

**BOARD MEETING:** Regular  
**DATE:** Wednesday, February 4, 2009  
**TIME:** 7:00 p.m.  
**PLACE:** Naples High School Cafeteria

- I. Meeting Called to Order
- II. Pledge of Allegiance
- III. Adopt Agenda of the Regular Meeting of February 4, 2009
- IV. Executive Session
- V. PILOT Agreement
- VI. Public Comments
- VII. Superintendent's Update
- VIII. Phase I Status Report
  - Change Orders
- IX. Department Reports
  - Math
  - Foreign Language
  - Science
  - Physical Education
  - English
  - History
- X. Phase II Committee Reports
  - Educational Plan
  - Space Potential / Property / Grounds / Facilities
  - Auditorium
  - Secondary Building / Lockers / Storage / Facilities & Utilities
  - District Technology
  - Technology Classrooms
  - Elementary
- XI. Approval of Minutes of the Regular Meeting of January 7, 2009
- XII. Approval of Minutes of the Regular Meeting of January 21, 2009
- XIII. Budget Information Presentation
- XIV. Policy Reading
- XV. Field Trip Approval - Robotics Competition
- XV. Appointment
  - Spring Coaches
- XV. Consent Agenda - Routine Matters
  - Substitutes - (Include Substitute Bus Drivers)
  - Volunteers
  - Business / Financial
  - CSE & CPSE Placements

## Regular Meeting

February 4, 2009

Minutes of a regular meeting of the Board of Education of Naples Central School held on Wednesday, February 4, 2009 at 7:03 p.m. in the Naples High School Cafeteria.

Members Present:	Michael Boggs	Barbara Howard
	Bruce Capron	Mona Sage Cardinale
	Joseph Callaghan	Keith Swank
	Judy DiRaddo	Margo Ulmer

Members Absent: David Till

Also Present: Gerald Macaluso, Brenda C. Keith and Pamela Jo Claes

Guests: Brian Palone, Gail Slocombe, Sandra Mulligan, Priscilla Crawford, Chad Ayers, Maureen Russell, Cindi Bero, Scott Petrie, Shirley S. Braun, John R. Braun, Lesah McMullen, Rob Ringer, Dave Adams, Kevin Clark, Ed Premo, and Ron Mendrick.

A quorum being present, the meeting was called to order at 7:03 p.m. by Board President Keith Swank.

**Motion:** Barbara Howard

**2nd:** Margo Ulmer

Approval is given to adopt the agenda of the regular meeting of February 4, 2009.

Voting Yes: 8 Motion Carried

Voting No: 0

Approval  
Agenda  
2/4/2009

**Motion:** Barbara Howard

**2nd:** Mona Sage Cardinale

The Board shall adjourn from Regular to Executive Session at 7:05 p.m. for discussion pertaining to current litigation.

Voting Yes: 8 Motion Carried

Voting No: 0

Executive  
Session

Time out of Executive Session: 7:48 p.m.

**Motion:** Michael Boggs

**2nd:** Margo Ulmer

**RESOLUTION OF BOARD OF EDUCATION OF THE NAPLES CENTRAL SCHOOL DISTRICT  
AUTHORIZING AND APPROVING A CERTAIN PAYMENT IN LIEU OF TAX AGREEMENT  
WITH RESPECT TO THE WINDFARM PRATTSBURGH PROJECT (AS MORE FULLY  
DESCRIBED HEREIN)**

**WHEREAS**, the Naples Central School District is a political subdivision and instrumentality of the State of New York (School District); and

**WHEREAS**, Windfarm Prattsburgh, LLC (Company) has previously submitted an application to the Steuben County Industrial Development Agency (Agency) requesting the Agency's assistance with respect to a certain project (Wind Project) consisting of: (i) the acquisition by the Agency of an interest in various parcels of land consisting of approximately 2,500 acres in which the Company has a leasehold or other interest (owned by the Company and/or approximately 40 individual landowners) located off of Stanton Road, State Route 53, Fisher Road, Emerson Road, McMichael

Resolution  
PILOT  
Windfarm  
Prattsburgh  
Project

Road, Davis Road, Dillenbeck Road, Block School Road, Gay Road, Cook School Road, and Rosy Hill Road, all within the Town of Prattsburgh, Steuben County, New York (collectively, Land), (ii) the construction and equipping on the Land of a wind energy generation facility consisting of thirty-six (36) wind turbines with the capacity to produce, in the aggregate, 54 megawatts of power, based on the manufactured design specifications of each wind turbine (nameplate capacity) together with related construction of one (1) meteorological tower, a system of gravel access roads, underground electrical interconnect lines, an operations and maintenance building, and related improvements on the Land, all for the production of wind-generated electricity (Improvements), and (iii) the acquisition of and installation in and around the Improvements of certain additional items of equipment and personal property necessary for the operation of the wind energy generation facility (Equipment and, collectively with the Land and the Improvements, the Facility); and

Resolution PILOT Windfarm Prattsburgh Project
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**WHEREAS**, in connection with the Wind Project, it is contemplated that the Agency and the Company will enter into a certain Payment-In-Lieu-Of-Tax Agreement, to be dated on or about January 28, 2009 (PILOT Agreement), pursuant to which the Company shall be required to make payments in lieu of ad valorem real property taxes that would otherwise be assessable against the Facility for the benefit of Steuben County, Town of Prattsburgh, Naples Central School District, and Prattsburgh Central School District (collectively, Affected Tax Jurisdictions); and

**WHEREAS**, the Town of Prattsburgh (Town) and Company have previously entered into a Host Community and other similar agreements pursuant to which the Company agreed to make certain annual fee payments for the benefit of the Town (collectively, the Host Community Agreement); and

**WHEREAS**, in settlement of, and in order to have dismissed, certain pending litigation among the Affected Tax Jurisdictions, the Company and the Agency captioned as (i) "Supreme Court of the State of New York, County of Steuben, Naples Central School District, Petitioner/Plaintiff v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC, Respondents/Defendants Index No. 99436" and (ii) "Supreme Court of the State of New York, County of Steuben, the Board of Education of the Prattsburgh Central School District, Petitioner/Plaintiff v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC, Respondents/Defendants Index No. 99445" (collectively, Pending Litigation), the Town and the Company have agreed to terminate the Host Community Agreement and have such amounts that would otherwise be payable thereunder paid under the PILOT Agreement in compliance with the General Municipal Law and in accordance with the terms of this Resolution and Schedule A attached hereto; and

**WHEREAS**, because the proposed terms of the PILOT Agreement establish a specific payment allocation for each Affected Tax Jurisdiction, section 858(15) of the General Municipal Law of the State of New York requires the consent of each Affected Tax Jurisdiction prior to entering into such PILOT Agreement; and

**WHEREAS**, the School District desires to adopt a resolution authorizing and consenting to the proposed terms of the PILOT Agreement as set forth on Schedule A attached hereto in connection with settlement and dismissal of the Pending Litigation.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE NAPLES CENTRAL SCHOOL DISTRICT AS FOLLOWS:**

Section 1. The Board of Education approves and consents to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed as Schedule A. The Superintendent of Schools is hereby authorized to execute, acknowledge, accept and/or deliver the PILOT Agreement and any documents necessary and incidental thereto.

Section 2. The Board of Education approves the terms of the Settlement Agreement annexed

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hereto as Schedule B. The Superintendent of Schools is hereby authorized to execute, acknowledge, accept and deliver the Settlement Agreement and any documents necessary and incidental thereto.

In accord with the Settlement Agreement, the School District shall discontinue, with prejudice, its lawsuit bearing Steuben County Index No. 99436.

Section 3. The Superintendent of Schools is hereby authorized and directed to distribute copies of this Resolution to the Company, the Agency, and the Affected Tax Jurisdictions and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 4. This resolution is given for the benefit of the Agency in compliance with Section 858(15) of the Act.

Section 5. The Board of Education hereby authorizes the Superintendent of Schools and the School District counsel to make minor revisions to these Agreements as required by the other parties. However, in the event of a substantive change in either Agreement, full Board of Education ratification will be required.

Section 6. This Resolution shall take effect immediately.

<b>Aye</b>		<b>Nay</b>	<b>Absent</b>
Michael Boggs	Mona Sage Cardinale	Judy DiRaddo	David Till
Bruce Capron	Keith Swank		
Joseph Callaghan	David Till		
Judy DiRaddo	Margo Ulmer		
Barbara Howard			

Public Comment - None

Phase I Status Report

Kevin Clark of Christa Construction and Dave Adams of Hunt Engineers presented the Phase I Status report for the month of January 2009. The report is attached to the original of these minutes. A period of questions, comments and concerns followed pertaining to the information presented.

**Motion:** Barbara Howard

**2nd:** Margo Ulmer

Authorization is given for the following change orders for the Phase I construction project:

Change Order #	Change Item	Change Order Amount
A-002	Abatement	\$3,500
A-003	Abatement	\$73,000
R-003	Roofing	(\$3,782)
GC-004	General Contractor	(\$175)
GC-005	General Contractor	\$3,777
M-002	HVAC	(\$519)
M-003	HVAC	\$7,300
P-002	Plumbing	\$3,529
P-003	Plumbing	(\$2,100)
E-002	Electric	\$13,780
E-003	Electric	\$4,820
E-004	Electric	(\$136)
E-005	Electric	\$4,248
E-006	Electric	\$23,040

Voting Yes: 8 Motion Carried

Voting No: 0

Resolution  
PILOT  
Windfarm  
Prattsburgh  
Project

Authorization  
Change  
Orders  
Phase I

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The following Department Chairs provided information regarding their various departments through reports and a time of questions and answers. (Reports Attached)

Math	Department Chairperson: Lesah McMullen
Science	Department Chairperson: Maureen Russell
English	Department Chairperson: Sandra Mulligan
Foreign Language	Department Chairperson: Cindi Bero
Physical Education	Department Chairperson: Brian Palone
History	Department Chairperson: Scott Petrie

The following Phase II Committees provided information regarding their various departments through reports and a time of questions and answers. (Reports Attached)

Educational Plan	Elementary
Auditorium	Secondary Building / Lockers / Storage / Facilities & Utilities
District Technology	Technology Classrooms

**Motion:** Barbara Howard

**2nd:** Mona Sage Cardinale

The minutes of the Regular Meeting of January 7, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Accepted
Minutes
Regular Meeting
1/7/2009

**Motion:** Barbara Howard

**2nd:** Mona Sage Cardinale

The minutes of the Regular Meeting of January 21, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Accepted
Minutes
Regular Meeting
1/21/2009

Deputy Superintendent Brenda Keith presented information to the Board of Education members pertaining to the development of the 2009-2010 School Budget, stating that there will be a deficit reduction assessment by the State, which means a deduction of \$456,668 will be taken directly from our State Aid. Mrs. Keith added that every district has received reductions ranging from 5-14%, making the development of next year's school budget very challenging.

Budget Workshops were scheduled for Tuesday, March 3, 2009 and Tuesday, March 10, 2009 at 6:30 p.m. in the High School Cafeteria.

**Motion:** Barbara Howard

**2nd:** Margo Ulmer

Approval is given for the first reading of School Policy 7210: Student Evaluation - Grading System.

Voting Yes: 7 Motion Carried

Voting No: 1 Mona Sage Cardinale

Approval
1st Reading
School Policy
7210

Interim Superintendent Gerald Macaluso explained that if the policy is approved at the 2nd reading on March 11th and the 3rd reading on March 25th board meeting, then it becomes policy, adding that a new policy must be approved three times before it becomes an official policy.

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**Motion:** Barbara Howard**2nd:** Michael Boggs

Authorization is given for the Field Trip and Transportation Requests of the Naples Robotics, Team 1551 to attend the Finger Lakes Regional Competition for the FIRST Robotics Program, leaving on March 5, 2009 and returning on March 7, 2009, at Rochester Institute of Technology, Rochester, NY. (See attached itinerary)

Voting Yes: 8 Motion Carried

Voting No: 0

## Authorization

Field Trip

Robotics

3/5/09-3/7/09

**Motion:** Bruce Capron**2nd:** Barbara Howard

The following people are hereby appointed as 2008-2009 Coaches:

Baseball - Boys V: Brian Palone

Baseball - Boys JV: Adam Robison

Baseball - Boys JH: Paul Giovine

Softball - Girls V: Jonathan Betrus

Softball - Girls JV: Chad Hunt

Softball - Girls JH: Mary Phillips

Softball - Girls JH: Tammy Hendrickson

Tennis - Boys V: William Moesch

Tennis - Boys JV: Frank Gleichauf

Voting Yes: 8 Motion Carried

Voting No: 0

## Appointed

2008-09 Coaches

Palone, B.

Robison, A.

Giovine, P.

Betrus, J.

Hunt, C.

Phillips, M.

Hendrickson, T.

Moesch, W.

Gleichauf, F.

**Motion:** Barbara Howard**2nd:** Mona Sage Cardinale

Upon the recommendation of Interim Superintendent Gerald Macaluso approval is given for the Consent Agenda items: **Personnel - Appointments: Substitutes**

**I. Appointments****a. Per Diem Substitutes****Name Position**

Christopher Clinton Teacher

Chelsea Marshall Teacher

Andrea J. Rohr Teacher Aide

Robert T. North Bus Driver, Pending 19A certification

Michael R. Potter Bus Driver, Pending 19A certification

Joseph L. Goodwin Bus Driver, Pending 19A certification

Carl R. Jones Bus Driver, Pending 19A certification

**Address**

6660 County Road 37, Springwater, NY 14560

7884 Gulick Road, Naples, NY 14512

8789 Eelpot Road, Naples, NY 14512

7162 Eelpot Road, Naples, NY 14512

6572 West Gannett Hill Rd, Naples, NY 14512

4749 Route 245, Naples, NY 14512

8017 Lanning Road, Naples, NY 14512

**b. Volunteers****Name Position**

Rick Fairbrother Volunteer Mentor - Robotics

David Elliott Volunteer Mentor - Robotics

Brian Vincent Volunteer Mentor - Robotics

Jason Kenyon Volunteer Mentor - Robotics

Roger White Volunteer Mentor - Robotics

Suzanne Frazer Volunteer - Yearbook Club

**Address**

4588 Route 21, Atlanta, NY 14808

11 Cohocton Street, Naples, NY 14512

5 Cohocton Street, Naples, NY 14512

33 Academy Street, Naples, NY 14512

4 Acorn Lane, Fairport, NY 14450

215 Clute Road, Naples, NY 14512

Voting Yes: 8 Motion Carried

Voting No: 0

## Appointments

Substitute

Teachers

Clinton, C.

Marshall, C.

Teacher Aide

Rohr, A.

Bus Driver

North, R.

Potter, M.

Goodwin, J.

Jones, C.

Volunteers

Fairbrother, R.

Elliott, D.

Vincent, B.

Kenyon, J.

White, R.

Frazer, S.

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**Motion:** Barbara Howard**2nd:** Michael Boggs

Upon the recommendation of Interim Superintendent Gerald Macaluso approval is given for the following  
Consent Agenda item: **Business / Financial**

Budget Transfers

Voting Yes: 7

Motion Carried

Voting No: 1 Judy DiRaddo

Approval
Budget
Transfers

**Motion:** Michael Boggs**2nd:** Barbara Howard

Upon the recommendation of Interim Superintendent Gerald Macaluso approval is given for the following  
Consent Agenda item: **Business / Financial**

Treasurer's Report: November 2008

Treasurer's Report: December 2008

Voting Yes: 8

Motion Carried

Voting No: 0

Approval
Treasurer's
Reports
November 2008
December 2008

**Motion:** Barbara Howard**2nd:** Michael Boggs

Approval is given for student placements as per the recommendation of the Committee on Special  
Education and the Committee on Preschool Special Education.

Voting Yes: 8

Motion Carried

Voting No: 0

Approval
CSE & CPSE
Placements

**Motion:** Mona Sage Cardinale**2nd:** Michael Boggs

There being no further business, the Regular Meeting of February 4, 2009 is hereby  
adjourned at 11:15 p.m.

Voting Yes: 8

Motion Carried

Voting No: 0

Dated this 4th day of February, 2009.

Pamela Jo Claes, School District Clerk