

Beekmantown Central School District

Board of Education Meeting

Place: Auditorium

Tuesday, March 10, 2015

Time: 6:15 p.m.

Agenda

1. Call to Order

at:

by:

A. Pledge of Allegiance

B. Roll Call

☐ Eric Anderson

☐ Andrew Brockway

☐ Cathy Buckley

☐ Joseph Coakley

☐ Michael Hagadorn

☐ Leonard King

☐ Ed Marin

☐ Debbie Passno

☐ Pauline Stone

☐ Jack Hurwitz, Ex-Officio, Student Board Member

C. Approval of Agenda

Resolved, that the Superintendent of School recommends to the Board of Education to approve the agenda.

Motion:

Seconded:

Yes:

No:

Abstain:

(Accept Reject Table)

2. Presentation

a. Topic: Employee Recognition

Presenter: Andrew Brockway, Board President

b. Topic: The Future of Technology at BCSD

Presenter: Technology Committee (Scott Danville, Gary Lambert & Peter Villa)

3. Public Comment

(10 minutes)

4. Reports/Presentations

A. Superintendent of Schools – Daniel Mannix

B. School Business Executive – Mary LaValley Blaine

C. Ex-Officio, Student Board Member - John (Jack) Hurwitz

D. Committee Reports

- Policy

Resolved, that the Superintendent of Schools recommends to the Board of Education that the following resolutions on this consent agenda are hereby approved (*Minutes and CSE & CPSE Recommendations*):

5. Consent Agenda – Minutes

Board of Education Meetings	Committee Meetings
2/10/15	2/09/15 Audit
2/24/15	

6. New Business

A. Consent Agenda – CSE & CPSE Recommendations

Approval of CSE & CPSE recommendations dated 3/10/15

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

Resolved, that the Superintendent of Schools recommends to the Board of Education that the following resolutions on this consent agenda (*Appointments and Retirements*) are hereby approved:

B. Personnel

1. Consent Agenda – Appointments

- a. Approve the creation of the Civil Service title of “Senior Clerk”.
- b. Approve the Side Letter of Understanding between the Beekmantown Support Staff Association and the Beekmantown Central School District (Senior Clerk) and authorize the Superintendent of Schools to execute said Side Letter of Understanding on behalf of the District
- c. Approve the provisional promotional appointment of Susan Field as a Senior Clerk effective 4/1/15 at a salary of \$29,093.
- d. Approve the following *Civil Service probationary* appointment as indicated:

Name	Civil Service Title	Probationary Period	2014-2015 Salary	Contact
Malpass, Tammy	School Monitor (cafeteria)	3/02/15 – 9/06/16	\$10.50/hr.	10 months

- e. Approve the following *permanent Civil Service* appointment as indicated:

Name	Civil Service Title	Probationary Period	Initial Board Meeting	Permanent Date
Sequin, Tammy	Teacher Aide/Student Aide	12/11/13 – 4/13/15	12/10/13	4/14/15

- f. Approve the following *substitute* appointments beginning on the date indicated:

Name	Type	Effective Date
Lein, Matthew	Instructional	3/16/15
Phillips, Gary	Instructional	3/16/15

- g. Approve the following *temporary on-call* appointments beginning on the date indicated:

Name	Type	Effective Date
Martin, Carol	Non-Instructional	3/03/15
Finley, Heather	Non-Instructional	3/16/15
Bradley, Nikki	Non-Instructional	3/16/15

- h. Approve the following *spring athletic appointments* for the 2014-2015 season:

Assignment	Name	Total 2014-2015
Softball – Modified (Team 1)	Rock, Jill	\$2,735
Track & Field - Assistant (Mixed)	Turner, Cheryl	\$3,043
Track & Field – Volunteer Assistant	Phillips, Jessica	-0-

- i. Approve the creation of the title “Pupil Personnel Coordinator”:

3. Consent Agenda - Retirements

Accept the following intent to retire on the date indicated:

Name	Position	Date
Lapier, Claribell	Bus Driver	6/30/15
DiStefano, Linda	English	9/01/15

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

7. Miscellaneous

- a. Budget progress and budget revenue forecast

- b. Resolved, that the Superintendent of Schools recommends to the Board of Education to approve the athletic merger with Plattsburgh City Schools, Seton Catholic Central School, Peru Central School and Saranac Central School for modified boys lacrosse for the 2014-2015 with no cost to Beekmantown Central School District.

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

- c. Resolved, that the Superintendent of Schools recommends to the Board of Education that the 2015-2016 school calendar be approved.

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

- d. **BE IT RESOLVED** by this Board of Education as follows:

Section 1. The Annual Meeting of the qualified voters of the Beekmantown Central School District, Clinton County, State of New York (the "School District"), will be held in the Middle School Gymnasium, at 37 Eagle Way, West Chazy, New York on the **19th day of May, 2015** from **11:00 A.M. to 8:00 P.M.**, prevailing time, for the purpose of voting on the proposition(s) described in the Notice of Annual District Meeting hereinafter set forth.

Section 2. The business to be acted upon at said Annual District Meeting shall be as stated in the Notice thereof, and the District Clerk is hereby authorized and directed to cause the Notice of said Annual District Meeting to be published in the Press Republican a newspaper having a general circulation within the District, such publication to be made four (4) times within the seven (7) weeks next preceding such Annual District Meeting, the first publication to be at least forty-five (45) days prior to the date of said

Section 3. The School District, as a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), having reviewed the impact of the school vehicle acquisition described herein upon the environment, hereby determines that such project constitutes a "Type II Action" under the Regulations which does not exceed thresholds established under SEQRA and, as such, is not subject to review under SEQRA;

Section 4. Said Annual District Meeting shall be called by giving the following notice thereof:

**NOTICE OF ANNUAL SCHOOL DISTRICT MEETING
OF THE VOTERS OF THE
*BEEKMANTOWN CENTRAL SCHOOL DISTRICT***

NOTICE IS HEREBY GIVEN that the Board of Education of the Beekmantown Central School District, Clinton County, New York will hold a public hearing on the 2015-2016 budget on **Tuesday, May 12, 2015 at 7:00 pm** in the high school auditorium.

NOTICE IS HEREBY GIVEN that a copy of the statement of the amount of money which will be required to fund the School District's budget for 2015-2016, exclusive of public monies, may be obtained by any resident or taxpayer of the District during business hours beginning **May 5, 2015**, except Saturdays, Sundays and or holidays at any school building, the district office, West Chazy Library, and the school district website.

THE BOARD OF EDUCATION OF THE BEEKMANTOWN CENTRAL SCHOOL DISTRICT HEREBY GIVES NOTICE that pursuant to a Resolution adopted by the Board of Education of the Beekmantown Central School District of the Towns of Beekmantown, Plattsburgh Chazy and Altona held on March 10, 2015, the annual meeting of the qualified voters of said School District, County of Clinton, State of New York, will be held in the Middle School Gymnasium, 37 Eagle Way, West Chazy, New York on the 19th day of May, 2015 from 11:00 A.M. to 8:00 P.M., prevailing time, for the purpose of voting upon the following propositions:

PROPOSITION I

(Budget)

To approve the proposed 2015-2016 school budget, and to authorize the requisite portion therefore to be raised by taxation on the taxable property of the District.

PROPOSITION II

(Transportation)

Shall the Board of Education purchase and, to the extent necessary finance, four (4) student transport vehicles (*which includes three (3) school buses and one (1) van*) and one general purpose vehicle at an estimated cost not to exceed \$435,000, including necessary furnishings, fixtures and equipment and all other costs incidental thereto and to expend a total sum not to exceed \$435,000, which is estimated to be the total maximum cost thereof, and levy a tax for the foregoing in the amount of \$435,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education and in anticipation of the collection of such tax, bonds and notes of the District are hereby authorized to be issued at one time or from time to time in the principal amount not to exceed \$435,000, and a tax is hereby voted to pay the interest on said obligations when due. This purchase is subject to a State aid transportation reimbursement ratio of 71.3%. Additional, the district will trade or sell four (4) school buses.

PROPOSITION III

(Board of Education Members)

To elect two (2) members to the Board of Education for four (4) year terms (7/1/15 – 6/30/19). The seats are presently held by Cathy Buckley and Michael Hagadorn.

NOTICE IS GIVEN that voting upon the foregoing Propositions will be by voting machine and will take place at the Middle School Gymnasium, 37 Eagle Way, West Chazy, New York on the **19th day of May, 2015 from 11:00 A.M. to 8:00 P.M.**, prevailing time.

NOTICE IS FURTHER GIVEN that qualified voters may apply for absentee ballots from the office of the Clerk of the School District. The District Clerk must receive applications for absentee ballots by at least seven days prior to the vote (**May 12, 2015**) if the ballot is to be mailed to the voter; on or prior to **May 18, 2015** if the ballot is to be delivered personally to the voter. A listing of all persons to whom absentee ballots have been issued will be available for inspection by any qualified voter in the Office of the Clerk of the School District between the hours of 7:30 a.m. - 4:00 pm during each of the five days prior to the election, except Saturdays and Sundays.

NOTICE IS GIVEN that the Board of Education has ongoing registration. Any person who is not already registered to vote, upon proving that he or she is entitled to vote may register at the district clerk's office until **May 12, 2015**. No person will be entitled to vote whose name does not appear on the School District Register or who has not registered with the Clinton County Board of Registration to vote at the general election. The register containing the names of qualified voters will be available for inspection in the Clerk's office during the hours of 7:30 am – 4:00 pm on each of the five days prior to the day of the election, except Saturdays and Sundays.

NOTICE IS HEREBY GIVEN that petitions nominating candidates for the office of school board member must be filed in the district clerk's office no later than **5:00 pm on April 20, 2015**. Each petition shall be signed by at least 25 voters of the District, and must state the name and residence of the candidate.

NOTICE IS HEREBY GIVEN that a qualified voter is a citizen of the United States, at least 18 years old, a resident of the school district for a period of 30 days next preceding the annual district election. The School District may require all persons offering to vote to provide one form of proof of residency pursuant to Education Law 2018-c. Such form may include a driver's license, a non-driver identification card, a utility bill, or a voter registration card. Upon offer of proof of residency, the School District may also require all persons offering to vote to provide their signature, printed name and address.

NOTICE IS FURTHER GIVEN that the proposition set forth on the voting machine labels shall appear as follows:

PROPOSITION I
(Budget)

To approve the proposed 2015-2016 school budget in the amount of _____, and to authorize the requisite portion therefore to be raised by taxation on the taxable property of the District.

PROPOSITION II
(Transportation)

Shall the Board of Education purchase and, to the extent necessary finance, four (4) student transport vehicles (*which includes three (3) school buses and one (1) van*) and one general purpose vehicle at an estimated cost not to exceed \$435,000, including necessary furnishings, fixtures and equipment and all other costs incidental thereto and to expend a total sum not to exceed \$435,000, which is estimated to be the total maximum cost thereof, and levy a tax for the foregoing in the amount of \$435,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education and in anticipation of the collection of such tax, bonds and notes of the District are hereby authorized to be issued at one time or from time to time in the principal amount not to exceed \$435,000, and a tax is hereby voted to pay the interest on said obligations when due. This purchase is subject to a State aid transportation reimbursement ratio of 71.3%. Additional, the district will trade or sell four (4) school buses.

PROPOSITION III
(Board of Education Members)

To elect two (2) members to the Board of Education for four (4) year terms (7/1/15 – 6/30/19). The seats are presently held by Cathy Buckley and Michael Hagadorn.

BY ORDER OF THE BOARD OF EDUCATION

Section 5. The vote upon the propositions to be submitted to the qualified voters shall be by ballot on voting machines and the District Clerk is hereby authorized and directed to have the necessary ballot labels printed in form corresponding as nearly as may be with the requirements of the Education Law.

Section 6. This Resolution shall take effect immediately.

The roll-call vote was as follows:

- | | | |
|--|---|--|
| <input type="checkbox"/> Eric Anderson | <input type="checkbox"/> Joseph Coakley | <input type="checkbox"/> Ed Marin |
| <input type="checkbox"/> Andrew Brockway | <input type="checkbox"/> Michael Hagadorn | <input type="checkbox"/> Debbie Passno |
| <input type="checkbox"/> Cathy Buckley | <input type="checkbox"/> Leonard King | <input type="checkbox"/> Pauline Stone |

8. Financial

- a. **Resolved, that the Superintendent of Schools recommends to the Board of Education to approve the following transfers over \$5,000:**

To use reserve funds to cover employee benefit payments following receipt of eleven (11) announced and anticipated retirements from service

From: A867 Employee Benefit Reserve	\$217,934
To: A9070 800 21 00 Employee Benefits	\$184,830
To: A2110 160 00 99 Employee Sick/Vac	\$ 14,195
To: A2020 160 00 99 Employee Sick/Vac	\$ 8,865
To: A2110 160 00 99 Employee Sick/Vac	\$ 4,212
To: A5510 160 00 99 Employee Sick/Vac	\$ 5,832

To transfer and consolidate budget funds from various accounts to a single district wide account related to technology infrastructure software for web filtering and mobile device management including reporting functionality

From: A2110 400 00 00 Teaching contractual	\$21,000
From: A2110 400 00 01 Teaching contractual	\$21,000
From: A2110 490 00 00 Teaching BOCES	\$21,000
To: A2630 400 00 00 Computer assisted instruction contractual	\$63,000

The roll-call vote was as follows:

<input type="checkbox"/> Eric Anderson	<input type="checkbox"/> Joseph Coakley	<input type="checkbox"/> Ed Marin
<input type="checkbox"/> Andrew Brockway	<input type="checkbox"/> Michael Hagadorn	<input type="checkbox"/> Debbie Passno
<input type="checkbox"/> Cathy Buckley	<input type="checkbox"/> Leonard King	<input type="checkbox"/> Pauline Stone

Resolved, that the Superintendent of Schools recommends to the Board of Education that the following resolutions on this consent agenda (*Health and Welfare Services*) are hereby approved:

- b. Approve the contract for health services between the Beekmantown Central School District and the Plattsburgh City School District for the period beginning 9/4/14 and ending 6/26/15 @ \$627.17 per student and authorize the Superintendent to sign said contract.
- c. Approve the contract for health and welfare service fees between the Beekmantown Central School District and the Peru Central School District for the period beginning 9/4/14 and ending 6/25/15 @ \$658.34 per pupil and authorize the Board President to sign said contract.

The roll-call vote was as follows:

<input type="checkbox"/> Eric Anderson	<input type="checkbox"/> Joseph Coakley	<input type="checkbox"/> Ed Marin
<input type="checkbox"/> Andrew Brockway	<input type="checkbox"/> Michael Hagadorn	<input type="checkbox"/> Debbie Passno
<input type="checkbox"/> Cathy Buckley	<input type="checkbox"/> Leonard King	<input type="checkbox"/> Pauline Stone

- d. Resolved, that the Superintendent of Schools recommends to the Board of Education that the following resolution be and is hereby approved:**

BEEKMANTOWN CENTRAL SCHOOL DISTRICT RESOLUTION ON PAYMENT IN LIEU OF TAX (PILOT) AGREEMENTS

WHEREAS, the Beekmantown Central School District's Board of Education ("The Board") is committed to maintaining the fiscal health of the Beekmantown Central School District ("The District") and recognizes excellent fiscal planning as a key factor in attaining the District's educational goals and priorities; and

WHEREAS, the Board's budget development shall be carefully organized and planned to ensure thorough understanding of the District's financial needs within the context of the community's fiscal resources; and

WHEREAS, the District has seen a decline in State and Federal Aid over the last several years that has shifted the burden of education funding to the local taxpayer; and

WHEREAS, The New York State Gap Elimination Adjustment (GEA) has significantly reduced the total amount of state aid the District has received with a loss of \$ 7.7 million dollars per year since the 2009-2010 school year; and

WHEREAS, New York State has implemented an unprecedented number of new unfunded mandates that have placed significant financial pressure on the District; and

WHEREAS, in 2011 the New York State Legislature and the Governor enacted "Chapter 97" legislation that establishes a "property tax cap" on the amount that a local government's or school district's property tax levy can increase each year, limiting the District's ability to raise local revenue; and

WHEREAS, the Beekmantown Central School District's Board of Education has been forced to make difficult choices to balance the budget with reduced revenue including making programmatic cuts; and

WHEREAS, while new or increased payment-in-lieu-of-tax ("PILOT") agreements may supply some revenue to the Beekmantown Central School District, they also have the negative effect of lowering the District's tax levy limit; and

WHEREAS, the New York State Education Department ("NYSED") provides Tax Cap Guidance on the NYSED website that states that "Districts with increasing or new PILOTs could have a tax levy limit that represents a change from the prior year that is less than zero. They would have to successfully seek an override from the voters to increase the levy above that limit"; and

WHEREAS The Board cannot overlook the adverse financial implications that the District must endure as a result of New York State property tax cap legislation when coupled with PILOT arrangements granted by Industrial Development Agencies ("IDAs"); and

WHEREAS, according to information and research the property value increases brought on by investments under tax exempt IDA programs are excluded from the Tax Base Growth Factor ("TBGF"), which partially determines the allowed tax levy increase; and

WHEREAS, additionally PILOT arrangements exempt the real property improvements and therefore suppress the TBGF; and

WHEREAS, according to said information and research PILOTs create a perpetual harm to the local taxpayer and district, since the TBGF does not get adjusted at the end of the PILOT when the property becomes taxable; and

BE IT RESOLVED that the Beekmantown Central School District Board of Education declares its opposition to any PILOT agreements that result in a reduction of real property taxes versus full taxation based on a full market value assessment determined by any and all of the town assessors within the Beekmantown Central School District boundaries; and

BE IT FURTHER RESOLVED that that Beekmantown Central School District Board of Education calls on the Development Corporation and Industrial Development Agency to recognize the District's position that PILOT agreements have an adverse impact on school districts due to the Tax Levy Limit formula.

The roll-call vote was as follows:

<input type="checkbox"/> Eric Anderson	<input type="checkbox"/> Joseph Coakley	<input type="checkbox"/> Ed Marin
<input type="checkbox"/> Andrew Brockway	<input type="checkbox"/> Michael Hagadorn	<input type="checkbox"/> Debbie Passno
<input type="checkbox"/> Cathy Buckley	<input type="checkbox"/> Leonard King	<input type="checkbox"/> Pauline Stone

e. Resolved, that the Superintendent of Schools recommends to the Board of Education that the following Comprehensive Energy Contract resolution be and is hereby approved:

BE IT RESOLVED, that the Board of Education hereby authorize the Comprehensive Energy Audit with Siemens, Inc. for the performance of services in connection with the District's Energy Performance Project. Tetra Tech Architects and Engineers will be the Architect for the project. Siemens will perform a Comprehensive Energy Audit and develop a project scope that is acceptable to the District and Tetra Tech. Ultimately the project will include: installation and maintenance of energy systems in the District's buildings to improve the energy efficiency of the District's buildings, to be financed from the guaranteed energy savings to be realized as a result of such improvements. The Board of Education authorizes the Superintendent to execute Siemen's Comprehensive Energy Audit Agreement and related documents, upon approval of such Contract, by a School Attorney.

The roll-call vote was as follows:

<input type="checkbox"/> Eric Anderson	<input type="checkbox"/> Joseph Coakley	<input type="checkbox"/> Ed Marin
<input type="checkbox"/> Andrew Brockway	<input type="checkbox"/> Michael Hagadorn	<input type="checkbox"/> Debbie Passno
<input type="checkbox"/> Cathy Buckley	<input type="checkbox"/> Leonard King	<input type="checkbox"/> Pauline Stone

f. WHEREAS, Level 3 Communications, LLC filed an Application for Correction of Multiple-Parcel Errors form ("RP-556-b Form") on or about May 29, 2013 for the years 2010-2012 with the "Town of Beekmantown School District" ("Beekmantown Central School District" or the "District") alleging that its fibre optic lines, tax map parcels 642-9999-760.700-1881, 630.9-760.700-1882, 152-1-19.23, and 624-9999-760.700-1881 (the "Parcels") were unlawfully taxed as a real property;

WHEREAS, Level 3 Communications, LLC subsequently filed an Article 78 Petition challenging the continued assessment and taxation of the Parcels under index number 2013-1601;

WHEREAS, Stafford, Owens, Piller, Murnane, Kelleher, and Trombley, PLLC, on behalf of the District filed a Motion to Dismiss the Petition;

WHEREAS, on February 25, 2015 the Supreme Court for Clinton County issued a Decision and Order (the "Decision and Order") denying the petition on the grounds that the fibre optic lines are equipment for the distribution of light constituting real property under Real Property Tax Law Section 102(f);

WHEREAS, the District also maintains that the fibre optic lines are taxable under Real Property Tax Law Section 102(11)(i);

WHEREAS, the Decision and Order also ordered the District to duly consider Level 3 Communications, LLC's RP-556-b Form as provided for under Real Property Tax Law Sections 556-b and 556 as applicable;

WHEREAS, the District School Board has reviewed the Decision and Order and the RP-556-b Form and has considered the information contained therein; and

NOW THEREFORE, BE IT RESOLVED, that the Board hereby denies the RP-556-b Form on the grounds that the fibre optic equipment on the Parcels is real property under Real Property Tax Law Sections 102(11)(f) and 102(11)(i) and authorizes the Superintendent of Schools, Daniel W. Mannix,

or his designee, to make a notation on the RP-556-b Form and a duplicate copy and forward the same and this resolution to Level 3 Communications, LLC.

The roll-call vote was as follows:

<input type="checkbox"/> Eric Anderson	<input type="checkbox"/> Joseph Coakley	<input type="checkbox"/> Ed Marin
<input type="checkbox"/> Andrew Brockway	<input type="checkbox"/> Michael Hagadorn	<input type="checkbox"/> Debbie Passno
<input type="checkbox"/> Cathy Buckley	<input type="checkbox"/> Leonard King	<input type="checkbox"/> Pauline Stone

9. **Additional Items to Discuss**

- Set time for Voting on CVES Board Members and CVES Budget on 4/23/15
- Discuss additional March meeting

10. **Public Comment** (10 minutes)

11. **Clerk Pro-Tem**

Resolved, that the Board of Education appoint _____ as Clerk Pro-tem for this meeting.

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

12. **Executive Session**

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

Time In: _____

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)

Time Out: _____

13. **Adjournment**

Motion: Seconded: Yes: No: Abstain: (Accept Reject Table)