

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

July 9, 2014

The reorganization meeting of the Royalton-Hartland Board of Education was held on the above date at the high school.

The meeting was called to order at 6:10 p.m.

ROLL CALL

Present: Keith Bond, Board Member  
Daniel Bragg, Board Member; arr. 7:20 p.m.  
Sara Fry, Board Member; arr. 7:00 p.m.  
Sandra Hoerner, Board Member  
Kenneth Koch, Board Member  
Patricia Riegler, Board Member  
Jeffrey Waters, Board Member

Mr. Bond moved, seconded by Mrs. Hoerner, to go into an executive session to discuss the personnel items that were added to the agenda.

Motion carried.

The Board entered executive session at 6:10 p.m.

Mr. Koch moved, seconded by Mrs. Riegler, that the Board returns to open session.

Motion carried.

OATH(S) OF OFFICE

The Oath of Office was administered to re-elected Board Members Keith Bond, Ken Koch and Jeff Waters.

APPOINT DISTRICT CLERK

Mr. Bond moved, seconded by Mrs. Riegler, that the Board of Education appoints Marjorie Masters as District Clerk for the 2014-2015 school year at a stipend of \$4,799.

6 yes/1 absent (Waters)

Motion carried.

ELECTION OF OFFICERS

Mr. Bond moved, seconded by Mrs. Hoerner, to nominate Patricia Riegler as President of the Board of Education.

Mrs. Fry moved, seconded by Mr. Waters, to nominate Keith Bond as President of the Board of Education.

There were no other nominations.

#### ROLL CALL VOTE

For Mrs. Riegler:

Keith Bond	Yes
Daniel Bragg	Absent
Sara Fry	No
Sandra Hoerner	Yes
Kenneth Koch	Yes
Patricia Riegler	Yes
Jeffrey Waters	No

4 yes; 2 no

Mrs. Riegler was declared President of the Board of Education and took the Oath of Office.

Mr. Waters moved, seconded by Mr. Bond, to nominate Ken Koch as Vice President of the Board of Education.

Mrs. Fry moved, seconded by Mrs. Riegler to nominate Keith Bond as Vice President of the Board of Education.

Mr. Koch moved, seconded by Mr. Bond, to nominate Dan Bragg as Vice President of the Board of Education.

There were no other nominations.

Voting for Mr. Koch: Mrs. Hoerner, Mr. Koch and Mr. Waters

Voting for Mr. Bond: Mrs. Fry

Voting for Mr. Bragg: Mrs. Riegler and Mr. Bond

Mr. Koch was declared Vice President of the Board of Education and took the Oath of Office.

#### APPOINTMENTS

Mr. Bond moved, seconded by Mrs. Fry, to appoint Roger Klatt as Chief Executive Officer of the Board of Education.

Motion carried.

Mr. Waters moved, seconded by Mr. Koch, to appoint the Superintendent of Schools or the Business Administrator to serve as District Clerk Pro-Tem in the absence of the District Clerk.

Motion carried.

Mr. Waters moved, seconded by Mrs. Hoerner to appoint Carol Boardway as District Treasurer.

Motion carried.

Mr. Waters moved, seconded by Mrs. Hoerner, to appoint Kelly Griffith as Deputy Treasurer.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to appoint Kelly Griffith as Tax Collector of the school district at a stipend of \$2,850.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to appoint Beth Nichter as Central Treasurer of the Extra-Classroom Activity Funds at a stipend of \$2,200.

Motion carried.

Mr. Koch moved, seconded by Mr. Waters, to appoint Sandy Kress as Claims Auditor at a stipend of \$6,000.

Motion carried.

Mr. Koch moved, seconded by Mr. Waters, to appoint Sandy Kress as Faculty Auditor of the Extra-Classroom Activity Funds.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoener, to appoint as Chief Faculty Counselors of the Extra-Classroom Activity Funds: High School – High School Principal; Middle School - Middle School Principal; Elementary School – Elementary School Principal.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoener, to appoint the auditing firm of Lumsden & McCormick, LLP to conduct the district's annual external audit (for fiscal year ending June 30, 2015).

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to approve the following resolution:

RESOLVED, that the Board of Education appoints Kelly Griffith as Purchasing Agent for the 2014-2015 school year, and

BE IT FURTHER RESOLVED, that Kelly J. Griffith shall be authorized to purchase, procure, store and distribute all supplies and equipment for which appropriations have been made with due regard for existing law, economy and efficiency and the needs of the school district, and

BE IT FURTHER RESOLVED, that Kelly J. Griffith be and hereby is authorized to execute in the name of the Board of Education any and all documents, contracts, orders or other instruments necessary to carry out the intent of this resolution.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to appoint Marjorie Masters as Records Access/Management Officer.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner to appoint Hodgson Russ, LLP; Ferrara, Fiorenza, Larrison, Barrett & Rietz, LLP; Orrick, Herrington & Sutcliff, LLP and Orleans/Niagara BOCES as legal counsel.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner to appoint the High School, the Middle School and the Elementary School Principals as Attendance Officers for their respective buildings.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to appoint the Business Administrator as representative to the Board of Directors for the Healthcare Plan.

Motion carried.

Mr. Bond moved, seconded by Mr. Koch, to appoint the Director of Operations and Facilities as the Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) Designee and the Integrated Pest Management (IPM) Coordinator.

Motion carried.

Mr. Bond moved, seconded by Mr. Waters, to appoint the School Psychologists to serve as Alternate Chairpersons for the Committee on Pre-School Special Education (CPSE) and the Committee on Special Education (CSE) in the absence of the Chairperson.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner to appoint the Superintendent of Schools and the Assistant Superintendent for Instructional Services as Title IX/Section 504/ADA Compliance Officer.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to appoint as Dignity Act Coordinators: High School – High School Principal; Middle School - Middle School Principal; Elementary School – Elementary School Principal; District-wide – Assistant Superintendent for Instructional Services.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to appoint the Assistant Superintendent for Instructional Services as Liaison for Homeless Children and Youth.

Motion carried.

#### AUTHORIZATIONS

Mrs. Hoerner moved, seconded by Mr. Koch, to authorize the School District Treasurer (or in the Treasurer's absence, the Deputy Treasurer) to open and keep an account of deposit with the official depositories to be named by this Board of Education in the name of and for the use of the Royalton-Hartland Central School District, Niagara County, Middleport, New York, and the purpose to execute any depositories' signature cards, deposit agreements and other documents requested by said depositories, to deposit with them all monies, drafts, checks, acceptances and other evidences of indebtedness which may now or hereinafter come into the Treasurer's possession, and the said depositories are hereby authorized to make payment from funds of the Royalton-Hartland Central School District on deposit with them, upon and according to the check draft, note, or other

acceptances of this district, signed by the Officers of the School District as designated by the Board of Education.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to authorize the District Treasurer, School Business Administrator, Deputy Treasurer, and Superintendent of Schools to sign all checks of the school district, either manually or electronically.

Motion carried.

Mrs. Hoerner moved, seconded by Mr. Koch, to authorize the District Treasurer, School Business Administrator, Deputy Treasurer, and Superintendent of Schools as the officials authorized to make bank transfers of school district monies.

Motion carried.

Mr. Koch moved, seconded by Mr. Bond, that the Superintendent of Schools is the official authorized to make investments of school district monies.

Motion carried.

Mr. Waters moved, seconded by Mrs. Hoerner to authorize the bonding of the Superintendent of Schools, School Business Administrator, District Treasurer, Deputy Treasurer, District Clerk, Central Treasurer and Tax Collector.

Motion carried.

Mrs. Hoerner moved, seconded by Mr. Koch, to authorize the establishment of the following petty cash funds:

<u>Amount and Location</u>	<u>Custodian</u>
\$100 District Office	District Clerk
\$50 High School Office	High School Principal
\$50 Middle School Office	Middle School Principal
\$50 Elementary School Office	Elementary School Principal

Motion carried.

Mr. Koch moved, seconded by Mr. Waters, to authorize the Superintendent of Schools to approve Budget Transfers in accordance with Section 170.2 of the Commissioner's Regulations.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to authorize the Superintendent of Schools, or in his absence, the Business Administrator, to certify payrolls of the school district.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to authorize he Superintendent of Schools to approve the use of school facilities by outside organizations.

Discussion: Mr. Koch asked how the district could enhance community use of the buildings without incurring additional expenses. Mrs. Griffith, Business Administrator, will present to the Board what is currently in place regarding community use of school facilities.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to authorize the Superintendent of Schools to approve faculty and staff conference requests in accordance with budget appropriations; the President of the Board to approve the Superintendent of Schools conference requests in accordance with budget appropriations; the President of the Board to approve Board Member conference requests in accordance with budget appropriations.  
Motion carried.

Mr. Waters moved, seconded by Mr. Bond to approve the following resolution:

WHEREAS, it is the plan of a number of public school districts in Western New York to bid jointly: art supplies; general office and school supplies; medical supplies; physical education and athletic supplies; chlorine and swimming pool supplies; custodial supplies; toner cartridges; fuel oil and gasoline; trash/recycling; fire extinguisher and fire systems inspections; backflow prevention and emergency generator inspection and preventive maintenance service; and other commodity groupings as they become available; and

WHEREAS, the Royalton-Hartland Central School District wishes to participate in the cooperative bidding program through Orleans/Niagara BOCES, Erie II BOCES, Erie 1 BOCES, and other New York State BOCES that will be drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education and making a recommendation thereon; therefore,

BE IT RESOLVED, that the Royalton-Hartland Central School District Board of Education authorizes the above-mentioned program(s) to represent it in all matters leading up to the entering into a contract for the purchase of the above-mentioned goods and services; and,

BE IT FURTHER RESOLVED, that the Royalton-Hartland Central School District Board of Education agrees (1) to abide by majority decision of the participating district on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the group; (3) that after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

Motion carried.

Mrs. Hoerner moved, seconded by Mr. Bond, to authorize the Superintendent of Schools, or his designees, to apply for State and Federal Grants in Aid.  
Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to authorize the Superintendent to send letters of reasonable assurance of continuing employment to teachers, substitute teachers, non-instructional staff, substitute non-instructional staff and administrators whom the District intends to employ during the 2015-2016 school year for the purpose of complying with the Unemployment Insurance Amendments of 1976.  
Motion carried.

#### DESIGNATIONS

Mr. Waters moved, seconded by Mrs. Hoerner, to designate the following as the official depositories of the Royalton-Hartland Central School District:

<u>BANK NAME</u>	<u>MAXIMUM DEPOSIT AMOUNT (per GML Section 10(2))</u>
Key Bank:	\$10,000,000
First Niagara Bank:	\$10,000,000

Mr. Koch moved, seconded by Mr. Waters, to designate Fiscal Advisors, Inc., of Syracuse, New York, as Municipal Bond Consultant at a fee to be agreed upon for each bond/note issue.  
Motion carried.

Mr. Bond moved, seconded by Mr. Koch, to designate the Superintendent of Schools as the educational official to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings.  
Motion carried.

Mr. Waters moved, seconded by Mrs. Hoerner, to designate the Lockport Union-Sun & Journal and the Buffalo News as the official newspapers of the school district.  
Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner, to designate the Board President to appoint Impartial Hearing Officers on behalf of the Board.  
Motion carried.

#### OTHER ITEMS

Mr. Waters moved, seconded by Mrs. Hoerner, to establish the mileage reimbursement rate at the current IRS rate.  
Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, to establish the rate schedule for substitutes:

Certified Teachers	\$78.00/day
Non-Certified Teachers	\$60.00/day
Clerical	minimum wage
Sub Cleaners	minimum wage
Aides/Monitors	minimum wage

Discussion: the Board asked for more information before establishing the rate for substitute RNs.  
Motion carried.

Mr. Bond moved, seconded by Mr. Koch, that all Board Policies are readopted and in effect during the 2014-2015 school year.  
Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, that the Organizational Chart is approved.  
Motion carried.

#### BOARD ITEMS

Mr. Bond moved, seconded by Mrs. Fry to establish the meetings of the Board of Education to be held at 8:00 p.m. on the fourth Thursday of each month (unless otherwise noted) during the 2014-2015 school year according to the following schedule:

July 24, 2014	Regular Meeting
August 28, 2014	Regular Meeting
September 25, 2014	Regular Meeting
October 23, 2014	Regular Meeting
November 20, 2014	Regular Meeting (3 <sup>rd</sup> Thursday)
December 11, 2014	Regular Meeting (2 <sup>nd</sup> Thursday)
January 22, 2015	Regular Meeting
February 26, 2015	Regular Meeting
March 26, 2015	Regular Meeting
April 23, 2015	Regular Meeting
May 7, 2014	Budget Hearing/Regular Meeting (1 <sup>st</sup> Thursday)
May 19, 2014	Budget Vote/Regular Meeting
May 28, 2014	Regular Meeting
June 25, 2014	Regular Meeting

Motion carried.

Mr. Koch moved, seconded by Mr. Bond, to appoint the Board President as the liaison to the Wilmot Fund.

Motion carried.

Mr. Bond moved, seconded by Mr. Koch, to appoint Patricia Riegle as Delegate to the New York State School Boards Association's (NYSSBA) Annual Convention and to appoint Sara Fry as alternate.

Motion carried.

Mr. Koch moved, seconded by Mr. Bond, to appoint Jeffrey Waters as representative to the Rural Schools Association for the 2015-2016 school year.

Motion carried.

Mr. Koch moved, seconded by Mr. Waters, that the Board of Education holds membership in the Niagara-Orleans School Boards Association (NOSBA) for the 2014-2015 school year and that Susan Hughes is appointed as the Board's representative to the Association.

Motion carried.

Mr. Bond moved, seconded by Mrs. Hoerner to approve the following resolution for the 2014-2015 school year:

RESOLVED, that the Board of Education accepts the following resolution providing for defense and indemnification of members of the Board of Education, Superintendent of Schools and Administrators of the Royalton-Hartland Central School District in civil actions or proceedings arising out of any alleged act or omission which occurred or allegedly occurred while acting within the scope of his/her duties:

WHEREAS members of the Board of Education, district supervisory personnel, superintendent and administrators are or may be subject to civil actions or proceedings in their individual capacity on account of acts performed within the scope of their duties; and



WHEREAS to provide for shifting the cost of the defense and indemnification of such civil actions or proceedings from the school board member, superintendent or administrator to the district in general it is resolved as follows pursuant to Public Officers Law §18:

The Royalton-Hartland Central School District shall, upon compliance by the school board member, superintendent or administrator with the provisions hereof, provide for the defense of the board member, superintendent or administrator in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the board member, superintendent or administrator was acting within the scope of his/her duties. This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or at the behest of the school district.

The board member, superintendent or administrator shall be entitled to be represented by private counsel of choice in any civil action or proceeding whenever the chief legal officer or other counsel designated by the school district determines that a conflict of interest, or otherwise by a special proceeding, determines that a conflict of interest exists and that the board member, superintendent or administrator are entitled to be represented by counsel of his/her choice.

Any dispute with respect to representation of multiple employees or the amount of litigation expenses or the reasonableness of attorney's fees shall be resolved by the court upon motion or by way of special proceedings.

The school district shall indemnify and save harmless the school board members, superintendent and administrator in the amount of any judgment obtained in state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the board member, superintendent or administrator was acting within the scope of his/her duties; provided further that in the case of any settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the school district.

The duty to indemnify and save harmless prescribed by this resolution shall not arise where the injury or damage resulted from intentional wrong doing or recklessness on the part of the board member, superintendent or administrator.

The duty to indemnify and save harmless does not include punitive or exemplary damages, fines, penalties, or money recovered from an employee pursuant to §51 of the General Municipal Law; provided, however, that the school district shall indemnify and save harmless the board member, superintendent or administrator in the amount of costs, attorney's fees, damages, fines or penalties which may be imposed by reason of adjudication that said board member or employee, acting within the scope of his/her employment or duties, has violated a prior order, judgment, consent decree or stipulation of settlement entered in any court of this state or of the United States.

The duty to defend or indemnify and save harmless shall be conditioned upon delivery by the board member, superintendent or administrator to the chief school officer of a written request to provide for his/her defense together with the original or copy of the

summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document, and the full cooperation of the board member, superintendent or administrator in the defense of such action or proceeding and in the defense of any action against the school district is based upon the same act or omission and in the prosecution of any appeal.

The chief school officer is hereby authorized and empowered to purchase insurance against liability imposed by the provisions of this resolution, subject to approval of the Board of Education. Benefits accorded hereunder supplement benefits conferred by any other provisions of law or rule.

Except as hereinabove stated, the provision of §18 of the Public Officers Law shall govern the defense, indemnification and save harmless provisions applicable to board members, the superintendent and administrators of the Royalton-Hartland Central School District.

Motion carried.

The Reorganization meeting ended.

#### PERSONNEL ITEMS

Mr. Bond moved, seconded by Mrs. Hoerner, upon the recommendation of the Superintendent, that Douglas King, having permanent certification as a School District Administrator and permanent certification as a School Administrator/Supervisor, is hereby appointed to a three-year probationary position in the tenure area of Special Education Administrator, in accordance with the agreement between the Royalton-Hartland Central School District and the Royalton-Hartland Administrators Association, with a tentative effective date of July 14, 2014 at an annual salary of \$83,000.00, prorated.

Motion carried.

Mr. Koch moved, seconded by Mrs. Hoerner, upon the recommendation of the Superintendent, that the Royalton-Hartland Central School District ratifies and approves funding for the agreement between the District and the Royalton-Hartland Educational Secretaries Unit of CSEA, for a successor collective bargaining agreement with the term of July 1, 2014 through June 30, 2015.

Motion carried.

#### BUSINESS AND FINANCIAL ITEMS

Mr. Koch moved, seconded by Mrs. Hoerner, upon the recommendation of the Superintendent, that the Board of Education hereby approves the tax warrant for the 2014-2015 fiscal year as presented.

Motion carried.

#### POLICY

The Board reviewed Policy #5220 District Investments and Policy #5410 Purchasing.

#### BOARD ITEMS

The Board was given a list of committees and asked to return their top three choices of committees to serve on to the District Clerk.

Mrs. Hoerner – hopes to see improvement in the Business First rankings.

Mr. Bond moved, seconded by Mrs. Hoerner, that the Board of Education authorizes the New York State Department of Environmental Conservation to conduct test bore samples on school district property in both Middleport and Gasport.

6 yes/1 no (Bragg)

Motion carried.

#### SUPERINTENDENT REPORTS

The girls varsity soccer coach resigned and the position has been posted; the Red Cross Agreement has been corrected to include all three buildings.

#### NEW BUSINESS

July 24 – community use of school facilities report – Kelly Griffith

September 25 – middle school transition report – Sheila Murphy

Mr. Bond moved, seconded by Mrs. Hoerner that the meeting adjourns.

Motion carried.

The meeting adjourned at 8:15 p.m.

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Marjorie Masters  
District Clerk