

**REVISED**  
**MALVERNE UNION FREE SCHOOL DISTRICT**  
**Regular Board of Education Meeting**  
**Tuesday July 5, 2016**  
**8:00 P.M.**

**BOARD MEMBERS**

John Tulley, President  
Danielle Hopkins, 1<sup>st</sup> Vice President  
Josephine Bottitta, 2<sup>nd</sup> Vice President  
Jeanne D' Esposito, Trustee  
Marguerite O'Connor, Trustee

**ADMINISTRATION**

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

**BOARD OFFICER**

Lisa Ridley, District Clerk  
Daniel Balzan Treasurer

**BOARD COUNSEL**

Frazer & Feldman, LLP

**AGENDA**

**I. CALL TO ORDER**

**II. EXECUTIVE SESSION**

**III. PLEDGE OF ALLEGIANCE**

**IV. MINUTES**

Approval of June 14, 2016 Board Of Education Meeting Minutes

**V. TREASURER'S REPORT**

Approval of June 2016 Treasurer's Report

**VI. RECEIPTS OF FINANCIAL REPORTS**

- A. Claims Audit Reports: June 2016
- B. Trial Balance Reports: June 2016
- C. Revenue Status Reports: June 2016
- D. Appropriation Status Reports: June 2016
- E. Cash Flow Status Report: June 2016
- F. Budget transfers under \$20,000 Report: June 2016

**VII. COMMUNICATIONS**

**VIII. SUPERINTENDENT'S REPORT/ ANNOUNCEMENTS**

**IX. PERSONNEL**

- A. Terminations  
None
- B. Resignations
  - 1. Administration (1)
  - 2. Civil Service (1)
- C. Leaves of Absence  
Teachers/Teacher Assistant (1)
- D. Appointments
  - 1. Teachers/Teacher Assistants (10)
  - 2. Twilight School Program 2015/2016 (2)
  - 3. Homebound Tutors 2015/2016 (3)
  - 4. Co-Curricular Activities HTH 2015/2016 (1)
  - 5. Nurse for MHS Graduation 2015/2016 (1)
  - 6. Co-Curricular Activities MHS 2016/2017 (48)
  - 7. Co- Curricular Activities –HTH 2016/2017 (28)
  - 8. Summer Band Camp 2016/2017 (19)
  - 9. Extended Day Band Rehearsals-Davison Avenue (3)
  - 10. Marching Band Rehearsals 2016/2017 (2)
  - 11. After School Instruction –Music HTH 2016/2017 (1)
  - 12. Interscholastic 2016/2017 (1)
  - 13. Summer Custodial-2016/2017 (25)
  - 14. Homebound Tutoring -2016/2017(14)
  - 15. Twilight School Program 2016/2017 (14)

**E. Supplemental**

1. Approval of the following Clubs for the 2016/2017 School Year  
Children's Literature & Writing Club HTH
2. Elimination of the following clubs for the 2016/2017 School year  
7<sup>th</sup> Grade Enrichment Club HTH

**X. NEW BUSINESS**

**A. BE IT HEREBY RESOLVED**, that based upon the recommendation of the Superintendent of Schools and on the advice of District Counsel, the Board of Education hereby approves the Settlement Agreement and Release with Nassau County, Long Island Power Authority and PSEG Long Island (Index Nos. 2016/710 and 2016/1971) regarding LIPA PILOT payments. The President of the Board is authorized to execute said Settlement Agreement and Release which will be appended to the minutes of this meeting.

**B. BE IT HEREBY RESOLVED**, that the Assistant Superintendent for District Operations be and hereby is designated pursuant to §220 of the NYS Labor Law, as the individual responsible for the receipt, collection and review for facial validity of certified payroll records of contractors doing business with the District.

**C. Whereas**, the District is a member of the Nassau County Schools Cooperative Workers Compensation Self-insured Trust (the "Trust"), and

**Whereas**, plan documents governing the Trust provide for the designation of a managerial employee of each member district to represent the district in connection with all matters involving the Trust, now therefore be it

**Resolved**, that Christopher Caputo, Business Administrator, be and hereby is designated to represent the District in connection with all matters involving the Trust, and be it further

**Resolved**, that in the absence or inability of Christopher Caputo to serve as the District's representative regarding the Trust, Spiro Colaitis, Assistant Superintendent for District Operations, be and hereby is designated as the District's alternate representative.

**D. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District approves the contract with **Oceanside UFSD** to provide educational services for the 2015-2016

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 of the Malverne Union Free School District hereby authorizes the Town of Hempstead, Receiver of Taxes to raise the sum of \$41,369,468
- F. BE IT HEREBY RESOLVED that the Board of Education the Malverne Union Free School District hereby sets the lunch price for the 2016/2017 year. The price for lunch at all the schools will be \$2.50. Adult prices will be \$3.50. The breakfast prices will be \$1.50.
- G. WHEREAS, the Board of Education of the Malverne Union Free School District (“Board”) has determined that the moneys presently held in the District’s Unemployment Insurance Payment Reserve Fund exceed the amount required to pay all claims and pending claims as of June 30, 2016; now, therefore,

BE IT RESOLVED, that the Board hereby directs the District’s Business Administrator to take the necessary action to transfer \$100,000.00 from the District’s Unemployment Insurance Payment Reserve Fund into the District’s Employee Benefit Accrued Liability Reserve Fund, effective June 30, 2016; and

BE IT FURTHER RESOLVED that the Board hereby directs the District’s Business Administrator to take the necessary action to transfer \$750,000.00 from the District’s Unemployment Insurance Payment Reserve Fund into the District’s Capital Reserve Fund II, heretofore established by voter approval on May 20, 2014, effective June 30, 2016.

- H. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the **Payable Health & Welfare Contract** with the following district **Lynbrook UFSD**.

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

- I. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the **District’s participation in a consortium with other municipalities**, with the School Districts listed below as lead agency, for the purposes of cooperative bidding for the goods and services listed below for the 2016-2017 school year:
- BOCES Bids
  - Keystone Purchasing Network (KPN)
  - The Cooperative Purchasing Network (TCPN)

- Nassau & Suffolk County Bids
- National Intergovernmental Purchasing Alliance (IPA)
- NYS Office General Services Bid
- Concrete & Asphalt – East Meadow UFSD
- Blinds & Shades– Valley Stream #30
- Burner Service-Seafood UFSD
- Carpet & Tile Installation – Malverne UFSD
- Custodial Equipment & Repair – Bethpage UFSD
- Custodial Supplies & Green Products – Great Neck UFSD
- Door Installation & Repair – Bellmore-Merrick UFSD
- Drag Mop Rental – Roosevelt UFSD
- Dumpsters – Levittown UFSD
- Electrical Supplies – Hewlett-Woodmere UFSD
- Electrical Repairs & Maintenance Service –  
Hewlett-Woodmere UFSD
- Elevator Maintenance/North Shore – Floral Park-Bellrose UFSD
- Elevator Maintenance/South Shore –Plainview-Old Bethpage CSD
- Emergency Generator Service – Jericho UFSD
- Equipment Rental – Valley Stream CHSD
- Fence Installation & Repair – Seafood UFSD
- Fire Extinguish Service – Lynbrook UFSD
- Fuel Tank Alarm – West Hempstead UFSD
- Geese Control – Herricks UFSD
- General A/C & Refrigeration Repairs & Service –  
North Shore CSD
- General Boiler Welding – Garden City UFSD
- Grounds, Equipment Repair – Rockville Centre UFSD
- Irrigation Services – Mineola UFSD
- Kitchen Equipment Repair – Hicksville UFSD
- Landscaping– Hewlett-Woodmere UFSD
- Lock Supply & Hardware – Syosset UFSD
- Locksmith Services – Oceanside UFSD
- Lumber & Masonry Supplies – Jericho UFSD
- Minor Construction & Repair-Carle Place UFSD
- Organic Lawn Care & Supplies – Freeport UFSD
- PA/Intercom – Syosset CSD
- Paint & Painting Supplies – Massapequa Public Schools
- Painting Service – Wantagh UFSD
- Pest Control Services – Elmont UFSD
- Playground Equipment Repair– Glen Cove UFSD
- Plumbing Service – Port Washington UFSD
- Plumbing Supplies – Port Washington UFSD
- Pneumatic Controls – Syosset CSD
- Port-a-Potties-Uniondale UFSD

- Pump & Motor Repair – Long Beach UFSD
- Roofing Repair – Baldwin UFSD
- Signs & Supplies – North Merrick UFSD
- Slate Roof Repair – Hewlett-Woodmere UFSD
- Split Air Conditioning Units – East Rockaway UFSD
- Steam Traps – Bellmore UFSD
- Storm Drains Maintenance – East Williston UFSD
- Theatrical Sound, Lighting and Stage Rigging – Malverne UFSD
- Track & Tennis Court Repairs – Uniondale UFSD
- Trash Bags – Roosevelt UFSD
- Tree Maintenance – Manhasset UFSD
- Uniforms – North Bellmore UFSD
- Universal Waste Recycling – North Shore CSD
- Window Glazing – Island Trees UFSD

J. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Peter Brady, as the Claims Auditor**, for the 2016-2017 school year.

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

K. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the **Non-Public School and Special Education contracts awarded by the BOCES Cooperative** for the 2016-2017 school year.

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

L. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **Cullen & Danowski, LLP, for External Accounting Services**, for the 2016-2017 school year.

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

M. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **Frazer & Feldman, LLP, for Legal Advisory Services**, for the 2016-2017 school year.

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

- N. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Health Source Group, to provide nursing assistance**, for the 2016-2017 school year.

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

- O. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **Nawrocki Smith LLP for Internal Auditing Services**, for the 2016-2017 school year.

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

- P. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **New York State Insurance Fund, to provide Short Term Disability Insurance**, for the 2016-2017 school year.

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

- Q. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **The Omni Group, as Billing Disbursing Agent**, for the 2016-2017 school year.

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

- R. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **R.S. Abrams & Co., LLP for External Auditing Services**, for the 2016-2017 school year.

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

- S. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract renewal with **Dr. Michele C. Reed, for School Medical Physician Services**, for the 2016-2017 school year.

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

T. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Dr. James J. Tolle, as the Superintendent's Hearing Officer**, for the 2016-2017 school year.

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

U. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Copy Cat Reporting, as Superintendent's Hearing Court Reporter**, for the 2016-2017 school year.

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

V. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Tows by Us, Inc. for towing services**, for the 2016-2017 school year.

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

**W. RESOLUTION OF THE MALVERNE UNION FREE SCHOOL DISTRICT, NEW YORK (THE "SCHOOL DISTRICT") DECLARING THE FINDINGS OF THE SCHOOL DISTRICT WITH RESPECT TO THE PROPOSALS RECEIVED FOR THE TAX-EXEMPT FINANCING OF THE SCHOOL DISTRICT'S ENERGY PERFORMANCE CONTRACT WITH JOHNSON CONTROLS, INC. AND MAKING CERTAIN OTHER DETERMINATIONS IN CONNECTION THEREWITH.**

THE BOARD OF EDUCATION OF THE MALVERNE UNION FREE SCHOOL DISTRICT, NASSAU COUNTY, NEW YORK, HEREBY RESOLVES (by a majority vote of all the members of said Board) AS FOLLOWS:

Section 1. The Board of Education of the Malverne Union Free School District (the "School District") has received seven (7) proposals from firms to provide financing under the Energy Performance Contract that the School District has heretofore entered into with Johnson Controls, Inc. (the "Agreement") with respect to (i) the \$3,899,338 cost of the energy conservation measures to be implemented (the "Equipment") and, (ii) in the event of approval by the New York State Education Department ("SED Approval"), the \$335,000 cost of the installation of solar panels (the "Additional Equipment").

Section 2. Following a discussion of the Board of Education of the School District, and based upon the written recommendation received



from Capital Markets Advisors, LLC, the School District's Financial Advisor, it is hereby determined that (i) with respect to the Equipment, the proposal of Banc of America Public Capital Corp, or one of its affiliates (the "Lessor"), reflecting tax-exempt financing at an interest rate of 2.1350% over a term of 15 years is the lowest responsible proposal in the best interest of the School District, and (ii) in the event of SED Approval and with respect to the Additional Equipment, the proposal of Banc of America Public Capital Corp, or one of its affiliates (the "Lessor"), reflecting tax-exempt financing at an interest rate of 2.210% over a term of 15 years is the lowest responsible proposal in the best interest of the School District, and such proposal are hereby accepted subject to the negotiation of a lease purchase agreement(s) approved by counsel.

Section 3. The President of the Board of Education, the Vice President of the Board of Education, the Superintendent of Schools and/or the Assistant Superintendent for Business (collectively the "Authorized Representatives" and individually, the "Authorized Representative") acting on behalf of the School District and with the advice of counsel, are hereby authorized to negotiate, enter into, execute, and deliver one or more lease purchase agreements (collectively, the "Equipment Lease") with the Lessor. The Authorized Representatives are hereby further authorized with the advice of counsel to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representatives deem necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Lease are hereby authorized, and such documents shall be filed in the office of the District Clerk and made available for public inspection.

Section 4. The aggregate original principal amount of the Equipment Lease with respect to the Equipment shall not exceed \$3,899,338 and the aggregate original principal amount of the Equipment Lease with respect to the Additional Equipment shall not exceed \$335,000, and each shall bear interest as set forth in the Equipment Lease and shall contain such options for prepayment as set forth therein.

Section 5. The School District's obligations under the Equipment Lease shall be subject to annual appropriation or renewal by the Board of Education of the School District as set forth in each Equipment Lease and the School District's obligations under the Equipment Lease shall not constitute a general obligation of the School District or indebtedness under the Constitution or laws of the State of New York.

Section 6. The proceeds of the Equipment Lease may be applied to reimburse the School District for expenditures made after the effective date of this resolution for the purpose for which said proceeds are

authorized, or on or prior to such date if the Board of Education of the School District has adopted a prior statement of intent to issue bonds for such purpose. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 7. The Authorized Representatives are hereby authorized to take any and all other actions necessary in connection with the Agreement, the Equipment Lease, and all matters related thereto.

Section 8. This resolution shall take effect immediately.

**XI. POLICIES**

1. Re-Adoption of Policy 3410-Code of Conduct
2. Re-Adoption of Policy 5220-District Investments
3. Re-Adoption of Policy 5410-Purchasing Policy
4. Re-Adoption of Policy-7110-Student Attendance

**XII. CURRICULUM MATTERS / STUDENTS SERVICES**

BE IT HEREBY RESOLVED that the Board of Education approves the recommendations at the July 5, 2016 Board of Education meeting made by the Committee on Special Education for meetings held on 01/20/2016, 03/03/2016, 03/09/2016, 03/14/2016, 03/16/2016, 03/18/2016, 03/30/2016, 04/04/2016, 04/05/2016, 04/07/2016, 04/12/2016, 04/18/2016, 04/19/2016, 04/20/2016, 04/21/2016, 05/03/2016, 05/09/2016, 05/10/2016, 05/12/2016, 05/16/2016, 05/20/2016, 05/24/2016, and 05/27/2016

BE IT FURTHER RESOLVED that the Board of Education approves the recommendations made by the Subcommittee on Special Education for meetings held on 02/03/2016, 03/15/2016, 03/18/2016, 04/01/2016, 04/07/2016, and 05/10/2016 and recommendations made by the Committee on and Preschool Special Education for meetings held on 05/03/2016, 05/05/2016, 05/09/2016, 05/12/2016, 05/31/2016, 06/02/2016, 06/08/2016, and 06/21/2016

**XIII. GENERAL DISCUSSION**

**XIV. PUBLIC PARTICIPATION**

**XV. DATES TO REMEMBER**

August 12	MHS –Marching Summer Band Camp Performance 7:00 pm @ MHS Field
August 23	Regular Board Meeting 8:00 pm @ MHS Library
August 25	MHS-9 <sup>TH</sup> grade Orientation
September 6	First Day of School
September 13	Regular Board Meeting 8:00 pm @ MHS Library

**XVI. ADJOURNMENT**