

**Minutes of the Annual Reorganization Meeting of the Dunkirk Board of Education held in the Large Group Instruction Room at the High School, July 13, 2021 at 5:30 P.M.**

**Members Present:**

Mr. David Damico; Mrs. Claudia Szczerbacki; Mrs. Julie Smith; Mrs. Loretta Torain; Mr. Kenneth Kozlowski; Ms. Betsy Ramos; Mr. Robert Bankoski

**Members Absent:**

None

**Members Excused:**

None

**School Officials Present:**

Superintendent of Schools: Mr. Michael Mansfield  
Interim School Business Administrator: Mrs. Debra McAvoy  
Director of Buildings and Grounds: Mr. Timothy Abbey

**Present Also:**

12 Administrators and Staff,

**1.0 Regular Order of Business:**

Mr. Damico called the meeting to order at 5:30 and asked everyone to stand and recite the Pledge of Allegiance

Mrs. Smith called roll.

Mrs. Smith read the notice of the annual reorganizational meeting held for the purpose of organizing and electing officers for the coming year, fixing the day and hour of holding regular Board meetings, prescribing a method for calling special meetings and transacting other organizational business as listed on the agenda before each Board member.

Mrs. Szczerbacki **moved** that Mr. David Damico act a temporary chairperson; seconded by Mr. Kozlowski; carried unanimously

Mrs. Loretta Slaton Torain, who was elected to the office of member of the Board of Education for a term of three years beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mrs. Claudia Szczerbacki, who was elected to the office of member of the Board of Education for a term of three years beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mrs. Szczerbacki nominated Mr. David Damico for the office of President for a term of one year beginning July 1, 2021; seconded by Mr. Kozlowski.

Mr. Damico **moved** that nominations for the office of President be closed; seconded by Mr. Bankoski; carried unanimously.

Mrs. Smith made a motion to cast one vote for Mr. Damico as President; seconded by Mr. Kozlowski; carried unanimously.

Mr. David Damico who was unanimously elected President of the Board of Education for a term of one year beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mr. Bankoski nominated Claudia Szczerbacki for the office of Vice President for a term of one year beginning July 1, 2021; seconded by Mrs. Torain

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Mr. Damico **moved** that nominations for the office of Vice President be closed; seconded by Mr. Bankoski; carried unanimously.

Mrs. Smith made a motion to cast one vote for Mrs. Szczerbacki as President; seconded by Mr. Kozlowski; carried unanimously.

Mrs. Claudia Szczerbacki who was unanimously elected Vice President of the Board of Education for a term of one year beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mr. Bankoski nominated Julie Smith for the office of Clerk of the Board for a term of one year beginning July 1, 2021; seconded by Mr. Kozlowski.

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Mr. Damico **moved** that nominations for the office of Clerk of the Board be closed; seconded by Mr. Bankoski; carried unanimously.

Ms. Ramos made a motion to cast one vote for Mrs. Smith as Clerk of the Board; seconded by Mr. Kozlowski; carried unanimously.

Mrs. Julie Smith who was unanimously elected Clerk of the Board of Education for a term of one year beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mr. Bankoski nominated Betsy Ramos for the office of Assistant Clerk of the Board for a term of one year beginning July 1, 2021; seconded by Mr. Kozlowski.

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Mr. Damico **moved** that nominations for the office of Assistant Clerk of the Board be closed; seconded by Mr. Bankoski; carried unanimously.

Mrs. Smith made a motion to cast one vote for Ms. Ramos as Assistant Clerk of the Board; seconded by Mr. Kozlowski; carried unanimously.

Ms. Betsy Ramos who was unanimously elected Assistant Clerk of the Board of Education for a term of one year beginning July 1, 2021; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

Mr. Bankoski **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.1 Schedule for Regular Board of Education Meetings:**

**Resolved**, that the regular meetings of the Dunkirk Board of Education are held each month as follows:

Regular meetings will be held on the second Tuesday of each month beginning at 5:30 P.M.;

Workshop meetings will be held on the fourth Tuesday of each month beginning at 5:30 P.M.

Each meeting will be in the Large Group Instruction Room at the High School, 620 Marauder Drive, Dunkirk, New York, or at such other place, day or time, as may be set by the Board of Education.

**Meeting Schedule**

July 13, 2021  
August 10, 2021  
September 14, 2021  
October 12, 2021  
November 9, 2021  
December 14, 2021  
January 11, 2022  
February 8, 2022  
March 8, 2022  
April 12, 2022  
May 10, 2022  
June 14, 2022

**Workshop Schedule**

July 27, 2021  
August 24, 2021  
September 28, 2021  
October 26, 2021  
November 23, 2021  
December 28, 2021  
January 25, 2022  
February 22, 2022  
March 22, 2022  
April 26, 2022  
May 24, 2022  
June 28, 2022

Mrs. Torain **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.2 Schedule for Special Meetings of the Board of Education:**

**Resolved**, that special meetings of the Dunkirk Board of Education may be called by the President for the purpose of attending to special matters by giving not less than twenty-four (24) hours' notice of same orally or in writing or, in any emergency, when all members are present at a special meeting by waiving the twenty-four (24) hours' notice by unanimous action.

Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.3 Policies and By-Laws of the Board of Education:**

**Resolved**, that the established policies and by-laws of the Dunkirk Board of Education remain in effect until modified.

Ms. Ramos **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.4 Adoption of Policy "Subject: Impartial Hearing Officer Selection & Appointment:**

**Resolved**, that the Board of Education adopts the police entitled "Subject: Impartial Hearing Officer Selection and Appointment" and directs the Superintendent to implement the Policy and the Regulation entitled "Subject: Impartial Hearing Officer Selection & Appointment" in order to comply with Education Law Section 4404(1) and the Commissioner of Education Part 200 Regulations for the rotational selection and timely appointment of New York State Certified Impartial Hearing Officers; and the Superintendent or his designee is authorized to modify the Regulation from time to time as necessary for the District to remain in compliance with the selection and appointment process.

Mr. Bankoski **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.5 Adoption of Policy "Impartial Hearing Officer Compensation Rates:**

**Resolved**, that the Board of Education of the Dunkirk City School District, upon recommendation of the Superintendent of Schools, shall compensate Impartial Hearing Officers who have been certified by the Commissioner of Education of the State of New York to serve as Impartial Hearing Officers in accordance with Education Law Section

4404(1) and 8 N.Y.C.R.R. Section 200.1(x), at the following rates for services and expenses as follows:

- [1] Certified Impartial Hearing Officers shall be compensated at the rate of one hundred dollars (\$100) per hour for time spent in pre-hearing, hearing, and post-hearing activities of researching and writing a decision. The District does not and will not pay for hearing dates which are adjourned or cancelled, regardless of the reason, when the adjournment or cancellation is on two or more business days notice.
- [2] Certified Impartial Hearing Officers will be reimbursed for reasonable and customary office expenses of photocopying, postage and facsimiles incurred and for travel time to and from the hearing at the rate of forty dollars (\$40) per hour except in the case of automobile travel time.
- [3] Automobile travel time shall be reimbursed at the then-current per mile rate which is established from time-to-time for travel by District employees and representatives in lieu of the above hourly rate.
- [4] Airline or train travel shall be reimbursed at the actual reasonable costs incurred by the Impartial Hearing Officer and actual travel time.
- [5] The District will reimburse Impartial Hearing Officers for the cost of their lodging up to eighty dollars (\$80) per night with receipt submitted or fifty-five (\$55) per night without receipt submitted for hearing dates that fall on consecutive days.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.6 Appointment of Assistant and Deputy Treasurers:**

**Resolved**, that the following individuals are hereby appointed to the following positions for the 2021-2022 school year:

Julie Greene	Assistant District Treasurer	\$3,000.00
Penny Kalfas	Deputy Treasurer Federal Funds	\$320.00

Mrs. Torain **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.7 Appointment of Assistant Purchasing Manager:**

**Resolved**, that the following individual is hereby appointed as Assistant Purchasing Manager for the 2021-2022 school year:

Penny Kalfas	Federal Projects	\$302.00
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Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.8 Appointment of Asbestos Hazard Emergency Response Act Local Educational Designee:**

**Resolved**, that Timothy Abbey is hereby appointed as Asbestos Hazard Emergency Response Act Local Education Designee for the Dunkirk City School District for the fiscal year 2021-2022.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.9 Appointment of Chief Medical Officer:**

**Resolved**, that Dr. Thomas McTernan is appointed Chief Medical Officer for the period July 1, 2021 through June 30, 2022, with total compensation of \$25,000, effective July 1, 2021, and be it further

**Resolved**, that he is hired as an individual contractor without any fringe benefits attached to his salary.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.10 Appointment of Claims Auditor:**

**Resolved**, that Charity Mucha, Dunkirk, New York, is appointed the Dunkirk City School District's Claims Auditor for the 2021-2022 school year at the rate of \$30.00 per hour.

Mr. Bankoski **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.11 Appointment of District Clerk:**

**Resolved**, that Tara Jakse is hereby appointed District Clerk of the Dunkirk City School District for the fiscal year 2021-2022, at an annual stipend of \$2,701.00.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.12 Appointment of Dunkirk City School District's Law Firms:**

**Resolved**, that Jeffrey Swiatek & Melanie Beardsley, of the law firm of Hodgson Russ, LLP, Buffalo, New York, is hereby appointed School Board Attorney for the school year 2021-2022, effective July 1, 2021 and be it further

**Resolved**, that Jeffrey Weiss of the law firm of Harris Beach PLLC, Buffalo, New York, is hereby appointed School Board Attorney for Special Education issues for the school year 2021-2022, effective July 1, 2021.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.13 Appointment of Dunkirk City School District Purchasing Agent:**

**Resolved**, that the Interim School Business Administrator be appointed Purchasing Agent for the 2021-2022 school year, effective July 1, 2021.

Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.14 Appointment of External Auditors:**

**Resolved**, that Drescher & Malecki, LLP, Cheektowaga, New York, are hereby appointed external auditors for the Dunkirk City School District for the 2021-2022 school year.

Ms. Ramos **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.15 Appointment of Internal Auditors:**

**Resolved**, that Buffamante Whipple Buttafaro, PC, Jamestown, New York, are hereby appointed internal auditors for the Dunkirk City School District for the 2021-2022 school year.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.16 Appointment of Tax Collector:**

**Resolved**, upon the recommendation of the Superintendent of Schools, that Patricia Patterson, Dunkirk, New York, is hereby appointed Dunkirk City School District Tax Collector for the 2021-2022 school year and that she is paid \$9,700 for her services.

Mrs. Torain **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.17 Authorization for Application for Compensatory Funds:**

**Resolved**, that the Superintendent of Schools is authorized to make applications for compensatory education funds at appropriate times during the 2021-2022 school year.

Mr. Bankoski **moved** the approval of the following resolution; **seconded** by Mrs. Torain; approved unanimously;

**8.18 Authorization for Board Members to Attend Conferences:**

**Resolved**, that any member of the Dunkirk Board of Education is authorized to attend meetings, conferences, and conventions of the New York State School Boards Association, the Chautauqua County School Boards Association, the Western New York Educational Service Council, and those called by the Education Department of other departments of New York State or such other organizations as may pertain to the welfare of the Dunkirk City School District during this fiscal year, necessary expenses of travel and attendance to be borne by the Dunkirk City School District with prior notification of intention to attend and approval by the Board of Education.

Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.19 Authorization of Budget Transfers:**

**Whereas**, the Commissioner's Regulations, Part 170.2(1), authorizes the Board of Education to delegate to the Superintendent of Schools the authority to make budget transfers; now, therefore, be it

**Resolved**, that effective July 1, 2021, the Superintendent of Schools is authorized to make such transfers as deemed necessary up to \$20,000.00, consistent with the financial provisions of the Education Law.

Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.20 Authorization for Signatures on Bank Accounts:**

**Whereas**, the Board of Education authorizes four (4) signatures for all bank accounts; now, therefore, be it

**Resolved**, that the four (4) authorized signatures for all bank accounts are designated as follows:



Superintendent of Schools  
Interim School Business Administrator  
District Treasurer  
Assistant District Treasurer

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mrs. Torain; approved unanimously;

**8.21 Authorization for Staff Attendance at Meetings:**

**Resolved**, that the Superintendent of Schools is authorized to approve travel and attendance by staff members at appropriate professional meetings; necessary expense of travel and attendance to be borne by the Dunkirk City School District with written reports to be appropriately circulated.

Mr. Bankoski **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.22 Authorization for Superintendent to Attend Conferences:**

**Resolved**, that the Superintendent of Schools is authorized to attend appropriate professional meetings pertinent to the execution of the office and the welfare of the Dunkirk City School District; with written request given to the Board of Education thirty (30) days in advance of any state or national conference, necessary expenses of travel and attendance to be borne by the Dunkirk City School District.

Mrs. Szczerbacki **moved** the approval of the following resolution; **seconded** by Mr. Kozlowski; approved unanimously;

**8.23 Authorization for Supplementary Personnel:**

**Resolved**, that the Superintendent of Schools is authorized to appoint temporary supplementary personnel such as monitors, lifeguards, and similar type personnel to established positions and to make wage determinations in accordance with existing salary regulations, and be it further

**Resolved**, that the Superintendent of Schools report such appointments to the Board of Education.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.24 Designation of Depository:**

**Resolved**, that Community Bank, NA, is designated as depository for the funds of the Dunkirk City School District for the fiscal year July 1, 2021 through June 30, 2022.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.25 Designation of Records Officer:**

**Resolved**, that in accordance with Section 65-a of the Public Officers Law, the Interim School Business Administrator is hereby designated Records Retention and Disposition Officer, and be it further

**Resolved**, that in accordance with Section 87(b)(iii) of the Public Officers Law, the Interim School Business Administrator is designated Records Access Officer.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.26 Designation of Representative to Chautauqua County School Districts' Medical Health Plan Committee:**

**Resolved**, that the Interim School Business Administrator is designated as representative to the Chautauqua County School Districts' Medical Health Plan committee.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.27 Designation of Superintendent for Payroll Authorization:**

**Resolved**, that the Superintendent of Schools is designated as the person responsible for the certification of payrolls.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.28 Establishment of Bond Coverage:**

**Resolved**, that the faithful performance blanket position bond coverage is established as \$50,000.00 for all employees and an additional \$75,000.00 for the tax collector, treasurer, deputy treasurer, and internal claims auditor.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.29 Establishment of Charge for Public Access to Records:**

**Resolved**, that the Dunkirk Board of Education establishes the charge for public access to records requested under the Freedom of Information Law at \$0.25 per page.

Mr. Kozlowski **moved** the approval of the following resolution; **seconded** by Mr. Bankoski; approved unanimously;

**8.30 Establishment of a Petty Cash Fund:**

**Resolved**, that a petty cash fund in the amount of \$100.00 for the 2021-2022 fiscal year is established and that the Dunkirk City School Assistant Treasurer is designated as the person responsible for said fund.

**10.0 Adjournment of Annual Meeting:**

Mrs. Torain **moved** to adjourn; **seconded** by Ms. Ramos; carried unanimously at 5:53 PM.