

PROCEEDINGS OF THE BOARD OF EDUCATION

Regular Meeting

March 22, 2023

6:00 p.m.

Minutes No. 28

March 22, 2023

Present: President Tobin, Vice President Linderman, Secretary Ferraro, Board Member Caruso, Board Member Cheatham, Board Member Hare, Board Member Kershaw, Board Member Pierce, and Board Member Schutt – 9.

Board President Tobin called the meeting to order at 6:01 p.m.

No. 767 On motion by Board Member Linderman, seconded by Board Member Pierce, the Board moved into executive session at 6:02 p.m. to discuss the following items:

- to consider one vendor proposal for insurance services, and to discuss a
- matter leading to the appointment or removal of a particular person – Ayes 9.

No. 768 On motion by Board Member Ferraro, seconded by Board Member Hare, the Board moved out of executive session at 7:03 p.m. – Ayes 9.

The Pledge of Allegiance was led by President Tobin.

MISSION STATEMENT

For the 2022-2023 school year, the focus will be on recognizing students and staff members using “Letters to an Inspirational Lion”. March’s focus is on the following students/staff at Lockport High School: Diamond Chandler, grade 12; Jeanelyz Gonzalez Riley, grade 12; Jaeden Harrington, grade 11; Madonna Walker, Special Education teacher; Debbie Martin, English teacher; Daniel Bruning, grade 12 student; Madison Cederman, grade 11 student; Miles Patterson, School Mediator; Cathy Wray, Social Studies teacher; Cathy Spero, Science teacher

PUBLIC FORUM – AGENDA ITEMS and GENERAL INTEREST ITEMS

1. Steve Huston 342 Michigan Street – wrote Mr. Bonnewell with a list of things to talk about but never heard anything back from him.
2. Charles McClain 55 Reed Street – is there going to be a change in the way the Board does things—more openness; the city is not happy.
3. Michael D’Addeo 649 E. High Street – welcome to the new guy—can’t imagine walking into a new district; thank you for listening last month; “America was built on capitalism but capitalism without competition is not capitalism”; the government has a monopoly on schools; utilities were more expensive years ago when there was no competition—the government is not the solution-it is the problem; held up a sign saying, “Give me what I want and I’ll go away”.
4. Ron Cheatham 5534 Victoria Lane – asked for a meeting with the Board but they would not meet – read a letter that he wrote to the Board; welcome Dr. Calvin; on February 4th my 17-year-old son’s character was slandered; on February 15th the Board voted to terminate my job; cancelled Friday night basketball games; silencing people of color; has a right to be heard; there has been no attempt to hear from him.

5. Zion Cheatham 5534 Victoria Lane – his dad always tries to do the right thing; thanked his dad for advocating for him.
6. Anthony Beauman 279 Washburn Street – what you should do is follow your mission statement.
7. Jill Caruso 5972 Tipperary Manor – please show your hand if you have made the Distinguished Alumni wall at the HS, it was started in 1954 and a very small percentage of people make that wall but Ron Cheatham sure did; while you are home watching TV, Ron Cheatham is spending Friday nights with your kids; he has spent over two decades mentoring students; I'm not sticking up for Ron, but I am sticking up for the kids.
8. Janice Brunner 539 Market Street – Henrik Brunner is my husband, he saw Ron with kids at Home Depot; without Mr. Cheatham we have one less role model.
9. Alan Venesky 7100 Fieldcrest Drive – concerned about the safety at EB; things are great at CU; February – daughter physically assaulted by two males; she's never had confrontation before and has always loved school—now some days afraid to go to school; there is no policy on students assaulting other students; need to regain control—not happy with the administrators and would like a meeting to discuss; you need to look at the reputation of each building.
10. Monica Roland 89 Hi-Point Drive – resident since 1971 and worked for the District for 21 years; thank you for the opportunity to speak; being on the Board of Education is a thankless job; friendship with the Cheathams began at Emmet Belknap; relied on Ron to calm kids down and spent every day building trust; was part of the young men and women character program; has the highest character and integrity and a Distinguished Alumni at Lockport High School.
11. Teria Young 5309 Southview Drive – Welcome Dr. Calvin; kids are held accountable but the teachers and administration are not; son wanted nothing to do with basketball this year; he wanted to know why he wasn't protected; what can we do.
12. DeVonte Hill 11 Blackley Court – Mr. Cheatham is a role model; turned my life around; Mr. Cheatham told me not to bring negative stuff around; stepped up as a black man.
13. Shelia Tomlinson 283 N. Transit Street – Welcome Dr. Calvin; I usually stay in the shadows but my character is being assassinated; I'm not a thug or goon and don't belong to a posse; I will help anyone who needs help; my truth is I don't know where people got this from; there is a divide between lifelong friends and family—everything shifted; will walk alone if I need to; injustice anywhere is injustice everywhere.
14. Paul Patterson 5513 Hallmark Lane – there has been bullying for years, now teachers are bullying—what is going to happen to the bully? Ron is with the kids all summer-he's with your kids-you aren't; be accountable--if you don't like it, get off the Board.
15. Robin Cheatham 279 Washburn Street – son was kicked out of district because of something that happened outside of district—Rene and Ron by my side—district not there whatsoever.

DISCUSSION

- 2022-2023 Board of Education Meeting Calendar – *June Regular Board of Education meeting changed from June 14 to June 21, 2023.*
- July 2023 Reorganizational Meeting Date –*TBA*

No. 769 On motion by Board Member Ferraro, seconded by Board Member Schutt, the revised proposed agenda was approved – Ayes 9.

No. 770 On motion by Board Member Kershaw, seconded by Board Member Hare, the minutes for the Work Session Meeting of February 1, 2023 and the Regular Meeting of February 15, 2023 were approved – Ayes 9.

BUSINESS MATTERS

No. 771 On Motion by Board Member Kershaw

RESOLVED: That the Board of Education receive and file the treasurers' reports for Lockport City School District for January 2023 and January 2023 for Lockport Public Library as attached.

Seconded by Board Member Caruso – Ayes 9.

No. 772 On Motion by Board Member Kershaw

RESOLVED: That the Board of Education receive the Certification of Warrant Reports from the Claims Auditor for the periods ending February 28, 2023, 2023 as listed below:

| | <u>Accounts Payable Cash</u> | <u>General Ledger Cash</u> |
|-------------------|------------------------------|----------------------------|
| | <u>Disbursements</u> | <u>Disbursements</u> |
| | <u>2/1/2023-2/28/2023</u> | <u>2/1/2023-2/28/2023</u> |
| General Fund | \$2,873,278.47 | \$5,283,539.85 |
| School Lunch Fund | \$ 283,211.46 | |
| Federal Fund | \$ 117,027.08 | |
| Capital Fund | <u>\$ 110,378.81</u> | |
| Total | <u>\$3,383,895.82</u> | \$5,283,539.85 |

Seconded by Board Member Caruso – Ayes 9.

No. 773 On Motion by Board Member Kershaw

RESOLVED: That the Board of Education of the Lockport City School District does hereby Receive and Accept the 2022-2023 Internal Audit Report from Drescher & Malecki, LLP.

Seconded by Board Member Caruso – Ayes 9.

No. 774 On Motion by Board Member Kershaw

A RESOLUTION, DATED MARCH 22, 2023, OF THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF THE CITY OF LOCKPORT, NIAGARA COUNTY, NEW YORK (THE "DISTRICT") DECLARING THE DISTRICT'S PROPOSED CAPITAL OUTLAY PROJECT INVOLVING THE MASONRY REPLACEMENT AND RESTORATION AT THE AARON MOSSELL JUNIOR HIGH SCHOOL (FORMERLY KNOWN AS NORTH PARK JUNIOR HIGH SCHOOL) TO BE A TYPE II ACTION UNDER SEQRA, AND AUTHORIZING AND DIRECTING THE INCLUSION OF FUNDING FOR SUCH PROJECT IN THE DISTRICT'S PROPOSED 2023-2024 BUDGET.

WHEREAS, the City School District of the City of Lockport, Niagara County, New York (the "District"), after consultation by District officials with the District's retained architectural firm of Young + Wright Architectural ("YWA"), has resolved that the District should propose to undertake, during the District's pending (2023-2024) fiscal year, a capital outlay project involving modest upgrades and improvements to the District's Aaron Mossell Junior High School, formerly known as North Park Junior High School (the "Aaron Mossell School"), such work being anticipated to include, but not necessarily be limited to, the masonry restoration, brick and stone repointing, stone restoration and sealant replacement, along with any related work required in connection therewith (the "Project"); and

WHEREAS, the estimated maximum cost of the Project (inclusive of all preliminary and incidental costs) has been determined by YWA to be \$100,000; and

WHEREAS, the District is proposing that the Project be financed by the application of \$100,000 of funds to be earmarked for such purpose as a "Transfer to Capital Fund" in the District's pending (i.e., 2023-2024)

budget, with the work on the Project being anticipated to occur (and be completed) during the 2023-2024 fiscal year of the District; and

WHEREAS, the District wishes to reserve the right to expand, contract or modify the scope of the Project in light of the level of future bids received, with the understanding that the estimated maximum cost of the Project will not exceed \$100,000; and

WHEREAS, in accordance with State Education Department guidance and policy, the District/Board of Education is the appropriate agency to be the lead agency to undertake Project review under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, Section 617.5 of the SEQRA regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include "maintenance or repair involving no substantial changes in an existing structure or facility" and "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...;" and

WHEREAS, the Project constitutes such maintenance, repair, or in-kind, same-site replacement, rehabilitation, or reconstruction activities; and

WHEREAS, under the terms of the 2017 Memorandum of Understanding (a/k/a Letter of Resolution or "MOU") between the State Office of Parks, Recreation and Historic Preservation ("OPRHP") (a/k/a State Historic Preservation Office or "SHPO") and SED, and the terms of MOU's exemption form, a project is exempt from SHPO review if, among other possible reasons, a building is 50 years old or older but has previously been evaluated by SHPO and found not to meet the criteria for inclusion in the State and National Register ("Registers"); and

WHEREAS, as indicated in the Cultural Resource Information System ("CRIS"), SHPO has determined in 2022 that the Aaron Mossell School is "not eligible" for listing on the Registers because it does not meet the criteria for inclusion in the Registers; and

WHEREAS, because the Aaron Mossell School is "not eligible" for listing on the Registers, and YWA has determined that the proposed work is exempt from review by SHPO given that it has no anticipated impacts on historic and archeological resources under the terms of the MOU, YWA may nonetheless choose to submit information on the proposed work to SHPO for confirmation;

NOW THEREFORE, BE IT RESOLVED, that it is the final determination of the District's Board of Education that the proposed Project is a Type II action, which is not subject to review under SEQRA, and that the proposed Project will not result in a significant adverse impact on the environment; and be it further

RESOLVED, that the proposed Project shall be included as a "Transfer to Capital Fund" line item (not exceeding \$100,000 in amount) in the District's proposed budget for the 2023-2024 fiscal year (with appropriate additional notification to District voters regarding the anticipated details of the work to be given in connection with the District's regular budget approval process), so that such Project may be initiated and completed (assuming voter approval of the District's proposed budget) during the District's 2023-2024 fiscal year; and be it further

RESOLVED, that this resolution shall take effect immediately.
Seconded by Board Member Caruso – Ayes 9.

No. 775 On Motion by Board Member Kershaw

RESOLVED: That the Board of Education does hereby authorize the following budget transfers in the 2022-2023 budget:

| | | | |
|-------------------|-------------------|--------------|---|
| A2820-150-15-6300 | A2250-150-15-2252 | \$100,000.00 | Reclass of ESSA purposes (CPSE) |
| A2805-160-23-7800 | A2805-160-04-7800 | \$10,050.00 | Reclass of ESSA purposes (security) |
| A2010-150-20-6300 | A2070-150-20-6300 | \$100,000.00 | Reclass of ESSA purposes (TOSAs) |
| A2630-150-20-6300 | A2070-150-20-6300 | \$499,262.40 | Reclass of ESSA purposes (TOSAs) |
| A1621-400-14-7510 | A1620-400-14-0000 | \$11,200.00 | To cover the cost of Asset Control Solutions inventory service. |

Seconded by Board Member Caruso – Ayes 9.

No. 776 On Motion by Board Member Ferraro

LOCKPORT CITY SCHOOL DISTRICT

Resolution Determining Existence of Hazardous Zone for the Emmet Belknap Intermediate School

RESOLVED THAT, upon the recommendation of the Superintendent of Schools and the District's Transportation Advisory Committee, and pursuant to Section 3635-b of the New York State Education Law, it is hereby determined that a hazardous zone exists in this District North of East Avenue for the Emmet Belknap Intermediate School;

AND THAT this hazardous zone can only be reasonably alleviated by the establishment of a Child Safety Zone through which the District can provide school bus transportation; AND THAT there is no reasonable, less costly alternative to alleviate said hazardous zone;

AND, THEREFORE, the aforesaid Child Safety Zone be and hereby is established for the provision of school bus transportation to the children residing therein along routes established by the District, subject to voter approval.

Seconded by Board Member Hare – Ayes 9.

No. 777 On Motion by Board Member Ferraro

LOCKPORT CITY SCHOOL DISTRICT

Resolution Determining Existence of Hazardous Zone for the High School, LHSWCC, Emmet Belknap Intermediate School and Roy B. Kelley Elementary School

RESOLVED THAT, upon the recommendation of the Superintendent of Schools and the District's Transportation Advisory Committee, and pursuant to Section 3635-b of the New York State Education Law, it is hereby determined that a hazardous zone exists in this District North of High Street, East of South Transit Road, South of Walnut Street and West of Erie Street for the High School, LHSWCC, Emmet Belknap Intermediate School and the Roy B. Kelley Elementary School

AND THAT this hazardous zone can only be reasonably alleviated by the establishment of a Child Safety Zone through which the District can provide school bus transportation; AND THAT there is no reasonable, less costly alternative to alleviate said hazardous zone;
AND THEREFORE, the aforesaid Child Safety Zone be and hereby is established for the provision of school bus transportation to the children residing therein along routes established by the District, subject to voter approval.

Seconded by Board Member Hare – Ayes 9.

No. 778 On Motion by Board Member Hare

RESOLVED: That the proposed budget of expenditures for the City School District of the City of Lockport for the school year commencing July 1, 2023, and ending June 30, 2024, in the amount of \$123,267,436 be and hereby is adopted by the Board of Education, the amount to be voted on by the legally qualified voters of the school district on May 16, 2023.

Seconded by Board Member Schutt – Ayes 9.

No. 779 On Motion by Board Member Linderman

RESOLVED: That the Board of Education does hereby accept and approve the Agreement with Niagara County Board of Elections for usage of county voting machines for the 2023 Annual Budget Vote and Trustee Election on May 16, 2023,

BE IT FURTHER RESOLVED: That the District Clerk will take all steps necessary to implement the 2023 Annual School Budget Vote and Trustee Election and she hereby is authorized to sign the agreement.

Seconded by Board Member Caruso – Ayes 9.

No. 780 On Motion by Board Member Linderman

RESOLVED: That the Board of Education does hereby authorize the Director of Facilities to take all steps necessary to submit the application for an Energy Storage System at a non-refundable fee of \$15,000.00 and,

BE IT FURTHER RESOLVED: That the President of the Board and the Director of Facilities are authorized and directed to sign.

Seconded by Board Member Caruso – Ayes 9.

No. 781 On Motion by Board Member Linderman

RESOLVED: That the Board of Education enter into a contract with Young & Wright Architectural to prepare documents for SED submission for the 2023-2024 \$100,000 Capital Outlay Project, and

BE IT FURTHER RESOLVED: That the President of the Board be and she hereby is authorized and directed to sign the contract.

Seconded by Board Member Caruso – Ayes 9.

PERSONNEL MATTERS

No. 782 On Motion by Board Member Kershaw

RESOLVED: That the appointment of the following student observer be approved for the 2022/2023 school year. There shall be no compensation for this appointment.

Tyler Hendricks LHS (H Hildreth) Buffalo State
Seconded by Board Member Schutt – Ayes 9.

No. 783 On Motion by Board Member Kershaw
 RESOLVED: That the appointment of the following extra duty position be approved as indicated, effective for the 2022/2023 school year.

| Name | Position | Building | Total Stipend |
|----------------|--------------------|----------|---------------|
| Shannon Morgan | Spring Intramurals | CU | \$772.75 |

Seconded by Board Member Schutt – Ayes 9.

No. 784 On Motion by Board Member Kershaw
 RESOLVED: That the appointment of Adriana Neumire, uncertified substitute teacher at the rate of \$14.52 per hour and substitute teacher aide at the rate of \$14.20 per hour be approved, pending fingerprint clearance, effective March 24, 2023.

Seconded by Board Member Schutt – Ayes 9.

No. 785 On Motion by Board Member Kershaw
 RESOLVED: That the resignation of Liane Cain as noon hour monitor be accepted, effective at the end of the day on March 22, 2023.

Seconded by Board Member Schutt – Ayes 9.

No. 786 On Motion by Board Member Kershaw
 RESOLVED: That the child rearing leave of absence for Megan McDowell be extended through the end of the day on June 22, 2023.

Seconded by Board Member Schutt – Ayes 9.

No. 787 On Motion by Board Member Kershaw
 RESOLVED: That the appointment of the following extra duty position be approved as indicated, effective for the 2022/2023 school year.

| Name | Position | Building | Total Stipend |
|-------------|-------------------------|----------|---------------|
| Mary Kofahl | Moving Up Night Advisor | AMJHS | \$438.96 |

Seconded by Board Member Schutt – Ayes 9.

No. 788 On Motion by Board Member Kershaw
 RESOLVED: That the resignation of Reinaldo Rodriguez Marreno as temporary assistant custodian be accepted, effective at the end of the day on March 22, 2023, pending his appointment as assistant custodian.

Seconded by Board Member Schutt – Ayes 9.

No.789 On Motion by Board Member Kershaw
 RESOLVED: That the appointment of Reinaldo Rodriguez Marreno as assistant custodian at the salary of \$33,915 (prorated) be approved, effective March 23, 2023. This is a twenty-six-week probationary appointment with an approximate permanent appointment date of September 22, 2023.

Seconded by Board Member Schutt – Ayes 9.

No. 790 On Motion by Board Member Ferraro
 RESOLVED: That the resignation of Joshua Baker as temporary assistant custodian be accepted, effective at the end of the day on March 22, 2023, pending his appointment as assistant custodian.

Seconded by Board Member Hare – Ayes 9.

No. 791 On Motion by Board Member Ferraro
 RESOLVED: That the appointment of Joshua Baker as assistant custodian at a salary of \$33,915 (prorated) be approved, effective March 23, 2023. This is a twenty-six-week probationary appointment with an approximate permanent appointment date of on/about September 22, 2023.
 Seconded by Board Member Hare – Ayes 9.

No. 792 On Motion by Board Member Ferraro
 RESOLVED: That the appointment of Daniel McDonald, assistant custodian at a salary of \$33,915 (prorated) be approved, effective March 23, 2023. This is a twenty-six-week probationary appointment with an approximate permanent appointment date of on/about September 22, 2023.
 Seconded by Board Member Hare – Ayes 9.

No. 793 On Motion by Board Member Ferraro
 RESOLVED: That the appointment of the following summer extended learning coordinators be approved, effective March 23, 2023.

| | | | |
|----|---------------|-----------|---------|
| a. | Kristen Smith | Grade K-4 | \$4,000 |
| b. | Gabe Lewis | Grade 5-6 | \$4,300 |
| c. | Kelly Brandel | Grade 7-8 | \$4,100 |

Seconded by Board Member Hare – Ayes 9.

EDUCATIONAL SERVICES MATTERS

No. 794 On Motion by Board Member Schutt
 RESOLVED: That the following field trips be approved:
Lockport High School – Overnight field trip for approximately six students participating in 1st Amendment, 1st Vote, to Waterloo, NY from Wednesday, March 29 through Thursday, March 30, 2023.
Lockport High School – Overnight and out of state field trip for approximately 29 students, members of the LHS Robotics team, to Houston, Texas from Tuesday, April 18 through Sunday, April 23, 2023.
 Seconded by Board Member Hare – Ayes 9.

SPECIAL NEEDS MATTERS

No. 795 On Motion by Board Member Kershaw
 RESOLVED: That the minutes from the Committee on Preschool Special Education and the Committee on Special Education meetings of November 9, 15, 21, 30; December 5, 6, 16, 20, 22, 2022; January 4, 5, 6, 9, 10, 11, 12, 17, 18, 19, 23, 24, 25, 26, 27, 30, 31; February 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 27, 2023 be approved as attached.
 Seconded by Board Member Linderman – Ayes 9.

LEGISLATIVE UPDATE – MARCH 2023

Legislative Budget Proposals Released

Both the Senate and Assembly released their “one-house” budgets on Tuesday, laying out their respective reactions to the executive budget proposal and other fiscal and policy priorities. The houses are expected to approve their resolutions, which summarize their budget documents, tomorrow. The release of the one-house budgets generally represents the beginning of the home stretch of state budget negotiations, in advance of the April 1 due date.

NYSSBA Governmental Relations has reviewed both one-house budgets and drafted summaries, which you can read through the attached Senate Analysis and Assembly Analysis. Notable highlights include:

- Both houses accept the executive's proposal to fully-fund Foundation Aid, with all districts receiving a minimum 3% increase
- Both houses reject the high-impact tutoring Foundation Aid set-aside
- Both houses reject the proposed extension of the duplicative school building-level budget reporting
- Both houses include funding for universal school meals
- Both houses propose to increase investments in CTE by raising the BOCES aidable salary cap and increasing special services aid for non-component districts
- Both houses include funding for the State Education Department to conduct a study on the Foundation Aid formula

BOARD PRESIDENT COMMENTS

President Tobin commented on the following: love seeing the mission statement readers; been a great first week with Dr. Calvin; thanked all speakers; looking forward to two musicals—Roy B. Kelley and Lockport High School.

COMMITTEE OF THE WHOLE

Board members discussed/commented on the following topics: Welcome Dr. Calvin!! the fire at EB was heartbreaking; thanked all the speakers who came out this evening; wonderful things going on at the schools; many of our athletes going to state competitions; good luck spring sports; there are a lot of concerns in the community; our children are the future; thank you to a teacher at Roy B. Kelley who is walking kids to school; come out and vote; LHS Robotics team went from 18th to 2nd place overall...they showed sportsmanship; would like to acknowledge an article in the newspaper that showcased four local schools that brought people together for My Brother's Keeper—it will foster growth and understanding; there are two seats open on the Board; you can pick up a petition in the business office starting March 31st.

SUPERINTENDENT'S COMMENTS

Superintendent Dr. Mathis Calvin III commented on the following topics: so thankful to serve in this District; have seen so many folks so resilient; we are meeting and working to get the kids back to schools; thanked all the support staff who help to get Emmet Belknap ready for opening after fire; the goal is to be open on Monday, March 27th; everyone came together; we have some awesome students—met one student who has a company where he spray paints sneakers; can't wait to sit down with the students and eat with them; would like to sit down with people to hear the pluses and negatives. A copy of the 100-day plan is on the website. Thanked the community for coming out and it's a pleasure to be here.

No. 796 On motion by Board Member Hare, seconded by Board Member Pierce, the meeting was adjourned at 8:38 p.m. – Ayes 9.

Deborah A. Coder
Clerk of the Board