

The **Special Meeting** of the Batavia City School District Board of Education was called to order on **Tuesday, May 19, 2020 at 6:00 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, John Marucci, Barbara Bowman, Shawna Murphy, 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

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

**Motion made by** Mr. Cecere, seconded by Mrs. Bromley to enter into Executive Session at **6:02 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** Mr. Cecere, seconded by Mrs. Bowman to return to public session at **6:10 PM**.

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

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

### **Presentations**

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

Mr. Soler and Mr. Rozanski indicated that the first measurement period was May 15, 2020, but Governor Cuomo did not provide an update. It is supposed to be forthcoming on May 20, 2020 and then the next adjustment update should be June 1, 2020. Mr. Soler was on a conference call today with the New York State Education Department Interim Commissioner, Shannon Tahoe, and they discussed the 'Pandemic' Adjustment money that will be added, but also taken back out, netting to zero in school budgets. The original amount may differ and be less than previously stated, which could impact budgets as well. Schools are hoping for Federal assistance and our district is applying for Federal Emergency Management Agency (FEMA) funds, but there is no guarantee.

Mr. Rozanski said there is one revision on the positions from our last meeting as we are reducing our staff by one Deputy District Treasurer. We must have a District Treasurer. Other than that, there are no revenue changes and the tax cap is still negative -0.038. The budget for Board consideration for the 2020-21 school year is \$51,470,726.00. There is still a possibility of further reductions and the necessity to use reserve funds. Again, as a reminder, the ten teacher positions that are reduced, will be a mix of both elementary and reading teachers. The reductions that have been proposed were determined by administration and building leaders in a joint effort to have the least impact possible on students. Class sizes may be 24-25 students versus 22, meaning a small increase. We maintain our commitment not to raise taxes this year and keep extracurricular activities such as sports, arts, and music for our students.

Mr. Burk asked the public to submit all questions regarding the budget to Brittany Witkop, Executive Assistant to the Superintendent and Board Secretary via email at: [bawitkop@bataviacsd.org](mailto:bawitkop@bataviacsd.org) by May 31, 2020 at noon. These questions will be reviewed and addressed by the Board of Education

**Call to Order**

**Roll Call**

**Pledge to Flag**

**Executive Session**

**Return to Public Session**

*Budget Update*

on June 2, 2020 at the Budget Hearing.

**Address Public Questions – Mr. Burk**

Mr. Burk indicated that generally we do would not respond to public questions; however, due to the situation we will go through them to help the public understand where the Board and District are in relation to the current budget and reductions.

*Public Questions*

**1) What are the current fund balances BCSD is holding in reserve, both restricted AND unrestricted?**

Located on the District website at:

<https://www.bataviacsd.org/cms/lib/NY02211966/Centricity/Domain/12/Scanned%20Budget%202.pdf>  
Starting on page 307 (page 329 for the summary)

Property Tax Report Card (which includes reserves) will be on the website sometime tomorrow (May 20, 2020) at:

<https://www.bataviacsd.org/Page/36>

**2) Can you provide us specifically what alternative cost saving measures, or cuts the board considered other than reducing the number of teachers and aides we have?**

- Proposed a payroll freeze for all employees
- Bell Schedule Change for All Schools
- Changes to Health Insurance Plan
- Reduction of additional BOCES Programs/Services
- Potentially Outsourcing UPK
- Elimination of Capital Outlay
- Transportation - transporting all students to allow for tiered transportation services
- Delaying Equipment, Material and Supply purchases
- Conference moratorium
- Reduction in Schedule C
- Reduction of a second School Resource Officer
- Not Filling Vacant Positions

**3) The Board indicates reducing two administrative positions at a total cost of \$58,000. Please explain how these numbers make sense when currently ALL members of your administrative staff make more than \$58,000. Will these be “reassignments”?**

Two Assistant Principal Positions were vacant. Two Central Office Administrative positions were reduced in the budget process. The two central office administrators will be placed into these vacant positions, thus bumping a teacher on a special assignment back into the classroom, which reduces/impacts a teacher, and the other position causing a net savings of \$58K.

**4) Has the Administration considered freezing their pay as a separate action from asking the teachers to freeze theirs as well? Why is it all or nothing? Freezing administrative pay raises seems like the servant leadership thing to do, and it would cover a number of “Aide” job losses.**

Yes, it was considered, but not pursued because of historic animosity that was created previously when the administrative group took a pay freeze but others did not.

**5) Please explain why the BCSD has chosen a “business administrator” to be its top financial officer, when the vast majority of other school districts have a “treasurer” who performs these functions. In addition, since our school district was audited and cited by New York State in 2016 for essentially maintaining reserve funds in excess of NYS statutes, why has our business administrator received over \$25,000 in additional salary in the past three years?**

Almost all Districts have this position and in some other school districts, they have an Assistant Superintendent or Chief Financial Officer fulfill this role at a greater cost.

In the 2016, Audit the district was cited for having strong financial practices per the tax levy/tax rate history. The current fiscal condition is a result of almost 20% increase in staffing over the past seven years with a reduction in student enrollment and an increase in contractual obligations. Other significant factors contributing to our fiscal challenge is the consistent flat and or decrease in state aid; no tax levy increase; past budgets with flat or minimal tax increases have been of great benefit to our tax payers and city.

Personnel matters and personnel contracts are not responded to or discussed in public Board of Education sessions.

**6) When schools do finally reopen, it is a virtual certainty that many of our students will be behind academically and needing additional support, particularly at the elementary level in terms of reading. What teachers and/or ELA professionals have you consulted with regarding the impact your decision will have on learning outcomes by reducing the number of reading teachers and aides? These cuts seem unduly harsh and predominantly targeted at the elementary level and our most vulnerable kids.**

New York State Education Department is currently working on reopening guidance and requirements. We are expected to have this guidance and general parameters to reopen sometime in July. At that point, we will work with a team of district stakeholders to finalize and develop the opening of school plans.

**7) The number one driver in academics virtually nationwide comes down to the student/teacher ratio. During the first major global pandemic, our world has seen in 100 years, many of our most vulnerable students will be returning to school with additional social, emotional and mental health issues. Classroom aides play a crucial role in identifying and offering this type of support, and allow teachers to continue teaching. They not only benefit our children who need a little extra attention, they benefit our top students who can now learn in classrooms with less distraction, and more attention from their lead teachers. Teacher aides are one of the best investments our district makes in terms of what they give, versus what they are paid. What mental health professionals has the board interviewed or consulted with regarding the effects on our kids following this pandemic, and how decreasing our staff inside the classroom might affect them?**

As we work on plans to reopen in the fall we will work with our district social worker, school counselors and other community based organizations to make sure we support our students' socio-emotional needs upon return.

**8) What efforts has our Board/Superintendent made to reach out to our local corporations and businesses to solicit support and assistance in filling this gap? Many of these corporations have**

**been able to avoid direct support for the district via taxes due to pilot programs and other business incentives to invest and settle here. Have we formulated a plan to approach these companies, for their potential tax-deductible support or sponsorship of our many programs?**

No, we have not formulated a plan to approach business for sponsorship, etc. Donations directly to a school district are not tax-deductible. This is also an option that the Batavia City School District Foundation could pursue, but this is not a function of a school district.

**9) Since the Batavia City School District closed its doors in mid-March, what cost savings have incurred due to the closure? Could these funds not be used to offset some of the gap identified for next year?**

Currently, employees have not been negatively impacted financially and have been held harmless in their salary/wage and benefits. During the pandemic we have had some increased costs with overtime and contractual obligations which has contributed to some minimal savings in payroll for extra duty assignments and substitutes but unemployment costs are expected to increase because substitutes are eligible for unemployment; There are some utility savings since consumption has decreased and transportation costs have decreased however that is currently being legally challenged. Savings in transportation costs would also negatively affect the District's State Aid next year. All savings are being managed by the Board of Education to mitigate ongoing financial impact as the Governor has indicated three adjustment periods to school aid and a projected long-term deficit in revenue and State Aid. (New York States projected 4 years deficit is \$61B).

**10) We are not unreasonable, and understand there may be a need to reduce and or reassign a few teachers/aides. However, it seems to me that a little bit more contrition and concession from the administration, some cooperation from the community, coupled with a tax increase and the use of some reserve funds, would cover this gap. While we are "reimagining" the education experience for our children, we should do it in a slow and measured approach.**

We are using reserve funds and the Board of Education does not want to increase taxes. We feel that we have taken a slow and measured approach in a difficult time.

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

**Motion made by Mrs. Bromley, seconded by Ms. Murphy, to amend the agenda, as altered.**

## V. Consent Items

### ADD:

#### E. Resignation

2. Peggy S. Weatherbee – Food Service Helper [JK], effective June 27, 2020

#### G. Appointments

2. 2020-21 CSE/CPSE Members – Per attached
3. 2019-20 Schedule 'C'

F Name	L Name	Bldg.	Age Level	Assignment/Sport	Level	FTE	Stipend
Jane	Paladino (Haggett)	BHS	High School	Drumline	4	0.5000	\$ 1,218.00

Agenda  
Alterations

Sean	Williams	BHS	High School	Drumline	4	0.5000	\$ 1,218.00
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I. Contracts

3. Sienna Environmental Technologies - Abatement services for Jackson Primary restroom renovations; Inspection \$2,710.00, Design Services \$2,000.00, Bid Phase/Construction Administration if requested \$1,300.00
4. Wendel - Architectural Services for Jackson Primary Project; \$22,000.00 max. or an estimated 3.5% of total project cost

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

**Motion made by Mr. Marucci, seconded by Mrs. Benedict – Upon the recommendation of the Superintendent, BE IT RESOLVED** to approve the following Consent Items, A-J, as altered.

- A. Board of Education Minutes: 5/5/20
- B. CSE Reports: 4/23/20 (15), 4/28/20 (9), 4/29/20 (2), 4/30/20 (3), 5/5/20 (4)
- C. CPSE Reports: 4/27/20 (1), 4/30/20 (1), 5/5/20 (1), 5/11/20 (1)
- D. Retirements
  1. Debra F. Levins, Clerk-Typist [BMS], effective June 27, 2020
  2. Elizabeth M. Herdlein, Food Service Helper [BHS], effective June 19, 2020
- E. Resignations
  1. Rocco T. DellaPenna, Senior Groundskeeper [DW], effective May 27, 2020
  2. Peggy S. Weatherbee – Food Service Helper [JK], effective June 27, 2020
- F. Leave of Absence
  1. Valerie Bochenski, Teacher Aide [BMS], Unpaid Educational Leave, effective September 1, 2020, through on or about January 1, 2021
  2. REVISED – Laura Whipple, Elementary Teacher ELA (Gr. 6) [BMS], Family Medical/Maternity Leave, through June 7, 2020 (return to work June 8, 2020)
  3. REVISED – Kimberly A. Hatch, Special Education Teacher [BHS], Family Medical Leave, through May 6, 2020 (returned to work May 7, 2020)
  4. Katherine Metzler, Science Teacher [BHS], Family Medical/Maternity Leave, effective on or about October 17, 2020 through on or about February 8, 2021
  5. Amanda McGough, Special Education Teacher [BMS], Family Medical/Maternity Leave, effective on or about November 4, 2020 through on or about December 22, 2020
- G. Appointments
  1. REVISED - Kathryn Herniman, Long-term Substitute Special Education Teacher [BHS/Hatch/#8895], effective retroactive to January 7, 2020 through May 7, 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. 2020-21 CSE/CPSE Members – Per attached
  3. 2019-20 Schedule 'C'

**Consent Items**  
**BOE Minutes**  
**CSE**  
**CPSE**  
**Retirements**  
*D. Levins*  
*E. Herdlein*  
**Resignations**  
*R. DellaPenna*  
*P. Weatherbee*  
**Leave**  
*V. Bochenski*  
  
*REVISED - L. Whipple*  
*REVISED - K. Hatch*  
*K. Metzler*  
  
*A. McGough*  
  
**Appointments**  
*REVISED – K. Herniman*  
  
*CSE/CPSE Schedule 'C'*

F Name	L Name	Bldg.	Age Level	Assignment/Sport	Level	FTE	Stipend
Jane	Paladino (Haggett)	BHS	High School	Drumline	4	0.5000	\$ 1,218.00
Sean	Williams	BHS	High School	Drumline	4	0.5000	\$ 1,218.00

H. Financials

1. Warrants

I. Contracts

1. Memorandum of Agreement, Batavia Clerical Association - \$1.00 an hour more per hour for actual hours (COVID-19 hazard pay for those working effective April 20, 2020 (No longer OT and base pay) through June 30, 2020, Summer hours for 12-month employees effective May 18, 2020, & carry over up to a maximum of (5) five unused vacation days that may be used up to December 31, 2020
2. Addendum, Executive Assistant to the Superintendent; COVID-19 hazard pay, Summer hours, and vacation rollover
3. Sienna Environmental Technologies - Abatement services for Jackson Primary restroom renovations; Inspection \$2,710.00, Design Services \$2,000.00, Bid Phase/Construction Administration if requested \$1,300.00
4. Wendel - Architectural Services for Jackson Primary Project; \$22,000.00 max. or an estimated 3.5% of total project cost

J. Bids

1. Building Condition Survey – SEI Design Group, Base fee \$55,431.00 plus additional surveys to be determined

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

**Motion made by Ms. Murphy, seconded by Mr. Cecere, to adopt the 2020-21 Preliminary Budget in the amount of \$51,470,726.00.**

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

**Motion made by Mrs. Benedict, seconded by Mr. Cecere, to approved the Property Tax Report Card.**

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

**Motion made by Mrs. Bowman, seconded by Mrs. Benedict, to accept and approve Batavia Middle School, Exterior Doors and Landscaping for the 2020-21 Capital Outlay Project.**

**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.

**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 revised 2019-20 Board of Education Meeting schedule for the Batavia City School District. (Add meetings 4/28/20 and 5/19/20, Revise 5/5/19 and 6/2/20, Budget Vote via Paper Ballots 6/9/20)**

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

**Financials**

*Warrants*

**Contracts**

*MOA –  
Batavia Clerical  
Association*

*Addendum –  
Executive Asst. to  
the Superintendent  
Sienna  
Environmental  
Technologies*

*Wendel*

**BIDS**

*BCS – SEI  
Design Group*

*Adopt 2020-21  
Budget*

*Property Tax  
Report Card*

*2020-21 Capital  
Outlay Project*

*2019-20 Board  
of Education  
Meeting Schedule*

**Motion made by** Mrs. Bromley, seconded by Mrs. Bowman, to accept and approve the revised 2020-21 Batavia City School District School Calendar. (Add BMS Connect, Link Crew and Marking Period dates)

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

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

*2020-21 BCSD  
School Calendar*

Mr. Burk and the Board of Education members acknowledged the change to the end of the school year 2019-20 for Batavia City School District due to the COVID-19. The document presented to end remote learning for students on June 17, 2020, due to no Spring Recess has been distributed to faculty and staff. Meal distribution will end on June 26, 2020.

*Change to  
2019-20 End of  
School Year*

## **Reports**

### **Superintendent Report – Mr. Soler**

Mr. Soler said remote learning continues at this time and will conclude on June 17, 2020. Mr. Kesler and Mr. Bromley are working on finalizing plans for a possible outdoor graduation at Van Detta Stadium to honor our students. The Department of Health will review the plan. It is still tentative right now, but we would love to celebrate our graduates. Mr. Soler said the community seems grateful for meal distribution. We are in week ten and have distributed 110,000 meals. Thank you to our faculty and staff, as well as parents, for continuing to work hard with online learning. We know this is challenging and appreciate the commitment to help our students learn and do well. On a positive note, Jackson teachers have been delivering student belongings to their homes that were left in their classrooms, which gives them a chance to see their students again.

**Reports**  
*Superintendent*

As we continue to receive updates from New York State regarding school budgets the information will be promptly passed on to the Board of Education.

### **Curriculum & Instruction – Dr. Corey**

As teachers wrap up the year with students, Dr. Corey is working on developing an abridged summer professional development catalog and guidelines for a limited number of curriculum projects. The focus will cover socio-emotional learning, learning competencies and best practices for distance learning to help plan for the reopening of school with unknown scenarios. Dr. Corey is gathering information from webinars and will meet with each Instructional Leadership Team member to understand the Batavia perspective. Input from parents and students will be gathered. Positive stories continue to be posted on social media from parents, students and teachers.

*C & I*

### **Other Reports –**

We have opened an online apparel store to sell Batavia City School District items with them assistance of three local businesses; T-Shirts Etc., Extreme Streetwear Co., and John's Studio. Please take a look and consider supporting them.

Ballots will go out on Friday, May 22, 2020, for the June 9, 2020 School Budget Vote. Please send them back in the postage-paid envelope. For more information please visit our website at: [www.bataviacsd.org](http://www.bataviacsd.org).

*Other Reports*

**Motion made by** Mrs. Bowman, seconded by Mr. Marucci to enter into Executive Session at **6:52 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**

**Executive  
Session**

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

**Motion made by Mrs. Bromley, seconded by Ms. Murphy to return to public session at 7:11 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 7:12 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

**Return to  
Public Session**

**Adjournment**