

VALLEY STREAM SCHOOL DISTRICT 24

MINUTES OF THE

MEETING OF THE

BOARD OF EDUCATION

January 27, 2016

8:30 PM

BROOKLYN AVENUE SCHOOL

The Work Session was called to order by President Trogel at 7:30 PM.

Members Present: President Trogel, Vice President Pellicane, Trustees DePace, Hernandez, Iadevaio, LaRocco and Maier.

Others Present: Superintendent Fale, Attorney Mara Harvey, Director of Curriculum, Dr. Lisa Conte, Director of Special Education, Mrs. Vanessa Myers and Director of Finance and Operations, Mr. Jack Mitchell.

President Trogel called the Work Session meeting to order at 7:33 PM. Attorney Mara Harvey explained the LIPA Pilots (Payment in lieu of taxes). In 2013 the County removed all properties that were LIPA owned from tax rolls but did not verify that the properties were actually LIPA owned. LIPA was supposed to give money to the schools but as of now they have not. The County Guarantee is that Nassau County would absorb the cost if Pilot did not pay. Our District is scheduled to receive \$721,000 and hasn't received anything yet.

Lamb & Barnosky is being retained to act on our behalf and appear in court with all other districts involved. They are representing other districts and we will pay our share of the costs in attorney fees.

The Board determined that Anthony Iadevaio would be the NYSSBA Advocacy Liaison/Legislative Liaison for our district.

Motion was made by Anthony Iadevaio and seconded by Armando Hernandez to enter into Executive Session at 8:20 PM to discuss the employment history of a particular person and to seek legal advice from the Board's Attorney.

The work session was adjourned at 8:38 PM.

President Trogel called the business meeting to order at 8:40 PM

Determination of Quorum & Call to Order, President

Salute to the Flag and Pledge of Allegiance

Approval of Minutes –December 16, 2015 and January 6, 2016

Welcome to Visitors – At this time the Board of Education welcomes questions or comments relative to the items on tonight's agenda.

Mr. Armando Hernandez would translate if anyone needed assistance.

Correspondence Report – District Clerk – Ms. Johanna Owen

Dr. Edward Fale welcomed the audience and told them there would be two presentations this evening.

He introduced Dr. Scott Comis, Principal of the Brooklyn Avenue School .

Dr. Comis welcomed the audience to the Brooklyn Avenue School.

Dr. Fale introduced Dr. Lisa Conte and Mr. Mark Onorato to do a presentation on the Parent Portal.

He then introduced Mr. Guy Page and Mr. Jason Smith, architects from H2M Architects to do a presentation on Facilities Planning.

Motion: Lawrence Trogel, seconded by Lisa Pellicance to have a Consent Agenda for the items as listed on the agenda.

Motion: Lisa Pellicane, seconded by Donna LaRocco, that the following item be approved.

WHEREAS, Kathleen Carter was appointed to a three year probationary appointment in the Elementary tenure area effective September 1, 2014 and ending on August 31, 2017; and

WHEREAS, pursuant to Education Law Section 3013, Kathleen Carter was excused from her position as a probationary teacher in the Elementary tenure area effective July 1, 2015, and was placed on the District's Preferred Eligibility list for the Elementary tenure area; and

WHEREAS, pursuant to Education Law Section 3013, Kathleen Carter was recalled on August 26, 2015 from the Preferred Eligibility List in the Elementary tenure area, to fill an encumbered leave replacement position through June 30, 2016; and

WHEREAS, a tenure track position will become available effective March 1, 2016, in the Elementary tenure area.

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to Education Law Section 3013, effective March 1, 2016, Kathleen Carter will be recalled from the District's Preferred Eligibility List in the Elementary tenure area to an unencumbered position as an Elementary teacher. Ms. Carter will resume her three year probationary appointment effective March 1, 2016 and, for purposes acquiring credit toward the attainment of tenure, will be credited with her one year of probationary service in the Elementary tenure area from September 1, 2014 to June 30, 2015 and her service as leave replacement in the Elementary tenure area from August 26, 2015 to February 29, 2016. Ms. Carter's probationary appointment will, therefore, end on August 31, 2017, unless terminated prior thereto in the manner prescribed by the Education Law. Compensation will be in accordance with the current negotiated agreement between the Valley Stream Teachers' Association and the Board of Education. Motion unanimously carried.

Motion: Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board of Education, pursuant to Education Law and in compliance with Part 30.3 of the Rules of the Board of Regents appoints Leigh Nahman as a temporary leave replacement teacher for Nicole Foster, effective March 1, 2016 until the return of said teacher, but no later than June 30, 2016. Compensation will be in accordance with the current negotiated agreement between the Valley Stream Teachers' Association and the Board of Education at Step 1, MA. Motion unanimously approved.

Motion: Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board of Education hereby approves a change in salary level, as a result of successful completion of graduate/course work for the following teachers, effective February 1, 2016:

Krista Anthony	-	Step 3/MA+45
Sophia Kalemkeridis	-	Step 3/MA +15
Kelly Martin	-	Step 11/MA +30

Motion unanimously carried.

Motion: Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board hereby appoints the following to teach the Operation Success Program for ELA and/or Math for the program commencing January 2016 to April 2016: Denise Andersen Carol Cannonito, Kelly Carr, Chris Chruma, Cathy Cipriano, Chelsea Cittadino, Deana Fichtelberg, Drew Jakubowski, Paola Gilbert, Kaitlyn Gillespie, Samantha Joltin, Sophia Kalemkeridis, Linda Karlin, Susan Leggett, Marissa Levenberg, Dave LeWinter, Marie Malkiewicz, Vincent Milano, Thomas Ponchione, Shannon Quinn, Ana Restrepo, Jacqueline Roth, Matthew Roth, Richard Roth, Joseph Schumpf, Allison Smithwick, Andrea Sommella, Stacey Thomas, Shannon Weber and Carol Wright.

The following staff will be appointed as substitutes for Operation Success: Vincent Milano, Thomas Ponchione, Stacey Thomas and Bruna Zappia. Compensation is in accordance with the appropriate hourly rate of pay as per the current Valley Stream Teachers' Association contract. Motion unanimously carried.

Motion, Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board of Education hereby approves the following Teaching Assistants to provide instructional supervision after school with the Music Program, effective January 25, 2016 until May 23, 2016, at an hourly rate of pay: Thomas Ponchione and Bruna Zappia. Stacey Thomas and Alida Pesola will be substitutes, if needed. Motion unanimously carried.

Motion: Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts the resignation of Diana Quintana, a part-time school monitor, effective close of business January 22, 2016. Motion unanimously carried.

Motion: Lisa Pellicane, seconded by Donna LaRocco, upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Kim Latremore as a part-time Cafeteria Monitor, effective February 19, 2016. Compensation will be in accordance with the agreement between the Valley Stream School District 24 Board of Education and the United Public Service Employees' Union (UPSEU). Motion unanimously carried.

Motion: Lisa Pellicane, seconded by Donna LaRocco, as amended, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following as a Substitute Monitor/Aide (security/door) for the 2015-2016 school year: Corliss Danas. Motion unanimously carried,

Motion: Paul DePace, seconded by Anthony Iadevaio, 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 #: 442301920; 442301813; 442301787; 442301778; and 442301736. Motion unanimously carried.

Motion: Armando Hernandez, seconded by John Maier, 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 #:442301249; 442300000; 442301913;412200390;

412100220;442300993; 442300992;442301923; 442301904; 442301576;
442301849; 442301862; 442301866; 442301585; 442301009; and 442301903.
Motion unanimously carried.

Motion: John Maier, 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 Claims Auditor's Report for November, 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 told the audience that Sports Awards were given out at the High School Board meeting.

LEGAL REPORT – Representative from the law firm, Lamb & Barnosky, LLP Discussed the Veterans Tax Reduction going into effect January 2, 2016 as well as the alternate exemption.

PUBLIC RELATIONS REPORT – A copy of this report is affixed to these minutes.

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

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

POLICY COMMITTEE –

Motion: Anthony Iadevaio, seconded by Armando Hernandez, upon the recommendation of the Superintendent, the Board of Education adopts the following policies that were revised and/or newly adopted:

Policy #5210 – Cooperation with CPS Investigations of Child Abuse,
Maltreatment or Neglect in a Domestic Setting

Motion unanimously carried.

UNFINISHED BUSINESS, IF ANY - NONE

NEW BUSINESS

Motion: Armando Hernandez, seconded by John Maier,, upon the recommendation of the Superintendent of Schools, the Board of Education accepts NYS' determination of Estimated Non Resident Tuition for District #24 for the 2015-2016 school year as follows:

Regular Education K-6:	\$14,035
Special Education K-6	\$64,171

The Board of Education also accepts NYS' determination of the Actual Non Resident Tuition for District #24 for the 2014-2015 school year as follows:

Regular Education K-6:	\$14,680
Special Education K-6	\$62,060

Motion unanimously carried.

Motion: Paul DePace, seconded by Anthony Iadevaio, upon the recommendation of the Superintendent of Schools, the Board of Education approves the transfer of \$30,000 from the General Fund to the Cafeteria Fund. Motion unanimously carried.

Motion: Lisa Pellicane, seconded by John Maier, that the following resolution be approved.

WHEREAS, the LIPA Reform Act of 2013 ("LIPA Reform Act") was enacted into law by the State Legislature and Governor; and

WHEREAS, the District believes that Nassau County has incorrectly and illegally implemented provisions of the LIPA Reform Act to the District's detriment; and

WHEREAS, additionally, on or about September 30, 2015, the County unilaterally, arbitrarily and without legal authority reduced the tax levy approved by the voters of the District and certified by the District to the County, to the detriment of the District; and

WHEREAS, to date, the District has not received from the County its full share of the payments in lieu of taxes (“PILOTs”) paid or required to be paid by the Long Island Power Authority (“LIPA”), and the County has improperly taken the position that the “County Guarantee” does not apply to these PILOT payments.

NOW, THEREFORE, upon recommendation of the Superintendent of Schools and District legal counsel,

IT IS HEREBY RESOLVED, that Lamb & Barnosky, LLP, as the District’s legal counsel, is hereby authorized to commence an action and/or special proceeding against the County of Nassau and its relevant officers, administrators, employees, agencies and agents seeking to challenge Nassau County’s improper implementation of the LIPA Reform Act and its refusal to hold the District harmless from its implementation, including the non-payment of PILOTs; and

IT IS FURTHER RESOLVED, that Lamb & Barnosky, LLP, as the District’s legal counsel, is further authorized to commence an action and/or special proceeding against LIPA, either as part of its action or proceeding against the County or a separate action/proceeding, to seek full recovery of all PILOT payments due the District; and

IT IS FURTHER RESOLVED, that Lamb & Barnosky, LLP will divide the legal fees and litigation costs among its school district clients that join this litigation and, accordingly, bill the District on a pro-rata basis, except for those fees and costs that are attributable solely to the District.

There were many questions from the audience regarding the Architect’s Report that were answered by the Architects, the Superintendent and the Board.

The meeting was adjourned at 10:50 PM.

Motion: Anthony Iadevaio, seconded by Donna LaRocco, to enter into Executive Session to continue with discussion of the employment of a particular person and to seek legal advice from the Board's Attorney.

Respectfully Submitted,

Johanna Owen

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