

**REVISED AS OF 3/20/18**  
**MALVERNE UNION FREE SCHOOL DISTRICT**  
**Regular Board of Education Meeting**  
**Tuesday March 20, 2018**  
**8:00 P.M.**

**BOARD MEMBERS**

Josephine Bottitta **President**  
Jeanne D'Esposito, **1st Vice President**  
Danielle Hopkins, **2<sup>nd</sup> Vice President**  
Marguerite O'Connor, **Trustee**  
Phyllis M. Tinsley, **Trustee**

**ADMINISTRATION**

Dr. James H. Hunderfund, **Superintendent**  
Steven Gilhuley, **Assistant Superintendent of Curriculum and Instruction**  
Dr. Spiro Colaitis, **Assistant Superintendent of 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 February 13, 2018 Regular Board of Education Meeting Minutes

**V. TREASURER'S REPORT**

Approval of February 2018 Treasurer's Report

**VI. RECEIPTS OF FINANCIAL REPORTS**

- A. Claims Audit Reports: February 2018
- B. Trial Balance Reports February 2018
- C. Revenue Status Reports: February 2018
- D. Appropriation Status Reports: February 2018
- E. Cash Flow Status Report: February 2018
- F. . Budget transfers under \$20,000 Report: February 2018

**VII. COMMUNICATIONS**

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

1. Valedictorian / Salutatorian
2. Scholar Athlete Teams
3. Nassau County Championship-Boys Varsity Basketball
4. All County Music Festival
5. All Eastern Chorus
6. All County Art Show

**IX. PERSONNEL**

- A.** Terminations  
None
- B.** Resignations
1. Teachers/Teacher Assistants (7)
  2. Civil Service (3)
- C.** Leaves of Absence
1. Teacher/Teacher Assistant (2)
- D.** Appointments
1. Teachers/Teacher Assistants (1)
  2. Civil Service (4)
  3. Malverne Teacher Center 2017/2018 –Teacher Grant (31)
  4. Co-Curricular Activities –Davison Avenue 2017/2018 (1)
  5. Homework Help Center –Davison Avenue 2017/2018 (1)
  6. Rescission of Club Advisors 2017-2018 (1)
  7. Co-Curricular Activities –HTH 2017-2018 (3)
- E.** Supplemental
1. Appoint the following personnel to teach extra class for the 2017-2018 school year. (9)

**XI. NEW BUSINESS**

**A. 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 15, 2018 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 2018-19 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 2018-19 school year shall be held on Tuesday May 8, 2018, 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 15, 2018, 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

**B. BOARD RESOLUTION TO AUTHORIZE PROPOSITION TO EXPEND CAPITAL RESERVE FUNDS**

WHEREAS, the Board of Education of the Malverne Union Free School District (“Board”) has determined that there is a need to undertake certain capital improvements and construction work at District buildings and/or facilities to commence during the 2018-19 school year (“Project”) as described in a memorandum report prepared by the District’s architects (“Report”), on file and available for public inspection in the office of the District Clerk; and

WHEREAS, the Board desires that a proposition be presented to the voters of the School District authorizing the expenditure of available funds from the District’s Capital Reserve Fund II for that purpose, at no additional cost to the District’s taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Board establishes itself as lead agency for the purposes of SEQR determinations regarding the proposed Project; and be it further

RESOLVED, that, upon the review and recommendation of the District’s Architect, the proposed Project is hereby determined to be a Type II action, as defined by 6 NYCRR §617.5[c], which will have no significant impact on the environment, and which does not require any other determination or procedure under SEQRA; and, therefore, be it

RESOLVED, that the Board hereby authorizes and directs that a proposition in substantially the form set forth below shall 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 15, 2018, at the voting place heretofore be hereby established within the District; and that the District Clerk be authorized and directed to give notice of such proposition to be voted at said Annual District Meeting by publishing reasonable and appropriate notice thereof, 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.

**Attached 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**

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 meet on May 15, 2018, 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 8, 2018 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 the 2018-2019 School Budget.

PLEASE TAKE FURTHER NOTICE that the vote upon the appropriation of necessary funds to meet the necessary expenditures for the school year 2018-2019, 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 15, 2018, 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, 2018, and for a new term commencing on July 1, 2018 and expiring on June 30, 2022. 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 2018-2019 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**

RESOLVED: That the Board of Education of the Malverne Union Free School District (“District”) be hereby authorized to appropriate and expend from the District’s Capital Reserve Fund II, heretofore established by the voters of the District on May 20, 2014, an amount not to exceed One Million Six Hundred Twenty Six Thousand, One Hundred Forty Five Dollars and sixteen cents (\$1,626,145.16) to undertake and perform the following school building improvements, renovations and/or alterations to commence during the 2018-19 school year (“Project”), substantially as described in a memorandum report prepared by the District’s architects (“Report”), on file and available for public inspection in the office of the District Clerk, all at no additional cost to District taxpayers: district – wide site improvements , and a large student bus thereof, including (as and where necessary) furnishings, equipment, machinery, demolition and other work required in connection therewith or incidental thereto; provided that the costs of the components of The Project as set forth in the Report may be reallocated among such components if the Board of Education shall determine that such reallocation is in the best interests of the District and no material change shall be made in the scope of the project.

**C. BOARD RESOLUTION TO AUTHORIZE  
PROPOSITION TO ACQUIRE PROPERTY**

WHEREAS, the Board of Education of the Malverne Union Free School District (“Board”) has determined that it is in the best interest of the District to acquire certain real property positioned on the same block as the Davison Avenue Elementary School to add additional parking; and

WHEREAS, the Board desires that a proposition be presented to the voters of the School District authorizing the expenditure of available funds from the General Fund’s unassigned fund balance for that purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Board establishes itself as lead agency for the purposes of SEQR determinations regarding the proposed acquisition of, and making site improvements to, real property; and be it further

RESOLVED, that, upon the review and recommendation of the District’s Architect, the proposed acquisition of, and making site improvements to, real property is hereby determined to be an unlisted action, as defined by 6 NYCRR §617.3, which will have no significant impact on the environment, and which does not require any other determination or procedure under SEQRA; and, therefore, be it further

RESOLVED, that the Board hereby authorizes and directs that a proposition in substantially the form set forth below shall be placed before the voters of the Malverne Union Free School District at the Annual Budget Vote and Election to be held between the hours of 7 a.m. and 9 p.m. on May 15, 2018, at the several polling places 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 Special District Meeting by publishing a notice thereof, four times within the seven (7) weeks next preceding the district 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:

**PROPOSITION NO. 3 (PURCHASE OF REAL PROPERTY):**

RESOLVED, that the Board of Education of the Malverne Union Free School District (Board) be authorized to purchase and acquire the real property known as 12 Central Avenue, Lynbrook, New York, otherwise known on the Nassau County Land and Tax Map as Section 38, Block 040, Lot 13, which real property is positioned on the same block as the Davison Avenue Elementary School campus (and to make site improvements necessary to provide additional parking) subject to the terms and conditions contained in an Agreement between the Board and the Seller(s) of said real property and the execution thereof, at a cost, including acquisition and site improvements, not to exceed Six Hundred Thousand dollars (\$600,000.00); and be it further RESOLVED, that the Board be authorized to expend an amount not to exceed \$600,000 from the District General Fund's unassigned fund balance for said purchase and acquisition.

**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 2018-2019 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 15, 2018 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.

**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 30<sup>th</sup> day preceding election at which the trustees shall be voted upon, this year April 16, 2018. 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 16, 2018 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 meet on Thursday April 19, 2018, from 8:30 a.m. to 11:30 a.m., at the Malverne High School Lobby and at the District Administration Building from 11:30 a.m. to 3:30 p.m. and Saturday May 5, 2018 from 9:00 a.m. to 12:00 noon 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 (2014-2017) 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 15, 2018 for the purpose of preparing a register for District meetings or elections

to be held subsequent to May 15, 2018. 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 20, 2018

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

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LISA RIDLEY  
DISTRICT CLERK

- D.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District **accepts the donation of \$223.15 from Chipotle Mexican Grill.**
  
- E.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District **accepts the donation of \$500.00 from the Davison Avenue PTA.**
  
- F.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Island Park UFSD** to provide related services for the 2017-2018 school year.  
  
BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contracts.
  
- G.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the following

**RECEIVABLE Health & Welfare Contract** for the 2017-2018 school year:

**Uniondale UFSD**

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

- H.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Sewanhaka Central High School** for related services for the 2017-2018 school year.

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

- I.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **JN Business, Pupil Transportation Consultants**, for the 2018-2019 school year.

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

- J.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the resolution with the **Nassau Board of Cooperative Educational Services, BOCES, for Pupil Transportation Services for the 2018-2019 school year:**

WHEREAS, a number of public school districts in Nassau County wish to jointly solicit proposals, together with the Nassau Board of Cooperative Educational Services (“BOCES”) for pupil transportation services for the 2018-19 school year (and any renewal period) in accordance with the applicable provisions of General Municipal Law;

WHEREAS, the public school districts and the BOCES have agreed to form a Cooperative (the “Cooperative”) for this purpose;

WHEREAS, the **Malverne Union Free School District** is desirous of participating in the Cooperative for joint solicitation of proposals for pupil transportation services as authorized by General Municipal Law, Section 119-0 in accordance with the terms and conditions of the Inter-Municipal Cooperative Transportation Agreement attached hereto;

NOW THEREFORE BE IT RESOLVED, that the Board of Education authorizes the School District to participate in the Cooperative; and

BE IT FURTHER RESOLVED, that the Board of Education hereby approves the Inter-Municipal Cooperative Transportation Agreement (Recitals) attached hereto and authorizes the Board President to execute the Agreement on behalf of the Board of Education.

- K.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the **Payable Health & Welfare Contracts** with the following district:

**Garden City UFSD  
Hicksville Public Schools  
North Merrick UFSD  
Rockville Centre UFSD  
South Huntington UFSD  
Uniondale UFSD**

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 with **Carol McBreen, to train the new Account Clerk in the Business Office**, for the 2017-2018 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 **New York Cooperative Bid Maintenance Program** with **Educational Data Services, Inc., to provide cooperative bidding services**, for the 2018-2019 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 **Seneca Consulting Group, Inc. for implementation of and compliance with the Affordable Care Act**, , for the 2018-2019 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 with **Apex Therapeutic Service** to provide related services for the 2017-2018 school year and the 2018 summer school session. This contract will also be extended through the 2018-2019 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 hereby approves the terms of a Memorandum of Agreement dated February 14, 2018 between the Board of Education and the representatives of the District’s Malverne Teachers Association regarding a retirement incentive for members of the teachers’ bargaining unit; and

**BE IT FURTHER RESOLVED THAT** the Superintendent of Schools be authorized to execute said Memorandum of Agreement on behalf of the Board of Education.

- Q.** BE IT HEREBY RESOLVED that the Board of Education shall approve the following transfer of funds for the 2017/2018 school year as recommended by the Superintendent.

<b>Account Code</b>	<b>Account Description</b>	<b>Out</b>	<b>In</b>
A2020.160.00	Salaries - Non Instructional	70,000	
A1620.401.12	National Grid & Oil	55,000	
A1620.406.00	Repairs		125,000

**XII. POLICIES**

None

**XIII. CURRICULUM MATTERS / STUDENTS SERVICES**

BE IT HEREBY RESOLVED that the Board of Education approves the recommendations at the March 20, 2018 Board of Education meeting made by the Committee on Special Education for meetings held on 12/12/2017,01/25/2018,02/01/2018,2/02/2018,02/09/2018, 02/16/2018,02/26/2018,02/27/2018,02/28/2018,03/01/2018,03/02/2018 and 03/05/2018

BE IT FURTHER RESOLVED that the Board of Education approves the recommendations made by the Subcommittee on Special Education for meetings held on 02/06/2018,02/26/2018 and 02/28/2018 and on Preschool Education for the meetings held on 02/07/2018,02/08/2018 ,02/13/2018 and 03/08/2018 .

**XIV. GENERAL DISCUSSION**

**XV. PUBLIC PARTICIPATION**

**XVI. DATES TO REMEMBER**

March	23	Regular School Day
March	29 -30	Schools Closed
April	2 - 6	Spring Recess-Schools Closed
April	10	Regular Board of Education Meeting Budget Adoption –MHS Library @ 8:00pm
April	17	BOCES Budget Vote @ 7:00pm –Central Office
April	19	Voter Registration 8:30am -11:30am @MHS & 11:30am -3:30pm @ Administration Building
April	25	MHS –Spring Concert 8:00 pm @HTH Auditorium

**XVII. ADJOURNEMENT**