

REVISED AS OF MARCH 10, 2014
MALVERNE UNION FREE SCHOOL DISTRICT
Regular Board of Education Meeting
Tuesday March 11, 2014
8:00 P.M.

BOARD MEMBERS

Marguerite O'Connor, President
Danielle Hopkins, 1st Vice President
Josephine Bottitta, 2nd Vice President
Michael Taylor, Trustee
Jack Tulley Trustee

ADMINISTRATION

Dr. James H. Hunderfund, Superintendent
RoseLinda Ricca, Assistant Superintendent for
Curriculum Instruction
Spiro Colaitis, Assistant Superintendent for
District Operations
Christopher Caputo, Business Administrator

BOARD OFFICER

Lisa Ridley, District Clerk
Arthur R. Venezia, Treasurer

BOARD COUNSEL

Frazer & Feldman, LLP

AGENDA

I. CALL TO ORDER

II. EXECUTIVE SESSION

III. PLEDGE OF ALLEGIANCE

IV. MINUTES

Approval of February 11, 2014 Regular Board of Education Meeting Minutes

V. TREASURER'S REPORT

Approval of January 2014 Treasurer's Report

VI. RECEIPT OF FINANCIAL REPORTS

- A. Claims Audit Reports: February 2014.
- B. Trial Balance Reports: February 2014
- C. Revenue Status Reports: February 2014
- D. Appropriation Status Reports: February 2014
- E. Cash Flow Status Report: February 2014
- F. Budget transfers under \$20,000 Report: February 2014

VII. COMMUNICATIONS

VIII. SUPERINTENDENT'S REPORT/ ANNOUNCEMENTS

- 1 National Geographic Bee- D.A.
- 2 Poetry Award- MHS
- 3.Valedictorian/ Salutatorian –MHS

IX. PERSONNEL

- A. Terminations
None
- B. Resignations
Civil Service (2)
- C. Leaves of Absence
None
- D. Appointments
 - 1. Teachers/Teaching Assistant (1)
 - 2. Curriculum Development –MHS & HTH -2013/2014 (2)
 - 3. Malverne Teacher Center (21)
 - 4. Interscholastic Spring Season 2013/2014 (1)
- E. Supplemental Pay (16)

X OLD BUSINESS

None

XI NEW BUSINESS

- A. BE IT HEREBY RESOLVED, that the Board of Education of the Malverne Union Free School District accepts the 2012-2013 Federal Single Audit Report (Single Audit report of R.S Abrams).

- B. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District hereby approves the recommendation of the **2014/2015 school calendar** made by the Superintendent of schools.
- C. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District hereby approves the extension of the **2013/2014 school calendar**.
- D. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District approves the contract with **Communications Consulting Services, Inc.**, for the 2013-14 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- E. BE IT HEREBY RESOLVED** that the Board of Education shall approve the following transfer of funds for the 2013-2014 school year recommended by the Superintendent of Schools.

ACCOUNT CODE		FROM	TO
A2250.472-00	Tuition –Non Public Schools	\$60,000	
A2250.471.00	Tuition –Non Public Schools		\$60,000
A2010.150.00	Salaries –Instructional	\$38,246.00	
A1420.401.00	Tax Cert		\$38,246.00

F. BOARD RESOLUTION:
ANNUAL ELECTION AND BUDGET VOTE AND PUBLIC NOTICE

BE IT RESOLVED by the Board of Education of the Malverne Union Free School District, as follows:

Section I: The Annual District Meeting and Election of the Malverne Union Free School District shall be held on Tuesday, May 20, 2014 in the gymnasium of the Howard T. Herber Middle School, 75 Ocean Avenue, Malverne, New York. Said Annual District Meeting and Election as set forth in the Notice of said Annual District Election, annexed hereto, shall be held for the purpose of electing one member of the Board of Education; voting upon the 2014-15 proposed school district budget to vote on an expenditure from the District Capital Reserve Fund for the construction of certain capital improvements to school facilities and to vote on any other matter which may regularly be proposed for voting therein accordance with law. The polls will remain open from 7:00 a.m. until 9:00 p.m. and as

much longer as may be necessary to enable the voters then present to cast their ballots.

Section II: An Annual Public Budget Hearing for the purpose of discussion of the expenditure of funds and the budgeting thereof for school purposes for the 2014-15 school year shall be held on Tuesday May 13, 2014, at 8:00 p.m. in the Malverne High School Library, Ocean Avenue, Malverne, New York.

Section III: The Public Notice of the Annual District Election and Budget Hearing provided for in Appendix A is deemed a part of this Resolution, including each and every proposition and election to be presented to the qualified registered voters of the School District required by law to be contained in such Notice, and is hereby approved.

Section IV: The District Clerk is hereby authorized and directed to cause notice to be given of said Annual District Election and Budget Hearing in the form prescribed above, by publishing the Notice four times within the seven weeks next preceding such Annual District Election, the first publication to be at least forty-five days prior to the said Annual District Election, in *Newsday* and *The Herald*, two newspapers having general circulation in said School District, and by giving such other notice as, in her discretion, may be deemed desirable.

Section V: The District Clerk is hereby authorized and directed to rent the necessary voting machines and to have the necessary voting machine ballot labels printed for said voting machines in the form corresponding as nearly as may be with the requirements of the Education Law, and the voting rules of the School District.

Section VI: A Special Meeting of the Board of Education acting as the Board of Canvass shall be held on Tuesday, May 20, 2014, in the gymnasium of the Howard T. Herber Middle School following the closing of the polls for the purpose of accepting and declaring the results of the voting on all matters submitted to the qualified voters at said Annual District Election.

Section VII: This resolution shall take effect immediately.

G. RESOLUTION TO AUTHORIZE CAPITAL RESERVE FUND ESTABLISHMENT AND FUNDING PROPOSITION

WHEREAS, the Board of Education of the Malverne Union Free School District has determined that there is a need to create and fund a capital reserve fund to cover, in whole or in part, the cost of future capital improvements, renovations and/or alterations of School District facilities, as well as future equipment and/or motor vehicles purchases, to be funded with available monies from the District's fund balance and/or reserves, as authorized herein; and

WHEREAS, the Board desires that a proposition be presented to the voters of the School District authorizing the establishment and funding of a capital reserve fund for said purposes; and

WHEREAS, upon the advice of legal counsel, funds heretofore deposited into the District's Tax Certiorari Reserve Fund are no longer reasonably required to pay for any refund liability under any proceedings for the tax roll in the specific year(s) such funds were deposited and, thus, may be transferred into the newly established capital reserve fund with voter authorization, in accordance with the provisions of section 3651 of the Education Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes and directs that the following proposition be placed before the voters of the Malverne Union Free School District at the Annual District Meeting to be held between the hours of 7 a.m. and 9 p.m. on May 20, 2014, at the polling place heretofore established within the District; and that the District Clerk be hereby authorized and directed to give notice of such proposition to be voted at said Annual District Meeting by publishing a notice thereof, four times within the seven (7) weeks next preceding the district election, the first publication to be at least forty-five (45) days before the election, and to have the necessary ballot labels printed for said vote in the form corresponding as nearly as may be with the requirements of the Education Law and the provisions of the voting machine rules of this school district:

H. RESOLUTION TO AUTHORIZE REPAIR RESERVE FUND FUNDING PROPOSITION

WHEREAS, the Board of Education of the Malverne Union Free School District has determined that it is in the best interest of the District to fund its existing Repair Reserve Fund with available monies from the District's 2013-14 surplus fund balance, as authorized herein; and

WHEREAS, the Board desires that a proposition be presented to the voters

of the School District authorizing the funding of the Repair Reserve Fund with available monies from the District's 2013-14 surplus fund balance, at no additional cost to taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes and directs that the following propositions be placed before the voters of the Malverne Union Free School District at the Annual District Meeting to be held between the hours of 7 a.m. and 9 p.m. on May 20, 2014, at the polling place heretofore established within the District; and that the District Clerk be hereby authorized and directed to give notice of such proposition to be voted at said Annual District Meeting by publishing a notice thereof, four times within the seven (7) weeks next preceding the district election, the first publication to be at least forty-five (45) days before the election, and to have the necessary ballot labels printed for said vote in the form corresponding as nearly as may be with the requirements of the Education Law and the provisions of the voting machine rules of this school district:

APPENDIX A

Attachment: Public Notice

NOTICE OF ANNUAL DISTRICT ELECTION AND BUDGET HEARING OF MALVERNE UNION FREE SCHOOL DISTRICT TOWN OF HEMPSTEAD, COUNTY OF NASSAU STATE OF NEW YORK TO BE HELD ON May 20, 2014

NOTICE IS HEREBY GIVEN that the annual meeting of the qualified voters of the Malverne Union Free School District, Town of Hempstead, County of Nassau, will be held on May 20, 2014, at 9:00 p.m. in the gymnasium of the Howard T. Herber Middle School, Ocean Avenue, Malverne, New York, in said School District for the transaction of such business as is authorized by law.

NOTICE IS HEREBY GIVEN that the Malverne Board of Education will hold a Budget Hearing on May 13, 2014 at 8:00 p.m. at the Malverne High School Library, Ocean Avenue, Malverne, New York in School District for the purposes of discussing funds for 2014-2015 School Budget.

PLEASE TAKE FURTHER NOTICE that the vote upon the appropriation of necessary funds to meet the necessary expenditures for the school year 2014-2015, on all propositions duly filed with the Board of Education, and to fill one (1) vacancy on the Board of Education shall be held in the gymnasium of the Howard T. Herber Middle School, Ocean Avenue, Malverne, New York, in said School District on Tuesday, May 20, 2014, between the hours of 7:00 a.m. and 9:00 p.m. The qualified voters shall fill the following vacancy: (a) the office of Marguerite O'Connor, current member of the Board of Education which term expires June 30,

2014, and for a new term commencing on July 1, 2014 and expiring on June 30, 2018(b). The qualified voters shall also vote upon the following propositions.

PROPOSITION NO. 1

RESOLVED that the proposed Budget of the Malverne Union Free School District of the Town of Hempstead, County of Nassau, State of New York for the fiscal year 2014-2015 be adopted and that the amount of said budget be raised by tax upon the taxable property of the School District after first deducting the monies available from the State Aid and other sources.”

PROPOSITION NO. 2 (Capital Reserve Fund Expenditure Proposition):

RESOLVED that the Board of Education of the Malverne Union Free School District is hereby authorized to appropriate and expend from the Districts Capital Reserve Fund, heretofore established by the voters of the District on May 20, 2014 at no additional cost to the taxpayers, upgrade of bathrooms district wide, replacement of roofs, upgrade heating system at the secondary level, upgrade site work district wide to include demolition of district owned property and creation of parking lot in its place and purchase of school buses for \$1.6M.

PROPOSITION NO. 3 (Establishment and Funding of Capital Reserve Fund II):

BE IT RESOLVED, that the Board of Education of the Malverne Union Free School District is hereby authorized to establish a capital reserve fund, known as the “Capital Reserve Fund II,” at the terms set forth below, in order to fund future capital projects. Any proposed project to be undertaken with these funds will require voter authorization at a future public vote. The Capital Reserve Fund II will not impact the school budget or the tax rate. It will be funded with available monies from the District’s fund balance and/or reserves, as authorized herein. The Capital Reserve Fund II will be created and funded in accordance with the provisions of Education Law section 3651, for the purpose of funding future district wide improvements, renovations and/or alterations, including but not limited to construction, renovation, improvement, alteration and/or replacement of district wide facilities and property, capital improvements related to changes in future enrollment, other infrastructure improvements and similar projects, and the purchase or acquisition of equipment and motor vehicles, and associated or incidental work, services and expenses. Such capital reserve fund shall be for a probable term of ten (10) years and will commence on

June 30, 2014 and expire on June 30, 2024. The capital reserve fund will be capitalized in a total amount not to exceed Ten Million Dollars (\$10,000,000), plus interest, during the term of the fund.

The source of the funding of the capital reserve fund shall include (1) an annual transfer of surplus money, if any, from the District's General Fund's unassigned fund balance, as may be available as of the end of each fiscal year from June 30, 2014 through and including June 30, 2024; (2) the transfer of \$500,000, effective June 30, 2014, from the District's existing Tax Certiorari Reserve Fund, heretofore established by the Board, which funds are no longer required to be reserved for their originally intended purpose; and (3) any other sources permitted by law, including transfers from existing reserves.

PROPOSITION NO. 4 (Funding of Repair Reserve Fund):

BE IT RESOLVED, that the Board of Education of the Malverne Union Free School District is hereby authorized to appropriate and transfer available surplus money in an amount not to exceed \$400,000 from the District's General Fund's unassigned fund balance into the District's Repair Reserve Fund, heretofore established by the Board of Education, at no additional cost to District taxpayers, effective June 30, 2014.

PLEASE TAKE FURTHER NOTICE that the voting shall be on voting machines as provided by the Education Law and that the polls will remain open from 7:00 a.m. until 9:00 p.m. and as much longer as may be necessary to enable the voters then present to cast their ballots. The District Clerk is hereby authorized and directed to have the necessary ballot labels printed for said voting machines in the form corresponding as nearly as may be with the requirements of the Education Law. The condensed form of the budget proposition and the text of all other propositions to appear on the voting machine and a detailed statement in writing of the amount of money which will be required for the school year 2014-2015 for school purposes, specifying the purposes and the amount for each, will be prepared and copies thereof will be made available, upon request, to any resident in the district at each school house in the district in which school is maintained between the hours of 9:00 a.m. and 3:00 p.m. during the period of fourteen days immediately preceding said election of May 20, 2014 excluding Saturday, Sunday and holidays, and at such annual election.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 495 of the Real Property Tax Law, the district is required to attach to its proposed budget an exemption report. Said exemption report, which will also become part of the final budget, will show the total assessed value on the final assessment roll used in the budgetary process is exempt from taxation, list every type of exemption granted by the statutory authority, and show the cumulative impact of type of exemption, the cumulative amount expected to be received as payments in lieu of taxes and the cumulative impact of all exemptions granted.

PLEASE TAKE FURTHER NOTICE that the election shall be held in accordance with the Rules of the Conduct of Meetings and Elections adopted by the Board of Education.

PLEASE TAKE FURTHER NOTICE that the nominations for the office of member of the Board of Education shall be made by petition subscribed by at least 25 qualified voters of the District, and filed in the Office of the District Clerk between the hours of 9:00 a.m. and 5:00 p.m., not later than the 30th day preceding election at which the trustees shall be voted upon, this year, April 21, 2014. Such petition shall state the specific vacancy on the Board for which candidate is nominated, which description shall include at least the length of the term of office and the name of the last incumbent, if any. Each vacancy shall be considered a separate office and a separate petition shall be required to nominate a candidate to each separate office. No person shall be nominated for more than one separate office. However, a nomination may be rejected by the Board of Education if the candidate is ineligible for the office or declares his unwillingness to serve.

PLEASE TAKE FURTHER NOTICE that any proposition or question to be placed upon the voting machines shall be submitted, in writing, by petition subscribed by at least 100 qualified voters of the District and filed in the Office of the District Clerk between the hours of 9:00 a.m. and 5:00 p.m., not later than 30 days preceding the meeting or election at which such question or proposition shall be voted upon, this year April 21, 2014 except that this rule shall not apply to those questions or propositions which are required to be stated in the published or posted notice of the meeting or to those propositions or questions which the Board of Education has authority by law to present at any annual or special meeting of the district.

PLEASE TAKE FURTHER NOTICE that the Board of Registration of this school district shall be in the Malverne High School Lobby located at 80 Ocean Avenue on Thursday, April 10, 2014 from 8:30 a.m. to 11:30 a.m. and from 11:30 a.m. to 3:30 p.m. located at the District's Administration Building, on Saturday May 3, 2013, from 9:30 a.m. to 1:30 p.m., at the District's Administration Building located at 301 Wicks Lane, Malverne, New York for the purpose of preparing a register of the qualified voters of this district for said annual district election, at which time any person shall be entitled to have his/her name placed upon the such registry provided that, at such meeting of the Board of Registration, he/she is known, or proven to the satisfaction of the Board of Registration, to be then or thereafter entitled to vote at the annual district elections for which such register is prepared.

PLEASE TAKE FURTHER NOTICE that the register shall include: (1) all qualified voters of the District who shall personally present themselves for registration; (2) all previously qualified voters of the District who shall have been previously registered for any annual or special District meeting or election and who shall have voted at any annual or special District meeting or election held or conducted at any time within four calendar years (2010-2013) prior to preparation of the said register; and (3) those voters permanently registered with the Board of Elections of the County of Nassau.

PLEASE TAKE FURTHER NOTICE that the Board of Registration will further meet during the hours of voting at the Annual District Election on May 20, 2014 for the purpose of preparing a register for District meetings or elections to be held subsequent to May 20, 2014. The Register shall be filed in the Office of the District Clerk in the Administration Building, 301 Wicks Lane, Malverne, New York, where it shall be open for inspection by any qualified voter between the hours of 9:30 a.m. and 1:30 p.m. on each of the five days prior to the day set for election, except Sunday, and at the polling place on election day.

PLEASE TAKE FURTHER NOTICE that applications for absentee ballots for the School District election may be applied for at the District Clerk's office. A list of all persons to whom absentee ballots shall have been issued will be available in the District Clerk's office on each of the five days prior to the day of the election, except Sundays.

PLEASE TAKE FURTHER NOTICE that this Board shall convene a special meeting thereof within twenty-four hours after the filing with the District Clerk of a written report of the results of the ballot, to meet at the gymnasium at the Howard T. Herber Middle School for the purpose of examining and tabulating said reports of the result of the ballot and declaring the result of the ballot; that the Board hereby designates itself to be set of poll clerks to cast and canvass ballots pursuant to Education Law, §2019-a, subdivision 2b at said special meeting of the Board.

Dated: March 11, 2014

BY ORDER OF BOARD OF EDUCATION
MALVERNE UNION FREE SCHOOL DISTRICT
TOWN OF HEMPSTEAD
COUNTY OF NASSAU, NEW YORK

LISA RIDLEY
DISTRICT CLERK

XII. POLICIES
None

XIII. CURRICULUM MATTERS / STUDENTS SERVICE

BE IT HEREBY RESOLVED that the Board of Education approves the Recommendations at the March 11, 2014 Board of Education meeting made by the Committee on Special Education for meetings held on 1/24/2014 and 1/29/2014.

BE IT FURTHER RESOLVED that the Board of Education approves the Recommendations made by the Subcommittee on Special Education for Meetings held on 11/26/ 2014.

XIV. GENERAL DISCUSSION

XV. PUBLIC PARTICIPATION

XVI. DATES TO REMEMBER

- March 12 MHS Musical- The Drowsy Chaperone
(Senior Citizen) HTH –Auditorium @ 6:00 pm
- March 14 MHS Musical –The Drowsy Chaperone
HTH –Auditorium @ 8:00 pm
- March 15 MHS Musical –The Drowsy Chaperone
@ 1:00 pm HTH –Auditorium
@ 8:00 pm HTH –Auditorium
- March 18 Board of Education Meeting- Final Budget Review
@ 7:00 pm MHS Library
- March 19 Pops Concert
@ 7:30 pm HTH Auditorium
- April 8 Board of Education Meeting / Budget Adoption
@ 8:00 pm MHS Library
- April 14 -18 Spring Recess- Schools Closed
- April 24 Special Board of Education Meeting-BOCES Budget Vote

XVII. ADJOURNMENT