

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Condela, seconded by Mrs. Holt, and unanimously carried (7-0) to approve payment of the following emergency purchase order:

1. \$475.00 to JPC Plumbing & Heating, Inc., 90 Plainfield Rd., Albertston, NY 11507, for the emergency pipe repair in the high school.

22. Board of Education Approval to Adopt Tax Certiorari Resolution

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Holt, seconded by Mrs. McDonough, and unanimously carried (7-0) to approve the following resolution:

WHEREAS, in 1938, at the specific request and behest of the County of Nassau, New York State granted county-wide property assessment jurisdiction to the County of Nassau; and

WHEREAS, aside from upstate Tompkins County, Nassau is the only county-wide assessing unit in New York State, with over 415,000 parcels, and is second in size only to the City of New York; and

WHEREAS, in its original consideration of the County of Nassau's petition for assessment jurisdiction, the New York State legislature expressed concerns that the enormity of the assessment load would result in erroneous assessments and subsequent challenges; and

WHEREAS, the New York State Legislature, aware that school districts are highly dependent on a secure property tax base and that school budgets would be vulnerable as a result of inaccurate tax rolls, thereby endangering the education of children, decreed in 1948 that the County of Nassau, with its broader range of revenues, should be held responsible for costs and penalties resulting from its errors in assessment; and

WHEREAS, in order to secure control of a county-wide system and the benefits thereof, the County of Nassau pledged and guaranteed to the State of New York to protect its school districts from any negative consequences resulting from the assessment procedures utilized by the County of Nassau; and

WHEREAS, for decades, schools and taxpayers within the County of Nassau have suffered from the inequities caused by the adherence of the County of Nassau to an irrefutably and admittedly flawed assessment process; and

WHEREAS, legal challenges to commercial assessments made by the County of Nassau have been, either negligently or willfully, permitted to languish in the courts for years and years, accruing interest at exorbitant rates prior to their eventual settlement by the County of Nassau; and

WHEREAS, in 2002, in order to facilitate an assessment roll relatively free from errors and potential challenges, the New York State Legislature granted the Nassau County Assessment Review Commission one (1) full year for review prior to the establishment of its final assessment roll; and

WHEREAS, the Supreme Court of the State of New York, County of Nassau, has denied the attempt by the County of Nassau to shift responsibility for multi-year back payments for tax certiorari costs from the County of Nassau to local school districts in derogation of the pledge and guarantee previously made by the County of Nassau; and

WHEREAS, the Supreme Court of the State of New York, Appellate Division, Second Judicial Department, has denied an attempt by the County of Nassau to implicate school districts in its move to shift to villages, towns and special districts the funding of tax certiorari judgments; and

WHEREAS, it is the County of Nassau that is responsible for its own property assessments, including, but not limited to any flaws, errors or delays therein, and that school districts within the County of Nassau have no role whatsoever in either making such assessments or in responding to challenges to such assessments; and

WHEREAS, the Executive of the County of Nassau, Edward P. Mangano, has called upon the Nassau County Legislature to unilaterally, without the approval of the State of New York and/or the consent of the school districts of the County of Nassau, relieve the County of Nassau of its pledge, guarantee and lawful obligation to hold such school districts harmless for back payments of multi-year tax certiorari settlements, thereby shifting the costs of such payments onto local school property taxes and local school property taxpayers; and

WHEREAS, any assertion that abandonment of the pledge, guarantee and obligation of the County of Nassau contained in language in the proposed Budget of the County of Nassau for Fiscal Year 2011 means “no property tax increase” is false and misleading, resulting in no real cost avoidance, but merely a shift in the lawful responsibility of the County of Nassau on to the schools within the County of Nassau; and

WHEREAS, such action would only raise school taxes to the taxpayers of the County of Nassau without adding any educational value; therefore

BE IT RESOLVED, that the Island Trees Union Free School District Board of Education opposes any legislation, from whatever source, that would shift the responsibility of the County of Nassau for funding multi-year tax certiorari settlements of its assessment errors onto the local school district tax levy; and

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the following representatives for their endorsement, which shall be shown by their counter-signatures on the Resolution when returned to this Board of Education:

Members of the Nassau County Legislature
Members of the New York State Senate and Assembly, representing Nassau County districts
Members of the Town Councils of Hempstead, North Hempstead and Oyster Bay

Dr. Murphy made a statement to the audience about this issue and how it will affect the school district and the residents.

23. Board of Education Approval of Special Education Consultant Services Contract for 2009-2010 and 2010-2011

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. McDonough, seconded by Mr. Rochon, and unanimously carried (7-0) to approve the special education consultant services contract with The Daytop Preparatory School, which was reviewed and approved by District Counsel, for the 2009-2010 and 2010-2011 school years, and authorizes the Board President to sign such contract.

24. Board of Education Approval of Budget Transfers

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Rochon, seconded by Mrs. Medellin, and unanimously carried (7-0) to approve the budget transfers in various salary codes as necessary to adjust for building assignment changes and column adjustments per the U.T.I.T. contract, in the aggregate amount of \$1,042,262.28 as presented, representing no change in the approved General Fund budget total.

25. Board of Education Approval of Special Education Consultant Services Contract 2010-2011

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Medellin, seconded by Mrs. Daum, and unanimously carried (7-0) to approve the special education consultant services contract with Extraordinary Pediatrics for the 2010-2011 school year, and authorizes the Board President to sign such contract, subject to review and approval by District Counsel.

26. Board of Education Approval of Personnel Report

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mrs. Daum, seconded by Mr. Condela, and unanimously carried (7-0) to approve, as presented, the Personnel Report dated October 27, 2010, items 1 through 180 inclusive.

27. Board of Education Approval of Use of Buildings

Upon the recommendation of the Superintendent of Schools, a **Motion** was made by Mr. Condela, seconded by Mrs. Holt, and unanimously carried (7-0) to approve the use of buildings or fields by the following community and school organizations for the 2010-2011 school year subject to the limitations of policy and regulation:

Island Trees Soccer Club
St. Bernard's Youth Basketball
Island Trees SEPTA
Island Trees Varsity Football
Island Trees Wrestling
Girl Scouts of Nassau County
Island Trees SEPTA
Cub Scouts Pack 600
Sparke PTA
Girl Scouts Troop 3540
Island Trees Youth Wrestling
Nassau County Girls Soccer Association
Levittown Athletic Club
Girl Scouts Troop 3120
Girl Scouts Troop 3280
M. F. Stokes PTA
J. Fred Sparke PTA
PTSA
Girl Scouts Troop 3480

FINANCIAL REPORT

The Board of Education accepted the Financial Reports for July and August, 2010, as presented.

**COMMENTS
FROM VISITORS
(OLD & NEW
BUSINESS):**

The Board heard comments and concerns from members of the audience.

**EXECUTIVE
SESSION:**

On **Motion** of Mr. Rochon, seconded by Mrs. Medellin, and unanimously carried (7-0), the meeting adjourned to Executive Session at 8:48 PM.

BOARD OF EDUCATION MEETING

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**RETURN TO
REGULAR
SESSION:**

On **Motion** of Mrs. Holt, seconded by Mr. Rochon, and unanimously carried (7-0), the members came out of Executive Session at 9:33 PM.

ADJOURNED:

On **Motion** of Mrs. Holt, seconded by Mrs. Medellin, and unanimously carried (7-0), the meeting adjourned at 9:39 PM.

Respectfully submitted,

Concetta Carr
District Clerk

Minutes approved _____

/cc
10/27/10