The Regular Meeting of the Board of Education of the City School District of Olean, NY was held on Tuesday, June 7, 2011, at 6:30 p.m. at Olean Middle School, located at 401 Wayne Street, Olean, NY. The meeting was called to order by John Bartimole, President of Board, with a moment of silent prayer or a moment of personal reflection. Katie Camp, Lyn Dempsey, Lucille Rohrs, and Jim Pawlowski led the Board of Education in the Pledge of Allegiance to the Flag.

PRESENT:  
John Bartimole, President  
Eric Garvin, Vice President  
Laurie Branch  
Gordon E. Cross  
Daniel Harris  
Ira Katzenstein  
Michael Martello (arrived at 6:32 p.m.)  
Michiko McElfresh  
James Padlo

ABSENT:  

STAFF PRESENT:  
Colleen Taggerty, Superintendent of Schools  
Kathleen Elser, Business Administrator  
Barb Lias, OHS Principal  
Gerald Trietley, OMS Principal  
Tim Houseknecht, OMS Assistant Principal  
Jen Mahar, District Coordinator of State and Federal Aid Programs  
Cso Woodworth, Technology Administrator  
Victoria Zaleski-Irizarry, District Clerk  
Joel Whitcher, WW Principal  
John White, BV Principal  
Dave Olson, EV Principal  
Katie Camp, Teacher  
Lucille Rohrs, Teacher  
Lyn Dempsey, Teacher  
Jim Pawlowski, Teacher

OTHERS:  
Jeff Cole, Olean Times Herald  
Ashley Pfeiffer  
Paul Knieser  
Kevin Erickson  
John Marshall  
Wendy Butler
Moved by L. Branch, seconded by I. Katzenstein, to approve the proposed Meeting Agenda with the following addition: add item I. Budget Transfers to 9. New Business.

Ayes __9___  Nays ___0___  Motion Carried

Public Comment:
None

Communications, Commendations:

a. Valedictorian - Samantha Anne Huselstein; Salutatorian - Jessica Anne Swetland
b. Harold Dutton Student Spotlight Award Recipients for May: Courtney Ziegler nominated by Mrs. Shannon – She is a good, conscientious student, an active member of the Spanish Club, and just recently she has come in during her study halls to help Mrs. Shannon pack all of the items in her room; Samantha Heba nominated by Mrs. Rakus – for her excellent work ethic and consistently fine performance in English throughout the entire year; Amber Fonseca nominated by Mrs. Rakus – for always being ready to work and for consistently putting forth her best effort throughout the entire school year; Nguyet Ngo nominated by Mrs. Rakus – for being a model student; she is bright, polite, and creative; Samantha Gutknecht nominated by Mrs. Lias – Samantha helped Mrs. Lias carry items to her office; Kelly VanBrunt nominated by Mrs. Clawson – Kelly very graciously stepped forward to give up her time slot for driver’s education to help a fellow student from Walsh who could not drive during the time frame he was given. Had she not done so, the young man would not have been able to take driver’s education this session; Janelle Shaffer, Emily Bantleman, and Jackie Hitchcock nominated by Mrs. Rhody – These young ladies delivered Valentine’s Day Sing-o-Grams out of the goodness of their heart and brought smiles and laughter to many. They decided to deliver one to a visually impaired student. They came up with this idea independently and brought sunshine to his life and to the many others they sang to; and Miles Marvin and Ben Morgan nominated by Mrs. Rosel – for willingness to take time out of their schedules to help Mrs. Rosel move, set up and hook her computers during her displacement move. They got right to work, figured out what needed to be done and did so with cheerfulness!

c. The OHS Band, under the direction of Daniel Mordhorst, earned a Level 5 "GOLD" rating in the NYSSMA Major Organization Festival Adjudication on May 19th.
d. Olean High School art students accepted into the annual High School Art Show at the Regina Quick Center: Jake Baer; Kelly Hustak; Zach Fisher; Allissa McMillen; Brad Magnano; Joshua Lehere; Maggie Stanford; Kara Frisina; Hannah Forrest; and Matt Gardner.
e. Congratulations Coach Randy Samuelson on his induction into the "Cattaraugus County Sports Hall of Fame". The 2011 induction ceremony took place in Little Valley on Saturday 3/26/11.
f. Congratulations Coach Paul Ksionzyk on being awarded the 2011 recipient of the NYSSAA Chapter 6 "Distinguished Service Award". The award was presented to Coach Ksionzyk on Thursday 3/17/11 at the NYSSAA annual conference in Saratoga Springs.
g. Congratulations to board member, Jim Padlo, on his recent graduation from Jamestown Community College.

Superintendent’s Report:

a. On-line credit bearing courses (with face-to-face time)
b. SED on-line testing – 2014 target date; pilot test will be Social Studies
c. Capital Project – all summer programs to be held at the Olean Middle School
d. 911 sculpture – Dave Poulin has been at the HS working with students; the modeling is done; fundraising efforts continue
e. Special Education ceremony – wonderful job by Wanda Stebbins – 12 students received local or regents diploma
f. All evaluations have been completed, are recorded in Finance Manager – thank you to Lynn Corder for all his efforts
g. Teacher and principal evaluation changes – efforts will continue throughout the summer (moving towards standards and working on rubric)
h. WNYRIC Retreat
Moved by L. Branch, seconded by I. Katzenstein, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following Consent Agenda items:

a. The previous meeting minutes of the Regular Meeting held on May 3, 2011, May 17, 2011 and Special Meeting May 18, 2011.

b. Upon the Recommendation of Colleen Taggerty, Superintendent of Schools, the following CSE recommendations reviewed on June 7th is approved:

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C. Upon the Recommendation of Colleen Taggerty, Superintendent of Schools, the following CPSE recommendations reviewed on June 7th is approved:

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Ayes 9  Nays 0  Motion Carried

Moved by E. Garvin, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, that Katie Camp who is certified in the Special Education tenure area, be granted tenure effective September 2, 2011.

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Ayes 9  Nays 0  Motion Carried

Moved by M. McElfresh, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, that Lyn Dempsey who is certified in the Elementary tenure area, be granted tenure effective September 2, 2011.

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Ayes 9  Nays 0  Motion Carried

Moved by G. Cross, seconded by D. Harris, upon the recommendation of Colleen Taggerty, Superintendent of Schools, that Jon Hamed who is certified in the Special Education tenure area, be

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granted tenure effective July 8, 2011.

Ayes __9___  Nays ___0___  Motion Carried

Moved by L. Branch, seconded by I. Katzenstein, upon the recommendation of Colleen Taggerty, Superintendent of Schools, that James Pawlowski who is certified in the Physical Education tenure area, be granted tenure effective September 2, 2011.

Ayes __9___  Nays ___0___  Motion Carried

Moved by M. McElfresh, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, that Lucile Rohrs who is certified in the Math tenure area, be granted tenure effective September 2, 2011.

Ayes __9___  Nays ___0___  Motion Carried

Moved by L. Branch, seconded by I. Katzenstein, RESOLVED THAT, pursuant to Education Law §2507, Amendment #3 to the Contract of Employment for the Superintendent of Schools be approved and the President of this Board be authorized and directed to execute same on behalf of the District.

Ayes __9___  Nays ___0___  Motion Carried

Moved by E. Garvin, seconded by L. Branch, RESOLVED THAT, pursuant to Education Law §2507, Amendment #2 to the Contract of Employment for the Business Administrator be approved and the Superintendent of Schools be authorized and directed to execute same on behalf of the District.

Ayes __9___  Nays ___0___  Motion Carried

Moved by M. McElfresh, seconded by G. Cross, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following resolution:

**COOPERATIVE PURCHASING ANNUAL RESOLUTION**

**RESOLUTION OF THE BOARD OF EDUCATION**

**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 2011-2012 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 9  Nays 0  Motion Carried

Moved by I. Katzenstein, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the proposed Easement Agreement between the Olean City School District and Mazza Sheet Metal, Inc. for an additional period of one (1) year, terminating on November 30, 2012.

Ayes 9  Nays 0  Motion Carried

Moved by L. Branch, seconded by G. Cross, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt the following resolution:

**WHEREAS**, Buffalo-Main Street, LLC is the owner of a large vacant parcel of land located at 2211 West State Street in the City of Olean, and

**WHEREAS**, the property was assessed at an equalized fair-market value of 1,635,000 for the 2008-2009 tax year, and

**WHEREAS**, Buffalo-Main Street, LLC filed real property tax assessment proceedings for the 2008-2009, 2009-2010 and 2010-2011 tax years seeking a reduction in assessed valuation to an equalized fair-market value of $200,000 and a tax refund plus statutory interest for each tax year, and

**WHEREAS**, the City Assessor reduced the assessment in the 2009-2010 tax year to $1,170,000 due to the recommendation of the City’s independent appraiser that the property was in fact over-assessed, and

**WHEREAS**, a trial of these cases was held on September 8, 2010 before Supreme Court Justice Thomas P. Brown, and

**WHEREAS**, the property owner presented an independent appraiser at trial who testified that the property should be valued at $535,000 due to high pressure gas lines and waterfront conservation zoning classification that impaired the value of the rear of the property; and

**WHEREAS**, the City Assessor presented an independent appraiser who valued the entire parcel at $1,230,000 for all three tax years, and

**WHEREAS**, the City’s appraiser acknowledged that the property was over-assessed for the 2008-2009 tax year and that a refund was warranted, and
WHEREAS, on March 4, 2011, Judge Brown rendered a written Decision valuing the parcel at $925,000 for each of the three tax years, and

WHEREAS, the Court Decision was a compromise which valued the property closer to the City’s revised assessment of $1,170,000 than Petitioner’s appraiser’s valuation at trial of $535,000, and

WHEREAS, an appeal of the Decision would be costly and the Decision would likely be difficult to overturn on Appeal, and

WHEREAS, the potential refund is substantially less than requested by the Petitioner for the three year period, it is hereby

RESOLVED, that the Olean City School District hereby accepts the Decision of the Hon. Thomas P. Brown, dated March 4, 2011, and it is further

RESOLVED, that the Superintendent is hereby authorized to pay a tax refund based upon and which is mandated by the Court Decision and the New York State Real Property Tax Law totaling approximately $28,714.83 including interest to Petitioner.

Ayes __9___ Nays ___0___ Motion Carried

Moved by I. Katzenstein, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the proposed Easement Agreement between the Olean City School District and Mazza Sheet Metal, Inc. for an additional period of one (1) year, terminating on November 30, 2012.

Ayes __9___ Nays ___0___ Motion Carried

Moved by L. Branch, seconded by G. Cross, upon the recommendation of Colleen Taggerty, Superintendent of Schools, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the Memorandum of Understanding between the Olean City School District and Cattaraugus & Wyoming Counties Project Head Start for the use of six (6) classrooms located at 210 East Elm Street for use by the Early Reading First Program for its summer program (July 5-August 1, 2011) at no fee.

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Ayes __7___ Nays ____0___ Abstain _2_ Motion Carried
(I Katzenstein; J Bartimole)

Moved by E. Garvin, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve budget transfers exceeding $50,000.00.

Ayes __9___ Nays ____0___ Motion Carried

Moved by M. McElfresh, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Christine Crawford, Food Service Helper, effective June 30, 2011.

Ayes __9___ Nays ____0___ Motion Carried
Moved by D. Harris, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Catherine Howard, Senior Food Service Helper, effective June 30, 2011.

Ayes 9    Nays 0    Motion Carried

Moved by L. Branch, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Corrine Kenyon, Food Service Helper, effective June 30, 2011.

Ayes 9    Nays 0    Motion Carried

Moved by M. Martello, seconded by M. McElfresh, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Alice (Jean) Kupinski, Special Education Teacher, effective June 30, 2011.

Ayes 9    Nays 0    Motion Carried

Moved by G. Cross, seconded by D. Harris, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Norbert McCarthy, Cleaner, effective June 30, 2011.

Ayes 9    Nays 0    Motion Carried

Moved by D. Harris, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Sally Mohagen, Teacher Aide, effective June 30, 2011.

Ayes 9    Nays 0    Motion Carried

Moved by E. Garvin, seconded by M. McElfresh, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Judith O’Dea, Math Teacher, effective June 30, 2011.

Ayes 8    Nays 1    (Katzenstein)

Moved by G. Cross, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation, with regret, of Brenda Quist, Math/French Teacher, effective June 30, 2011.

Ayes 8    Nays 1    (Katzenstein)

Moved by M. McElfresh, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individual to implement the 2011 Olean City School District Summer School Program at her hourly rate of pay as of July 1, 2011:

Nurse: Melody Jones

Ayes 9    Nays 0    Motion Carried

Moved by L. Branch, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individual to implement the 2011 Olean City School District Summer School Program at her hourly rate of pay as of July 1, 2011:

Diane Fidurko
Appointed
Summer Program
Teacher Aide
Teacher Aide: Diane Fidurko

Ayes ___9___  Nays ___0___  Motion Carried

Moved by E. Garvin, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individuals to implement the 2011 Secondary Olean Middle School Summer School Program per OTA Contract:

English 7 and 8: Stephanie Shattuck

Ayes ___9___  Nays ___0___  Motion Carried

Moved by M. Martello, seconded by I. Katzenstein, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individuals to implement the 2011 Secondary Olean High School Summer School Program per OTA Contract:

English: Lou Ventura/Sally Ventura  Science: Charles Warren
Library: Cindy Kurjakovic  Health: Ryan Nawrot
Math: David Lasky/Carrie Peters  Physical Education: Jason Folland
Social Studies: Chris Keenan/Paula Fidurko

Ayes ___9___  Nays ___0___  Motion Carried

Moved by D. Harris, seconded by M. McElesh, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individuals to implement the 2011 Elementary Summer School Program per the OTA Contract:

Teachers
Kim Ackerman
Amanda Bess
Emily Chamberlain
Lori Lewicki
Melanie Meyers
Leslie Morey
Kaitlin Speta
Lauren Stuff
Lindsay Travers
Karen Woodring

Ayes ___9___  Nays ___0___  Motion Carried

Moved by L. Branch, seconded by M. Martello, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individuals to implement the 2011 Elementary Summer School Program at their hourly rate of pay as of July 1, 2011:

Aides
Moved by G. Cross, seconded by I. Katzenstein, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to appoint the following individuals to implement the 2011 Secondary Olean City School District Summer Theatre Program per OTA Contract:

Music/Theatre: Jan Rhody
Theatre: Leslie Patrone

Ayes __9___  Nays ___0___  Motion Carried

Moved by M. McElfresh, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve an unpaid Leave of Absence for Brooke Patterson, Speech Pathologist, for the period June 17, 2011 through June 24, 2011.

Ayes __9___  Nays ___0___  Motion Carried

Moved by E. Garvin, seconded by D. Harris, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve an unpaid Leave of Absence for Evelyn Bysiek, Math teacher, for the period September 1, 2011 through June 20, 2012.

Ayes __9___  Nays ___0___  Motion Carried

Committee Report:

a. Buildings and Grounds Committee – May 17th – given by Ira Katzenstein

Discussion Items:

b. Policy #3210 - Visitors to School – 1st Reading
c. Policy #7521 – Students with Life-Threatening Health Conditions – 2nd Reading
d. Policy #7530 – Child Abuse and Neglect/Maltreatment – 2nd Reading
e. Policy #7551 – Sexual Harassment of Students – 2nd Reading

Ayes __9___  Nays ___0___  Motion Carried

Moved by L. Branch, seconded by G. Cross, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to adopt School Policy #7521 – Students with Life-Threatening Health Conditions, Policy #7530 – Child Abuse and Neglect/Maltreatment, and Policy #7551 – Sexual Harassment of Students. These policies are to supersede any current School board Policies regarding the same matter.
Moved by L. Branch, seconded by M. McElfresh, to adjourn from the Regular Meeting and go into Executive Session at 7:10 p.m. for the purpose of discussing: contractual negotiations and litigation update.

Ayes 9  Nays 0  Motion Carried

Kathy Elser and Vicki Zaleski-Irizarry exited at 7:25 p.m.

Respectfully submitted,

Dated: June 10, 2011 Victoria L. Zaleski-Irizarry District Clerk

Moved by L. Branch, seconded by G. Cross, to adjourn from Executive Session and reconvene to the Regular Meeting at 7:34 p.m.

Ayes 9  Nays 0  Motion Carried

Moved by E. Garvin, seconded by M. Martello, to adjourn the meeting at 7:35 p.m.

Ayes 9  Nays 0  Motion Carried

Respectfully submitted,

Dated: June 10, 2011 Colleen Taggerty Pro Tem District Clerk