

# MINUTES



## Thursday, July 31, 2014 Business Board Meeting Board Room 9:00 AM

### 1. Call to Order

#### 2.0 Regular Meeting Opening – 9:03 AM

Ms. Tracy Baron, Board President; Mr. Robert Reiser, Board Vice President; Ms. Lynne Black; Mr. Michael Goldman; Mr. Jonathan Greengrass; Ms. Jean Lucasey; Dr. Lisa Brady, Superintendent; Ms. Sylvia Fassler-Wallach, Assistant Superintendent of Finance, Facilities and Operations and Ms. Krystle Leon, Acting District Clerk.

Mr. Louis Schwartz; Mr. Douglas Berry and Ms. Loretta Tularzko were not in attendance.

#### 2.01 Pledge of Allegiance

Ms. Black moved, and Ms. Lucasey seconded, that the Board omit the reciting of the Pledge of Allegiance.

Vote: 5 ayes - 0 nays

#### 2.02 Acceptance of the Agenda for 7/31

Mr. Goldman moved, and Mr. Greengrass seconded, that the Board accept the July 31, 2014 agenda.

Vote: 6 ayes - 0 nays

#### 2.03 Approval of Minutes for July 1st

Ms. Black moved, and Mr. Reiser seconded, that the Board table the approval of the minutes of the July 1, 2014 meeting.

Vote: 6 ayes - 0 nays

### 3. Citizen's Comments

#### 3.01 Notice

***Members of the community may comment on any matter related to district business. Any group or organization wishing to address the Board must identify a single spokesperson. Presentations should be as brief as possible and no speaker will be permitted to speak for longer than 3 minutes. It is expected that speakers will conduct themselves in a civil manner and will be ruled out of order for any statement that constitutes a direct threat against officers, employees or students of the school district, or that is obscene. Questions or comments concerning matters that are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action.***

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## 4. Board Actions

Mr. Goldman moved, and Mr. Reiser seconded, that the Board waive the reading of all Board Actions.

Vote: 6 ayes - 0 nays

### 4.01 Cafeteria Renovations

Mr. Greengrass moved, and Mr. Reiser seconded, that the Board authorize the following:

**RESOLUTION: AUTHORIZING THE SCHOOL DISTRICT TO TERMINATE, FOR CAUSE, A&J CONSTRUCTION OF NY, INC.'S CONTRACT FOR THE CAFETERIA RENOVATION AND RELATED WORK AT THE DOBBS FERRY MIDDLE/HIGH SCHOOL (SED NO. 66-04-03-03-0-001-016) FOR THE DOBBS FERRY UNION FREE SCHOOL DISTRICT**

**WHEREAS**, the Dobbs Ferry Union Free School District (the "District") Board of Education (the "Board"), by resolution, entered into an agreement for the construction services relating to the Cafeteria Remediation Work performed at the Dobbs Ferry Middle/High School Complex (SED No. 66-04-03-03-0-001-016) (the "Project") with A&J Construction of NY, Inc. ("A&J") for a fixed stipulated sum in the amount of \$1,379,000.00 (the "Contract");

**WHEREAS**, pursuant to the Contract, A&J provided a Performance and Payment Bond No. SSB0753664 (the "Bond"), issued by Star Insurance Company (the "Surety") on April 10, 2013;

**WHEREAS**, at this date, a significant amount of incomplete and/or defective work on the Contract remains incomplete and/or deficient, and A&J has failed to cooperate with the District and its architect regarding the same;

**WHEREAS**, the District is in receipt of six (6) mechanic's liens filed by A&J's subcontractors and a sub-subcontractor (the "Mechanic's Liens"), including: (i) Ace Fire Door Corp., (ii) Crescent Contracting Corp., (iii) Culinary Depot, (iv) Frazier and Sons Construction, (v) IMP Plumbing and Heating, and (vi) NSC Abatement Services, Inc.; and A&J, in violation of Section 19.5.1 of the Contract, and the Surety in violation of the Bond, have failed to release, bond or discharge the Mechanic's Liens;

**WHEREAS**, on April 11, 2014, the District's counsel provided notice to A&J and to the Surety that the District was considering declaring A&J in default, terminating the Contract and calling upon the Surety to complete the Project;

**WHEREAS**, a meeting was held on April 24, 2014 at the District, which was attended by the District, A&J, the Surety, and respective counsel; and where A&J and the Surety outlined a plan to complete the Project, which appeared to be acceptable to the District;

**WHEREAS**, since the April 24, 2014 meeting, A&J and the Surety have failed to cooperate with the District in implementing the plan to complete the Project and discharging Mechanic's Liens filed against the Project, as required by the Contract, thereby wholly frustrating the plan to complete the Project;

**NOW, BE IT RESOLVED** that the Board, hereby authorizes the District's representatives to terminate A&J's Contract on the Project, for cause, by sending notice, substantially in the form attached, as may be modified by counsel.

Vote: 6 ayes - 0 nays

### 4.02 Budget Increase

Ms. Black moved, and Mr. Greengrass seconded, that the Board approve the following budget increase to enable the District to pay the tax certiorari refund to Washington Headquarters Townhouses Condominiums.

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Reserve Account to Decrease	Amount	Budget Account to Increase	Amount
A864	\$145,839.86	A1923.434.99.8002	\$145,839.86
Reserve for Tax Certiorari		Certiorari	
Total	\$145,839.86	Total	\$145,839.86

Vote: 6 ayes - 0 nays

### 4.03 Budget Transfer - Salary Codes

Mr. Greengrass moved, and Mr. Reiser seconded, that the Board approve the attached budget transfer in the amount of \$857,798.17 to offset negative balances in the salary and benefit codes.

Vote: 6 ayes - 0 nays

### 4.04 2014-2015 Use of Reserves

Mr. Reiser moved, and Mr. Greengrass seconded, that the Board approve the following budget increases to utilize the reserves as proposed in the 2014-2015 budget.

Reserve/Revenue Account	Budget Code to Increase	Amount to Increase
A884/A5997.884 Reserve for Debt Service	A9711.600.99.0000	\$286,000
A867/A5997.867 Reserve for Accrued Benefits Liab	A9050.850.99.0000	\$ 30,000
A827/A5997.827 Reserve for Retirement Contribution	A9010.810.99.0000	\$186,000

Vote: 6 ayes - 0 nays

### 4.05 2014-2015 School Lunch Budget

Ms. Black moved, and Mr. Greengrass seconded, that the Board adopt the School Lunch Budget for the 2014-2015 School Year.

2014-2015 Budgeted Revenues:	\$661,000
2014-2015 Budgeted Expenditures:	\$661,000

Vote: 6 ayes - 0 nays

### 4.06 Policy Statement for Free & Reduced Price Meals or Free Milk

Ms. Black moved, and Mr. Reiser seconded, that the Board adopt the Policy Statement for Free and Reduced Price Meals or Free Milk.

Vote: 6 ayes - 0 nays

### 4.07 Singapore Math Materials

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Mr. Goldman moved, and Mr. Reiser seconded, that the Board approve the Singapore Math materials to be used for Kindergarten through Fifth Grade mathematics instruction at Springhurst for a total of \$31,203.54 to be charged to budget codes: A.2110.480.01.1100 and A.2110.482.01.1000 and the associated Budget Transfer totaling \$24,883.19.

- |    |                     |             |
|----|---------------------|-------------|
| 1. | 604 Textbooks       | \$11,300.00 |
| 2. | Workbooks           | \$19,903.54 |
|    | 1. Activity Books   |             |
|    | 2. Teacher's Guides |             |
|    | 3. Workbooks        |             |

Vote: 6 ayes - 0 nays

### **4.08 Special Education Consultant**

Mr. Goldman moved, and Mr. Greengrass seconded, that the Board approve The Wellspring Foundation, for Counseling Sessions for a student. It will consist of 6 sessions @ \$100/45 minutes for a total amount of \$600.00. It will be charged to code F2253.460.00.1415SS.

Vote: 6 ayes - 0 nays

### **4.09 CSE/CPSE**

Ms. Lucasey moved, and Mr. Reiser seconded, that the Board approve the following:

**WHEREAS** the Committee on Special Education and Committee on Pre-School Special Education had issued to the Board by written confidential report dated July 24, 2014 its IEP recommendations for the students who are identified therein; and

**WHEREAS** the Board is responsible for arranging for appropriate special programs and services to students with IEPs, as recommended by said committee;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education of the Dobbs Ferry Union Free School District hereby authorize and direct the administration to immediately arrange for the special programs and services as set forth in said report dated July 24, 2014.

Vote: 6 ayes - 0 nays

### **4.10 Personnel**

Mr. Greengrass moved, and Mr. Reiser seconded, that the Board approve the personnel recommendations.

The Civil Service Memorandum of Agreement will be added to the next Board meeting agenda.

Vote: 6 ayes - 0 nays

### **4.11 Extra Classroom Activity Fund Report**

The Board acknowledged receipt of the Extra Classroom Activity Fund Report for the Middle and High Schools for July 1, 2013 - June 30, 2014

### **4.12 Warrants**

The Board acknowledged receipt of the following warrants:  
Warrant Nos. 2 and 3 Multi.

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### 5. Old Business

### 6. New Business

### 7. Upcoming Meetings

#### 7.01 Calendar

##### Tuesday, August 26, 2014 – 9:30 AM – MS Conference Room

- Board Retreat

##### Thursday, August 28, 2014 – 7:00 PM – MS/HS Library

- 4:00 PM - Tour of Buildings - Begin at Springhurst

##### Thursday, September 4, 2014 – 7:00 PM – MS/HS Library

- 6:30 PM - New Staff and Tenure Candidate Introductions

### 8. Executive Session

#### 8.01 Executive Session - Immediately following the Public Meeting if required.

Mr. Reiser moved, and Mr. Goldman seconded, that the Board move into Executive Session for the following purpose: *to discuss pending litigation.*

Vote: 6 ayes - 0 nays

Mr. Goldman moved, and Mr. Greengrass seconded, to appoint Mr. Reiser as Clerk Pro Tem.

Vote: 6 ayes - 0 nays

At 10:07 AM, Mr. Goldman moved, and Mr. Reiser seconded, that the Board move back to the Public Session.

Vote: 6 ayes - 0 nays

### 9. Adjournment

At 10:39 Mr. Goldman moved, and Mr. Greengrass seconded, to adjourn the meeting.

Vote: 6 ayes - 0 nays

### 10. Approved Minutes

#### 10.01 Approved Minutes - June 19, 23, and 24, 2014

IF INTERESTED IN REVIEWING BACK UP MATERIALS PERTAINING TO ANY ITEMS ON THIS AGENDA, ONCE APPROVED BY THE BOARD OF EDUCATION PLEASE CONTACT LORETTA TULARZKO AT 693-1506.



District Clerk