

MINUTES
RYE CITY SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
Rye Middle School Multipurpose Room
December 6, 2005

The meeting was called to order by Mr. Culyer at 7:34 p.m. in the Rye Middle School Multipurpose Room subsequent to a Board member tour of Osborn School commencing at 6:30 p.m..

Present

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

And Dr. Edward Shine, Superintendent of Schools
Dr. Daniel McCann, Deputy Superintendent of Schools
Mr. Robert Walsh, Assistant Superintendent of Schools

* Arrived 7:50 p.m.

On a motion by Mr. Zahm, seconded by Ms. Sterling and carried unanimously (6-0) it was voted to adjourn into executive session to review the employment history of current and prospective employees.

Upon reconvening in public at 8:16 p.m., Mr. Culyer welcomed those present and asked Mr. Feeney to present the Board's Extra Mile Awards.

Extra Mile Awards

Mr. Feeney presented the Board's Extra Mile Awards to the varsity football team and its coaches in recognition of the team's winning the Class B New York State Football Championship.

The Board then took a five minute break, at 8:40 p.m., resuming the meeting at 8:45 p.m.

Hearing of the Public on Non-Agenda Items

Mr. Culyer listed the items that would be pulled from the Consent Agenda (all minutes, Action-Fiscal items 2 and 3, and Extra Pay for Extra Work) and then announced the Hearing of the Public on Non-Agenda items.

A member of the public commented on the football jerseys some Board members had been wearing earlier.

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CONSENT AGENDA

On a motion by Mr. Pratt, seconded by Ms. Sterling and carried unanimously (7-0) it was voted to approve the following items:

Action – General

1. The IDEA resolution recommended by attorneys, Shaw & Perelson, LLP, attached, and a request that the Policy Committee review the resolution and formulate policy language for future Board consideration. (Attachment I)
2. The Advanced Placement Latin: Vergil curriculum for use in the schools. (Attachment II)
3. The resolution to accept the following gifts, from the organizations listed, made to Heard in Rye (Attachment III):

Osborn School PTO	\$1,500.00
Milton School PTO	\$1,500.00
Rye Youth Council, Inc.	\$1,000.00
The Rye Free Reading Room	\$1,000.00
4. A bronze bench statue valued at \$6,500.00 from Mr. and Mrs. Jay Stein, One Grenoble Place, Rehoboth Beach, Delaware, to Midland School. (Attachment IV)

Action – Fiscal

1. The recommendation to reject the re-bids received on October 24, 2005 for the fixed-fee heating oil contract for the 2005-2006 school year. (Attachment V)
2. Budget Transfer #6 in the amount of \$10,000.00 from BOCES recruiting to legal ads in support of the decision to use more private ads and less BOCES ads. (Attachment VI)
3. Budget Transfer #7 in the amount of \$12,954.00 from Other Media Services to the BOCES Library DYNIX Line because media services will be paid through BOCES.

Action – Personnel

1. The Three-Year Probationary appointment of Cheryl Gelsomino, as an Elementary Teacher, for which she holds New York State Provisional Certification in Elementary Education PreK-6, assigned to Osborn School, 1.0 FTE on MA Step 4 of the 2005-2006 Teacher Salary Schedule, effective September 1, 2004 – June 30, 2007.
2. The appointment of Elizabeth Howell, as (.9) FTE Teaching Assistant, assigned to the Rye High School Academic Intervention Center, Step 1 of the 2004-2005 Teacher Aide/Teaching Assistant Salary Schedule, 5 days/week, 6.5 hours/day, effective November 7, 2005.

3. The request by Courtney Albaum for an unpaid Child Care Leave of Absence from her position as 1st Grade Teacher, assigned to Osborn School, effective on or about her approximate anticipated due date of November 10, 2005 – June 30, 2006.

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4. The request by Stacey Beitler for an unpaid Child Care Leave of Absence from her position as 1st Grade Teacher assigned to Midland School, effective on or about her approximate anticipated due date of November 15, 2005 – June 30, 2006.
5. The tenure recommendation of Brian Dooley, in the General Elementary Tenure Area, for which he holds New York State Provisional Certification in Elementary N-6, effective January 6, 2006.
6. The tenure recommendation of Megan McDonagh Leddy, in the General Elementary Tenure Area, for which she holds New York State Permanent Certification in Elementary N-6, effective January 13, 2006.
7. The resignation of Bertha Zevallos, as a Food Service Worker, assigned to Rye High School Food Service Department, effective November 16, 2005.
8. The resignation of Mary Jane Anderson, as a Food Service Worker assigned to Rye High School Food Service Department, effective December 23, 2005.
9. The resignation of Stacy Cosenza, as a Food Service Worker assigned to Rye High School Food Service Department effective November 17, 2005.
10. The resignation of Patricia Cacsire, as a Food Service Worker, assigned to Rye High School Food Service Department effective September 6, 2005.
11. The resignation of Robert Blair, as a Teacher Aide assigned to Midland School, effective November 18, 2005.
12. The Provisional Appointment of Laura Schilling, as a Senior Office Assistant (Automated systems), assigned to Rye High School, Special Education Department, 11 month position, 1.0 FTE, Step 4 (prorated) (pending contract settlement between the Board of Education and the Rye City School District's Secretarial/Clerical/School Nurse and Computer Aide Unit) as per the 2000-2005 Secretarial/Clerical Salary Schedule, effective November 14, 2005.
13. The Appointment of Bertha Zevallos, as Account Clerk, with a probationary period of a minimum of twelve weeks to a maximum of fifty-two weeks, assigned to the Business Office, Central Administration Building, 12 month position, Step 1 (pending contract settlement between the Board of Education and the Rye City School District's Secretarial/Clerical/School Nurse and Computer Aid Unit) (prorated) as per the 2000-2005 Secretarial Clerical Salary Schedule, effective November 17, 2005.

Action – Special Education

1. The recommendations of the Committee on Preschool Special Education from its meeting of September 22, 2005 for Student ID#443; from its meeting of October 6, 2005 for Student ID#614, from its meeting of October 12, 2005 for Student ID#567; and from its meetings of November 10, 2005 for Students ID#617 and 586.

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2. The recommendations of the Committee on Special Education from its meeting of October 7, 2005 for Student ID#421; from its meeting of October 11, 2005 for Student ID#192; from its meeting of October 20, 2005 for Student ID#911327; from its meeting of October 21, 2005 for Student ID#627; from its meetings of October 26, 2005 for Students ID#651 and 912044; from its meetings of October 28, 2005 for Students IDC#911865 and 645; and from its meeting of November 2, 2005 for Student ID#649.

ITEMS REMOVED FROM CONSENT AGENDA

Minutes

Mr. Fox requested that in the October 11th Board minutes the statement “(information on which was presented that day by Andron)” be added to the first motion on rock removal at Milton School on page 5 of the minutes. It was decided by the Board that this would be reviewed by the administration and the minutes removed from the agenda of this meeting to be returned at the next business meeting of the Board in January.

On a motion by Mr. Pratt, seconded by Ms. Sterling and carried unanimously (7-0) it was voted to accept the minutes of the October 25, 2005 meeting of the Board.

On a motion by Mr. Fox, seconded by Mr. Pratt and carried unanimously (7-0) it was voted to accept the minutes of the November 8, 2005 meeting of the Board.

On a motion by Mr. Pratt, seconded by Mr. Zahm and carried unanimously (7-0) it was voted to accept the minutes of the November 22, 2005 meeting of the Board.

Recommendation to Award Heating Oil Contract for the 2005-2006 School Year

On a motion by Mr. Fox, seconded by Mr. Zahm and carried unanimously (7-0) it was voted to accept the recommendation that the Board of Education award the #2 heating oil contract for the 2005-2006 school year to Robison Oil the low-bid fixed-price of \$1.84 per gallon, Option 3, as amended to include the total gallons included in the bid. (Attachment VII)

Budget Transfer #5

On a motion by Ms. Sterling, seconded by Mr. Feeney and carried 5-2 with Mr. Pratt and Mr. Zahm opposed, it was voted to approve Budget Transfer #5 in the amount of \$12,625.00 from Unemployment Insurance to Districtwide Video Equipment to cover the cost of microphones for the Board of Education. (Attachment VIII)

Extra Pay for Extra Work

On a motion by Ms. Sterling, seconded by Mr. Pratt and carried 5-2 with Mr. Feeney and Mr. Pratt voting no it was voted to approve the Extra Pay for Extra Work appointments recommended on the attached for the 2005-2006 school year. (Attachment IX)

SEPARATE ACTION REQUIRED

On a motion by Mr. Pratt, seconded by Ms. Sterling and carried unanimously (7-0) it was voted to approve the Treasurer's Summary Report for the Period Ending October 31, 2005

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(Attachment X); the Appropriation Status Report for the Period Ending October 31, 2005
(Attachment XI); and the Revenue Budget Status Report for the Period Ending October 31, 2005.(Attachment XII)

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Football Resolution

Mr. Feeney read the resolution prepared on behalf of the Board for the varsity football team and the Board was asked to adopt the resolution.

On a motion by Mr. Fox, seconded by Mr. Pratt and carried unanimously (7-0) it was voted to modify the agenda to add this item.

On a motion by Mr. Pratt, seconded by Mr. Zahm and carried unanimously (7-0) it was voted to approve the resolution which reads:

Whereas
The Rye High School Varsity Football Team
Has Successfully Competed
In Statewide Competition
and Whereas
the Team Achieved the Class AB@ Championship
in Football in New York State
and Whereas
Team Members Are Also Scholar Athletes
Who Exemplify Sound Minds, Bodies and Spirit
and Whereas
Team Members Also Exemplify the
Best Attributes of Honor, Sportsmanship and Teamwork
The Rye City School District
Board of Education
Hereby Declares
Thursday, December 8
Rye High School Football Day
in
The Rye City School District
and
Calls Everyone to Assembly in Honor of the Team
with Thanks
For This Accomplishment
that Brings Recognition and Honor
To the Team, Rye High School, and the
City of Rye
Tuesday, December 6, 2005

Mr. Culyer announced that when the Board approved the Consent Agenda earlier in the meeting, one of the items approved was the tenure appointment of Brian Dooley and Megan Leddy. He asked that congratulations be extended to these two teachers.

REPORT OF THE SUPERINTENDENT

Dr. Shine extended an invitation on behalf of the District to the Board and community to the assembly for the varsity football team; that six fall teams were named scholar/athlete

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teams by the New York State Public High School Athletic Association; and that Tim Tolve had been named Class B Volleyball Coach of the year, Kevin Kelly Class B Field Hockey Coach of the Year; and that Dino Garr Section I Football Coach of the Year and New York Giant's Coach of the Week. Dr. Shine reminded the Board and community of the upcoming holiday concerts.

PRESENTATION / DISCUSSION

The College Application / Placement Process

Dr. Shine introduced Ms. Patricia Taylor, Assistant Principal/Director of Guidance, Rye High School, who, along with Dr. McCann, presented information on the Guidance Department's approach to the college process.

Construction Issues

Mr. David Augenbraun, Mr. David Shunter, Mr. Jim Beaudin, Ms. Julie Kim and Mr. Dan Valentine were all present to answer Board questions on construction issues. The following issues were discussed: change order approvals under \$10,000; a fire alarm construction change directive; a new New York State code requirement; and the Milton school parking lot redesign. The Board decided to take action on these items at this point on the agenda.

Approval of Change Orders

Mr. Feeney moved and Mr. Zahm seconded the motion to table the recommendation that the Board approve all of the change orders/construction change directives under \$10,000.00 previously approved by the District's Owner's Representative as enumerated on the attached. The motion passed on a vote of 4-3 with Mr. Culyer, Ms. Sterling and Mr. Pratt voting no.

Fire Alarm Modification

Prior to considering the administration's recommendations on this item a question was asked about how it happened that the requested modification was not in the scope of work for this project. The background information for the recommendation (attached) was read and Mr. Augenbraun of Andron indicated that it was an accurate representation. Mr. Beaudin of Fletcher Thompson concurred. Mr. Beaudin said that Fletcher Thompson provided smoke detection in the alarm system but missed a State Education Department (SED) requirement for detection on the return duct system going back into the units. He said this was not a State Code requirement but rather an SED requirement. He said that the SED had also missed this on their review of the plans.

On a motion by Mr. Fox, seconded by Mr. Feeney and carried unanimously (7-0) it was voted to approve the Construction Change Directive to Solar Electric Systems for the additions and modifications to the fire alarm systems at Midland and Osborn schools in the amount of \$39,949.00 (Attachment XIII) subject to full reservation of the district's rights to recover the costs 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.

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Special Inspections/Code Requirements

On a motion by Mr. Pratt, seconded by Mr. Zahm and carried unanimously (7-0) it was voted to approve the addition to Fletcher Thompson's contract to perform the special inspection requirements for Milton School in the amount of \$14,800.00 plus reimbursable expenses. (Attachment XIV)

Milton Parking Lot Design

On a motion by Mr. Zahm, seconded by Mr. Nathan and carried 6-1 with Ms. Sterling voting no it was voted to table the recommendation that the Board approve the Fletcher Thompson proposal for fees associated with Milton parking lot redesign as outlined in the October 25, 2005 proposal. Mr. Culyer requested that the Board members let the administration know what their questions were.

Review of Contingency Funds and Funds Available for Additional Work in the \$22 Million Project

Board members shared their opinions regarding the potential for contingency funds and funds available for additional work in the \$22 million project.

Review of Milton Gym Proposal

Board members shared their opinions regarding the possibility of adding a gymnasium at Milton School.

Discussion of Board Vacancy

Board members discussed their opinions regarding what action to take, if any, to fill Mr. Pratt's Board seat when he resigns to assume his responsibilities as a City Councilman.

Mr. Zahm moved and Mr. Nathan seconded the motion to add this discussion item to the agenda as an action item. Although there was agreement not to fill the seat, Mr. Feeney indicated that he believed it was too late at night to add voting items to the agenda and that the community should have some notice of the Board's intent before the Board would vote. The motion failed on a vote of 3-4 with Mr. Feeney, Mr. Pratt, Mr. Culyer and Ms. Sterling voting no.

COMMUNICATIONS TO / FROM THE BOARD

Mr. Zahm said the Budget Analysis Committee had had its third meeting two days previously and would meet again the second and fourth Mondays in January with the topics of staffing and a contingency budget on the agenda.

Ms. Sterling said that everyone had received the Technology Committee report and, that in reviewing Dr. Shine's Looking Ahead on future agenda items, she did not see a Technology presentation listed and would like to see this occur in January. Mr. Zahm agreed.

Mr. Nathan said that the Policy Committee met a couple of weeks ago, reviewed a number of recommendations from the New York State School Boards Association on several topics including financial policies, and that the administration would review these and return them to the Policy Committee.

Mr. Nathan reported that the Cable Committee met a couple of weeks ago and engaged in discussion about renegotiating the District's Intermunicipal Agreement with the City.

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Closing Item

On a motion by Ms. Sterling, seconded by Mr. Pratt and carried unanimously (7-0) it was voted at 1:20 a.m. to adjourn into executive session for the review of the employment history of current and prospective employees.

On a motion by Mr. Pratt, seconded by Mr. Feeney and carried unanimously (7-0) it was voted at 1:40 a.m. to reconvene in public.

There being no further business, on a motion by Ms. Sterling, seconded by Mr. Zahm and carried unanimously (7-0) it was voted at 1:41 a.m. to adjourn the meeting.

Respectfully submitted,

Lynn Ferrari
District Clerk