

COOPERSTOWN CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION

MINUTES

DATE: December 9, 2009

KIND OF MEETING: Regular

PLACE: Cafeteria, Middle/High School

MEMBERS PRESENT: Anthony J. Scalici, President, Mary B. Leonard, Vice-President, David C. Borgstrom, Paula M. Greene, Noreen P. Polus, Theresa J. Russo, Mikal Sky-Shrewsberry

MEMBERS ABSENT: None

OTHERS PRESENT: Mary Jo A. McPhail, Superintendent of Schools
Amy Kukenberger, School Business Admin./Building Admin.
Michael G. Cring, Secondary Principal
Teresa L. Gorman, Elementary Principal

President Scalici called the meeting to order at 5:00 PM. There were no public comments on agenda items.

Mr. Scalici read a letter from Cathe Ellsworth as she was unable to attend the meeting.

Mr. Scalici introduced Mr. Mark LaValley, Network Systems Coordinator, for a presentation on the 2010-2012 District Technology Plan. Mr. LaValley began with an explanation of the reasons for developing a Technology Plan and reviewed the steps used in developing the Plan. He then talked about video conferencing, virtual field trips, developing goals using a skills map, staff development, communication, disaster planning/recovery, centralized management, and power save software. Questions and discussion followed. Mr. Scalici thanked Mr. LaValley for his informative presentation.

Mrs. Greene, seconded by Dr. Russo, moved approval of the minutes of the special meeting of November 18, 2009.

Ayes 7 Noes 0 Motion carried.

Mrs. Sky-Shrewsberry, seconded by Mrs. Leonard, moved approval of the minutes of the regular meeting of November 18, 2009.

Ayes 7 Noes 0 Motion carried.

Dr. Borgstrom, seconded by Mrs. Greene, moved approval of the minutes of the special meeting of December 2, 2009.

Ayes 7 Noes 0 Motion carried.

12/09/09

Dr. Russo presented the following warrants: WN-39 dated November 23, 2009, School Lunch Fund dated November 24, 2009, SN-42 dated November 23, 2009, and SN-44 dated November 30, 2009, for Board information.

Dr. Russo, seconded by Dr. Borgstrom, moved approval of the Capital Fund Bill Schedule dated December 3, 2009 totaling \$67,417.35 as follows:

Calhoun & Son	343.80
Bagnall Electric, Inc.	11,658.30
Conmas, Inc.	34,319.57
Keyline Distributors, Inc.	3,615.68
Midlantic Environmental, Inc.	17,480.00

Ayes 7 Noes 0 Motion carried.

Dr. Russo, seconded by Dr. Borgstrom, moved approval of the 2009 Annual Visual Inspection Instrument (Building Condition Survey). A copy of the survey is on file with the minutes of this meeting.

Ayes 7 Noes 0 Motion carried.

Dr. Russo, seconded by Dr. Borgstrom, moved to adopt the Resolution to Amend the Cooperstown Central School District 403(b) Retirement Plan that is administered by The OMNI Group. A copy of the resolution is on file with the minutes of this meeting.

Ayes 7 Noes 0 Motion carried.

Dr. Russo, seconded by Mrs. Leonard, moved to award the General Construction Contract to George A. Nole & Son, Inc. in the amount of \$1,530,000, the Mechanical Construction Contract to Piccirilli-Slavik & Vincent Plumbing & Heating, Inc. in the amount of \$1,403,000, the Electrical Construction Contract to Panko Electrical & Maintenance, Inc. in the amount of \$293,650, the Plumbing Construction Contract to Scharf Plumbing & Heating, Inc. in the amount of \$434,600, the Bus Lift Construction Contract to Filtrec Corporation in the amount of \$104,300, and the Propane Tank Construction Contract to Orchard Earth & Pipe Corp. in the amount of \$221,045.

Ayes 7 Noes 0 Motion carried.

Dr. Russo, seconded by Dr. Borgstrom, moved to grant the request from the New York State Historical Association for use of the Elementary School parking lot for visitors attending the annual Candlelight Evening event on Sunday, December 20, 2009.

Ayes 7 Noes 0 Motion carried.

Dr. Russo gave a report on the Operations, Grounds, and Audit Committee meeting of December 9, 2009.

Mrs. Greene, seconded by Mrs. Leonard, moved an amendment to Policy 1332: Duties of the School District Treasurer, for second reading and adoption.

12/09/09

SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the School District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;
- d) Makes all such entries and posts all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts provided that the District's Internal Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds; and is authorized to sign checks of the following accounts as is the Deputy Treasurer:
 - 1. Capital Fund
 - 2. Capital Fund Savings
 - 3. Federal Fund
 - 4. General Fund
 - 5. General Fund Savings
 - 6. School Lunch Fund
 - 7. Trust & Agency Fund
 - 8. Payroll Account
 - 9. Awards and Prizes Accounts
- f) Assumes other duties customary to the office.

Authorized Signatures

The Treasurer of the Extracurricular Accounts or the Deputy Treasurer of the Extracurricular Accounts is authorized to sign checks for the Extracurricular Accounts. Only one of the two signatures is required.

The District shall rent a Safe Deposit Box in the vault of the official depository and the Treasurer or the Superintendent of Schools shall have access to said box.

The Superintendent is authorized to certify bi-weekly payrolls and to approve budget transfers.

The Treasurer, Deputy Treasurer, Treasurer of Extracurricular Accounts and Deputy Treasurer of Extracurricular Accounts will be appointed annually at the Board Organizational Meeting (See 1330).

Duties: Education Law Sections 2122 and 2523

Bond: Education Law Section 2130, Part 5

8 New York Code of Rules and Regulations (NYCRR) Sections 170.2(o) and (p)

Ayes 7

Noes 0

Motion carried.

12/09/09

Mrs. Greene, seconded by Dr. Russo, moved an amendment to Policy 5220: District Investments, for second reading and adoption.

SUBJECT: DISTRICT INVESTMENTS

Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board of Education shall authorize the Business Administrator to invest such funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

Objectives

The objectives of this investment policy are four-fold:

- a) Investments shall be made in a manner so as to safeguard the funds of the School District; and
- b) Bank deposits shall be made in a manner so as to safeguard the funds of the School District.
- c) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the School District.
- d) Funds shall be invested in such a way as to earn the maximum yield possible given the first three (3) investment objectives.

Authorization

The authority to deposit and invest funds is delegated to the Business Administrator. These functions shall be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Business Administrator may invest funds in the following eligible investments:

- a) Obligations of the State of New York.
- b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.
- c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. [Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.]
- d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.
- e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.
- f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

Using the policy as a framework, regulations and procedures shall be developed which reflect:

- a) A list of authorized investments;
- b) Procedures including a signed agreement to insure the School District's financial interest in investments;
- c) Standards for written agreements consistent with legal requirements;
- d) Procedures for the monitoring, control, deposit and retention of investments and collateral which shall be done at least once a month;
- e) Standards for security agreements and custodial agreements consistent with legal requirements;
- f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the School District transacts business; and
- g) Standards for qualification of investment agents which transact business with the School District including, at minimum, the Annual Report of the Trading Partner.

This policy shall be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

General Municipal Law Section 39
Education Law Sections 1604-a, 1723(a), 2503(1) and 3652
Local Finance Law Section 165

Ayes 7

Noes 0

Motion carried.

Mrs. Greene, seconded by Dr. Russo, moved an amendment to Policy 6540: Defense and Indemnification of Board Members and Employees, for second reading and adoption.

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection Pursuant to Education Law

The Board of Education recognizes the District's statutory obligation to indemnify School District employees (and in certain circumstances, Board of Education members and volunteers) pursuant to the provisions of Sections 3023, 3028 and 3811 of the Education Law. For the purposes of this policy, the term "employee" shall be as defined in the applicable statute(s).

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board of Education.

- a) For purposes of Education Law Section 3811, the employee must give written notice within five (5) days after service of process upon him/her. The statute mandates only written notice of the claim to the Board of Education; however, submission of relevant legal documents by the employee to the Board is also encouraged.

- b) For purposes of Education Law Sections 3023 and 3028, the employee must deliver the original or a copy of the relevant legal documents to the Board within ten (10) days after service of process upon him/her.

The District will provide legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized pursuant to statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his/her duties within the scope of his/her employment or authorized volunteer duties and/or under the direction of the Board of Education.

Public Officers Law Section 18

The Board of Education hereby also confers the benefits of Section 18 of the New York State Public Officers Law upon the "employees" of the District, as defined in Section 18 of the Public Officers Law; and the District assumes the liability for the costs incurred in accordance with the provisions of Section 18. The benefits accorded to District employees under Section 18 of the Public Officers Law shall supplement and be available in addition to defense or indemnification protection conferred by other enactment or provisions of law.

The term "employees" shall include members of the Board of Education; the Superintendent; District officers; District employees; volunteers expressly authorized to participate in a District sponsored volunteer program; or any other person holding a position by election, appointment or employment in the service of the District, whether or not compensated. The term "employee" shall also include a former employee, his/her estate or judicially appointed representative.

Pursuant to the provisions of Section 18 of the Public Officers Law, and upon compliance by the employee with the requirements of this statute, the District shall provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties. Furthermore, the District shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of the settlement by the Board of Education.

The duty to defend and/or indemnify and save harmless, in accordance with Section 18 of the Public Officers Law, shall be conditioned upon the delivery by the employee to the School District attorney or to the Superintendent a written request to provide for his/her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document. Pursuant to Section 18, the full cooperation of the employee in the defense of such action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, shall also be required as a condition for the District's duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage pursuant to law. Additionally, indemnification coverage and/or the duty to provide a defense shall not arise where such action or proceeding is brought by or on behalf of the School District.

12/09/09

Paul D. Coverell Teacher Protection Act of 2001, as authorized by No Child Left Behind Act of 2001, 20 United State Code (USC) Section 6731 et seq.
Public Officers Law Section 18
Education Law Sections 1604(25) and (31-b), 1709(26) and (34-b), 2560, 3023, 3028, and 3811
General Municipal Law Sections 6-n and 52

Ayes 7 Noes 0 Motion carried.

Mrs. Greene gave a report on the Policy Committee meeting of December 4, 2009.

Motion made by Dr. Borgstrom, seconded by Mrs. Sky-Shrewsberry. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby accept the resignation of Mrs. Anita Cleveland as Mentor for Rasmiya Ruenes effective November 30, 2009.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Dr. Russo. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby appoint Mr. Peter Henrici as the Mentor for Ms. Rasmiya Ruenes effective December 1, 2009.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Dr. Russo. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby formally recognize the Cooperstown Administrators Association as the bargaining unit for the following positions should they exist: Principal, Assistant Principal, and Building Administrator, effective December 9, 2009. Excluded from the bargaining unit is the School Business Administrator/Building Administrator.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Mrs. Sky-Shrewsberry. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby grant the request for a leave of absence from Mrs. Kelly Liner, Teacher Aide, considered by the Board and outside the Service Unit Contract. Said leave is to be unpaid and to be for Wednesday, December 2, 2009.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Mrs. Leonard. RESOLVED, that the Board of Education of the Cooperstown Central School District, does hereby grant an unpaid leave of absence to Mrs. Christine McBrearty-Hulse, Guidance Counselor, for a period of six (6) days from Monday, January 11, 2010 through Tuesday, January 19, 2010 as per Article V of the July 1, 2007 - June 30, 2010 Agreement Between the Superintendent of Schools of the Cooperstown Central School Board of Education and the Cooperstown Central School Faculty Association.

Ayes 7 Noes 0 Motion carried.

12/09/09

Motion made by Dr. Borgstrom, seconded by Dr. Russo. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby grant the request for a leave of absence from Mrs. Jean Harris, Teacher Aide, considered by the Board and outside the Service Unit Contract. Said leave is to be unpaid and to be for the period Tuesday, January 12, 2010 through Friday, January 15, 2010.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Dr. Russo. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby adopt the job description for the position of School Business Administrator/Building Administrator.

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Mrs. Leonard. RESOLVED, that the Board of Education of the Cooperstown Central School District, does hereby approve the administrative assignment of the following extracurricular positions for the 2009/2010 school year:

JV & V Home Basketball (B&G) Games Timer & Scorekeeper	Brenda Wedderspoon-Gray
Modified Home Basketball (B&G) Games Timer & Scorekeeper	Brenda Wedderspoon-Gray
JV & V Home Basketball (B&G) Games Shot Clock	Randall Hoose
Girls Basketball Tickets	Denise Thayer
Boys Basketball Tickets	Theodore Lamb
Modified Volleyball Scorekeeper	Janette Lyons

Ayes 7 Noes 0 Motion carried.

Motion made by Dr. Borgstrom, seconded by Dr. Russo. RESOLVED, that the Board of Education of the Cooperstown Central School District, upon the recommendation of the Superintendent of Schools, does hereby appoint Edmund Donley as Peer Tutor for the CROP Program, at a rate of \$7.25 per hour for two (2) hours per day effective September 1, 2009 through June 30, 2010 on an as needed basis, AND BE IT FURTHER RESOLVED, that these are temporary positions and not attached to the Service Unit.

Ayes 7 Noes 0 Motion carried.

The Board acknowledged the administrative assignment of the following substitutes for the 2009/2010 school year: Alicia Strong – Teacher and Kim Santoro – Cafeteria Worker

Mr. Scalici presented information regarding the Scott Foresman Reading and Math Program as prepared by Ms. Gorman, in response to a question at the Public Forum.

Mrs. Leonard announced the following District events: December 10 – Elementary Winter Concert at 7:00 PM, December 14 – Middle School Winter Concert & Art Show at 7:30 PM, December 15 – Elementary Winter Concert Snow Date, December 16 – High School Winter Concert at 8:00 PM, December 17 – Middle and High School Concert Snow Date at 9:00 AM, December 18 – Middle/High School Jazz Concert at 9:00 AM, December 24 – January 3 – Holiday Vacation, and December 29 & 30 – Booster Club Holiday Tournament.

12/09/09

Mrs. Leonard gave a report on the Public Relations Committee meeting of December 1, 2009.

Mrs. McPhail gave a report on the Senior Citizen Turkey Dinner that was held on November 19, 2009.

Ms. Gorman reported on Santa Breakfast, K Snow Dance, K weekly assembly regarding Body Shop, Mentor Program, DVDs for troops, 4th grade Colonial Tea, 2010 Charlotte Book Awards, and the Elementary Winter Concert. Mr. Cring reported on Scripps Spelling Bee, National Geography Bee, Quiz Team, Caleb Edmonds competed in National Invitational Cross Country meet in Oregon, and winter sports.

Upon the recommendation of Mrs. McPhail, Dr. Borgstrom, seconded by Mrs. Leonard, moved approval of the recommendations of the Committee on Special Education as listed in the minutes of the meetings on November 16, November 20, and November 23, 2009 and the recommendations of the Committee on Preschool Special Education on December 7, 2009.

Ayes 7 Noes 0 Motion carried.

Dr. Borgstrom, seconded by Mrs. Leonard, moved approval of the 2009/2010 Field Trip Plan. A copy of the Plan is on file with the minutes of this meeting.

Ayes 7 Noes 0 Motion carried.

Mr. Scalici gave a report on the BOCES Board Forum that he, Mrs. Sky-Shrewsberry, and Mrs. McPhail attended on December 1, 2009.

Mr. Scalici gave a report on the Board Public Forum that was held on December 2, 2009.

Dr. Borgstrom, seconded by Mrs. Leonard, moved to appoint Alyson Burleigh, Teacher Aide, to the Professional Development Team for the remainder of the 2009/2010 school year.

Ayes 7 Noes 0 Motion carried.

Wilma Smith asked questions regarding Phase II of the Capital Project.

Mr. Scalici announced the following: next regular Board meeting on January 13, 2010 at 5:00 PM, and Operations, Grounds and Audit Committee meeting on January 13, 2010 at 4:30 PM.

Mrs. Sky-Shrewsberry, seconded by Mrs. Leonard, moved to recess to executive session for personnel in order to discuss the employment history of particular persons and contract negotiations with the Faculty Association at 6:05 PM.

Ayes 7 Noes 0 Motion carried.

Dr. Borgstrom, seconded by Mrs. Leonard, moved to return to the business of the regular meeting at 7:50 PM.

Ayes 7 Noes 0 Motion carried.

12/09/09

Dr. Russo, seconded by Mrs. Greene, immediately moved to adjourn the meeting.

Ayes 7

Noes 0

Motion carried.

Clerk