

**Board of Education
Regular Meeting**

Minutes October 10, 2018

**ELMIRA HEIGHTS CENTRAL SCHOOL DISTRICT
ELMIRA HEIGHTS, NEW YORK**

CALL TO ORDER: President Harry Blish, called the Board of Education Meeting to order at 7:03pm, followed by the pledge of allegiance.

MEMBERS PRESENT Lisa Benedict, Harry Blish, Michael Lepak, Joseph Sullivan, Andrew Willard

MEMBERS ABSENT Christopher Callas, Kristen Wolowitz

OTHERS PRESENT Mary Beth Fiore, Martha Clark, Tom Boyanowski, Dawn Hanrahan, Andy Lutz, Barb Day, Harvey Harris, Melissa Kelly, Geoff Pierce, Carol Sullivan, Rolundo Mejiu, Colleen Dengler

APPROVAL OF AGENDA/MINUTES

Agenda:

A motion was made by Lisa Benedict, seconded by Andrew Willard and carried 5-0 to approve the agenda for the October 10, 2018 Board of Education Meeting deletion of F2b, F4c and the addition of J4

Minutes:

August 15, 2018 Regular Meeting- A motion was made by Michael Lepak, seconded by Joseph Sullivan and carried 5-0 to approve the minutes of the August 15, 2018 Regular Meeting.

August 29, 2018 Regular Meeting- A motion was made by Michael Lepak, seconded by Andrew Willard and carried 5-0 to approve the minutes of the August 29, 2018 Regular Meeting.

September 5, 2018 Regular Meeting- A motion was made by Joseph Sullivan, seconded by Lisa Benedict and carried 5-0 to approve the minutes of the September 5, 2018 Regular Meeting.

Order of Business:

A motion was made by Joseph Sullivan, seconded by Andrew Willard and carried 5-0 to suspend the regular order of business to accommodate guests, special discussion topics and presentations in an order of business as deemed appropriate.

DISCUSSION

N-1 UPK wing – ribbon cutting

The Board and all guests proceeded to the UPK wing for the cutting of the ceremonial ribbon, celebrating the completion of a project that will bring increased educational benefits to the Elmira Heights community.

COMMENTS FROM THE PUBLIC AND STAFF

Mary Beth Fiore - Superintendent ♦Very proud to have a ribbon cutting for a UPK wing. It represents many years of planning and support from the Board and community – WETM was not able to attend this evening but they sent a reporter this afternoon to cover the event for the early news

Andy Lutz – Elementary School Principal ♦Normal opening to school year – however enrollment is the largest it has ever been with 12 new enrollees in the last week ♦Grade level meetings underway – reviewing AIS data, early testing results, et al ♦I-Ready testing – 3x per year is our bench mark testing ♦TACO(talk about conflict) program – a new visions program that should be very beneficial

Dawn Hanrahan – Middle School Principal/CSE Chair ♦25 new special education students resulting in stretching staff to our limits ♦Todd has been very helpful in accommodating all the special needs in transportation ♦will need to add staff(aides) to support students

Tom Boyanowski – High School Principal ♦Great start to the new year with several new students entering ♦Spirit Week – last week was a great success with lots of activities, themes, pep rally, bonfire, football, homecoming, et al ♦Friday was mid year reports ♦Testing – ASBAB, PSAT's

Martha Clark – Business Manager ♦Wrapping up Audit Results – fund balance is on target ♦Bus borrowing 2.5% - thank you Harry for coming in ♦New van is here and will be ready for NYC conference ♦Budget season – working on time line/prep schedule ♦STAC reporting webinar to stay on top of new regulations ♦Wincap Financial Program – there will be a number of changes rolling out over the next couple years to help with compliance.

Other Staff ♦Carol Sullivan reported on a nice addition to the homecoming game. As attendees arrived, alumni were given a survey. During the game their names and graduation year were announced. There were 63 alumni with one of them having graduated in 1944. Way to Go Heights

PERSONNEL

A motion was made by Andrew Willard, seconded by Lisa Benedict and carried 5-0 to approve the following consent personnel items F-1a through F4c with the deletion of F2b and F4c. Be it further resolved that upon receipt of final clearance from the State Education Department, any conditional appointments shall be changed to regular appointments, reflecting the effective date of said Board meeting

F-1 Resignation / Terminations / Retirement

a. Sophomore Advisor - Resignation

Mary Rae Bahantka

The Board of Education accepted, with thanks for service the resignation of Mary Rae Bahantka as the Class of 2021(current Sophomore) advisor.

b. Teacher Assistant - resignation

Jacqueline Manning

The Board of Education accepted, with best wishes and thanks for 10 years of service, the resignation of Jacqueline Manning as Teacher Assistant effective September 29, 2018. Ms. Manning's last day of employment with the District will be September 28, 2018. It shall be noted that insufficient notice was given to resign in good standing in accordance with the EHESA agreement.

c. Bus Driver - termination

Meghan Button -

The Board of Education terminated employment of Meghan Button, bus driver, effective after the morning bus run on September 7, 2018.

d. Teacher – Special Education - resignation

Wendy Jurusik

The Board of Education accepted, with best wishes and thanks for 8 years of service, the resignation of Wendy Jurusik as Special Education Teacher effective October 23, 2018. Ms. Jurusiks's last day of employment with the District will be October 22, 2018

F-2 Appointments

The Board approved the following appointments:

a. Substitutes for the 2018-19 school year: - approved

Substitute Support Staff: David Sharp

b. Bus Driver appointment

deleted from agenda

c. Student Teacher

Dannie Yaple

The Board acknowledged SUNY Cortland College student, Mr. Dannie Yaple as a student teacher under the supervision of Mr. Berg and Mr. Condame, elementary physical education teachers in the subject area of physical education at Cohen Elementary School, for the period of October 22 through December 14, 2018.

d. Extracurricular/Advisors

The Board approved the following extracurricular advisors for the 2018-19 school year:

<u>Position</u>	<u>Appointee</u>	<u>level</u>	<u>year</u>	<u>stipend</u>
Sophomore Class Co-Advisor	Callie Black	3	7	\$1,765.45
Sophomore Class Co-Advisor	Pam Bement	2	3	\$1,725.33

e. APEX

The Board approved the following for duties as part of the APEX grant programs for the 2018-19 school year:

Tutors \$30.00/hr Activity Advisors \$25.00/hr

Thomas Edison High School

Activity Advisor Kyle Scott

Cohen Middle School

Activity Advisors Michelle Knott Leeann Lawrence

f. Detention Duties

The Board approved the following for detention duties at Cohen Middle School for the 2018-19 school year at an hourly rate of \$17.50:

Michelle Knott Michele Reeves Pam Cleveland

F-3 Creation/Elimination of Positions

The Board approved the following elimination and creation of positions:

- eliminate (1) one 3.00 hr/day food service helper position effective 10/11/2018
- create (1) one 3.75 hr/day food service helper position effective 10/11/2018
- create (1) one FTE school counselor position effective 10/11/2018
- create (2) two teacher aide positions (required 1:1 services) effective 10/11/2018

F-4 Change in Employment status

- a. Melissa Kelley – permanent status – eff 10/11/18
Bus Driver

The Board approved the permanent appointment of Melissa Kelley as bus driver, effective October 11, 2018. Ms. Kelley has successfully completed her probationary period in accordance with current Civil Service Regulations.

- b. Jennifer Jacobs – Tenure – eff 10/25/18
Special Education Teacher

The Board approved tenure status of Ms. Jennifer Jacobs in the area of Special Education, effective October 25, 2018.

- c. Change in Position – food service
3.0 hr/day to 3.75 hr/day position –
Item removed from agenda.

FINANCIAL

G-1 Reports - acknowledged

A motion was made by Lisa Benedict, seconded by Andrew Willard and carried 5-0 to acknowledge the following consent financial reports

- a. Budget Status Report as of October 3, 2018
- b. Revenue Status Report as of October 3, 2018
- c. Budget Transfer Report no report
- d. Treasurer’s Report for August 2018
- e. Claims Auditor Report for August 2018
- f. Extra Classroom Report for August 2018

G-2 Financial Statements and Audit Report 2017-18

A motion was made by Lisa Benedict, seconded by Andrew Willard and carried 5-0 to accept the District’s 2017-18 financial statements & audit report, and the 2017-18 financial statements and the audit report of the Extraclassroom Activity Fund as presented by Buffamante, Whipple, Buttafaro, P.C. at the October 10, 2018 Audit Committee meeting.

G-3 Management Letter Response & Corrective Action Plan- Financial Statements 2017-18

A motion was made by Joseph Sullivan, seconded by Michael Lepak and carried 5-0 to accept the Corrective Action Plan for the management letter dated October 10, 2018 concerning the basic financial statement for the year ended June 30, 2018.

G-4 Management Letter Response & Corrective Action Plan-Extraclassroom Audit 2017-18

A motion was made by Lisa Benedict, seconded by Andrew Willard and carried 5-0 to accept the Corrective Action Plan for the management letter dated October 10, 2018 concerning the audit of the Extraclassroom Activity Fund for the year ended June 30, 2018.

G-5 Capital Project Change Order.

A motion was made by Andrew Willard, seconded by Michael Lepak and carried 5-0 to accept the proposal from Day Automation to provide additional security camera access and upgrade analog to digital cameras at a total price not to exceed \$424,197.25.

G-6 Capital Project Change Order – proposal Mills Electric –\$102,742.26 – promethean boards

A motion was made by Joseph Sullivan, seconded by Harry Blish and carried 5-0 to accept the proposal from Mills Electric in the amount of \$102,742.26 to install additional promethean boards.

FACILITIES

- H-1 Update on Capital Project
Working on final punch lists

- H-2 Update on Capital Outlay Project
Have confirmation from SED to move ahead with the project

OLD BUSINESS

No items.

NEW BUSINESS

J-1 Board Member Resignation – Wolowitz

A motion was made by Andrew Willard, seconded by Lisa Benedict and carried 5-0 to acknowledge with thanks and appreciation for 4 years of service, the resignation of Board Member Kristen Wolowitz effective October 3, 2018.

J-2 Youth in Government Trip – Middle School - approved

A motion was made by Andrew Willard, seconded by Michael Lepak and carried 5-0 to approve the Youth in Government trip to Albany November 15, 16, 17, 2018 for the Middle School Student Council representatives to attend the Model State Legislature and to present and debate a Bill that they create.

J-3 Revised Policy - acknowledged

A motion was made by Andrew Willard, seconded by Joseph Sullivan and carried 5-0 to acknowledge the 1st reading of the following revised policy:

7551/6121 Sexual Harassment (Students)	revised to reflect new regulations
6121/7551 Sexual Harassment (Personnel)	revised to reflect new regulations

J-4 Dismissal of Claims - approved

A motion was made by Andrew Willard, seconded by Michael Lepak and carried 5-0 to approve the following resolution approving the appeal of dismissal of Claims from September 2018 relative to litigation against the NY44 Health Benefits Plan Trust:

BOARD RESOLUTION

WHEREAS, The Board of Education adopted a resolution dated October 10, 2018, authorizing the commencement of litigation against the NY44 Health Benefits Plan Trust (“the Trust”) and any other parties necessary to such litigation; and

WHEREAS, A Complaint was filed in New York State Supreme Court, Erie County, on April 12, 2018 under Index Number 805785/2018 naming the Elmira Heights Central School District/BOCES as a Plaintiff and the Trust, its individual trustees and Erie 1 BOCES as Defendants; and

WHEREAS, Defendants the Trust and individual trustees moved to dismiss certain claims set forth in the Complaint filed under Index Number 805785/2018; and

WHEREAS, Plaintiffs opposed the Trust and individual trustees’ motion to dismiss and cross-moved to file an amended complaint; and

WHEREAS, after oral argument held on September 10, 2018, the court denied Plaintiffs’ motion to amend the Complaint and granted the Trust and individual trustees’ motion to dismiss all claims in the Complaint except for the First, Third, Seventh and Eighth causes of action against those Defendants;

WHEREAS, counsel to the District has recommended that Plaintiffs appeal the dismissal of the Second, Fourth and Fifth causes of action as against Defendants the Trust and individual Trustees;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education authorizes Costello, Cooney & Fearon, PLLC, as counsel to the Board and District in the above-referenced proceeding under Index Number 805785/2018, to take all necessary action to appeal so much of the Court’s decision of September 10, 2018, to dismiss of the Second, Fourth and Fifth causes of action set forth in the Complaint as against Defendants the Trust and individual Trustees.

CONSENT

A motion was made by Joseph Sullivan, seconded by Lisa Benedict and carried 5-0 to approve the following consent agenda items K-1 thru K-6

K-1 CSE Recommendations and Funding - approved

The Board of Education approved the recommendations and funds to support placements for determinations made at the September 7, 17, 20, 25, 28, October 2, 4, 2018 CSE meetings.

K-2 CPSE Recommendations and Funding - approved

The Board of Education approved the recommendations and funds to support placements for determinations made at the September 17, 24, 2018 CPSE meetings.

K-3 Donation – PFO – up to \$4000.00 & up to \$300.00 - accepted

The Board of Education accepted with thanks and appreciation the following donations from the Elmira Heights PFO:
 up to \$4000.00 to purchase staff shirts
 up to \$ 300.00 to cover transportation of Kindergarten classes for their apple orchard field trip

K-4 Donation – Higher Hope Church – gift baskets - accepted

The Board of Education accepted with thanks and appreciation, 42 gift baskets filled with school supplies, gift cards, encouraging messages and chocolates from the Higher Hope Church of Big Flats. Cohen Elementary was selected as their sponsor school for the 2018-19 school year and the baskets were distributed at the October faculty meeting

K-5 Donation – O'Brien Family - flute - accepted

The Board of Education accepted with thanks and appreciation, from the O'Brien family, to the Cohen Middle School music department, a donation of a Yamaha flute (serial number 22591) valued at \$325.00

K-6 Auctions International Bid Acceptance – Dump Truck- approved

The Board of Education accepted a bid through Auctions International, for the 1996 Chevy Dump Truck for \$3,850.00, which is less than the of \$6,000 minimum set at the August 1, 2018 Board of Education meeting due to the condition of the vehicle..

AWARDS/HONORS/ACHIEVEMENT

no items

COMMUNICATIONS

The Board acknowledged a letter from Donald Holtz, Director of Twin Tiers Community Orchestra, commending Kevin Brown and Scott Becker for their helpful actions and kindness displaying the spirit that makes Cohen a welcoming and friendly school

DISCUSSION

N-1 UPK Facilities Ceremony – see beginning of meeting minutes

N-2 MVP Medicare Advantage Gold Anywhere PPO & USA Care PPO Buy-Up Options for 2019

Both plans for retirees will have an increase in premium. Gold Anywhere will increase 5.4% and USA Care will increase 7%
An agenda item for approval will be forth coming.

N-3 NYSSBA Travel to NYC

Superintendent Fiore is finalizing the schedule and reservations

EXECUTIVE SESSION:

At 8:03pm a motion was made by Lisa Benedict, seconded by Andrew Willard and carried 5-0 to enter executive session to discuss the following:

Personnel:

Legal Issues:

ADJOURN EXECUTIVE SESSION:

At 8:28pm a motion was made by Lisa Benedict, seconded by Michael Lepak and carried 5-0 to adjourn executive session.

NEXT MEETING

Wednesday October 17, 2018 Regular Board Meeting 7:00pm Community Rm

Wednesday November 7, 2018 Regular Board Meeting 7:00pm Community Rm

ADJOURNMENT – At 8:30pm a motion was made by Joseph Sullivan, seconded by Andrew Willard and carried 5-0 to adjourn the meeting.

Clerk _____