

PROCEEDINGS OF THE BOARD OF EDUCATION  
Annual Meeting for Reorganization  
July 7, 2021

MINUTES NO. 1

July 7, 2021

4:30 p.m.

District Clerk/Temporary Chairperson Deborah Coder called the meeting to order at 4:31 p.m. and appointed Bonnie Baudendistle as temporary secretary until such time as a secretary of the Board of Education was elected.

Superintendent Bradley led the Pledge of Allegiance to the Flag.

Deborah Coder administered the oath of office individually to Board Members Ferraro, Linderman and Schutt.

Present: Board Member Young, Board Member Linderman, Board Member Sandell, Board Member Cheatham, Board Member Ferraro, Board Member Hare, Board Member Kershaw, Board Member Schutt, and Board Member Tobin – 9

Deborah Coder called for nominations for President of the Board.

No. 1 Board Member Hare nominated Board Member Karen Young for President. Board Member Tobin seconded the nomination.

Board Member Karen Young accepted the nomination.

District Clerk Deborah Coder closed the nominations for President of the Board of Education.

There being no other nominations for President, a vote of nine ayes confirmed Board Member Young as President of the Board of Education for the 2021-22 school year.

District Clerk Deborah Coder administered the oath of office to President Young.

District Clerk Deborah Coder opened the floor for nominations for Vice President.

No. 2 Board Member Sandell nominated Board Member Linderman as Vice President. Board Member Hare seconded the nomination.

Board Member Linderman accepted the nomination for vice president.

District Clerk Deborah Coder closed the nominations for Vice President of the Board of Education.

There being no other nominations for Vice President, a vote of nine ayes confirmed Board Member Linderman as Vice President of the Board of Education for the 2021-22 school year.

District Clerk Deborah Coder administered the oath of office to Vice President Linderman.

District Clerk Deborah Coder opened the floor for nominations for Secretary.

No. 3 Board Member Linderman nominated Board Member Sandell as Secretary. Board Member Kershaw seconded the nomination.

Board Member Sandell accepted the nomination.

District Clerk Deborah Coder closed the nominations for Secretary of the Board of Education.

There being no other nominations for Secretary, a vote of nine ayes confirmed Board Member Sandell as Secretary of the Board of Education for the 2021-2022 school year.

District Clerk Deborah Coder administered the oath of office to Secretary Sandell.

President Young proceeded with the remainder of the meeting.

No. 4 On Motion by Board Member Linderman

RESOLVED: That the following be appointed officers of the Board for the 2021-22 school year:

- |     |   |                        |
|-----|---|------------------------|
| (a) | Assistant Clerk of the Board of Education | Bonnie L. Baudendistle |
| (b) | Clerk of the Board of Education           | Deborah A. Coder       |
| (c) | Internal Claims Auditor                   | Christine C. DuMond    |
| (d) | School District Treasurer                 | Nicole J. Ganz         |
| (e) | School Tax Collector                      | Christine C. DuMond    |
| (f) | School Tax Lockbox                        | M & T Bank             |

Seconded by Board Member Sandell – Ayes 9.

No. 5 On Motion by Board Member Kershaw

RESOLVED: That the following positions be filled by the individuals as indicated for the 2021-22 school year:

Professional Services Appointments:

- |     |                                      |   |
|-----|--------------------------------------|---|
| (a) | Architectural/Engineering Consultant | Trautman Associates<br>Young & Wright Architectural                                   |
| (b) | District External Auditor            | Lumsden & McCormick, LLP  |
| (c) | District Internal Auditor            | To be determined  |
| (d) | Energy Monitoring                    | Energy Enterprises, Inc.  |
| (e) | Insurance Consultant                 | The Evans Agency, Inc.  |
| (f) | School Attorneys                     | Harris Beach, PLLC<br>Hodgson Russ, LLP<br>Seaman Norris, LLP<br>Goldberg Segalla LLP |
| (g) | School Physician/Nursing Services    | William J. Baier, M.D.<br>WorkFit Medical, LLC  |
| (h) | 403b Third Party Administrator       | The OMNI Group  |
| (i) | Transportation Consultant            | KAM Transportation Consulting Services, LLC   |

Compliance Officer/Designee Appointments:

- |     |                                     |   |
|-----|-------------------------------------|---|
| (j) | Asbestos Designee                   | Timothy W. Parker   |
| (k) | Attendance Officer                  | Sheila T. Murphy  |
| (l) | Central Treasurers, Extra-Classroom | Yvonne D. Lane, Lockport High School<br>Chelsea Collett, Aaron Mossell Junior High School<br>Diane S. Schwaibold, Emmet Belknap Intermediate School |
| (m) | Chemical Hygiene Officer            | Timothy W. Parker   |

(n)	Chief Emergency Officer	Michelle T. Bradley/Designee
(o)	Chief Privacy Officer	Robert L. LiPuma
(p)	Civil Rights Compliance Officers	Russell J. Buckley Lisa Schrader
(q)	Copyright Officer	Robert L. LiPuma
(r)	Data Protection Officer	Robert L. LiPuma
(s)	District Safety Officer	Kevin T. Guay
(t)	Faculty Auditors, Extra-Classroom	Jason B. Madden, Lockport High School Michael W. Pickreign, Aaron Mossell Junior High School Shawn Murray, Emmet Belknap Intermediate School
(u)	HIPPA Compliance Officers	Lisa M. Schrader Deborah A. Coder
(v)	Homeless Children and Youth Liaisons	Kathryn A. Celotto Chelsea DeGirono Emma Hesch Vanessa Patterson-Bancroft Rebecca Padilla
(w)	Integrated Pest Management Designee	Timothy W. Parker
(x)	Local Educational Agency Designee	Russell J. Buckley
(y)	Medicaid Compliance Officer	Lisa M. Schrader
(z)	NYS Education Law§3038 Designee	Lisa M. Schrader
(aa)	Purchasing Agent	Deborah A. Coder
(bb)	Records Access/Management Officer	Deborah A. Coder
(cc)	Residency Officer	Sheila T. Murphy
(dd)	Section 504 Hearing Officer	Sheila T. Murphy
(ee)	Title IX Hearing Officers	Russell J. Buckley Bernadette L. Smith Jennifer T. Gilson Lisa Schrader

Community Appointments:

(ff)	Board of Registration	Rose McVeigh – Republican Linda Provenzano – Democrat
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Seconded by Board Member Linderman – Ayes 9.

No. 6 On Motion by Board Member Linderman

RESOLVED: That the following designations be approved for 2021-22:

- (a) Official depositories for accounts of the School District:
- (1) JP Morgan Chase
  - (2) Key Bank of Western New York, N.A. – Extra –Classroom for AMJHS only
  - (3) Manufacturers & Traders Trust Company
  - (4) Evans Bank
- (b) Official newspaper for legal publications: *Lockport Union Sun & Journal*  
Seconded by Board Member Sandell – Ayes 9.

No. 7 On Motion by Board Member Tobin

RESOLVED: Board of Education Meetings for 2021-2022 unless changed by Board of Education resolution.

Work Session	Regular Session
<b>WEDNESDAY, July 7, 2021</b> <b>Reorganizational/Regular Meeting *4:30 p.m.</b>	
Wednesday, August 11 *4:30 p.m.	Wednesday, August 18 *4:30 p.m.
Wednesday, September 8	Wednesday, September 22
Wednesday, October 6	Wednesday, October 13
Wednesday, November 3	Wednesday, November 17
Wednesday, December 1	Wednesday, December 15
Wednesday, January 5	Wednesday, January 19
Wednesday, February 2	Wednesday, February 16
Wednesday, March 9	Wednesday, March 23
Wednesday, April 6	Wednesday, April 20
*Wednesday, May 4 ( <i>Public Hearing</i> )	Wednesday, May 18 (Board of Canvassers)
Wednesday, June 1	Wednesday, June 8

- All Board of Education meetings will be held at the Board of Education Building unless otherwise specified.
- All meetings will begin at 6:00 p.m. with an executive session if needed.
- Virtual meetings, if mandated, will begin at 6:00 p.m. via livestream with no public access.
- **Public sessions will begin following executive session. July/August meetings begin at \*4:30 p.m.**

***\*Public Hearing must be 7-14 days prior to the budget vote.***

Seconded by Board Member Hare – Ayes 9.

No. 8 On Motion by Board Member Linderman

RESOLVED: That the following authorizations be approved for school year 2021-22:

Superintendent Authorizations:

- Authorize the Superintendent of Schools to approve Budget Transfers up to \$10,000 in accordance with Commissioner's Regulations Section 170.2 and District Policy 5330.
- Authorize the Superintendent of Schools or their designee to apply for Grants in Aid, both State and Federal, in accordance with Education Law 1711, 2508.
- Authorize the Superintendent of Schools or her designee to approve the attendance of staff to conferences, conventions, and workshops, with expenses.
- Adoption of 913 Resolution: Resolved: That the Board of Education hereby authorizes the Superintendent of Schools to require any employees to submit to a medical examination to determine his/her fitness to continue employment, and to make such arrangements as are necessary to effectuate this resolution.
- Authorize the Superintendent of Schools or her designee to decide whether to contest or settle claims before the Workers' Compensation Board, consistent with the terms of the Municipal Cooperation Agreement among the members of the Workers' Compensation Consortium of which the District is a member.
- Authorize the Superintendent of Schools or her designee to decide whether to contest or settle claims for unemployment insurance pending before the Department of Labor.

Assistant Superintendent for Finance and Management Services Authorizations:

- (g) Authorize the Assistant Superintendent for Finance and Management Services to certify payrolls.
- (h) Authorize the Assistant Superintendent for Finance and Management Services and the School District Treasurer to invest idle funds during the 2021-22 school year in savings accounts, certificates of deposit, and treasury notes in accordance with the provisions of Section 1723-a of the Education Law and Investment Policy 5220.
- (i) Authorize the Assistant Superintendent for Finance and Management Services to issue Revenue Anticipation Notes (RAN) and Tax Anticipation Notes (TAN) up to a maximum of \$5,000,000 each during the 2021-22 school year for short terms to cover payrolls and authorized expenditures, and authorize the President of the Board of Education to sign such notes.
- (j) Authorize the Assistant Superintendent for Finance and Management Services to increase, decrease, establish new reserves, or close existing reserves as governed by municipal law upon completion of fieldwork when final audit numbers will be made available to the district and prior to the external audit report being prepared. These amounts will be provided to the board at that time and all reserves are to be funded as of June 30, 2021. This resolution recognizes that maintained fiscal reserves is a prudent fiscal management tool and that exact reserve amounts and reserves to be maintained cannot be fully or established until after the external audit is completed.
- (K) Authorize the re-adoption and adoption of revisions for the District Reserve Plan in effect during 2020-21.

Assistant Superintendent for Personnel:

- (l) Authorize the Assistant Superintendent for Personnel to issue letters of reasonable assurance to employees who work less than 12 months per year of the district's intent to continue their employment during the following school year.

Board Authorizations:

- (m) Authorize the Board President, or the Vice President if the President is unavailable, to verify the appointment of an impartial hearing officer when needed and reimburse as per attached resolution B.
- (n) Authorize Board Members to attend conferences, conventions, and workshops with expenses.

Other Appointments:

- (o) Authorize the District Treasurer as signatory for District checks.
- (p) Authorize participation under the guidelines of General Municipal Law §103 (16) (Piggybacking), New York State Finance Law §163 (Best Value) and parties with various New York State BOCES including but not limited to Orleans-Niagara BOCES, Onondaga-Cortland-Madison, Chautauqua, Cattaraugus, Nassau and Erie 1 and Erie 2 cooperative bidding process for the 2021-2022 school year per attached resolution A.
- (q) Authorize the re-adoption and adoption of revisions of all District Policies and Code of Conduct/Student Rights and Responsibilities in effect during 2020-21.
- (r) Designate the Assistant Superintendent of Finance and Management Services as the Reviewing Official for the Federal Child Nutrition Program.
- (s) Designate the Director of Grants and District/Community Programs as the Hearing Official for the Federal Child Nutrition Program.
- (t) Designate the Business Office School Lunch Liaison as the Verification Official for the Federal Child Nutrition Program.

Seconded by Board Member Sandell – Ayes 9.

No. 9 On Motion by Board Member Linderman

RESOLVED: That the following authorizations be approved for school year 2021-2022:

Other Items:

- (a) Establish the rate for mileage reimbursement at the standard IRS rate (currently .56/mile), subject to change during the year by the IRS. This rate is intended for use in mileage calculations when appropriate staff are authorized to use their personal vehicles on official business.
- (b) Establish reimbursement rates for travel on district business at the OGS per diem rates, subject to change during the year by OGS. This rate is intended for use in determining reimbursement rates for meals consumed while traveling on district business.
- (c) Re-establish Petty Cash Funds for the payment of itemized bills for materials, supplies, or services under conditions calling for immediate payment under Section 170.4 of the Commissioner’s Regulations as follows:

Administration Building–Business Office–LB	\$100.00
Athletics–Spectator Admissions Start-up/Athletic Office (if needed)	400.00
School Nutrition Program-start-up Funds/Aramark–PN	270.00
Emmet Belknap Intermediate School–Main Office–DS	100.00
Lockport High School–Main Office–YL	100.00
Aaron Mossell Junior High School–Main Office – CC	<u>100.00</u>
	<b>\$1,070.00</b>

Seconded by Board Member Sandell – Ayes 9.

No. 10 On Motion by Board Member Linderman

RESOLVED: That the Board authorize the bonding of the following individuals for the 2021-22 school year:

- a. Central Treasurers, Extra-Classroom
- b. District Clerk
- c. District Tax Collector
- d. District Treasurer
- e. Internal Claims Auditor

Seconded by Board Member Sandell – Ayes 9.

No. 11 On motion by Board Member Tobin, seconded by Board Member Hare, the Reorganizational Meeting of the Board of Education was adjourned at 4:51 p.m., and then reopened for board committee approvals – Ayes 9.

No. 12 On Motion by Board Member Tobin

RESOLVED: That the following committees of the Board of Education be established for the 2021-22 school year:

- (a) Facilities (4)
  - Edward Sandell (Chair)
  - Michael Ferraro
  - John Linderman
  - Karen Young
- (b) Grievance
  - Committee established as needed to Adhere to Union Contract Language
- (c) Policy & Procedures (4)
  - Heather Hare (Chair)

Renee Cheatham  
Dr. Martha Kershaw  
Leslie Tobin

- (d) District Audit Committee (4) Leslie Tobin (Chair)  
Heather Hare  
Kristina Schutt  
Karen Young
- (e) Niagara-Orleans School Boards Association (NOSBA)  
District Representative (1) Leslie Tobin  
Legislative Liaison (1) Leslie Tobin
- (f) District School Improvement (DSI)  
Liaison (1) Dr. Martha Kershaw
- (g) Board of Education  
State & Federal Legislative Update Heather Hare  
for Regular BOE Meetings
- Seconded by Board Member Kershaw – Ayes 9.

**Resolution A**  
**Cooperative Bidding/Purchasing**  
**2021-2022**

**BOCES BID**

WHEREAS, it is the plan of a number of public school districts including but not limited to in Erie, Orleans, Onondaga-Cortland-Madison, Chautauqua, Cattaraugus and Niagara Counties, New York, to bid jointly as authorized by General Municipal Law, Article 5-G, including but not limited to: chlorine-swimming pool supplies, custodial supplies, office supplies, fuel oil, diesel fuel, gasoline, electric, and natural gas, for the 2021-22 school year, and

WHEREAS, Lockport City School District wishes to participate in the cooperative bidding program through the Orleans-Niagara, Onondaga-Cortland-Madison, Erie 1 Erie 2, Chautauqua and Cattaraugus BOCES that will be drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education, and making a recommendation thereon,

THEREFORE, BE IT RESOLVED: That the Board of Education of the Lockport City School District authorizes the above-mentioned program to represent it in all matters leading up to the entering into a contract for the purchase of the above-mentioned commodities, and

BE IT FURTHER RESOLVED: That the Board of Education of the Lockport City School District agrees to assume its equitable share of the costs of the cooperative bidding, and

BE IT FURTHER RESOLVED: That the Board of Education of the Lockport City School District agrees:

- (1) To abide by majority decisions of the participating districts on quality standards,

- (2) That unless all bids are rejected, it will award contracts according to the recommendations of the group, and
- (3) That, after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

**GENERAL MUNICIPAL LAW §103(16) (Ex. Piggybacking)**

WHEREAS, the District, as a municipal entity, may purchase, in accordance with General Municipal Law §103(16), through bids solicited by the United States government, the New York State government, and New York's political subdivisions, including school districts; through bids let a manner consistent with or materially equivalent to New York State requirements for bidding; or may piggyback on any contract or bid approved for piggybacking through the New York State Office of General Services.

**NEW YORK STATE FINANCE LAW §163 (Best Value)**

WHEREAS, "best value" is defined by New York State Law §163 as "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses, certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law or service-disabled veteran-owned business enterprises as defined in subdivision one of section three hundred sixty-nine-h of the executive law to be used in evaluation of offers for awarding of contracts for services."

**Resolution B**  
**Impartial Hearing Officer Compensation Rates**  
**2021-2022**

RESOLVED: That the Board of Education of the Lockport City School District, upon recommendation of the Superintendent of Schools, shall compensate Impartial Hearing Officers who have been certified by the Commissioner of Education of the State of New York to serve as Impartial Hearing Officers in accordance with Education Law Section 4404(1) and 8 N.Y.C.R.R. Section 200.1(x), at the following rates for services and expenses:

- (1) Certified Impartial Hearing Officers shall be compensated at the rate of one hundred dollars (\$100) per hour for time spent in pre-hearing, hearing, and post-hearing activities of researching and writing a decision. The District does not and will not pay for hearing dates which are adjourned or cancelled, regardless of the reasons, when the adjournment or cancellation is on two or more business days' notice.
- (2) Certified Impartial Hearing Officers will be reimbursed for reasonable and customary office expenses of photocopying, postage and facsimiles incurred and for travel time to and from the hearing at the rate of forty dollars (\$40) per hour.
- (3) Automobile travel shall be reimbursed at the then-current per mile rate which is established from time-to-time for travel by District employees and representative.
- (4) Airline or train travel shall be reimbursed at the actual reasonable costs incurred by the Impartial Hearing Officer.
- (5) The District will reimburse Impartial Hearing Officers for the cost of their lodging based on OGS lodging reimbursement rates for Western New York with receipt submitted or fifty—five dollars (\$55) per night without receipt submitted for hearing dates that fall on consecutive days.

No. 13 On motion by Board Member Hare, seconded by Board Member Hare, the Reorganization Meeting of the Board of Education was adjourned at 4:55 p.m. - Ayes 9.

*Deborah A. Coder* 7/7/21

Deborah A. Coder  
Clerk of the Board