

PROCEEDINGS OF THE BOARD OF EDUCATION

November 16, 2006

7:00 p.m.

Stephen & Harriet Myers Middle School

PRESENT: Edward Brown, President
Teneka Frost, Vice President
Barbara Gaffuri, Secretary
William Barnette
Judy Doesschate
Susan Kushner

Dr. Eva Joseph
Terrance White
Joseph Dragone
Kathleen Wetmore
Linda Jackson-Chalmers

Absent/Excused: Jackie Jenkins-Cox

Call to Order:

Mr. Brown called the meeting to order at 7:20 p.m. All present joined in the Pledge of Allegiance. Mr. Brown welcomed the members of the audience and thanked them for taking the time to attend the meeting.

SUPERINTENDENT'S REPORT

Dr. Joseph advised she had the opportunity to address the Education Committee for the State Assembly earlier this date. Dr. Joseph noted the Chair of this committee is Assembly Member Catherine Nolan. This is formal testimony that was given at the State Legislature in anticipation of their budget planning. Dr. Joseph advised this was a fairly comprehensive testimony on behalf of our district that highlighted what the district feels will be budget priorities for the district as State Legislators contemplate next year's budget, primarily focusing on fiscal aspects of increased State aid, recognizing that taxpayers in Albany pay approximately 58% of the school budget through the tax levy. Testimony highlighted the fiscal impact of charter schools over their seven-year history, noting that Albany is the only district in New York State over saturated with nine charter schools. Dr. Joseph distributed copies of this presentation to board members.

PUBLIC COMMENT

1. Barbara Smith addressed the board regarding the Council for Unity.
2. Morris Cohen addressed the board regarding the budget process.
3. June Davis addressed the board regarding transportation and books for students at Harriett Gibbons High School.
4. Robert Reilly addressed the board regarding the facilities plan.
5. Alex Streznewski addressed the board regarding the facilities plan.
6. Mark Mishler addressed the board regarding the district's transportation program.

INFORMATION ITEM

Dr. Joseph advised the Comprehensive Education Plan for Philip Livingston Magnet Academy is being presented this evening similar to the presentation of the report from Hackett Middle School earlier this summer. Dr. Joseph noted this is a requirement as part of the school's designation under the State accountability system as well as an excellent exercise in bringing the school community together to plan for school improvement.

Mr. Tracy Ford, Principal of Philip Livingston Magnet Academy, along with several staff members who participated in developing the plan gave a presentation that included not only the vision and mission of the plan, but the description of programs, a description of building level committees, community partnerships, extended day programs, school goals, an overview of steps to be implemented for increase academic achievement, improved communication, staff and student wellness, a safe and orderly environment and finally parent and community involvement in the process.

Mr. Dragone advised a draft of the plan has been submitted to SED, the plan is also presented to the board for their information and feedback. The Building Leadership Team then takes the feedback information into consideration in continuing the working document of the plan. Mr. Dragone advised this plan does not require action. Dr. Joseph advised board members should forward their comments or questions directly to Mr. Ford.

ROUTINE CONSENT ITEMS

Mr. Brown presented the Supplemental Educational Services contract with Catapult Online, LLC (a subsidiary of Educate, Inc.) for approval. Mr. Dragone clarified a number of issues related to providing computers to students or the right of the local education agency (LEA) to refuse the provision of services by a State approved provider based on program design. Board members briefly discussed the fact that the district technically has no choice in approving this contract. Ms. Kushner made a motion to approve the contract. Mrs. Gaffuri seconded the motion.

The board voted unanimously (6-0) to approve the motion

FACILITIES PROJECT REPORT

Discussion Items Related to the Facilities Project

Minority and Women Owned Business (MWBE) Report

Mr. Wendell Gray presented the MWBE Summary Report for November. Mr. Gray reviewed the EEO numbers, noting the majority of the EEO numbers remain the same because the projects have been completed. Schools 16 and 18 are presently in the closeout stage. The numbers may change in the future. Mr. Gray noted these figures are above the 10% goal in the minority category. Mr. Gray also pointed out that figures reflected for Schuyler Achievement and Sheridan are based on activity prior to the district contracting with Landon & Rian Enterprises to monitor these figures. Mr. Gray advised the average total is 14.92% for minority compared to the goal of 10%. While the figures for women participation are low, the achieved goal is 17.56%.

Mr. Gray then reviewed the figures for minority business enterprises/women business enterprises. Average total for MBE is 8.29% and WBE is 8.60% compared to the 10% goals. Achieved total goal is 16.89% compared to the goal of 20%. Ms. Doesschate advised Giffen was not included in this listing. Mr. Gray advised those figures would be included on the next report.

Mr. Gray advised the district would be meeting with all the prime contractors to discuss the Project Labor Agreement to insure that these contractors understand that the district is very interested in meeting these goals. Mr. Gray advised the National Minority Contractors Association is in the process of forming a chapter in the Albany area. Mr. Gray advised he would be working with this organization to increase minority participation and training.

DISCUSSION ITEMS

Phases E-F Referendum

Dr. Joseph introduced the Facilities Team, along with Kathy Wolverton of Girvin & Ferlazzo, who presented an overview. Ms. Wolverton advised the district is dealing with the Constitutional Debt Limit. The New York State Constitution has ceilings for amounts that any municipality can borrow. In the case of a small city school district the amount is 5% of the average full evaluation of taxable real estate in the school district. Ms. Wolverton noted when a district bumps up against that “debt limit”, which is much easier for a small city school district to do than a central or union free school district because they are at 10%, the school district can borrow more than the 5%. However, in order to do that, the district needs meet certain requirements the first of which is a 60% positive vote on the proposition to borrow money. The proposition is required to contain language referencing the fact that the borrowing that the voters are approving could exceed the district Constitutional Debt Limit. Ms. Wolverton noted the proposition would be written as user friendly as possible so that voters understand the item being presented for approval. The proposition will have to have language in it saying that if the district goes forward with borrowing money, the district may be exceeding its Constitutional Debt Limit.

Ms. Wolverton explained that following the 60% voter approval there are additional steps required. The district will then need to receive approval from the Board of Regents. This requires an application that has comprehensive information regarding debt and schedules, etc. The process starts with staffers at SED and eventually goes to a committee of the Board of Regents. Once it gets through the committee of the Board of Regents, it goes to the full Board of Regents for approval. Ms. Wolverton advised in review with Mark Vislosky of Fiscal Advisors, they have not identified any denial of such in the past several years. Once the district receives approval by the Board of Regents, a similar process must be followed with the Comptroller. It goes through staffers. They look at the same information that was provided to SED. They may have questions. Clarification would be provided and they make recommendation to the Comptroller. Ms. Wolverton advised normally information is forwarded to SED and the Comptroller’s Office simultaneously so that answers are addressed as soon as possible so that when the Board of Regents approval is final, the Comptroller’s Office is able to act on the application.

Mr. Vislosky of Fiscal Advisors advised a timetable is established to insure that timing is in line with the date the district would go forward in borrowing money in terms of getting on the agenda for the Board of Regents.

Discussion continued relative to the numbers of non-taxable property in the City of Albany, the value of which is not included in the formula for establishing the Constitutional Debt Limit of the school district, along with regulations particular to small city schools that does not allow the district to exclude building aid in the mix. Discussion also included the message that there would be no additional increase to taxpayers that could be included in the resolution and communicated to voters as the district moves forward with this referendum. Mr. Armlin of the Facilities Team advised the board would be presented with a resolution at the next meeting for discussion with action anticipated at the Roundtable meeting in December.

DISCUSSION ITEMS

Policy Review

Mr. Brown made a motion to set aside the News Media Relations Policy #11230. Mr. Barnette seconded the motion.

The Board voted unanimously (6-0) to approve the motion.

Mr. Brown presented the Audit Committee 6690 and Audit Committee Regulations 6690R. Following discussion Ms. Doesschate suggested the word annually be included in the last bullet of the policy. With no exception, Mr. Brown advised this policy would be brought forward to the next meeting for approval.

ACTION ITEM

Budget Calendar

Mr. Brown presented the Budget Calendar discussed at the last board meeting. Mr. Barnette made a motion for approval. Ms. Frost seconded the motion. Mr. Barnette questioned the level of participation of the Budget & Educational Planning Committee in the budget process for 2007-2008. Following a lengthy discussion the board suggested that the Audit Committee discuss the membership, function and the charge of this committee, with recommendations to be presented at the next board meeting. Ms. Doesschate suggested that board members forward their suggestions relative to this issue directly to Ms. Wetmore. Ms. Wetmore advised that based on comments previously discussed, the March 27, 2007 meeting has been defined as a forum to allow additional discussion with the public. Dr. Joseph advised the schedule could be modified to include whatever provisions the board wishes to make for BEPC. Dr. Joseph noted the budget development calendar reflect the timeframe in terms of the pace of setting the budget.

The board voted unanimously (6-0) to approve the motion.

BOARD COMMITTEE REPORTS

Ms. Kushner advised the Intergovernmental Committee met on November 9th. The meeting included an interactive presentation by two dentists, Dr. Lawrence Kotlow and Dr. Hart, who gave a presentation on the benefit of fluoridating the drinking water in the City of Albany for the children of Albany. There were a number of additional staff members present. Both doctors and Ms. Terry Nord, the district's health coordinator strongly endorse the fluoridation of the drinking water as the most effective means of reducing tooth decay in the children of the district as well as adults. Discussion included the impact of poor dental health on student achievement. Ms. Kushner advised the committee would be presenting a resolution, requesting that the City consider putting fluoride in the water system, for board consideration at the next meeting. Ms. Kushner also noted that the Board of Education passed a resolution 12 years ago requesting that the water supply be supplemented with fluoride.

Ms. Doesschate informed the board as a member of the Intergovernmental Committee she is interested in bringing forward a legislative agenda, similar to last year's activity, for board consideration and adoption before January. Ms. Doesschate advised an additional item would be included regarding the district's ability to take into consideration building aid in calculating the district's debt limit. Ms. Doesschate asked for consideration since this is the only change from the legislative agenda approved last year. Discussion followed regarding the sense of urgency in terms of timing relative to legislative sessions. Mr. Brown advised this issue would be considered at the agenda setting meeting for the next agenda with Dr. Joseph's input.

BOARD MEMBER ITEMS

Ms. Doesschate requested additional discussion related to funding the Council for Unity program. Dr. Joseph advised a site visit is scheduled for Monday afternoon, November 27th and Tuesday, November 28th in River Head, New York. Dr. Joseph asked if there are board members interested in attending they should contact Ms. Bryan in the Superintendent's Office. Dr. Joseph advised implementation details would be discussed following the site visit. Mr. Barnette suggested a board discussion on this program be scheduled for the next meeting.

Adjournment

Mr. Barnette made a motion to adjourn. Meeting was adjourned at 10:10 p.m.

Catherine L. Cutting
Clerk of the Board