

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

July 14, 2016

A reorganization and regular 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 7:00 p.m.

CALL TO ORDER

Present: Keith Bond  
Carrie Choate  
Sara Fry  
Kenneth Koch  
Chad Owen  
Jeffrey Waters  
Jason Wilhelm

Also Present: Roger Klatt, Ed.D., Superintendent of Schools, Sheila Murphy, Assistant Superintendent, Daniel Grant, Business Administrator

The Board and audience stood for the Pledge of Allegiance

The Oath of Office was administered to newly elected Board Member Jason Wilhelm and re-elected Board Member Sara Fry.

ELECTION OF OFFICERS

Mr. Waters nominated Mrs. Fry for Board President. Mr. Bond nominated Mr. Koch for Board President.

Voting for Mrs. Fry: Waters, Choate, Fry and Owen

Voting for Mr. Koch: Bond, Koch and Wilhelm

Mrs. Fry was elected as Board President and took the Oath of Office.

Mr. Bond nominated Mr. Koch for Vice President. Mr. Koch nominated Mr. Bond for Vice President.

Voting for Mr. Koch: Wilhelm, Owen, Bond, Choate, Fry

Voting for Mr. Bond: Koch, Waters

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

APPOINTMENTS

Mr. Waters moved, seconded by Mr. Owen to approve the following appointments for the 2016-2017 school year:

Marjorie Masters as District Clerk at a stipend of \$4,799.

The Superintendent of Schools and the Business Administrator to serve as District Clerk Pro-Tem in the absence of the District Clerk.

Carol Boardway as District Treasurer.

Daniel Grant as Deputy Treasurer.

Kathy Polka as Tax Collector of the school district at a stipend of \$2,850.

Beth Nichter as Central Treasurer of the Extra-Classroom Activity Funds at a stipend of \$2,200.

Sandy Kress as Claims Auditor at a stipend of \$6,000.

Sandy Kress as Faculty Auditor of the Extra-Classroom Activity Funds.

Chief Faculty Counselors of the Extra-Classroom Activity Funds: High School – High School Principal; Middle School – Middle School Principal; Elementary School – Elementary School Principal

Lumsden & McCormick, LLP to conduct the district's annual external audit (fiscal year ending June 30, 2017).

Marjorie Masters as Records Access/Management Officer.

Osborn, Reed & Burke, LLP; Harris Beach PLLC; Harris Beach PLLC; Ferrara Fiorenza PC; Hodgson Russ, LLP; Orrick, Herrington & Sutcliff, LLP and Orleans/Niagara BOCES as legal counsel.

Motion carried.

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

WHEREAS, the Board of Education has duly advertised for Requests for Proposals in the Lockport Journal and Buffalo News under the date of April 1, 2016, for school physician services in accordance with specifications, and

WHEREAS, in response to said advertisement no bids were received, and

WHEREAS, the district requested a written quotation from WorkFit Medical, LLC and received same, and

WHEREAS, this proposal has been reviewed and it is recommended that the contract for school physician services be awarded to WorkFit Medical, LLC, on the basis of their quotation in accordance with specifications,

THEREFORE, BE IT RESOLVED, that the Board of Education, upon the recommendation of the Superintendent, award the contract for school physician services to WorkFit Medical, LLC, in the amount of \$19,900 effective July 1, 2016 through June 30, 2017.

Motion carried.

Mr. Waters moved, seconded by Mr. Owen, to approve the following appointments for the 2016-2017 school year:

Labella Associates, D.P.C. as architect.

The High School Principal, the Middle School Principal and the Elementary School Principal are appointed as Attendance Officers for their respective buildings.

The Business Administrator as representative to the Board of Directors for the Genesee Area Healthcare Plan.

The Director of Facilities and Operations as the Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) Designee.

The Director of Facilities and Operations as Integrated Pest Management (IPM) Coordinator.

Committee on Special Education (CSE) and the Committee on Preschool Special Education (CPSE):

CSE Chairperson	Douglas King
CPSE Chairperson	Douglas King
Substitute CSE/CPSE Chairperson	Annette Smith
	Therese Lawson
School Psychologists	Annette Smith
	Therese Lawson
School Physician (if requested to attend)	C. Jay Ellie, Jr., MD
School Nurses	Elementary School Nurse
	Teresa Bobzien
	Rebecca Mahar
Special Education Teacher	Case Specific for CSE/CPSE
General Education Teacher	Case Specific for CSE/CPSE
Related Service Providers	Case Specific for CSE/CPSE
County Representative	CPSE Only
Parent Representatives	Pam Coons and Cammy DiMayo

The Superintendent of Schools and/or the Assistant Superintendent as Title IX/Section 504/ADA/Civil Rights Compliance Officer.

As Dignity Act Coordinators: High School – Gary Bell; Middle School – John Fisgus; Elementary School – Donna VanSlyke; District-wide – Sheila Murphy.

Sheila Murphy as Liaison for Homeless Children and Youth.

Motion carried.

AUTHORIZATIONS

Mr. Bond moved, seconded by Mr. Waters to approve the following authorizations for the 2016-2017 school year:

The School District Treasurer (or in the Treasurer’s absence, the Deputy Treasurer) is authorized 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.

The District Treasurer, School Business Administrator and Superintendent of Schools to sign all checks of the school district, either manually or electronically.

The District Treasurer, School Business Administrator, and Superintendent of Schools as the officials authorized to make bank transfers of school district monies.

The Superintendent of Schools to make investments of school district monies.

The Superintendent of Schools, Business Administrator, District Treasurer, Deputy Treasurer, District Clerk, Central Treasurer and Tax Collector to be bonded.

The establishment of petty cash funds as follows:

<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

The Superintendent of Schools to approve Budget Transfers in accordance with Section 170.2 of the Commissioner's Regulations.

The Superintendent of Schools, or in his absence, the Business Administrator, to certify payrolls of the school district.

The Superintendent of Schools to approve the use of school facilities by outside organizations.

The Superintendent of Schools to approve faculty and staff conference requests and the President of the Board to approve all Board Member conference requests in accordance with budget appropriations.

Motion carried.

Mr. Bond moved, seconded by Mr. Waters 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.

Mr. Bond moved, seconded by Mr. Waters to approve the following authorizations for the 2016-2017 school year:

The Superintendent of Schools, or his designee(s), to apply for State and Federal Grants in Aid.

The Superintendent of Schools to send letters of reasonable assurance of continuing employment to teachers, substitute teachers, non-instructional staff, substitute non-instructional staff whom the District intends to employ during the 2017-2018 school year for the purpose of complying with the Unemployment Insurance Amendments of 1976.

Motion carried.

Mrs. Choate moved, seconded by Mr. Waters to approve the following designations for the 2016-2017 school year:

Official depositories of the Royalton-Hartland Central School District:

BANK NAME	MAXIMUM DEPOSIT AMOUNT (per GML Section 10(2))
Bank of Castile:	\$10,000,000

First Niagara Bank                      \$10,000,000

Fiscal Advisors, Inc., as Municipal Bond Consultant at a fee to be agreed upon for each bond/note issue.

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.

The Lockport Union-Sun & Journal and the Buffalo News as the official newspapers of the school district.

The Board President to appoint Impartial Hearing Officers on behalf of the Board in accordance with Board Policy #7670.

Motion carried.

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

The mileage reimbursement rate will be established at the current IRS rate.

The rate of pay for substitutes be established as follows:

Certified Teachers	\$85.00/day
Non-Certified Teachers	\$60.00/day
Clerical	minimum wage
Sub Cleaners	minimum wage
Aides/Monitors	minimum wage
RN	\$20.00/hour

Motion carried.

The Board reviewed the following policies:

#5220 District Investments

#5410 Purchasing: Competitive Bidding and Offering

The Board readopted all Board Policies.

#### BOARD ITEMS

Mr. Bond moved, seconded by Mr. Koch, that the meetings of the Board of Education to be held at 7:00 p.m. during the 2016-2017 school year will generally be the third Thursday of the month and the actual dates are established as follows:

August 18, September 15, October 20, November 17, December 15, January 19, February 9,  
March 16, April 20, May 4 and June 15.

Motion carried.

Mr. Waters moved, seconded by Mr. Owen, that Sara Fry is the Delegate to the New York State School Boards Association's (NYSSBA) Annual Convention and Jason Wilhelm as an alternate.  
Motion carried.

Mr. Wilhelm moved, seconded by Mr. Bond, that Jeff Waters is the representative to the Rural Schools Association for the 2017-2018 school year.

Motion carried.

Mr. Bond moved, seconded by Mr. Owen, that Ken Koch is the representative to the Niagara Orleans School Board Association.

Motion carried.

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

RESOLVED, that 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 is approved:

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.

#### EXECUTIVE SESSION

Mr. Bond moved, seconded by Mrs. Choate to go into an executive session to discuss collective bargaining negotiations and the discipline of an employee.  
Motion carried.

The Board went into executive session at 7:25 p.m.

Mr. Waters moved, seconded by Mrs. Choate, to end the executive session and return to open session.  
Motion carried.

The Board returned to open session at 7:50 p.m.



Mr. Bond moved, seconded by Mr. Wilhelm, upon the recommendation of the Superintendent, that the minutes of the regular meeting of June 16, 2016, the May 2016 appropriation status report and treasurer's report are approved.

Motion carried.

Mr. Waters moved, seconded by Mr. Owen upon the recommendation of the Superintendent, that the resignations from John Jablonski from his position of golf coach effective June 16, 2016, Kathleen Weber from her position of cleaner effective August 1, 2016 and Kelly Lloyd from her position of part-time typist effective June 30, 2016 are accepted.

Motion carried.

Mr. Bond moved, seconded by Mr. Koch, upon the recommendation of the Superintendent, that Betsy Russell is appointed as a seasonal cleaner with a retroactive effective date of June 29, 2016.

Motion carried.

Mr. Koch moved, seconded by Mr. Waters, upon the recommendation of the Superintendent, that the Memorandum of Agreement between the Superintendent of Schools and the Certified Occupational Therapist Assistant is approved and the Superintendent is authorized to sign the same.

Motion carried.

Mr. Bond moved, seconded by Mr. Wilhelm, upon the recommendation of the Superintendent, that Wayne Blumrick is retroactively appointed to the position of 5/6 band advisor effective February 1, 2016. Stipend for this position is \$764.00 which is 4% of Step 1 of the current RHTA Agreement.

Motion carried.

Mr. Koch moved, seconded by Mr. Owen, that the Superintendent of Schools is authorized to require any district employee to submit to a medical examination by a school medical inspector in order to determine the physical or mental capacity of such person to perform his or her duties.

Motion carried.

Mr. Wilhelm moved, seconded by Mrs. Choate, that the Superintendent of Schools is authorized to continue the administrative leave with pay of a particular employee for a time period determined by the Superintendent.

Motion carried.

#### BUSINESS AND FINANCIAL ITEMS

Mr. Wilhelm moved, seconded by Mr. Owen, upon the recommendation of the Superintendent, that the donation of \$385.00 from an anonymous donor with the request that it be used to pay the 2016-2017 annual dues to the National Junior Honor Society be gratefully accepted.

Motion carried.

#### BOARD ITEMS

The Board members were given a list of the district's committees and were asked to note which committee(s) they would like to be on.

Mr. Wilhelm was impressed with graduation.

Mr. Koch would like to see academic intervention start earlier in the school year. Asked for enrollment in the next board packet.

#### SUPERINTENDENT'S REPORT/INFORMATION

June 2, 2016 CDEP Meeting Notes; May 2016 Warrant, Revenue Status and Treasurer's Reports; CPSE/CSE Recommendations

The Superintendent reviewed the staff vacancies. The District is looking at going paperless for Board meetings.

The Board scheduled a retreat for Monday, August 1 at 6:00 p.m. at a location to be determined.

#### PUBLIC FORUM

No comments.

Mr. Koch moved, seconded by Mr. Wilhelm, to go into an executive session to discuss an employee appointment.

Motion carried.

Mr. Bond moved, seconded by Mr. Waters, to adjourn the executive session and return to open session.

Motion carried.

Mr. Waters moved, seconded by Mr. Owen, upon the recommendation of the Superintendent, that John Grzymala is appointed to the position of Athletic Director for the 2016-2017 school year. Stipend of \$4,114 is based on 10% of Step 4 of the current RHTA Agreement which expired on June 30, 2016. Stipend will be finalized at the conclusion of negotiations.

6 yes/1 no (Bond)

Motion carried.

#### ADJOURNMENT

Mr. Bond moved, seconded by Mr. Wilhelm that the meeting adjourns.

Motion carried.

The meeting adjourned at 8:50 p.m.

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Marjorie Masters  
District Clerk