# LEWISTON-PORTER School District 4061 Creek Road Youngstown, NY 14174

# **Regular Board of Education Meeting**

November 23, 2020; 6pm Via Zoom

### **Board of Education:**

President, Jodee Riordan (2019-2022) Vice Pres., Danielle M. Mullen (2020-2023) Gemma Fournier (2018-2021) Charlotte L. Huebschmann (2020-2023) Jennifer Klemick (2020-2021) Anne H. Orr (2019-2022) Superintendent:
Asst. Supt. for Admin. Svcs.:
Asst. Supt. for Curr./Inst. & Tech:
District Clerk:

Paul J. Casseri Patricia Grupka, Ed.D. Heather Lyon, Ph.D. Marisa I. Barile

**Draft Minutes** 

Absent: Betty VanDenBosch-Warrick (2019-2022)

Due to the need for social distancing during this time, we will be offering an opportunity for community members to participate in our Board of Education Meeting by joining the Zoom webinar meeting;

https://lew-port.zoom.us/j/98982871328?pwd=OEc4RmlacWtsVDB2NTg0M3lobm1QQT09

Passcode: Lancers

CALL TO ORDER							
Call to Order	The Board President will called the meeting to order at 6:09 pm with the Pledge of Allegiance.	Jodee Riordan					
Acceptance of Agenda	RESOLVED, that the Lewiston-Porter Board of Education accept the Agenda for November 23, 2020.  Motion made by Riordan, seconded by Orr to accept the agenda.						
Community Comments	No community Comments						
	REPORTS						
Committee Schedules and Reports	Board of Education Reports 12/02/2020, Facility Planning Committee Meeting 12/08/2020, Curriculum, Instruction, and Assessment Review Council 12/10/2020, NOSBA Meeting 12/14/2020, Policy Review Committee Meeting 12/14/2020, Regular Board Meeting	Orr Mullen/Klemick Riordan Orr/Klemick/Mullen					
Administrative Reports	Administrative Reports (HS, MS, IEC, PEC submitted) Assistant Superintendent for Curriculum, Instruction & Tech. Assistant Superintendent for Administrative Services Superintendent	Dr. Lyon Dr. Grupka Mr. Casseri					
	DISCUSSION/PRESENTATION/RECOGNITION						
Discussion	December Board Meeting	Mr. Casseri					
Presentation	Reopening Feedback Survey Results Presentation Dr.						
Recognition	School Related Personnel (SRP) Recognition						

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BOARD OF EDUCATION INFORMATION					
Board Member Comments		G. Fournier C. Huebschmann J. Klemick A.Orr D. Mullen J.Riordan			
	DISTRICT OPERATIONS				
Minutes	RESOLVED, that the Lewiston-Porter Board of Education approve the Minutes from the October 26, 2020 Regular Board meeting, as submitted by the District Clerk.  Motion made by Riordan, seconded by Orr to approve M-1.	M-1 Approved, CARRIED, 6-0			
Minutes	RESOLVED, that the Lewiston-Porter Board of Education approve the Minutes from the November 9, 2020 Regular/Work Session meeting, as submitted by the District Clerk.  Motion made by Riordan, seconded by Mullen to approve M-2.	M-2 Approved, CARRIED, 6-0			
Consent Agenda for Financial Operations	RESOLVED, that the Lewiston-Porter Board of Education approve the following, Items NF-1 through NF-5, in the financial consent agenda as submitted by the Administration: Budget Status Reports Treasurer's Report Claims Transfer History Budget Transfers Pending Board Approval Motion made by Riordan, seconded by Orr to approve NF-1 to NF-5.	NF-1 NF-2 NF-3 NF-4 NF-5 Approved, CARRIED, 6-0			
	OLD BUSINESS				
No Old Business					
	NEW BUSINESS - ADMINISTRATION				
Policy Revision Acceptance of the First Reading	RESOLVED, at the first reading, that the Lewiston-Porter Board of Education Accept the following policies; Policy 5676, Privacy and Security for Student Data and Teach and Principal Data Policy 7100, Elementary and Secondary Students: General Policy 7110, Comprehensive Student Attendance Policy Policy 7111, Early Release of Students from School Policy 7410, Extracurricular Activities Policy 7411, School Sponsored Student Publications and Activities Policy 7415, Extracurricular Policy - Grades 9-12 Policy 7420, Sports and the Athletic Program Policy 7430, Contests for Students, Student Awards and Scholarships Policy 7440, Student Voter Registration and Pre-Registration Policy 7450, Fundraising by Students Policy 7470, School Photographs Motion made by Riordan, seconded by Orr to approve NA-1.	NA-1 Approved, CARRIED, 6-0			

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Policy Revision Acceptance of the Second Reading	RESOLVED, at the second reading, that the Lewiston-Porter Board of Education accept the following policies; Policy 7310, School Conduct and Discipline Policy 7311, Loss or Destruction of District Property or Resources Policy 7313, Suspension of Students Policy 7314, Students Presumed to Have a Disability for Discipline Purposes Policy 7315, Student Use of Computerized Information Resources (Acceptable Use Policy) Policy 7316, Student Use of Personal Technology Policy 7320 Alcohol, Tobacco, Drugs, and Other Substances (Students) Policy 7330, Searches and Investigations into Suspected Student Misconduct Policy 7340, Bus Rules and Regulations Policy 7350, Corporal Punishment/Emergency Policy 7360, Weapons in School and the Gun-Free Schools Act  Motion made by Riordan, seconded by Mullen to approve NA-2.	NA-2 Approved, CARRIED, 6-0
Approval of the Acceptance the Gay Straight Alliance Club \$50.00 Donation	RESOLVED, that the Lewiston-Porter Board of Education accept the Gay Straight Alliance Club \$50.00 donation for the Middle School from Mr. Robert Coulter.  Motion made by Riordan, seconded by Mullen to approve NA-3.	NA-3 Approved, CARRIED, 6-0
Acceptance of the Tax Collection Report	RESOLVED, that the Lewiston-Porter Board of Education accept the 2020-2021 Tax Collection Report, as submitted by the Tax Collector.  Motion made by Riordan, seconded by Orr to approve NA-4.	NA-4 Approved, CARRIED, 6-0
Approval of the New Rates for Substitutes	RESOLVED, that the Lewiston-Porter Board of Education approve the new substitute rates effective immediately for the following: Instructional Substitute(s): \$112.50 per day (non-certified) Instructional Substitute(s): \$122.50 per day (certified) Substitute Nurse(s): \$20.00 per hour  Motion made by Riordan, seconded by Orr to approve NA-5.	NA-5 Approved, CARRIED, 6-0
Approval of the Expenditure from Repair Reserve for the Emergency Project	RESOLVED, that the Lewiston-Porter Board of Education approve to expend up to \$20,000 from the repair reserve to pay for incidental costs for the emergency project at the Primary Education Center, as submitted by the Assistant Superintendent for Administrative Services.  Motion made by Riordan, seconded by Mullen to approve NA-6.	NA-6 Approved, CARRIED, 6-0

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Approval of the 2020-2024 Capital Improvement Project A BOND RESOLUTION, DATED NOVEMBER 23, 2020, OF THE **BOARD OF EDUCATION OF THE LEWISTON-PORTER CENTRAL** SCHOOL DISTRICT, NIAGARA COUNTY, NEW YORK (THE "DISTRICT") AUTHORIZING THE DISTRICT (A) TO UNDERTAKE AN APPROVED 2020-2024 CAPITAL IMPROVEMENT PROJECT (THE "PROJECT") CONSISTING OF THE RECONSTRUCTION, REHABILITATION AND RENOVATION, IN PART, AND THE CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO, **VARIOUS DISTRICT BUILDINGS AND FACILITIES AND THE SITES** THEREOF AT AN ESTIMATED MAXIMUM COST OF \$17.250.000 AND (B) TO ISSUE SERIAL BONDS OR OTHER OBLIGATIONS OF THE DISTRICT FOR THE FINANCING OF THE PROJECT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$17,250,000, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES (IN ANTICIPATION OF THE SALE OF SUCH OBLIGATIONS) TO THE PRESIDENT OF THE BOARD OF EDUCATION OF THE DISTRICT.

WHEREAS, at the annual meeting and vote of the qualified voters of the Lewiston-Porter Central School District, Niagara County, New York (the "District") that was held on June 9, 2020 (and then adjourned until 5:00 PM on June 16, 2020, for the purpose of receiving mailed absentee ballots) a proposition (the "Proposition") was duly adopted authorizing the Board of Education of the District (the "Board") to undertake, in general accordance with a referenced project plan, a 2020-2024 Capital Improvement Project (the "Project") consisting of the reconstruction, rehabilitation and renovation, in part, and the construction of improvements and upgrades to, various District buildings and facilities and the sites thereof, the purchase of original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such buildings, facilities and sites are used, and all ancillary or related work required in connection therewith, including preliminary costs and costs incidental thereto and in connection with the financing thereof, all at an estimated maximum cost of \$17,250,000, and to levy a tax to finance the estimated maximum cost of the Project, such tax to be collected in annual installments, with obligations of the District to be issued in anticipation thereof; and

**WHEREAS,** it is now desired to authorize the expenditure of up to \$17,250,000 for such purpose and to provide for the financing thereof in accordance with the Proposition;

### NOW, THEREFORE,

**BE IT RESOLVED,** by the Board (by a favorable vote of at least two-thirds of all of the members of the Board), as follows: SECTION 1. The class of objects or purposes to be financed pursuant to this resolution is the reconstruction, rehabilitation and renovation, in part, and the construction of improvements and upgrades to, various District buildings and facilities and the sites thereof, to implement various health, safety, accessibility and Code compliance measures required by the State Education Department in connection with any significant capital project and various other measures that are generally described in (but are not to be limited by) the written plan for the Project that was prepared by the District (with the assistance of Trautman Associates) and is on file with the District Clerk, and being subject to the possibility of reallocation, deletion, revision or supplementation, as

NA-7 Approved, CARRIED, 6-0



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provided in the public notice of the vote on the Proposition. The foregoing work shall include the purchase of original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such buildings, facilities and sites are used, and all ancillary or related work required in connection therewith, including preliminary costs and costs incidental thereto and in connection with the financing thereof.

SECTION 2. The estimated maximum cost of such class of objects or purposes is determined to be \$17,250,000, which expenditure is hereby authorized. The plan for the financing of the Project is to issue up to \$17,250,000 of serial bonds or other obligations of the District that may be lawfully issued under the Local Finance Law (the issuance of which is being hereby specifically authorized for the financing of the estimated maximum cost of the Project), with such amount to be offset by any federal, state, county and/or local funds received by the District for the Project. Unless paid from other sources or charges, the estimated maximum cost of the Project is to be paid by the levy and collection of taxes on all the taxable real property in the District to pay the principal of such bonds or other obligations, and the interest thereon, as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness of the class of objects or purposes referred to in Section 1 hereof is 30 years, pursuant to subdivision 97 of paragraph a of Section 11.00 of the Local Finance Law.

SECTION 4. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the President of the Board, as the chief fiscal officer of the District. Without in any way limiting the scope of the foregoing delegation of powers, the President of the Board, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the District. SECTION 5. The District's prior authorization (on April 21, 2020) of the temporary use of available funds of the District not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution, is hereby reaffirmed. The District reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) April 21, 2020 or (B) any earlier expression by the District of its intent to reimburse expenditures for the Project or any earlier iteration of the Project) with the proceeds of the obligations authorized by Section 2 of this resolution



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(or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such obligations). This resolution shall constitute a reaffirmation of the District's "official intent" to reimburse the expenditures authorized by Section 2 hereof (or expenditures for any earlier iteration of the Project) with such proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the obligations authorized by this resolution, and any notes issued in anticipation of the sale of such obligations, shall contain the recital of validity as prescribed by Section 52.00 of the Local Finance Law, and such obligations shall be general obligations of the District, payable as to both principal and interest by a general tax upon all the taxable real property within the District, without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the District are hereby irrevocably pledged for the payment of the principal of and interest on such obligations, and provision shall be made annually in the budget of the District by appropriation for (A) the amortization and redemption of any such obligations to mature in such year and (B) the payment of interest on any such obligations to be due and payable in such year.

SECTION 7. The President of the Board is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the obligations authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the obligations authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code. SECTION 8. The President of the Board is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the obligations authorized hereunder (or any bond anticipation notes issued in anticipation of the sale of such obligations), containing provisions that are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, as promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

SECTION 9. In the absence or unavailability of the President of the Board, the Vice President of the Board is hereby specifically authorized to exercise the powers delegated to the President of the Board in this resolution.

SECTION 10. The President of the Board is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with District officials and the District's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the District Clerk.

SECTION 11. The District Clerk is hereby authorized and instructed to publish this resolution, or a summary thereof, together with a notice in

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	substantially the form provided by Section 81.00 of the Local Finance Law, in the District's official newspapers. The validity of the obligations authorized hereby, or of any bond anticipation notes issued in anticipation of the sale of such obligations, may be contested only if:  (1) (A) such obligations are authorized for objects or purposes for which the District is not authorized to expend money, or  (B) the provisions of law which should be complied with at the date of publication of this resolution (or a summary thereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or  (2) such obligations are authorized in violation of the provisions of the Constitution of New York.  SECTION 12. This resolution is effective immediately and shall be placed in the official minutes of the Board as an official action of the Board.  Motion made by Riordan, seconded by Mullen to approve NA-7.	
	PUPIL PERSONNEL	
Recommendations for CSE Placement and Amendments	RESOLVED, upon the recommendation of the Superintendent of Schools, that the Lewiston-Porter Board of Education accept the recommendations and amendments of the Committee on Special Education and approve the authorization of funds to implement the special education programs and services consistent with such recommendations for the following:  2020/2021 School Year:  09/28/2020, 10/05/2020, 10/14/2020, 10/16/2020, 10/19/2020, 10/26/2020, 10/27/2020, 10/28/2020, 11/02/2020, 11/03/2020, 11/04/2020, 1/09/2020, 11/10/2020, 11/12/2020, 11/16/2020  Motion made by Riordan, seconded by Orr to approve NP-1.	NP-1 Approved, CARRIED, 6-0
Recommendations for CPSE Placement and Amendments	RESOLVED, upon the recommendation of the Superintendent of Schools, that the Lewiston-Porter Board of Education accept the recommendations and amendments of the Committee on Preschool Special Education and approve the authorization of funds to implement the special education programs and services consistent with such recommendations for the following:  2020/2021 School Year: 11/02/2020, 11/10/2020  Motion made by Riordan, seconded by Mullen to approve NP-2.	NP-2 Approved, CARRIED, 6-0

	PEF	RSONNEL -	CONSENT AGE	ENDA		
	Motion made by Riordan, seconded Orr to approve the Personnel Consent Agenda combining PRNI, PALT, PANI, PACC, PAM.					Approved, CARRIED, 6-0
Resignations/ Rescissions -	<b>RESOLVED</b> , upon the recommendation of the Superintendent of Schools, that the Lewiston-Porter Board of Education accept the consent agenda for resignations/rescissions.					
Non-Instructional	Name	Date	Position	Reason		PRNI
	Laurie Perri	1/22/2021	Monitor	Retireme	ent	
Appointments -  Long-Term Substitute	RESOLVED, up Schools, that the consent agenda probationary expextended in account the applicable produced to be grant composite or over pursuant to Sectified either effective of preceding years composite or over the teacher shall name:  Placement:  Position:  Effective:  Certification:  Degree:  Step:  Salary:	PALT				
Appointments -	<b>RESOLVED</b> , upon the recommendation of the Superintendent of Schools, that the Lewiston-Porter Board of Education accept the consent agenda for Non-Instructional appointments.					
Non-Instructional	Name	Date	Position		Salary	PANI
	Alexous Azzare	elli 10/6/2	020 Prob. Pe	rsonal Care Aide	\$13.20	



	Patricia Powers	11/4/2020	Drob Typio	.4	\$13.14		
	Carol Segarra	Carol Segarra 11/9/2020 Prob. Typist		it	\$13.14		
Appointments -	RESOLVED, upon the Schools, that the Level consent agenda for 0	PACC					
	Name	Appointment		Cat./Step	Stipend		
Co-Curricular & Extra-Curricular	Lori Hurtgam	HS Lancer Council VII-3		VII-3	\$1,146		
	Kyle Hurtgam	HS Lancer	Council	VII-3	\$1,146		
	Cynthia Sanchez	HS Art Clul	0	VII-3	\$1,146		
	Michelle Conti	HS Key Clu	ıb	VII-3	\$1,146		
	Joseph Conti	HS Key Clu	ıb	VII-3	\$1,146		
	Jessica Cruz	HS National Honor VII-2 Society		VII-2	\$1,082		
	Linda D'Anna	HS National Honor Society VII-3 \$1,146					
	Terri Faut	HS Newspa	aper	VI-3	\$1,514		
	Terri Faut	HS Scholar Club	rship	VII-3	\$1,146		
	Colleen Glor	HS Science Society	e Honor	VII-3	\$1,146		
	Carley Wright	HS/MS Gar Alliance	y Straight	VII-1	\$1,011		
	Kelly Zimmerman	MS Art Clu	b	VII-3	\$1,146		
	Tina Oddy	MS Builder	s Club	VII-3	\$1,146		
	Bonnie Rampado	MS Builder	s Club	VII-3	\$1,146		
	Carley Wright	MS Nationa Honor Soci		VII-2	\$1,082		
	Richard Sweeney	MS Science Nature Clu		VII-3	\$1,146		
	Joy Khatib	Elem K-Kid	s	VII-3	\$1,146		
	Rhonda O'Shea	Elem K-Kid	s	VII-3	\$1,146		



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	Karen Yager  Kelly Baio  Joshua Siuta  Janelle Sandonato-	Elem Leadership Council  Elem Leadership Council  Elem Science Club-Co Advisor  Elem Science Club-Co Advisor	VII-3 VII-3 VII-3 VII-3	\$1,146 \$1,146 \$573 \$573	
Appointments - Mentors	RESOLVED, upon Schools, that the Ethe following mentor	PAM			
	Karen Yager-Co			\$237.50	
	Nicole Ando-Co	Lindsay Scalfani ½yr	Spec. Education		
	Lisa Scelsa	Laura Kimoto	Elem Education	\$950.00	
		ADJOURNMENT			
Adjournment	Motion made by F meeting at 7:17 p	Approved, CARRIED, 6-0			

Marisa I. Barile, District Clerk