

**BETHPAGE UNION FREE SCHOOL DISTRICT
Bethpage, New York
BOARD OF EDUCATION
SPECIAL Meeting**

January 12, 2016 7:30PM– Administration Building District Conference Room

Michael Kelly called the meeting to order 7:30PM and led everyone in the Pledge of Allegiance.

Present: Michael Kelly, President; Anna Israelton, John Lonardo, James McGlynn, Kurt Spears and Marie Swierkowski

Absent: Sandra Watson, Vice-President

Also Present: Terrence Clark, Superintendent and Caroline E. Lavelle, Assistant Superintendent for Human Resources; Joseph Marchesiello, Assistant Superintendent for Business; David Schneider, Assistant Superintendent for Instruction and Technology; Patricia Hantzidiamantis, Executive Director of Pupil Personnel Services; Laura Granelli, Esq., Jaspan, Schlesinger, LLC. ; and Laurie Baum, District Treasurer

No members of the community were present.

ACTING DISTRICT CLERK

MOTION by Mrs. Israelton, seconded by Mr. McGlynn, that the Board of Education appoint David Schneider as acting District Clerk.

All aye. Motion carried (6-0).

BOARD ENTERS EXECUTIVE SESSION

MOTION by Mrs. Israelton, seconded by Mr. McGlynn, that the Board enter into Executive Session for purposes of discussing the 2015-2016 tax levy.

All aye. Motion carried (6-0).

The Board enters Executive Session at 7:33PM.

BOARD EXITS EXECUTIVE SESSION AND RECONVENES PUBLIC SESSION

MOTION by Mrs. Israelton, seconded by Mr. McGlynn, that the Board exits Executive Session and reconvene Public Session.

All aye. Motion carried (6-0).

The Board exits Executive Session and reconvenes Public Session at 8:13PM.

ADDENDUM TO SPECIAL/AGENDA MEETING AGENDA
TUESDAY, JANUARY 12, 2016

The following resolution was voted on when Public Session reconvened:

LIPA REFORM ACT

MOTION by Mrs. Israelton, seconded by Mr. McGlynn,

WHEREAS, pursuant to the LIPA Reform Act of 2013, NY Public Authorities Law 1020-q, (LIPA Reform Act) LIPA is obligated to make payments in lieu of taxes (PILOTs) to municipalities and school districts equal to the tax assessments which would have otherwise been received for properties that were once owned by LILCO and transferred to LIPA; however, commencing with January 1, 2015, and for each calendar year thereafter, such PILOTs shall not exceed the previous year's PILOT payment by more than two percent; and

WHEREAS, as part of its implementation of the LIPA Reform Act, on or about September 30, 2015, Nassau County unilaterally reduced the authorized 2015-2016 school district tax levies and removed LIPA properties from the 2015-2016 tax assessment rolls, instead deeming them statutory PILOTs; and

WHEREAS, a number of consequences have resulted from the LIPA Reform Act and particularly Nassau County's implementation of the LIPA Reform Act, which pose significant fiscal concern for the Bethpage Union Free School District (District); and

WHEREAS, while the District through its representatives has been attempting to work cooperatively with Nassau County to address those concerns, it recognizes that it must preserve its rights to pursue legal action, if necessary, in order to protect the interests of the District;

NOW THEREFORE, the Board of Education of the District hereby authorizes the District's legal counsel, Jaspan Schlesinger LLP to take all necessary and appropriate action, including without limitation commencing legal action against the parties named in confidential attachment "A", to protect the District's interests with respect to the implementation of the LIPA Reform Act and all acts leading up to and flowing therefrom; and further authorizes the Board President or the Superintendent of Schools to execute any and all documents attendant thereto on its behalf; and

BE IT FURTHER RESOLVED THAT the Board President is hereby authorized to monitor the status of any efforts to reach a Tolling Agreement and to make a determination, with any appropriate input from legal counsel, that such Tolling Agreement adequately protects the District's interest, and that if the Board President determines that a timely and mutually agreeable Tolling Agreement is reached and that said agreement adequately protects the District's interest, the President is authorized to sign it on the Board's behalf.

All aye. Motion carried (6-0).

ADJOURNMENT

MOTION by Mrs. Israelton, seconded by Mr. Lonardo, that the Board of Education adjourn the Special Meeting.

The Board adjourned the Special Meeting at 8:17PM.

Respectfully submitted,

Elena Becker
District Clerk

David Schneider
District Clerk Pro Tem