

Minutes of a Regular Meeting of the Dunkirk Board of Education held in the Large Group Instruction Room at the High School, January 11, 2022 at 5:30 PM.

Members Present:

Mrs. Claudia Szczerbacki; Mr. Kenneth Kozlowski; Mr. Robert Bankoski;
Mrs. Loretta Torain; Mrs. Julie Smith; Ms. Betsy Ramos; Kyler Huels, Student Member

Members Absent:

Members Excused:

School Officials Present:

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

Present Also:

Fifteen Administrators and Staff

1.0 Regular Order of Business:

Mrs. Szczerbacki called the meeting to order at 5:30

Mrs. Szczerbacki called roll.

2.0 Election of President; Swearing In

Mr. Bankoski nominated Mr. Kenneth Kozlowski for the office of President for a term beginning January 11, 2022 and ending June 30, 2022; seconded by Mrs. Torain

Mr. Kenneth Kozlowski who was unanimously elected President of the Board of Education for a term beginning January 11, 2022 and ending June 30, 2022; was duly sworn into office by Tara Jakse, District Clerk, and signed the oath of office, which was properly executed and filed.

3.0 Written Communications:

None

4.0 Questions and Oral Communications of the Public Pertaining to this Evening's Agenda Items:

None

5.0 Report of the Superintendent of Schools:

Mr. Mansfield started the meeting with our Students of the Month. Those students are listed below:

School 3 - Gemma and Samuel Gugino
School 5 - Paxton Sheenan

School 7 - Kohl Carr
Intermediate School -Jahnessa Rosado
Middle School - Jontae Thomas
High School - Kaitlyn Howard
High School - Ashton Witkowski

Mr. Mansfield then went on to discuss the upcoming budget development process. Dr. Timbs will be presenting at the workshop meeting on the 25th, and the finance committee will be meeting the 2th. News so far from the State Budget is good for schools, but we will continue to watch for that. There will be a comprehensive report at the workshop meeting.

Moving on to COVID news, information is flooding in and changing daily. We distributed 228 tests the first night, and if families couldn't pick them up they were sent home with the students. This, combined with Winter break, has caused an increase in positives. We have received new guidance from the County Health Department on quarantining and testing. Quarantine is now at 5 days instead of 10, and the County is no longer contract tracing outside of schools. Superintendents are working with the County to figure out ways to implement the "test to stay" options.

Mr. Mansfield did a brief presentation on both student and staff absences and compared them to the 2018- 2019 school year. This year is showing far more absences but with quarantines everything is going to be elevated. Mrs. Farwell stated that last week it was very difficult with all the absences in the High School, but that she was able to call in some retired teachers who helped out so they were able to make it through. There are also parents that are not sending their children to school right now because the COVID numbers are too high. Mr. Mansfield said that while COVID is still very scary, this Omicron variant seems to be less severe.

Mr. Abbey was then asked to give an update on the building projects. He said there have been a few setbacks but the construction team is working through it. He highly praised the team as they are working early to late and have used the lights from the football field to help them do that. They have turned the corner and are close to reaching the headwall of the creek. Phase 1 is 99% done, and Phase 2 and 3 will be submitted for final review this week.

6.0 Report of the Board of Education President:

None

6.1 Report from Board of Education Building & Transportation Committee:

None

6.2 Report from the Board of Education Finance Committee:

7.0 Consensus Items:

A. Request Time for Comment:

None

B. Request to Add or Withdraw Consensus Item(s):

C. Motion to Approve Consensus Item(s):

Mr. Bankoski **moved** the adoption of the consensus items; **seconded** by Mrs. Torain; approved Unanimously;

RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following:

7.1 Financial Matters:

- 7.1.1 - November 2021 - Treasurer's Report
- 7.1.2 - December 2021 - Appropriation Status Report
- 7.1.3 - December 2021 - Revenue Status Report
- 7.1.4 - December 2021 - Journal Entry Report
- 7.1.5 - December 2021 - Budget Transfer Report
- 7.1.6 - December 2021 - Overtime Report
- 7.1.7 - December 2021 - COVID-19 Report
- 7.1.8 - December 2021 - Warrant Reports
- 7.1.9 - December 2021 - Claims Auditor Reports

7.2 Approval - Resignations/Terminations/Retirements:

Item No.	Action	Name	Position Location	Effective Date	Bargaining Unit
7.2.1	Termination	Maria Rivera	School Monitor Intermediate School	December 20, 2021	NA
7.2.2	Resignation	Ashley Robbins	Teacher Aide Middle School	December 31, 2021	CSEA
7.2.3	Resignation	Michelle Gilmour	Coach, Varsity Softball, Girls	January 4, 2022	DTA
7.2.4	Resignation	Jordan Sliwa	School Nurse School 5	January 24, 2022	DTA

7.3 Approval - Extracurricular/Stipend Appointments:

Item No.	Action	Name	Position	Effective Date	Bargaining Unit
7.3.1	Appointment	Kim Delgado	District Health Coordinator	2021-2022 school year	DTA
7.3.2	Appointment	Heidi Bates	Home Tutor	2021-2022 school year	DTA
7.3.3	Appointment	Rachael Clark	Home Tutor	2021-2022 school year	DTA
7.3.4	Appointment	Kalene Szary	Home Tutor	2021-2022 school year	DTA

7.4 Notification - Transfers:

Item No.	Name	Former Position & Location	New Position & Location	Effective Date	Bargaining Unit
7.4.1	Erica Boner	School Nurse NCCS, CCA, & Districtwide	School Nurse Middle School & High School	January 3, 2022	DTA
7.4.2	Amanda Ippolito	Teacher Aide Middle School	Teacher Aide High School	January 12, 2022	CSEA
7.4.3	Carla McCracken	Special Education Teacher, Integrated Co-Teacher, Middle School	Special Education Teacher Intermediate School	January 19, 2022	DTA
7.4.4	Margaret Gugino	Special Education Teacher, Consultant Teacher, Middle School	Special Education Teacher, Integrated Co-Teacher, Middle School	January 19, 2022	DTA

7.5 Approval - Leave of Absence/Return from Leave of Absence:

Item No.	Type & Action	Name/Employee Number	Position	Effective Date Range	Bargaining Unit
7.5.1	Leave of Absence	Nicole Perez	Community School Assistant Spanish Speaking	January 3, 2022 to January 2, 2023	CSEA
7.5.2	Return from Medical Leave of Absence	Employee #1385	Teacher	December 21, 2021	DTA

7.6 Approval - Amendments and Corrections:

Item No.	Action
7.6.1	Correction from December 14, 2021, Resolution 7.1.1a New Hire Appointments: Lilibeth Caraballo-Feyjoo is on Step 4, not Step 3.
7.6.2	Correction from December 14, 2021, Resolution 7.3 Approval of Budget Transfer: \$243,750.00 will be transferred to account C2860.200-00-0000, not account C2860.400-00-0000.

7.7 Approval - Surplus and Donations: None

Item No.	Action

7.8 Approval - Create/Abolish Positions: None

Item No.	Action

7.9 Approval - Athletics:

Item No.	Name	Title	Effective Date Range
7.9.1	Raul Rosado	Assistant Coach (Unpaid), Boys' Varsity Basketball	2021-2022 school year

7.10 Approval - Calendar, Clubs, Memorandum of Agreement or Understanding, & Trips: None

Item No.	Action

7.11 Approval - Internships or Policies: None

Item No.	Action

7.12 Special Education Placements:

WHEREAS, the Dunkirk Committee on Special Education met on various dates in December 2021 and January 2022 to review and evaluate the condition and placement of students who have been identified as having physical, mental, or emotional disability, and

WHEREAS, the documentation and evidence presented at these meetings indicate that the Committee on Special Education made the below-listed recommendations to the Board of Education; now therefore, be it

RESOLVED, that the recommendation for placement or change in placement of the children listed below be approved as follows:

7.12.1 Committee on Pre-School Education:

Recommended Program	Student ID Number(s)
<i>Related Service</i>	900570393, 900570502, 900570537, 900570538, 900570431, 900570360, 900570341
<i>Special Class</i>	900570377, 900570246

7.12.2 Sub Committee on Special Education :None

Recommended Program	Student ID Number(s)

7.12.3 Committee on Special Education:

Recommended Program	Student ID Number and Grade
<i>Consultant Teacher Services</i>	900569247 (10), 900570209 (5), 091120000 (11), 900569891 (1), 900566721 (8), 900569831 (7), 900570563 (8), 900568498 (5), 900566585 (9), 900570456 (12), 900567891 (10), 900567889 (5), 900439166 (12), 110840000 (8), 900570564 (11), 900569994 (8), 900569894 (1), 900570074 (2)
<i>Related Service</i>	900569830 (K)
<i>Special Class</i>	900569587 (K), 900566710 (9), 900568344 (3), 900570185 (K), 900567136 (11), 900568281 (3), 900570167 (1), 900568555 (5), 900568924 (2), 900568593 (5), 900566897 (8)

7.13 Approval of Minutes:

- **Regular Board of Education Meeting - December 14, 2021**

8.0 Presentation of Items for Board Action (Resolutions):

A. Request to Add

Mrs. Torain **moved** the adoption of the following resolution; **seconded** by Mr. Bankoski; approved Unanimously;

8.1 New Hire Appointments:

Resolved, upon the recommendation of the Superintendent of Schools, that the following individuals are hereby appointed to the listed positions below:

8.1.1 Civil Service Employees Association (CSEA):

Item No.	Name	Residence	Position	Step	Grade	Months Worked	Hourly Salary	Annual Salary	Effective Date
8.1.1a	Nicole Perez	Dunkirk, NY	Clerk II Spanish Speaking <i>Temporary</i>	5	II	12	\$14.52	\$30,317.76	January 3, 2022

8.1.2 Dunkirk Administrators Association (DAA): None

Item No.	Name	Residence	Position	Months Worked	Annual Salary	Effective Date

8.1.3 Dunkirk Teachers Association (DTA):

Item No.	Name	Residence	Position Tenure Area	Months Worked	Credits Step	Annual Salary	Effective Date
8.1.3a	Michael Ippolito	Fredonia, NY	Special Education Teacher	10	B+36M Step 7	\$49,608	January 19, 2022

The probationary period will be January 19, 2022 to January 18, 2025; to receive tenure, the individual must receive composite or overall APPR ratings of Effective or Highly Effective in at least two of the three preceding years. Michael Ippolito previously received tenure in New York State in Special Education; therefore, will fulfill a three-year probationary period instead of four years, per School Law 34:14.

8.1.3b	Nicole Kane	Fredonia, NY	Elementary Education Teacher	10	B+42M Step 6	\$48,926	January 6, 2022
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The probationary period will be January 6, 2022 to January 5, 2025; to receive tenure, the individual must receive composite or overall APPR ratings of Effective or Highly Effective in at least two of the three preceding years. Nicole Kane previously received tenure in New York State in English as a Second Language; therefore, will fulfill a three-year probationary period instead of four years, per School Law 34:14.

8.1.4 Substitutes:

Item No.	Name	Residence	Position	Daily or Long-Term
8.1.4a	William Farwell	Dunkirk, NY	Substitute Cleaner, School Monitor, and Teacher Aide	Daily
8.1.4b	Nathalia Santiago Gonzalez	Stockton, NY	Substitute Cleaner, School Monitor, and Teacher Aide	Daily
8.1.4c	Madeline Sohl	Fredonia, NY	Non-Certified Substitute Teacher (Bachelors Degree)	Daily

8.1.5 Other: None

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

8.2 Awarding of Bid for Transportation:

Whereas, sealed bids for transportation of students from Dunkirk, NY to St. Mary’s School for the Deaf and Summit Center, were duly advertised, received, and publicly opened at 2:00 PM on Wednesday, December 29, 2021, and

Whereas, bids from the following were received:

- 1) WNY Bus Co., Depew, NY \$654/Day

Whereas, an analysis of the bids based on the specifications and low price indicate that WNY Bus Co., be awarded the bid as follows:

- 1) WNY Bus Co., \$654/Day for approximately 110 Days, \$71,940.00

Resolved, upon the recommendation of the Superintendent of Schools that the above transportation contracts are awarded for the school year 2021-2022.

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

8.3 Approval of Budget Transfer:

Resolved, upon the recommendation of the Superintendent of Schools that the following budget transfer totalling \$168,000.00 for payroll purposes is hereby approved.

Account From	Amount	Account Number TO
A2110.130-02-0000	\$168,000	A2110.130-01-0000

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

8.4 Acceptance of the 2019 Internal Audit:

Resolved, upon the recommendation of the District’s Audit Committee, copies of the Final Federal Internal Control System Audit for June 2019, prepared by Buffamonte Whipple and Buttafaro, PC for the City School District of the City of Dunkirk, New York, for the 2018-2019 school year ending June 30, 2019 have been completed in the form prescribed by the Commissioner of Education and presented to the Board of Education members; now, therefore be it

Resolved, that the said audit report is hereby received and that the same be recorded in the official minutes and copies of said audit report shall be filed with the Clerk of the City School District of the City of Dunkirk, New York, with the New York State Education Department, and with the Office of the New York State Comptroller.

Note: The Corrective Action Plan response from the District is also accepted by the Board of Education and this report shall be filed with the Clerk of the City School District of the City of Dunkirk, New York, and with the New York State Education Department, and with the Office of the the New York State Comptroller.

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

8.5 Acceptance of Automatic Resignation:

Resolved, to accept the automatic resignation of David Damico as a Dunkirk City School District Board of Education member effective January 1, 2022, the date he took office in the City of Dunkirk as the Councilman-at-Large.

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

8.6 Awarding of Bid to R. Patti Concrete and Excavating, Inc:

Whereas, a request for sealed bids for General Construction Work for the School 4 Infant Ramp Project was advertised and publicly opened at 3:30 p.m. on Tuesday December 21, 2021, and

Whereas, bids from the following were received:

R. Patti Concrete and Excavating, Inc.	\$56,150.00
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Whereas, an analysis of the bids indicated that R. Patti Concrete and Excavating, Inc., be awarded the contract for the School 4 Infant Ramp Project, therefore, be it

Resolved, upon the recommendation of the Superintendent of Schools, that R. Patti Concrete and Excavating, Inc., be awarded the School 4 Infant Ramp Project contract in the amount of \$56,150.00

The following resolution was duly put to a vote on roll call which resulted as follows:

Ayes: Mrs. Szczerbacki	Mrs. Torain
Mrs. Smith	Ms. Ramos
Mr. Kozlowski	Mr. Bankoski

Noes:

8.7 A RESOLUTION, DATED JANUARY 11, 2022, OF THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE “DISTRICT”) DETERMINING THE DISTRICT’S FEDERAL CRRSAA-FUNDED PROJECT (INVOLVING THE DEVELOPMENT OF A NEW MIDDLE SCHOOL PLAYGROUND AND DIGITAL SIGNAGE IMPROVEMENTS AT THE SENIOR HIGH SCHOOL, MIDDLE SCHOOL AND SCHOOLS 3, 4, AND 5) TO BE AN UNLISTED ACTION WITHOUT SIGNIFICANT IMPACTS UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT, AND AUTHORIZING AND DIRECTING THE FUNDING OF SUCH PROJECT PURSUANT TO THE STATE EDUCATION DEPARTMENT’S APPROVAL OF THE DISTRICT’S RELIEF LEGISLATION GRANT.

Whereas, the outbreak of COVID-19, a serious respiratory disease caused by a novel strain of coronavirus, was declared a pandemic by the World Health Organization on March 11, 2020; and

Whereas, the federal government has passed several pieces of significant legislation in response to the pandemic (collectively, the “Relief Legislation”), which serve to provide funding for pandemic-related measures and attempt to address financial stability, liquidity, safety, and health issues through a variety of economic stimulus and relief measures; and

Whereas, the Relief Legislation has made funding for various purposes available to local school districts and other entities, with the funds being distributed by the various states through an application process; and

Whereas, the Board of Education of the District (the “Board”), with the assistance of the District’s architect (LaBella Associates, D.P.C., or “LaBella”) has identified certain upgrades and improvements that are proposed to be undertaken using funding under the Relief Legislation; and

Whereas, such proposed upgrades and improvements include, but are not necessarily to be limited to, the construction of a new Middle School playground (at Intermediate School, grades 3-6), a replacement exterior digital sign at the Senior High School (Secondary 7-12), and new exterior digital signs at the Middle School (Intermediate 3-6) and three elementary schools (Schools 3, 4, and 5), such anticipated work being collectively referred to herein as the “Project”; and

Whereas, the District has applied to the New York State Education Department (“NYSED”) for funding for the Project under the Relief Legislation, and such application has been granted; and

Whereas, in accordance with State Education Department guidance and policy, the District and the Board constitute, collectively, the lead agency under the State Environmental Quality Review Act (“SEQRA”) for the environmental review of the Project, which constitutes, collectively, an Unlisted Action under SEQRA; and

Whereas, the District and Board have duly considered the Project, the Environmental Assessment Form attached hereto as Exhibit A, the criteria for determining whether the Project will have a significant adverse impact on the environment as set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

Whereas, the District and Board have identified the relevant areas of environmental concern, have taken a hard look at these areas, and have made a reasoned elaboration of the basis for the determination under SEQRA; and

Whereas, the estimated maximum cost of the Project (inclusive of all preliminary and incidental costs) has been determined by LaBella to be \$800,000; and

Whereas, the District is proposing that the Project be financed by the expenditure of \$800,000 of Relief Legislation funds that have been made available to the District; and

Whereas, the District reserves the right to expand, contract or modify the nature and scope of the Project in light of the level of future construction bids received, with the understanding that the estimated maximum cost of the Project will not exceed \$800,000;

Now, therefore be it;

Resolved, that it is the final determination of the District’s Board that (1) the Project constitutes an Unlisted action under SEQRA; and (2) that the Project will not result in a significant adverse impact on the environment (as set forth in a reasoned elaboration of the basis for such determination that has been provided in the Environmental Assessment Form and the related Negative Declaration document that are attached hereto as Exhibit A and incorporated herein by this reference); and be it further

Resolved, that the Superintendent of Schools is hereby authorized to sign and file all documents for the Project that are necessary to comply with SEQRA; and be it further

Resolved, that the District hereby accepts the grant funding for the Project under the Relief Legislation; and be it further

Resolved, that all of the expenses associated with the Project (including, without limitation, the costs of the anticipated work on the Project and the undertaking of any reasonably required additional work associated with the Project, as well as necessary architectural and engineering costs, legal costs and other related incidental costs), all of which are hereby declared to be ordinary and contingent expenses of the District, shall be initially funded (to the extent necessary) by the advance(s) of up to \$800,000 from the District’s General Fund, with such advance(s) being anticipated to be restored and reimbursed utilizing the grant monies that the

District expects to receive for the work on the Project pursuant to the Relief Legislation; and be it further

Resolved, that the Superintendent of Schools, the School Business Administrator and other appropriate District officials be, and they hereby are, authorized to work with the District's contractors and/or architects/engineers to develop and complete the plans and specifications for the Project, to solicit (in accordance with NYSED guidance) cost proposals/quotes/bids for the work on the Project, to enter into (in the case of the Superintendent, only) contracts for the work on the Project on behalf of the District, and to undertake such other actions as may be reasonably necessary for the District to undertake, carry out and complete the Project as soon as may be reasonably practicable, all in accordance with applicable New York State law; and be it further

Resolved, that this resolution shall take effect immediately.

9.0 Other Matters for Consideration:

9.1 Old Business:

Mrs. Szczerbacki asked if there was any online assistance for kids whose parents aren't sending them due to the COVID numbers. Mr. Mansfield responded that unless they have a doctor's note that has been approved by our doctor, there is no remote/home tutoring option. Without a doctor's note they will be marked absent but could still get work from Google Classroom or from the teacher.

Mr. Bankoski stated that over winter recess we hosted a girls' basketball tournament and that the conditions of the locker rooms for officials were horrible. The room was dirty, volleyball equipment was tossed in a corner and only one of the showers worked.

Mr. Bankoski also said that he got many phone calls from people that were angry about the snow days on Thursday and Friday. He said he wants a report on how many staff members live in the District vs. outside the District. He feels that we hire a lot of staff outside of the District and then when there is a little bit of snow, they call in. He also feels we should be hiring more staff that live in Dunkirk. Mrs. Smith chimed in that it wasn't just because of the snow, it was a bad combination of the storm in Buffalo and sickness or staff being quarantined. Mrs. Szczerbacki also said that while she likes to see us hire Dunkirk residents, if they aren't here to hire we can't. There isn't a lot to offer our kids around here and lots of them move away after graduation.

9.2 New Business:

Mr. Bankoski asked if the rising COVID numbers were affecting any upcoming field trips. Mr. Mansfield responded that the Elementary students will be going to SUNY Fredonia, they have gotten extra bussing to make this happen. They also made sure that SUNY Fredonia is following all the correct guidelines so that safety is no problem.

10.0 Questions and Oral Communications of the Public:

None

11.0 Executive Session: Mr. Bankoski **moved** to enter executive session regarding personnel and negotiations; **seconded** by Mrs. Torain at 6:18

Adjournment of Regular Meeting:

Mr. Bankoski **moved** to adjourn; **seconded** by Mrs. Torain carried unanimously at 6:19 PM.

Conclusion of Executive Session: Mrs. Torain **moved** to conclude executive session; **seconded** by Mr. Bankoski at 7:14 PM.