

Lackawanna City School District
Board of Education
245 South Shore Boulevard
Thursday, April 16, 2018, at 7:00 PM

Minutes of the REGULAR MEETING of the Lackawanna City School District's Board of Education held on Thursday, April 16, 2018, at 7:00 PM, at the Lackawanna Administrative Building, 245 South Shore Blvd., Lackawanna, New York.

A) OPENING:

Meeting called to order by Board President Leonard Kowalski at 7:01 PM, at the Lackawanna Administration Building, 245 South Shore Blvd., Lackawanna, New York.

ROLL CALL:

BOARD MEMBERS PRESENT: (All Board Members Were Not Present)

Mr. Nick Trifilo, Mr. Nick Sobaszek, Mr. Robert Sireika, Mr. Mark Kowalski, and Mr. Leonard Kowalski.

Ms. Mona Abdulla and Mr. Tony Catuzza were excused from the Board Meeting.

B) WELCOME:

Board President Mr. Leonard Kowalski welcomed all present. All were asked to rise for the Pledge of Allegiance.

C) ANNOUNCEMENTS / PRESENTATIONS:

C-1 - Announcement of Meeting Dates:

- Tuesday, May 8, 2018 – Budget Hearing at MRES Cafeteria, 6:00 PM.
- Monday, May 14, 2018 – Work Session at McKinley Conference Room, 6:00 PM
- Thursday, May 17, 2018 - Meeting at the High School Library at 7:00 PM.
- Wednesday, May 16, 2018 - Special Meeting at the McKinley Conference Room, 5:00 PM
- Thursday, May 17, 2018 – Meeting at McKinley Conference Room at 7:00 PM

C-2 - Presentations:

i-Ready Data Building Presentation – Mrs. Angela McCaffrey – Truman Elementary School.

C-3 - Public Comment: None

ADMINISTRATORS PRESENT:

Anne G. Spadone Superintendent of Schools
Keith Lewis Assistant Superintendent
Daniel Grant Assistant Superintendent of Administrative Services
Louis Violanti, Esq. School Attorney
Carl Morgan, Esq. School Attorney

D) MINUTES:

D-1- March 15, 2018 – Regular Meeting

Minutes of the Regular Meeting of the Lackawanna City School District’s Board of Education held on Thursday, March 15, 2018, at 7:00 PM, at the Lackawanna Administration Building.

Motion was made by Mr. Mark Kowalski and seconded by Mr. Nick Sobaszek to “accept as read” all minutes.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

E) PERSONNEL – TEACHING:

E-1 – Board Canvass – Substitute Teacher Addition

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 22, 2018 approving an addition to the Substitute Teacher List.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

E-2 – Board Canvass – Teacher Conference

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 19, 2018 approving two teachers to attend a PLC Conference List.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

E-3 – Board Canvass – Modified Track Coach Posting

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 20, 2018 to post for the position of Girls Modified Track Coach.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

E-4 – Board Canvass – Girls Modified Track Coach

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on April 9, 2018 appointing Curtis Underwood as the Girls Modified Track Coach.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

E-5 – Retirement of Speech Teacher and Post

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached retirement request of Ellen Hoerbelt, Speech Teacher effective June 30, 2018. I further recommend the Board approve to post the position.

The Board of Education and the entire District would like to thank Ellen for her years of dedication to the students and the Lackawanna City School District

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

Board President, Mr. Leonard Kowalski asked if there a Motion to go into Executive Session to discuss the employment and possible disciplinary matters of employee A and B; a motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski to go into Executive Session at 7:11 PM.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

Executive Session ended at 7:21 PM; roll was taken and all Board Members were present.

F) PERSONNEL – NON-TEACHING:

F-1 – Board Canvass – Resignation of Cleaner/Post

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 20, 2018 approving the resignation of a cleaner and posting for the same.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

F-2 – Non-Teaching Substitute Addition

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Assistant Superintendent of Schools, Keith Lewis, requesting approval for the attached addition to the Substitute Cleaner List.

**DULY PUT TO A VOTE
ALL IN FAVOR / NONE OPPOSED.
Passes 5-0.**

F-3 - Approve Resolution for “Employee A”

WHEREAS an employee of the Lackawanna City School District, designated herein as “Employee A” is a person holding said position by permanent appointment in the non-competitive class of the Civil Service; and

WHEREAS the Superintendent of Schools has reported to the Board of Education certain allegations concerning the conduct of said employee and has prepared charges and specifications for the Board’s review; and

WHEREAS upon review of said charges and specifications the Board having found sufficient grounds therein to commence disciplinary proceedings against said employee pursuant to section 75 of the Civil Service Law of the State of New York; and

NOW THEREFORE BE IT RESOLVED THAT, pursuant to section 75 of the Civil Service Law, a Hearing upon the aforesaid charges shall be conducted on (date to be determined)(Notice must allow at least 8 days for employee to answer in writing).

BE IT FURTHER RESOLVED THAT Richard G. Collins, Esq. is hereby appointed to serve as Hearing Officer on behalf of the Board to make a record thereof and recommendations to the Board for review and decision.

BE IT FURTHER RESOLVED THAT the Superintendent is authorized and directed to serve a “Notice of Disciplinary Action” upon said employee setting forth the aforesaid charges and specifications, the penalty sought to be imposed and said employee’s rights under the applicable law.

BE IT FURTHER RESOLVED THAT Employee A is hereby suspended without pay effective April 20, 2018 pending the determination of the charges against her.

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Resolution.

**DULY PUT TO A VOTE
ALL IN FAVOR / NONE OPPOSED.
Passes 5-0.**

F-4 - Approve Resolution for “Employee B”

WHEREAS as employee of the Lackawanna City School District, herein designated as “Employee B” is a person holding a position by permanent appointment in a noncompetitive class of the Civil Service; and

WHEREAS “Employee B” had entered into a Last Chance Agreement (‘Agreement’)with the Lackawanna City School District (the “District”) and the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO (“CSEA”) on May 15, 2017; and

WHEREAS The Superintendent of Schools has reported to the Board of Education certain allegations concerning violations of said Agreement by “Employee B” and has offered the specifications for the Board’s review; and

WHEREAS upon review of the Agreement, the violations of the Agreement, and the specifications brought forth by the Superintendent of Schools, the Board of Education having found sufficient grounds herein to commence with the termination of the employment of “Employee B”;

NOW THEREFORE BE IT RESOLVED THAT, pursuant to the terms of the Agreement, “Employees B” is hereby immediately terminated from employment with the District.

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Resolution.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G) GENERAL ITEMS:

G-1 – Board Canvass – Use of Facilities for Darrell Glover

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 22, 2018 approving the Use of Facilities request for Darrell Glover.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G-2 – Board Canvass – New Polling Site Resolution

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Board Canvass taken on March 23, 2018 approving the new Polling Site for the School District.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G-3 – CSE/CPSE Reviews and Reports Summary/Annual Report

Motion was made by Mr. Robert Sireika and seconded by Mr. Mark Kowalski upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached CSE/CPSE Reviews and Report Sumary/Annual Report.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G-4 – LEA Policy on the Education of Students in Temporary Housing

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Assistant Superintendent of Schools, Keith Lewis, requesting approval for the attached Policy on the Education of Students in Temporary Housing

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G-5 – Use of Facilities – Lackawanna Recreation Dept.

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Use of Facilities Form for the City of Lackawanna, pending Insurance Certification.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

G-6 - Use of Facilities – Faress Saleh and Admir Kadric

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Use of Facilities Forms for The Lackawanna High School Soccer Field and the Martin Road Elementary School pending a complete schedule of dates/times.

The District reserves the right to change the locations of these events as needed.

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

H) FINANCIAL MATTERS:

H-1 – 2016/2017 Health Welfare Services – Orchard Park School District

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached contract for Health and Welfare Services in Orchard Park Central School District.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

H-2 – Approve Resolution – Assessment Challenge

WHEREAS the Board Assessment Review of the City of Lackawanna, the Assessor of the City of Lackawanna and the City of Lackawanna are the named respondents in an action for the review under article 7 of the Real Property Tax Law of the current assessed valuation of various properties located in the city; and

WHEREAS an reduction in the assessment of said properties would result in a reduction in anticipated revenue for the Lackawanna City School District; and

WHEREAS Section 712 (2-b) of the Real Property Tax Law allows for the intervention by the District in this action by the service and filing of a Notice of Appearance in this matter.

NOW THEREFORE, upon the recommendation of the School Attorney, it is hereby:
RESOLVED, that the Board of Education finds that it is in the best interest in the District to intervene in said action as a respondent;

BE IT FURTHER RESOLVED, that the School Attorney is hereby authorized and directed to serve and file a Notice of Appearance on behalf of the District Pursuant to section 712 of the Real Property Tax Law in the Matter of the Application of James Maquire for a review of various real property tax assessments under index No.: 804387/2018.

Motion was made by Mr. Nick Sobaszek and seconded by Mr. Robert Sireika upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Resolution for Assessment Challenge.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

H-3 – Approve Resolution – Approved 2018/2019 Budget

WHEREAS, of Schools and the Assistant Superintendent for Business have submitted the 2018/2019 General Fund Budget in the amount of \$53,275,029 with a 5% increase over the 2017/2018 budget, and calling for a tax levy in the amount of \$9,409,441 with a 0.7% decrease in the tax levy.

THEREFORE BE IT RESOLVED, that the Board of Education adopt the Proposed 2018/2019 General Fund Budget.

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached Resolution for 2018/2019 Budget.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

H-4 – 2018/2019 Property Tax Report Card

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek upon the recommendation of the Superintendent of Schools, Anne Spadone, requesting approval for the attached 2018/2019 Property Tax Report Card.

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

I) RECEIVE AND FILE:

Motion was made by Mr. Robert Sireika and seconded by Mr. Nick Trifilo to receive and file all “I” items:

I-1- Claims Auditor Report – March 2018

I-2 – Revenue Report – March 2018

I-3 – Budget Report – March 2018

I-4 – Attendance Report – March 2018

I-5 – Overtime Report – March 2018

I-6 – Treasurer’s Report – March 2018

DULY PUT TO A VOTE

ALL IN FAVOR / NONE OPPOSED.

Passes 5-0.

J) TABLED ITEMS: NONE

K) OLD BUSINESS: NONE

L) PUBLIC COMMENT: NONE

M) ADJOURNMENT: 7:31 PM

Motion to adjourn was made by Mr. Robert Sireika and seconded by Mr. Nick Sobaszek.

REGULAR MEETING of the Lackawanna City School District's Board of Education held on Thursday, April 19, 2018, at 7:00 PM at the Administrative Building, 245 South Shore Blvd., Lackawanna, New York. ADJOURNED AT 7:31 PM.

Kimberly A. Rozwood-Jackson, Board Clerk