



**Newfane Central School District
Board of Education**

NEWFANE BOARD OF EDUCATION MEETING MINUTES

FEBRUARY 16, 2021

The February 16, 2021 meeting of the Newfane Board of Education was held in Room 129 at the Early Childhood Center. The meeting was called to order by Board President Schmitt at 7:02 pm.

CALL TO ORDER

A. Casinelli, A. Kennedy, M. Lingle, E. Oudette, J. Schmitt, M. Stefanoski, S. Tomasine
M. Whyte, K. Klumpp, K. Crombie, D. Bedette, D. Hawkins, P. Young, J. Anstett, J. Huntington, C. Gretz

TRUSTEES PRESENT

**OTHERS PRESENT
VIA ZOOM**

The District Mission Statement was read by Trustee Lingle.

**PLEDGE OF ALLEGIANCE
and
DISTRICT MISSION
STATEMENT**

Motion made by Trustee Kennedy and seconded by Trustee Casinelli
RESOLVED, that the proposed agenda for February 16, 2021 be approved.
Resolution Carried: 7 YES 0 NO

**ESTABLISH ORDERS OF
THE DAY**
Approved the agenda

There were no comments at this time.

PUBLIC COMMENTS

PRESIDENT REPORT:

REPORTS

President Schmitt did not have a report at this time.

SUPERINTENDENT REPORT:

Mr. Baumann shared some information on possibly bringing a summer program to the elementary and the 2021-2022 district calendar.

Presentations:

Superintendent Baumann introduced Dan Bedette, High School Principal and Danielle Hawkins, High School Assistant Principal. They presented an update on how the High School is running during COVID. The presentation outlined new staff, information gathered from the recent survey and how the "traditions" are looking this year. Clubs, student activities, exams, athletics and end of year celebrations are all being enjoyed in different ways this year. Examples are zoom concerts, alternating spirit wear days, implementation of exam schedule and expectations. The Board and Superintendent discussed the stresses put on students during the pandemic and the long lasting effects of these.

Secondly, Superintendent Baumann shared an update on the Budget Development process, with the review of expenses, funding sources and reserves. A preliminary budget was shared and discussed.

COMMITTEE REPORTS:

Trustee Kennedy updated the board on the recent executive board of NOSBA meeting where they focused on the Mental Health Concerns for students with an emphasis of using qualified staff to address this in districts. NOSBA will also be offering a Prospective Board Member training virtually at the end of March.

Bernadette Seymour, Coordinator of Community Programs, attended the Newfane Business Association meeting and shared that the High School Club, Model UN, advisor and officers presented their program and fundraiser ideas to the group. The High School group and Bernadette will be looking for innovative ways to engage the school with the community focusing on the Spring Newfane Day that is being planned.

NEWFANE TEACHER’S ASSOCIATION REPRESENTATIVE:

The NTA was represented by C. Gretz, there was not a report.

The Routine Order of Business was voted on by consensus to be listed separately in the minutes.

Motion made by Trustee Lingle and seconded by Trustee Casinelli RESOLVED, that the minutes of the January 19, 2021 and February 2, 2021 meetings of the Board of Education be and are approved.

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Casinelli RESOLVED, that the Board of Education, upon reviewing the recommendation of the Committee on Special Education and the Committee on Preschool Special Education will arrange for the appropriate special education programs and services to be provided for meetings held as listed in Enclosure 2021.02.16.8B.

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Casinelli RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education accept and file the Treasurer’s Monthly Report for the period of December 2020.

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Casinelli RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education accept and file the School Lunch Profit and Loss Statement for the period of December 2020.

Resolution Carried: 7 YES 0 NO

ROUTINE ORDER OF BUSINESS

Approved the Meeting Minutes
Encl. 2021.02.16.8A

Approved Classification and Placement of Students
Encl. 2021.02.16.8B

Accepted and filed the Monthly Treasurer’s Report
Encl. 2021.02.16.8C

Approved the School Lunch Profit and Loss Statement
Encl. 2021.02.16.8D

Motion made by Trustee Lingle and seconded by Trustee Casinelli
RESOLVED, upon the recommendation of the Superintendent of Schools,
that the Board of Education accept and file the Quarterly Student Activity
Funds Report for period ending December 2020.
Resolution Carried: 7 YES 0 NO

Accepted and filed the
Quarterly Student
Activity reports
Encl. 2021.02.16.8E

Motion made by Trustee Lingle and seconded by Trustee Casinelli
RESOLVED, upon the recommendation of the Superintendent of Schools,
that the Board of Education accept and file the December 2020 Budget
Status Report as submitted.
Resolution Carried: 7 YES 0 NO

Accepted and filed the
budget status report
Encl. 2021.02.16.8F

The Personnel Order of Business was voted on by consensus to be listed
separately in the minutes.

**PERSONNEL ORDER OF
BUSINESS**

Motion made by Trustee Lingle and seconded by Trustee Tomasine
RESOLVED, upon the recommendation of the Superintendent of Schools,
that the Board of Education grant Carla Palazzo, a teacher in the elementary
education tenure area, an unpaid leave of absence from January 28, 2021
through March 31, 2021.

Approved an unpaid
leave of absence,
C. Palazzo

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine
RESOLVED, upon the recommendation of the Superintendent of Schools,
that the Board of Education accept the resignation of Richard Meyers from
his Science Club Advisor Position effective, January 22, 2021.

Accept a resignation,
Science Club Advisor
Encl. 2021.02.16.9B

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine
RESOLVED, upon the recommendation of the Superintendent of Schools,
that Lindsey Supparits residing in Grand Island, New York, having Emergency
COVID-19 NYS certification in English Language Arts 7-12 be and is appointed
to the High School, as an English Language Arts teacher, Long Term
Substitute, step 1, Bachelors, prorated, effective January 27, 2021 through
June 30, 2021.

Appointed a long term
substitute teacher,
J. Supparits
Encl. 2021.02.16.9C

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine
RESOLVED, upon the recommendation of the Superintendent of Schools,
that Vickie Beiter residing in Newfane, New York, be and is appointed to a
1.0 FTE Instructional Associate position, effective February 8, 2021, with a
52week probationary period from February 8, 2021 to February 7, 2022 at a
rate of \$14.23 per hour according to the terms and conditions of the CSEA
bargaining agreement.

Appointed an
Instructional Associate,
V. Beiter
Encl. 2021.02.16.9D

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine RESOLVED, upon the recommendation of the Superintendent of Schools, that the following people be and are approved as substitutes in the district effective as noted:

Appointed district substitute employees
Encl. 2021.02.16.9E

Gabrielle Maybach

non certified Substitute Teacher, Effective January 28, 2021

Thomas Schultz

non certified Substitute Teacher, Effective January 28, 2021

Resolution Carried: 7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the listed interscholastic athletic coach to the identified position for the 2020-2021 fall sports season, pending that interscholastic athletics are permitted as it relates to COVID-19 social distancing orders. Compensation is in accordance with Appendix D of the NTA contract, at the rate indicated and will be prorated as appropriate if the school year or sport season is interrupted, shortened and/or terminated due to COVID-19 orders. Stipends will not be paid if the interscholastic sport season does not occur.

Appointed a coach,
M. Forsyth
Encl. 2021.02.16.9F

<u>Sport</u>	<u>Position</u>	<u>Name</u>	<u>%</u>	<u>Step</u>
Volleyball – JV Head		Megan Forsyth	7.3	1

Resolution Carried:

7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine RESOLVED, upon the recommendation of the Superintendent of Schools, that Donald Budziszewski, residing in Burt, New York, be and is appointed to the position of Groundsperson, effective February 8, 2021 with a 52-week probationary period from February 8, 2021 to February 7, 2022 at a rate of \$18.25 per hour, according to the terms and conditions of the CSEA collective bargaining agreement.

Appointed a Groundsperson,
D. Budziszewski
Encl. 2021.02.16.9G

Resolution Carried:

7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine RESOLVED, that the Superintendent of Schools be and is authorized to enter into a contractual agreement effective July 1, 2020, as presented in enclosure 2021.02.16.9H, with Shannon Emborsky, Secretary to the Superintendent.

Approved an employment contract,
Secretary to the Superintendent
Encl. 2021.02.16.9H

Resolution Carried:

7 YES 0 NO

Motion made by Trustee Lingle and seconded by Trustee Tomasine RESOLVED, that the Superintendent of Schools be and is authorized to enter into a contractual agreement effective July 1, 2020, as presented in enclosure 2021.02.16.9I, with Bernadette Seymour, District Clerk.

Approved an employment contract,
District Clerk
Encl. 2021.02.16.9I

Resolution Carried:

7 YES 0 NO

The New Order of Business was voted on by consensus to be listed separately in the minutes.

Motion made by Trustee Lingle and seconded by Trustee Stefanoski RESOLVED, that the Internal Audit Report, performed by Drescher & Malecki, LLP, of the Newfane Central School District for the period ending of July 1, 2021, which includes district response, be and is received by the Board of Education, and;

FURTHER RESOLVED, that the audit report be made public upon request.

Resolution Carried: 7 YES 0 NO

NEW ORDER OF BUSINESS

Received and filed the Internal Audit Encl. 2021.02.16.10A

Motion made by Trustee Lingle and seconded by Trustee Stefanoski RESOLVED, upon the recommendation of the Superintendent of Schools, that the budget transfers for June 30, 2021, outlined in Enclosure 2021.02.16.10B be approved.

Resolution Carried: 7 YES 0 NO

Approved budget transfers Encl. 2021.02.16.10B

Motion made by Trustee Lingle and seconded by Trustee Stefanoski RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the Public Employer Health Emergency Plan as noted in enclosure 2021.02.16.10C.

Resolution Carried: 7 YES 0 NO

Approved the Public Employer Health Emergency Plan Encl. 2021.02.16.10C

Motion made by Trustee Lingle and seconded by Trustee Stefanoski A BOND RESOLUTION, DATED FEBRUARY 16, 2021, OF THE BOARD OF EDUCATION OF THE NEWFANE CENTRAL SCHOOL DISTRICT, NIAGARA COUNTY, NEW YORK (THE "DISTRICT") AUTHORIZING THE DISTRICT (1) TO UNDERTAKE A "TOGETHER WE CAN, NEWFANE 2020 - BUILDING OUR FUTURE" CAPITAL IMPROVEMENTS PROJECT (THE "PROJECT") CONSISTING OF THE RECONSTRUCTION AND RENOVATION OF, AND THE CONSTRUCTION OF IMPROVEMENTS, ADDITIONS AND UPGRADES TO VARIOUS DISTRICT BUILDINGS AND FACILITIES (AND THE SITES THEREOF), AT AN ESTIMATED MAXIMUM COST OF \$30,569,000; (2) TO EXPEND OR APPLY TOWARD THE PROJECT, DURING THE CURRENT FISCAL YEAR OF THE DISTRICT, THE ENTIRE BALANCE (\$7,000,000, PLUS ANY INTEREST EARNED) FROM THE DISTRICT'S BUILDING CAPITAL RESERVE FUND THAT WAS ESTABLISHED IN 2020, WITH SUCH FUND THEN TO BE TERMINATED; AND (3) TO ISSUE SERIAL BONDS OR OTHER OBLIGATIONS OF THE DISTRICT (IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$23,569,000) TO FINANCE THE BALANCE OF THE ESTIMATED MAXIMUM COST OF THE PROJECT, 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 a special meeting and vote of the qualified voters of the Newfane Central School District, Niagara County, New York (the "District"), that was held on December 15, 2020, a proposition (the "Proposition") was duly adopted authorizing the Board of Education of the District (the "Board") (1) to undertake, in general accordance with a referenced project plan, a "Together We Can, Newfane 2020 - Building Our Future" capital

Approved a Bond Resolution, related to the Capital Project Encl. 2021.02.16.10D

improvements project (the "Project") at an estimated maximum cost of \$30,569,000; (2) to expend or apply toward the Project, during the current fiscal year of the District, the entire balance (\$7,000,000, plus any interest earned) from the District's Building Capital Reserve Fund that was established in 2020, with such Fund then to be terminated; and (3) to levy a tax to finance the balance of the estimated maximum cost of the Project, such tax to be collected in annual installments, with obligations of the District (in an aggregate principal amount not to exceed \$23,569,000) to be issued in anticipation thereof; and

WHEREAS, it is now desired to authorize the expenditure of up to \$30,569,000 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 a capital improvements project involving the reconstruction and renovation of, and the construction of improvements, additions 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 Cannon Design) and is on file with the District Clerk, and being subject to the possibility of reallocation, deletion, revision or supplementation, as 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 \$30,569,000, which expenditure is hereby authorized. The plan for the financing of the Project is (1) to expend or apply toward the Project, during the current fiscal year of the District, the entire balance (\$7,000,000, plus any interest earned) from the District's Building Capital Reserve Fund that was established in 2020, with such Fund then to be terminated and (2) to issue up to \$23,569,000 of serial bonds or other obligations of the District that may be lawfully issued under the Local Finance Law (the issuance of which being hereby specifically authorized for the financing of the balance 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, such balance of 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 October 20, 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 (1) October 20, 2020 or (2) 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 (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 (1) the amortization and redemption of any such obligations to mature in such

year and (2) 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. The President of the Board is further authorized to call in and redeem any outstanding obligations (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 10. 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 11. The District Clerk is hereby authorized and instructed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the District's official newspaper(s). 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 an object or purpose 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.

Resolution Carried: 7 YES 0 NO

**CONCLUDING ORDERS
OF BUSINESS**

Public comments

There were no comments at this time.

Anything for the “good
of the order”

This time was used for trustees to share information without action.

EXECUTIVE SESSION

Motion made by Trustee Kennedy and seconded by Trustee Lingle
MOVED, that the Board of Education enter executive session for the purpose
of discussing specific non bargaining unit contracts and a grievance update.

Resolution Carried: 7 YES 0 NO

Recessed at: 9:28 pm Reconvened at: 10:02 pm

ADJOURNMENT

Motion made by Trustee Oudette and seconded by Trustee Tomasine
MOVED, that the Board of Education adjourn the meeting.

Resolution Carried: 7 YES 0 NO

Meeting adjourned at: 10:03 pm

Respectfully submitted,

Bernadette Seymour
District Clerk

DRAFT