

PROCEEDINGS OF THE BOARD OF EDUCATION  
Regular Meeting/Board of Canvassers  
May 22, 2019  
5:30 p.m.  
Minutes No. 23

May 22, 2019

Present: President Linderman, Vice President Schrader, Board Member Craig, Board Member Fiegl, Board Member Hare, Board Member Lambalzer, Board Member Pratt, and Board Member Young. – 8

Absent: Secretary Sandell - Excused

Board President Linderman called the meeting to order at 5:32 p.m.

No. 728 On motion by Board Member Fiegl, seconded by Board Member Craig, the Board moved into executive session at 5:32 p.m. to discuss and receive updates on items concerning the employment history for reasons of retirement for two employees under LASA, the employment history for reasons of retirement for one employee from LEA, the employment history for reasons of suspension for one employee under LASA, and the potential employment of one school monitor under LSEA. Student issues protected under FERPA as they relate to student suspension and residency were discussed. In addition, the Board consulted with the district attorney. – Ayes 8.

No. 729 On motion by Board Member Schrader, seconded by Board Member Fiegl, the Board moved out of executive session at 7:17 p.m. – Ayes 8.

The Pledge of Allegiance was led by Board Member Young.

## **RECOGNITION**

Lockport High School Class of 2019 Top Ten Students: Hannah Anderson (Valedictorian); Alexis Madden (Salutatorian); Madison Heburn; Anna Nilsson; Julia Frank; Jared Miner; Bethany Sielski; Luke DiFato; Kourtney Krchniak; and Ethan Menges.

## **MISSION STATEMENT**

Highlighting Lockport City School District: The Class of 2019 Top Ten Students were recognized and then, together, they read the mission statement.

## **REPORT**

Joanne Woodside – Orleans/Niagara BOCES board member

## **PUBLIC HEARING FOR CODE OF CONDUCT**

Lisa Schrader, Assistant Superintendent for Personnel, gave a PowerPoint presentation of the 2019-20 Code of Conduct as required by the State Education Department.

President Linderman opened the Public Forum.

## PUBLIC FORUM FOR CODE OF CONDUCT HEARING

There were no speakers.

## PUBLIC FORUM - Agenda Items

There were no speakers.

## PRESENTATION

K-12 Counseling Plan – Sheila Murphy, director of student services

No. 730 On motion by Board Member Fiegl, seconded by Board Member Schrader, the proposed agenda was approved – 8 Ayes .

No. 731 On motion by Board Member Craig, seconded by Board Member Schrader, the minutes for the Work Session Meeting of April 3, 2019 and the Regular Meeting of April 17, 2019, were approved – Ayes 8.

## BUSINESS MATTERS

Pursuant to Article 53, Section 2610, Subdivision 4, of the State Education Law, the Board of Education met for the purpose of determining, declaring, and certifying in the manner provided by law, who, by the highest number of votes was duly elected to the Board of Education of Lockport, New York, at the school election held May 21, 2019, and the results of the voting on Proposition 1 pertaining to the School District Budget.

Present: President Linderman, Vice President Schrader, Board Members Craig, Fiegl, Hare, Lambalzer, Pratt and Young, – 8.

Absent: Secretary Sandell

The Clerk presented a statement of the votes filed at her office by the election inspectors. The Board proceeded to canvass the statement of returns and found them as follows:

District	Proposition 1	
	Yes	No
1	46	12
2	151	45
3	21	14
4	88	43
5	63	23
6	266	74
TOTAL	635	211

District	Melissa A. Boes	Leslie R. Tobin	Edward P. Sandell	Karen S. Young
1	44	41	38	45
2	151	148	151	158
3	29	26	25	23
4	96	99	91	105
5	58	64	62	64
6	260	267	267	291
TOTAL	638	645	634	686

No. 732 On Motion by Board Member Schrader

WHEREAS, Section 2610, Subdivision 4, of the Education Law provides that where more than one office is to be filled by such election and there is a variance in the length of terms for which such offices are to be filled as authorized by this chapter, or where one or more persons are to be elected for a full term or terms and one or more persons are to be elected for the unexpired portion of a term or terms or both, the candidates receiving the highest number of votes shall be entitled to the longest term, and the candidates receiving the next highest number of votes shall be entitled, in decreasing order of the length of such terms or unexpired portion of terms, and

WHEREAS, a canvass of the votes cast at the school election held May 21, 2019, as reported by the Election Inspectors, shows that Karen S. Young received the highest number of votes cast, Leslie R. Tobin received the next highest number of votes cast, Melissa A. Boes received the next highest number of votes cast, and Edward P. Sandell received the next highest number of votes cast,

THEREFORE BE IT RESOLVED: That Karen S. Young, Leslie R. Tobin, and Melissa A. Boes received the highest, next highest and next highest number of votes cast, be and hereby are declared elected Trustees of the City School District of the City of Lockport, New York, for a period of three years, effective July 1, 2019 and Edward P. Sandell, having received the next highest number of votes cast, be and hereby be declared elected Trustee of the City School District of the City of Lockport, New York, for a period of one year, to fill the unexpired term of Victoria Obot .

Seconded by Board Member Lambalzer – Ayes 8.

No. 733 On Motion by Board Member Schrader

WHEREAS, the canvass of votes cast on the Budget Vote held May 21, 2019, as reported by the Election Inspectors, shows that Proposition 1 is passed as follows:

**Passed:**

**PROPOSITION 1** – 2019-2020 EXPENDITURE BUDGET: SHALL the Board of Education be authorized to spend the sum of \$102,727,720 in the total amount set forth in the proposed budget during the 2019-2020 school year and to levy the necessary tax?

THEREFORE BE IT RESOLVED: That the Board of Education hereby acknowledges and accepts the results of this School District Budget Vote.

Seconded by Board Member Lambalzer – Ayes 8.

In Witness Whereof we have hereunto subscribed our names and caused the corporate seal of the said Board of Education to be affixed hereunto this 22nd day of May, 2019.

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(SEAL)

No. 734 On motion by Board Member Schrader, seconded by Board Member Lambalzer, the Board as a Board of Canvassers adjourned at 8:40 p.m. - 8 Ayes

Attest: \_\_\_\_\_  
Secretary Clerk

No. 735 On Motion by Board Member Schrader  
RESOLVED: That the Board of Education receive and file the treasurers’ reports for March 2019 and for the Lockport Public Library for March 2019 as attached.  
Seconded by Board Member Lambalzer – Ayes 8.

No. 736 On Motion by Board Member Schrader  
RESOLVED: That the Board of Education receive the Certification of Warrant Reports from the Claims Auditor for the period ended April 30, 2019 as listed below:

	Accounts Payable	Cash	General Ledger
	Disbursements		Cash Disbursements
	4/1/19-4/30/19		4/1/19-4/30/19
General Fund	\$2,393,677.79		NONE
School Lunch Fund	\$ 197,024.75		
Federal Fund	\$ 177,508.48		
Capital Fund	\$ 765,003.55		
Total	\$3,533,214.57		NONE

Seconded by Board Member Lambalzer – Ayes 8.

No. 737 On Motion by Board Member Schrader  
RESOLVED: That the 2019-2020 School District Calendar be approved as found on pages  
Seconded by Board Member Lambalzer – Ayes 8.

No. 738 On Motion by Board Member Schrader  
RESOLVED: That the following equipment has been identified by district staff, as obsolete, damaged or unserviceable and be declared as surplus and will be disposed of according to Board of Education Guidelines,

- Flex Camera Scientific (Asset Tag #A00254283)
- Flex Camera Scientific (Asset Tag #A00254284)
- Flex Camera Scientific (Asset Tag #A00414063)
- Gas Stove (Asset Tag #00231905)
- Gas Range (Asset Tag #A00231809)
- Air Compressor (Asset Tag #A00232459)
- Shelving Unit (Asset Tag #A00254839)
- Two-Drawer Filing Cabinet (Asset Tag #A00261060)
- Perkins-Elmer DNA Thermal Cyclor (Asset Tag #A00414088)

Heater (Asset Tag #A00276931)  
Bench (Asset Tag #A00232457)  
Micro Turn (Asset Tag #A00232468)  
Micro Mill 2000 (Asset Tag #A00232466)  
IPad2 (Asset Tag #A00414482)  
IPad2 (Asset Tag #A00421539)

THEREFORE BE IT RESOLVED: That the Clerk of the Board of Education be and she hereby is authorized to declare these items as surplus and authorize the disposal of these items according to Board of Education guidelines.  
Seconded by Board Member Lambalzer – Ayes 8.

No. 739 On Motion by Board Member Schrader

RESOLVED: That the Board of Education approve the Administrative Services Rate Agreement with Blue Cross/Blue Shield for the district's self-funded health insurance plan to provide district employees with medical and prescription benefits, and

BE IT FURTHER RESOLVED: that the three-year agreement be effective July 1, 2019 through June 30, 2020 with the ability to extend two (2) additional school years 2020-2021 and 2021-2022 under the same conditions,

THEREFORE BE IT RESOLVED: Authorize the Assistant Superintendent for Finance and Management Services to sign.

Seconded by Board Member Lambalzer – Ayes 8.

No. 740 On Motion by Board Member Schrader

Retirement Contribution Reserve Sub-Fund Resolution

WHEREAS, the Lockport City School District participates in the New York State Teachers' Retirement System ("TRS"); and

WHEREAS, on June 30, 2010, the Board of Education of the Lockport City School District established a Retirement Contribution Reserve Fund known as the Reserve for Retirement pursuant to Section 6-r of the General Municipal Law; and

WHEREAS, the Board of Education has determined it is also appropriate to establish a sub-fund within said Retirement Contribution Reserve Fund pursuant to Section 6-r of the General Municipal Law.

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Lockport City School District, pursuant to Section 6-r of the General Municipal Law, as follows:

1. The Board hereby establishes a sub-fund within the Reserve for Retirement to be known as the TRS District Retirement Contribution Reserve Sub-Fund effective May 22, 2019;
2. The source of funds for this Reserve Sub-Fund shall be:
  - a. such amounts as may be provided therefore by budgetary appropriation or raised by tax therefore;
  - b. such revenues as are not required by law to be paid into any other fund or account;
  - c. such other funds as may be legally appropriated; and
  - d. notwithstanding any law to the contrary, such amounts as may be transferred from a reserve fund established pursuant to Section 6-c, 6-d, 6-e, 6-f or 6-g of Article 2 of the General Municipal Law, comprised of moneys raised from the same tax base as the moneys in the retirement contribution reserve fund, or a reserve fund established pursuant to Education Law Section 3651, provided that any such transfer shall only be made by

Board resolution adopted after a public hearing held on at least 15 days prior notice published in at least one newspaper having general circulation in the District.

3. By resolution, the Board of Education may authorize expenditures from this Reserve Sub-Fund. Except as otherwise provided by law, moneys in this Reserve Sub-Fund may only be appropriated to finance retirement contributions to the New York State Teachers' Retirement System, and/or to offset all or a portion of the amount deducted from the moneys apportioned to the District from the State for the support of schools pursuant to Section 521 of the Education Law.
4. No member of the Board of Education or employee of the District shall:
  - a. authorize a withdrawal from this Reserve Sub-Fund for any purpose except as provided in Section 6-r of the General Municipal Law; or
  - b. expend any money withdrawn from this Reserve Sub-Fund for a purpose other than as provided in Section 6-r of the General Municipal Law.
5. The moneys contributed annually to the Reserve Sub-Fund shall not exceed 2% of the total compensation or salaries of all teachers employed by the District who are members of TRS paid during the immediately preceding fiscal year.
6. The balance of the Reserve Sub-Fund shall not exceed 10% of the total compensation or salaries of all teachers employed by the District who are members of TRS paid during the immediately preceding fiscal year.
7. The moneys in this Reserve Sub-Fund shall be deposited and secured in the manner provided by Section 10 of the General Municipal Law. The Board of Education or its authorized designee may invest the moneys in this Reserve Sub-Fund in the manner provided by Section 11 of the General Municipal Law. Any interest earned or capital gain realized on the money so deposited or invested shall accrue to and become part of this Reserve Sub-Fund.
8. The chief fiscal officer shall account for this Reserve Sub-Fund separate and apart from all other funds of the District. Such accounting shall show: the source, date and amount of each sum paid into the sub-fund; the interest earned by such sub-fund; capital gains or losses resulting from the sale of investments of this sub-fund; the order, purpose thereof, date and amount of each payment from this sub-fund; the assets of the sub-fund, indicating cash balance and a schedule of investments. The chief fiscal officer, within sixty (60) days of the end of each fiscal year, shall furnish a detailed report of the operation and condition of this sub-fund to the Board of Education.
9. This Resolution shall take effect immediately.  
Seconded by Board Member Lambalzer – Ayes 8.

No. 741 On Motion by Board Member Schrader

RESOLVED: That the Board of Education of the Lockport City School District be and hereby authorizes membership in the New York State Association of Small City School District, Inc. for 2019-2020 and that payment be made in the amount of \$7,750.

Seconded by Board Member Lambalzer – Ayes 8.

No. 742 On Motion by Board Member Schrader

RESOLVED: That the Board of Education authorize year end budgetary transfers for the 2018-2019 school year in accordance with external audit preparation and finalization for individual account codes which exceeded the original appropriated amount.

Seconded by Board Member Lambalzer – Ayes 8.

No. 743 On Motion by Board Member Schrader

WHEREAS, the Board of Education participated in an Requested for Proposals with Erie 1 BOCES for External Auditor Services, and

WHEREAS, these proposals have been reviewed and interviews conducted and it is recommended that Lumsden and McCormick continue as the external auditor for the next four years beginning with June 30, 2021,

THEREFORE BE IT RESOLVED: That the Board of Education approve the proposal from Lumsden and McCormick to serve as External Auditors for the Lockport City School District for the fiscal years ending June 30<sup>th</sup>, 2021, 2022, 2023 and 2024 school year and authorize the Assistant Superintendent for Finance and Management Services to sign the agreement.

Seconded by Board Member Lambalzer – Ayes 8.

No. 744 On Motion by Board Member Schrader

RESOLVED: That the Board of Education does hereby authorize the following budget transfers in the 2018-19 budget:

A2110-480-20-0700	A2630-220-27-0000	\$31,000.00	Transfer of textbook funds to technology equipment for the purpose of maximizing state aid budget.
A2110-480-20-0400	A2630-220-27-0000	\$19,000.00	Transfer of textbook funds to technology equipment for the purpose of maximizing state aid budget.
A2110-140-23-0004	A1430-450-23-0000	\$20,000.00	Per LSEA Labor Management decision – uniform purchase.
A1621-160-14-0007	A1621-160-14-0008	\$20,000.00	To cover maintenance overtime due to shortage of 1 FTE for the remainder of the school year.
A1621-160-14-0000	A1621-160-14-0008	\$11,036.65	To cover maintenance overtime due to shortage of 1 FTE for the remainder of the school year.
A1680-490-31-0000	A2250-472-24-0000	\$122,403.00	Increase in students at agencies as well as multiple NYSED rate increases being established.

Seconded by Board Member Lambalzer – Ayes 8.

No. 745 On Motion by Board Member Schrader

RESOLVED: That the Board of Education of the Lockport City School District does hereby approve the Easement Agreement between the County of Niagara and the Lockport City School District to construct the crosswalk on Beattie Avenue near Charles Upson Elementary to the new turf baseball fields,

THEREFORE BE IT RESOLVED: That the Board of Education of the Lockport City School District does hereby approve the Easement Agreement and authorize the Superintendent of Schools to sign.

Seconded by Board Member Lambalzer – Ayes 8.

No. 746 On Motion by Board Member Schrader

RESOLVED: That the Board of Education of the Lockport City School District be and hereby authorizes the Sponsor contribution in the amount of \$1,500.00 to the New York State Association of Small City School District, Inc. for Maisto V. State of New York for the period of January 1, 2019 through December 31, 2019.

Seconded by Board Member Lambalzer – Ayes 8.

No. 747 On Motion by Board Member Schrader

WHEREAS, the Sunrise Optimist of Lockport, Inc. has made a donation in the amount of \$6,000.00 to the Lockport City School District to be used for the purchase of a canopy for the athletic field ,

THEREFORE BE IT RESOLVED: That the recommendation to accept the above donation is hereby approved, and

BE IT FURTHER RESOLVED: That the Board of Education accept this donation with thanks and appreciation, and

BE IT FURTHER RESOLVED: That the Clerk be and she hereby is authorized and directed to convey the Board of Education's gratitude to Sunrise Optimist of Lockport, Inc. for this donation.

Seconded by Board Member Lambalzer – Ayes 8.

## PERSONNEL

No. 748 On Motion by Board Member Schrader

RESOLVED: That the appointment of the following individuals as members of the Committee on Preschool Special Education and Committee on Special Education be approved effective July 1, 2019 through June 30, 2020:

Chairperson CPSE/Chairperson District Representative to CSE/District Representative to Subcommittee/Evaluation Representative to CSE:

- a. Stacey Aliasso
- b. Rebecca Allen
- c. Erin Johnson
- d. Debra Bramson
- e. Suzanne VanSice

Chairperson CPSE/Chairperson District Representative to CSE/District Representative to Subcommittee/District Evaluator Representative to CSE or Psychologist Member:

- a. Jennifer Billman
- b. Ashley Darrow
- c. Lynn Hewitt
- d. Lindsey Hirsch

Evaluation Representative to CSE or Psychologist Member:

- a. Adrienne Adams
- b. Miriam Carey
- c. Melissa Hock
- d. Andrea Joyner
- e. Amy Miller-Walby
- f. Lori Natiella
- g. Madeleine Parlato
- h. Lynn Witt
- i. Andrew Murphy

Seconded by Board Member Fiegl – Ayes 8.



No. 749 On Motion by Board Member Schrader

RESOLVED: That the appointment of Kathy Costello as surrogate parent be approved for the 2019/2020 school year.

Seconded by Board Member Fiegl – Ayes 8.

No. 750 On Motion by Board Member Schrader

RESOLVED: That the appointment of Barbara Converso as LHS Summer Extended Learning Coordinator be approved effective May 23, 2019.

Seconded by Board Member Fiegl – Ayes 8.

No. 751 On Motion by Board Member Craig

RESOLVED: That the appointment of the following pre-service/student teacher for the 2018/2019 school year be approved. There shall be no compensation for this appointment.

Marc Young

NP

Buffalo State/Joseph Zawicki

Seconded by Board Member Schrader – Ayes 8.

No. 752 On Motion by Board Member Craig

RESOLVED: That the appointment of Todd Carpenter as provisional building maintenance mechanic at a salary of \$32,536, prorated, be approved effective May 23, 2019. This is a provisional appointment with a twenty-six week probationary period.

Seconded by Board Member Schrader – Ayes 8.

No. 753 On Motion by Board Member Craig

RESOLVED That the resignation of Faith Hillman as a substitute noon hour monitor be approved effective May 23, 2019.

Seconded by Board Member Schrader – Ayes 8.

No. 754 On Motion by Board Member Craig

RESOLVED: That the resignation of Cynthia Haun as substitute teacher aide be approved effective May 23, 2019.

Seconded by Board Member Schrader – Ayes 8.

No. 755 On Motion by Board Member Craig

RESOLVED: That the appointment of the following seasonal laborers at the rate of \$12.00 per hour be approved, effective on the date indicated below:

a) Patrick Flaherty

effective 6/17/19, pending physical

b) Ethan Shaft

effective 5/23/19, pending physical

c) Alex Bogart

effective 5/23/19, pending physical

d) Josh Rucci

effective 5/23/19, pending physical  
& fingerprint clearance

Seconded by Board Member Schrader – Ayes 8.

No. 756 On Motion by Board Member Craig

RESOLVED: That the permanent appointment of Melanie Brawdy, Principal Account Clerk be approved effective 5/23/19 following the satisfactory completion of her probationary period.

Seconded by Board Member Schrader – Ayes 8.

No. 757 On Motion by Board Member Craig

RESOLVED: That the Memorandum of Agreement between the Lockport City School District and the Lockport Administrators and Supervisors Association be approved and that the Superintendent of Schools is authorized to sign said amendment.

Seconded by Board Member Schrader – Ayes 8.

No. 758 On Motion by Board Member Craig

RESOLVED: That the Memorandum of Agreement between the Lockport City School District and the Lockport Education Association be approved and that the Superintendent of Schools is authorized to sign said amendment.

Seconded by Board Member Schrader – Ayes 8.

No. 759 On Motion by Board Member Craig

RESOLVED: That the resignation for retirement of the following professional staff members be accepted as indicated:

- a) Rosanna DiMillo Sandell Director of Research and Development, effective end of day on August 30, 2019 following 26 total years with the District.
- b) Lynda Lord Art teacher at Roy B Kelley Elementary School effective July 1, 2019 following 19 years with the District.

Seconded by Board Member Schrader – Ayes 8.

No. 760 On Motion by Board Member Craig

RESOLVED: That the resignation of Lauralee Ferris as uncertified substitute teacher, substitute teaching assistant, substitute teacher aide and substitute clerical be approved effective May 23, 2019.

Seconded by Board Member Schrader – Ayes 8.

No. 761 On Motion by Board Member Craig

RESOLVED: That the appointment of Paula Mayers, [REDACTED] as substitute noon hour monitor, substitute breakfast monitor and substitute clerical at the rate of \$11.10 per hour be approved, pending fingerprint clearance, effective May 28, 2019.

Seconded by Board Member Schrader – Ayes 8.

No. 762 On Motion by Board Member Craig

RESOLVED: That the appointment of Ryan Hayter, [REDACTED] as uncertified substitute teacher at the rate of \$12.85 per hour be approved effective May 28, 2019.

Seconded by Board Member Schrader – Ayes 8.

No. 763 On Motion by Board Member Pratt

RESOLVED: That the following Policy be adopted:

5230 – Acceptance of Gifts, Grants, and Bequests to the School District

Seconded by Board Member Hare – Ayes 8.

No. 764 On Motion by Board Member Schrader

RESOLVED: That the following field Trips be approved:

**Lockport High School** – approximately 28 students, members of EMPOWERS to Detroit, Michigan on Saturday, June 8, 2019. (clarification was needed on the length of the trip)

Seconded by Board Member Fiegl – Ayes 8.

## **SPECIAL NEEDS**

No. 765 On Motion by Board Member Schrader

RESOLVED: That the minutes from the Committee on Special Education meetings and the Committee on Preschool Special Education meetings of January 8, 9, 10, 15, 16, 17, 23, 24, 25, 28, 29, 30; February 4, 5, 6, 7, 8, 11, 26; March 4, 5, 6, 7, 8, 11, 13, 18, 19, 20, 21, 25, 26, 27, 28, 29; April 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 30; and May 2, 3, 6, 2019 were approved as attached.

Seconded by Board Member Craig – Ayes 8.

## **LEGISLATIVE UPDATE**

Trustee Hare commented on the following Legislative updates: House Democrats propose increase in federal education spending; San Francisco Bans Facial Recognition Software; and State Education Department proposes changes to enhance teacher preparation programs to better serve English Language Learners.

## **BOARD PRESIDENT COMMENTS**

President Linderman commented on the following: the budget passed overwhelmingly by the community – 74% even though turnout was low; reflects the hard work and appreciates the community support; congratulations to the four trustees—acknowledged each by name and introduced them on camera; Charles Upson’s play, “Thwacked” was amazing; they are up and coming stars; the organizers and staff did an excellent job.

## **COMMITTEE OF THE WHOLE**

Board members discussed/commented on the following topics: thanked the community for coming out and voting although disappointed with the turnout; also thanked the community for their support and passing the budget; congratulations to the newly elected board members—Leslie Tobin and Melissa Boes; also congratulations to the board members who were voted in and will continue to serve on the Board; congratulations to the Top Ten students (some are also top scholar athletes); they will be very successful in life; would like a list of all senior students with an average of 90 or more; thanked assistant superintendent Mrs. Schrader and Ms. Sheila Murphy for their presentations—it’s a lot of hard work.

## **SUPERINTENDENT’S COMMENTS**

Superintendent Bradley commented on the following topics: congratulations to all the O/N BOCES Skills USA winners—named the students; Section VI Scholar Athlete Awards – Lockport had three overall scholar athletes and read list of additional scholar athletes; thank you to the community for voting and passing the budget; welcome to all four trustees who were voted in; we are losing two current members—Thomas Fiegl and Marietta Schrader and thanked them for all their years on the Board; thanked Deborah Coder and the business office staff for all their hard work and effort on the budget and the organization of the voting process.

## **PUBLIC FORUM – General Interest**

There were no speakers

No. 766 On motion by Board Member Hare seconded by Board Member Young, the meeting was adjourned at 8:40 p.m. – 8 Ayes.

Deborah A. Coder  
Clerk of the Board