

**APPROVED
MINUTES
HOLLAND PATENT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
TUESDAY, MAY 15, 2012
HIGH SCHOOL LIBRARY - 7:00 P.M.**

A regular meeting of the Board of Education of the Holland Patent Central School District was held in the High School Library, located in the village of Holland Patent, New York on Tuesday, May 15, 2012. Board President Mrs. McGahey called the meeting to order at 7:00 p.m.

MEMBERS PRESENT

Anne McGahey, President
Karen Evans, Vice President
Traci Boris
Everett Stalker
Richard Allen
Elizabeth Pape
Kathleen M. Davis, Superintendent of Schools
Louis D'Ambro, Assistant Superintendent
Marie Perry, District Clerk

ALSO PRESENT

Nancy Nowicki
Kevin Healy
Cheryl Venettozzi
Kristin Casab
Allen Hyde
Dennis Geer
Christopher Roberts
John Egresits
Charles Pratt
Jennifer McDonald

John Bubb arrived at 7:01 p.m.

VISITORS

1

11-239 **ROLL CALL**

11-240 **PLEDGE OF ALLEGIANCE**

11-241 **APPROVAL OF MINUTES**

Karen Evans made the motion, seconded by Richard Allen to approve the minutes of the Board of Education regular meeting held on April 24, 2012, Board of Education Special Meeting held on April 17, 2012 and the Budget Vote and meeting (Budget Hearing) held on May 1, 2012.

Yes – 5

No – 0 Motion carried

11-242 **POSITIVE THOUGHTS**

Kathleen Davis, Superintendent thanked the board for their hard work and commitment in putting together one of the best budgets in the past few years. All discussions and comments have been positive about the budget.

Mrs. Kristin Casab, Principal, GWF Elementary wrote a letter of thanks to participants at the GWF Kindergarten Parent Information Night Program. Those receiving letters included: Mrs. Pat VanHatten, GWF Nurse, Health Information; Kate Dorr, School Lunch Assistant Director, Lunch Program; Mrs. Heidi Baskerville, GWF Instructor, Kindergarten Day; Mrs. Candace Owen, GWF Instructor, Six Day Cycle & Handwriting Without Tears; Mr. Chris Roberts, Transportation Supervisor, Bus Safety Protocols and Procedures.

Mr. Allen Hyde, Principal, Holland Patent Elementary wrote a letter of thanks to volunteers who helped with the science fair and family fun night. Those receiving letters included: Mrs. Christine VanNamee, Mrs. Jan Kochan, Mrs. Patricia Olmstead-Briel, Mr. & Mrs. Jeremy Williams, Mr. 7 Mrs. Ken Ashe, Mrs. Molly Bommer, Mrs. Kathleen Stalker, Mrs. Beth McGuire, and Ms. Kelly Blazosky.

Mr. Allen Hyde, Principal, Holland Patent Elementary wrote a letter of thanks to volunteers who helped with the Spring Book Fair. Those receiving letters included: Mrs. Melissa Smith, Mrs. Dianna Carrock, Ms. Nannett Reinhardt, Ms. Amber Coffin, Mrs. Kathleen Stalker, Mrs. Lisabeth McCartney, Mrs. Elizabeth McGuire, and Ms. KimAnn Inkawhich.

Mr. Allen Hyde, Principal, Holland Patent Elementary wrote a letter of thanks to participants at the HPE Kindergarten Parent Information Night Program. Those receiving letters included: Kate Dorr, School Lunch Assistant Director, Lunch Program; and Mr. Chris Roberts, Transportation Supervisor, Bus Safety Protocols and Procedures.

11-243

REVIEW OF UPCOMING DATES

Mrs. Davis noted that the Elementary Track Meet scheduled for today, May 15, will be cancelled due to the inclement weather. The track meet will be rescheduled in June. Parents will be notified.

The Board of Education meeting for May 29, 2012 may be cancelled depending on the results of tonight's budget vote.

May 16, 2012	HPE PTA meeting 3:45 p.m.
May 17, 2012	HP Sports Booster Club Meeting 7:00 p.m. – HS Library
May 18, 2012	35 Week Interim
May 21, 22, 2012	HPE Kindergarten Screening
May 23, 2012	MS Concert (Instrumental & Vocal) 7:00 p.m., HS Auditorium
May 23, 24, 2012	GWF Kindergarten Screening
May 24, 2012	HS Spring Fling/Student Awards
May 25, 2012	Unused Snow Day – no school

May 28, 2012

Memorial Day – no school

May 29, 2012

Board of Education Meeting
7:00 p.m. – Annex Conference Room

11-244

VISITORS

No visitors addressed the board.

11-245

CORRESPONDENCE

Mrs. Davis handed out correspondence to the board regarding the use of a school bus. The request had been denied due to the trip being not in compliance with Board Policy with regard to distance.

11-246

BOARD FORUM

Mr. Allen asked for clarification on the Board of Education meeting scheduled for Thursday, June 28, 2012. Mrs. Davis noted that Thursday is correct.

Mrs. Boris requested that Items 8 and 18 be removed from consent.

Mrs. McGahey noted that the Community Education play went well. She thanked Robert Stropp and the rest of the staff for helping to keep everything running smoothly. Everyone was very helpful.

11-247

DISTRICT UPDATE

There were no updates.

11-248

COMMITTEE REPORTS

There were no committee reports.

11-249

BILL SCHEDULES

Karen Evans made the motion, seconded by Richard Allen, to accept for payment bill schedule #9 General Fund in the amount of \$66,563.74, for the period ending May 15, 2012, and make it a matter of record.

Yes – 5

No – 0 motion carried

Karen Evans made the motion, seconded by Richard Allen, to accept for payment bill schedule #8 School Lunch Fund in the amount of \$19,208.07, for the period ending May 15, 2012 and make it a matter of record.

Yes – 5

No – 0 motion carried

Karen Evans made the motion, seconded by Richard Allen, to accept for payment bill schedule #9 Capital Project in the amount of \$5,198.15, for the period ending May 15, 2012 and make it a matter of record.

Yes – 5

No – 0 motion carried

11-250

APPROVAL OF REVISED POLICIES

Karen Evans made the motion, seconded by Richard Allen, to approve the following revised policies:

- 2020 Annual Organizational Meeting
- 2021 Regular Meetings
- 2022 Executive Sessions
- 2023 Special Meetings
- 2024 Powers and Duties of the District Officers
- 2025 Citizen's Advisory Committees
- 2026 Board Committees
- 2028 Policy Development
- 2029 Orientation to Board Policies
- 2030 Complaints About Policies
- 5014 Transportation to and from School-Sponsored, Off-Campus Activities
- 5014.1 Out of State Trips
- 5014.2 Charter Bus Certification
- 5014.3 Regulations for Class Trips
- 7096 District Web Publishing Policy

Yes – 5

No - 0 motion carried

11-251

ACCEPTANCE OF QUESTAR III INTERNAL FINANCIAL RISK AUDIT

Karen Evans made the motion, seconded by Richard Allen, to accept and make a matter of record the Questar III Internal Financial Risk Audit dated April 18, 2012.

Yes – 5

No - 0 motion carried

11-252

APPROVAL OF EPC LETTER OF INTENT – SIEMANS INDUSTRY, INC.

Karen Evans made the motion, seconded by Richard Allen, to approve the Letter of Intent for an in-depth study under an Energy Performance Contract.

Yes – 5

No - 0 motion carried

11-253

APPROVAL OF AMENDED MVCAA HEAD START LEASE AGREEMENT

Karen Evans made the motion, seconded by Richard Allen, to move Item 8 from consent for discussion.

Mrs. Boris asked if the Head Start students will be using our main entrance to the building. Mrs. Davis reported that they will be entering through out main entrance, however, they have their own staff to assist their program. Our staff does not provide services.

Karen Evans made the motion, seconded by Richard Allen, to approve the amended MVCAA Head Start Lease Agreement.

Yes – 5

No - 0 motion carried

11-254

2012-13 COACHING APPOINTMENTS

Karen Evans made the motion, seconded by Richard Allen, to move Item 18 from consent for discussion.

Mrs. Boris asked for clarification on the appointment of assistant football coaches. It is her understanding that we cut one assistant from our staff. Mr. Bubb responded that we did cut one position, therefore, we have an appointment for a shared position.

Karen Evans made the motion, seconded by Richard Allen, to approve the following Coaching Appointments for the 2012-13 school year effective May 16, 2012:

Coach	Sport		%	Salary
John Reilley	Head Varsity Girls Cross Country (split position) *	10% + 2% longevity (split)	6	\$1,857.48
Phil Lucason	Head Varsity Girls Cross Country (split position) *	10% + 2% longevity (split)	6	\$1,857.48
Mark Mattice	Varsity Football Assistant		9	\$2,786.22
Dan Knapp	Varsity Football Assistant		9	\$2,786.22
Brian Baillie	Varsity Football Assistant (split position)*	8% (split)	4	\$1,238.21
Tom Ramos	Varsity Football Assistant (split position)*	8% (split)	4	\$1,238.21
Jim Fruscella	Modified Football Assistant	6% + 5% longevity	11	\$3,405.38

Yes – 5

No – 0 motion carried

11-255

APPROVAL OF CHANGE ORDER E-04**APPROVAL OF 2012-13 FOUR WINDS SARATOGA CONTRACT****APPROVAL OF 2012-13 KELBERMAN CENTER, INC. CONTRACT****ADOPTION OF RESOLUTION TO AMEND THE 403(B) RETIREMENT PLAN****APPROVAL OF THE CONTRACT FOR RENTAL OF FACILITIES –
ELEMENTARY SUMMER SCHOOL****APPROVAL OF THE CONTRACT FOR ANCILLARY SERVICES –
ELEMENTARY SUMMER SCHOOL**

APPROVAL OF CONTRACT FOR RENTAL OF FACILITIES – DISTANCE
LEARNING
LEAVES OF ABSENCE
RESIGNATIONS
PRE K BRIDGING SUMMER SCHOOL APPOINTMENTS
APPOINTMENTS
APPROVAL OF ATHLETIC VOLUNTEERS
BUS ROUTE BID AWARDS
TENURE RECOMMENDATIONS

Karen Evans made the motion, seconded by Richard Allen to approve/accept/adopt the following by consent:

Approve the Change Order E-04, Ridley Electric Company, Inc. increasing the Electrical Contract Sum by \$1,929.00.

Approve the Four Winds Saratoga contract for tutorial services for the period of September 1, 2012 through June 30, 2012.

Approve The Kelberman Center, Inc. contract for the 2012-13 school year pending insurance approval and licensing-fingerprint clearance.

Adopt the following resolution to amend the 403(b) Retirement Plan Document as required under HEART and WRERA:

WHEREAS, the Employer desires to conform the Plan to the requirements of the Heroes Earnings Assistance and Relief Act of 2009 ("HEART") and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA");

NOW, THEREFORE, BE IT RESOLVED that sections **1.16 Includible Compensation**, **1.24 Severance from Employment**, **4.1 Loans**, and **5.3 Minimum Distributions**, of the Plan are hereby amended to read as follows:

1.16 Includible Compensation

An Employee's actual wages in box 1 of Form W-2 for a year for services to the Employer, but subject to a maximum of \$200,000 (or such higher maximum as may apply under Section 401(a)(17) of the Code) and increased (up to the dollar maximum) by any compensation reduction election under Section 125, 132(f), 401(k), 403(b), or 457(b) of the Code (including any Elective Deferral under the Plan). The amount of Includible Compensation is determined without regard to any community property laws. Beginning in 2009 and thereafter, such term also includes any "differential pay" that may be received while performing qualified military service under Section 414(u) of the Code.

1.24 Severance from Employment

For purpose of the Plan, Severance from Employment means severance from employment with the Employer and any Related Entity. However, a Severance from Employment also occurs on any date on which an Employee ceases to be an employee of a public school, even though the Employee may continue to be employed by a Related Employer that is another unit of the State or local government that is not a public school or in a capacity that is not employment with a public school (e.g., ceasing to be an employee performing services for a public school but continuing to work for the same State or local government employer). Notwithstanding any provision to the contrary, a Participant is treated as having a severance from employment during any period that such individual is performing service in the uniformed services described in Code §3401(h)(2)(A).

4.1 Loans

Loans shall be permitted under the Plan to the extent permitted by the Individual Agreements controlling the Account assets from which the loan is made and by which the loan will be secured. Any such loans shall satisfy the requirements of Code section 72(p) and applicable Treasury Regulations.

Loan applications shall be reviewed and authorized by the Employer's agent, i.e. third party administrator, and said agent shall inform the Service Provider of such authorization so as to proceed with the Service Provider's process of issuance of the loan.

Information Coordination Concerning Loans. Each Service Provider is responsible for all information reporting and tax withholding required by applicable federal and state law in connection with distributions and loans. To minimize the instances in which Participants have taxable income as a result of loans from the Plan, the Administrator shall take such steps as may be appropriate to coordinate the limitations on loans set forth in this Section, including the collection of information from Service Providers, and transmission of information requested by any Service Provider, concerning the outstanding balance of any loans made to a Participant under the Plan or any other plan of the Employer. The Administrator shall also take such steps as may be appropriate to collect information from Service Providers, and transmission of information to any Service Provider, concerning any failure by a Participant to repay timely any loans made to a Participant under the Plan or any other plan of the Employer.

Maximum Loan Amount. No loan to a Participant under the Plan may exceed the lesser of:

(a) \$50,000, reduced by the greater of (i) the outstanding balance on any loan from the Plan to the Participant on the date the loan is made or (ii) the highest outstanding balance on loans from the Plan to the Participant during the one-year period ending on the day before the date the loan is approved by the Administrator (not taking into account any payments made during such one-year period); or

(b) One half of the value of the Participant's vested Account Balance (as of the valuation date immediately preceding the date on which such loan is approved by the Administrator).

For purposes of this Section 4.1, any loan from any other plan maintained by the Employer and any Related Employer shall be treated as if it were a loan made from the Plan, and the Participant's vested interest under any such other plan shall be considered a vested interest under this Plan; provided, however, that the provisions of this paragraph shall not be applied so as to allow the amount of a loan to exceed the amount that would otherwise be permitted in the absence of this paragraph.

Loan Repayments for Employees in Qualified Uniformed Service. Notwithstanding any other provision of an applicable Individual Agreement, loan repayments by eligible uniformed services personnel maybe suspended as permitted under Section 414(u)(4) of the Code and the terms of any loan shall be modified to conform with such requirements.

5.3 Minimum Distributions

Each Individual Agreement shall comply with the minimum distribution requirements of Section 401(a)(9) of the Code and the regulations thereunder. For purposes of applying the distribution rules of Section 401(a)(9) of the Code, each Individual Agreement is treated as an individual retirement account (IRA) and distributions shall be made in accordance with the provisions of Section 1.408-8 of the Income Tax Regulations, except as provided in Section

1.403(b)-6(e) of the Income Tax Regulations. Notwithstanding the preceding, any distributions otherwise required under this section for the 2009 tax year are waived in accordance with the provisions of the Worker, Retiree and Employer Recovery Act of 2008, unless such waiver cannot be accommodated under the Individual Agreement that governs a Participant's Account.

BE IT FURTHER RESOLVED that the Plan shall include the following new sections **5.7 Qualified Military Service Distributions** and **9.12 Qualified Military Service Benefits**:

5.7 Qualified Military Service Distributions

Any Participant whose employment is interrupted by qualified uniformed service in the military under section 414(u) of the Code and dies or incurs a Disability while so serving shall be deemed to have resumed employment with the Employer on the day preceding such death or Disability and then to have incurred a Severance From Service on the actual date of death or Disability.

Any Participant that takes a distribution from the Plan under Section 414(u) following an interruption in employment that qualifies as qualified uniformed service thereunder may not make Elective Deferrals for a period of six (6) months following the date such distribution occurred.

9.12 Qualified Military Service Benefits

Notwithstanding any other provision of this Plan, any Participant whose employment is interrupted by qualified uniformed service in the military under section 414(u) of the Code shall be entitled to all rights, benefits and protections afforded to such individuals thereunder, and such provisions are incorporated into this Plan. Uniformed services by any individual shall be determined as described in section 3401(h)(2)(A) of the Code.

BE IT FURTHER RESOLVED that this amendment is effective as required under HEART and WRERA.

Approve the contract for Rental of Facilities-Elementary Summer School.

Approve the contract for Ancillary Services – Elementary Summer School

Approve the contract for Rental of Facilities – Distance Learning

Approve the request of Rose Cidzik for a leave of absence from October 1, 2012 – November 9, 2012.

Approve the request of Peter Vanderland, bus driver, to resign effective May 9, 2012.

Approve the request of Allen Hyde, Principal, Holland Patent Elementary, to resign effective June 30, 2012.

Approve the request of Tom Ramos, modified football coach, to resign, pending his appointment to the position of varsity assistant football coach.

Approve the appointment of Laura Carroll to the position of Pre-K Bridging Summer School Program teacher for the period of July 9 - 27, 2012 at the rate of \$38.70/hour.

Approve the appointment of Joyce Triebel to the position of Pre-K Summer School Program teacher for the period of July 9 – 27, 2012 at the rate of \$38.70/hour.

Approve the appointment of Trista Twomey to the position of 1:1 Teacher Assistant for Elementary Summer School for the period July 9 – August 2, 2012 (4 days per week/9 a.m. – 12 p.m.) at a rate of (Step 6, and Bachelor's index .15) \$19,367.15 (prorated).

Approve the following athletic volunteers:

Brian Langley	Football Volunteer	Fall 2012
Richard Hurlbut	Football Volunteer	Fall 2012
Justin Zacek	Football Volunteer	Fall 2012

Approve the temporary bus route bid awards effective May 16-June 21, 2012 as follows:

Peter Schram, Temporary Mid Morning Run, for an additional one (1) hour and 30 minutes per day effective May 16, 2012 – June 21, 2012 at his current hourly rate.

Mark Thackrah, Temporary Mid Day Run, for an additional one (1) hour and 30 minutes per day effective May 16, 2012 – June 21, 2012 at his current hourly rate.

Eric Bulger, Temporary AM Run, for an additional two (2) hours and 20 minutes per day effective May 16, 2012 – June 21, 2012 at his current hourly rate.

Roberta Smith, Temporary AM Run for one (1) hour and 50 minutes per day effective May 16, 2012 – June 21, 2012 at Step 1 - \$16.81/per hr.

Approve the following tenure recommendations:

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Heidi Baskerville** who holds a Permanent New York State certificate #XXXXXXX in the area of Nursery, Kindergarten & Grades 1 – 6, be hereby appointed elementary teacher in the tenure area of Elementary Education, in which she will devote a substantial portion of her time and this appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Sarah Beasley** who holds an Initial New York State certificate #XXXXXXX in the area of Music, be hereby appointed Music teacher in the tenure area of Music, in which she will devote a substantial portion of her time and this appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Samantha Bellinger** who holds a Level I, New York State certificate #XXXXXXX in the area of Teaching Assistant Level, be hereby appointed a teaching assistant in the tenure area of Teaching Assistant, in which she will devote a substantial portion of her time and this

appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **John Bubb** who holds an Initial New York State certificate #XXXXXXX in the area of School Building Leader, be hereby appointed to the eleven (11) month position of Director of Physical Education, Health, and Athletics, in the tenure area of School Building Leader, in which he will devote a substantial portion of his time and this appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Kelly Healey** who holds a Permanent New York State certificate #XXXXXXX in the area of Nursery, Kindergarten & Grades 1 – 6, be hereby appointed elementary teacher in the tenure area of Elementary Education, in which she will devote a substantial portion of her time and this appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Chelsea Kehl** who holds an Initial New York State certificate #XXXXXXXXX in the area of Spanish 7-12, be hereby appointed Spanish teacher in the tenure area of Spanish, in which she will devote a substantial portion of her time and this appointment is for service on tenure to commence on September 1, 2012.

RESOLVED, based upon the recommendation of Kathleen M. Davis, Superintendent of Schools, that **Tina Stay** who holds a Permanent New York State certificate #XXXXXXX in the area of Pre Kindergarten, Kindergarten & Grades 1 – 6, be hereby appointed elementary teacher in the tenure area of Elementary Education, in which she will devote a substantial portion of her time and this appointment is for service on tenure to commence on September 1, 2012.

Yes - 5

No 0 motion carried

11-256

ENCLOSURES

There were no comments on the enclosures.

11-257 **EXECUTIVE SESSION**

At 7:45 p.m. Karen Evans made the motion, seconded by Richard Allen, to return in executive session to discuss the recommendations made by the Committee on Special Education, the recommendations made by the Committee on Pre-School Special Education and the Employment History of Particular People.

Yes – 5
No - 0 motion carried

At 7:47 p.m. the Board entered executive session

At 7:55 p.m. the Board returned to open session.

11-258 **RECOMMENDATIONS MADE BY THE COMMITTEE ON SPECIAL EDUCATION**

Karen Evans made the motion, seconded by Richard Allen to approve the recommendations made by the Committee on Special Education which are on file.

Yes – 5
No – 0 motion carried

RECOMMENDATIONS MADE BY THE COMMITTEE ON PRE-SCHOOL SPECIAL EDUCATION

Karen Evans made the motion, seconded by Richard Allen to approve the recommendations made by the Committee on Pre-School Special Education which are on file.

Yes – 5
No – 0 motion carried

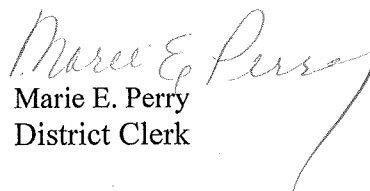
11-259 **ADJOURNMENT**

Having no further business to discuss at this time, Traci Boris made the motion, seconded by Richard Allen to adjourn the meeting.

Yes – 5
No – 0 motion carried

Meeting was adjourned at approximately 7:59 p.m.

The meeting scheduled for May 29, 2012 has been cancelled. The next regular board meeting will take place on Wednesday, June 13, 2012 in the annex conference room at 7:00 p.m.


Marie E. Perry
District Clerk