

**BOARD OF EDUCATION  
TONAWANDA CITY SCHOOL DISTRICT  
100 HINDS STREET, TONAWANDA, NY 14150**

**MINUTES  
MARCH 10, 2020**

**REGULAR BOARD OF EDUCATION MEETING**

*THS Library Media Center  
TONAWANDA MIDDLE/HIGH SCHOOL  
600 FLETCHER STREET*

**1.0 CALL TO ORDER:**

President Heather Sternin called the meeting to order at 6:30 PM. The pledge and a Moment of Silence was observed.

Roll Call: President Heather Sternin, Vice President Danielle Opalinski, Trustee Diane Misner, Trustee Daniel Calabrese, Trustee Elizabeth Koch, Trustee Kristin Schmutzler, and Trustee Renee Gilbert.

Administrators present included: Superintendent Dr. Timothy Oldenburg, Assistant Superintendent Mary Beth Scullion, Director of Pupil Personnel Services Amy Edgerton, Director of Business and Finance Donna Hill, and Middle School Principal David Sellan,.

There were approximately 30 visitors in attendance.

**EXECUTIVE SESSION**

(Personnel)

Moved by Vice President Danielle Opalinski and seconded by Trustee Elizabeth Koch that the Board of Education moves into Executive Session at 6:31 P.M. for the purpose of discussions regarding a personnel matter. Approved 6-1 and carried. Nay vote from Calabrese.

Moved by Vice President Danielle Opalinski and seconded by Trustee Diane Misner that the Board of Education exits Executive Session at 6:43 P.M. Approved 7-0 and carried.

**2.0 MINUTES OF PREVIOUS MEETING**

**2.1 REGULAR BOARD MEETING OF FEBRUARY 11, 2020**

RESOLVED: That the minutes of the Regular Meeting of **February 11, 2020** of the Board of Education be approved and that they are hereby adopted in their entirety.

**2.0.1 CONSENT AGENDA: MINUTES OF FEBRUARY 11, 2020 BOARD MEETING**

Moved by Trustee Elizabeth Koch and seconded by Trustee Renee Gilbert that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above minutes, Item 2.1 as presented. Approved 6-1 and carried. Abstention from Misner.

**3.0 NEW/OLD BUSINESS**

Ms. Sternin brought up the 485A property tax exemption that was presented at the last meeting. She asked for any input from Board members. Mrs. Koch indicated that she did not support it at this time, especially as the district is preparing to present a budget to taxpayers. Mrs. Schmutzler also indicate that she did not support it at this time either. Ms. Sternin indicated she felt it's not the time for us to offer this exemption, especially with numbers coming out of Albany for next year's budget. She felt the Board could think about it in the future, as it can be done at any time. With the City giving the exemption to prospective companies,

it makes Tonawanda desirable to revamp buildings. Ms. Sternin wondered if the Board would want to table the decision for now, and put it on the Old Business list for future consideration. Mrs. Gilbert agreed with putting it on the old business Mrs. Schmutzler also agreed with adding it to Old Business as it keeps it in front of the Board for future consideration. She instructed the Clerk to include the exemption on Old Business.

#### 4.0 SPECIAL RECOGNITIONS

##### 4.1 RECOGNITION OF PTSA REFLECTION AWARD WINNERS

The Board of Education recognize the following students for achievement in the PTSA Reflections Program:

- Elise Fudella – Award of Excellence – Intermediate Grade Division, Visual Arts
- Alfred Harding – Award of Excellence – Middle School Division, Visual Arts
- Trista Reinhardt – Award of Excellence – High School Division, Visual Arts
- Oliver Shattuck – Award of Excellence – Intermediate Grade Division, Photography
- Cohen Shattuck – Award of Excellence – Middle School Division, Photography
- Eliana LaMonaco – Award of Merit – Intermediate Grade Division, Visual Arts
- Arjanita Musliji – Award of Merit – Middle School Division, Visual Arts
- Zoe Martek – Award of Merit – High School Division, Visual Arts
- Hannah Crosby – Honorable Mention – Intermediate Grade Division, Visual Arts

Mrs. Dzielski from the PTSA presented the students. This year was one of the best years for participation, with 20 students from the district competing. Submissions are chosen at a local level, and winners move onto the regional level. They then can move to state and then to national, with the national winner winning a scholarship. Oliver Shattuck won at the regional level and will be moving on to state.

#### 5.0 VERBAL COMMUNICATIONS ON AGENDA ITEMS/RESOLUTIONS

##### 5.1 RESPONSE TO PREVIOUS QUESTIONS

There were no comments or questions from the last meeting requiring a response.

##### 5.2 PUBLIC COMMENT SESSION #1

There were no comments or questions from those in attendance.

The Tonawanda Board of Education, in an effort to conduct district business in a timely fashion, and as part of its long-standing goal to maintain an open line of communication with the public, welcomes comments on topics relevant to the meeting and public education.

- Persons wishing to speak and be recognized by the **Board President** are to be courteous, respectful, well-prepared, non-repetitive and brief.
- All questions or comments should be addressed only to the **Board President** or to the **Superintendent**. No discussion of individual personnel matters will be discussed by the Board.
- Please state your name and address clearly for inclusion in the meeting Minutes. In the event any person wishes a response outside of the confines of a regular Board meeting, please leave all necessary contact information with the Clerk at the end of the meeting.
- Persons may address the Board of Education during two (2) separate sessions of the meeting for a total of twenty (20) minutes per session.

- Individuals may speak a total of three (3) minutes per speaker per session. The Board will adhere to this three (3) minute guideline in an effort to allow everyone an opportunity to speak who wishes to do so.
- The Board reserves its right to limit or expand upon these time limits as the Board may deem necessary and prudent.

## 6.0 SUPERINTENDENTS' REPORTS/PRESENTATIONS

### 6.1 BUILDING REPORT – Middle School

*Middle School Principal David Sellan and Middle School Students Briana Bacon, Alexandria Bell, Amelia Best, Anthony Borkowski, Emma Caufield, Mackenzie Goble, Lucas Hartman, Ceaira Heuser, Faith Martino, Michael Murphy, Sierra Penn and Rayanna Sacco*

Mrs. Schmidt and Mrs. Downey came with their students to discuss and demonstrate the Playground Physics app. Students use the app to video record information from playground activities to perform measurements. Each student approached a board member or administrator to work with them to demonstrate the program. Students had the adults perform various physical activities. Mrs. Schmidt then showed how the app collects data from the videos to analyze for each activity. This program applies to NYS standards with regard to energy, and forces and interactions.

### 6.2 STUDENT REPRESENTATIVE REPORTS

*Skyler Randell, High School and Matthew Mysliwy, Middle School*

Matthew reported on activities at the Middle School. Counselors took 8<sup>th</sup> grade students to Ken-Ton BOCES. Students visited 3 programs to explore and receive information for career choices. This field trip helped expose students to trade alternatives. Some programs visited included culinary, baking, cosmetology, vet tech, welding, early childhood and sports science. Middle and High School student councils will be running bald for bucks on 4/9. They will be raising money for Roswell Park. Event will take place in the Miller Gym, and they already have 29 participants. 8<sup>th</sup> graders in Home & Careers are learning how to keep track of account balances and will learn how to balance a check book. In 7<sup>th</sup> grade, students have begun their six week Junior Achievement curriculum. There will be 4 adults from the community presenting on choosing a career and other topics. The 6<sup>th</sup> graders are excited to compete in pizza wars which will be judged from staff at the Middle/High School. Middle School Youth Days, will take place this Friday from 6-8 PM.

Skyler reported on High School activities. School counselors will be taking juniors to the Buffalo/Niagara college fair on March 18, where there will be quite a few colleges. Students of the Month at Ken-Ton are Joseph Downey, Cameron Hull, Daniel Kancar, Michaela Robertson, and Mary Zastrow. National Honor Society is helping Make-A-Wish run the bottle drive tonight. They are also selling stars for \$1, and baking treats for the Make-A-Wish event. March 18 will be the annual basket raffle and dodgeball tournament. Volunteers should show up around 5:30. NHS will also be ushering for the High School musical Rent School Edition. Dr. Oldenburg informed that Board that Skyler was chosen as last month's Student of the Month for the Exchange Club.

### 6.3 2020-2021 BUDGET UPDATE

*Director of Business & Finance Donna Hill*

Mrs. Hill gave an update on the budget process. The district still has not received a second run from the State with updated numbers. Reviewed components in expenditures and revenue. Salary percentage change is just under 1 % factoring in retirements. The district is looking at options for health insurance, which is a significant expense for the district. Workers compensation had a 26.91% increase for the upcoming year, due to decisions in the consortium. BOCES services were

reviewed to see where changes could be made. Debt service will decrease in interest. Utilities have been right-sized and show a total decrease of 7.06%.

With regard to revenues, the community school set-aside from the State of \$50,000 will be put towards ENL salary increases. The State is implementing new tiers for building aid projects in 2020-2021. Slight reduction for the STAR program. Changes were made to interest and earnings by reviewing accounts and finding cost savings. Administration has been identifying areas that will have to be reviewed should additional aid not be available. The last set of changes that the district would consider would be reducing programming and staffing.

Based on the tax cap calculation, the district has a maximum increase of 3.64% to remain under the tax cap. Dr. Oldenburg explained that the tax cap is 2% or the rate of inflation whichever is less. This year, the rate of inflation is 1.81%. With allowable exclusions, the 3.64% would still remain under the tax cap and eligible homeowners would still receive the rebate.

#### 6.4 ANNOUNCEMENTS/COMMUNICATIONS

Mrs. Scullion reference the guidance plan that is up for adoption. Guidance and Ms. Edgerton worked very hard to make sure it follows new state guidelines.

Dr. Oldenburg reported that the district is moving ahead with the capital project. Several administrators visited an equipment vendor, and administrators met with vendor phone systems.

The district has spent a tremendous amount of time preparing for concerns regarding Coronavirus. He has been working with other superintendents, Erie County DOH, CDC and NYS DOH. The district has safety plans and is preparing modifications should it occur occur. The closing of schools will be a directive, not be a decision made locally. The Governor announced a new policy stating that should there be a case of Coronavirus, the district would be closed for 24 hours.

### CONSENT AGENDA ITEMS

#### 7.0 MANAGEMENT SERVICES

7.1 FINANCIAL REPORTS: NONE

#### 7.2 APPROVE DESIGNATION OF OBSOLETE PROPERTY – RIVERVIEW

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools designates instructional materials from Riverview Elementary as excess and obsolete for disposal.

#### 7.3 AUTHORIZE AMENDED REFUSE BID FOR 2020-2021

RESOLVED: That the Board of Education upon the recommendation of the Superintendent of Schools approves the Refuse Bid for the 2020-2021 school year to **Modern Disposal Services** at an estimated annual cost not to exceed **\$29,870.94, including the addition of three-stream recycling.**

#### 7.4 AUTHORIZE TONA2020 CONSTRUCTION MANAGER

WHEREAS, the Board of Education directed the Superintendent to conduct a search of interested construction management companies, and

WHEREAS, the Board of Education has reviewed the initial presentations of such entities with regard to the Tonawanda 2020 Capital Project, and

WHEREAS, the Board of Education has received public comment on the Tonawanda 2020 Capital Project,

NOW BE IT THEREFORE RESOLVED, that the Board of Education hereby retains the firm of **Campus Construction Management Group** to serve as the Construction Manager for the Tonawanda 2020 Capital Project and directs the Superintendent to execute all necessary documents with that firm and all other necessary documents for such project.

#### 7.0.1 CONSENT AGENDA: FINANCIAL REPORTS/RESOLUTIONS

Moved by Vice President Danielle Opalinski and seconded by Trustee Renee Gilbert that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above Management Services Items 7.2 through 7.4 as presented. Approved 7-0 and carried.

#### 8.0 INSTRUCTIONAL PERSONNEL

##### RESIGNATIONS/APPOINTMENTS/UNPAID LEAVES/TENURE/ETC.

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following Board Actions, **pending official clearance by the New York State Commission of Education of fingerprint/background check WHERE APPLICABLE** and upon successful completion of probationary period, where applicable. For new teacher hires, it is hereby further resolved that such probationary expiration date shall depend upon their individual APPR ratings and in order to receive tenure they must receive overall APPR ratings of effective or highly effective in at least three of composite or overall APPR rating in their final year of probation, they shall not be eligible for tenure at that time.

Item No.	Name	New or Replacing	Position/Tenure Area/ Certification	BOE ACTION REQUESTED	Step Level/Degree/Effective Date(s) Italics/Highlighted -Correction
8.1	<b>Karen Burgett</b>	N/A	Elementary (Fletcher)	Accept Resignation for Retirement	Effective July 1, 2020
8.2	<b>Denise Danvir</b>	N/A	Elementary (Riverview)	Accept Resignation for Retirement	Effective July 1, 2020
8.3	<b>Deanna O'Brocta</b>	N/A	Teacher Assistant (Middle School)	Accept Resignation for Retirement	Effective July 1, 2020
8.4	<b>Debra Mileham</b>	N/A	Teacher Assistant (Fletcher)	Accept Resignation for Retirement	Effective July 1, 2020
8.5	<b>Kimberly Crawford</b>	N/A	Special Education (High School)	Accept Resignation for Retirement	Effective July 1, 2020
8.6	<b>Diane Sharry</b>	N/A	Elementary (Mullen)	Accept Resignation for Retirement	Effective July 1, 2020
8.7	<b>Patricia Mulcahy</b>	N/A	Special Education (High School)	Accept Resignation for Retirement	Effective July 1, 2020
8.8	<b>Gail Walter</b>	N/A	School Nurse (MS/HS)	Accept Resignation for Retirement	Effective July 1, 2020
8.9	<b>Patrice Truskey</b>	N/A	Teacher Assistant (Mullen)	Accept Resignation for Retirement	Effective July 1, 2020
8.10	<b>Mary Jo Eikenburg</b>	N/A	Teacher Assistant (High School)	Accept Resignation for Retirement	Effective July 1, 2020
8.11	<b>Christopher Rudroff</b>	Lynch	Auditorium Manager	Approve Temporary Appointment	\$600 stipend Effective March 1, 2020 through June 30, 2020

Item No.	Name	New or Replacing	Position/Tenure Area/ Certification	BOE ACTION REQUESTED	Step Level/Degree/Effective Date(s) Italics/Highlighted -Correction
8.12	<b>Kristin Planz-Christian</b>	N/A	Mentor/Peer Coach (Fendrick – HS)	Approve Temporary Appointment	\$300 stipend
8.13	<b>Jaclyn Kiera</b>	N/A	Mentor/Peer Coach (Zimmer – MS)	Approve Temporary Appointment	\$300 stipend

#### EXTRA-CURRICULAR ADVISOR APPOINTMENTS MIDDLE SCHOOL 2019-20

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, accepts the following resolutions and approves the Class Advisor appointment for the 2019-20 school year and the corresponding stipend as per Article 19.05 of the TEA Contract.

Item No.	Name	Extra-Curricular Club/Program	Stipend	BOE Action Requested
8.14	<b>Tina Edholm-McNelis</b>	Memory Book	\$459.61	Approve Appointment

#### DEPARTMENT CHAIR APPOINTMENTS FOR – 2019-2020

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, accepts the following resolutions and approves the Department Chair appointments for the 2019-2020 school year and the corresponding stipend as per Article 19.10 of the TEA Contract.

Item No.	Name	Department	Stipend	BOE Action Requested
8.15	<b>Amanda Urbaniak</b>	K-12 Music	\$325	Approve Appointment

#### COACHING APPOINTMENTS/ RESIGNATIONS –

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, accepts the following resolutions and approves the Athletic Coach appointments , per the attached, **pending official clearance by the New York State Commissioner of Education of fingerprint/background check of all those applicable**

Item No.	Name	Sport	BOE ACTION REQUESTED	Step Level/Rate/Effective Date(s)
8.16	<b>Nathan Holler</b>	Assistant Track Coach	Approve Appointment Spring 2020	Effective March 9, 2020 Stipend Step 1 - \$2,847
8.17	<b>Glen Gast</b>	Coed Unified Basketball Coach	Approve Appointment Spring 2020	Effective March 30, 2020 Stipend - \$2,000

#### 8.0.1. CONSENT AGENDA: INSTRUCTIONAL PERSONNEL ITEMS

Moved by Trustee Elizabeth Koch and seconded by Trustee Diane Misner that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the Instruction Personnel Action Items 8.1 through 8.17 as presented. Approved 7-0 and carried.

**9.0 NON-INSTRUCTIONAL PERSONNEL****RESIGNATIONS/APPOINTMENTS/UNPAID LEAVES/ETC.**

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following Board Actions, **pending official clearance by the New York State Commission of Education of fingerprint/background check as applicable** and upon successful completion of probationary period where applicable.

Item No.	Name	Position	BOE Action Requested	Step Level/Rate/Effective Date(s) Italics/Highlighted = Correction
9.1	<b>Adam Messana</b>	Cleaner	Accept Resignation	Effective March 3, 2020
9.2	<b>Jeffery Hatten</b>	Director of Facilities & Operations	Accept Resignation	Effective March 31, 2020
9.3	<b>Santi Bastola</b>	Cleaner (Mullen)	Approve Permanent Appointment	Effective March 11, 2020

**ADDITIONS TO THE NON- INSTRUCTIONAL SUBSTITUTE LIST(S)**

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools, approves the **Additions to the Non-Instructional Substitute List(s)**, as listed on the attachment(s), **pending official clearance by the New York State Commission of Education of fingerprint/background check.** The Board of Education also approves the **EMERGENCY CONDITIONAL APPOINTMENT** of all substitute additions as listed on the attachment(s) for a period not to exceed twenty (20) calendar days.

Item No.	Name	Position	BOE ACTION REQUESTED	Step Level/Rate/Effective Date(s) Italics/Highlighted = Correction
9.4	<b>Wendy Williams</b>	Substitute School Nurse	Approve Amended Appointment	Effective February 3, 2020 \$20.00 per hour
9.5	<b>James Shiesley</b>	Substitute School Monitor	Approve Appointment	\$13.39 per hour Effective March 11, 2020

**9.0.1 CONSENT AGENDA: NON-INSTRUCTIONAL PERSONNEL**

Moved by Trustee Elizabeth Koch and seconded by Trustee Renee Gilbert that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the Non-Instructional Personnel Action Items 9.1 through 9.5 as presented. Approved 7-0 and carried.

Following the vote, Mrs. Koch wished Mr. Hatten well.

**10.0 CURRICULUM/INSTRUCTION****10.1 COMMITTEES ON SPECIAL EDUCATION (CSE)**

COMMITTEE TYPE	DESCRIPTION	MEETING DATES
<i>District Committee on Special Education</i>	Annual Review	2/6/20, 2/7/20, 2/10/20, 2/11/20, 2/12/20, 2/26/20, 2/28/20, 3/2/20, 3/3/20, 3/4/20, 3/5/20, 3/6/20, 3/9/20
<i>District Committee on Special Education</i>	Initial Eligibility Determination Meeting	2/24/20

<b>COMMITTEE TYPE</b>	<b>DESCRIPTION</b>	<b>MEETING DATES</b>
<i>District Committee on Special Education</i>	Transfer Student – Agreement No Meeting	2/24/20
<i>District Committee on Special Education</i>	Amendment – Agreement No Meeting	11/12/19, 2/11/20, 2/24/20
<i>District Committee on Special Education</i>	Reevaluation/Annual Review	2/7/20, 2/10/20, 2/25/20, 2/26/20, 2/28/20, 3/3/20, 3/4/20, 3/6/20, 3/9/20
<i>District Sub-Committee on Special Education</i>	Annual Review	2/27/20
<i>Section 504</i>	Initial Eligibility Determination Meeting	2/26/20, 3/2/20
<i>District Committee on Pre-School Special Education</i>	Initial Eligibility Determination Meeting	3/2/20
<i>District Committee on Pre-School Special Education</i>	Reevaluation/Annual Review	3/3/20
<i>District Committee on Pre-School Special Education</i>	Transfer Student – Agreement No Meeting	2/24/20

**10.0.1 CONSENT AGENDA: CSE**

Moved by Trustee Daniel Calabrese and seconded by Trustee Kristin Schmutzler that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above Item 10.1 as presented. Approved 7-0 and carried.

**11.0 POLICY ITEMS:****NONE****12.0 OTHER****12.1 APPROVE DISTRICT COUNSELING PLAN**

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent, approves the **Tonawanda City School District K-12 Comprehensive School Counseling Program** revised February 2020.

**12.2 APPROVE CEDAR POINT FIELD TRIP – CLASS OF 2020 STUDENTS**

RESOLVED: That the Board of Education, upon the recommendation of the Superintendent of Schools approves the Class of 2020 students' travel to Cedar Point, Sandusky, Ohio on June 1-2, 2020 at no cost to the District, except substitute teacher cost. The Board reserves the unilateral right to cancel any approved trip at any time and for any reason, including, but not limited to, when the safety and security of the students would be in question. In the event a school sponsored extracurricular field trip is canceled, the district will not be responsible for reimbursing any deposits or expenses incurred by any student, staff member, and/or parent. Parents, students, and staff shall be notified of this proviso at the time that any field trip is officially approved by the Board.



### 12.0.1 CONSENT AGENDA: OTHER

Moved by Trustee Elizabeth Koch and seconded by Trustee Renee Gilbert that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above Items 12.1 and 12.2 as presented. Approved 7-0 and carried.

Prior to the vote, Mr. Calabrese wanted to ensure that the district is going out of their way to warn parents that they could lose money because we have no control over cancellations.

### 12.3 NOMINATION OF ERIE 1 BOCES BOARD MEMBER CANDIDATES

RESOLVED: That the Board of Education upon the recommendation of the Superintendent of Schools nominates **John Sherman**, residing 30 Milton Street, Tonawanda, New York, which is located in the Tonawanda City School District as a candidate for election to be held on April 21, 2020, to serve as trustee for the Board of Cooperative Educational Services, First Supervisory District of Erie County, in a term beginning July 1, 2020, through June 30, 2023.

RESOLVED: That the Board of Education upon the recommendation of the Superintendent of Schools nominates **Janet MacGregor Plarr**, residing 3494 Heatherwood Drive, Hamburg, New York, which is located in the Frontier Central School District as a candidate for election to be held on April 21, 2020, to serve as trustee for the Board of Cooperative Educational Services, First Supervisory District of Erie County, in a term beginning July 1, 2020, through June 30, 2023.

### 12.0.2 CONSENT AGENDA: BOCES BOARD NOMINATIONS

Moved by Trustee Daniel Calabrese and seconded by Trustee Kristin Schmutzler that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above Item 12.3 as presented. Approved 7-0 and carried.

### 12.4 BOND RESOLUTION

WHEREAS, the Board of Cooperative Educational Services, First Supervisory District, Erie County, New York (the “BOCES”) has heretofore been created and The City School District of the City of Tonawanda, Erie County, New York (the “District”) is one of the component school districts thereof;

WHEREAS, the BOCES has proposed to construct and equip improvements to various BOCES school facilities to increase their utility for the purposes of the BOCES at an estimated maximum cost of \$21,156,378 (the “Project”) and in furtherance thereof, has entered into an agreement by and among the BOCES and each of the component school districts of the BOCES providing for such construction and equipping, the allocation and apportionment of such estimated maximum cost among such component school districts, the payment by each such component school district of its respective share to the BOCES, and other matters incidental thereto;

WHEREAS, such agreement has heretofore been duly executed by BOCES and by each of the component school districts thereof, including the District;

WHEREAS, pursuant to Section 1950(14) of the Education Law, neither the approval of the voters of the District, nor the voting of a special tax or a tax to be collected in the installments are conditions precedent to the adoption by the Board of Education of the District (the “Board”) of a bond resolution authorizing the financing of the District’s share of the aforesaid estimated maximum cost;

WHEREAS, the BOCES has heretofore determined that the Project constitutes a Type I action under the State Environmental Quality Review Act of the State of New York (“SEQRA”) and the

applicable regulations thereunder which will not have a significant impact on the environment, and a written, reasoned elaboration of the SEQRA determination of significance has been provided in a Negative Declaration; and

WHEREAS, it is now desired to authorize (but not require) the financing by the District of its share of the aforesaid estimated maximum cost, as authorized by such Section 1950(14) of the Education Law;

NOW THEREFORE, BE IT RESOLVED by the Board as follows:

SECTION 1. The District has reviewed the Project, and has considered and concurs with the prior determination of the BOCES that the Project constitutes a Type I action pursuant to SEQRA and the applicable regulations promulgated thereunder which will not have a significant adverse impact on the environment, and a written, reasoned elaboration of the SEQRA determination of significance has been provided in a Negative Declaration.

SECTION 2. The specific object or purpose to be financed pursuant to this resolution is the payment of the District's agreed upon and proportionate share of the estimated maximum cost of the Project, as more fully described in the preambles hereto (the "Purpose"). No money has heretofore been authorized to be applied to the payment of the cost of the Purpose.

SECTION 3. The estimated maximum cost of the Purpose is \$549,766, which expenditure is hereby authorized. The plan for the financing thereof is by the issuance of up to \$549,766 of general obligation serial bonds of the District (and, if desirable, notes and renewal notes to be issued in anticipation thereof), all of which are hereby authorized to be issued pursuant to the Local Finance Law. Investment earnings on such obligations shall be applied to either the debt service on such obligations, or to the costs of the Purpose. Such bonds and notes are to be payable from amounts which shall annually be levied on all the taxable real property in the District (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York), and the faith and credit of the District are hereby irrevocably pledged for the payment of the bonds and notes that are authorized hereunder, and the interest thereon.

SECTION 4. It is hereby determined that the period of probable usefulness of the aforesaid purpose is thirty years, pursuant to subdivision 14(b) of Section 1950 of the Education Law.

SECTION 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds herein authorized and the bond anticipation notes in anticipation of the issuance and sale of such bonds, including renewals of such notes, is hereby delegated to the President of the Board, as the chief fiscal officer of the District, or to the Vice President of the Board (in the event of the absence or unavailability of the President). Such bonds and notes shall be of such terms, forms and contents, and shall be sold in such manner, as may be prescribed by such President (or Vice President), consistent with the provisions of the Local Finance Law.

SECTION 6. All other matters except as provided herein relating to the bonds and notes herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein, and the manner of execution of the same including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, shall be determined by the President of the Board (or by the Vice President of the Board in the event of the absence or unavailability of the President). Such bonds and notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local

Finance Law, as the President (or Vice President) of the Board shall determine, consistent with the provisions of the Local Finance Law.

SECTION 7. 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, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 2 of this resolution. The District then 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) the date hereof or (2) the date of any earlier expression by the District of its intent to reimburse such expenditures with the proceeds of the bonds authorized by Section 3 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the District's "official intent" to reimburse the expenditures authorized by Section 3 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 8. 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 bonds 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 bonds 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 9. The President of the Board is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds authorized hereunder (or any bond anticipation notes issued in anticipation of the sale of such bonds), containing provisions which 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.

SECTION 10. The District Clerk is hereby authorized 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 official newspaper(s) of the District, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the District, which newspaper shall be designated by the Board in a separate resolution. The validity of the serial bonds authorized hereby, or of any bond anticipation notes issued in anticipation of the sale of such serial bonds, 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 twenty 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 11. This resolution shall take effect immediately.

**12.0.3 CONSENT AGENDA: BOND RESOLUTION**

Moved by Trustee Elizabeth Koch and seconded by Trustee Diane Misner that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the above Item 12.4 as presented. Roll call vote was called. Approved 7-0 and carried.

Trustee Mr. Calabrese	Aye	Trustee Mrs. Opalinski	Aye
Trustee Mrs. Gilbert	Aye	Trustee Mrs. Schmutzler	Aye
Trustee Mrs. Koch	Aye	President Ms. Sternin	Aye
Trustee Mrs. Misner	Aye		

**13.0 ATTENDANCE REPORT – FEBRUARY 2020****14.0 BOARD INFORMATIONAL ITEMS**

- 14.1 Facility Usage Report
- 14.2 Mullen Calendar – March 2020
- 14.3 Riverview Calendar – March 2020

**15.0 PUBLIC COMMENT SESSION #2 FOLLOWING BOARD RESOLUTIONS**

(Same guidelines as those found in Item 5.1. Three (3) minutes per speaker for a 20 Minute Session.)

Andy Feltham, resident, inquired if Special Olympics is still on due to concerns about Coronavirus. Ms. Edgerton indicated that no cancellations have occurred.

Martin Latko, resident, has a son who is a student and he wanted to update the Board on a situation with his son. He provided letters to Dr. Oldenburg for the board, and wants them put in the minutes. The Clerk accepted the letters as part of Board documentation. He began to discuss a district employee, and Ms. Sternin indicated he could not discuss personnel matters during the comment section, as referenced on the agenda. Mr. Latko referenced policy 3230 regarding public complaints. He indicated he wants an apology from the person involved, not Dr. Oldenburg representing the district. Ms. Sternin indicated she would make sure the Board had a copy of the letter and would review the information. She will review the policy and discuss the matter with the school attorney. Mr. Latko indicated his belief that the school attorney should recuse himself from this situation. Ms. Sternin stated the district chooses the attorney for the district. After reviewing information, the matter will be discussed with Mr. Latko with either the Board President or the district attorney. Mr. Latko indicated he tried to call Mrs. Koch, but spoke with her daughter, the City Council President. Ms. Sternin indicated that Mrs. Koch's daughter has no affiliation with the district. Mr. Latko's time was up, and was told that the district would be in touch with him.

**16.0 BOARD OF EDUCATION ROUND-UP**

The Tonawanda Board of Education members would like to take an opportunity to share news regarding the school district since the prior Board of Education Meeting, (*e.g., Board of Education school visits or school events*)

Mrs. Koch Congratulations to retirees and thank you for the years of dedication to the district. A recent highlight was February 26 presentation at Carnegie, Numbers in Need. The program analyzed data to highlight pockets of poverty and residents at risk. Looking to make sure there is a safety net to capture anyone in need. Listening to the information, truly believes that the district addresses this situation well. The next meeting is in Lockport, and will forward info to anyone who is interested. Thank you Mrs. Hill for the work on the budget.

Mrs. Schmutzler Thank you presenters. The only committee meeting was the MS Planning Team.

Mrs. Gilbert Scheduled to attend the PTSA meeting, but it was on the snow day. Congratulations to Reflections winners. Congratulations to retiring staff members. Sad to see them go, but exciting for them. Thank you to Matthew and Skyler.

Mrs. Opalinski Attended school climate meeting. On April 9, Middle/High School students will attend Wellness Day. Also attended Numbers in Need Wish retirees well, and looking forward to Make-A-Wish

Mrs. Misner Echoed everyone’s comments. Noticed the large number of retirees this year.

Mr. Calabrese All has been said. Thank you retirees for your years of service. Thank you to the two student reps, reports, and fun and games.

Ms. Sternin Reminder that anyone wanting a petition to run for the School Board packet should see Mrs. Maxwell. Following adjournment, the students from “Rent” will perform a number in the High School auditorium.

**17.0 ADJOURNMENT**

Moved by Trustee Diane Misner and seconded by Vice President Danielle Opalinski that the Board of Education adjourns the meeting at 8:04 PM. Approved 7-0 and carried.

Respectfully Submitted,

Dana Maxwell  
District Clerk