

Regular Meeting

A Regular Meeting of the Board of Education of the Northport-East Northport Union Free School District was held on Monday evening, January 10, 2011, beginning at 6:30 p.m., in the Board Conference Room at the William J. Brosnan School, 158 Laurel Avenue, Northport, New York, with Mr. Stephen V. Waldenburg, Jr., Chairperson, opening the meeting and presiding.

Members present: Ms. Julia Binger, Mr. Joe Gannon, Mrs. Lori McCue, Mrs. Donna McNaughton, Mr. Andrew Rapiejko, Mrs. Jennifer Thompson, Mr. Stephen V. Waldenburg, Jr., Mrs. Karen Wills

Members absent: None
One board seat vacant

Also present: Dr. Marylou McDermott, Superintendent of Schools
Dr. Terry Bouton, Assistant Superintendent for Human Resources
Ms. Kathleen Molander, Assistant Superintendent for Business
Mr. Matthew Nelson, Assistant Superintendent for Instruction and Administration

1. President Waldenburg called the meeting to order.

Motion was made by Trustee Gannon, seconded by Trustee McCue, to convene in Executive Session to discuss matters pertaining to the lease of real property, the discussion of which in public might compromise the District's position in the negotiation of said lease; and the employment history of an individual, the discussion of which in public might compromise that individual's privacy rights.

Unanimously carried.

At 7:40 p.m., the Board reconvened in public session in the auditorium at the William J. Brosnan School.

Public attendance: There were approximately 100 persons present.

2. Mr. Waldenburg led those present in the Pledge of Allegiance; and
3. Pointed out the emergency exits.

President Waldenburg asked everyone to rise in a moment of silence for the tragic loss of student Katherine Comer.

4. APPROVAL OF MINUTES, TREASURER'S REPORT AND MONTHLY SUMMARY OF RECEIPTS AND DISBURSEMENTS

Motion was made by Trustee Wills, seconded by Trustee McCue, to approve all items under 4.01

4.01 Minutes

4.01.1 Regular Meeting, December 13, 2010

Dr. Nina Dorata requested that page 4 be corrected to her asking "when" the Board directed the internal auditors. Trustee Gannon stated that Dr. Dorata was correct.

Vote on Trustee Wills motion to approve all items under 4.01 with the correction to page 4 was unanimously carried.

Motion was made by Trustee McCue, seconded by Trustee Thompson, to approve all items under 4.02

- 4.02 Treasurer's Report and Monthly Summary of Receipts and Disbursements
 - 4.02.1 Treasurer's Report for the period August 1, 2010 through August 31, 2010
 - 4.02.2 Treasurer's Report for the period September 1, 2010 through September 30, 2010
 - 4.02.3 Treasurer's Report for the period October 1, 2010 through October 31, 2010
 - 4.02.4 Monthly Summary of Receipts and Disbursements for August 2010
 - 4.02.5 Monthly Summary of Receipts and Disbursements for September 2010
 - 4.02.6 Monthly Summary of Receipts and Disbursements for October 2010

Unanimously carried.

4.03 For Information: Claims Auditor's Report for Warrants and Schedule of Claims for payments dated:

September 2010, October 2010 and Addition to August 2010 (Wire Transfer Report), September 15, 2010 (Accounts Payable Warrant) September 10, 2010 (Payroll Trust & Agency Warrant), September 30, 2010 (Accounts Payable Warrant), September 24, 2010 (Payroll Trust & Agency Warrant), September 2010 (Claims Audit Report), October 15, 2010 (Accounts Payable Warrant), October 8, 2010 (Payroll Trust & Agency Warrant), October 29, 2010 (Accounts Payable Warrant), October 22, 2010 (Payroll Trust & Agency Warrant), October (Claims Audit Report)

5. SPECIAL REPORTS/ANNOUNCEMENTS FROM THE SUPERINTENDENT

Dr. McDermott congratulated the following NYSSMA All State Students who were selected to go on to the 52nd All Eastern Division Biennial Conference to be held at the Baltimore Convention Center on March 31st through April 3rd: Christopher Schaefer, chorus, and Julie Falango, student composer.

5.01 Accomplishments of Staff and Students

5.01.1 Mr. Drew Cronin, Director of Physical Education and Athletics K-12, introduced Michael D'Accordo, Physical Education Department Student of the Month. Mr. Cronin stated that Michael is an impressive young man who strives to go above and beyond during his physical education class. Michael is honest, helpful and responsible. Mr. Cronin noted that Michael's performance in physical education has been stellar and his willingness to assist those having difficulty is evident through the class period. Michael has been on the honor roll every quarter of his high school career, was selected for the All-Academic team as a member of the varsity volleyball squad, and earned scholar athlete team award in his junior year for both volleyball and baseball. Mr. Cronin stated that Michael is a member of S.H.A.R.E. and the World Language Honor Society and was voted Homecoming King and captain of the volleyball team. Mr. Cronin stated that Michael is well respected by his peers, coaches and teachers and has added enthusiasm and excitement to the physical education program.

President Waldenburg and Superintendent McDermott congratulated Michael on his fine accomplishments and presented him with a commendation from the Board.

5.02 Review of Instructional Initiatives in the following areas:

5.02.1 Physical Education

Mr. Drew Cronin noted that the 2010-2011 Physical Education Initiatives are to: revise and improve curriculum for grades 9 and 10; continue to develop the *Moodle* site; utilize the District website in an effort to improve communications between the athletic department and the community; continue to incorporate differentiated instruction into all K-12 lessons emphasizing improving each student's individual fitness level; provide additional opportunities for Professional Development; conduct a Family Health & Fitness Day; continue to implement anti-bullying into daily lesson plans; and implement the Impact Program into high school interscholastics in an attempt to establish baseline neurological function for all athletes involved in contact sports.

There was a brief discussion regarding the Impact Program for concussion injuries; student participation in the intramural programs; formation of a committee to review athletic policies and procedures and offer better communications between coaches, students and parents; and use of district facilities by various youth athletic groups.

President Waldenburg thanked Mr. Cronin for his informative report. Mr. Waldenburg asked if Mr. Brian Herrmann would like to come forward and address his letter to the Board, agenda item 6.01, since the Board was discussing physical education.

Mr. Herrmann read his letter requesting that the Board consider adding another middle school baseball team to accommodate the large number of students who try out for the team.

There was a brief discussion regarding the number of students who try out for teams, financial considerations and space allocation for adding teams. President Waldenburg requested information on options available to add another team for the Board's review.

5.02.2 Health Education

Ms. Tracey Braun, Lead Health Teacher, stated that the district-wide health initiatives are to: create *Moodle* sites for 11/12 Health, Sports Medicine I, and Sports Medicine II; continue to work collaboratively on classroom and common assessments at the high school level and begin working more collaboratively at the middle school level; discuss ways the health curriculum is presently being delivered and making changes to enhance learning for all students; acquire resource materials and adjust the health curriculum to develop further health education K-12; form a committee of elementary staff, health staff, and administrative staff to discuss needs of elementary health education; and implement a health education program for 9th and 10th graders.

There was a brief discussion regarding the delivery of puberty instruction to 5th grade students and health instruction at the K-4 level.

President Waldenburg thanked Ms. Braun for her informative report.

5.03 The President of the Board reviewed the upcoming Board of Education meetings of January 24th, February 7th and February 28th.

6. COMMUNICATIONS

6.01 Letter from Brian T. Herrmann to Members of the Board, received December 8, 2010, re: school sports

Mr. Herrmann previously addressed the Board regarding his letter.

7. PUBLIC PARTICIPATION

| <u>Name</u> | <u>Comment</u> |
|---------------------------|--|
| Monica DeJong Teacher | Stated that an effective PDC enriches teaching and learning, producing higher student achievement. Ms. DeJong stated that teacher development is a central part of teaching. Ms. DeJong asked the Board to consider not limiting PDC by not allowing out of state conferences. |
| Albert Prisco Resident | Stated that Suffolk County should consolidate all 75 school districts into one with one chancellor and community based school boards. Mr. Prisco stated that it would save millions of dollars and result in a tremendous reduction in taxes. |
| Community Member | Asked if there was any light regarding teacher negotiations. |

President Waldenburg stated that there have been 16 meetings between the District and UTN and both have jointly agreed to declare an impasse. A mediator will be brought in to try and find a resolution.

Jean Baron
UTN-EN

Stated that she has outstanding FOIL requests in which the documents were requested to be sent electronically. Ms. Baron stated that board policy is not in compliance with the statute, and that assistance must be provided if the language in the request is not appropriate or the records officer has difficulty understanding what records are being requested. Ms. Baron also requested a list of the colleges in New York who accept IB credits and stated that some guidance counselors are not recommending students take IB courses.

Dr. McDermott stated that IB courses are recognized by most colleges around the state and a list of colleges will be posted on the District's website.

Debbie Sullivan

Asked if the Board has given any response to the request from Elwood School District regarding consolidation.

Vice President Wills stated that the Board has not formed a response. Mrs. Wills stated that there are a lot of steps involved and information to be gathered. Ms. Wills noted that the community in both districts would have to approve the consolidation by a majority vote.

At 9:00 p.m., motion was made by Trustee Waldenburg, seconded by Trustee Thompson, to suspend the order of the agenda and move forward the Public Work Session to discuss the LIPA tax certiorari.

Unanimously carried.

13. ADJOURNMENT INTO PUBLIC WORK SESSION to discuss LIPA tax certiorari

President Waldenburg introduced representatives from the Town of Huntington, Supervisor Frank Petrone, Councilwoman Susan Berland, Councilman Mark Cuthbertson and Town Attorney John Leo.

Mr. John Gross, District Board Counsel, made a brief presentation on the status of the litigation. Mr. Gross stated that LIPA is seeking modification on the assessment of the plant located within the school district boundaries. The current players in the LIPA/National Grid property tax assessment challenge are the Long Island Power Authority "LIPA" and National Grid. LIPA acquired LILCO in 1998 and they own the transmission equipment but do not own the power plant. LIPA has the right to file tax certiorari proceedings along with National Grid who owns the power plant. Mr. Gross stated that there is a provision in the LIPA agreements with National Grid that they would not initiate any tax certiorari proceeding for the term of the PSA, expiring in 2013. In addition, LIPA has made verbal and written assurances to the Town of Huntington, the District and the community that no tax certiorari proceedings

would be commenced before 2013. Mr. Gross stated that LIPA filed a tax certiorari petition challenging the tax assessment of the power plant facility in the Suffolk County Supreme Court and that LIPA is seeking a 90% reduction in the assessment. In addition, National Grid, at LIPA's request, has also made application for a reduction of the assessed valuation. The assessment of the facility is currently set at \$30,233,050 and the Town of Huntington's estimated market value of the facility is \$3.43 billion. LIPA claims that the property is worth approximately \$369 million. Mr. Gross reviewed the various methodologies for assessment including Comparable Sales, Reproduction-Cost-New-Less-Deprecation, and Income Approach – Discounted Cash Flow Analysis. Mr. Gross stated that LIPA represents 38% of the assessed value of the District, noting that for 2009-2010 represented \$48.5 million. Mr. Gross noted that LIPA's request for a 90% reduction is quite overstated and that the 2011-2012 budget should not be affected, but it could affect the budget for 2012-2013. Mr. Gross noted that State law prohibits the District from tapping into reserve funds to make up for the shortfall and imposes a misdemeanor on the Board for misuse of reserve funds. Mr. Gross stated that the town has taken a very strong position opposing the reassessment, communicating to LIPA that the suit needs to be withdrawn. The District does not generally have standing to intervene in the tax certiorari proceeding, it is between the utility company and the taxing authority. Mr. Gross noted that the District is not responsible for tax refunds associated with assessment errors. The District is participating in coordinated efforts with the Town of Huntington and governmental agencies including participation on the Assessment Advisory Committee, attendance at the Town of Huntington Rally, meetings with the Town of Huntington and local government, and efforts at the State level.

Supervisor Petrone stated that the primary goal is for LIPA to drop the law suit and sit down in good faith. Mr. Petrone noted that the Town of Huntington has met with state delegates and are working closely to handle some of the state issues involved and that this has to be won by people mobilizing and banding together. Mr. Petrone stated that when the tax certiorari proceedings are complete the Town would be responsible for the back payments and going forward they would be picked up by the individual jurisdiction. The Northport-East Northport School District would be impacted the greatest. Supervisor Petrone stated that the Town is committed to go forward and encouraged everyone to sign up for the rally on February 1st in Albany.

Councilman Cuthbertson stated that the Town will fight with the school district and that there has to be a grass roots effort to remind LIPA who the ratepayers are and how the District has suffered with the blight of the powerplant which the community had agreed to live with. Mr. Cuthbertson encouraged the community members to post signs and sign online petition and sign up for the bus caravan to Albany on February 1st to remind the state government what is at stake.

Councilwoman Berland stated that it is important for everyone to be involved and encourage community members to get the word out so everyone can be united in the fight.

President Waldenburg thanked Mr. Gross, Supervisor Petrone, Councilman Cuthbertson and Councilwoman Berland and stated that that the whole community appreciates what they are doing and will fight this together.

President Waldenburg stated that the Board would take a five minute recess and then resume the regular board meeting.

Motion was made by Trustee Wills, seconded by Trustee Thompson, to approve items 8.01.1 through 8.01.6, including Supplemental 8.01.1 (Schedule A #26-29), Supplemental 8.01.2 (Schedule B #6-7)

8. SUPERINTENDENT'S REPORT, GENERAL - FOR BOARD ACTION

8.01 Personnel Schedules, each dated January 10, 2010, and each attached and made part of the official minutes:

- 8.01.1 Schedule A - Certified Staff (including Supplemental A #26-29)
- 8.01.2 Schedule B - Non-Instructional Staff (including Supplemental B #6-7)
- 8.01.3 Schedule C - Salary Transfers
- 8.01.4 Schedule D - Extra Pay
- 8.01.5 Schedule J - Committee on Special Education
- 8.01.6 Schedule K - PDC NASA

Vote on Trustee Wills' motion to approve items 8.01.1 through 8.01.6, including Supplemental 8.01.1 (Schedule A #26-29), Supplemental 8.01.2 (Schedule B #6-7) was unanimously carried.

Motion was made by Trustee Wills, seconded by Trustee McNaughton, to approve item 8.01.7 (Schedule L) #2-17, severing item #3.

- 8.01.5 Schedule L - PDC UTN

Vote on Trustee Wills' motion to approve item 8.01.7 (Schedule L) #2-17, severing item #3 was unanimously carried.

Motion was made by Trustee Wills, seconded by Trustee McCue, to approve item 8.01.7 (Schedule L) #3.

Vote on Trustee Wills motion to approve item 8.01.7 (Schedule L) #3 was as follows:

YES: Ms. Binger, Mr. Gannon, Mrs. McCue, Mr. Rapiejko, Mrs. Thompson, Mr. Waldenburg, Mrs. Wills
NO: None
ABSTAIN: Mrs. McNaughton

Motion passed.

Motion was made by Trustee Wills, seconded by Trustee McNaughton, to move into Committee of the Whole to discuss item 8.07.1 (Schedule L) #1, #18 and #19.

Unanimously carried.

At 10:30 p.m., motion was made by Trustee McNaughton, seconded by Trustee Rapiejko to extend the meeting.

Unanimously carried.

At 11:10, motion was made by Trustee Wills, seconded by Trustee McCue, to come out of Committee of the Whole and vote on item 8.01.7 (Schedule L), #1, #18 and #19.

Unanimously carried.

Motion was made by Trustee Wills, seconded by Trustee Rapiejko, to approve item 8.01.07 (Schedule L) #1.

Vote on Trustee Wills motion to approve item 8.01.7 (Schedule L) #1 was as follows:

YES: Ms. Binger, Mr. Gannon, Mrs. McCue, Mr. Rapiejko, Mr. Waldenburg, Mrs. Wills
NO: Mrs. McNaughton, Mrs. Thompson

Motion passed.

Motion was made by Trustee Wills, seconded by Trustee McNaughton, to table item 8.01.7 (Schedule L) #18 and #19.

Unanimously carried.

Motion was made by Trustee McCue, seconded by Trustee Thompson, to approve all items under 8.02

- 8.02 Receiving for a second reading and adopting the following policies:
 - 8.02.1 Policy #5300 – “*Public Conduct on School Property*” (replaces Policy #5145/4216.1 “Civil and Legal Rights and Responsibilities”)
 - 8.02.2 Policy #5300.50 – “Corporal Punishment”
 - 8.02.3 Policy #8635 – “Information Security Breach and Notification”

Vote on Trustee McCue’s motion to approve all items under 8.02 was unanimously carried.

Motion was made by Trustee McNaughton, seconded by Trustee Thompson to approve all items under 8.03.

- 8.03 Rescinding the following policy:
 - 8.03.1 Policy #4710 – “*Middle and High School Reporting Policy*”
 - 8.03.2 Policy #5121 – “*Guidelines for Student Scheduling*”

There was a long discussion regarding the rationale for rescinding both of the policies. Trustee Gannon stated that the idea was to take policies that are at their core administrative procedures and redefine them as such. In order to make sure the public and the Board are aware of any changes to administrative procedures the requirement would be notification to the Board within ten days of the change or prior to the next Board meeting. Trustee Rapejko stated that he is hearing that there is nothing wrong with the policies and is concerned about rescinding policies that have worked for 30 years. Dr. McDermott stated that the Policy Committee met with Principal McLaughlin and Director Pupil Personnel Services Cyndi Lore and these policies are obsolete and no other school district has them as policies. Dr. McDermott stated that the procedures for student scheduling should be in a living document form and should change and grow over time. Trustee Rapiejko stated that there were some important aspects in Policy #4710 that should be considered before rescinding the policy. Trustee Binger state that the role of the Board is to direct the District, not to run the District and that policy is much more general. Trustee Thompson requested that policies go for two readings before they are rescinded.

Motion was made by Trustee Gannon, seconded by Trustee McCue to call the question.

Unanimously carried.

Motion was made by Trustee McCue, seconded by Trustee Binger, to table item 8.03.1, Policy #4710 – “*Middle and High School Reporting Policy*” and send it back to the Policy Committee for further consideration.

Unanimously carried.

Motion was made by Trustee McNaughton, seconded by Trustee McCue, to approve item #8.03.2, rescinding Policy #5121 – “*Guidelines for Student Scheduling*”

Unanimously carried.

Motion was made by Trustee Gannon, seconded by Trustee Binger, to approve all items under 8.04.

8.04 Receiving for a first reading the following policy:

8.04.1 Policy #3301 – “*Substantive Changes in District Administrative Regulations or Procedures*”

Trustee Gannon requested the policy be changed to read “Any substantive changes to the District’s Administrative Regulations or Procedures must be reported to the Board of Education in writing within 10 days after the change or prior to the next meeting of the Board whichever comes first.”

Vote on Trustee Gannon’s motion to approve all items under 8.04 with revisions was as follows:

YES: Ms. Binger, Mr. Gannon, Mrs. McCue, Mrs. McNaughton, Mrs. Thompson, Mr. Waldenburg, Mrs. Wills

NO: Mr. Rapiejko

Motion passed.

Motion was made by Trustee McCue, seconded by Trustee Thompson, to approve all items under 8.05, 8.06, and 9.0, including Supplemental 9.04.

8.05 Budget Vote & Election of Trustee, 2011

8.05.1 Adopting the 2011-2012 Schedule of Voting Details

8.05.2 Appointing the following members to the Board of Registry to serve for thirty days following the Annual Vote and Election on May 17, 2011:

Fifth Avenue School – Clara Pryor, Betty Macholz
Dickinson Avenue School – Maritza Dornheim, Gloria Sarser
William J. Brosnan School – James Mahoney, Pearl Gostkowski

Vice President Wills asked that a provision be made to have more security at Fifth Avenue and Dickinson Avenue Schools at the beginning of school and at dismissal on the day of the vote.

8.06 Receiving for a first reading the following textbook:

8.06.1 Theory of Knowledge for the IB Diploma
Richard van de Lagemaat Cambridge University Press
IB Theory of Knowledge Grades 11/12

9. SUPERINTENDENT’S REPORT, FINANCIAL - FOR BOARD ACTION

9.01 Taking specified action on the following BIDS:

EDUCATIONAL:

9.01.1 Award – Kindergarten through Fifth Grade Supplies

BUILDINGS & GROUNDS:

9.01.2 Award – Hardware & Automotive Parts and Service

9.02 Receiving the following donations to the District:

9.02.1 A Dell Inspiron Model 630M used laptop from Sheehan & Company to the Northport-East Northport Union Free School District Drug and Alcohol Task Force, value estimated by the donor to be approximately \$100.00

9.02.2 \$200.00 from Mr. Gene Madiou to the Rose Ann Madiou Memorial Scholarship Fund

9.02.3 \$1,000.00 from Mrs. Brit Marshall to the Joseph Marshall Math Scholarship Fund

9.03 Approving the following resolution:

“RESOLVED, that the Board of Education appoints Actuarial & Technical Solutions, Inc. to provide an actuarial valuation of the District’s other post employment benefit (OPEB) obligation under GASB 45 for the year ending June 30, 2011 at a cost of \$10,500.00”

In response to a question, Ms. Kathleen Molander, Assistant Superintendent for Business, stated that professional services do not have to be competitively bid but the District did put out an RFP to get an idea of what other firms would charge.

9.04 Approving transfer of general fund appropriations in the 2010-2011 budget (including Supplemental 9.04)

In response to a question, Superintendent McDermott stated that the custodial staff did the prep work before the installation of the SmartBoards by BOCES personnel. Mr. Matt Nelson, Assistant Superintendent for Instruction and Administration, stated that BOCES has a bid for SmartBoard installation and the District did not anticipate installation being as much of a challenge. Dr. McDermott stated that salaries budgeted for special education teachers in the general fund are being transferred to pay for the installation and that the District received stimulus funds to pay the salaries for the special education teachers.

Vote on Trustee McCue’s motion to approve all items under 8.05, 8.06 and 9.0, including Supplemental 9.04 was unanimously carried.

10. SUPERINTENDENT'S REPORT - FOR INFORMATION ONLY

10.01 Student Activity Account Reports for August, September and October 2010 from:

- 10.01.1 Northport High School
- 10.01.2 East Northport Middle School
- 10.01.3 Northport Middle School

10.02 Schedule H – Use of Facilities

10.03 Schedule I – Home Instruction

10.04 Investment Report for August, September and October 2010

- 10.05 Collateral Report for August, September and October 2010
- 10.06 Bank Reconciliation Report for August, September and October 2010
- 10.07 Monthly Revenue and Budget Status Report as of August, September and October 2010

11. UNFINISHED BUSINESS

12. NEW BUSINESS

- 12.01 Discussion of suggested revisions to the following policy:

- 12.01.1 Policy #6145.11 – *“Admission Fees Inter-Scholastic Activities”*

Trustee McNaughton requested item 12.01 be tabled for discussion at a future meeting.

13. ADJOURNMENT

There being no further business to discuss, motion was made by Trustee Gannon, seconded by Trustee McCue to adjourn.

Unanimously carried

At 12:15 a.m. the Chair declared the meeting adjourned.

Beth M. Nystrom
District Clerk

bmn