

MINUTES  
RYE CITY SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING  
Rye Middle School Multipurpose Room  
May 16, 2006

The meeting was called to order by Mr. Culyer at 7:02 p.m. in the Rye Middle School Multipurpose Room and the Board adjourned immediately into Executive Session on a motion by Mr. Fox, seconded by Ms. Sterling and carried unanimously (6-0), for the review of employment history of current and prospective employees, negotiations pursuant to the Taylor Law, and litigation strategy and contract negotiations.

Present

Mr. James Culyer, *President*  
Mr. Stephen Feeney, *Vice President*  
Mr. Edward Fox  
Mr. Joshua Nathan  
Ms. Victoria Sterling  
Mr. Robert Zahm

And Dr. Edward Shine, Superintendent of Schools  
Mr. Robert G. Walsh, Jr., Assistant Superintendent of Schools

On a motion by Mr. Feeney, seconded by Ms. Sterling and carried unanimously (6-0) it was voted at 8:00 p.m. to reconvene in public. Mr. Culyer welcomed those present and announced the Hearing of the Public on Non-Agenda Items.

Hearing of the Public on Non-Agenda Items

There were no questions or comments from the public.

**CONSENT AGENDA**

Mr. Culyer announced that Action-General Item 2, approval of the K-5 Health Education Curriculum, and Separate Action Required Action Item 4, Budget Transfer #21, would be removed from the Consent Agenda.

On a motion by Ms. Sterling, seconded by Mr. Zahm and carried unanimously (6-0) it was voted to approve the following items:

**Action – General**

1. The minutes of the May 2, 2006 meeting of the Board, as written.
2. The Agreement with the Westchester-Putnam Council of the Boy Scouts of

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- America on the Use of the Durland Scout Center during the 2006-2007 school year. (Attachment I)
3. The contract with Kids' S.P.A.C.E. for the 2006-2007 school year. (Attachment II)
  4. Gift requests in the amount of \$4,000.00 for the high school artificial turf maintenance from Rye Youth Soccer Inc; in the amount of \$32,000 from the Osborn School PTO for Osborn School for an Encyclopedia Set, Silk Screen Banners, two Digital Cameras; an Amplifier for the Auditorium; 15 Auditory Enhancement Systems for Classroom Use; Evergreen and Flowering Shrubs and Plants.

**Action – Fiscal**

1. The bid for the Midland School gym floor replacement and the replacement of the Midland Media Center Carpet, per the attached. (Attachment III)

**Action – Personnel**

1. The resignation of Kristen Marchesani as a special education teaching assistant effective June 26, 2006.
2. The Emergency Conditional Three Year Probationary Appointment of Karen Haggerty-DiMaggio, as a Science Teacher, for which she holds New York State Permanent Certification in Biology and General Science Grades 7-12, assigned to Rye High School, 1.0 FTE, MA, Step 5, of the 2006-2007 Teacher Salary Schedule, effective September 1, 2006 – June 30, 2009.
3. The Three-Year Probationary Appointment of Elizabeth B. Howell, as a Math Teacher, for which she will be applying for New York State Initial Certification in Mathematics 7-12, assigned to Rye High School, 1.0 FTE, BA+30, Step 1, of the 2006-2007 Teacher Salary Schedule, effective September 1, 2006 – June 30, 2009.
4. The Emergency Conditional Three Year Probationary Appointment of Peter Green, as a Social Worker, for which he has applied for New York State Certification in Social Work, assigned to Rye Middle School, 1.0 FTE, MA. Step1, of the 2006-2007 Teacher Salary Schedule, effective September 1, 2006 – June 30, 2009.
5. The Emergency Conditional Leave Replacement Appointment of Diandra Lyn

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Bobe as an English Teacher, for which she has applied for New York State Initial Certification in English 7-12, assigned to Rye High School, 1.0 FTE, MA, Step 1, of the 2006-2007 Teacher Salary Schedule, effective September 1, 2006 – June 30, 2007.

6. The Leave Replacement Appointment of Melissa Lindsay as an Elementary Teacher, for which she holds New York State Initial Certifications in Early Childhood Education Birth – Grade 2 and Childhood Education Grades 1-6, assigned to Midland School, 1.0 FTE, MA, Step 2, of the 2006-2007 Teacher Salary Schedule, effective September 1, 2006 – June 30, 2007.
7. The Emergency Conditional Leave Replacement Appointment of Amy Carman as an Elementary Teacher for which she holds New York State Certification in Elementary Education Grades K-6, assigned to Osborn School, 1.0 FTE, MA+30, Step 6, of the 2006-2007 Teacher Salary Schedule, effective September , 2006 – June 30, 2007.
8. The request by Kelly Finn for an unpaid Child Care Leave of Absence from her position as English Teacher assigned to Rye High School, effective September 1, 2006 – on or about January 26, 2007.
9. The request by Suzanne Short for an unpaid Child Care Leave of Absence from her position as English teacher assigned to Rye High School, effective July 1, 2006 – June 30, 2007.

**Action – Special Education**

1. The recommendations of the Committee on Preschool Special Education from its meeting of February 1, 2006 for Student ID#625; from its meeting of March 1, 2006 for Student ID#669; from its meeting of April 6, 2006 for Student ID#643; from its meeting of February 9, 2006 for Student ID#671; and from its meeting of February 16, 2006 for Student ID#634.
2. The recommendations of The Committee on Special Education from its meeting of April 27, 2006 for Student ID#706; from its meeting of April 28, 2006 for Student ID#911366; from its meeting of February 14, 2006 for Student ID#911766; from its meetings of March 16, 2006 for Students ID#648 and 911694; from its meetings of March 21, 2006 for Students ID#644 and 911335; from its meeting of March 22, 2006 for Student ID#911660; from its meetings of March 28, 2006 for Students ID#911798.062040, and 50194; from its meetings of March 29, 2006 for Students ID#912005 and 466; from its meeting of March 31, 2006 for Student ID#159; from its meetings of April 7, 2006 for Students ID#133 and 911913; from its meeting of April 19, 2006 for Student ID#912019; from its

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meetings of April 21, 2006 for Students ID#911882 and 632; and from its meeting of April 27, 2006 for Student ID#911881.

#### **SEPARATE ACTION REQUIRED ITEMS**

On a motion by Mr. Nathan, seconded by Ms. Sterling, it was moved to approve the School District's Monthly Financial Reports. Mr. Zahm questioned a negative revenue item. Mr. Walsh and Treasurer, Anne Povella, explained the reporting structure of the State Education Department and the reason for the delay. Mr. Zahm asked Ms. Povella to explain border tax. Ms. Povella explained that these were properties on the border of Rye and another municipality. Mr. Fox questioned encumbering salary items. Ms. Povella and Mr. Culyer explained the necessity of moving some items that needed to be expensed before being allocated to a particular line.

Subsequent to discussion, the following items (Attachment IV) were approved unanimously (6-0):

1. The Treasurer's Comprehensive Bank Reconciliation by Fund Report for the Period Ending March 31, 2006.
2. The Revenue Budget Status Report for the Period Ending March 31, 2006.
3. The Appropriation Status Report for the Period Ending March 31, 2006.

#### **SEPARATE ACTION REQUIRED ITEMS**

On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to approve the following items (Attachment V):

1. The Treasurer's Comprehensive Bank Reconciliation by Fund Report for the Period Ending April 30, 2006.
2. The Revenue Budget Status Report for the Period Ending April 30, 2006.

#### **ITEM REMOVED FROM SEPARATE ACTION ITEM CONSENT AGENDA**

On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to approve Budget Transfer #21 in the amount of \$41,500.00 to cover the cost of special education services billed through BOCES, not through Public Tuition. Funds are being transferred from Public Tuition. (Attachment VI)

#### **REPORT OF THE SUPERINTENDENT**

Dr. Shine noted that there would be a Rye-Harrison language arts class spelling bee at 7:30 p.m. on May 30<sup>th</sup> to which the public and Board was invited. He said that several music students had been invited to perform solos in an upcoming music

competition, and on more achievements earned by science research student, Melanie Chow. He said that CIBA Specialty Chemical Foundation had presented a high school science award to Rye High School senior, Ashley MacCauley. Dr. Shine said he was pleased to remind everyone that the Rye High School Parents' Organization house tour would take place on Friday and noted the gifts of scholarships and funding the Parents' Association gave to students and the school. He then named the corporate sponsors of the house tour and thanked them. He reminded the Board that the following week there would be concerts every evening to which they and the public were invited.

Mr. Culyer noted the two gifts given, approved earlier on the Consent Agenda, and that Ms. Helen Cannistraci had received a prestigious Cab Calloway award the previous evening and offered thanks and congratulations to Ms. Cannistraci.

**ITEM REMOVED FROM CONSENT AGENDA**

**K-5 Health Education Curriculum**

Mr. Zahm commented on the K-5 Health Education Curriculum and said he wished to understand some items in the curriculum and questioned their appropriateness. Dr. Shine said he had not been aware that there would be questions on this item, but that age-appropriateness was always the District's methodology, that health topics had been taught for ten to fifteen years, that it was a state mandate, and that the materials and instruction were age appropriate. He invited Board members to follow up with Dr. McCann with any further concerns or questions.

Mr. Fox questioned whether the curriculum meshed with the food service. Dr. Shine responded that this had been raised at the Curriculum Council and that the District's intention was to increase communication and align those issues much more tightly, from food to exercise in the physical education program. Mr. Culyer added that he was at that Curriculum Council and that follow up was occurring.

On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to approve the K-5 Health Education Curriculum. (Attachment VII)

**PRESENTATION / DISCUSSION**

**Construction Items**

Dr. Shine asked representatives of Andron Construction and Mr. Valentine to discuss these items with the Board.

Mr. Augenbraun of Andron provided an overview of each of the items on the agenda:

- Construction update with review of construction schedule
- Review of information on additional rock removal at Milton School for parking lot redesign
- Review of Remaining construction contingency
- Review of funds available for additional work

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Election and Budget Vote Results

Mr. Culyer suggested a break for the Board to go to the Middle School gymnasium to hear the results of the Board of Education Election and Budget Vote. Upon returning to their seats at 9:30 p.m., on a motion by Mr. Zahm, seconded by Mr. Fox and carried unanimously (6-0) it was voted to accept the reported results of the Board of Education Election and Budget Vote, as follows: (Attachment IX)

Mr. Culyer reported that with 2,409 people voting, 1,288 yes votes were cast and 1,018 no votes cast on the budget, and that for candidates, the following votes were cast: Steve Feeney, 1,197; Michael White, 1,224; Josh Nathan 1,357; George Cady, 1,665; and Laura Slack 1,748.

He reported that Mr. White will fill the one-year position left vacant by George Pratt and that Ms. Slack, Mr. Cady and Mr. Nathan would serve a three-year term each.

**ACTION – CONSTRUCTION**

Subsequent to discussion, on a motion by Mr. Culyer seconded by Ms. Sterling it was voted to approve Andron's Construction Change Directive to Shawn's Lawns for Rock Removal on a time and material basis; to approve the Milton parking lot redesign at a total estimated cost of \$158,194.00; and to approve the additional costs associated with the rock removal in an amount not to exceed \$150,000.00 with authorization to go to another vendor if Shawn's Lawns does not proceed according to schedule.

The motion was approved unanimously (6-0) subject to full reservation of the District's rights to recover the cost associated with this action from any party deemed to be responsible for errors and omissions the change order/construction change directive was meant to alleviate. (Attachment X)

On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to approve the construction change directive for the winter steel premium in the amount of \$24,139.00 and for floor infill at the old cafeteria in Milton School to Melwood Contracting and Villa Construction in the total amount of \$10,728.00 subject to full reservation of the District's rights to recover the cost associated with this action from any party deemed to be responsible for errors and omissions the change order/construction change directive was meant to alleviate. (Attachment XI)

On a motion by Mr. Culyer, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to approve an additional authorization for \$100,000.00 of construction change directives (not to exceed \$10,000.00 per CO/CCD) to complete Milton School not to exceed a total of \$350,000.00 with the agreement that the Board will receive regular reports as monies are expended, on an expense, not a time basis. (Attachment XII)

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**COMMUNICATIONS TO / FROM THE BOARD**

Mr. Feeney discussed his communication regarding a request that the Administration report to the Board on a semi-annual basis in October and April on the amount spent and available balance on the additional \$19,000.00 in the Guidance Department budget; the \$20,000.00 for the Midland Site Study; and on the 0.5 FTE Nurse position, with specific details. (Attachment XIII)

Mr. Feeney discussed his communication regarding an athletic field surcharge. The Board agreed on pursuing this subject and Mr. Culyer suggested meeting with City management to discuss a fair and equitable outcome.

Ms. Sterling questioned an information item regarding the charge to the enrollment balance committee. Dr. Shine said he would appreciate comments prior to this item appearing on the June 6<sup>th</sup> agenda for discussion. Mr. Zahm requested an electronic copy of the agenda item and said he still requested that progress be made on this topic before the next budget cycle. Dr. Shine said his intention was to have the work of the committee completed by October.

Mr. Culyer opened discussion on Board letters to the community. The Board discussed which member would prepare the initial draft on a number of topics for these letters.

**Adjournment**

On a motion by Mr. Fox, seconded by Mr. Nathan and carried unanimously (6-0) it was voted at 10:20 p.m. to adjourn into executive session to complete items begun in executive session prior to the public meeting.

On a motion by Ms. Sterling, seconded by Mr. Feeney and carried unanimously (6-0) it was voted at 10:45 p.m. to reconvene in public. On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to adjourn the meeting.

Respectfully submitted,

Lynn Ferrari  
District Clerk