

The **Regular Meeting** of the Batavia City School District Board of Education was called to order on **Tuesday, May 5, 2020 at 6:02 PM** in the District Administration Conference Room, 260 State Street, Batavia, NY by Board President, Patrick Burk.

**Members Present:** Patrick Burk, Peter Cecere, Tanni Bromley (via Google Meeting), John Marucci, Barbara Bowman, Shawna Murphy (6:24 PM), Alice Ann Benedict

**Excused:** Aubrey Towner, Ex-Officio Student Representative

**Others Present:** Anibal Soler Jr., Superintendent, Brittany Witkop, Assistant Clerk to the Board; Dr. Molly Corey, Executive Director of Curriculum and Instruction; Scott C. Rozanski, Business Administrator/Clerk (via Google Meeting)

Mr. Burk welcomed those present to the meeting and led the pledge to the flag.

**Public Hearing: Repair Reserve Funding – Mr. Scott Rozanski**

A public hearing was held to explain the purpose of moving expense funds from the repair reserve to repair the Batavia High School gym floor. Funds will cover the work necessary to level the concrete subfloor in the gymnasium. The dispersal of funds from reserves falls under Section 6-d of the General Municipal Law. Total estimated costs, New York State contract pricing: \$55,720.00 - Corporate Floors U.S.A., Inc.

**Motion made by** Mr. Cecere, seconded by Mr. Marucci, to approve the utilization of funds from the Repair Reserve for purposes stated during the Public Hearing. There were no public questions or comments submitted.

**Yes – 6 [Burk, Cecere, Marucci, Bowman, Bromley, Benedict] No – 0 Absent – 1 [Murphy]**

**Motion carried. [6-0]** (2/3 majority vote required)

**Presentations**

**2020-21 Budget Update – Mr. Anibal Soler Jr. & Mr. Scott Rozanski**

Mr. Soler and Mr. Rozanski indicated there are some additional verifications on tenure/seniority status of teachers who are also certified reading teachers. The budget was increased by \$130,382.00 to account for these variances. The ten teacher positions that are reduced, will be a mix of both elementary and reading teachers. Three BOCES programs will also be reduced; alternative education, instructional support center and model schools for a savings of \$177,649.00. With fluctuating state aid figures and a possibility of further reductions, reductions of thirty staff positions is necessary to comply with the tax cap, which is -0.038. Our school has also seen a drastic reduction in state aid, which is now a decrease of -\$453K. The Board has decided to have a Special Meeting on May 19, 2020, before voting on the budget in case we need to make other adjustments.

Mr. Burk noted that for our current year, 2019-20, we could see a budget reduction as well. Further adjustments that will be determined by Governor Cuomo over four specified measurement periods, which may mean further budget changes:

- April 1 to April 30, 2020 (This year's budget!)
- May 1 to June 30th, 2020 (This year's budget!)
- July 1 to December 31, 2020
- January 1 to March 31, 2021

Call to Order

Roll Call

Pledge to Flag

Public Hearing  
*Repair Reserve*

Repair  
Reserve  
Funds

*Budget Update*

The Board of Education also discussed the Capital Project for an age-appropriate playground and bathroom facilities at Jackson Primary School, which was previously approved on March 24, 2020. Mr. Rozanski asked if the Board wanted to continue with this project. Unanimously the board members do want to proceed as this is a safety issue that should be addressed. This project may not be complete by the start of the 2020-21 school year as we await voter approval and then New York State Education Department approval.

Mr. Rozanski gave three options for the 2020-21 Capital Outlay project for the Board to consider. The work must be done at one location, \$100,000.00 maximum, and is eligible for building aid for a net cost of approximately \$10,000.00.

### **Jackson Primary: New Restroom in the Gymnasium**

The best location would be behind the existing bathrooms in the hallway. The closer plumbing run, the cheaper the work would cost, and we would need to make sure that there is not any disruption to the existing gym floor.

### **High School: New Stage Floor & New Clocks**

This option was initially proposed under the 2020 Vision Capital Project. The preliminary estimate that we received was between \$25K-30K. In addition, replacement of all the existing clocks in the building and installation of new clocks controlled by a master clock so that there is uniformity across the building.

### **Middle School: Exterior Doors and Landscaping**

All exterior doors would be replaced with new security doors and this would include any new wiring to tie in the new doors with the existing security system. Landscaping around the school would be completely redone.

The board will discuss these three options at the May 19, 2020, meeting to determine, which they prefer.

### **Financial Summary Report – Mr. Scott Rozanski**

Mr. Rozanski summarized the financial comparisons of March 2019 to March 2020.

Meeting closed to the Public due to COVID-19 restrictions.

**Motion made by Ms. Murphy, seconded by Mrs. Bowman – Upon the recommendation of the Superintendent, BE IT RESOLVED** to approve the following Consent Items, A-F, as altered.

- A. Board of Education Minutes: 4/28/20
- B. CSE Reports: 4/20/20 (1), 4/22/20 (15)
- C. Resignations
  1. Anita Owusu (Akuamoah-Boateng), Elementary Teacher [JK], effective August 27, 2020
- D. Leave of Absence
  1. Mark Marabella, Custodial Worker [JK], Family Medical Leave, effective May 4, 2020, through *date to be determined*
  2. REVISED – Jessica Torrey, Elementary Teacher [JA], Family Medical/Maternity Leave, through April 29, 2020 (returned to work April 30, 2020)

*Financial Summary*

**Consent  
Items**

**BOE Minutes  
CSE**

**Resignations**  
*Anita Owusu*

**Leave**  
*M. Marabella*

**REVISED –**  
*J. Torrey*

E. Appointments

1. REVISED - Karen Cima, Long-term Substitute Elementary Teacher [JA/Torrey/#8908], effective on or about March 13, 2020 through April 29, 2020; Salary according to the Batavia Teachers' Association Per Diem Substitute Agreement (retired teacher), \$130.00/day for 20 consecutive days in the same assignment; \$275.00/day retroactive beginning the 21st consecutive day
2. 2019-20 SOAR Program Staff (engage at-risk students during COVID-19 closure period) – April 28, 2020 through June 30, 2020; Salary according to the Batavia Teachers' Agreement - \$30.00/hr. teaching; \$35.00/hr. professional development: Allison Chua, Chelsea Cummings, Joe Hussar, Tom Ingalsbe, Aaron Klumpp, Jeremy Mettler, Sheila Neth, Eileen Ognibene, Lisa Robinson, Chris Weicher

**Appointments**  
*REVISED –*  
*K. Cima*

*19-20 SOAR*  
*Program Staff*

F. Financials

1. Clerk's Report – March 2020
2. Treasurer's Report – March 2020
3. Budget Transfers – March 2020

*Clerk's Report*  
*Treasurer's Report*  
*Budget Transfers*

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**  
**Motion carried. [7-0]**

**Motion made by Mr. Cecere, seconded by Mr. Marucci, to accept and approve the COVID-19 Resolution for closure of the Batavia City School District, effective March 16, 2020, due to State of Emergency.**

**COVID-19**  
**Resolution for**  
**School Closure**

**RESOLUTION**

**WHEREAS**, COVID-19 has resulted in the Federal, State and County governments declaring a state of emergency; and

**WHEREAS** the Governor has ordered, pursuant to Executive Order No. 202.4, the closure of schools statewide through the end of the school year, June 25, 2020; and

**WHEREAS**, the Genesee County Department of Health declared a State of Emergency beginning at 12:00 a.m. on March 15, 2020.

**NOW, THEREFORE**, the Board of Education resolves as follows:

1. The Board of Education hereby declares the COVID-19 virus is an emergency for the School District.
2. The school district is closed for students March 16, 2020 through the end of the school year, June 25, 2020 pursuant to the Governor's Order and the earlier County Executive Order.

3. During the period of school closure for students, all District stakeholders shall establish plans to ensure the continuity of learning to the extent feasible and appropriate in accordance with consultation with the State Education Department, Department of Health and the Office of Children and Family Services consistent with Executive Order 202.4.

4. The Board of Education may be required to amend the school calendar to address these extraordinary circumstances and make up instructional days.

5. The Board of Education meetings from March 16, 2020 forward until further notice shall be closed to the public under Governor Executive Order 202.1. The school district shall make the meeting accessible to public participation through video streaming or by conference call at the time of the meeting and the school district will record the Board of Education meeting and post the video, audio or transcript on the district website.

6. The Superintendent of Schools is authorized to follow the Federal, State and County orders and to take such action as necessary and proper to operate the school district during this time of emergency.

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**  
**Motion carried. [7-0]**

**Motion made by Mr. Cecere, seconded by Mr. Marucci, to accept and approve the Resolution for Emergency Measures to Ensure Continuity of Operations.**

**Resolution for  
Emergency  
Measures**

WHEREAS, On March 14, 2020, the Genesee County Department of Health recommended that school Districts in Genesee County close to students, effective as soon as practicable, and until further notice due to the COVID-19 virus;

WHEREAS, As of 12:00 AM on Sunday, March 15, 2020, the Genesee County Board of Supervisors in collaboration with the Genesee County Department of Health declared a state of emergency in response to the COVID-19 pandemic;

WHEREAS, On March 16, 2020, Andrew Cuomo, Governor of the state of New York, signed an executive order closing schools statewide for two (2) weeks beginning on March 18, 2020 and ending on April 1, 2020; and then extended the closure through the end of the school year, June 25, 2020;

WHEREAS, the Batavia City School District complied with these orders and closed to students beginning March 16, 2020;

WHEREAS, the Board of Education recognizes the undue hardship this unprecedented event may have on its community;

WHEREAS, the Board of Education recognizes the undue hardship this situation may have to safely maintain and operate its facilities;

WHEREAS, the Board of Education recognizes the need to provide its vulnerable student populations with meals during the mandated closure;

WHEREAS, the Board of Education recognizes the need to continue the essential functions of the Business Office,

NOW, THEREFORE BE IT RESOLVED, the Board of Education authorizes Anibal Soler Jr., Superintendent of Schools to take necessary measures, including waiving current District policies, to ensure the continuity of Business Office functions including but not limited to purchasing, bill payment, banking, and payroll for all District employees and long-term substitutes;

BE IT FURTHER RESOLVED, the Board of Education authorizes Anibal Soler Jr., Superintendent of Schools to designate select staff, faculty and administration as essential to address the aforementioned concerns;

BE IT FURTHER RESOLVED, this resolution shall remain in effect until such time the as District is allowed to reopen to students and non-essential personnel and resume functions as prescribed by regulatory authorities.

Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0  
Motion carried. [7-0]

Motion made by Mr. Cecere, seconded by Mr. Marucci, to accept and approve the Resolution to approve hourly pay for Batavia City School District employees from March 16, 2020 through June 25, 2020.

Resolution for hourly pay, BCSD employees

#### BOARD RESOLUTION APPROVING HOURLY PAY

**WHEREAS**, the novel coronavirus (COVID-19) pandemic has resulted in the Federal, State and County governments declaring a state of emergency; and

**WHEREAS**, the Genesee County Health Department has ordered a State of Emergency beginning March 15, 2020 due to the threat from the COVID-19 pandemic; and

**WHEREAS**, the Governor, pursuant to Executive Order No. 202.4, has closed schools statewide for a period of two weeks ending on April 1, 2020; and extending through the end of the school year, June 25, 2020;

**WHEREAS**, the Batavia City School District (“School District”) intends to provide alternate instruction and continue the operation of educational and related programs provided by the School District to the extent reasonable and consistent with direction from the State Education Department, Department of Health, Office of Children and Family Services, and Federal, State and Local officials; and

**WHEREAS**, the School District desires to pay hourly School District employees during the closure of the traditional School District operations due to the COVID-19 pandemic.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Board of Education hereby declares the COVID-19 pandemic is an emergency for the School District.
2. To the extent not already provided for in a collective bargaining agreement, hourly employees shall continue to be paid for the period of March 16, 2020 to June 25, 2020 during the School District closure for students, provided such employees are available for work and report to work when directed to do so. This is meant to make such employees

whole for missed work due to the school closure and shall be consistent with such employees' regular compensation during normal school district operations. Hourly ten month employees that are not scheduled to work over a recess period, when staff and students are not in attendance, will not be compensated unless they are called into work.

3. Depending on the length of School District closure, the Superintendent of Schools may extend the length of payment to reflect an extended School District closure.

4. This resolution shall apply only for the specific and limited purpose of addressing the unique challenges presented by the outbreak of COVID-19. It shall not set any precedent or practice regarding any aspect of the Resolution.

5. This Resolution shall take effect immediately.

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**  
**Motion carried. [7-0]**

## Reports

### Audit Report – Mr. Rozanski

Mr. Rozanski reported that the Audit Committee met via teleconference this afternoon. They reviewed claim auditor reports from March and April. They also discussed the external auditor audit plan for the 2019-20 fiscal year, the vacant treasurer position, and budget.

### Superintendent Report – Mr. Soler

This week is Teacher/Staff appreciation week and Mr. Soler thanked everyone for all of their hard work and dedication to our students. Parents are doing their best right now to fill the role of our teachers, which has made us realize just how important teachers are in developing our students into successful young adults. We purchased a 'Better Together Batavia' mug that will be available in all the main offices by the end of this week for all staff members to have one as a token of our appreciation.

Our school district has distributed over 80,000 meals so far. This is a clear example of how many families are experiencing hard times right now and we hope this is helpful to them.

Mr. Soler thanked the Board of Education for calling a meeting for May 19, 2020 to decide on the budget. On a side note, we may need to discuss 180-day school year compliance. An adjustment to our school calendar might be required to end the school year on June 17, 2020. Further guidance will be forthcoming.

The Leadership Team met today, via Google Meet and discussed the budget and opportunities for improved collaboration, which has been difficult given the COVID-19 pandemic. The conversations were very good and helpful to move forward as a team.

We are going to work on plans to close our buildings by June 1, 2020. Teachers will be asked to come in to clean out their classrooms and students to clean out their lockers. We also need sports equipment returned. The principals will be working on coordinating this effort.

Mr. Soler said we are planning a way to recognize our graduates. We definitely want to celebrate their success! Mr. Bromley and Mr. Kesler will visit Van Detta Stadium to see if that location would work for a graduation ceremony so that we have extra room for social distancing.

## Reports

*Audit*

*Superintendent*

Distance Summer Learning is still being planned, but with two options: traditional and virtual. Our plans will continue and once we have guidance from Governor Cuomo at the end of May we will be able to move forward.

**Curriculum & Instruction – Dr. Corey**

With Governor Cuomo’s announcement that the school year will remain closed, Dr. Corey continues to collaborate with school principals and teacher leaders regarding distance learning plans that engage students while also balancing socio-emotional needs as much as possible. Teachers are working together as a grade level and/or departments. Furthermore, Dr. Corey is exploring a variety of options to learn more about successful distance learning.

In addition, at-risk students have been identified and assigned to a 1:1 SOAR teacher. The goal is to provide much needed support to assist students with successfully ending the school year and in some cases graduating.

Dr. Corey has also spent time with principals to strategically plan for the cuts outlined in the last board meeting. Specifically, they analyzed needs, intended cuts and who may be impacted due to actual cuts in the academic support area due to tenure and seniority. It is complicated due to the variety of appointment and tenure areas for some of these positions.

**Other Reports – Mr. Burk**

Mr. Burk had two conference calls today to discuss elections and school funding. At this time, the budget and elections must be done entirely as mail-in ballots, which will go out after May 19, 2020. Since we are required to mail the ballots and provide a postage-paid return envelope the process will cost between \$18-\$32K. The Richmond Library Budget will be part of our ballot. There are still many unanswered questions, which will continue to be worked out in the next few weeks.

**Motion made by** Mr. Cecere, seconded by Mr. Marucci to enter into Executive Session at **6:57 PM** to discuss the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**

**Motion carried. [7-0]**

**Motion made by** Ms. Murphy, seconded by Mrs. Bowman to return to public session at **7:42 PM**.

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**

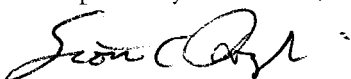
**Motion carried. [7-0]**

**Motion made by** Mr. Cecere, seconded by Mr. Marucci to adjourn the meeting at **7:43 PM**.

**Yes – 7 [Burk, Cecere, Marucci, Bowman, Murphy, Bromley, Benedict] No – 0 Absent – 0**

**Motion carried. [7-0]**

Respectfully submitted,



Scott C. Rozanski, Clerk

baw

*C & I*

*Other Reports*

**Executive Session**

**Return to Public Session**

**Adjournment**