

**BOARD OF EDUCATION  
ISLAND PARK UNION FREE SCHOOL DISTRICT  
ISLAND PARK, NEW YORK**

**MINUTES OF REGULAR BUSINESS MEETING OF THE BOARD OF EDUCATION**, duly called and held on Monday, January 25, 2016 in the Conference Center. Diana Caracciolo, Vice President, called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**CERTIFICATION**

The District Clerk certified that pursuant to Section 104, Open Meetings Law, notice of meeting was sent to the Oceanside-Island Park Herald, the Island Park Tribune and posted at both schools, the Public Library and Village Hall. Further, all members of the Board of Education had due notice of said meeting.

**ROLL CALL**

TARA BYRNE, President	ROSMARIE T. BOVINO, Superintendent of Schools
DIANA CARACCILOLO, Vice President	ROBERT COHEN, District Counsel
NINA HARGROVE, Trustee	MARIE DONNELLY, School Business Official
JACK VOBIS, Trustee	MARIANNE DeCICCO, District Clerk
	ERIC RICIOPPPO, Public Relations Consultant

**Absent:** MATTHEW F. PACCIONE, Trustee

**APPROVAL OF MINUTES:**

**Resolution #248 – 2015-2016 – Minutes of the Regular Business Meeting dated December 21, 2015:**

On a motion duly made by Jack Vobis, seconded by Nina Hargrove, resolved that the Board of Education approve the Minutes of the Regular Business Meeting dated December 21, 2015. Upon vote, motion to approve unanimously carried.

**PRESENTATIONS TO THE BOARD OF EDUCATION:**

**FXH and LOMS Student of the Month Recognition**

In Island Park Schools, we recognize good citizenship as an important quality in our students and want to recognize the students who exhibit the characteristics of good citizens. Good citizens work together with their classmates and teachers with a cooperative attitude. They complete their work diligently and exhibit good behavior. Many of them display leadership qualities, serving as role models for their peers.

Jacob Russum, Principal of the Francis X. Hegarty School, called upon the following students to receive their recognition as Student of the Month for December 2015:

Kindergarten, Ethan Kopsachilis	First Grade, Chelsea Cruz-Ramos
Second Grade, Erica Crowder	Third Grade, Carlita Curtis
Fourth Grade, Ryan Saggio	

Vincent Randazzo, Principal of the Lincoln Orens Middle School, called upon the following students to receive their recognition as Student of the Month for December 2015:

Fifth Grade, Gabriella Gelish	Sixth Grade, Evelynne Baldino
Seventh Grade, Matthew May	Eighth Grade, Hannah Lilly

**Enclosure 1**

Dr. Bovino congratulated the boys and girls that were awarded the Student of the Month recognition. She stated that she, the Board of Education, Dr. Scimeca and their principals believe that each one of the students has distinguished themselves not just for their talents and abilities but for their effort and persistence that they put into everything they do in school. As student of the month for their entire grade, they make their parents proud, their school proud and their community proud. Thank you to PTA for providing the refreshments and gifts to our students. After these presentations, a brief recess was taken.

### **Special Education Plan presented by Dr. Laurie Scimeca, Director of Pupil Personnel Services**

Dr. Scimeca presented an overview of the Special Education Plan (Policies, practices and procedures for assuring appropriate educational series and due process in evaluation and placement of students with disabilities) that is presented to the Board of Education for acceptance this evening. Dr. Scimeca stated that the Special Education Plan will be posted on the District's website along with this evening's PowerPoint presentation.

### **REPORTS FROM ADMINISTRATION:**

#### **Dr. Rosmarie T. Bovino, Superintendent**

◆ Little Doctor's Blood Drive – Just one pint of donated blood can help save as many as three people's lives. Thirty-five pints were collected at the January 21<sup>st</sup> Drive. Thirty-five pints of blood can save 105 lives. A special thank you goes out to the students and staff who made this year's blood drive a success.

◆ Special thanks to the custodians for clearing the parking lots after the snowstorm.

◆ The district's is preparing for the Office of the State Comptroller Audit. The auditors will be here on Tuesday, January 26<sup>th</sup> until finished.

◆ Grade 6 Physical Demonstration was a success. Thank you retired Physical Education Teacher, Bob Patch, for assisting the Physical Education staff this day.

◆ A congratulations was received from the NYSSBA to Nina Hargrove for her continued leadership development.

◆ Review of District-wide Safety Plan and Building Safety Plans. In the process of scheduling a parent training and orientation of protocols during initiation of the plans in March.

◆ Update on Universal Pre-K Program for students turning 4 years old by December 1. UPK Registration will be held on February 23, 24 and 25 at FXH. Parent Meeting will be on March 8<sup>th</sup>.

◆ State Aid is anticipated to be \$13,361. School Budget Meetings will commence February 22-Tax Levy Calculation Presentation, March 21-Anticipated Expenses, April 11 - Budget Overview & School Report Card, April 19 - Property Tax Report Card, Budget Overview & Adoption & BOCES Budget Vote, May 9-Budget Hearing, May 17-School & Library Trustee Elections Schools & Library Budget Votes. All meetings commence at 7:30 pm in the Conference Center.

◆ Update on the PILOT Programs (Dr. Bovino stated that Mr. Cohen, Counsel for the district will report on this topic).

◆ Update on the FXH bridge of playground equipment. The safety pieces for the bridge were ordered and will be installed by the manufacturer thus not voiding the warranty.

#### **Robert Cohen, Counsel for the District**

#### **Report on the Nassau County/LIPA PILOT Litigation:**

On September 30, 2015, Nassau County, through its Legislature, passed resolutions which: (a) unlawfully reduced the amount of taxes that the School Districts certified needed to be raised by the County Tax Levy in

order to meet the revenue requirements of the voter approved 2015/2016 budget; (b) removed approximately 614 properties off of the tax rolls by using billing records rather than verifying LIPA ownership of property through the land records of Nassau County as required by law; (c) authorized the County Assessor to send out bills to LIPA for payment in lieu of taxes (PILOTs) for those properties that have been removed from the tax rolls in an amount of approximately \$49,000,000.00 for the first half of the 2015/2016 school tax year; and (d) authorized the County Treasurer to accept partial payments of PILOTs from LIPA. LIPA subsequently made partial first half payments in the amount of approximately \$45,000,000.00, leaving a \$3.74 Million Dollar shortfall. The County then took the position that the County Guaranty did not apply to this shortfall of LIPA PILOT payments and that the various school districts would have to sue LIPA to collect these funds. The County also has had in its possession LIPA's partial payment of approximately Forty-Five Million Dollars since November 10, 2015, but has refused to remit those funds to the various school districts, including Island Park.

Accordingly, I am recommending that the Board of Education adopt the resolution that is on tonight's agenda authorizing our firm to commence litigation against both Nassau County and LIPA to recover in full the LIPA PILOT payments and to have the Court declare Nassau County's actions to be illegal, arbitrary and capricious. Island Park would be one of six districts in total that my firm represents joining in this lawsuit and the cost of the litigation will be split pro-rata among the six school districts, except for those fees and costs that are attributable solely to Island Park.

**PUBLIC BE HEARD:**

Members of the public commented on the following:

- ✧What are PILOTs? (Payment in Lieu Of Taxes)
- ✧Great Special Education Plan. Are you the only administrator for Special Education?
- ✧When will the fences at FXH be installed?

**RECOMMENDED ACTIONS:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the reading of Resolutions #249 through #267 be waived. Upon vote, motion to waive the reading of Resolutions #249 through #267 unanimously carried.

**Resolution #249 - 2015-2016 – Change in 2015-2016 School Calendar date:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept the change of the April PTA meeting which is currently listed on the districtwide calendar as Thursday, April 7 at 7:30 pm to **Wednesday, April 6 at 7:30 pm LOMS** due to a conflict with the attendance of the guest speaker. Upon vote, motion to approve unanimously carried.

**Resolution #250 – 2015-2016 –Adoption of 2016-2017 School Calendar:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept the recommendation of the Superintendent of Schools and approve and adopt the 2016-2017 School Calendar. Upon vote, motion to approve unanimously carried.

**Resolution #251 - 2015-2016 – Adoption of the 2016 Annual Voting Date and Other Statutory Dates and Requirements:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Annual District Voting be held on Tuesday, May 17, 2016 and, further resolved, that the Board of Education accept and approve the “2016 Annual Voting Date and Other Statutory Dates and Requirements.” Upon vote, motion to approve unanimously carried.

**Resolution #252 - 2015-2016 - Absentee Voting at Nursing Homes:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Permanent Chairman and/or the District Clerk (Clerk of the Election) are hereby authorized to appoint the necessary bi-partisan Board of Inspectors pursuant to Section 8-407 of the Election Law, as amended, and Section 1501(c) of the Education

Law, as amended, in order to conduct the absentee voting of applicable nursing homes in the Island Park School District if necessary. Upon vote, motion to approve unanimously carried.

**Resolution #253 - 2015-2016 – Approval of Special Education Plan:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education approve the District's Special Education Plan for policies, practices and procedures for assuring appropriate educational services and due process in evaluation and placement of students with disabilities. Upon vote, motion to approve unanimously carried.

**Resolution #254 – 2015-2016– Instructional Placement for Special Education and Pre-School Special Education Students:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education arrange to provide the special education programs and services recommended by the Committee on Special Education and the Committee on Preschool Special Education, dated January 25, 2016. Note: In the event the Board of Education disagrees with any of the recommendations of the Committee concerning the placement or program for any of these pupils, a recommendation should be sent to the Committee that the case be reconsidered. Upon vote, motion to approve unanimously carried.

**Resolution #255 - 2015-2016 – Instruction Contract (Under Section 4402(2)b of the Education Law:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education approve the contract with Variety Child Learning Center and the Island Park UFSD for educational services for students for the period January 6, 2016 through June 26, 2016 for the tuition amount of approximately \$41,802 per student (Contract is for 1 student). Upon vote, motion to approve unanimously carried.

**Resolution #256 - 2015-2016 – Comprehensive District-wide Safety Plan:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education approve the Comprehensive District-wide Safety Plan (as required by the SAVE Law – Safe Schools against Violence in Education – Commissioner of Education Regulation 155.17) as established to provide for the safety, health and security of both students and staff. The plan is accessible to the public on the district website and allows for input from the entire school community.

Be it further resolved that the Board of Education approve the Confidential Building Safety Plans for Francis X. Hegarty Elementary and Lincoln Orens Middle Schools. Upon vote, motion to approve unanimously carried.

**Resolution #257 – 2015- 2016 – Personnel – Teaching – Review of Probationary Principal's File:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education directs the Superintendent of Schools to make available for review by the Board, in Executive Session, on **February 22<sup>nd</sup> at 7:00 p.m.**, prior to the regular Board meeting, the personnel record and file of the probationary principal who will be recommended for tenure by September, 2016. Upon vote, motion to approve unanimously carried.

**Resolution #258 – 2015- 2016 – Personnel – Teaching – Review of Probationary Teacher's and Teaching Assistant's Files:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education directs the Superintendent of Schools to make available for review by the Board, in Executive Session, on **February 22<sup>nd</sup> at 7:00 p.m.**, prior to the regular Board meeting, the personnel records and files of teachers and teaching assistants who will be recommended for tenure by September, 2016. Also, the records and files of teachers and teaching assistants who are to continue on probation are to be made available for review. Upon vote, motion to approve unanimously carried.

**Resolution #259 - 2015-2016 – Personnel – Substitute Teacher Resignations:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept the following resignations due to receiving positions elsewhere:

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
Molly Zarba	Substitute Teacher	January 7, 2016
Elizabeth Connelly	Substitute Teacher	January 25, 2016

Upon vote, motion to approve unanimously carried.

**Resolution #260 - 2015-2016 – Personnel – Civil Service Resignation:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept that the resignation of Margaret Holodar, part-time Monitor for the Recreation Department for personal reasons. Upon vote, motion to approve unanimously carried.

**Resolution #261 - 2015-2016 – Personnel – Civil Service Status Change:**

Resolved that the Board of Education approve the following Civil Service status change:

<u>Name</u>	<u>Status Change from/to</u>	<u>Salary</u>	<u>Effective Date</u>
Janis Itkin	Monitor p/t sub to Monitor p/t	\$10.54/hour	Pending CS Approval
Geraldine Fox	Monitor p/t to Monitor f/t	\$10.72/hour	1/26/16*

\*26 week probationary period set.

Upon vote, motion to approve unanimously carried.

**Resolution #262 - 2015-2016 - Personnel - Civil Service – Part/time Appointments:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education approve the following part-time non-competitive Civil Service appointments:

<u>Name</u>	<u>Position</u>	<u>Salary Placement</u>	<u>Effective Date*</u>
Jeanne Gidwill	Monitor (PT)	\$10.54/per hour	1/26/16
Celeta Mitchell	Monitor (PT)	\$10.54/per hour	1/26/16
Gilda Briguglio	Monitor (PT)	\$10.54/per hour	1/26/16
Margherita Delach	Monitor (PT/Sub)	\$10.54/per hour	1/26/16
Louis Sanchez	Security Aide (PT/Sub)	\$15.09/per hour	1/26/16

\*Duration is contingent upon satisfactory service and staffing needs of the District.

Upon vote, motion to approve unanimously carried.

**Resolution #263 - 2015-2016 – Resolution Authorizing Commencement of Litigation:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, 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 as a separate action/proceeding, to seek full recovery of all PILOT payments due the District; and

It is further resolved, that Lamb & Barnosky, LLP shall 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.  
Upon vote, motion to approve unanimously carried.

**Resolution #264 - 2015-2016 – Cooperative Bid for Food Service Commodities, Food and Food Service Supplies:**

On a motion duly made by Nina Hargrove, seconded by Tara Bryne, whereas, it is the plan of a number of public school districts in Nassau/Suffolk Counties, New York to bid jointly on selected Food Service Commodities, Food and Food Service Supplies for the 2015-2016 school year.

Whereas, Island Park UFSD, is desirous of participating with other districts in Nassau/Suffolk counties in the joint bidding of the commodities mentioned above as authorized by General Municipal Law, Section 119-0 and,

Whereas, Island Park UFSD, wishes to appoint a committee to assume the responsibility for drafting of specification, advertising for bids, accepting and opening bids, reporting the results to the Board of Education and making recommendations thereon; therefore,

Be it further resolved, that Island Park UFSD's Board of Education authorized the above-mentioned committee to represent it in all matters leading up to the entering into a contract for the purchase of the above-mentioned commodities, and,

Be it further resolved, that Island Park UFSD's Board of Education agrees to assume its equitable share of the costs of the cooperative bidding, and

Be it further resolved, that Island Park UFSD's Board of Education agrees (1) to abide by majority decisions of the participating districts on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the committee; (3) that after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

Upon vote, motion to approve unanimously carried.

**Resolution #265 - 2015-2016 – Financial – Approval of New York State Minimum Wage Increase:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education authorize the increase in wage rates for employees who are affected by the increase of New York State minimum wage from \$8.75 to \$9.00 per hour beginning January 1, 2016, as prescribed by the New York State Department of Labor. Upon vote, motion to approve unanimously carried.

**Resolution #266 - 2015-2016 – Financial – Budget Transfers:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept the recommendation of the Superintendent and approve the budget transfers dated January 25, 2016. Upon vote, motion to approve unanimously carried.

**Resolution #267 - 2015-2016 – Financial – Acceptance of Financial Reports:**

On a motion duly made by Nina Hargrove, seconded by Tara Byrne, resolved that the Board of Education accept and approve the Treasurer's monthly financial report and collateral statements for November 2015, Cash Flow Summary, Trial Balance 7/1/15 through 12/31/15, Revenue Budget Status 7/1/15 through 12/31/15, Appropriation Status Report 7/1/15 through 12/31/15 and:

Warrant #34 – General Fund – December 23, 2015  
Warrant #12 – Capital Fund – December 23, 2015  
Warrant #8 – Payroll T&A Fund – December 25, 2015  
Warrant #35 – Medicare Reimb Fund – December 31, 2015  
Warrant #37 – General Fund – January 15, 2016  
Warrant #9 – Cafeteria Fund – January 15, 2016  
Warrant #13 – Capital Fund – January 15, 2016  
Warrant #9 – Federal Fund – January 15, 2016

On a motion duly made by Nina Hargrove, seconded by Jack Vobis, resolved that the meeting be adjourned.  
Upon vote, motion unanimously carried. Said meeting adjourned at 8:50 p.m.

Respectfully submitted,

Marianne DeCicco, District Clerk