

MINUTES OF THE BELLMORE-MERRICK CENTRAL HIGH SCHOOL DISTRICT  
BOARD OF EDUCATION Regular Meeting December 4, 2013

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A regular meeting of the Bellmore-Merrick Central High School District Board of Education was held on Wednesday, December 4, 2013, in the Board of Education Conference Room at the Administrative Offices at the Brookside School at 1260 Meadowbrook Road, Merrick, New York 11566.

The following members of the Board of Education were present:

Susan Schwartz, President  
JoAnn DeLauter, Vice-President  
Marion Blane  
Janet Goller  
George Haile  
Dr. Matthew Kuschner  
Nina Lanci

The following member of the Board of Education was absent:

Dr. Nancy Kaplan

Also present:

John DeTommaso, Superintendent of Schools  
Cynthia Strait Régal, Deputy Superintendent  
Dr. Mara Bollettieri, Assistant Superintendent of Personnel  
Caryn Blum, Assistant Superintendent of Curriculum  
Eric Arlin, Director of Special Education and Pupil Personnel Services  
Joseph Innaco, Director of Instructional and Technology Services  
Saul Lerner, Director of Physical Education/Health/Athletics/Driver Education/Adult Ed  
Jon Simkins, Director of School Facilities and Operations  
Thomas Volpe, Transportation Supervisor/Health and Safety Coordinator  
Michelle Gagnon, Administrative Assistant I  
Christopher Powers, School Attorney  
Claire Neufeld, District Clerk

The work session meeting was called to order at 7:50 p.m. by Mrs. Schwartz.  
Mrs. Schwartz led everyone in the Pledge of Allegiance.

**CALL TO ORDER**

Mr. DeTommaso thanked the community for coming out to vote and their support. He added the following presentation gives everyone an idea of how the capital projects approved in the 12/2/13 bond vote will proceed.

Joseph Rettig, Behrendt, Burton and Smith (BBS), gave a presentation on the next steps, outlining the timeline for the capital projects approved in the 12/2/13 bond vote. He presented four phases for completing the work. NYS Education Department review consists of two processes, one for architectural review and engineering review. Architectural design (site work, masonry, roofing, fences) work has a quicker review time at State, approximately 12 weeks. Engineering (plumbing, and electric) work has a longer review time, approximately 26 – 31 weeks. State Ed explains that, due to the increase of Energy Performance Contracts in the last few years, they are now backlogged. Mr. Rettig answered questions from the Board.

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Paul Adamo, from School Construction Consultants (SCC), stated his company will review the drawings submitted to NYS, help write bids, collect and review the responses to bids for the most responsible bid, check references, make sure the companies understand the scope of the work and can proceed, investigate the contractors and provide identification, and always have a project manager or superintendent on the site. He also answered questions from the Board of Education.

**PUBLIC SESSION**

Dr. Kushner moved that the Board of Education convene a public meeting at 8:12 PM. Mrs. Blane seconded and the motion was carried 7-0.

**MINUTES**

Mrs. Lanci moved that the Board of Education approve the minutes from the November 13, 2013 meetings. Mr. Haile seconded and the motion was carried 7-0.

**TREASURER'S  
REPORT**

Mrs. Goller moved that the Board of Education approve the Treasurer's Report, dated October 31, 2013. Mr. Haile seconded and the motion was carried 7-0.

**SUPERINTENDENT'S  
REPORT**

Mr. DeTommaso stated we will begin the evening with student recognitions, starting with Kennedy High Schools Boys Volleyball team. They are Nassau County and Long Island champions. Their performance and teamwork was magnificent. During their dominant performances over the past two years, they have conducted themselves well.

**2013 LONG ISLAND  
CHAMPIONS – BOYS  
VOLLEYBALL**

Mrs. Schwartz stated the Kennedy Boys Volleyball Team followed up their 2012 NYS Championship with an incredibly successful 2013 season. In two three game sweeps, the team secured their 5<sup>th</sup> Nassau County Championship in the last six years and their second consecutive Long Island Championship. The team advanced to the NYS Championships where they qualified for the championship match. Ultimately, the Cougars finished second in the state. Seniors Gary Anderson and Justin Feigeles were named to the All-State team. This was the second time Gary has been honored as All-State. Gary Anderson was also named the Nassau County MVP for the second consecutive year and an All-County selection for the third time. Joining him as All-County selections were Justin Feigeles, Andrew Sheehan, Frankie Galiano (honorable mention), and Justin Ganca (honorable mention). Evan Golodner and Rick Calia were named All-Conference. The team was the top ranked volleyball program on Long Island according to Newsday, and ranked as high as the 8<sup>th</sup> best team regardless of sport on Newsday's "Big 10". Prior to the NYS Championship match, the Cougars had won 45 consecutive matches. They did not drop a single set to a Nassau County team this season, going a perfect 57-0 in sets against Nassau schools and Suffolk Division II schools. Mrs. Schwartz presented to Award of Honor certificates to each team member present and, on behalf of the Board of Education, congratulated Coach Ringel, Coach Canestro, and the Kennedy HS Boys Varsity Volleyball Team.

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Mrs. Blane presented an Award of Honor certificate to Gary Anderson, a Kennedy HS senior, who has been named All-State for the 2013 season. Gary will graduate in the spring as the most decorated volleyball player to ever come through John F Kennedy High School. He is a three time All-County honoree, a three time All Nassau County Tournament recipient, and a two time team MVP. He has earned most valuable player honors at both the Plainview Invitational (2012, 2013) and Port Washington Tournament (2012). Gary was also named Nassau County MVP for both the 2012 and 2013 seasons. Last year, he was the only junior selected to the first team All Long Island squad and was named the New York State Tournament Most Valuable Player. This year, he is widely regarded as the best player on Long Island and is being recognized for the second time as All-State. Gary graduates as the program's all-time leader in assists and this year he shattered previously held marks for hitting efficiency and kill percentage. In his four years on the team

**ALL-STATE**

Gary has been a key part of three conference championships, four trips to the Nassau County Finals, three Nassau County Championships, two Long Island Championships, two appearances in the State Championships, and one State title. Gary is currently weighing his options on where he will be playing next year. On behalf of the Board of Education, Mrs. Blane congratulated Gary.

Mrs. Goller presented an Award of Honor certificate to Justin Feigeles, a Kennedy HS senior, who was named All-State for the 2013 season. Justin is a two time all county honoree and a two time All Nassau County Tournament recipient. This year, Justin took home MVP honors at the Port Washington Tournament. He is widely regarded as one of the best outside hitters on Long Island. Justin led the team in kills, passing percentage, and digs this year. He was named the "player of the match" by Verizon Fios 1 after the Nassau County Championship match. In his three years on the varsity team, Justin has been a key contributor to two Nassau County Championships, two Long Island Championships, two appearances in the State Championships, and one State title. Justin is currently weighing his options on where he will play next year. Mrs. Goller congratulated Justin on behalf of the Board of Education.

Mr. Haile presented an Award of Honor certificate to Grace Moore, a Calhoun HS sophomore, who finished in first place at the Nassau County Section VIII Girls Class County Cross-Country Championships on Saturday, 10/26/13, with a 5k time of 18:39.5. The following weekend, Grace competed alongside her All-Division team at the State Qualifying meet, winning the Class A race with an overall time of 18:47. This finish qualified her for the NYS Cross Country Championship meet at Queensbury HS on 11/9/13. Grace ran a 30 second personal record, finishing 17th in the State with a 5k time of 18:13.9. Grace earned All-State Honors as she finished in the top 20. She was also awarded with the "Sportsmanship Promotion Award" within Nassau County Section 8. At the commencement of Grace's season, she qualified for the NY Federation Cross Country Championships, competing amongst the best runners in the state. Racing on a challenging course, Grace finished 13 overall in a 5k time of 19:02.6. On behalf of the Board of Education, Mr. Haile congratulated Grace.

**ALL STATE AND  
ALL LONG ISLAND**

Mr. DeTommaso added that becoming the State champion in a sport and receiving a sportsmanship award is unique and really very special.

Mr. Seinfeld, Principal, Calhoun HS, announced that Kayla Cappuzzo was awarded the Mike Clark Award for the Most Valuable Player in Nassau County. Mr. DeTommaso added Kayla will be recognized at the January Board of Education meeting.

Mr. DeTommaso stated student athletes in all three high schools had a banner fall season this year. He stated he was proud of how our student athletes conducted themselves at these sporting events.

## **STUDENT REPRESENTATIVES**

Rebecca Peretz thanked the Board of Education for their work in regard to the capital projects bond. She congratulated Kennedy's Boys Volleyball Team on winning their titles. Calhoun's 7<sup>th</sup> Annual Thanksgiving Fundraising Dinner collected close to \$2,500. Seven athletes went to States. The girls swim team finished in third place. Last month's 8<sup>th</sup> Grade Open House was well attended. On 11/16/13, five students attended a Leadership Forum on Racism. Key Club's blood drive netted 100 donations. Calhoun's cheerleaders placed first at Mepham's competition. Calhoun's annual Talent Show was highly entertaining and successful, raising \$2,500 for "Music Never Stops", the Tyler Seaman foundation. Mrs. Schwartz stated she attended, and thought the students' performances were amazing. Boys and girls soccer teams also produced several All-State athletes and one All-Long Island. Winter concerts are scheduled for 12/11/13 and the first Improv is 12/13-14/13. She wished everyone a happy holiday season.

Rohan Nagpal stated student government collected food then prepared and distributed Thanksgiving baskets to families in Bellmore. He mentioned the incredible fall sports season adding the entire school is proud of the Boys Volleyball Team's success. Kennedy's drama production, a twist on "*Twelfth Night*," was enjoyable. Over 300 participants attended SEPTA's District College Night which was held at JFK. *Newsday* included Kennedy's memory board in their 50<sup>th</sup> anniversary of President Kennedy's assassination article. Students helped rebuild a damaged home in South Massapequa. Alumni Day was well attended. 9<sup>th</sup> and 10<sup>th</sup> graders attended assembly programs sponsored by the Parent Association. The Blood Drive is tomorrow, 12/5/13, and winter concerts are 12/11/13 and 12/19/13. The Holiday Flash Mob will take place again this year on 12/13/13 at the Massapequa Mall. He too thanked everyone for their bond vote work and wished everyone a joyous holiday season.

Rachel Fain stated the annual Battle of the Classes raised over \$3,000 for St. Baldrick's Foundation. Mepham's faculty participated in Green Out Day and Color Wars. 18 students were inducted into honor societies. Students attended the Leadership Forum on Racism and volunteered at Bethany House. Mepham's fall performance was successful and students participated in Magic in Math. Mepham's cheerleaders hosted a competition. The annual blood drive was very productive. Students attended a decision-making assembly program. She wished everyone a happy and healthy holiday season.

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Mr. DeTommaso stated he is inspired by the wonderful happenings in the high schools. The student representatives speak so well and genuinely, they have covered almost all the noteworthy upcoming events that he had to mention in his report. Mr. DeTommaso did mention the Sprig Gardner tournament is this weekend. The winter concerts are all coming up in the next two weeks. On behalf of the administration, he wished everyone wonderful, happy and healthy holidays with their families. He again thanked the community for coming out to vote and for making their voice heard. He was humbled by the amount of community support and it will be incredible for our kids as we move forward with the capital projects. He congratulated the Board of Education, central office team, staff, component district staff and parents for their help. Finally, he mentioned the wonderful Grand Avenue MS students' artwork on display in the central office corridor.

**SUPERINTENDENT  
REPORT**

Caren Kabak asked if there will be fingerprinting and criminal background checks conducted on the contractors performing the capital project work.

**PUBLIC COMMENTS**

Mr. Simpkins, Director of School Facilities and Operations, advised each contractor will have a thorough background check.

John Pinto stated he was glad the community got the chance to vote and thanked the community for its support. He commended the Superintendent and added he is looking forward to the next few years.

Dr. Kushner moved that the Board of Education approve the following Special Education placements as recommended by the Committee on Special Education (CSE): BCSE cases: BCSE cases 992450113 and 120060000. Building CSE IEP changes: 000010521, 992450051, 000010717, 060620000, K11017, K09313, 110470000, K10887, K10305, K10769, 992450087, 000011352, 992450121, 370000793, 042870002, 000011353, 112450003, 000011185, 000010736, 000010797, 000011115, 902700054, 000513149, 040270000, 000011042, 370000714, 000510952, 903700057, 053490003, G11417, K11103, G10841, 000011013, G11203, 992450134 and G11656. Mr. Haile seconded and the motion was carried 7-0.

**SPECIAL  
EDUCATION**

Mrs. DeLauter moved that the Board of Education accept the results of the Capital Project Bond Vote, held on December 2, 2013, which was carried by a vote of 3,441 to 2,717. Dr. Kushner seconded and the motion was carried 7-0. Mrs. Schwartz thanked the community for coming out to vote. She stated we are four component districts, but we are "One voice, one message." She added the exit surveys will be reviewed by the Board to determine how to better reach the community.

**CAPITAL PROJECT  
BOND VOTE**

Mrs. Lanci moved that the Board of Education approve the Superintendent of Schools' Personnel Report, dated December 4, 2013, as stated in the agenda. Mr. Haile seconded and the motion was carried 7-0.

**PERSONNEL**

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**SUMMARY OF BILLS** The Board of Education reviewed the Summary of Bills, dated December 4, 2013, and the corresponding warrants.

**BIDS** Dr. Kuschner moved that the Board of Education approve the bids as stated in the agenda. Mrs. DeLauter seconded and the motion was carried 7-0.

**BUDGET SUMMARY** The Board of Education reviewed the Budget Summary Report.

**ASBESTOS  
ABATEMENT AT  
JERUSALEM AVENUE  
SCHOOL** Mrs. DeLauter moved that the Board of Education approve the use of \$30,725 of 2013-14 interfund transfer to Capital money, rather than unassigned fund balance, to complete the Emergency Asbestos Abatement Project (0002-024) at Jerusalem Avenue. The project was declared an emergency by the Board on December 5, 2012. The total budget for the project is \$149,535. Suburban Restoration was approved as the contractor on February 6, 2013 at District cost not to exceed \$100,000, but due to summer school classes, the project schedule had to be revised to include a mid-project shutdown. Resultant new costs to the District include air monitoring expenses and man-hour expenses totaling \$30,725; and that the Board approve a commensurate increase to Suburban Restoration. Mr. Haile seconded and the motion was carried 7-0.

Mrs. DeLauter moved that the Board of Education approve change order #1 for Suburban Restoration in the amount of \$26,759.50. Mr. Haile seconded and the motion was carried 7-0.

Mrs. Strait Régal advised this project has been completed.

**SUPERSTORM SANDY** Mrs. Lanci moved the following resolution:

“WHEREAS, as a result of Superstorm Sandy, Chapter 424 of the Laws of 2013, titled Superstorm Sandy Assessment Relief Act, was enacted on October 22, 2013; and

WHEREAS, the Board of Education seeks to provide for the assessment relief set forth in said legislation;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby endorses the election of the component districts to adopt the provisions set forth in Chapter 424 of the Laws of 2013 so as to provide said assessment relief, subject to and contingent upon the County of Nassau’s adoption of a similar resolution electing to provide said relief in accordance with said legislation; and

BE IT FURTHER RESOLVED, that the Board of Education hereby encourages the County of Nassau to take timely action concerning the provisions of Chapter 424.

Mrs. Blane seconded and the motion was carried 7-0.

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Dr. Kuschner moved that the Board of Education declare obsolete and approve the disposal of 500 outdated and damaged textbooks from Calhoun’s English book room. Mr. Haile seconded and the motion was carried 7-0.

**OBSOLETE/SURPLUS  
PROPERTY**

Dr. Kuschner moved that the Board of Education approve the use of existing Capital Fund monies in advance of borrowing, for any Bond related expenses; and that said monies will be repaid when debt is issued; anticipated date thereof is July 2014. Mr. Haile seconded. Mrs. Strait Régál explained there are expenses before the borrowing begins and the district may use this extra money now and be re-imbursed by the bond money later.

**CAPITAL PROJECTS  
BOND**

There was none.

**CORRESPONDENCE**

Lisa Katz stated that even non Race to the Top districts have to provide NYS information.

**PUBLIC COMMENTS**

Mr. DeTommaso assured Mrs. Katz our uploaded data is not going to In Bloom. He added the Nassau County School Superintendent’s Association is issuing a statement on how to handle data extraction, along with other issues of Common Core implementation, APPR and student data reporting.

Mrs. Schwartz stated the Board of Education has constructed a resolution on the issue of high stakes testing.

**OLD/NEW BUSINESS**

Dr. Kuschner moved the following resolution:

“WHEREAS, the goal of the Bellmore-Merrick Central High School District is to provide our students with instructional initiatives that enable them to become independent, life-long learners within a nurturing atmosphere that promotes core values such as dedication, respect, integrity, dignity, teamwork and trust, and where all students are encouraged to explore, question, problem-solve and process information using higher level thinking skills; and

**HIGH STAKES  
TESTING**

WHEREAS, our nation’s and New York State’s future well-being relies on a high-quality public education system that prepares all students for college, careers, citizenship and life-long learning and strengthens the nation’s social and economic well-being; and

WHEREAS, the over reliance on high stakes standardized testing in state and federal accountability systems is undermining educational quality and equity in United States public schools by hampering educators’ efforts to focus on the broad range of learning experiences that promote the innovation, creativity, problem-solving, collaboration, communication, critical thinking and deep-subject matter knowledge that will allow students to thrive in a democracy and an increasingly global society and economy; and

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**HIGH STAKES  
TESTING**

WHEREAS, the current high stakes testing is widely recognized as an unreliable measure of both student learning and educator effectiveness and it has negative effects for students from all backgrounds, and especially for low-income students, English Language Learners and those with disabilities; and

WHEREAS, federal and state funding sources do not adequately address the significant costs associated with the implementation of the new Annual Professional Performance Review (APPR), Common Core Learning Standards and the technological needs required to build capacity for the future advent of computer-based statewide high stakes testing; and

WHEREAS, the assessment of student learning is an integral part of the educational experience and should be consistent with standards set for student learning. Testing of any kind should not dominate instructional time nor narrow the focus of student learning;

THEREFORE, BE IT RESOLVED, that the Bellmore Merrick Central High School District calls on Governor Cuomo, Commissioner King, the State legislature and the Board of Regents to re-examine public school accountability systems in the state, including APPR, to involve all stakeholders in the development of a research-based, age appropriate system which is based on multiple forms of assessment, does not require extensive standardized testing, more accurately reflects the broad range of student learning, is implemented on a well thought out timeline and is used to support students and improve schools; and

BE IT FURTHER RESOLVED that the Bellmore Merrick Central High School District calls on the President of the United States of America and the United States Congress to overhaul the Elementary and Secondary Education Act ("*No Child Left Behind*"), reduce the testing mandates, not mandate any fixed role for the use of student test scores in evaluating educators and promote multiple forms of evidence of student learning and school quality in accountability.

Mrs. DeLauter seconded and the motion was carried 7-0.

Mrs. Schwartz expressed her feelings that we can make a difference. Bellmore and North Bellmore have already passed a similar resolution and Merrick and North Merrick are preparing a resolution. She wished everyone happy holidays and a very happy new year. The next meeting is January 8, 2014.

**EXECUTIVE SESSION**

On a motion by Mrs. Blane, seconded by Mr. Haile and carried 7-0, the Board of Education entered into Executive Session to discuss particular personnel matters at 9:13 p.m.



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On a motion by Mrs. Lanci, seconded by Mrs. DeLauter and carried 7-0, the Board of Education reconvened at 9:22 p.m.

**PUBLIC SESSION**

Dr. Kuschner moved the following resolution:

**LEGAL  
REPRESENTATION**

“WHEREAS, in accordance with Education Law §3811 and/or Public Officer’s Law §18, John DeTommaso, Superintendent of Schools, and Meador Pratt, Principal, have submitted timely written requests for a legal defense and indemnification in a lawsuit entitled, “*Jacques G. Simon and Sheryl L. Simon as Legal Guardians of R.S. and Their Respective Individual Capacities v. Bellmore-Merrick Central High School District; John DeTommaso in His Official Capacity as Superintendent of Schools; Meador Pratt in His Official Capacity as Principal of Merrick Avenue Middle School*”, in which they are named as individual defendants; and

WHEREAS, there are allegations in the legal action arising from the performance of the above-referenced employees’ duties and responsibilities within the scope of their employment; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby designates the law firm of Congdon, Flaherty, O’Callaghan, Reid, Donlon, Travis and Fishlinger to represent the individual defendants in addition to the District in the above-referenced lawsuit.

Mr. Haile seconded and the motion was carried 7-0.

On a motion by Mrs. DeLauter, seconded by Mr. Haile and carried 7-0, the Board entered into Executive Session to discuss particular personnel matters.

**EXECUTIVE SESSION**

On a motion by Mrs. Blane, seconded by Dr. Kuschner and carried 7-0, the Board of Education reconvened at 9:23 p.m.

**PUBLIC SESSION**

On a motion by Mrs. Goller, seconded by Mrs. Blane and carried 7-0, the meeting was adjourned at 9:24 p.m.

**ADJOURNMENT**

Respectfully submitted,

Claire Neufeld  
District Clerk