

OLEAN CITY SCHOOL DISTRICT
410 West Sullivan Street
Olean, NY 14760

The Special Meeting of the Board of Education of the City School District of Olean, NY was held on Tuesday, September 22, 2014, at 12:00 p.m. in the Board Room of the Olean High School located at 410 West Sullivan Street, Olean, NY. The meeting was called to order by John Bartimole, President of Board, with a moment of silent prayer or personal reflection. Laurie Branch led the Board of Education in the Pledge of Allegiance to the Flag. Videoconferencing at the Hilton Grand Vacations Suites Lobby, 2650 Las Vegas Boulevard South, Las Vegas, Nevada 89109 and the High School Board Room, 410 West Sullivan Street. Open to the public.

PRESENT: John Bartimole, President
Paul Knieser, Vice President
Laurie Branch
Paul Hessney (arrived at 12:02)
Ira Katzenstein (via videoconferencing)
Michiko McElfresh (arrived at 12:05)
Frank Steffen, Jr.

ABSENT: Michael Martello (excused)
James Padlo (excused)

STAFF PRESENT: Kathleen Elser, Business Administrator
Victoria L. Zaleski-Irizarry, District Clerk
Mia O'Brien, Director of Human Resources

OTHERS:

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Moved by L. Branch, seconded by L. F. Steffen, Jr., to approve the proposed Meeting Agenda.

Agenda Approval

Ayes 5

Nays 0

Motion Carried

Public Comment:

None

Public Comment

Moved by P. Knieser, seconded by L. Branch, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to award the bid for the Phase V of the capital project, Washington West Improvements to lowest bidder, Highland Acres Landscaping, with base bid of \$172,650 and alternate #1 at \$11,800.

Washington West
Improvements Bid
Awarded to
Highland Acres
Landscaping

Ayes 5

Nays 0

Motion Carried

Moved by L. Branch, seconded by F. Steffen, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the Memorandum of Agreement between the Olean City School District and the Olean Teachers' Association regarding coaches equally dividing combined compensation for coaching.

OTA MOA
Regarding
Combined
Compensation for
Coaching
Approved

Ayes 6

Nays 0

Motion Carried

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

Benderson
Development Tax
Assessment
Settlement
Adopted

WHEREAS, TOPS Markets, LLC leases a retail plaza located at 2501-11 West State Street in the City of Olean;

WHEREAS, TOPS Markets, LLC subleases a portion of the plaza to Benderson Development;

WHEREAS, Benderson Development has filed tax assessment challenges relating to the property located at 2501-11 West State Street in the City of Olean;

WHEREAS, the Benderson tax assessment cases pending against the City and School District are for the 2011-2012, 2012-2013, 2013-2014 and 2014-2015 tax years;

WHEREAS, TOPS Markets, LLC has also filed tax assessment proceedings and those cases are pending for the 2013-2014 and 2014-2015 tax years;

WHEREAS, the proceedings seek reductions in assessed valuations from \$6,900,000 to \$6,000,000 as well as tax refunds plus retroactive interest for all four years;

WHEREAS, one of three storefronts leased to Benderson has been vacant for some time since Blockbuster went bankrupt and the anchor tenant in the plaza, Tops Markets, has recently negotiated a lease extension with a lower annual rent payment;

WHEREAS, Benderson Development has obtained an appraisal from appraiser Howard Schultz valuing the property at \$5,400,000;

WHEREAS, a settlement has been proposed in which the assessment on the property will be lowered from \$6,900,000 to \$6,000,000 for the 2014-2015 tax year and the following three tax years and Benderson Development will withdraw and discontinue the 2011-2012, 2012-2013 and 2013-2014 tax cases and TOPS Markets, LLC will withdraw and discontinue its 2013-2014 tax case

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and both entities will waive all City and School District tax refunds;

WHEREAS, the City Assessor believes the assessment reduction is reasonable based upon the reduced lease payment and storefront vacancy;

WHEREAS, in addition to avoiding potential substantial tax refunds, the settlement will save the City and School District significant litigation and appraisal costs as well as additional financial exposure if the case proceeds 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 on the property located at 2501-11 West State Street in the City of Olean from \$6,900,000 to \$6,000,000 for the 2014-2015 tax year, waiving all School District tax refunds for the 2011-2012, 2012-2013 and 2013-2014 tax years and authorizing the issuance of a revised 2014-2015 school tax bill reflecting the revised assessment, is hereby approved.

Ayes 6

Nays 0

Motion Carried

Coach Stipend for
Paul Ksionzyk
Amended

Moved by L. Branch, seconded by F. Steffen, Jr., upon the recommendation of Colleen Taggerty, Superintendent of Schools, to amend the Extra-Curricular stipend for Paul Ksionzyk, Varsity Cross Country Coach, approved at the September 16, 2014 , 2014 BOE meeting from \$3,943.00 to \$3,165.00.

Ayes 6

Nays 0

Motion Carried

Coaching
Appointment
Approved

Moved by P. Knieser, seconded by P. Hessney, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to approve the following Coaching Appointment for the 2014-2015 school year:

Bob Ring

Modified Cross Country

.0759

\$3,165.00

Ayes 6

Nays 0

Motion Carried

Retirement
Resignation of
Maureen DiPietro
Accepted With
Regret

Moved by L. Branch, seconded by F. Steffen, Jr., upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the retirement resignation of Maureen DiPietro, Teacher Aide, with regret, effective October 10, 2014.

Ayes 6

Nays 0

Motion Carried

Resignation of
Sheila Yafee,
OIMS Student
Activity Treasurer
Accepted

Moved by P. Knieser, seconded by P. Hessney, upon the recommendation of Colleen Taggerty, Superintendent of Schools, to accept the resignation of Sheila Yaffe, OIMS Student Activities Treasurer, effective September 23, 2014.

Ayes 5

Nays 1

Motion Carried

(P. Hessney – would like to see an interim replacement appointed until a permanent replacement is appointed)

Adjournment

Moved by L. Branch, seconded by M. McElfresh, to adjourn the meeting at 12:06 p.m.

Ayes 7

Nays 0

Motion Carried

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Respectfully submitted,

Victoria Zaleski-Irizarry
District Clerk

Dated: September 25, 2014