

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF EDUCATION
Royalton-Hartland Central School District
Middleport, New York

May 9, 2019

A regular meeting of the Royalton-Hartland Board of Education was held on the above date at the high school immediately following a facilities meeting.

The meeting was called to order at 6:00 p.m.

CALL TO ORDER

Present: Carol Blumrick, Carrie Choate, Sara Fry, Jeff Waters, Jason Wilhelm, Vice President, Tom Brigham and President, Chad Owen

Also Present: Dr. Hank Stopinski, Superintendent of Schools and Mr. Andrew Lang, Business Administrator

At 6:00 p.m. Mr. Waters moved, seconded by Mrs. Blumrick, to go into an executive session to discuss current litigation and an update on a student issue.

Motion carried.

At 6:45 p.m. Mrs. Blumrick moved, seconded by Mr. Wilhelm, to end the executive session.

Motion carried.

BUDGET HEARING

At 6:50 p.m. the Board held a Budget Hearing on the proposed 2019-2020 budget.

Mr. Owen welcomed visitors and Lorna Becker sang the national anthem.

PRESENTATION(S)

Several SkillsUSA and FFA students were recognized for their recent accomplishments.

STANDING RESOLUTIONS

Mr. Wilhelm moved, seconded by Mrs. Choate, upon the recommendation of the Superintendent, that the minutes of the regular meeting of April 11, 2019, the March 2019 appropriation status report and March 2019 student activity treasurer's report and the CPSE and CSE recommendations dated March 21 through April 4, 2019 be approved.

Motion carried.

EDUCATION

Mrs. Blumrick moved, seconded by Mrs. Fry, upon the recommendation of the Superintendent, that the request from the FFA students to attend the 2019 New York State Convention in Syracuse on May 2-4, 2019 is retroactively approved as presented.

Motion carried.

Mrs. Blumrick moved, seconded by Mr. Wilhelm, upon the recommendation of the Superintendent, that the requests from non-resident employees for their children to attend the Royalton-Hartland Central School District for the 2019-2020 school year are approved per Board Policy #7132:

Grade 3 – 1 student

Grade 5 – 1 student

Grade 6 – 1 student

Motion carried.

PERSONNEL

Mr. Waters moved, seconded by Mrs. Choate, upon the recommendation of the Superintendent, that the following individuals are appointed, without benefits, as substitutes with services to be utilized on an as-needed basis. Employment shall be effective through June 25, 2019 unless terminated sooner:

Non-Certified Teacher – Shannan Zimmerman, Frank Briandi

Teacher Aide/Monitor – Kathleen Mullin

Motion carried.

Mr. Waters moved, seconded by Mrs. Choate, to approve the following fall 2019 coaches:

Resolved, upon the recommendation of the Superintendent, that Colleen Albee is appointed to the position of varsity field hockey coach for the 2019 fall sports season. Salary stipend of \$3,313.00 is 6% of Step 11 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Jessica Bell-Caprio is appointed to the position of JV field hockey coach for the 2019 fall sports season. Salary stipend of \$2,209.00 is 4% of Step 11 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that John Reith is appointed to the position of cross country coach for the 2019 fall sports season. Salary stipend of \$4,476.00 is 6% of Step 20 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Kathleen Opanashuk is appointed to the position of modified cross country coach for the 2019 fall sports season. Salary stipend of \$1,254.00 is 3% of Step 3 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Bill Holahan is appointed to the position of varsity volleyball coach for the 2019 fall sports season. Salary stipend of

\$5,222.00 is 7% of Step 20 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Doug Meyer is appointed to the position of JV volleyball coach for the 2019 fall sports season. Salary stipend of \$3,730.00 is 5% of Step 20 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Greg Martillotta is appointed to the position of boys varsity soccer coach for the 2019 sports season. Salary stipend of \$3,306.00 is 7% of Step 6 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Mike Bartkowski is appointed to the position of boys JV soccer coach for the 2019 sports season. Salary stipend of \$2,015.00 is 5% of Step 1 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Rich Jennings is appointed to the position of girls varsity soccer coach for the 2019 sports season. Salary stipend of \$3,176.00 is 7% of Step 5 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Robert Kneeland is appointed to the position of girls JV soccer coach for the 2019 sports season. Salary stipend of \$2,035.00 is 5% of Step 2 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Mike Lang is appointed to the position of golf coach for the 2019 sports season. Salary stipend of \$2,091.00 is 5% of Step 3 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Marcus Whyche is appointed to the position of varsity football coach for the 2019 fall sports season. Salary stipend of \$5,017.00 is 12% of Step 3 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Will Stiles is appointed to the position of assistant football coach for the 2019 fall sports season. Salary stipend of \$3,662.00 is 9% of Step 2 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Resolved, upon the recommendation of the Superintendent, that Dave Huntington is appointed to the position of assistant football coach for the 2019 fall sports season. Salary stipend of \$4,406.00 is 9% of Step 7 of the current RHTA Agreement which expires June 30, 2019. Salary will be finalized at the conclusion of negotiations. Employment shall be effective through the end of the 2019 fall sports season unless terminated sooner.

Motion carried.

Mr. Waters moved, seconded by Mrs. Choate, upon the recommendation of the Superintendent, that Robin Babiarz is appointed to a twelve-month probationary position of cleaner effective May 28, 2019.

Motion carried.

Mr. Waters moved, seconded by Mrs. Choate, upon the recommendation of the Superintendent, that Robyn Criswell is appointed to a twelve-month probationary position of part-time food service helper effective May 10, 2019.

Motion carried.

Mr. Brigham moved, seconded by Mrs. Fry, upon the recommendation of the Superintendent, that the request from Bethany Crahen to take an unpaid child-rearing leave effective May 6 through June 13, 2019 is approved.

Motion carried.

Mr. Waters moved, seconded by Mr. Wilhelm, upon the recommendation of the Superintendent, that the following election inspectors and machine custodian are approved for the May 21, 2019 Annual Meeting and Board Member Election:

Inspectors (at \$55.00 each) Patricia Craft, Holly Majka, Nancy Carrier, Dottie Barr, Karen Gardner, Holly Childs, Nancy Conti and Gail Kalbfliesh

Machine Custodian (at \$120.00) Rich O'Grady

Motion carried.

Mrs. Choate moved, seconded by Mr. Waters, that the Superintendent of Schools is authorized to continue the involuntary paid leave of two employees.

Mr. Waters moved, seconded by Mr. Wilhelm, upon the recommendation of the Superintendent, that the resignation from Nicholas Wright from his position as general repair person be accepted effective at the end of the day on May 17, 2019 and the resignation from Terry Nolan from his position as custodian be accepted effective at the end of the day on May 6, 2019.

Motion carried.

BUSINESS AND FINANCE

Mrs. Fry moved, seconded by Mr. Brigham, upon the recommendation of the Superintendent, that the Agreement between the District and the Barker Central School District for a shared food service director is approved.

Motion carried.

Mr. Waters moved, seconded by Mrs. Choate, upon the recommendation of the Superintendent, to approve the following resolution:

RESOLUTION OF THE BOARD OF EDUCATION OF THE ROYALTON-HARTLAND CENTRAL SCHOOL DISTRICT (THE "RHCS") AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CERTAIN TRANSFER AND INDEMNITY AGREEMENT AND QUIT CLAIM DEED WHEREBY THE COUNTY OF NIAGARA WILL CONVEY CERTAIN REAL PROPERTY FORMERLY OWNED BY SALLY K. COE AND COMMONLY KNOWN AS ELIZABETH STREET IN THE VILLAGE OF MIDDLEPORT, NIAGARA COUNTY, NEW YORK AND ASSESSED UNDER SBL# 86.17-1-77 (THE "REAL PROPERTY") TO THE RHCS

WHEREAS, the County of Niagara (the "County") by foreclosure of tax liens under the New York Real Property Tax Law has acquired jurisdiction over an approximately 3.7 acre parcel of undeveloped land assessed under SBL# 86-17-1-77 and commonly known as Elizabeth Street in the Village of Middleport, Niagara County, New York, formerly owned by Sally K. Coe (the "Real Property"); and

WHEREAS, via Judgment of Foreclosure and Sale granted by the Supreme Court of New York on July 19, 2018, the County Tax Enforcing Officer has been awarded possession of the Real Property and has been authorized to execute and deliver a deed conveying full and complete title to the Real Property free and clear of all liens and encumbrances to a designee of assignee of the County Tax Enforcing Officer; and

WHEREAS, the Royalton-Hartland Central School District (the "RHCS") has notified the County of its desire to accept ownership of the Real Property from the Tax Enforcing Officer; and

WHEREAS, the Niagara County Legislature (the "Legislature"), via resolution dated November 20, 2018 (the "County Resolution") determined that an indispensable condition of conveyance in the matter is the protection of the County's interest established via institution of a hold harmless and indemnity agreement from the RHCS and further resolved to authorize the County Tax Enforcing Officer to convey the Real Property to the RHCS subject to review by the County Attorney and including terms and conditions consistent with the conditions set for within the County Resolution; and

WHEREAS, to properly take title to the Real Property, it will be necessary for the RHCS to consult with the New York State Department of Environmental Conservation (the "DEC") and the New York State Department of Health (the "DOH") in efforts to secure

the amendment of the Site Management Plan (the “SMP”) affecting the Real Property and to amend the existing Declaration of Covenants and Restrictions (the “Declaration”) also affecting the Real Property; and

WHEREAS, FMC Corporation (“FMC”) has entered into an Administrative Order on Consent with respect to the Real Property making FMC responsible for the performance of a corrective action plan related to certain environmental remediation issues affecting the Real Property; and

WHEREAS, the RHCS D has initiated environmental due diligence with respect to certain environmental conditions and deed restrictions affecting the Real Property; and

WHEREAS, the acquisition of the Real Property is an Unlisted Action as defined under Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the DEC (the “Regulations”, and collectively with the SEQR Act, “SEQR”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ROYALTON-HARTLAND CENTRAL SCHOOL DISTRICT AS FOLLOWS:

Section 1. Pursuant to SEQR and: (i) based upon the RHCS D review of the contemplated acquisition of the Real Property; (ii) Part I of the Short Form Environmental Assessment Form (“EAF”) completed by the RHCS D; (iii) Parts 2 and 3 of the EAF completed by the RHCS D; and (iv) the RHCS D’s analysis of the EAF undertaken by its general counsel, the RHCS D is undertaking an uncoordinated review for the contemplated acquisition of the Real Property which has been identified as an Unlisted action for purposes of such review in accordance with SEQR. The RHCS D has reviewed and analyzed the proposed acquisition of Real Property including the reasonable environmental impacts and the potential impacts associated with it. Based on the foregoing, the RHCS D names itself Lead Agency as defined under SEQR, and hereby finds that the acquisition of Real Property will not have any significant adverse impact on the environment in accordance with SEQR and as such, no environmental impact statement shall be prepared. The RHCS D thus issues this Negative Declaration pursuant to SEQR.

Section 2. The RHCS D hereby authorizes the undertaking of the acquisition of the Real Property from the County in the amount not to exceed \$1.00.00 in accordance with the terms and conditions as described herein and as stated within the County Resolution, and the Superintendent of Schools (the “Authorized Officer”) is hereby authorized, on behalf of the RHCS D, to execute and deliver a Transfer and Indemnity Agreement and any other related documents required to accomplish the purposes of this resolution, with such changes, variations, omissions and insertions as the Authorized Officer, in consultation with the RHCS D general counsel, shall approve, the execution thereof by the Authorized Officer to constitute conclusive evidence of such approval.

Section 3. The RHCS D hereby authorizes the Authorized Officer to coordinate with the DEC and the DOH to amend the SMP, to memorialize and confirm FMC’s environmental remediation responsibilities with respect to the Real Property, to amend the Declaration, and to take any and all actions as so related hereto and thereto, in consultation

with the RHCSO general counsel, and the Authorized Officer is further authorized to execute and deliver any other related documents required to accomplish the foregoing, all with such changes, variations, omissions and insertions as the Authorized Officer, in consultation with the RHCSO general counsel, shall approve, the execution thereof by the Authorized Officer to constitute conclusive evidence of such approval.

Section 4. The Authorized Officer is hereby authorized and directed, and in the name and on behalf of the RHCSO to obtain such approvals and consents of regulatory or governmental authorities, negotiate and execute any related documents, certifications, or agreements, and to do all such further acts and things as may be necessary, or in the opinion of such officer, employee or agent so acting, desirable and proper to effect the purposes of the foregoing Resolutions.

Section 5. This resolution shall take effect immediately.

Discussion: Mr. Brigham explained to the members of the audience what this resolution was about and where the property was located.

Motion carried.

Mr. Wilhelm moved, seconded Mrs. Choate, upon the recommendation of the Superintendent, to approve the following resolution:

WHEREAS, the Royalton-Hartland Central School District participates in the New York State Teachers' Retirement System ("TRS"); and

WHEREAS, on May 11, 2009, the Board of Education of the Royalton-Hartland Central School District by resolution established a Retirement Contribution Reserve Fund known as the Retirement Contribution Reserve pursuant to Section 6-r of the General Municipal Law; and

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

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

1. The Board hereby establishes a sub-fund within the Retirement Contribution Reserve Fund to be known as the Teachers' Retirement Contribution Reserve Sub-Fund.
2. The source of funds for this Reserve Sub-Fund shall be:
 - a. such amounts as may be provided therefore by budgetary appropriation or raised by tax therefore;

- b. such revenues as are not required by law to be paid into any other fund or account;
 - c. such other funds as may be legally appropriated; and
 - d. notwithstanding any law to the contrary, such amounts as may be transferred from a reserve fund established pursuant to Section 6-c, 6-d, 6-e, 6-f or 6-g of Article 2 of the General Municipal Law, comprised of moneys raised from the same tax base as the moneys in the retirement contribution reserve fund, or a reserve fund established pursuant to Education Law Section 3651, provided that any such transfer shall only be made by Board resolution adopted after a public hearing held on at least 15 days prior notice published in at least one newspaper having general circulation in the District.
- 3. By resolution, the Board of Education may authorize expenditures from this Reserve Sub-Fund. Except as otherwise provided by law, moneys in this Reserve Sub-Fund may only be appropriated to finance retirement contributions to the New York State Teachers' Retirement System, and/or to offset all or a portion of the amount deducted from the moneys apportioned to the District from the State for the support of schools pursuant to Section 521 of the Education Law.
- 4. No member of the Board of Education or employee of the District shall:
 - a. authorize a withdrawal from this Reserve Sub-Fund for any purpose except as provided in Section 6-r of the General Municipal Law; or
 - b. expend any money withdrawn from this Reserve Sub-Fund for a purpose other than as provided in Section 6-r of the General Municipal Law.
- 5. The moneys contributed annually to the Reserve Sub-Fund shall not exceed 2% of the total compensation or salaries of all teachers employed by the District who are members of TRS paid during the immediately preceding fiscal year.
- 6. The balance of the Reserve Sub-Fund shall not exceed 10% of the total compensation or salaries of all teachers employed by the District who are members of TRS paid during the immediately preceding fiscal year.
- 7. The moneys in this Reserve Sub-Fund shall be deposited and secured in the manner provided by Section 10 of the General Municipal Law. The Board of Education or its authorized designee may invest the moneys in this Reserve Sub-Fund in the manner provided by Section 11 of the General Municipal Law. Any interest earned or capital gain realized on the money so deposited or invested shall accrue to and become part of this Reserve Sub-Fund.
- 8. The chief fiscal officer shall account for this Reserve Sub-Fund separate and apart from all other funds of the District. Such accounting shall show: the source, date and amount of each sum paid into the sub-fund; the interest earned

by such sub-fund; capital gains or losses resulting from the sale of investments of this sub-fund; the order, purpose thereof, date and amount of each payment from this sub-fund; the assets of the sub-fund, indicating cash balance and a schedule of investments. The chief fiscal officer, within sixty (60) days of the end of each fiscal year, shall furnish a detailed report of the operation and condition of this sub-fund to the Board of Education.

9. This Resolution shall take effect immediately.

Discussion: Mr. Lang spoke about why the District was creating this Sub-Fund.
Motion carried.

COMMITTEE NOTES

Mrs. Choate moved, seconded by Mrs. Blumrick, upon the recommendation of the Superintendent, that the Facilities Committee meeting notes of April 11, 2019, the Audit Committee meeting notes of April 18, 2019 and the Safety Committee meeting notes of May 6, 2019 are approved.
Motion carried.

POLICY

The Board held a second reading of revisions to policy #5686 Use of Surveillance Cameras in the School District and on School Buses.

Mr. Waters moved, seconded by Mrs. Choate, to waive the third reading and adopt policy #5686 as is.

UPDATES

Mrs. Alterio, Middle School Principal, and Mrs. VanSlyke, Elementary School Principal, spoke about the reduced opt-outs for the math assessments; activities for Teacher Appreciation Week and Bus Driver Appreciation Week; Mrs. VanSlyke also spoke about Arbor Day celebrations. Mr. Gary Bell, High School Principal, shared that a college planning night was coming up as is the Scholastic Achievement Recognition Dinner (SARD).

BOARD REPORTS AND DISCUSSION

Mr. Owen asked the Board for their availability to meet regarding the Superintendent's evaluation in June. Mrs. Choate spoke about the recent softball team's trip to Florida and thanked Mr. Bell for going with them; Mr. Wilhelm attended a Music Parents meeting and shared that the Treasurer and President are stepping down.

SUPERINTENDENT INFORMATION

The Board received the March 2019 Warrant, Treasurer's and Revenue reports.

The Superintendent reported on the wet weather and spring sports; the upcoming SARD event and that Fritz Quackenbush, high school maintenance person and Dan Mault, elementary school teacher, each received a Western New York Educational Service Council Award for Excellence.

PUBLIC FORUM

George Walker, Canal Road, Lockport, thanked Mr. Brigham for explaining the transfer of property resolution.

Anne Gervaise, 6th Grade Teacher (non-resident) asked about the protocol for field trips and why a request for the 6th Grade class to go to lunch and a movie was denied.

Lisa Hartje, East Avenue, Gasport asked why it took so long to have the minutes posted on the website and that draft minutes should be available within two weeks.

At 8:00 p.m. Mrs. Fry moved, seconded by Mr. Brigham, that the meeting adjourns.
Motion carried.

The meeting adjourned at 8:00 p.m.

Marjorie Masters
District Clerk