

UNAPPROVED AND UNOFFICIAL

**NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION REORGANIZATION MEETING MINUTES
JULY 13, 2004 6:00PM NORTH ROSE ELEMENTARY AND
ROOM 121 OF THE HIGH SCHOOL**

- PRESENT** Douglas Bell, Robert Cahoon, Melinda DeBadts (6:45pm),
Nickoline Henner, Mark Humbert, Jeffrey Lisanto (6:55pm),
Edward Magin, David Smith
- Elena LaPlaca, Daniel Starr, Deborah Stuck and 3 guests.
- ABSENT/EXCUSED** Sandra Boerman
- 1. CALL TO ORDER** Elena LaPlaca, District Clerk, called the meeting to order at
6:05pm.
- 1a. FACILITIES TOUR** The meeting was immediately turned over to Trever Talavera,
Capital Project Construction Manager, led the board through
North Rose Elementary School to view renovations to that
building. The meeting then moved to the High School where the
board viewed renovations taking place at that school building.
The meeting then moved to room 121.
- 1b. OATH OF OFFICE** Daniel Starr was sworn in as Superintendent of Schools and
Robert Cahoon was sworn in as a Board Member. Their Oaths of
Office are on file with the District Clerk.
- 1c. APPROVAL OF AGENDA** Jeffrey Lisanto moved and Douglas Bell seconded the following
motion. The vote was unanimous. D. Bell, R. Cahoon, M.
DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith
voted yes.
- Be it resolved that the Board of Education, upon recommendation
of the Superintendent of Schools and pursuant to Education Law,
approves the Agenda of July 13, 2005 with changes.
- 1d. ELECTION OF PRESIDENT** The District Clerk asked for nominations for the position of
President. Douglas Bell nominated Edward Magin. No other
nominations were made and the process was closed.
- Douglas Bell moved and Jeffrey Lisanto seconded the following
motion. The vote was unanimous. D. Bell, R. Cahoon, M.
DeBadts, N. Henner, M. Humbert, J. Lisanto, D. Smith voted yes.
- Be it resolved that the Board of Education, upon recommendation
of the Superintendent of Schools and pursuant to Education Law,
elects Edward Magin as the President of the Board of Education
for the 2004-05 school year.

UNAPPROVED AND UNOFFICIAL

Edward Magin signed an Oath of Office. The documents are on file with the District Clerk. The gavel was turned over to Mr. Magin.

1e. ELECTION OF BOARD VICE PRESIDENT

Edward Magin asked for nominations for the position of Vice President. David Smith nominated Mark Humbert. No other nominations were made and the process was closed.

Jeffrey Lisanto moved and David Smith seconded the following motion. The vote was unanimous. D. Bell, R. Cahoon, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, elects Mark Humbert as the Vice President of the Board of Education for the 2004-05 school year.

Mark Humbert signed an Oath of Office. The documents are on file with the District Clerk.

1f.g. BOARD COMMITTEE

Board members discussed committees and committee assignments. The focus of the Capital Project committee will now include Buildings and Grounds. Additionally, the board will be developing a new committee to address Community Relations. After the discussion, assignments were made for both board committees and Four County School Boards Association committees.

1h-r BOARD APPTS.

Jeffrey Lisanto moved and Melinda DeBadts seconded the following motions. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individuals to serve in the stated positions with stipends as stated for the 2004-05 school year, effective July 1, 2004. The District Treasurer, Deputy Treasurer, District Activities Accounts Treasurers, Tax Collector, and Internal Auditor are covered under the District Blanket Bond of \$100,000 unless otherwise stipulated.

District Clerk: Elena M. LaPlaca
District Treasurer: Barbara Tombs
Deputy Treasurer: Carol Stevens
District Activities Accounts Treasurers:
Jon Veley, High School, Stipend: \$2,000
Karen Nearpass, Middle School, Stipend: \$1,200
Internal Auditor: Karol Mumby
Purchasing Agent: Deborah L. Stuck
Records Access Officer: Deborah L. Stuck
Title IX Compliance Officer: Mary Augusta Boogaard
Chemical Hygiene Officer: Ronald House
AHERA Compliance Officer: Deborah L. Stuck
Safety Compliance Officer: Deborah L. Stuck
Records Management Officer: Deborah L. Stuck

UNAPPROVED AND UNOFFICIAL

School Physicians:
Dr. Richard Endres
Wolcott Medical Center Physicians & Physician Assistants
Student physicals: \$170/hr PA & NP, \$225/hr Physician @ school/\$55 each @ office
Adult physicals: \$72/each
Pediatrician rep @ CSE when needed: \$80.00/hr.
Tax Collector: Sheila Toles, Stipend: \$6311
Independent Auditor: Raymond F. Wager, CPA, PC: Annual Fee: \$15,650 (to audit 2003-04 school year.)
Certification of Payroll: Deborah L. Stuck
Signature on Checks: Daniel R. Starr, Deborah L. Stuck, Barbara Tombs
Authorize Budget Transfers: Daniel R. Starr
Authorization to Sign Student Health/Remedial Services Contracts for out-of-district placed students: Deborah L. Stuck

1i. DEPOSITORY OF FUNDS Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, designate Fleet Bank, 1 E. Main St., Wolcott, NY, Fleet Bank, 5016 Main St., No. Rose, NY, and Key Bank, Clyde, NY as the depositories for funds as listed below which belong to the school district during the 2004-05 school year

<u>Fleet Bank</u>	<u>Fleet Bank</u>	<u>Key Bank</u>
Debt Service Fund	Federal Fund	Trust & Agency Fund
General Fund	Payroll	Money Market-Gen. Fund
Capital Phase Fund	Trust & Agency Fund	Money Market-Unemp. Fund
Capital Reserve Fund	MS Student Activities	Money Market-Debt Fund Serv.
Capital Bus Reserve Fund	Unemployment Reserve Fund	
Capital Bus Fund	High Yield Savings-Capital Reserve	
School Lunch Fund		<u>WCTA Federal Credit Union</u>
Money Market-Gen. Fund	<u>JP Morgan Chase</u>	MS Student Activities
High School Student Activities	Money Market-Gen Fund	
North Rose Student Activities	High Yield Savings	Debt Service – Capital Fund
	High Yield Savings	- Unemployment Fund

1j. OFFICIAL NEWSPAPERS Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, designate the *Finger Lakes Times* and the *Wayne County Star* as the District’s official newspapers for the 2004-05 school year.

1k. BONDING Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves surety bonds for District employees as follows:

Superintendent	\$250,000	District Treasurer	\$500,000
Business Executive	\$500,000	District Courier	\$100,000
Tax Collector	\$1,500,000	Blanket Bond (all employees)	\$100,000

1l. PETTY CASH Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approve the establishment of the following petty cash funds and the custodians of each fund.

\$200.00 School Lunch Fund (%50.00 each school building):

Audrey Walker

\$100.00 – General Fund:

Florentine Hendrick Elementary School: Kathy Topping

North Rose Elementary School: Amy Shear

Middle School: Kimberlee Sherwin

High School: Laurie Dobbins

UNAPPROVED AND UNOFFICIAL

Business Office: Carol Stevens
North Rose Bus Garage: Patricia Davenport
School Tax Collector Fund: Sheila Toles
\$ 50.00 General Fund:
Superintendent's Office: Elena La Placa
40.00 General Fund:
MS Extraclassroom Activity Fund: Karen Nearpass
30.00 General Fund:
High School Athletic Department: Kathleen Hoyt

- 1m. SCHOOL ATTORNEY Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints Wayne A. VanderByl, Esq. 3800 Railroad Ave., Williamson, NY 14589 at a rate of \$155.00 per hour for the 2004-05 school year.
- Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints Hodgson Russ Andrews Woods & Goodyear LLP, 1800 One M&T Plaza, Buffalo, NY 14203, at a rate of \$205.00/hr. for partners, \$193.00/hr. for senior level, \$173.00/hr. for associates, \$92.00/hr. for legal assistants, \$67.00/hr. for paralegals, \$226.00/hr for environmental matters and securities matters, for the 2004-05 school year.
- 1n. DISTRICT POLICIES Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approve the current North Rose-Wolcott District Policy Manual as the policies and regulations for the District for the 2004-05 school year.
- 1o. STAFF DEVELOPMENT Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, authorizes the Superintendent of Schools or his designee to approve requests for staff development courses and conferences for the 2004-05 school year.
- 1p. MILEAGE RATE Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the mileage reimbursement rate for the 2004-05 school year as the same as the IRS mileage rate.
- 1q. SUB. TEACHER PER DIEM PAY RATES Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the Teacher Substitute Remuneration schedule, for the 2004-05 school year, as follows.
- Per Diem substitute pay for the 2004-05 school year is approved at \$65 for certified, \$60 for a non-certified with a 4-year degree, and \$57 non-certified without a 4-year degree. Certified substitutes that teach one (1) semester in the same assignment or are hired for one (1) semester are placed on Step 1 (\$31,802)* of the teacher salary scale, prorated for period of service.

UNAPPROVED AND UNOFFICIAL

♦Certified substitutes or substitutes with a minimum of a Bachelor’s degree, that are anticipated in advance to be employed for at least twenty (20) consecutive work days in the same assignment will be placed on Step 1, effective on the first day, prorated on the teacher salary schedule (\$31,802/yr. or \$159.01 per day)*. If the assignment is to exceed forty (40) days the teacher substitute must be certified in the area employed.

♦Certified substitutes or substitutes with a minimum of a Bachelor’s degree, that are employed on a per diem basis in the same assignment will be placed on Step 1, prorated, when, during the first 20 consecutive work days, it is realized that the assignment requires a minimum of 20 days. The Step 1 rate will begin the day the request is approved by the Superintendent or Board of Education. If the assignment is to exceed forty (40) days the teacher substitute must be certified in the area employed.

♦Certified substitutes or substitutes with a minimum of a Bachelor’s degree, will be placed on Step 1, prorated, when their per diem substitute days in the same assignment go over twenty (20) consecutive workdays. The Step 1 salary rate will begin on the twenty-first (21st) day of employment. If the assignment is to exceed forty (40) days the teacher substitute must be certified in the area employed.

♦Certified administrative substitutes employed on a per diem basis will be paid \$110.00 per day.

1r. SERVICE EMPLOYEE PER DIEM PAY RATES

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following rates for per diem substitutes for the 2004-05 school year. BE IT FURTHER RESOLVED that the hourly rate of pay for retired support staff to be either the hourly rate of pay at retirement, or the starting hourly rate plus \$2.00 per hour, whichever is less.

Bus Drivers	\$10.26	Cleaners & Custodians	\$ 7.43
Clerical	\$ 7.99	Teacher Aides & Monitors	\$ 7.00
Food Service Helpers	\$ 7.00	Mechanics	\$10.40
Health Aides/LPN	\$ 11.70	Groundsmen/Maintenance	\$ 7.61

2. PUBIC ACCESS

No one spoke to the Board.

3. PRESENTATIONS

No presentations were made.

4a. NYSSBA CONVENTION

Ed Magin led a discussion of the convention and asked board members to consider being the voting delegate for the convention. Reservations are due prior to July 30, 2004.

4b. OTHER REPORTS

Jeff Lisanto commented that the public is using the all weather track this summer.

Jeff Lisanto commented that he didn’t think the golf driving range was being used as much as last year. Suggestions were made as to how to publicize the facility. Dave Smith will work with PE Director, Anne Dapolito, to get information to the public.

UNAPPROVED AND UNOFFICIAL

5a. LETTER OF INTENT TO RETIRE: ELAINE PEETERS

David Smith moved and Jeffrey Lisanto seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, accepts with regret the letter of resignation for the purpose of retirement from Elaine Peeters, effective August 1, 2004. Should the District increase the retirement incentive or accept a State retirement incentive between the time of acceptance of this letter and the date of retirement, the greater incentive will be offered.

The board thanked Mrs. Peeters for her service to the district.

5b. PROCESS FOR SUPT. EVALUATION

Dan Starr told the Board that they had received information in their packets pertinent to the year-end evaluation of the superintendent. The discussion will take place among board members during executive session.

5c. PROCESS FOR BOARD EVALUATION/WORKSHOP

The board determined several dates during July when they could gather to discuss areas of growth as a board and to decide on a process for developing goals.

5d. REGENTS REPORT

Dan Starr and Dave Murphy provided graphs and statistics to the board as an overview of Regents exam test scores for June 2004.

5e. PROJECT SAVE

Deb Stuck gave board members draft copies of the district's Safety Plan for the 2004-05 school year. The substance of the plan has not changed, but names and phone numbers have been updated to reflect changes in personnel. There will be a resolution on the August 10 agenda seeking adoption of the plan.

6a. MEETING MINUTES

Nickoline Henner moved and Melinda DeBadts seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the Meeting Minutes of June 23, 2004.

7. CONSENT AGENDA

Mark Humbert moved and Melinda DeBadts seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

7a. WARRANTS

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following Warrants:

Capital 304	\$888.27	Capital 312	\$6815.95
Federal 302	\$13422.97	Federal 307	6323.71
Federal 316	808.52	General 298	\$13496.47
General 300	\$10242.78	General 301	\$36344.02
General 302	\$1332.06	General 306	\$123472.85
General 308	\$743.74	General 310	\$8396.97

UNAPPROVED AND UNOFFICIAL

General 313	\$27.34	General 314	\$46335.00
General 315	\$59207.40	General 318	\$52.65
General 1	\$432.00	School Lunch 303	\$6557.28
School Lunch 309	\$3128.79	School Lunch 311	\$544.09
School Lunch 317	\$358.46	School Lunch 2	\$25.00

7b. RECOMMENDATIONS OF CSE

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the recommendations from the Committee on Special Education (CSE) dated June 21, 22, 2004, and instruct the Superintendent to implement the recommendations on behalf of these individuals identified by student number: 10323 10130 9564 10008 7237

7c. USE OF SCHOOL FACILITIES

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, authorizes the Business Executive to approve requests by various community organizations for the use of school buildings and facilities according to district policy, when school is in session for the 2004-05 school year.

7d. USE OF SCHOOL BUSES

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, authorizes the Business Executive to approve requests by various community organizations for the use of school buses according to district policy, at no cost to the district, for the 2004-05 school year.

7e. FREE & REDUCED MEALS/SPL. MILK POLICY

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, adopt the Free and Reduced Price Meal or Special Milk Program Policy Statement, including the Family Income Eligibility Criteria for the 2004-05 school year, a copy of which is on file in the Business Office.

7f1. RESIGNATION OF TEACHER AIDE: NANCY SNYDER

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, accepts the resignation of Nancy Snyder as a Teacher Aide, effective September 1, 2004.

7f2. APPT. TEACHING ASST: NANCY SNYDER

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the three year probationary appointment of Nancy Snyder as a Teacher Assistant, conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87, for 7 hrs/day, total annual salary of \$14,061, effective September 2, 2004.

7f3. APPT SPL. ED. SUMMER SCHOOL STAFF

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill a Teacher Aide positions for 3.5 hours per day in the Functional Skills Self Contained Class

UNAPPROVED AND UNOFFICIAL

Special Education Summer School program at North Rose Elementary School, effective July 6 through August 13, 2004.

<u>Staff</u>	<u>Position</u>	<u>Salary</u>
Kimberly Youngman	Teacher Aide	\$7.50/hr.

7f4. APPT. SUMMER READING STAFF

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill a teacher assistant position for the Summer Reading Program from July 1 – July 30, 2004.

<u>Name</u>	<u># Hours</u>
Oakley Coleman	3.5 hrs. \$ 10.00/hr.

7f5. APPT. PROGRAM DIRECTORS

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following appointments for the 2004-05 school year.

<u>Staff</u>	<u>Position</u>	<u>Salary*</u>	<u>Step/</u>	<u>Years*</u>
Anne Dapolito	Director of Physical Education	\$2455	3	7
Carol Kenyon	Director of Guidance	\$3611	3	7
Amy Bromley	Aquatics Director	\$3500	1	1

*Will advance upon completion of negotiations

7f6. APPT. EVEN START SUMMER READING TEACHER: REGINA EVANS

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill a Teacher position for 4 hours per day in the Even Start Summer Reading Program, effective July 6 through August 13, 2004. Wayne County Even Start will pay the salary.

<u>Staff</u>	<u>Position</u>	<u>Salary</u>
Regina Evans	Teacher	\$25.00/hr.

7f7. DIR. OF ED. SERVICES TERMS & CONDITIONS

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the salary increase of 3.8% for David J. Murphy for the period of July 1, 2004 through June 30, 2005. Be it further resolved that the Board approves a one-time contribution of an additional \$2000 to a Tax Sheltered Annuity. The terms and conditions of employment are on file with the District Clerk.

7f8. BUSINESS EXECUTIVE TERM & CONDITIONS

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the salary increase of 3.0% for Deborah L. Stuck, for the period of July 1, 2004 through June 30, 2005. Be it further resolved that the Board approves a contribution of an additional \$2000 to a Tax Sheltered Annuity. The terms and conditions of employment are on file with the District Clerk.

8. INFORMATION ITEMS

The following items were shared with the Board: Middle School SDM Meeting Minutes, History Grant Information, Use of Facilities.

9. PUBLIC ACCESS No one spoke to the board.

10A. ADDITIONS TO AGENDA Jeff Lisanto moved and Mark Humbert seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the additions to the agenda of July 13, 2004.

10b. RESIGNATION OF TEACHER: ROBERT WREN Mark Humbert moved and Melinda DeBadts seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, accepts the resignation of Robert W. Wren as an elementary teacher, effective July 31, 2004.

10c. APPT. ELEMENTARY TEACHER: BENJAMIN WILSON Jeffrey Lisanto moved and Mark Humbert seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the three year probationary appointment of Benjamin Wilson, conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87 as follows:

Certification: Provisional PreK, K, 1-6 Control #: 358901031
Tenure Area: Elementary
Probationary Period: September 2, 2004 – September 1, 2007
Salary: Step 1A, \$31,802, adjusted upon completion of negotiations

10d. APPT. SUMMER BUS Nickoline Henner moved and David Smith seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual as summer monitor for 3 hr/day, effective July 6 through August 16, 2004 as follows:

<i>Staff</i>	<i>Position</i>	<i>Rate</i>
JoJean Conrow	Monitor	\$10.15

EXECUTIVE SESSION Jeffrey Lisanto moved and Nickoline Henner seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

UNAPPROVED AND UNOFFICIAL

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves Executive Session at 8:45pm for the purpose of discussing a specific employee litigation, to discuss negotiations with the North Rose - Wolcott Teachers' Association, and to discuss the superintendent's evaluation.

Mr. Magin called for a short break. Elena LaPlaca and all guests left the meeting at this time. Daniel Starr served as note taker for the remainder of the meeting.

OPEN SESSION

The meeting returned to open session at 11:20pm.

11a. ADDITIONS TO AGENDA Mark Humbert moved and Nickoline Henner seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the additions to the agenda of July 13, 2004.

11b. SECTION 75 HEARING

David Smith moved and Robert Cahoon seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

WHEREAS, Daniel Starr, Superintendent of the North Rose-Wolcott Central School District (hereinafter referred to as "District") has, pursuant to Section 75 of the Civil Service Law, filed charges of incompetence and/or misconduct against Walter Brown, an employee in the classified civil service of the District; and,

WHEREAS, Section 75 (2) of the New York Civil Service Law provides for a hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose; and

WHEREAS, Daniel Starr, Superintendent of the District has recommended the appointment of Garry A. Luke, of Marietta, New York as a designated hearing officer in this matter; and

WHEREAS, Section 75 (3) of the Civil Service Law provides that pending the hearing and determination of charges of incompetence and/or misconduct, the employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days; and

NOW THEREFORE, LET IT BE RESOLVED, that the Board of Education by resolution dated July 13, 2004 does receive and accept the Charges preferred by the Interim Superintendent and; does hereby appoint said Garry A. Luke as its designated hearing officer pursuant to Section 75(2) of the Civil Service Law; and it directs Mr. Luke to hold a hearing on or about August 12, 2004[or

UNAPPROVED AND UNOFFICIAL

as otherwise scheduled] on the Charges preferred by Daniel Starr against Walter Brown; and,

BE IT FURTHER RESOLVED, that Garry A. Luke of Marietta, New York, is to make a record of such hearing which shall, with his recommendations, be referred to this Board for review and decision, and,

BE IT FURTHER RESOLVED, that the hearing officer be paid his usual and customary fee for services rendered in this matter; and,

BE IT FURTHER RESOLVED, that this Board of Education, pursuant to Section 75 of the Civil Service Law, subdivision 3, suspends employee Walter Brown for thirty (30) days without pay effective on July 15, 2004; and

BE IT FURTHER RESOLVED, that the Board of Education directs the Superintendent of Schools, or his designee to attempt and gain service, both with regard to the Charges as well as the written notice of the suspension without pay, upon Walter Brown at his first reasonable opportunity.

ADJOURNMENT

Jeffrey Lisanto moved and Mark Humbert seconded the following motion. The vote was unanimous. D. Bell, M. DeBadts, N. Henner, M. Humbert, J. Lisanto, E. Magin, D. Smith voted yes.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the adjournment of the meeting at 11:28pm.

Clerk, Board of Education