



**PROCEEDINGS OF THE BOARD OF EDUCATION**  
**March 30, 2010**  
**7:00 p.m.**  
**Albany High School**

**PRESENT:** Dan Egan, President  
Judy Doesschate, Vice President  
Rose Brandon, Secretary  
Barbara Gaffuri  
Edith Leet  
Melissa Mackey  
Wayne Morris

Dr. Raymond Colucciello  
Tresa Diggs  
Bill Hogan  
Linda Jackson-Chalmers  
Linda Rudnick

**ABSENT:** None

**Call to Order:**

- Meeting was called to order at 7:05 p.m. All present joined in the Pledge of Allegiance.
- Members of the audience were welcomed and thanked for taking the time to attend the meeting.
- The Mission Statement was read.

Mr. Egan asked for a moment of silence in memory of David Parks, a teacher at Arbor Hill Elementary School and a coach in the District who passed away earlier this week.

Mr. Egan asked for a motion to amend the agenda to include an agreement between the District and Beth Labunski under Routine Consent. Ms. Mackey made the motion. Ms. Doesschate seconded the motion.

The Board voted unanimously (7-0) to approve the motion.  
Motion passed.

Mr. Egan advised the agenda this evening is different from the norm. There will not be a Superintendent's Report. The budget presentation will take place first, followed by public comment. With 35 speakers signed up to speak, Mr. Egan advised each speaker would be limited to two minutes to allow everyone an opportunity to speak. If questions and concerns related to the budget are addressed during the budget presentation, speakers are asked to refrain from comment in the interest of time.

Mr. Egan noted that this week the SUNY Board of Trustees voted to close New Covenant Charter School. The closure of this large tax payer supported charter school impacts the District's budget as well as students. As a direct result of this closure, the Superintendent will recommend tonight that the not close any elementary schools in developing the 2010-2011 school budget. Mr. Egan noted the District is experiencing the worst budget crisis since the 1930's. Tonight the Superintendent will be recommending Tier II budget cuts.

### **2010-2011 BUDGET PRESENTATION & BOARD DISCUSSION**

The public was provided an overview of what the Elementary and Middle School programs in the district will look like, taking into consideration the Tier I reductions. These programs ensure a sound educational plan that supports student achievement. Programs include a strong Early Childhood Program, including Prekindergarten, core programs in Reading, Writing, Math, Social Studies and Science, special subject programs of Art, Music, Library Services and Health Education, school choice for families, Summer School Programs, established class size, instructional coaches, special education services, before and after school programs, a transition plan for incoming Charter school students and system-wide assessments. The Middle School Academic Overview includes instruction designed to enable students to achieve state intermediate learning standards. Academic supports will remain unchanged. Art, Music and library programs will continue and class size guidelines will be followed. The High School Academic overview includes instruction designed to enable students to achieve state learning standards; instructional time will be increased by 5 minutes per class, the equivalent to 900 minutes per year; study halls will be reduced, student choice will dictate elective course offerings; the Academy of Engineering will expand with the addition of the Smart Scholars Grant; the International Baccalaureate Program components will remain unchanged; academic enhancement will be provided to Harriett Gibbons 9<sup>th</sup> grade students by allowing them to continue in the school as 10<sup>th</sup> graders; academic support will continue with AIS.

Dr. Colucciello noted that the current draft includes the assumptions that all Tier I budget reductions are included in the line-item budget; with the assumed closing of New Covenant and other budget reductions included in draft #3, the increase in tax levy now stands at 6.4%. Reductions taken from draft #2 included cost reductions in cellular phones, warehousing rentals, supplies and Charter school payments and staffing. Projected use of reserves assumes that the use of reserves increases by \$5.008 million to \$9.2 million. Mr. Hogan also reviewed the budget outlook in terms of a zero-increase budget (4.84% increase due to contractual obligations), a contingency budget (5.14%), draft #2 (9.15%) and draft #3 (6.40%). Tier I reductions were again reviewed. The proposal at this point includes all the reductions listed in Tier I. Further review included a summary of the draft #3 budget and suggestions raised by board members. In addition the District continues to look at building usage. Mr. Hogan reviewed Tier II reductions that include employee givebacks, reduction of the sports program, reduction of TA's in special education, reduction in summer school offerings and reduction in literacy and math coaches. Dr. Colucciello reviewed possible ways to close the remaining budget gap including labor contract relief, legislative restoration of state aid, increase tax levy, retirement legislation and bond reserves. Dr. Colucciello asked that board members prioritize Tier II reductions as part of the budget development process. Board members were asked to email the information to Mr. Hogan by the end of the week. Mr. Hogan will email the listing to board members for their convenience.

- What is the breakdown of literacy and math coaches throughout the district?  
There are 11 coaches; 1 ESL K-12, 1 Literacy and 1 Math in the middle schools, 3 Math and 5 Literacy in the elementary schools.

- How many AP courses are being offered at the High School?

There are 17 AP class offerings.

- What would the average class size be at the high school level and how many classes under enrolled in the district.

Class sizes are in the range of 25-30. Currently there are 168 classes with less than 15 students. The district will consolidate classes to reduce that number.

- Is the District required to pass a budget by April 13<sup>th</sup> or 15<sup>th</sup>? Are these reductions in concrete?

The budget presented to the voters has an exact dollar amount. The District has to be cautious in assumptions. If funding does not come through additional cuts may be necessary. The District is not permitted to spend more than the dollar amount approved by the voters. All budget reductions could be restored if funding increases.

- Do we know what students will be affected by the reduction of TA's in special education? Not until the IEP's are completed.

- In Tier II proposed reductions I appreciate the reduction in Travel & Conferences. It may be possible to reduce the Real Property Tax refund figure. Consideration of bargaining units agreeing to givebacks and doing their share during these difficult times would be very helpful. Also, interest payments might also be reviewed.

Mr. Egan noted there is a recommendation from the Superintendent to remove from consideration of the closing of two elementary schools. Following discussion, based on the various unknown factors, the board made a decision not to act on this item at this time.

### **OPPORTUNITY FOR PUBLIC COMMENT**

#### **Speaker list:**

Marlon Anderson	Maria Harple	Eugene Lorini	Jeanne Strazza
Heidi Arnaud	Kenya Jones	David MacLeod	Alex Streznewski
DeJohn Bell	Mary Kennedy	Catherine Malle Sipos	Stacy Thomas
Zachary Broderick	Tammie Keough	Kalair Marshall	Maria Torres
Brian Cady	Caleb LaBarge	Dan McGinn	Aminata Tounbow
Paula Fisher	Kathy LaBarge	Russell Miller	Shante Ware
Elijah Gipson	Rachel LaBarge	Vincent Rigoso	Anita Weklar
Marcella Green	Jim Lembo	Bruce Roter	
Robert Hansbrough	Tina Linden	Brian Steinmuller	

Public comment included pleas from students and parents to keep Eagle Point Elementary School and Philip Schuyler Achievement Academy open. These schools are important to the students and the community; the elimination of the reduction of School Nurse Teachers and the invaluable services they provide to our students; the reduction in the music program and how important music and art are to student achievement; concern over the overall impact of budget reductions to the exceptional programs that are offered in schools throughout the district; and a message from APSTA that our teachers are ready and willing to assist students from New Covenant during their transition to district schools.

## **FACILITIES PROJECT REPORT**

### **Approval of Change Orders**

Change orders for Arbor Hill Elementary School were presented for approval. Mrs. Gaffuri made a motion for approval. Mr. Morris seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Resolution to Approve Contracts Related to Furniture, Fixtures & Equipment (FF&E) for Arbor Hill Elementary School for purchase of FF&E and management and installation of school furniture was presented for approval. Mr. Morris made a motion for approval. Ms. Mackey seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

### **Resolutions for Albany High School Renovations**

The following resolutions were submitted for approval:

#### **SEQRA RESOLUTION**

**WHEREAS**, the Board of Education of the City School District of Albany (“Board”) has proposed to undertake certain interior renovations and improvements to its existing school facilities known as the Albany High School, including flooring upgrades, locker replacements, ceiling tile replacement, painting, fixture replacement, and security system upgrades (“the Project”); and

**WHEREAS**, the Board wishes to fully comply with its obligations under the State Environmental Quality Review Act (“SEQRA”) and the regulations thereunder with respect to the proposed action; and

**WHEREAS**, the Board has carefully considered the nature and scope of the proposed action; and

**WHEREAS**, upon review of the foregoing, the Board makes the following determinations:

1. The proposed action involves certain interior renovations and improvements to its existing school facilities.
2. The proposed project represents maintenance or repair involving no substantial changes in an existing facility or structure within the meaning of 6 NYCRR 617.5(c)(1); and/or alternatively the replacement, rehabilitation or reconstruction of a structure or facility in kind within the meaning of 6 NYCRR 617.5(c)(2); or alternatively, a routine activity of an educational institution, including the expansion of existing facilities by less than 10,000 square feet, within the meaning of 6 NYCRR § 617.5(c)(8).
3. The proposed action will in no case have a significant adverse impact on the environment based on the criteria contained in 6 NYCRR § 617.7(c), and is not otherwise a Type I action as defined by 6 NYCRR § 617.4.
4. The proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and is therefore not subject to review under SEQRA and the regulations thereunder.

**NOW THEREFORE BE IT RESOLVED**, that the Board finds and concludes that the proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and therefore is not subject to review under SEQRA and the regulations thereunder.

**RESOLUTION OF NECESSITY**

A RESOLUTION SPECIFYING THE NECESSITY FOR THE RECONSTRUCTION OF ALBANY HIGH SCHOOL BUILDING, SITE WORK THREAT AND THE ACQUISITION OF ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY OR APPARATUS REQUIRED FOR THE PURPOSE FOR WHICH SUCH RECONSTRUCTED BUILDING IS TO BE USED, SUCH FACILITIES LOCATED IN THE CITY OF ALBANY, ALBANY COUNTY, NEW YORK.

WHEREAS, it is the judgment of the Board of Education of the City School District of the City of Albany, Albany County, New York, that the needs of the City School District of the City of Albany (the “District”) require the reconstruction, abatement, replacement and improvement of Albany High School (collectively, the “Project”), which facility is located in the City of Albany and located within the City School District of the City of Albany, in order for the District to continue to utilize said District facilities as school and related facilities; and

WHEREAS, the Board of Education of the District has been presented with proposals for the aforesaid Project at a maximum estimated cost of not to exceed \$7,650,000, the components of which are more particularly set forth in Schedule “A” annexed hereto and made part hereof; and

WHEREAS, Section 2512 of the Education Law requires that whenever in the judgment of the Board of Education a building or property, or both, are to be reconstructed, constructed or otherwise improved, such Board of Education shall prepare a resolution specifying, in detail, the necessity therefor and the estimated cost of the funds necessary for such purposes;

NOW, THEREFORE BE IT RESOLVED, by the Board of Education of the City School District of the City of Albany, Albany County, New York, as follows:

**Section 1.** It is determined that the Project, as more fully described in the preamble hereof and as set forth in Schedule “A”, as School District facilities, is necessary in order to enhance and improve the health and welfare of the students and staff.

**Section 2.** It is hereby estimated that the amount of funds necessary for the aforesaid purposes are as set forth in the preamble hereof and shall not exceed the sum of \$7,650,000.

**Section 3.** This resolution shall take effect immediately.

**Schedule A**

Summary of Potential Scopes of Work:

Urgent & Critical Health & Wellness Building Improvements:

- a. General corridor and classroom upgrades
- b. General upgrades to physical education areas and locker rooms
- c. Replacement of select common area and classroom doors and hardware
- d. Roof repairs and select replacement
- e. General upgrades to mechanical and electrical systems
- f. General upgrades to bathroom areas
- g. Select window replacement
- h. General maintenance and upkeep of the exterior building envelope

**RESOLUTION TO AMEND BOND RESOLUTION**

AMENDMENT DATED MARCH 30, 2010 TO THE BOND RESOLUTION DATED APRIL 1, 2003 OF THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF THE CITY OF ALBANY AUTHORIZING THE AMENDMENT OF THE PURPOSES TO INCLUDE THE RECONSTRUCTION OF PHASE 1 PROJECTS AT ALBANY HIGH SCHOOL, AT AN ESTIMATED ADDITIONAL MAXIMUM COST OF \$7,650,000, THE ISSUANCE OF AN ADDITIONAL NOT TO EXCEED \$5,676,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION TO FINANCE THE SAME, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$1,974,000 OF AVAILABLE FUNDS, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, pursuant to an amended and consolidated bond resolution duly adopted by the Board of Education of the City School district of the City of Albany (the "School district") on April 1, 2003 (the "Bond Resolution"), the Board of Education approved the issuance of not to exceed \$148,340,775 aggregate principal amount of serial general obligation bonds to finance the construction of new School District buildings, construction of additions to and reconstruction of various School District buildings and the acquisition of 75 Watervliet Avenue (collectively, the "Purpose"), at an estimated maximum cost of \$148,340,775 and the levy of a tax in annual installments in payment thereof; and

WHEREAS, the Board of Education desires to amend the Bond Resolution to authorize (a) an amendment to the Purpose to include Phase 1 reconstruction projects at Albany High School, (b) an increase in the maximum aggregate cost of the Purposes of \$7,650,000; (c) the expenditure for the Purpose of an additional \$7,650,000, including the expenditure of \$1,974,000 of available funds; (d) the levy of the necessary tax therefor taking into account state aid received and the expenditure of available funds, to be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education; and (e) in anticipation of the collection of such tax, the issuance of bonds and notes at one time or from time to time in the additional principal amount not to exceed \$5,676,000;

NOW THEREFOR BE IT RESOLVED BY THIS BOARD OF EDUCATION THAT THE FOLLOWING SHALL CONSTITUTE AN AMENDMENT TO THE BOND RESOLUTION:

Section 1. In addition to the Purpose, as defined above and in the Bond Resolution, the School District shall reconstruct Albany High School, including site work, and acquire original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed building is to be used at an additional maximum cost of \$7,650,000, as more particularly described in Section 3 hereof.

Section 2. The School District is hereby authorized to (A) expend \$1,974,000 of available funds and (B) issue additional serial general obligation bonds (the "Bonds") in the aggregate additional principal amount of not to exceed \$5,676,000 pursuant to the Local Finance Law of New York.

Section 3. The class of objects or purposes to be financed pursuant to the Bond Resolution and this Resolution (the "Purpose") shall include the reconstruction of Albany High School, including site work thereat, and the acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed building is to be used.

Section 4. It is hereby determined and declared that (a) the maximum additional cost of the Purpose, as estimated by the Board of Education, is \$7,650,000, (b) other than as provided in the Bond Resolution, no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the District plans to finance the additional cost of the Purpose from available funds in the amount of \$1,974,000, funds received from the State of New York as building aid and funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 97 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is thirty (30) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said President of the Board of Education, consistent with the provisions of the Local Finance Law.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the President of the Board of Education. The President of the Board of Education is hereby authorized to sign and the District Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the School District.

Section 8. The faith and credit of the School District are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the District, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the declaration of the School District's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

Section 10. This Resolution, when effective, shall be published in full by the District Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the District. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution shall become effective immediately, the implementation of which shall be subject to and conditioned upon approval thereof by the voters of the School District at the annual meeting of such voters.

The public was provided background information relative to this renovation project that is proposed to take place at Albany High School. These renovations will be funded through various funding sources, with no impact on taxpayers.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

### **ROUTINE CONSENT**

Routine Consent Items were presented as follow: Proceedings of Meetings (March 4, 2010 and March 18, 2010); Appointments, Administrative Appointments, Miscellaneous, Corrections; Leaves of Absence; Retirement; Attendance at Conferences; Field Trips; Treasurer's Report; Budget Transfers under \$10,000; Budget Transfers over \$10,000; Revenue Status Report – 02/28/10; Appropriation Status Report – 02/28/10; Real Property Tax Adjustments; Central Treasurer's Report for Extra Classroom Activity Fund; Health Services Contract (Guilderland Central School District and Rensselaer City School District); Authorization to Enter Into Contracts; Resolutions; Approve Administrative Appointment Extension, Approve Participation in 485-a Property Tax Program, Approve Donation of Laptop PCs, Approval of Resolution to Appoint Inspectors, Approval of Resolution for Library Propositions, Approval to Sell Philip Livingston Magnet Academy, Approve of Philip Livingston Magnet Academy Proposition on May Ballot, Approval of Legal Notice for Publication. Ms. Mackey made a motion for approval. Ms. Doesschate seconded the motion. Mr. Morris requested that the Resolution to Sell Philip Livingston magnet Academy be set aside. Ms. Mackey requested that Proceedings of Meetings (March 4, 2010 & March 18, 2010 be set aside.

The board voted unanimously (7-0) to approve the motion absent those items set aside.

Motion passed.

Ms. Doesschate made a motion to approve the Resolution to Sell Philip Livingston Magnet Academy. Mrs. Gaffuri seconded the motion. Mr. Morris requested clarification as to where the proceeds from the sale of the building would be directed. Is the district obligated to pay the bonds related to the original facilities project? Following discussion it was determined that issue would be investigated. Ms. Mackey requested that the two resolutions be separated for action. The following resolution was presented for approval:

### **RESOLUTION APPROVAL TO SELL PHILIP LIVINGSTON MAGNET ACADEMY**

**WHEREAS**, the Albany City School District, as part of the reorganization of its school programs, has consolidated its middle school programs; and

**WHEREAS**, the Board of Education has determined that in the best interests of the District, and in accordance with its long range plan, it will operate fewer facilities; and

**WHEREAS**, as part of the consolidation of its middle school programs, the number of middle school buildings has been reduced from three (3) buildings to (2) buildings; and

**WHEREAS**, the Board of Education has determined that the certain District buildings are no longer of use or value to the District;

**WHEREAS**, the Board of Education has approved the permanent closure of the building effective June 30, 2010; and

**BE IT FURTHER RESOLVED**, that the Board of Education hereby authorizes the sale of the following buildings in amounts no less than indicated below, less any usual and customary closing costs, subject to voter approval: Philip Livingston Magnet Academy \$4,500,000

The board voted 6 ayes, 0 nays and 1 abstention. Ms. Mackey abstained.

Motion passed

Mrs. Gaffuri presented the following resolution for approval:

**PROPOSITION FOR SALE OF 315 NORTHERN BOULEVARD  
(PHILIP LIVINGSTON MAGNET ACADEMY)**

**BE IT RESOLVED** that the Board of Education of the City School District of Albany hereby authorizes the placement of the following proposition before the voters at the May 18, 2010 School District Election for the sale of the real property commonly known as the Philip Livingston Magnet Academy at 315 Northern Boulevard., in the City of Albany.

Shall the Board of Education of the City School District of Albany be authorized to sell the real property commonly known as Philip Livingston Magnet Academy, located at 315 Northern Boulevard, Albany, NY for a selling price not less than \$4,500,000?

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Ms. Mackey made a motion to approve proceedings of March 4, 2010 and March 18, 2010. Mrs. Gaffuri seconded the motion. Ms. Mackey noted that the listing of attendees did not include the newest member of the board, Edith Leet. The addition will be made to the official proceedings.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

**BOARD COMMITTEE REPORTS**

None

**BOARD MEMBER ITEMS**

Mrs. Brandon noted that due to time constraints, the agenda item of Attendance Zones on the March 18<sup>th</sup> agenda was omitted. This item will need to be scheduled on a future agenda. This will again be presented following the completion of the budget process.

**Adjournment**

There being no further business, Ms. Mackey made a motion to adjourn. Mrs. Brandon seconded the motion. Meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Catherine Cutting