

AGENDA ITEMS

BOARD OF EDUCATION PRESIDENT

- A. First Reading of New Policy –
Title VI Non-Discrimination and Anti-Harassment

Newburgh Board of Education**Title VI - Non-Discrimination and Anti-Harassment**

***Title VI - Civil Rights Act
Non-Discrimination and Anti-Harassment in the Schools***

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by Federal and State law. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of discrimination and harassment on the basis of race, color, creed, religion, national origin by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding pursuant to Title VI of the Civil Rights Act, 42 U.S.C. Section 2000d, et seq. and 34 C.F.R. Part 100. This policy of nondiscrimination and anti-harassment will be enforced on School District premises, vehicles, in school buildings and at all school-sponsored events, programs and activities, including those that take place at locations off school premises and in another state.

It is intended that this policy apply to the dealings between or among employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the School District, as well as school volunteers, visitors, and guests. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion and national origin, that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the students access to an educational opportunity or benefit;

Policy Committee: February 8, 2012
First Reading: February 21, 2012

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Reference:

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin and 34 C.F.R. Part 100.

Education Law Section 2801(1)

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Newburgh Board of Education**Title VI – Non-Discrimination & Anti-Harassment**

- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

District staff who observe any such harassment should intervene to stop the harassment and thereafter report the matter to a District Compliance Officer.

Complaints and Grievances by Employees

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Complaints and Grievances by Students and Other Third Parties

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal.

Administration shall be responsible for establishing rules and regulations for the redress of complaints or grievances through proper administration channels. In addition, the District shall develop an appeals process, ensuring that students, employees, volunteers, vendors/contractors, visitors and guests have full understanding and access to these regulations and procedure, and providing prompt, thorough and equitable consideration and determination of student complaints and grievances.

Investigation of Complaints and Grievances

The School District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment. The District will designate, at a minimum, two (2) Compliance Officers.

In order for the Board to enforce this policy, and to take corrective measures as may be

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Newburgh Board of Education**Title VI – Non-Discrimination & Anti-Harassment**

necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of harassment in the school environment and/or at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to a District designated Compliance Officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged harassment will also be promptly investigated in accordance with the terms of this policy. In the event that a Compliance Officer is the alleged offender, the report will be directed to another Compliance Officer.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, fair and thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidential and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a “need to know” basis. The Superintendent will inform the Board of Education of investigations involving findings of discrimination or harassment.

Based upon the results of this investigation, if the District determines that an employee, vendor/contractor, volunteer, guest, visitor or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender’s employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors/contractors or guests) who are found to have violated this policy and/or accompanying regulations and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior

The Board, consistent with the prohibition set forth in Title VI of the Civil Rights Act, prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any

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Newburgh Board of Education**Title VI – Non-Discrimination & Anti-Harassment**

other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District regulation referenced in this policy.

Legal Avenues of Recourse

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate student and/or staff awareness and training, as applicable, to help ensure that the school environment is not conducive to fostering harassment.

In all cases, the Superintendent will inform the Board of Education of his/her findings regarding an informal or formal complaint.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of discrimination or harassment may also face appropriate disciplinary action.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Compliance Officer

The District's Compliance Officers are the District's Assistant Superintendent of Human Resources, the Executive Director of Human Resources and such other individuals as may be designated by the Board of Education in the event of the unavailability of the Compliance Officers. The Compliance Officers shall be appointed by the Board and shall be responsible for providing information, including complaint procedures, and for handling complaints relative to harassment for any student, parent, employee or third parties as described in this policy.

Policy Committee: February 8, 2012

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First Reading: February 21, 2012

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Newburgh Board of Education**Title VI – Non-Discrimination & Anti-Harassment**

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardian, employees and the general public of this Policy and its grievance procedures for resolving complaints of harassment. Included in such announcement will be the name, address and telephone number of the Compliance Officers.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigation, and remedying allegations of harassment based on the characteristics described above. An appeal procedure will also be provided therein to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer(s). Such regulations will be developed in accordance with Federal and State law as well as any applicable collective bargaining agreement(s).

Training and/or “awareness” programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools as addressed in this Policy, and to disseminate information about preventative measures to help reduce such incidents of prohibited conduct. Training will be provided to all designated Compliance Officers regarding the investigation of said harassment complaints.

A copy of information about this Policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District’s policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and on the District’s website.

This policy should not be read to abrogate other District policies and/or regulations or the District Code of Conduct prohibiting other forms of unlawful discrimination and, inappropriate behaviors. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities.

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AGENDA ITEMS

SUPERINTENDENT

- A. Report from the Superintendent - -**
*Presentations: Division of Human Resources –Goals and Strategic Objectives
Mary Ellen Leimer & Michael McLymore*

- B. Resolution to Approve Facilities Project Change Orders Associated with Approved Projects:** *(NFA Renovation Project, NFA-Autobody Project & HOH Renovation Project); (South MS Renovation Project); (GAMS Renovation Project & GAMS Science Room Renovation Project) and (Vails Gate Renovation Project Set 1 & Set 2 and Gardnertown Renovation Project)*

- C. Resolution to Award Contract #1 for Replacement of Interior Bleachers, Provide Gym Divider and Provide Locker Room Alterations at Heritage Middle School to Transitional Builders, Inc., as the Lowest Responsible Bidder for the Project**

- D. Resolution to Award Contract #1 for Gym Floor Replacement at Fostertown School to Profex, Inc., as the Lowest Responsible Bidder for the Project**

- E. Resolution that the Board of Education Determines that the Replacement of the Existing Exterior Entry Stair Located at Temple Hill Elementary School is a Type II Action in Accordance with SEQRA Regulations and Will Not Have Any Adverse Environmental Impacts**

**Newburgh Enlarged City School District -- \$76.5M EXCEL Aid Project
Construction Change Order Approval & Authorization Summary
for the February 28, 2012 Board of Education Meeting**

RESOLVED, that the Board of Education hereby approves the following change orders associated with each of the approved projects pursuant to the recommendation and prior approval of the Owner's Representative and the Superintendent in accordance with the District Change Order Commitment Approval & Authorization Process.

<u>Change Order #</u>	<u>Description</u>	<u>Change Order Amount</u>	<u>Previous Contract Amount</u>	<u>Revised Contract Amount</u>
<u>A. NFA-Renovation (Project 001-020), NFA-Autobody (Project 004-003) & HOH-Renovation (Project 017-012)</u>				
1. Napp Electric Contractor Company Inc.				
7	NFA: Additional equipment required to complete the fire alarm scope as directed by the Architect per the district's request.	\$46,784.55	\$580,343.22	\$627,127.77
TOTAL NFA-Ren. (Project 001-020), NFA-Autobody (Project 004-003) & HOH-Ren. (Project-017-012)		\$46,784.55		
<u>B. South Junior High School- Renovations Project (003-015)</u>				
1. Profex Inc.-General Contract				
33	Provide additional time required for scheduled construction related activities to overcome delays caused by academic scheduling conflicts associated with unplanned evening school events as directed by the Architect per the district's request.	\$5,959.97	\$2,566,366.27	\$2,572,326.24
34	Repair of deteriorated existing concrete sill in Corridor D202 below type 19 windows adjacent to room 217 as directed by the Architect due to a discovered condition.	\$1,022.97	\$2,572,326.24	\$2,573,349.21
35	Provide additional dumpsters for disposal of NECSO furniture and miscellaneous materials during summer break as directed by the Architect per the district's request.	\$4,134.83	\$2,573,349.21	\$2,577,484.04
36	Demolition of existing deteriorated wall along Room 217 corridor side and replacement with designated rated wall as directed by the Architect due to a discovered condition.	\$1,384.61	\$2,577,484.04	\$2,578,868.65
37	Repair of deteriorated existing concrete sill at Nurses office exterior new wall and windows to allow framing installation as directed by the Architect due to a discovered condition	\$1,448.05	\$2,578,868.65	\$2,580,316.70
38	Provide and install new countertop n Room 218a, modifications made due to room layout changes for program changes as directed by the Architect per the district's request	\$2,314.67	\$2,580,316.70	\$2,582,631.37
39	Modify existing casework for the installation of temporary fin tube heating elements and later for installation of permanent univent in Room 118, modifications were necessary due to the program changes as directed by the Architect per the district's request.	\$2,627.67	\$2,582,631.37	\$2,585,259.04
2. Vardon, Inc.				
12	Provide control valves for 14 existing unit ventilators as directed by the Architect per the district's request.	\$5,336.10	\$655,189.78	\$660,525.88
13	Relocate roof top condenser and associated refrigeration piping to Music room roof as directed by the Architect due to a discovered condition.	\$2,035.51	\$660,525.88	\$662,561.39
14	Provide demolition of existing water supply and waste lines below slab at the science rooms as directed by the Architect per the district's request.	\$1,204.67	\$662,561.39	\$663,766.06
15	Reclaim freon, evacuate and remove two split systems at main Nurse's Office and Conference Room 127 as directed by the Architect due to a discovered condition.	\$2,970.00	\$663,766.06	\$666,736.06
16	Replace fin tube radiation in corridor D 2002 by Stair S4. Provide new radiator trap and steam control valve as directed by the Architect due to a discovered condition.	\$2,338.88	\$666,736.06	\$669,074.94
17	Located plumbing lines and shutoffs in crawl space. Capped off hot, cold and waste water line to old sink in Art room 116 as directed by the Architect per the district's request.	\$658.84	\$669,074.94	\$669,733.78
TOTAL SJHS-Renovations (Project 003-015)		\$33,436.77		
<u>C. GAMS-Renovation Project (006-009)</u>				
1. Key Interiors, LLC				
13	Provide infill framing for vertical unit ventilators louvers at masonry wall penetrations, Crumbling backup required removal and replacement with cold formed metal framing at new penetrations as directed by the Architect due to a discovered condition.	\$1,427.90	\$2,781,607.09	\$2,783,034.99
14	Temporary infill at windows at louver removal for window replacement at a later date as directed by the Architect due to a discovered condition.	\$709.51	\$2,783,034.99	\$2,783,744.50
15	Remove existing steel pour stop at slab edge for Phase 4 -2nd floor as directed by the Architect due to a discovered condition.	\$2,350.00	\$2,783,744.50	\$2,786,094.50
16	Remove and replace water damaged ACT tile Phase 2 and 3 as directed by the Architect per the district's request.	\$2,085.21	\$2,786,094.50	\$2,788,179.71
17	Provide additional casework and cabinetry for science rooms not available from state contract bid list as directed by the Architect per the district's request.	\$10,349.43	\$2,788,179.71	\$2,798,529.14
2. Napp Electric Contractor Co, Inc.				
9	Credit for approved cable substitution from armor jacket to aluminum jacket on all MC cables as directed by the Architect per the district's request.	(\$3,675.00)	\$1,129,063.25	\$1,125,388.25

10 Provide additional fire alarm strobe devices in classrooms in basement room 001 and 001a as directed by the Architect due to an omission by the engineer in the contact documents.	\$787.64	\$1,125,388.25	\$1,126,175.89
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TOTAL GAMS: Renovation (Project 006-009)	<u>\$14,034.69</u>
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D. GAMS-Science Room Renovation Project (006-010)

1. Lombardo Plumbing & Heating Co, Inc.

1 Credit for reduction of saw cutting and trenching at slab as directed by the Architect due to a discovered condition.	(\$13,700.00)	\$154,000.00	\$140,300.00
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TOTAL GAMS: Science Room Renovation (Project 006-010)	<u>(\$13,700.00)</u>
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E. Vailsgate-Renovation-Set 1 (Project 018-005), Vailsgate-Renovation-Set 2 (Project 018-007) & Gardnertown-Renovation (Project 019-008)

1. Environmental Construction Inc.

3 VG-Set 2-Remobilize to perform the removal of the existing trapezoidal windows at the entry corridor as directed by the Architect per the district's request.	\$2,500.00	\$341,778.00	\$344,278.00
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2. Profex, Inc.

10 VG-Set # 2-Install new trapezoidal windows to replace the existing windows at the entry corridor as directed by the Architect per the district's request.	\$35,904.00	\$1,555,856.00	\$1,591,760.00
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11 VG-Set # 1-Installed new supply valves, supply lines abs drains at nine classroom locations in order to properly install new classroom sinks as directed by the Architect per the district's request.	\$8,906.00	\$1,591,760.00	\$1,598,666.00
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TOTAL Vailsgate-Ren. Set-1(Project 018-005), Vailsgate-Ren.-Set-2 (Project 018-007) & Gardnertown-Ren. (Project-019-008)	<u>\$45,310.00</u>
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Total Change Orders Approved for All Contractors Included in this Resolution:	<u>\$125,866.01</u>
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See the attached Change Order Summary Report for construction contractors on each of the above listed Projects.

Newburgh Enlarged City School District - EXCEL Facilities Project Change Order Approval Summary through 02/28/12 BOE Resolution

Updated: February 16, 2012

Vailsgate Elementary School-Set # 1-Renovation (Project No. 018-005)

Contractor	Original Contract Amount	Previous Change Orders	Current Change Orders	Revised Contract Amount
Profex, Inc. - General Contractor	\$336,510.00	\$143,456.50	\$6,906.00	\$486,872.50
Environmental Construction, Inc. - Asbestos Contractor	\$232,900.00	\$33,778.00	\$0.00	\$266,678.00
Unity Mechanical Corporation - HVAC Contractor	\$334,450.00	\$29,964.00	\$0.00	\$364,414.00
Power with Prestige - Electric Contractor	\$159,700.00	\$21,157.00	\$0.00	\$180,857.00
TOTAL Vailsgate-Set # 1-Ren CONSTRUCTION CONTRACTS:	\$1,063,560.00	\$228,355.50	\$6,906.00	\$1,298,821.50

Vailsgate Elementary School-Set # 2-Renovation (Project No. 018-007)

Contractor	Original Contract Amount	Previous Change Orders	Current Change Orders	Revised Contract Amount
Profex, Inc. - General Contractor	\$716,565.00	\$44,799.50	\$35,904.00	\$797,268.50
Environmental Construction, Inc. - Asbestos Contractor	\$38,300.00	\$2,500.00	\$2,500.00	\$43,300.00
Unity Mechanical Corporation - HVAC Contractor	\$0.00	\$0.00	\$0.00	\$0.00
Power with Prestige - Electric Contractor	\$6,800.00	\$977.00	\$0.00	\$7,777.00
TOTAL Vailsgate Set # 2-Renovation CONSTRUCTION CONTRACTS:	\$761,665.00	\$48,276.50	\$38,404.00	\$848,345.50

Gardintown Elementary School-Renovation (Project No. 019-008)

Contractor	Original Contract Amount	Previous Change Orders	Current Change Orders	Revised Contract Amount
Profex, Inc. - General Contractor	\$314,525.00	\$0.00	\$0.00	\$314,525.00
Environmental Construction, Inc. - Asbestos Contractor	\$34,300.00	\$0.00	\$0.00	\$34,300.00
Unity Mechanical Corporation - HVAC Contractor	\$33,310.00	\$0.00	\$0.00	\$33,310.00
Power with Prestige - Electric Contractor	\$216,600.00	\$0.00	\$0.00	\$216,600.00
TOTAL Gardintown- Ren CONSTRUCTION CONTRACTS:	\$598,735.00	\$0.00	\$0.00	\$598,735.00

Vailsgate-Set # 1-Ren-018-005 / Vailsgate-Set # 2-Ren-018-007 / Gardintown-Ren-019-008 Project

Contractor	Original Contract Amount	Previous Change Orders	Current Change Orders	Revised Contract Amount
Profex, Inc. - General Contractor	\$1,367,600.00	\$188,256.00	\$42,810.00	\$1,598,666.00
Environmental Construction, Inc. - Asbestos Contractor	\$305,500.00	\$36,278.00	\$2,500.00	\$344,278.00
Unity Mechanical Corporation - HVAC Contractor	\$367,760.00	\$29,964.00	\$0.00	\$397,724.00
Power with Prestige - Electric Contractor	\$383,100.00	\$22,134.00	\$0.00	\$405,234.00
TOTAL ALL CONSTRUCTION CONTRACTS:	\$2,423,960.00	\$276,632.00	\$45,310.00	\$2,745,902.00



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www.csarchpc.com

Memo

TO Board of Education
FROM Thomas Ritzenthaler
DATE February 15, 2012
PROJECT Newburgh Enlarged City School District
NFA/HOH 2011-2012 Renovations
CSArch Job # 09018.00

COMMENTS:

The following is a description of the change order that is on the agenda for approval by the Board of Education in February.

Newburgh Free Academy

Napp (NFA)

C.O. No. 7 (Owners Request) – After change order # 1 was accepted, the contractor notified the team that additional equipment would be required to complete the fire alarm scope. This change order identifies the balance of devices necessary to finalize the work. Refer to Change Order #1 for additional information.

SAMMEL
ARCHITECTURE

February 16, 2012

MEMORANDUM

To: Terry Damon - Armlin Damon and McMordie
From: David Hunsberger
Project: Newburgh Schools
Subject: 2012 Change Orders

The following provides the basis and history of this month's change orders:

A. South Junior High School Renovation Project (0-003-015)

1. Profex General Contractors

GC- 33 Owners Request

Premium time charges associated with construction activities scheduled to overcome delays caused by academic schedule conflicts associated with unplanned evening school events.

GC- 34 Discovered Condition

Repair of deteriorated existing concrete sill in Corridor D202 below type 19 windows adjacent to room 217.

GC-35 Owner Request

Provide additional dumpsters for disposal of NECSD furniture and miscellaneous materials during summer break.

GC-36 Discovered Condition

Demolition of existing deteriorated wall along Room 217 corridor side and replacement with designated rated wall.

GC-37 Discovered Condition

Repair of deteriorated existing concrete sill at Nurses office exterior new wall and windows to allow framing installation.

GC-38 Owners Request

Provide and install new countertop in Room 218a. Modifications made due to room layout changes for program changes.

SAMMEL
ARCHITECTURE

GC-39 Owners Request

Modify existing casework for the installation of temporary fin tube heating elements and later for installation of permanent univent in Room 118. Modifications were necessary due to the program changes.

2. Vardon Mechanical

MC-12 Owners Request

Provide control valves for 14 existing unit ventilators.

MC-13 Discovered Condition

Relocate roof top condenser and associated refrigeration piping to Music room roof due to a discovered condition.

MC-14 Owners Request

Provide demolition of existing water supply and waste lines below slab at the science rooms.

MC-15 Discovered Condition

Reclaim freon, evacuate and remove two split systems at main Nurse's Office and Conference Room 127.

MC-16 Discovered Condition

Replace fin tube radiation in corridor D 2002 by Stair S4. Provide new radiator trap and steam control valve.

MC-17 Owners Request

Located plumbing lines and shutoffs in crawl space. Capped off hot, cold and waste water line to old sink in Art room 116. Work completed to support program changes.

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B. GAMS Renovation Project (0-006-009)

1. Key Interiors

GC-13 Discovered Condition

Provide infill framing for vertical unit ventilators louvers at masonry wall penetrations. Crumbling backup CMU required removal and replacement with cold formed metal framing at new penetrations.

GC-14 Discovered Condition

Temporary infill at windows at louver removal for window replacement at a later date

GC-15 Discovered Condition

Remove existing steel pour stop at slab edge for Phase 4 second floor.

GC-16 Owners Request

Remove and replace water damaged ACT tile Phase 2 and 3.

GC-17 Owners Request

Provide casework and cabinetry for science rooms not available from state contract bid list.

2. Napp Electrical Contractor Co. Inc.

EC-09 Owners Request

Provide a credit for approved cable substitution from armor jacket to aluminum jacket on all MC cables.

EC-10 Omission from Engineer

Provide additional fire alarm strobe devices in classrooms in basement rooms 001 and 001a.

C. GAMS Renovation Project (0-006-010)

1. Joseph Lombardo Plumbing and Heating Co. Inc.

PC2-01 Discovered Condition

Provide credit for reduction of saw cutting and trenching for installation of sanitary tie ins.

Cc: file 0615-e, DS

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Change Order – Narrative

To: Board of Education – Newburgh Enlarged City School District
From: Joseph J. Minuta, RA
CC: The Palombo Group; Armlin Damon & McMordie; File
Pages: 1 of 1
Date: February 15, 2012
RE: Newburgh Enlarged City School District– Vails Gate Elementary School Renovation
SED#44-16-00-01-0-018-005 (Set 1) & SED#44-16-00-01-0-018-007 (Set 2)

COMMENTS:

The following is a description of the change orders that are on the agenda for approval by the Board of Education in February 2012.

Vails Gate Elementary School

Contractor: Environmental Construction, Inc.

CO-HM-003 – Trapezoidal Window Removal:

SED#44-16-00-01-0-018-007 (Set 2)

\$2,500

- A. Requested by: District.
- B. Relationship to Project Scope: Hazardous Materials Work Contract.
- C. Basis of Need (Changes Recommended by the Design professionals): The existing entry corridor trapezoidal windows were included as a part of the work included in a Window Alternate not accepted.
- D. Description of work: Remobilize to perform the removal of the existing trapezoidal windows at the entry corridor.

Respectfully Submitted,

Joseph J. Minuta, RA, AIA, NCARB, CACB
Principal RA/ Owner



554 TEMPLE HILL ROAD . NEW WINDSOR, NEW YORK 12553 . PH: 845.565.0055 FX: 845.565.6622 . EM: info@minutaarchitecture.com

Change Order – Narrative

To: Board of Education – Newburgh Enlarged City School District
From: Joseph J. Minuta, RA
CC: The Palombo Group; Armlin Damon & McMordie; File
Pages: 1 of 1
Date: February 15, 2012
RE: Newburgh Enlarged City School District– Vails Gate Elementary School Renovation
SED#44-16-00-01-0-018-005 (Set 1) & SED#44-16-00-01-0-018-007 (Set 2)

COMMENTS:

The following is a description of the change orders that were on the agenda for approval by the Board of Education in February 2012.

Vails Gate Elementary School

Contractor: Profex, Inc.

CO-GC-010- Trapezoidal Windows:

SED#44-16-00-01-0-018-007 (Set 2)

\$35,904.00

- A. Requested by: District.
- B. Relationship to Project Scope: General Work Contract.
- C. Basis of Need (Changes Recommended by the Design professionals): The existing entry corridor trapezoidal windows were included as a part of the work included in a Window Alternate not accepted.
- D. Description of work: Install new trapezoidal windows to replace the existing windows at the entry corridor.

CO-GC-011- Corrective Plumbing Work:

SED#44-16-00-01-0-018-005 (Set 1)

\$6,906.00

- A. Requested by: Construction Manager.

February 15, 2012

- B. Relationship to Project Scope: General Work Contract.
- C. Basis of Need (Changes in the work required to address discovered or unforeseen conditions): Existing classroom sink plumbing scheduled to remain was discovered to be in a deteriorated condition not suitable for reuse as determined by the Construction Manager upon the demolition of the existing surrounding casework.
- D. Description of work: The GC installed new supply valves, supply lines, and drains at nine (9) classroom locations as directed by the Construction Manager to properly install the new classroom sinks.

Respectfully Submitted,

Joseph J. Minuta, RA, AIA, NCARB, CACB
Principal RA/ Owner

RESOLUTION

WHEREAS, the Board of Education, in accordance with Article 5-A of the General Municipal Law, has invited sealed proposals for the furnishing of material and labor necessary for the District's capital construction renovation project to replace interior bleachers, provide gym divider and provide locker room alterations at Heritage Middle School, which proposals were opened publicly on February 10, 2012; and

THEREFORE, BE IT RESOLVED, that the Board of Education hereby determines that the following bidders are the lowest responsible bidders, for the projects identified herein:

Contract #1 – All work – Transitional Builders, Inc., 85 Market Street, Suite 300, Poughkeepsie, NY 12601 for total contract price of \$169,055.00.

BE IT FURTHER RESOLVED, that the Board of Education hereby awards the contracts to the bidders specified herein for the project, as set forth above, for the prices specified and in accordance with the plans and specifications for such public works projects, said contracts to be executed by the President of the Board of Education in a form to be approved by the District's legal counsel and to provide for the furnishing of the required security for the performance of said contracts (e.g., performance bond and labor and materials payment bond) in the amount of the individual contract prices and in the form specified in the Bid Documents.

February 21, 2012

RESOLUTION

WHEREAS, the Board of Education, in accordance with Article 5-A of the General Municipal Law, has invited sealed proposals for the furnishing of material and labor necessary for the District's capital construction renovation project to replace the gym floor at Fostertown School, which proposals were opened publicly on February 10, 2012; and

THEREFORE, BE IT RESOLVED, that the Board of Education hereby determines that the following bidders are the lowest responsible bidders, for the projects identified herein:

Contract #1 – All work – Profex, Inc., 264 North Plank Road, Newburgh, New York 12550. Base Bid (Floor Replacement) of \$90,500.00 and Add Alternate 1 (Gym Wall Pads) \$15,500.00 for total contract price of \$106,000.00.

BE IT FURTHER RESOLVED, that the Board of Education hereby awards the contracts to the bidders specified herein for the project, as set forth above, for the prices specified and in accordance with the plans and specifications for such public works projects, said contracts to be executed by the President of the Board of Education in a form to be approved by the District's legal counsel and to provide for the furnishing of the required security for the performance of said contracts (e.g., performance bond and labor and materials payment bond) in the amount of the individual contract prices and in the form specified in the Bid Documents.

February 21, 2012

SEQRA RESOLUTION – ENVIRONMENTAL IMPACT

WHEREAS, the Board of Education, in accordance with Article 8 of the New York State Environmental Conservation Law, as amended, and the New York State Department of Environmental Conservation promulgated there under (collectively "SEQRA"), the Board of Education (the "Board") is required to make a determination with respect to the environmental impact of any "Proposed Action" to be taken by the Board; and

WHEREAS, pursuant to SEQRA, the Board desires to determine whether the Proposed Action, the replacement of the existing exterior entry stair located at Temple Hill Elementary School, may have a significant adverse impact on the environment (as defined by SEQRA); and

WHEREAS, the Newburgh Enlarged City School District is required to act as Lead Agency for the Environmental Review of the School District construction projects under SEQRA and has considered the impacts to the environment of the Proposed Action; and

WHEREAS, the District has reviewed the scope of the Proposed Action and has further received and considered the advice of its architects with respect to the potential for environmental impacts resulting from proposed action; and

WHEREAS, the District has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR part 617.5(C);

THEREFORE, BE IT RESOLVED that the Board of Education hereby determines that the Proposed Action is a Type II action in accordance with the SEQRA regulations and will not have any adverse environmental impacts.

February 21, 2012

AGENDA ITEMS

ASSISTANT SUPERINTENDENT FOR STUDENT INTERVENTION AND SUPPORT SERVICES

- A. **Recommendations from the Committees on Special Education**
- B. **Resolution to Re-Certify the District's Plan for the Implementation of C.R. 100.11 Shared Decision Making and the 2012 Statement of Success**
- C. **Resolution to Approve Facility Use Requests:**
 - 1. **Centro Civico of Amsterdam/Youth Construction Initiative Program**
 - 2. **City of Newburgh Civil Service Commission**
 - 3. **New Windsor Soccer Club**
 - 4. **Orange County Department of Human Resources**
 - 5. **Quickstrike FC**
 - 6. **Town of Newburgh Recreation Department**
- D. **Resolution to Authorize the Superintendent of Schools to Execute an Initial Service Request Agreement with Putnam Northern Westchester BOCES to Provide Professional Development to Staff Members**
(Funding Source: IDEA Part B-Section 611)

**RESOLUTION
ADOPTION OF THE DISTRICT'S
PLAN FOR IMPLEMENTING C.R. REGULATION 100.11**

RESOLVED, that the Board of Education of the Newburgh Enlarged City School District re-certifies the District Plan for the Implementation of C.R. 100.11, Shared Decision-Making, with no changes to the plan, and the 2012 Statement of Success.

February 21, 2012

RESOLUTION

BE IT RESOLVED, that the Board of Education of the Newburgh Enlarged City School District hereby approves the use of school district facilities pursuant to the request submitted by each organization:

1. **Centro Cívico of Amsterdam/Youth Construction Initiative Program**
2. **City of Newburgh Civil Service Commission**
3. **New Windsor Soccer Club**
4. **Orange County Department of Human Resources**
5. **Quickstrike FC**
6. **Town of Newburgh Recreation Department**

February 21, 2012

NEWBURGH ENLARGED CITY SCHOOL DISTRICT
Summary of Facility Use Requests for BOE - School Year 2011-12

Requesting Organization/ Date of Authorized Signature	Request #/ Date and Time Rcvd	Deposit Rcvd	Facility Requested	Requested Area(s) of Facility	Request for an Event Planned for/ On Days of the Week Indicated	Time(s)	Reason for Use	Admission or Other Fees Will Be Charged/ Proceeds Will Go to:	Amount on Certificate of Insurance/ Coverage Dates	Restrictions on Requested Facility Area	Date of Principal's Signature/ Fees and Charges and Estimated Total Payable	To be Presented at BOE Workshop/ Meeting of (Date)	Days from BOE Work shop/ Mtg to Event
Centro Civico of Amsterdam/ Youth Construction Initiative Program/ 2/6/12	12-175 2/8/12 AM	Deposit Not Rcvd	NFA Main Campus	Construction Career Building Cafeteria North Rooms 146-147 Auditorium Parking Area in front of CC Academy	Thursday, 4/5/12	7 am to 4 pm	Bridge Building Competition	N	Not on File	None	2/11/12/ Room Usage: None Custodial OT: None Security OT: \$910 Lights/Sound OT: None Est Total: \$910	2/21/12	43
City of Newburgh Civil Service Commission/ 2/9/12	12-176 2/10/12 AM	N/A	NFA Main Campus	Lecture Room 1 Lecture Room 2 Humanities Cafeteria South Cafeteria Three classrooms	Saturday, 3/3/12 Saturday 3/10/12 (Snow date)	7:30 am to 1:30 pm	Newburgh Civil Service Exams	N	1 mil each occurrence/ 1/1/12-1/1/13	None	2/13/12/ Room Usage: None Custodial OT: None Security OT: None Lights/Sound OT: None Est Total: \$0	2/21/12	11
New Windsor Soccer Club/ 1/11/12	12-158 1/12/12 PM	N/A	Temple Hill Academy	Fields	Sunday, 4/1/12 to Saturday, 6/30/12 M-F and Sundays	5:30 pm to 7:30 pm; Sundays 12 noon to 5 pm	Games and related practices for New Windsor Soccer Club Teams	N	1 mil each occurrence/ 9/1/11-9/1/12	Available only on Sunday	1/19/12/ Room Usage: None Custodial OT: None Security OT: None Lights/Sound OT: None Est Total: \$0	2/21/12	39
Orange County Department of Human Resources/ 1/31/12	12-172 2/3/12 AM	Deposit Not Rcvd	NFA	Cafeteria South Humanities Cafeteria Cafeteria North (only if snow date)	Saturday, 4/28/12 Saturday, 5/5/12 (Snow date) Saturday, 5/12/12 Saturday, 6/2/12	8 am to 5 pm	Administer Civil Service Exams	N	1 mil each occurrence/ 8/1/11-8/1/12	None	2/6/12/ Room Usage: None Custodial OT: \$570 Security OT: \$1,755 Lights/Sound OT: None Est Total: \$2,325	2/21/12	66

NEWBURGH ENLARGED CITY SCHOOL DISTRICT
Summary of Facility Use Requests for BOE - School Year 2011-12

Requesting Organization/ Date of Authorized Signature	Request #/ Date and Time Rcvd	Deposit Rcvd	Facility Requested	Requested Area(s) of Facility	Request for an Event Planned for/ On Days of the Week Indicated	Time(s)	Reason for Use	Admission or Other Fees Will Be Charged/ Proceeds Will Go to:	Amount on Certificate of Insurance/ Coverage Dates	Restrictions on Requested Facility Area	Date of Principal's Signature/ Fees and Charges and Estimated Total Payable	To be Presented at BOE Workshop/ Meeting of (Date)	Days from BOE Work shop/ Mtg to Event
Quickstrike F.C./ 2/1/12	12-181 2/11/12 PM	Deposit Not Rcvd	NFA	Academy Field	Saturday, 3/24/12 Sunday, 3/25/11 Saturday, 3/31/12	1:00 pm to 4:00 pm	Soccer Games	N	1 mil each occurrence/ 9/1/11-9/1/12	None	Field Usage: \$450 Custodial OT: None Security OT: None Lights/Sound OT: None Est Total: \$450	2/21/12	31
Town of Newburgh Recreation Department/ 1/9/12	12-162 1/17/12 AM	N/A	Gardner- town School	Field	Saturday, 4/21/12 to Sunday, 6/17/12 Saturdays and Sundays	10 am to 6 pm	Youth Soccer	N	1 mil each occurrence/ 7/1/11-7/1/12	TBD	Room Usage: None Custodial OT: None Security OT: None Lights/Sound OT: None Est Total: \$0	2/21/12	59

RESOLUTION

BE IT RESOLVED, that the Newburgh Enlarged City School District Board of Education authorizes the Ralph A. Pizzo, Superintendent of Schools, to execute an Initial Service Request Agreement with Putnam Northern Westchester BOCES to provide professional development to instructional and paraprofessional staff members, to observe students with disabilities with challenging behaviors, to assist staff in the development and implementation of functional behavior assessments and behavior intervention plans and to work with families of students with disabilities for the period from July 5, 2011 through June 30, 2012 at a cost not to exceed \$25,000.00 A copy of said Agreement shall be incorporated by reference within the minutes of this meeting.

Funding Source: IDEA Part B-Section 611

February 21, 2012

AGENDA ITEMS

ASSISTANT SUPERINTENDENT CURRICULUM AND INSTRUCTION

- A. Resolution to Authorize the Superintendent of Schools to Execute an Agreement to Purchase Materials for the NYSELAT Test Preparation**
(Funding Source: Title III, LEP)

- B. Resolution to Authorize the Superintendent of Schools to Execute an Agreement with The Three Doctors, LLC, to Provide Mentoring Services to Students and Professional Development to Staff Members**
(Funding Source: Extended Day/School Violence Prevention Grants)

- C. Resolution to Approve Conference Requests**

RESOLUTION

BE IT RESOLVED, that the Newburgh Enlarged City School District Board of Education authorizes Ralph A. Pizzo, Superintendent of Schools, to execute an agreement to purchase materials for NYSELAT Test Preparation for the period of July 1, 2011 through June 30, 2012 at a cost not to exceed \$28,209.00 A copy of said Agreement shall be incorporated by reference within the minutes of this meeting.

Funding Source: Title III LEP

February 21, 2012

RESOLUTION

BE IT RESOLVED, that the Board of Education of the Newburgh Enlarged City School District hereby authorizes Ralph A. Pizzo, Superintendent of Schools, to execute an agreement with The Three Doctors, LLC, 65 Hazelwood Ave, Newark, NJ 07106 to provide mentoring services to our Gidney Avenue Magnet School and Newburgh Free Academy students and professional development to the program mentors, for May 12, 2012 at a cost not to exceed \$22,000. A copy of said Agreement shall be incorporated by reference within the minutes of this meeting.

Funding Source: Extended Day/School Violence Prevention Grants

February 21, 2012

NEWBURGH ENLARGED CITY SCHOOL DISTRICT
Board of Education
Overnight/Out of State Conference Attendance Request

Date Received	Name	Position	Bldg.	Start Date End Date	# Days	Conference Title	Location	Sub	General Funds			External Funds		
									Conference Cost	Center Cost	Sub Cost	Conference Cost	Center Cost	Sub Cost
2/2/12	Frank Mayo	Tech. Ed. Teacher	Meadow Hill	April 18-20, 2012	3	NYS Technology and Engineering Association Annual Conference 2012	Syracuse, NY	Yes				\$850.44	VETEA	\$295.50
2/13/12	Dawn M. Fuchek	School Board President	Board of Education	March 11-12, 2012	2	NYS School Boards Association State Issues Conference	Albany, NY	No	\$275.54	General	None			
2/14/12	Kenneth Swanson	Executive Director of Special Ed	West Street Annex	April 25-29, 2012	5	English Language Learners with Disabilities: Successes and Challenges	Tampa, FL	No				\$1,754.84	IDEA	None
2/14/12	Claudette Gerald	Director of Special Ed	West Street Annex	April 25-28, 2012	4	English Language Learners with Disabilities: Successes and Challenges	Tampa, FL	No				\$1,835.63	IDEA	None
2/15/12	Daniel Shanahan	Executive Director of C&I	Board of Education	April 16-17, 2012	2	Celebration of Teaching & Learning 2012	New York, NY	No				\$455.90	TITLE II, A	None

AGENDA ITEMS

ASSISTANT SUPERINTENDENT FINANCE

- A. Resolution to Authorize Payment of Property Tax Refunds as a Result of Court Orders**
- B. Resolution to Approve the Following Bid:**
 - 1. Bid #12-12 2012 Special Needs Transportation**
- C. Resolution to Declare Books and Equipment Surplus and Obsolete and to Authorize Disposition of the Same**
- D. Resolution to Accept Bills and Reports**

Resolved, that the Board of Education of the Newburgh Enlarged City School District authorize payment of property tax refunds as a result of court orders reducing the real property assessments as follows:

Adams-Newburgh LLC	<u>Town of Newburgh</u> 2011-2012	Total	\$ <u>SBL#: 97-2-26.2</u> 16,816.65
FLG & T Realty Company	<u>Town of Newburgh</u> 2007-2008		SB;#: 84-2-1.2 \$ 8,789.28
	2008-2009		\$ 10,216.75
	2009-2010		\$ 9,997.63
	2010-2011		\$ 9,978.29
	2011-2012		\$ 10,120.00
		Total	\$ <u>49,101.95</u>
Carlo Saturnelli	<u>Town of Newburgh</u> 2009-2010	Total	\$ <u>SBL#: 4-2-85.1</u> 3,235.35

February 21, 2012

COPY

At a Special Term, of the Supreme Court of the State of New York, County Orange, held at 285 Main Street, Goshen, New York on the 3rd day of NOVEMBER, 2011

PRESENT:

HON. CATHERINE M. BARTLETT, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

-----X
In the Matter of the Application of
ADAMS-NEWBURGH, LLC,

Petitioner,

ORDER OF
SETTLEMENT

- against -

INDEX NO. 2009-8449
2010-8349

TOWN OF NEWBURGH, ASSESSOR OF THE
TOWN OF NEWBURGH, and the TOWN OF
NEWBURGH BOARD OF ASSESSMENT REVIEW,

Respondent.

Assigned Judge: *m.*
Hon. Catherine *A*Bartlett, *AJSC*

To Review a Certain Real Property
Assessment under Article 7 of
the Real Property Tax Law.

-----X
On the Notice and Petition and all other proceedings had herein, and on the annexed Stipulation of Settlement, and on motion of Scott L. Volkman, Esq., of Gellert & Klein, P.C. attorneys for the petitioner and Cathy L. Drobny, Esq., of Hacker & Murphy, attorneys for the respondents, it is hereby

ORDERED, that the assessment of the petitioner's property located at 1240 Route 300, Town of Newburgh, Orange County, New York, having tax grid number 3346600 97-2-26.2, be corrected and reduced for the 2009/2010 tax years to a new total corrected assessment as follows:

2011 OCT - 3 PM 3:23
SUPREME & COUNTY COURT
ORANGE COUNTY
NEW YORK

TAX GRID NO.: 3346600 97-2-26.2

TAX GRID NO.: 3346600 97-2-26.2

<u>Year</u>	<u>Original Assessment</u>	<u>Final Assessment</u>	<u>Reduction</u>
2009	\$3,250,000	\$2,982,720	\$267,280
2010	\$3,344,000	\$3,344,000	\$ -0-

2009-10

and it is further

ORDERED, ADJUDGED AND DECREED, that the officer or officers having the custody of the assessment rolls upon which the above-captioned assessments and taxes are levied thereon shall correct the said entries in conformity with this Judgment, and it is further

ORDERED, that there shall be audited, allowed and paid by the Town of Newburgh or by the Commissioner of Finance of Orange County and that the Town of Newburgh or the Commissioner of Finance of Orange County shall make and pay to Adams-Newburgh, LLC c/o Gellert & Klein, P.C. attorneys for the petitioner, the amounts, if any, paid by said petitioner, his agents or representatives as taxes against the said erroneous assessments in excess of what the taxes should have been if said assessments had been as determined by the Judgment, without interest if paid within sixty (60) days after service of this Order with notice of entry, otherwise at the statutory rate, and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid by the Newburgh Enlarged School District and that the Finance Officer of said school district shall make and pay to petitioner Adams-Newburgh, LLC c/o Gellert & Klein, P.C. attorney for petitioner, the amounts, if any, paid by said petitioner or his agents or representatives as taxes against said erroneous assessments in excess of what the taxes should have been if said assessments had been as directed by this Judgment, without interest if paid within sixty (60) days after service of this Order with notice of entry, otherwise at the statutory rate, and it is further

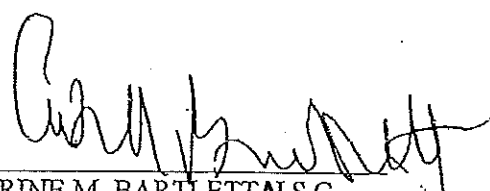
ORDERED AND DIRECTED, that in the event that taxes are unpaid and have already been billed, the officer or officers having custody of the assessment rolls shall forward to the petitioner a new

bill or assessment or bills, taxing said petitioner on the basis of the final total assessed valuations stipulated herein, and it is further

ORDERED, that these proceedings are discontinued with prejudice and without costs or disbursements against either party and that an Order to said effect may be entered without notice.

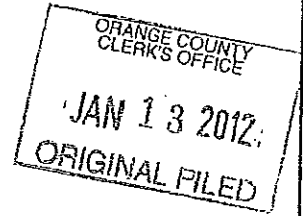
Dated: Goshen, New York
NOVEMBER 3, 2011

ENTER:



HON. CATHERINE M. BARTLETTA, S.C.
JUDGE NY STATE COURT OF CLAIMS
ACTING SUPREME COURT JUSTICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE



-----X
F. L. G. & T. REALTY CO.,

Petitioner,

CONSENT JUDGMENT

-against-

Index Nos.: 6277/07
7337/08
7906/09
8048/10
7214/11

BOARD OF ASSESSORS FOR THE TOWN OF
NEWBURGH and TOWN OF NEWBURGH,

Respondents.
-----X

PRESENT: HON. *JAMES V. BRANDS*
JUSTICE, SUPREME COURT

UPON THE CONSENT attached hereto duly executed by the attorneys for all parties and by all the parties, it is

ORDERED, that the real property of Petitioner described on the Town of Newburgh tax rolls for the tax year 2007-08 as follows:

Tax Map No. 84-2-1.2

be reduced in assessment from \$533,900 to a total assessment of \$400,000 for a total reduction in assessment of \$133,900, prior to the application of any real property tax exemptions, if any, and it is further;

ORDERED, that the real property of Petitioner described on the Town of Newburgh tax rolls for the tax year 2008-09 as follows:

Tax Map No. 84-2-1.2

be reduced in assessment from \$533,900 to a total assessment of \$375,000 for a total reduction in assessment of \$158,900, prior to the application of any real property tax exemptions, if any, and it is further;

ORDERED, that the real property of Petitioner described on the Town of Newburgh tax rolls for the tax year 2009-10 as follows:

Tax Map No. 84-2-1.2

be reduced in assessment from \$533,900 to a total assessment of \$375,000 for a total reduction in assessment of \$158,900, prior to the application of any real property tax exemptions, if any, and it is further;

ORDERED, that the real property of Petitioner described on the Town of Newburgh tax rolls for the tax year 2010-11 as follows:

Tax Map No. 84-2-1.2

be reduced in assessment from \$533,900 to a total assessment of \$375,000 for a total reduction in assessment of \$158,900, prior to the application of any real property tax exemptions, if any, and it is further;

ORDERED, that the real property of Petitioner described on the Town of Newburgh tax rolls for the tax year 2011-12 as follows:

Tax Map No. 84-2-1.2

be reduced in assessment from \$533,900 to a total assessment of \$375,000 for a total reduction in assessment of \$158,900, prior to the application of any real property tax exemptions, if any, and it is further;

ORDERED, that the Petitioner's real property taxes on said parcels above described for the 2007-08, 2008-09, 2009-10, 2010-11 and 2011-12 School and Library taxes and for the 2008, 2009, 2010, 2011 and 2012 County and Town taxes be adjusted accordingly and that Petitioner be reimbursed for any overpayment or be credited with the corresponding decrease in taxes, as the case may be, and it is further;

ORDERED, that the officer or officers having custody of the aforesaid assessment rolls of the Town of Newburgh shall make or cause to be made upon the proper books and records and upon the assessment rolls of said Town the entries, changes and corrections necessary to conform said assessment to such corrected and reduced valuation, and it is further;

ORDERED, that there shall be audited, allowed and paid to the Petitioner by the County of Orange the amount, if any, paid as Town taxes and Town Special District taxes against the original assessment in excess of what said taxes would have been if said assessment had been made as determined herein, and it is further;

ORDERED, that there shall be audited, allowed and paid to the Petitioner by the County of Orange and/or the County Commissioner of Finance the amounts, if any, paid as County taxes and County Special District taxes against the original assessment in excess of what said taxes would have been if said assessment had been made as determined herein, and it is further;

ORDERED, that there shall be audited, allowed and paid to the Petitioner by the Newburgh Central School District the amounts, if any, paid as School District taxes against the original assessment in excess of what said taxes would have been if said assessment had been made as determined herein, and it is further;

ORDERED, that the provisions of RPTL § 727 shall apply herein, and it is further;

ORDERED, that all tax refunds hereinabove directed be made payable to the order of Jacobowitz and Gubits, LLP, as attorneys for the Petitioner, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorney's lien, pursuant to §475 of the Judiciary Law, and it is further;

ORDERED, that in the event that the refunds are made within sixty (60) sixty days after service of the Order with notice of entry, there shall be no interest, otherwise, interest shall be paid in accordance with the applicable statute, and it is further;

ORDERED, that these proceedings are settled without costs or disbursements to either party as against the other.

Signed this 19th day of December, 2011 at Goshen, New York.
December 19, 2011

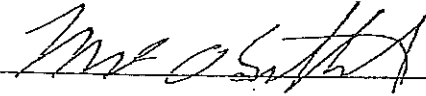
ENTER :

HON. JAMES V. BRANDS

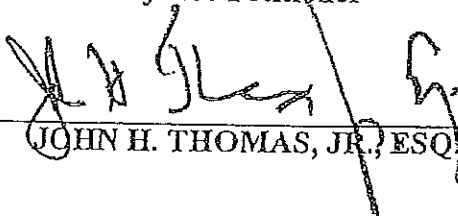
HON. James V. Brands
SUPREME COURT JUSTICE

ON CONSENT:
Dated: June 15, 2011.

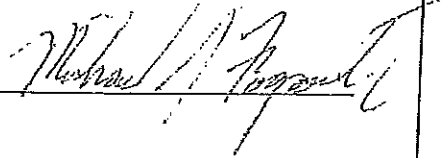
FLG&T REALTY, CO.
Petitioner

BY: 

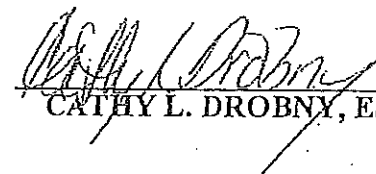
JACOBOWITZ AND GUBITS, LLP
Attorneys for Petitioner

By: 
JOHN H. THOMAS, JR., ESQ.

TOWN OF NEWBURGH
Respondents

BY: 

HACKER & MURPHY, LLP
Attorneys for Respondents

By: 
CATHY L. DROBNY, ESQ.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

-----X

STIPULATION OF
SETTLEMENT

In the Matter of
Small claims Assessment Review

CAALO SATURNELLI
Petitioner(s)

TOWN OF NEWBURGH X

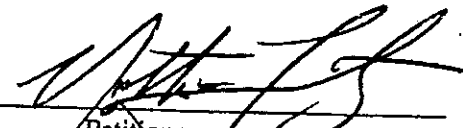
Filing# 159-11
Tax Assessing
Municipality: TOWN OF NEWBURGH
Section 4 Block 2 Lot 85.1

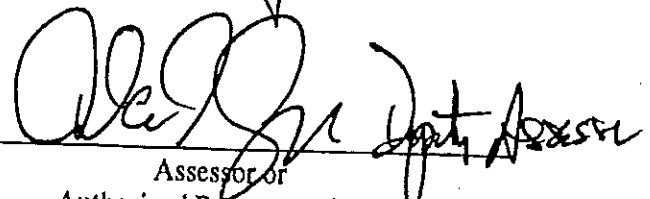
IT IS HEREBY STIPULATED AND AGREED by and between the above named
Petitioner's and Tax Assessing Municipality that the 2011 assessment on the referenced tax parcel be
reduced from \$ 203,200 to \$ 152,400 for a reduction of \$ 50,800.

IT IS FURTHER STIPULATED AND AGREED that the municipal officials having
custody of the assessment rolls shall modify the entry in the 2011 assessment roll to conform to this
Stipulation. If any taxes were paid based on the "reduction from" 2011 assessment indicated above, a
refund of the taxes paid on the amount of the reduction of the above-mentioned assessment will be made
to the Petitioner(s).

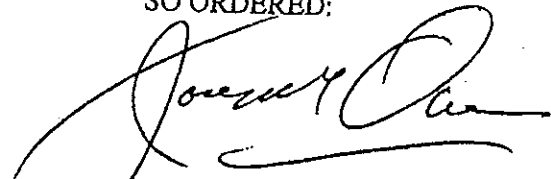
IT IS FURTHER AGREED that this Stipulation represents a full settlement of this Small
Claims Assessment Review proceeding and that no costs or allowances shall be awarded or paid to, by,
or against any of the parties.

Dated: 1/23, 2012


Petitioner or
Authorized Representative


Assessor or
Authorized Representative

SO ORDERED:


(JOSEPH OWENS)

RESOLVED, that the Board of Education of the Newburgh Enlarged City School District approve the following bid(s):

Bid #12-12 TRANS-2012 Special Needs Transportation

George M Carroll Inc
Newburgh, NY

\$ 8,600.00

February 21, 2012

NEWBURGH ENLARGED CITY SCHOOL DISTRICT

Summary of: Bid 12-12
TRANS-2012 Special Needs Transportation

Opened: February 9, 2012 10:00 AM

Bidders	Total No. of Items Bid	Total Bid	Recommended No. of Items Awarded	Total Amount Awarded
Acme Bus Corp Middletown, NY	1	26,058.00	0	0.00
George M Carroll Inc Newburgh, NY	1	8,600.00	1	8,600.00
Visconti Bus Service Newburgh, NY	1	19,264.00	0	0.00
Total			1	8,600.00

Requested by: Mr. Mark Connolly, Director of Transportation

Compiled by: Ms. Valinda Allman, Purchasing Agent

Sent To: 18 Vendors

Replies From: 3 Vendors

Vendors Not Responding:

A&E Transport Svcs Inc, Oswego, NY
American Logistics Co, Santa Ana, CA
Chappaqua Transportation, Fishkill, NY
First Student Inc, Poughkeepsie, NY
Gallagher Bus Svc Corp, Newburgh, NY
J & R Tours Ltd, Mt Vernon, NY
Landmark Student Transportation, Jacksonville, FL
Mid State Bus Svc Inc, Newburgh, NY
National Express Corp, Warrenville, IL
Prime Vendor Inc, Wilmington, NC
Quality Bus Service, Maybrook, NY
TLC Trans Corp of Westchester, Yonkers, NY
Tri Star Transport, Middletown, NY
We Transport, Plainview, NY
West Point Tours Inc, Vails Gate, NY

**RESOLUTION TO DECLARE EQUIPMENT AND BOOKS
SURPLUS AND OBSOLETE AND TO AUTHORIZE DISPOSITION
OF THE SAME**

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the equipment and books outlined below are deemed to be no longer useful or necessary for school district purposes and be declared surplus and obsolete, and authorize disposition of the same.

February 21, 2012

<u>Building</u>	<u>Description</u>	<u>Quantity</u>
South Middle School	Table Saw	1
	Health Office Cots	2
Board of Education	America-Pathways to the Present	3
	We the People: The Citizen and The Constitution- Civic Education	5
	Southeast Asia	1
	Discovering Art History	1
	Social Studies Communities	1
	Social Studies Our United States	1
	Golden Legacy	1
	The Key to Understanding U.S. History/Government	1
	Africa	1
	China, Japan, Korea	1
	India, Pakistan	1
	India, Pakistan, Bangladesh	1
	Global History	1
	The World and Its People	1
	Economics-Principles and Practices	1
	Criminal Justice Today	1
	A Message of Ancient Days	1
	Communities People and Places	1
	People Together-Adventures in Time and Place	1
	New York-Adventures in Time and Place	1

AGENDA ITEMS

ASSISTANT SUPERINTENDENT

HUMAN RESOURCES

A-K. Human Resources Agenda

- L. Resolution to Approve the Adoption of the 2012-2013 District Calendar**
- M. Resolution to Approve the Appointment of Individuals for the Saturday Academy for ELA/Math at Horizons on the Hudson Magnet School**
(Funding Source: Title I-A)
- N. Resolution to Approve the Appointment of Individuals for PYP-POI Curriculum Work at Horizons on the Hudson Magnet School**
(Funding Source: Title I – School Improvement)
- O. Resolution to Rescind the Appointments in Resolution #092711 M as Numbered and Approves the Appointment of Individuals in Resolution #022812 O**
- P. Resolution to Approve Appointments for Brigance Testing for Pre-K Students** *(Funding Source: Universal Pre-K Grant)*
- Q. Resolution to Approve Spring Athletic Coaching Appointments for the 2011-2012 School Year** *(Funding Source: General Fund)*
- R. Resolution to Approve a Tenure Recommendation for a Teacher**