

OLEAN CITY SCHOOL DISTRICT  
410 West Sullivan Street  
Olean, NY 14860

The Regular Meeting of the Board of Education of the City School District of Olean, NY was held on Tuesday, May 6, 2014, at 6:32 p.m. in the LGI Room of the Olean Intermediate Middle School located at 401 Wayne Street, Olean, NY. The meeting was called to order by Michael Martello, President of Board, with a moment of silent prayer or personal reflection. James Padlo led the Board of Education in the Pledge of Allegiance to the Flag.

PRESENT: Michael Martello, President  
John Bartimole, Vice President  
Eric Garvin  
Ira Katzenstein  
Paul Hessney  
Michiko McElfresh  
James Padlo

ABSENT: Laurie Branch (excused)  
Paul Knieser (excused)

STAFF PRESENT: Colleen Taggerty, Superintendent of Schools  
Kathleen Elser, Business Administrator  
Victoria L. Zaleski-Irizarry, District Clerk  
Jen Mahar, District Coordinator of State and Federal Aid Programs  
Mia O'Brien, Director of Human Resources  
Cso Woodworth, Technology Administrator  
John White, EV Principal  
Linda Nottingham, WW Principal  
Ashton Lowe, Teacher  
Patricia Howden, Teacher  
Juanita Olson, Teacher  
Tracey Spears, Teacher  
Kris Bates, Teacher  
Laurie Bushnell, Teacher  
Tracy Keller, Teacher  
Jennifer Crawford, Teacher  
Chris Proto, Teacher  
Elaine Stephan, Teacher  
Lori Lewicki, Teacher  
Ellie Hoffman, Teacher

OTHERS: Chris Michel, OTH  
Frank Steffen  
Fran Steffen  
Madelyn Hoffman  
Dan Bailey  
Kathy Grandusky  
Nathan Seaward

REGULAR MEETING  
TUESDAY, MAY 6, 2014  
PAGE 2

Moved by M. McElfresh, seconded by I. Katzenstein, to approve the proposed Meeting Agenda.

Agenda Approval

Ayes 7

Nays 0

Motion Carried

Public Comment

Public Comment:

Lori Lewicki, 2580 Oregon Road – noted the board recently supported the Arts in Education agreements and asked the board to consider finding \$36,000 to pay for modified sports.

Communications, Commendations:

Communications, Commendations

- a. Congratulations to Kris Ring – RIT recognition
- b. Congratulations to the following students that were named April's Harold Dutton Student of the Month Award Recipients; Ricky Brisky; Julie Mulryan; Karino Wada; Jonah Rosel; Cory Nedell; Saad Mirza; Aaron Hill; Sam Carson; Destiny Shlagel; Bret Smith; Derek Heath; Damien Greenwood; Tyler Leonard; Michaela Schneider; Dustin Cornel; Micah Blanchard; Kaylei Hitchcock; Morgan Anastasia; and Jillian Marcellin
- c. Congratulations to Select Choir - received a "GOLD" at adjudication on April 29th

Committee Reports:

Committee Report

- a. Audit Committee, April 28 – will be reviewed at the May 20<sup>th</sup> meeting

Superintendent's Report:

Superintendent's Report

- a. PEP Grant efforts continue
- b. NYCROSS conference update
- c. Focus District, Math Committee, and Homework Committee continue to meet
- d. Non-resident students that move out of the District in May, per Policy #7131, tuition is pro-rated (families have to pay half the tuition rate if they move from the District after the first semester). Colleen is recommending the policy be changed to a tiered tuition.

Moved by P. Hessney, seconded by I. Katzenstein, to amend the agenda and add item d. approval of the revised Non-Resident Student Policy #7131.

Amendment to Agenda Approved

Ayes 7

Nays 0

Motion Carried

Moved by J. Bartimole, seconded by I. Katzenstein, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following Consent Agenda items:

Consent Agenda

- a. The previous meeting minutes of the Regular Meeting held on April 22, 2014.
- b. Upon the Recommendation of Colleen Taggerty, Superintendent of Schools, the following CPSE recommendations reviewed on May 6<sup>th</sup> be approved:

908001613	908001687	908001612	908001688
908001689	908001615	908000801	908001245

- c. Upon the Recommendation of Colleen Taggerty, Superintendent of Schools, the following CPSE to CSE recommendations reviewed on May 6<sup>th</sup> be approved:

908000801	908001245		
-----------	-----------	--	--

- d. Upon the Recommendation of Colleen Taggerty, Superintendent of Schools, the following CSE recommendations reviewed on May 6<sup>th</sup> be approved:

092410011	900427904	908000615	900457528
-----------	-----------	-----------	-----------

00000624	900454698	900457342	908001136
900355491	900455822	908001299	900385706
900402721	900393588	900404585	900457542
908001276	900256817	900372887	908000741
900232383	101810004	900393017	900386647
908001297	908000610	900434096	908001690
092510024			

Ayes   7                        Nays   0                        Motion Carried

Moved by E. Garvin, seconded by J. Bartimole, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following resolution to wit:

COOPERATIVE PURCHASING ANNUAL RESOLUTION  
OF THE BOARD OF EDUCATION

BOCES  
Cooperative  
Purchasing  
Approved

*WHEREAS*, It is the plan of a number of public school districts in Cattaraugus/Allegany County, New York, to bid jointly for various supplies, commodities, and/or services in the 2014-2015 fiscal year.

*WHEREAS*, the Olean City School District is desirous of participating with other school districts in Cattaraugus/Allegany County in the joint bidding of all or some of the supplies, commodities, and/or services as mentioned above, as authorized by General Municipal Law, Section 119-0, and as determined by district need, and

*WHEREAS*, the Board of Cooperative Educational Services and Boards of Education wish to appoint a committee to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting of the results to the Board of Cooperative Educational Services and Boards of Education and making recommendations thereon; therefore,

*BE IT RESOLVED*, that the Olean City School District Board of Education hereby appoints the Cattaraugus/Allegany Board of Cooperative Educational Services to represent it in all matters related above, and,

*BE IT FURTHER RESOLVED*, that the Olean City School District Board of Education authorizes the above mentioned committee to represent it in all matters leading up to the entering into a contract for the purchase of the above mentioned supplies, commodities, and/or services, and,

*BE IT FURTHER RESOLVED*, that the Olean City School District Board of Education agrees to assume its equitable share of the costs of the cooperative bidding, and,

*BE IT FURTHER RESOLVED*, that the Olean City School District Board of Education agrees (1) to abide by the majority decisions of the participating districts on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the committee; (3) that after award of contract(s) it will conduct all negotiations with the successful bidder(s).

Ayes   7                        Nays   0                        Motion Carried

REGULAR MEETING  
TUESDAY, MAY 6, 2014  
PAGE 4

Moved by J. Padlo, seconded by E. Garvin, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following resolution to wit:

Nathaniel Smith,  
Sale Smith, and  
Flowing Well, LLC  
Tax Assessment  
Settlement Adopted

WHEREAS, Nathaniel D. Smith, Dale Smith and Flowing Well, LLC ("Petitioners") are the owners of four parcels of real property located at 1625 Washington Street, 820 State Street East, 1624 State Street West, and 1601 Henley Street in the City of Olean, and

WHEREAS, Petitioners have filed a tax assessment proceeding seeking reductions in assessed valuation plus a tax refund with interest for these four parcels for the 2013-2014 tax year, and

WHEREAS, Petitioners are seeking a combined assessed reduction of \$197,100 for the four parcels for the current tax year, and

WHEREAS, a settlement has been proposed in which the Petitioners would waive any and all tax refunds from the School District for the 2013-2014 tax year and the assessments for the four parcels would be adjusted beginning in the 2014-2015 tax year as follows:

<u>Property Address</u>	<u>2013-2014 Assessment</u>	<u>2014-2015 Assessment</u>
820 State Street East	\$280,000	\$240,000
1624 State Street West	258,000	220,000
1601 Henley Street West	39,600	22,500
1625 Washington Street	250,000	250,000 (no change)

and

WHEREAS, the City Assessor believes the assessment reductions are reasonable based upon comparable sales of similar properties and the current property uses and leases, and

WHEREAS, the Petitioners' are waiving any tax refund from the District and the proposed settlement will save the School District significant appraisal and legal costs and additional financial exposure if the case were to proceed to trial, and

WHEREAS, the Olean City School District's legal counsel recommends the approval of the proposed settlement, it is hereby

RESOLVED, that the proposed settlement reducing the assessment of 820 State Street East from \$280,000 to \$240,000, of 1624 State Street West from \$258,000 to \$220,000 and 1601 Henley Street from \$39,600 to \$22,500 all beginning in the 2014-2015 tax year and waiving all School District tax refunds for the 2013-2014 tax year is hereby approved.

Ayes 6

Nays 1  
(P. Hessney)

Motion Carried

REGULAR MEETING  
TUESDAY, MAY 6, 2014  
PAGE 5

Moved by J. Bartimole, seconded by J. Padlo, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following resolution to wit:

WRAJ Olean, LLC  
Tax Assessment  
Settlement Adopted

WHEREAS, ZRAJ Olean, LLC ("Petitioner") is the owner of two parcels of property located at 400-459 North Union Street in the City of Olean which is known as the Olean Center Mall, and

WHEREAS, the Petitioner has filed a tax assessment proceeding seeking a reduction in the combined assessment of both parcels from \$7,843,013 to \$5,843,004 plus a tax refund with interest for the 2013-2014 tax year, and

WHEREAS, the mall has a significant number of kiosk and inside store vacancies, and

WHEREAS, Petitioner has obtained an appraisal from a licensed independent appraiser, James W. Szakacs, Jr., valuing the property at \$5,262,000 and it is expected that another tax challenge will be filed for the 2014-2015 tax year, and

WHEREAS, a settlement has been proposed in which Petitioner will waive all City and School District tax refunds for the 2013-2014 tax year and the combined assessment will be set at \$6,200,000 for the 2014-2015 tax year and will be frozen for the next succeeding three tax years, and

WHEREAS, the City Assessor believes the assessment reduction is reasonable based upon the property vacancies and current leases, and

WHEREAS, the Petitioner is waiving any tax refund from the School District and the proposed settlement will save the School District significant appraisal and legal costs and additional financial exposure if the case were to proceed to trial, and

WHEREAS, the Olean City School District's legal counsel recommends the approval of the proposed settlement, it is hereby

RESOLVED, that the proposed settlement reducing the combined assessment for the two parcels of property located at 400-459 Union Street in the City of Olean from \$7,843,013 to \$6,200,000 beginning in the 2014-2015 tax year and waiving any School District tax refund for the 2013-2014 tax year is hereby approved.

Ayes 6

Nays 1  
(P. Hessney)

Motion Carried

Moved by I. Katzenstein, seconded by P. Hessney, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the amendments to Policy #7131 – Non-Resident Students.

Policies #7131 –  
Non Resident  
Students

Ayes 7

Nays 0

Motion Carried

Moved by J. Bartimole, seconded by J. Padlo, to postpone the approval of revisions to Policy #7131 and refer the matter to the Finance Committee.

Motion to Postpone  
Adoption of Policy  
#7131

Ayes 7

Nays 0

Motion Carried

REGULAR MEETING  
TUESDAY, MAY 6, 2014  
PAGE 6

Informational Items Items:

Informational Items

a. BOE June Meetings

- Tuesday, June 3<sup>rd</sup> at noon – Operations Committee
- Wednesday, June 4<sup>th</sup> at 3:30 pm – Safety Committee
- Tuesday, June 10<sup>th</sup> at noon – Buildings and Grounds Committee
- Monday, June 16<sup>th</sup> at noon – Audit Committee
- Thursday, June 19<sup>th</sup> at noon – Finance Committee
- Friday, June 27<sup>th</sup> at noon – End-of-Year Board Meeting

Moved by M. McElfresh, seconded by P. Hessney, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adjourn from the Regular Meeting and go in to Executive Session at 7:00 p.m. for the purpose of discussing: performance of one particular individual, pending litigation, and contract negotiations. Mia O'Brien and Kathy Elser invited to attend Executive Session.

Executive Session

Ayes 7

Nays 0

Motion Carried

Victoria Zaleski-Irizarry  
District Clerk

Dated: March May 12, 2014, 2014

Moved by J. Bartimole, seconded by M. McElfresh, to adjourn from Executive Session and reconvene to the Regular Meeting at 7:45 p.m.

Regular Meeting

Ayes 7

Nays 0

Motion Carried

Moved by J. Bartimole, seconded by J. Padlo, to adjourn the meeting at 7:45 p.m.

Adjournment

Ayes 7

Nays 0

Motion Carried

Respectfully submitted,

Colleen Taggerty  
Pro Tem District Clerk

Dated: May 12, 2014