

BOARD MEETING: Regular
DATE: Wednesday, July 15, 2009
TIME: 7:00 p.m.
PLACE: Naples High School Library

- I. Meeting Called to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Approval of Minutes of the Regular Meeting of June 3, 2009
Approval of Minutes of the Library Trustee Vote of June 4, 2009
Approval of Minutes of the Special Meeting of June 16, 2009
Approval of Minutes of the Regular Meeting of June 17, 2009
Approval of Minutes of the Special Meeting of June 18, 2009
- V. Public Comments
- VI. Superintendent's Update:
 - Capital Project - Phase I Update
Phase II Information
 - Entry Plan Update
 - Present Power Point/DVD shared with staff on June 23rd
- VII. Board Reports
 - Kristina Saucke - Director of Pupil Personnel
 - Norlyn Legler - Secondary Updates
 - Alan Moore - Elementary Updates
 - Lynn Strang - Curriculum & Instruction Updates
- VIII PILOT Agreement
- IX. Resignation: Brian Palone, Physical Education Teacher
- X. Appointments
 - Teacher
Special Education Teacher
TESOL Teacher
 - Long-Term Substitute Teachers
Special Education
 - Summer Reading Maintenance Program Teacher Aides
 - Summer Special Education Program Teacher Aides
 - Summer Cleaners
 - Extra-Curricular Advisors
- XI. District
 - Summer Hoops Camp
 - Textbook Adoption Request
- XII. Consent Agenda - Routine Matters
 - CSE & CPSE Placements
 - Substitutes
 - Business / Financial:
Treasurer's Report
Budget Transfers
Budget Status Report - Information Only
- XIII Executive Session: Brief

Regular Meeting

July 15, 2009

Minutes of a regular meeting of the Board of Education of Naples Central School held on Wednesday, July 15, 2009 at 8:17 p.m. in the Naples High School Cafeteria.

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

Members Absent:

Also Present: Kimberle A. Ward, Lynn Strang, Kristina Saucke, Alan Moore, Norlyn Legler and Pamela Jo Claes

Guests: Dahl T. Schultz, Diann Payne, Andrew Sherwood, January Lounsberry, Karen Robinson, Dan Robinson, Christine Arsenault, Linda Burke, and Deborah A. Allison.

A quorum being present, the meeting was called to order at 8:17 p.m. by Board President Keith Swank.

Motion: Barbara Howard

2nd: Michael Boggs

Approval is given to adopt the agenda of the Regular Meeting of July 15, 2009.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Margo Ulmer

2nd: Michael Boggs

The minutes of the Regular Meeting of June 3, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Michael Boggs

2nd: Barbara Howard

The minutes of the Library Trustee Vote of June 4, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Margo Ulmer

2nd: Barbara Howard

The minutes of the Special Meeting of June 16, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Mona Sage-Cardinale

2nd: Gail Musnicki

The minutes of the Regular Meeting of June 17, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Michael Boggs

2nd: Margo Ulmer

The minutes of the Special Meeting of June 18, 2009 are hereby accepted as presented.

Voting Yes: 8 Motion Carried

Voting No: 0

Public Comment:

Guest Pauline Preston welcomed Superintendent Ward to the District and stated she was excited to work with Superintendent Ward this year.

Regular Meeting

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Tess Crawford stated her experience as the 2008-09 student ex-officio Board of Education member was wonderful and thanked the Board of Education for the opportunity. Board President Keith Swank presented Tess with a gift from the Board of Education, stating the Board of Education had enjoyed having Tess as a member and thanked Tess for her contributions as the student Board of Education member.

Teacher Jan Lounsberry introduced herself, stating she has been a Math teacher at Naples Central for 34 years, adding she has concerns with what she feels is an effort by the district to push her to retire, commenting on her change in class schedule, etc. Ms. Lounsberry pointed out that her continued success rate with her students should support her viability at the district. Ms. Lounsberry also expressed her concerns with the state's testing curve for the Math regents results, stating as each year builds upon the previous year it does not lay a solid foundation for student success in mathematics.

Guest Andy Sherwood inquired about the progress with repair work on the tower.

Superintendent Updates:

Capital Project: Phase I - Superintendent Ward stated several contractors have completed their work and have signed off. The remaining contractors have their final punch lists and are working to complete their projects.

Board Member Michael Boggs stated the leak in the tower is being repaired, adding a meeting was held on June 25th between Hunt Engineers, Streeter Associates, Inc., and Campus Construction to inspect the problem and discuss a corrective plan of action. Superintendent Ward, along with board members Joseph Callaghan, Judy DiRaddo and Michael Boggs, were also in attendance. Board Member Michael Boggs stated the warranty period for the work on the tower will not begin until the repairs have been made and the work has been shown to be successful. Discussion followed pertaining to the information presented.

Discussion was then held pertaining to the use of the remaining funds from Phase I of the Capital project. Dave Adams of Hunt Engineers provided the board a list of those issues he considered most urgent.

Mrs. Ward stated as she receives cost estimates she will update the Board of Education, keeping in mind any projects must fall under the scope of state regulations for aid. Discussion followed pertaining to the information presented.

Superintendent Ward stated the school would be obtaining requests for proposals (RFPs) from additional construction companies if they move forward with a Phase II construction project, to try and find the company that would provide the best services for our district.

Superintendent Ward discussed her first days at Naples Central School, stating she had met with Board President Keith Swank; Attended Graduation; reviewed candidate applications for the School Business Administrator position; met with School Administrators, CSEA and Naples Teachers Association unit presidents; and has been getting to know teachers, staff & students among a number of other activities. Superintendent Ward then shared a Power Point presentation with those present.

Board Reports:

Board members requested clarification from Secondary Principal Norlyn Legler on High School testing results. Norlyn stated she would provide the results in a different format for the Board of Education.

Board Member Margo Ulmer requested information pertaining to how student scheduling is set so that the number of classified students in each class is not disproportionate to the overall number of students. Director of Pupil Personnel Kristina Saucke stated the difficulty in the instance referred to, was in the overall number of students in a classroom, not in the number of classified students per classroom, therefore they would be trying to reduce the number of students per class.

Mrs. Umer reported she and Director of Pupil Personnel Kristina Saucke had attended a Law conference regarding the requirements for special needs students, stating it was very informative.

Motion: Barbara Howard

2nd: Joseph Callaghan

**RESOLUTION OF BOARD OF EDUCATION OF THE NAPLES CENTRAL SCHOOL DISTRICT
AUTHORIZING AND APPROVING A SETTLEMENT OF A LAWSUIT REGARDING THE FIRST WIND
(f/k/a CANANDAIGUA POWER PARTNERS, LLC) 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, First Wind, f/k/a Canandaigua Power Partners, 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 (Project) consisting of the construction and equipping of a wind energy generation facility including approximately three wind turbines in the School District, together with related construction, if necessary, of cabling, towers and related equipment, all for the production of wind-generated electricity; and

WHEREAS, in connection with the Project, the Agency and the Company entered into a certain Payment-In-Lieu-Of-Tax Agreement, dated on or about February 1, 2008 (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 (County), Town of Cohocton (Town), Naples Central School District, Prattsburgh Central School District, and Avoca Central School District (collectively, Affected Tax Jurisdictions); and

WHEREAS, in connection with the Project, the Town and the Company entered into a certain Host Community Agreement, dated on or about August 10, 2007 (Host Community Agreement), pursuant to which the Company shall be required to make annual fee payments for the benefit of the Town only; and

WHEREAS, in settlement of and in order to have dismissed litigation between the School District, the Town, the Company, the County, and the Agency captioned "Naples Central School District, Petitioner/Plaintiff v. Town of Cohocton, Steuben County Industrial Development Agency, County of Steuben, and Canandaigua Power Partners, LLC, Respondents/ Defendants," pending in Supreme Court of the State of New York, County of Steuben and assigned Index No. 99961 (Pending Litigation), the School District and the Company have agreed that the Company will pay the School District a lump sum in full satisfaction of all claims in the Pending Litigation and to settle the Pending Litigation in its entirety; and

WHEREAS, the School District desires to adopt a resolution approving and accepting the monetary offer for settlement of the Pending Litigation and will later adopt a resolution approving a settlement agreement memorializing any additional terms of this settlement.

**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 accepts the settlement offer from the Company to settle all claims arising from the Pending Litigation.

Section 2. The Superintendent of Schools is hereby authorized and directed to distribute copies of this Resolution to counsel for the Parties to the Pending Litigation and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. This Resolution shall take effect immediately.

Voting Yes: 8 Motion Carried

Voting No: 0

Regular Meeting

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

The resignation of Brian L. Palone, Physical Education Teacher, is hereby accepted, with regret, effective July 2, 2009.

Voting Yes: 8 Motion Carried

Voting No: 0

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

RESOLVED, That the Board of Education appoints Rebecca Slade, 8429 Nighan Hill Rd., Honeoye, NY 14471, to a probationary term of three years beginning on September 1, 2009 and expiring on June 30, 2012, as Special Education Teacher, effective September 1, 2009. The certification area and status is Special Education, Provisional Certification; Pre-K, K & Grades 1-6, Provisional. Salary for the 2009-2010 school year will be Step 2 of the 2009-2010 Distribution Schedule - Masters. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Michael Boggs**2nd:** Joseph Callaghan

RESOLVED, That the Board of Education appoints Mary Cloninger, 16 Maples Avenue, Shortsville, NY 14548 to a probationary term of three years beginning on September 1, 2009 and expiring on June 30, 2012, as an English to Speakers of Other Languages Teacher, effective September 1, 2009. The certification area and status is English to Speakers of Other Languages, Initial Certification; Pre-Kindergarten, Kindergarten and Grades 1-6, Permanent. Salary for the 2009-2010 school year will be Step 4 of the 2009-2010 Teachers Salary Distribution Schedule - Masters. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Margo Ulmer**2nd:** Barbara Howard

RESOLVED, That the Board of Education appoints Jessica Johnson, 3930 O'Neil Road, Lima, NY 14485 to a long-term substitute position beginning on September 1, 2009 and expiring on June 30, 2010, as Special Education teacher, effective September 1, 2009. The certification area and status is Students with Disabilities - Grades 1-6, Initial; Childhood Education Grades 1-6, Initial. Salary for the 2009-2010 school year will be Step 3 of the 2009-2010 Distribution Schedule - Masters. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Margo Ulmer**2nd:** Barbara Howard

The following people are hereby appointed as Regular Classroom:

Summer Reading Maintenance Program Teacher Aides, salary at 2009-2010 individual hourly rate:

Diann Payne	Kathy McDonald	Laurie Spencer	Darlene Patterson
Margaret Fargnoli	Lora Ratt	Kathy Potter	

Voting Yes: 8 Motion Carried

Voting No: 0

Regular Meeting

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

The following people are hereby appointed as Special Classroom:

Summer Special Education Program Teachers Aides, salary at 2009-2010 individual hourly rate:

Tracey Neidert Mindy Foster

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Barbara Howard**2nd:** Gail Musnicki

The following people are hereby appointed as Summer Maintenance Employees at \$8.04/hour:

Chad Hunt - Summer Laborer

Shelly Gill - Summer Cleaner

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Michael Boggs**2nd:** Joseph Callaghan

The following Extra-Curricular Advisors are approved for the 2009-2010 School Year:

SPECIAL ASSIGNMENT LAST NAME FIRST NAME

Musical - Co-Director Frazer Paul

Musical - Co-Director Goyette Kathleen

Voting Yes: 8 Motion Carried

Voting No: 0

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

Approval is given for the Summer Hoops Basketball Camp, to be held July 6, 2009 through July 10, 2009 from 9 am - 12 noon at the Elementary School Gym for students ages 5-18.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Barbara Howard**2nd:** Gail Musnicki

Resolved that the Algebra 2 and Trigonometry Textbook, published by AMSCO in 2009, be adopted for usage in 10th/11th Algebra/Trigonometry.

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Mona Sage-Cardinale**2nd:** Gail Musnicki

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

Voting Yes: 8 Motion Carried

Voting No: 0

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Motion: Barbara Howard**2nd:** Gail Musnicki

Upon the recommendation of Interim Superintendent Kimberle A. Ward approval is given for the Consent Agenda items:

Personnel - Appointments: Substitutes**I. Appointments****a. Per Diem Substitutes**

Name	Position	Address
Darrin McKune	Teacher	5 Ontario Street, Naples, NY 14512
Sandra Mulligan	Teacher	1280 Italy Valley Road, Naples, NY 14512
Holly Smith	Teacher	6291 Gulick Road, Naples, NY 14512
Evelyn Letta	Teacher Aide	6337 State Route 64, Apt. A, Naples, NY 14512
Zelda T. Lowden	Bus Driver	7542 County Road 36, Naples, NY 14512

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Barbara Howard**2nd:** Joseph Callaghan

Upon the recommendation of Superintendent Kimberle A. Ward approval is given for the following Consent Agenda item: **Business / Financial**

Budget Transfers

Voting Yes: 8 Motion Carried

Voting No: 0

Motion: Mona Sage-Cardinale**2nd:** Gail Musnicki

The Board shall adjourn from Regular to Executive Session at 9:54 p.m. for discussion pertaining to personnel.

Voting Yes: 8 Motion Carried

Voting No: 0

Time out of Executive Session: 11:16 p.m.

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

There being no further business, the Regular Meeting of July 15, 2009 is hereby adjourned at 11:17 p.m.

Voting Yes: 8 Motion Carried

Voting No: 0

Dated this 15th day of July, 2009.

 Pamela Jo Claes
 School District Clerk