

**ELWOOD PUBLIC SCHOOLS
WORK SESSION/SPECIAL MEETING OF THE
BOARD OF EDUCATION**
June 7, 2012
Elwood Middle School Library - 7:30 p.m.

MEETING MINUTES

A. PLEDGE OF ALLEGIANCE

B. CALL TO ORDER – 7:35 p.m.

C. DISCUSSION ITEMS

1. BBS presented the status of the projects approved in the December 9, 2010 bond referendum
2. Change of Zone Application before the Town of Huntington re: Oak Tree Dairy Property

D. RESIDENTS' REMARKS

E. BUSINESS MATTERS

BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the following business matters be approved:

1. Personnel Agenda -- as per attached

(TAB A)

2. Business Matters

(TAB B)

- a. Recommend the Board adopt the attached resolutions to award bids associated with the December 9, 2010 bond referendum,
- b. Recommend the Board approve the budgetary transfers.
Mr. Kaplan moved and Mr. Ciccone seconded a motion to approve the Personnel Agenda and Business Matters 2a and 2b. The motion carried 5 ayes, 0 nays.
- c. Recommend the Board approve the agreement with First Rehabilitation Life Insurance Company of American for an Excess Major Medical Plan, replacing the expiring Guardian Plan.
Mr. Gutekunst moved and Mr. Ciccone seconded a motion to approve Business Matter 2c. The motion carried 5 ayes, 0 nays.

3. Miscellaneous

- a. Recommend the Board approve the following resolution regarding the APPR:

WHEREAS, the Board of Education hereby deems it necessary to seek judicial review of and/or challenge the requirements of the New York State Education Department and New York Commissioner of Education with respect to the Annual Professional Performance Review of teachers and principals;

NOW THEREFORE BE IT RESOLVED, that the Board of Education authorizes its attorneys, Ingerman Smith, LLP, to commence legal action and/or proceedings

on a cooperative basis with other educational institutions against the New York State Education Department, the New York State Commissioner of Education and other proper parties, if any.

- b. **and** Recommend the Board approve the following resolutions to submit to the New York State Mandate Relief Council:

1. **WHEREAS**, the Triborough Amendment to the New York State Taylor Law prohibits a school district from changing any provision in an expired labor contract until a new contract is signed, thus ensuring employees of step, lane and longevity increases if a contract expires;

WHEREAS, the Triborough Amendment creates a disincentive for school district bargaining units to settle or consider provisions in subsequent contracts that are less costly to the District and gives the bargaining units a distinct advantage in collective bargaining;

THEREFORE, BE IT RESOLVED that the Elwood Board of Education urges the Mandate Relief Council to declare the Triborough Amendment “unsound, unduly burdensome or costly so as to require it to be eliminated or reformed”.

2. **WHEREAS**, the recent tax cap legislation imposes a limit on the growth of the local school tax levy and in addition school districts have unprecedented funding shortfalls; and

WHEREAS, unfunded and underfunded state mandates continually increase the obligations and expenditures of school districts;

THEREFORE, BE IT RESOLVED that the Elwood Board of Education requests the Mandate Relief Council to urge an amendment of the New York Tax Cap legislation to exclude from a school district's tax cap any special education costs associated with student placements outside the district.

3. **WHEREAS**, the recent tax cap legislation imposes a limit on the growth of the local school tax levy and in addition school districts have unprecedented funding shortfalls; and

WHEREAS, unfunded and underfunded state mandates continually increase the obligations and expenditures of school districts;

THEREFORE, BE IT RESOLVED that the Elwood Board of Education requests the Mandate Relief Council to urge an amendment of the New York Tax Cap legislation to exclude from a school district's tax cap all increases in district contributions to the pension funds.

Mr. LaMena moved and Mr. Gutekunst seconded. The motion carried 5 ayes, 0 nays.

D. **RESIDENTS' REMARKS** - None

E. **EXECUTIVE SESSION** – At 8:36 p.m. Mr. Kaplan moved and Mr. Ciccone seconded a motion to go into executive session to discuss personnel matters and negotiations. The motion carried 5 ayes, 0 nays.

At 9:50 p.m. Mr. Kaplan moved and Mr. Ciccone seconded a motion to adjourn executive session. The motion carried 5 ayes, 0 nays.

The Board then acted on the motions in **TAB K**.

Mr. Kaplan moved and Mr. Ciccone seconded. The motion carried 5 ayes, 0 nays.

At 9:55 p.m. Mr. Kaplan moved and Mr. Fusaro seconded a motion to go back into executive session. carried 5 ayes, 0 nays. The motion carried 5 ayes, 0 nays.

- E. **ADJOURNMENT** - At 11:30 p.m. Mr. Ciccone moved and Mr. Kaplan seconded the motion to adjourn the meeting. The motion carried 5 ayes, 0 nays.

Respectfully submitted,

Peggy Pietzak
District Clerk