

BOARD OF EDUCATION MEETING MINUTES
OCTOBER 7, 2009

PRESENT:

Francine Aloï, President
Vincent D'Ambroso
Theresa Fowler
James Grieco
Christopher Pinchiaroli*

ALSO PRESENT:

Dr. S. Guiney, Superintendent of Schools
M. B. Mancuso, District Clerk
N. Schimpf, Director of Special Education
& Student Services
Dr. M. E. Wilson, Director of Curriculum
& Instructional Services
Ingerman Smith Representative **

ABSENT:

Laurie Donato
Carol Ann O'Connor

*Arrived at 7: 38 pm

**Arrived at 9:00 pm

Mrs. Aloï, President, opened the work session at approximately 7:36 pm in the District Office. At approximately 8:23 pm, motion made by Mrs. Fowler, seconded by Mr. D'Ambroso and unanimously adopted by the Board to enter into executive session to discuss a specific student matter and specific personnel matter. At approximately 9:38 pm, motion made by Mrs. Fowler, seconded by Mr. D'Ambroso and unanimously adopted by the Board to close executive session and return to the work session. At approximately 9:45 pm, motion made by Mr. Pinchiaroli, seconded by Mrs. Fowler and unanimously adopted by the Board to adjourn the October 7, 2009 Board of Education meeting.

A) APPROVAL – SERVICE AGREEMENT WITH OMNI FINANCIAL GROUP, INC.

Motion made by Mr. D'Ambroso, seconded by Mr. Grieco as follows:

BE IT RESOLVED: That in accordance with the recommendation of the Superintendent of Schools, the Mount Pleasant Central School District Board of Education hereby approves an agreement between the Mount Pleasant Central School District and OMNI Financial Group for 403(b) Plan Third Party Administration Services for the 2009-2010 school year and authorizes the President of the Board to execute such contract.

VOTE: 5 - 0

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B) APPROVAL - SETTLEMENT AGREEMENT

Motion made by Mrs. Fowler, seconded by Mr. Pinchiaroli as follows:

BE IT RESOLVED: That the Board of Education herewith authorizes the President and Superintendent of Schools to execute a Settlement Agreement on behalf of the Board between the District and Employee No. 1917. Said Agreement has been previously reviewed by the Board of Education in executive session.

VOTE: 5 - 0

C) APPROVAL - In the Matter of Legion of Christ, Incorporated v. the Town of Mount Pleasant and the Mount Pleasant Central School District

Motion made by Mr. Pinchiaroli, seconded by Mrs. Fowler as follows:

WHEREAS, the Mount Pleasant Central School District is a party respondent in certain tax certiorari proceedings challenging the denial by the Town of Mount Pleasant of real property tax exemptions commenced by the property owners of property located at 500 and/or 590 Columbus Avenue, Thornwood, Town of Mount Pleasant, New York, a/k/a Tax Map# 112.12-1-1 for assessment years 1999 through 2006, and,

WHEREAS, the Town and School District filed Notices of Appeal with respect to a decision after trial of the Supreme Court, Westchester County, granting said tax exemptions and directing refunds,

WHEREAS, the Town of Mount Pleasant has indicated, by Counsel, that the Town will not be further pursuing or perfecting said appeal,

NOW, THEREFORE, BE IT,

RESOLVED, that the Board of Education hereby directs the school attorneys, Ingerman Smith, LLP to cease any further action on these matters, and is directed not to perfect the appeal previously filed with the Appellate Division, Second Department in the Matter of the Application of Legion of Christ, Incorporated against the Town of Mount Pleasant and the Mount Pleasant Central School District , Index Nos. 16316-99; 15849/00; 16306/01; 17076/02, 16853/03, 16650-04; 18458-05 and 20653/06, as in the best interests of the School District and its taxpayers, and, it is,

FURTHER RESOLVED, that counsel is authorized and directed to execute the appropriate withdrawals with the Court, if any, implementing the aforesaid directive, and be it,

FURTHER RESOLVED, that the District administrators, if needed, are hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment of the judgment , and be it,

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FURTHER RESOLVED, that the District Clerk provide the District's Legal Counsel with a copy of this resolution upon adoption.

VOTE: 5 – 0

D) APPROVAL – INITIATION OF HEARING PURSUANT TO SECTION 75 OF THE CIVIL SERVICE LAW

Motion made by Mr. Grieco, seconded by Ms. Fowler as follows:

BE IT RESOLVED: That the Board of Education of the Mount Pleasant Central School District hereby appoints Joseph Wooley, Esq. as the Hearing Officer in the Matter of the Disciplinary Proceeding against the employee named in the attached confidential notice of charges dated October 7, 2009. The hearing shall be conducted in accordance with Section 75 of the Civil Service Law. Mr. Wooley shall cause a record to be made of such hearing, which will be referred to the Board, along with his recommendations for review and final decision by the Board.

BE IT FURTHER RESOLVED: That in accordance with Section 75 of the Civil Service Law, the employee named in the attached confidential notice of charges dated October 7, 2009, is hereby suspended without pay effective October 8, 2009 for not more than thirty days pending the hearing and determination of those charges.

VOTE: 5-0

Mary Beth Mancuso
District Clerk

Approved: 10/21/09