

Center Moriches Union Free School District

BOARD OF EDUCATION

Joseph W. McHeffey, President
Wendy R. Turkington, Vice President
Daniel Finnegan
Thomas R. Hogan
Wayne A. Vitale

Patricia A. Galietta
District Clerk

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Deputy Superintendent

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Business Official

Diane M. Smith
Treasurer

REGULAR MEETING BOARD OF EDUCATION

**CENTER MORICHES, NY
DECEMBER 15, 2010**

The Board of Education, Center Moriches Union Free School District, held a Regular Meeting in the Board Room on Wednesday, December 15, 2010 at 7:00 p.m. Those present were Board Members Joseph W. McHeffey, Wendy R. Turkington, Daniel P. Finnegan, Thomas R. Hogan and Wayne A. Vitale; Superintendent Russell J. Stewart, Business Official Carol M. Perkins, District Treasurer Diane M. Smith and District Clerk Patricia A. Galietta.

The Regular Meeting was called to order by President McHeffey at 7:15 p.m. with the Pledge of Allegiance. There were 18 visitors present

1. Superintendent's Report

- **American Heart Association** – Mrs. Hardwick made a presentation to Ruth Cardone, Eric Slifstein and Michael Russo recognizing their fundraising efforts for the American Heart Association with “Jump Rope for Heart” and “Skate for Heart”. This year, through their efforts, the District came in first in Suffolk County and second in New York State.
- **Good Citizenship – Positive Programs to Deter Bullying** – Mrs. Hardwick presented the new Good Citizenship Program, which has been implemented at Clayton Huey Elementary as a positive program to deter bullying.

2. **Legislative Report** – Mr. Vitale reported that he will be attending a meeting at William Floyd School District to acquaint the new NYS Senator Zeldin with the school district officials in his area. Mr. McHeffey reported that he and Superintendent Stewart attended the 2010 School Law Conference on December 6th.

3. **Minutes** – On motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following minutes as submitted:

Regular Meeting of December 1, 2010

PERSONNEL SECTION

4. Tenure

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the tenure appointment of the following individual:

Employee	Tenure	Effective Date
Lawrence Voelger	Social Studies	01/10/11

5. **Substitutes: 2010-2011 School Year**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to appoint the following individuals as substitutes for the 2010-2011 school year, as follows:

Name	Type/Building	Effective Date	Stipend
Matthew Montelione	Per Diem Substitute - Secondary	12/16/10-06/30/11	\$50/day

6. **Appointments of Teaching and Support Staff**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following appointments:

Name	Position/Subject	Effective Date(s)	Bldg.	Salary/Step
Timothy Clancy	Lighting & Sound Co-Advisor	2010-2011	DW	\$699.50
David DeJohn	Volunteer Manager Statistician for JV & V Boys' Basketball	12/16/10-03/15/10	HS	Volunteer
Michael Glanzman	Volunteer for the Girls' Varsity Basketball Program	12/02/10 – 03/01/11	HS	Volunteer
Catherina Grella	Paraprofessional	12/16/10	Elem.	\$12,399 prorated
Erin O' Brien	Field Trip Nurse	2010-2011	DW	\$105/day
Nancy Harkin	Musical Director	2010-2011	HS	\$2,037
Bradford Turnow	Lighting & Sound Co-Advisor	2010-2011	DW	\$699.50

FISCAL SECTION

7. **Donation**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to accept the following donation:

- ❖ \$3,000 from **Madison Square Garden Varsity** to purchase a MacIntosh Desktop Computer, editing screen, and CS3 Adobe Software.

8. **Salary Moves**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following salary moves on the salary schedule, effective January 30, 2011:

Names	From	To
Cari Ann Cohn	G/6	H/6

9. **Student Trip**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve approximately 14 softball athletes, accompanied by 2 coaches and approximately 2 chaperones, to travel to Disney (Florida) during spring break (April 18, 2011, through April 23, 2011). The approximate cost to each student will be \$361. There will be no cost to the district for this trip.

10. Payment Authorization

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to accept the report by the Independent Claims Auditor for the month of November 2010 and authorizes payment of the monthly bills listed on Warrants for the month of November 2010, as audited by the Independent Claims Auditor as follows:

Warrant:	17, 18, 30	19, 31	20, 21	32, 35	22
Date:	11/3	11/10	11/17	11/18	11/22

11. Contracts

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following contracts in accordance with the terms and conditions of the contracts, as well as at the established cost contained in said contracts:

Westhampton Beach UFSD (2010 Summer Program) – Instructional Services;
Individual Related Services Provider – Lorraine Bennardo (12/15/10-06/30/11);
Individual Related Services Provider – Kwame Alexander (12/17/10-01/07/11); and
Judith Ponticello (December 1, 2010 – June 30, 2014).

12. CMTA Memorandum of Agreement – Appendix G

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the Memorandum of Agreement between the Center Moriches School District and the Center Moriches Teachers’ Association concerning Appendix G (Mentoring Program) (July 1, 2008 – June 30, 2013).

13. CMOSA Memorandum of Agreement – Article 10(c)

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the Memorandum of Agreement between the Center Moriches School District and the Center Moriches Office Staff Association concerning Article 10(c) – Vacation (July 1, 2008 – June 30, 2012).

14. **Budget Transfers – November 2010**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the budget transfers.

15. **Monthly Activity Report**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the Activity Treasurer's Report for the month of October 2010.

16. **Treasurer's Report**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the Treasurer's Report for the month of October 2010.

17. **Budget Development Calendar (2011-2012)**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the 2011-2012 Budget Development Calendar.

18. **Lease Application – Amersco & Municipal Leasing Consultants**

On motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following:

RESOLUTION AND DECLARATION OF OFFICIAL INTENT

WHEREAS, the Board of Education ("Board") of the Center Moriches Union Free School District ("District" or "Lessee") has determined that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding **\$2,883,793** ("Principal Amount") for the purpose of acquiring and installing certain property ("Property") in connection with the District's Amersco Energy Project ("EPC"), to be described more specifically in the Equipment Leases, is appropriate and necessary to the functions and operations of the Lessee; and

WHEREAS, the Board has solicited and reviewed proposals for the financing of the EPC and has determined that the proposal submitted by Chase Equipment Finance, Inc. ("Lessor") best meets the requirements for such services; and

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. Upon the recommendation of the District's School Business Official, it is hereby determined that the proposal submitted by Chase Equipment Finance, Inc. ("Lessor") is accepted. Either one of the Board President, Joseph W. McHeffey **OR** the School Business Official, Carol M. Perkins (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases with the Lessor, which documents shall be available for public inspection at the office of the Lessee. Each Authorized

18. **Lease Application – Amersco & Municipal Leasing Consultants (Continued)**

Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate, and the President of the Board is hereby authorized to execute any and all legal documents necessary to conclude the financing of the Equipment Leases, subject to the approving opinion by the school's attorney Frazer & Feldman, LLP. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

SECTION 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

SECTION 3. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

SECTION 4. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Board as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute a general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

SECTION 5. The Board anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Board hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Board for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

SECTION 6. As to each Equipment Lease, Lessee hereby designates each Equipment Lease as a "qualified tax-exempt obligation" for the purposes of and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended ("Code") and Lessee reasonably anticipates that the total amount of Section 265 Tax-Exempt Obligations to be issued during the current calendar year by Lessee, or by an entity controlled by Lessee or by another entity the proceeds of which are loaned to or allocated to Lessee for purposes of Section 265(b) of the Code will not exceed \$30,000,000. "Section 265 Tax-Exempt Obligations" are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, except for private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code.

This Resolution shall take effect immediately upon its adoption and approval.

MISCELLANEOUS SECTION

19. **CPSE/CSE – Recommendations**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the recommendations of the Committees on Special Education and Preschool Special Education for the month of October 2010.

20. **Technology Committee and Curriculum and Instruction Committee (2010-2011)**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to approve the following individual for the 2010-2011 Curriculum and Instruction Committee and the 2010-2011 Technology Committee:

Kathleen Rasso.

21. **First Policy Reading**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to conduct a first reading of the following policy:

Board of Education: Resignation and Dismissal (Policy #1230) – replaces Policy BBC.

22. **Second Policy Reading**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to conduct a second reading of the following policies:

Policy and Administrative Regulations (Policy #1410) – replaces Policy BFC;
Special Meetings of the Board of Education (Policy #1520) – replaces Policy BDB;
Interscholastic Athletic Program (Policy #7420) – replaces Policy IGDJ;
Parental Consent for Evaluation of a Preschool Student Suspected of Having a Disability (Policy #7614) ; and
School-Wide Approaches and Pre-Referral Interventions (Policy #7616).

23. **Third Policy Reading and Adoption**

Upon the recommendation of the Superintendent of Schools, and on motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to conduct a third reading of the following policies and subsequently move to adopt the policies:

Duties of the Superintendent (Policy #4212) – replaces Policy CBA;
Superintendent’s Contract (Policy #4213) – replaces Policy CBC;
Superintendent’s Development Opportunities (Policy #4214) – replaces Policy CBE;

24. **Third Policy Reading and Adoption**

Evaluation of the Superintendent and Other Administrative Staff (Policy #4215) – replaces Policy CBG;

Wireless Phone Usage (Policy #5322) – replaces uncoded policy; and

Graduation Exercises (Policy #7221) – replaces Policy IKFB.

On motion by Mrs. Turkington, seconded by Mr. Vitale and carried 5-0, the Board of Education voted to go into Executive Session at 8:05 p.m.

The Regular Meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Patricia A. Galietta
District Clerk