

Date: March 17, 2015

DATE

Kind of Meeting: Regular Meeting/Executive Session

REGULAR MEETING

Call Meeting to Order: The Meeting of the Board was called to order by James P. Foster, President at 6:00 p.m., a motion was offered by Mrs. Pucci and seconded by Ms. Geehreg to enter into Executive Session for the purposes of: (1) to seek legal advice of matters otherwise confidential by State or Federal statute, attorney-client matter.

CALL MEETING TO ORDER AND ENTER INTO EXECUTIVE SESSION

Motion Carried (6-0), Mr. Wilson absent

The Board reconvened in public session at 6:35 p.m. followed by the Pledge.

There was an audience of approximately 10 people. One member of the press was present.

Members Present: James P. Foster, President, Christina DeSanti, Vice President, Elizabeth Pucci, Jacqueline Lowey, Deme Minskoff, and Wendy Geehreg

MEMBERS PRESENT

Others Present: Richard J. Burns, Superintendent of Schools, Dr. Robert Tymann, Assistant Superintendent, Isabel Madison, Assistant Superintendent for Business, and Jonathan Heidelberger, Esq.

OTHERS PRESENT

Absent: Richard Wilson

ABSENT

Public Comments (Agenda Items): Members of the community were given the opportunity to ask questions and make comments on Board Agenda items.

PUBLIC COMMENTS ON AGENDA ITEMS

Consent Agenda

CONSENT AGENDA

Motion offered by Mrs. DeSanti, and seconded by Ms. Geehreg to wit: RESOLVED, to accept item #1 through item #3 of the Consent Agenda as written and place on file.

1. Recommended: That the Board accept the Minutes of March 3, 2015 and March 10, 2015 as written and place on file.
2. Recommended: That the Board accept the December 2014 Treasurer's Report as written and place on file.
3. Recommended: That the Board approve the medical leave request for Devon Grisham, Custodial Worker I, effective March 3, 2015 through April 2, 2015.

MINUTES

TREASURER'S REPORT: December 2014

MEDICAL LEAVE: Devon Grisham

Motion Carried (6-0), Mr. Wilson absent

Superintendent's Report and Recommendations

1. Motion offered by Mrs. Pucci, and seconded by Ms. Lowey to wit: RESOLVED, that the Board approve the following appointment:

APPOINTMENT

2014-2015 Interscholastic Coach

Steven Redlus, 4 years, Spring Season, MS Lacrosse Coach, Level IV - \$5,129.00

Motion Carried (4-0) Mr. Wilson absent, Mrs. Pucci no, Ms. Geehreg no

2. Motion offered by Mrs. DeSanti, and seconded by Mrs. Pucci to wit: RESOLVED, that the Board approve the following appointment:

APPOINTMENT

Substitute Teachers

Kathleen Decker @ uncertified substitute daily rate of \$125.00

Motion Carried (6-0) Mr. Wilson absent

3. Motion offered by Ms. Lowey and seconded by Mrs. Minskoff to with: RESOLVED, that the Board approve the Lease Agreement between East Hampton Union Free School District and the Eleanor Whitmore Early Childhood Center, Inc. as follows:

**LEASE
AGREEMENT
between EHUFSD and
EWECC**

WHEREAS, the Board of Education has determined that the 1.834 acre portion of the John M. Marshall Elementary School site (the "Premises") presently occupied by the Eleanor Whitmore Early Childhood Center, Inc. (formerly known as the East Hampton Day Care Center, Inc.) under a lease which will expire on June 30, 2015, is not currently and, for the next ten (10) years, it is anticipated, will not be needed for School District purposes, and

WHEREAS, the Board of Education further determines that the proposed leasing of the Premises to the Eleanor Whitmore Early Childhood Center, Inc. is in the best interests of the School District, and

WHEREAS, because of the limited term of the lease and the fact that the tenant is responsible for both the installation of all necessary improvements and their removal upon termination of the lease, absent waiver by the District at that time, the Board believes that the leasehold has only nominal value, and accordingly determines that the rental payments provided by the proposed lease are not less than the fair market rental value, now therefore be it

RESOLVED, that the proposed lease of the Premises to the Eleanor Whitmore Early Childhood Center, Inc. for a period of ten (10) years commencing July 1, 2015 be and is hereby approved, and be it further

RESOLVED, that the President of the Board of Education be and hereby is authorized and directed to execute the said lease.

Motion Carried (6-0) Mr. Wilson absent

4. Motion offered by Mrs. Pucci, and seconded by Mrs. DeSanti to wit: RESOLVED, that the Board approve the Agreement For Full-Day Universal Pre-Kindergarten Services between East Hampton Union Free School District and the Eleanor Whitmore Early Childhood Center from July 1, 2015 through June 30, 2016 at a rate of \$8,156.94 per student for up to 54 students for a total compensation not to exceed \$440,475.00.

**CONTRACT
AGREEMENT
between EHUFSD and
EWECC**

Motion Carried (6-0) Mr. Wilson absent

5. Motion offered by Mrs. DeSanti, and seconded by Ms. Geehreg to wit: RESOLVED, that the Board Disapproves the Polling Place Contract between East Hampton Union Free School District and the Suffolk County Board of Elections for the purpose of conducting the 2015 Primary and General Elections on the grounds that there are other more appropriate venues within the District to hold Primary and General Elections.

**POLLING PLACE
CONTRACT
DISAPPROVED
between EHUFSD and
SCBOE**

Motion Carried (6-0) Mr. Wilson absent

6. Motion offered by Mrs. DeSanti, and seconded by Ms. Geehreg to wit: RESOLVED, that the Board approve the Proposal dated March 13, 2015 from Patrick Bistran, Jr., Inc. for emergency repairs to the Middle School catch basins in the amount of

**PROPOSAL between
EHUFSD and Patrick
Bistran, Jr.**

\$11,425.00 (items 1-4) of the proposal. Item #5 of the Proposal is to be determined after April 1, 2015.

Motion Carried (6-0) Mr. Wilson absent

7. Motion offered by Mrs. DeSanti, and seconded by Mrs. Minskoff to wit: RESOLVED, that the Board approve the following Budget Transfers:

**BUDGET
TRANSFERS**

- a) Operations X-tra Pay \$8,443.07
From A1620.1610-04 to A1620.1610-14 (miscoded custodial payroll code)
- b) ESL Instruction Sal 9-12 \$3,678.15
From A2113.1300-12 to A2114.1300-12 (coordinator's fee)
- c) Science Instr. X-tra \$4,811.00
From A1620.1610-04 to A2123.1310-12 (addt'l funds for overage)
- d) Non-Inst. Sal. Spec. Ed. \$21,419.31
From A2250.1500-11 to A2250.1600-13 (paraprofessional transfer to MS)
- e) Transportation. X-tra \$3,060.03
From A1620.1610-04 to A5510.1600-14 (addt'l funds for overage)
- f) ADP/ BOCES/ES Schools \$57,643.58
From A1620.1600-11-13 to A1680.4900-04 (Right Reason, School Tool & ES School)
- g) BOCES Curric. Dev. \$9,708.00
From A1620.1610-04 to A2010.4900-04 (addt'l funds for curric. develop.)
- h) BOCES Library \$21,356.35 (addt'l funds for library)
From A2112.4900-04 to A2610.4900-04 \$10,000, and
A2123.4900-04 to A2610.4900-04 \$11,356.35
- i) BOCES Special Schools \$21,392.40
From A2250.1500-11 to A2330.4900-04 (new 14-15 student)
- j) BOCES Ed. TV. Instr. \$5,280.00
From A1310.4900-04 to A2620.4900-04 (addt'l funds for ED. TV)
- k) BOCES Personnel Services \$3,854.20
From Aa1310.4900-04 to A1430.4900-04 (personnel services)

Motion Carried (6-0) Mr. Wilson absent

8. Motion offered by Ms. Geehreg, and seconded by Mrs. DeSanti to wit: RESOLVED, that the Board approve the Affordable Care Act as follows:

**AFFORDABLE
CARE ACT
COMPLIANCE &
IMPLEMENTATION**

TITLE: AFFORDABLE CARE ACT COMPLIANCE & IMPLEMENTATION
ADOPTION OF 4980H MEASUREMENT & STABILITY PERIODS

WHEREAS, on March 23, 2010, the Patient Protection and Affordable Care Act ("ACA") was enacted into federal law; and

WHEREAS, the ACA added a new Section 4980H to the Internal Revenue Code requiring employers with more than fifty (50) full-time employees to offer affordable

minimum essential coverage which provides minimum value, as those terms are defined within the ACA and its implementing regulations, to its full-time employees, as that term is defined within the ACA and its implementing regulations, or pay a penalty tax; and

WHEREAS, the DISTRICT is a large employer subject to the provisions of Section 4980H; and

WHEREAS, Section 4980H is currently scheduled to become effective beginning January 1, 2015; and

WHEREAS, on February 12, 2014, the Internal Revenue Service and the U.S. Treasury Department published final federal regulations further outlining employers' obligations under the new Section 4980H of the Internal Revenue Code; and

WHEREAS, Section 4980H-3 of the final regulations (26 C.F.R. § 4980H-3) allows for the use of a look-back measurement method for determining employees' hours of service and full-time status for purposes of Section 4980H; and

WHEREAS, pursuant to Section 4980H-3 of the final regulations, in order to avail itself of the look-back measurement method, an employer must determine the initial measurement period, standard measurement period, administrative period, and corresponding stability periods the employer will use;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, hereby adopts the look-back measurement method for measuring hours of service and calculating full-time status of all District employees;

AND BE IT FURTHER RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, hereby designates the following measurement period(s), administrative period(s), and corresponding stability period(s):

Employee Type	Measurement Period	Administrative Period	Stability Period
All new, variable-hour employees	<i>Initial Measurement Period:</i> Twelve (12) calendar months, which shall begin on the first day of the first month following the employee's start date.	One (1) month period beginning immediately at the end of the initial measurement period and which shall continue through the end of the first full calendar month beginning on or after the end of the initial measurement period.	Twelve (12) calendar months, to begin immediately after the administrative period
All ongoing employees	Standard Measurement Period: Twelve (12) Months, measured from November 1 through October 31	Two (2) months period from November 1 through December 31	Twelve (12) calendar months beginning immediately after the administrative period on January 1 and continuing until December 31

AND BE IT FURTHER RESOLVED, that the Superintendent of Schools and the Assistant Superintendent for Business are hereby authorized and directed to take such action as is necessary to apply said measurement periods, administrative periods, and stability periods, in accordance with District policy, Federal and State law and regulations, and the applicable

provisions of pertinent collective bargaining agreements.

Motion Carried (6-0) Mr. Wilson absent

Old Business

OLD BUSINESS

1. Policy Committee Update – Mr. Burns apprised the Board of several policies currently being reviewed by Counsel.
2. Sandpebble Update – Mr. Burns gave an update to the Board. The assigned judge to the case is no longer the judge, and further delays are expected.
3. 2015-2016 Budget Review Update – It is expected that the District will be able to stay under the 2% tax cap. Mrs. Madison reviewed budget projections and anticipated information from NYS.

New Business

NEW BUSINESS

1. Mr. Burns spoke about a nearby transformer malfunction near the middle school.
2. Mrs. Madison discussed the possible need for a new generator at the middle school. This will be discussed further at a future Facilities Committee meeting.

Public Comments: Members of the community were given the opportunity to ask questions and make comments.

**PUBLIC
COMMENTS**

A motion was offered by Mrs. DeSanti, and seconded by Mrs. Pucci to adjourn the meeting at 7:15 p.m.

ADJOURNMENT

Motion Carried (6-0), Mr. Wilson absent

Respectfully Submitted,

Kerri S. Stevens, District Clerk