

VALLEY STREAM SCHOOL DISTRICT 24
MINUTES OF THE MEETING OF THE
BOARD OF EDUCATION

March 25, 2015

The Work Session Meeting was called to order by President LaRocco at 6:00 PM. Dr. Fale reviewed tonight's Agenda with the Board. He discussed the "Opt out" letters received from parents for students not taking the assessment tests. Dr. Fale reviewed the School Report Card for 2013-2014. Dr. Fale asked the Board to review Mrs. Otton's request for a special fundraiser to help homeless animals. This was approved by the Board. The Board decided on the date of the Reorganization meeting for July 8, 2015. A time will be determined at a later date.

Motion was made by Anthony Iadevaio, seconded by Armando Hernandez to enter into Executive Session at 7:02 PM to discuss continuing personnel matter regarding the suggested cuts in the proposed budget as well as a particular student matter.

Executive Session was adjourned at 7:40 PM and the work session continued to review tonight's agenda.

The Work Session was adjourned at 8:30 PM to enter into the regular Board meeting.

President LaRocco called the regular meeting to order at 8:43 PM. The meeting took place at the William L. Buck School on March 25, 2015 immediately following the Work Session meeting.

Members Present: Paul DePace, Armando Hernandez, Anthony Iadevaio, Donna LaRocco, John Maier, Lisa Pellicane and Lawrence Trogel.

Members Absent with Prior Notice:

Others Present: Superintendent Fale, Attorney Richard Zuckerman, Assistant Superintendent Onorato, Director of Curriculum Dr. Lisa Conte and Director Special Education Mrs. Vanessa Myers .

President LaRocco approved the minutes of February 11, 2015 and March 11, 2015.

President LaRocco welcomed questions or comments relative to the items on tonight's agenda from visitors.

District Clerk did not have anything to report.

Dr. Fale and Mr. Onorato presented the proposed 2015-2016 Budget to the Board and the audience. Dr. Fale explained how we had a budgetary surplus in 2009 when we were audited and were directed by the New York State Comptroller to bring the budget down each year from that surplus. It seemed like a good plan at that time but what happened along the way placed us in Moderate Fiscal stress. In 2010-2011 the state ran into budget problems and established the Gap Elimination Adjustment which took money from each district to help with the state budget. The state took over \$3 million dollars and then the tax cap was put into play.

At the same time, Legislators wrote laws stating that we would get mandate relief for new programs we were forced to implement. In 2011-2012 when Race to the Top came around we had little choice but to implement this program with little relief. We were promised a lot of money but were only given a total of \$24,000 for APPR and Common Core. It ended up costing us well over \$600,000 to

implement these programs. Last year we had to rely on special legislature from the state to supplement our budget since our state aid fell short of what we were promised. Unfortunately over the years of paying money from our fund we were left with no extra cushion to fall back on. We now have to rely on state aid, small revenues and stay within our tax cap to get any aid.

We are very proud of all of our programs to educate all students. For the proposed 2015-2016 budget we must meet all contractual expenses which include salaries, benefits, BOCES payments, transportation for special needs and private schools and Special education services outside the district. Our cooperative efforts with other districts keep costs down as much as we can. We partake in the Transportation Consortium, Special Education Consortium, Gasoline cooperative with the Village of Valley Stream, residence and investigations with the other Valley Stream districts and now the Geothermal heating and cooling.

The 2015-2016 budget will be reducing Keyboarding, Spanish and Outdoor Education. We are also reducing staff in the form of 6 classroom teachers, 1 math teacher, 1 psychologist, 1 Special Education teacher, 5 Teaching Assistants, 3 Full time aides and the daytime outside Security. Since we do not know what we will get as far as state aid and gap elimination our proposed budget will be \$26,932,372 which is a decrease of one and one half million dollars.

There were many questions from the audience about the cuts in services and staffing. Dr. Fale advised the audience that any cuts were services that were extra and while we enjoyed having them are not state mandated.

Questions arose about spending on capital improvements around the district and why can't we use the money for teachers and the services we are cutting. Dr. Fale explained that in order to get any kind of state aid we must use any money for capital improvements. In addition, without capital improvements the allowed tax cap could have been lowered to 0.8%. By law we must submit to the state a 5 year Facilities Plan drafted by our architects and filed with the State. The state enforces that we do this as part of state mandates.

Parents in the audience asked what would happen if the budget was not passed. Dr. Fale advised that if the budget did not pass we would have two options. We could decide to put the budget up for a revote and that would cost us about

\$40,000. or we would proceed with a budget of 0% increase from 1.58% which would be even worse.

Dr. Fale explained that with 16 years in the district many of the programs that are being cut are programs that he instituted. He is not happy doing this but we have no choice. Teachers are excessed in the order of seniority in their tenure area. If teachers retire then there is a possibility of rehiring some of the excessed teachers in their place.

Parents also inquired about Opting out of tests and what are thoughts were. Dr. Fale advised that our district supports the right to choose. He explained that due to the No Child Left Behind law you are required to have 95% participating in testing by grades. It is possible that if enough people opt out we could become a district in need of improvement.

Motion: Lawrence Trogel, seconded by Anthony Iadevaio, Alice Cimler, a teacher of this District, has submitted her irrevocable written letter of resignation for the purpose of retirement, effective close of business on June 30, 2015.

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education accepts her letter of resignation for retirement purposes.

BE IT FURTHER RESOLVED, the Superintendent of Schools is directed to calculate the number of days to Alice Cimler's eligibility for a leave of absence with pay prior to retirement, at the appropriate time, pursuant to Section 5.9 of the agreement between the Valley Stream Teachers' Association and the Board of Education and that the lump sum payment thereof to Alice Cimler shall be in accordance with Section 5.9.5 of the agreement is hereby authorized.

Motion unanimously carried.

Motion: Lawrence Trogel, seconded by Paul DePace, that upon the recommendation of the Superintendent of Schools that seven (7) Elementary education positions and one (1) teaching position of an educator of Students with Disabilities (Grades Birth through Grade 6) be abolished, effective at the close of

business on June 30, 2015, in accordance with NYS Education Law Section 2510. This action is to be taken based upon projections and budgetary constraints for the 2015-2016 school year.

BE IT FURTHER RESOLVED, that due to this abolition of positions, the employment of the following persons will be terminated effective at the close of business on June 30, 2015: Deborah Adler, Deanna Fichtelberg, Jacqueline Roth, Denise Andersen, James Fischman, Matthew Roth, Kathleen Carter and Amy Catalano.

BE IT FURTHER RESOLVED, upon the recommendation of the Superintendent of Schools, the District will carry out the excessing of teachers by seniority within the tenure area in accordance with New York State Education Law, and hereby establishes preferred eligibility lists for a period of seven (7) years as required by law effective July 1, 2015 as follows:

ELEMENTARY EDUCATION

Deborah Adler

Elementary Classroom Teacher
Total Service to District 7.05 years
Original Appointment Date:

September 1, 2007

Deanna Fichtelberg

Elementary Classroom Teacher
Total Service to District 5.2 years
Original Appointment Date:

September 1, 2010

Jacqueline Roth

Elementary Classroom Teacher
Total Service to District 5 years
Original Appointment Date:

September 1, 2010

Denise Andersen

Elementary Classroom Teacher

Total Service to District 4 years

Original Appointment Date: September 1, 2011

James Fischman

Probationary Elementary Classroom Teacher

Total Service to District 3 years

Original Appointment Date: September 1, 2012

Matthew Roth

Probationary Elementary Classroom Teacher

Total Service to District 2 years

Original Appointment Date: September 1, 2013

Kathleen Carter

Probationary Elementary Classroom Teacher

Total Service to District 1 year

Original Appointment Date: September 1, 2014

Educator of Students with Disabilities (Grades Birth through Grade 6)

Amy Catalano

Probationary Special Education

Total Service to District 2.7 years

Original Appointment Date: September 1, 2011

Motion unanimously carried.

Motion: Lawrence Trogel, seconded by Anthony Iadevaio, that upon the recommendation of the Superintendent of Schools, that five (5) Teaching Assistant positions be abolished, effective at the close of business on June 30, 2015, in accordance with NYS Education Law Section 2510. This action is to be taken based upon projections and budgetary constraints for the 2015-2016 school year.

BE IT FURTHER RESOLVED, that due to this abolition of positions, the employment of the following persons will be terminated effective at the close of business on June 30, 2015: Lauren Grupp, Brian Hicks, Michelle Anander, Stacey Mueller, and Lisa Granath.

BE IT FURTHER RESOLVED, upon the recommendation of the Superintendent of Schools, the District will carry out the excessing of Teaching Assistants by seniority within the tenure area in accordance with the New York State Education Law and hereby establishes preferred eligibility lists for a period of seven (7) years, as required by law, effective July 1, 2015, as follows:

TEACHING ASSISTANTS

Lauren Grupp

Probationary Teacher Assistant

Total Service to District 3 years

Original Appointment Date: September 1, 2012

Brian Hicks

Probationary Teacher Assistant

Total Service to District 3 years

Original Appointment Date: September 1, 2012

Michelle Anander

Probationary Teacher Assistant

Total Service to District 2.9 years

Original Appointment Date: October 1, 2012

Stacey Mueller

Probationary Teacher Assistant

Total Service to District 1.9 years

Original Appointment Date: September 12, 2013

Lisa Granath

Probationary Teacher Assistant

Total Service to District 1 year

Original Appointment Date: September 1, 2014

Motion unanimously carried.

Motion: John Maier, seconded by Armando Hernandez, the Board of Education accepts the recommendations of the Committee on Pre-School Special Education, pertaining to students being considered for pre-school special education services and the Board approves and ratifies the recommendations of the Committee on Pre-School Special Education presented for child #: 442301660; 442301378; 442301660; 442301668; 442301385; and 442301135. Motion unanimously carried.

Motion: John Maier, seconded by Lawrence Trogel, the Board of Education accepts the recommendations of the Committee on Special Education, pertaining to students being considered for special education services and the Board approves and ratifies the recommendations of the Committee on Special Education presented for child #: 422100030; 402200130; 402200130; 442300692; 442300786; 442301246; 442301624; 442300544; 442300000; 442301136; 442301658; 442300676; 442300156; 442300451; 442300450; 422100030; 442300436; 402200130; 442301041; and 442300565. Motion unanimously carried.

Motion: Armando Hernandez, seconded by Anthony Iadevaio, upon the recommendation of the Superintendent of Schools, the Board shall accept the Treasurer's Report, Interest Report, Collateral Report, Appropriation Status Report, Revenue Status Report, Trial Balance Report and Internal Claims Report for January, 2015. Motion unanimously carried.

VALLEY STREAM CENTRAL HIGH SCHOOL DISTRICT

There are three delegates from Valley Stream UFSD Twenty-Four on the Central High School Board of Education, Mr. Iadevaio, Mrs. Pellicane and Mr. Trogel. Mr. Iadevaio reported that the High School District approved their budget at the last meeting based on a 2% tax cap. Mr. Cliff Odell was appointed as the new Assistant Superintendent for Personnel and Administration effective July 1, 2015.

LEGAL REPORT – Representative from the law firm, Lamb & Barnosky, LLP Attorney Richard Zuckerman advised that he spent time providing advice all all issues tonight and legal issues pertaining to personnel, policy and contractual issues.

PUBLIC RELATIONS REPORT- A copy of such report is affixed to these minutes.

LEGISLATION REPORT – A copy of such report is affixed to these minutes.

BUILDINGS & GROUNDS – A copy of such report is affixed to these minutes.

POLICY COMMITTEE - Did not meet this evening due to longer Work Session meeting.

There was no unfinished business to report.

Motion: Lisa Pellicane, seconded by Armando Hernandez, that upon the recommendation of the Superintendent of Schools, the Board approves a contract for Health Services with the Lynbrook Union Free School District for nine students attending non public schools for the 2014-2015 school year at the cost of \$684.28 per pupil, for a total cost of \$6,158.52. Motion unanimously carried.

Motion: Paul DePace, seconded by Anthony Iadevaio, that upon the recommendation of the Superintendent of Schools, the Board approves a contract for Health Services with the Garden City Public Schools for two students attending non public schools for the 2014-2015 school year at the cost of \$867.91 per pupil, for a total cost of \$1,735.82. Motion unanimously carried.

Motion: Anthony Iadevaio, seconded by Lawrence Trogel, that the adoption of the proposed budget of \$26,932,372 for the 2015-2016 school year be table for further discussion by the Board of Education. Motion unanimously carried.

Motion: Lawrence Trogel, seconded by Paul DePace, upon the recommendation of the Superintendent of Schools, the Board of Education approves the award of bid for SED No. 28-02-24-02-0-002-018, Contract C - Site Work and Electrical Service Upgrade at the Brooklyn Avenue School to Stasi Brothers Asphalt Corporation for base bid amount of \$87,342. Motion unanimously carried.

Motion: Paul DePace, seconded by Anthony Iadevaio, upon the recommendation of the Superintendent of Schools, the Board of Education approves the award of bid for SED No. 28-02-24-02-0-002-018, Contract E - Electrical work at the Brooklyn Avenue School to Palace Electrical Contractors for base bid amount of \$143,300. Motion unanimously carried.

Motion: Anthony Iadevaio, seconded by Lisa Pellicane, upon the recommendation of the Superintendent of Schools, the Board of Education approves the Special Education Plan for the 2014-2016 school year. Motion unanimously carried.

WHEREAS, Lamb & Barnosky, LLP is the District's general counsel; and

WHEREAS, Lamb & Barnosky, LLP is also labor counsel to the Five Towns JCC; and

WHEREAS, the JCC has approached the District about utilizing District facilities for a summer program during the summer 2015; and

WHEREAS, Lamb & Barnosky, LLP, as general counsel to the District, may be asked by the District to provide advice and counsel about this arrangement including, but not limited to, reviewing proposed contracts and District policies and providing advice to the Board of Education and the District's Administration about same; and

WHEREAS, the JCC has confirmed to the District that it has been advised about the potential ethical conflict of interest in having Lamb & Barnosky, LLP serving as counsel to the District with regard to this matter while it also serves as counsel to the JCC and that, notwithstanding this situation, the JCC has no objection to and will execute appropriate documentation waiving any actual or potential conflict of interest that may arise as a result of Lamb & Barnosky, LLP's representation of the District in this matter while also serving as labor counsel to the JCC; and

WHEREAS, based upon this representation, as well as the Board of Education's desire that Lamb & Barnosky, LLP serve as the District's counsel with regard to this matter

IT IS NOW, THEREFORE, RESOLVED, that the Board of Education waives any potential or actual ethical conflict of interest involving Lamb & Barnosky, LLP as described above; and

IT IS FURTHER RESOLVED, that the Board of Education authorizes the Board President to execute a letter to be prepared by Lamb & Barnosky, LLP waiving any potential or actual ethical conflict of interest as described above.

Motion unanimously carried.

Motion, Paul DePace, seconded by Lawrence Trogel, upon the recommendation of the Superintendent of Schools, the Board approves the following Budget Transfers:

CODE	DESCRIPTION	FROM	TO
A2010.16	Curriculum Salaries	\$ 5,001.10	
A2110.473	Charter Schools	\$ 11,421.19	
A2020.4	Supervision Expenses	\$ 7,000.00	
A2110.12	Teacher Salaries	\$ 102,302.45	
A2250.151	Inclusion Teacher Salaries	\$ 180,722.40	
A2630.16	Computer Aide Salaries	\$ 36,983.78	
A9050.8	Unemployment Insurance	\$ 9,410.00	
A1320.4	Auditing Expense		37,545.18
A1620.162	Security Aide Salaries		\$ 18,421.19
A1910.4	Unallocated Insurance		\$ 15,053.00
A1981.49	BOCES Admin		\$ 0.50
A2010.15	Curriculum - Prof. Salaries		\$ 5,000.60
A2110.121	Kindergarten Teacher Salaries		\$ 31,015.66
A2250.477	Special Education Tuition		\$ 26,972.40
A2630.12	Computer Salaries		\$ 55,672.39
A5540.4	Transportation Expenses		\$ 153,750.00
A9010.8	Employee Retirement		\$ 9,410.00
	TOTALS	\$ 352,840.92	\$ 352,840.92

The meeting was adjourned at 10:10 PM.

Motion was made by John Maier, seconded by Lawrence Trogel to enter into Executive Session for continued discussion of personnel matters.

The Board entered Executive Session at 10:20 PM.

The work session was adjourned at 10:45 PM.

jmo