

**MINUTES OF ACTION**

**DRAFT**

**PUBLIC MEETING OF THE PANEL FOR EDUCATIONAL POLICY**

**Murry Bergtraum High School  
411 Pearl Street,  
Manhattan, NY 10038  
Wednesday, October 29, 2014**

**ROLL CALL:**

**Present:**

Hon. Fred Baptiste  
Hon. T. Elzora Cleveland  
Hon. Deborah Dillingham  
Hon. Norm Fruchter  
Hon. Vanessa Leung  
Hon. Kamillah Payne-Hanks  
Hon. Lori Podvesker  
Hon. Robert Powell  
Hon. Robert Reffkin  
Hon. Roberto Soto-Carrión  
Hon. Laura Zingmond  
Courtenaye Jackson-Chase, Secretary  
Carmen Fariña, Chancellor

**Absent:**

Hon. Miguelina Zorilla-Aristy

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**Action was taken as indicated below:**

Secretary Courtenaye Jackson-Chase called roll at 6:10 pm. All Panel Members were present except Panel Member Miguelina Zorilla-Aristy. Panel Member Lori Podvesker was temporarily absent and arrived during the Revised School Budgets Aggregated by District portion of the meeting.

1. Approval of September 23, 2014 Panel Meeting Minutes of Action—Motion to adopt the minutes of action from the September 23, 2014 Panel meeting was made by Panel Member Powell. Panel Member Cleveland seconded the motion. Panel Chair Leung called for a vote. The September 23, 2014 Minutes of Action were approved unanimously noting the absence and temporary absence of the aforementioned Panel Members.

The minutes are available via link to the [Panel for Educational Policy Website](#).

2. Chancellor's Update—Chancellor Carmen Fariña delivered general updates. Panel Chair Leung called for the public comment portion of the meeting after the vote of the minutes of action portion of the meeting.
3. Approval of Revised School Budgets Aggregated by District—Panel Member Powell made a motion to adopt the Revised School Budgets Aggregated by District. Panel Member Baptiste seconded the motion. Panel Member Podvesker arrived during this portion of the meeting. After the public comment portion of the meeting and Panel discussion Panel Chair Leung called for a vote. The resolution was approved as follows:

*1. Resolution Regarding the Aggregation of the Community School District Budgets, as Modified and Approved by the Chancellor, Together with a Proposed Budget for the Administrative Expenditures of the City Board and the Chancellor was approved unanimously.*

4. Approval of Amendments to Chancellor's Regulations A-420, A-421 and D-140—Panel Member Fruchter made a motion to adopt all three resolutions regarding the approval of Chancellor's Regulations A-420, A-421 and D-140. Panel Member Zingmond seconded the motion. After the public comment portion of the meeting and Panel discussion, Panel Chair Leung called for a vote. The resolutions were approved as follows:

*1. Resolution Regarding Approval of Proposed Amendments to Chancellor's Regulations A-420 – Corporal Punishment was approved unanimously.*

*2. Resolution Regarding Approval of Proposed Amendments to Chancellor's Regulation A-421 – Verbal Abuse was approved unanimously.*

*3. Resolution Regarding Approval of Proposed Amendments to Chancellor's Regulation D-140, Process for the Nomination and Selection of Members of the Community Education Councils Including Filling Vacancies was approved unanimously.*

5. Approval of Contracts—Panel member Robert Powell presented the Contracts Committee recommendations to the Panel. The Contracts Committee met on October 27, 2014. The Committee unanimously recommended the approval of items 2-5 and 7-24. Before motioning to adopt the resolutions, Executive Director, Division of Contracts and Purchasing, David Ross read text into the minutes. The text read as follows:

*To be read into the minutes of the October 29, 2014 Panel for Educational Policy meeting by David Ross, Executive Director, Division of Contracts and Purchasing:*

*At its July 30, 2014 meeting, the Panel approved an emergency contract extension for distribution of fresh bread and rolls. The Request for Authorization identifies one of the approved vendors as Grocery Haulers Inc. dba Operative Cake Corp., and their address listed as 33-50 12th Street, Long Island City, NY 11106. The correct vendor name and address is:*

*Operative Cake Corp., as an affiliate of Grocery Haulers Inc.  
711-733 Brush Avenue  
Bronx, NY 10465*

For the October 29, 2014 meeting, I would like to note that I have provided Panel members with technical changes and addendums to universal pre-kindergarten contracts that have been approved by the Panel at prior meetings. The technical changes submitted to Panel members and posted on the website are being amended as follows:

Vendor Name	Type of Change	Original	Revision
Noah's Ark Progressive Learning Center, Inc.	Vendor Name Change	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory Inc.
Noah's Ark Progressive Learning Center, Inc.	Vendor Name Change	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory II Inc.
Noah's Ark Progressive Learning Center, Inc.	Vendor Name Change	Noah's Ark Progressive Learning Center, Inc.	Noah's Ark Preparatory III Inc.

And an additional technical change is added as follows:

Vendor Name	Type of Change	Original	Revision
Lefferts Park Baptist Church	Vendor Name Change	Lefferts Park Baptist Church	LPBC UPK Corp.

I would like to give you an update on a contract that was previously approved by the Panel, the contract with Maramont Corporation for food distribution services. After we had received Panel approval, we had proceeded to submit the contract for registration. After the contract was submitted, DOE received a Restraining Notice alerting the DOE to a judgment against Maramont for failure to pay back wages to approximately 1,500 current and former employees. As a result, on September 26, DOE withdrew the contract from the Comptroller's Office in order to consider and address the issues raised by the judgment.

I am happy that I inform you that DOE has been informed by the plaintiff's attorney that Maramont has reached an accord with the workers resolving the litigation that will result in an agreed amount of money being paid to the workers for back wages. We have reviewed Maramont's financial statements, and with the anticipated amount of the settlement agreement, we believe that Maramont has sufficient working capital and financial capacity to fulfill its obligations under the contract.

This, together with the fact that Maramont acted promptly to reach an agreement with the workers and will be operating pursuant to an agreed upon collective bargaining agreement, provides sufficient assurances to DOE to proceed with this contract with this locally based company.

Panel Member Robert Powell motioned to adopt items 2-5 and 7-24 into five resolutions. Panel Member Norm Fruchter seconded the motion. The Panel voted on the contract items, which were approved as follows:

- 1. Resolution 1: Items 2-5,7 and 9 was approved unanimously.*
- 2. Resolution 2: Items 11 was approved unanimously.*
- 3. Resolution 3: Items 12-20 was approved unanimously.*
- 4. Resolution 4: Items 8, 21, 22, 23 and 24 was approved unanimously.*
- 5. Resolution 5: Items 10 was approved unanimously.*

Resolutions are available via link to the [Panel for Educational Policy Website](#).

The meeting adjourned at approximately 8:00 p.m.

A recording of the meeting is available [here](#).