



Minutes of the Board of Education

May 10, 2021

Members Present: Doug Kelley
Meghan McGarry
Ann Morone
Peter Schaefer
Jessica Zweig
Lauren Paris, Student Ex-Officio Member

Members Absent: Christopher Foster (excused)
Samantha Hicks (excused)

Others Present: Superintendent of Schools: Dr. James R. Franchini
Assistant Superintendent: Matt Hladun
Assistant Superintendent for Business: Michael Ouimet
Director of Personnel Development: Kimberly Nugent
Honeywell Law Firm PLLC: Jeffrey Honeywell
Keri Rosher

A meeting of the Board of Education was held virtually via ZOOM on May 10, 2021. The meeting began at 6:02p.m

On the motion by Mr. Kelley seconded by Ms. Morone, to begin Executive Session at 6:03p.m.

YES: 5

NO: 0

MOTION CARRIED

I. Executive Session – 6:00-6:30 p.m. p.m. (Virtual Meeting)

Recommend an executive session to discuss:

 proposed, pending or current litigation;

 X collective negotiations under the Taylor Law;

 the medical, financial, credit or employment history of a particular person or corporation;

 matters leading to the appointment, employment discipline, suspension, dismissal or removal of a particular person or corporation;

 the proposed acquisition, sale or lease of real property;

 other [specify] _____

On the motion by Ms. McGarry seconded by Ms. Morone, to leave Executive Session at 6:40p.m.

YES: 5

NO: 0

MOTION CARRIED

II. Welcome and Pledge of Allegiance

Jessica Zweig, President

III. Superintendent's Report

(Start: 6:42 p.m.)

- News and Updates
- Celebrations of Success

IV. Public Comment - Community members seeking to provide questions or comments to the Board of Education should email them to the District Clerk at District Clerk. Comments and questions that are received before the conclusion of the Board of Education meeting on Monday, May 10th will be recorded in the minutes of the meeting.

V. Consent agenda - move to approve the consent agenda as listed A-D

Although Board action is required, it is generally unnecessary to hold discussion on these items. With the consent of all members, they are therefore grouped and approval is given in one motion. In the event a Board member wants to discuss any item, it is moved to an appropriate place on the agenda.

A. Approve to accept Board of Education minutes of April 20, 2021.

B. Financial Recommendations

FINANCIAL RECOMMENDATIONS

1. Approve Treasurer reports for March 2021
2. Approve Claims Audit report for April 2021
3. Approve to accept the Federal CARES act funding in the amount of \$164,604 to offset the Legislative pandemic reduction of the same of amount and increase the General Fund budget (A2110150000030 - \$115,500; A21104501000030 - \$25,249; A2110450100040 - \$23,855) by these amounts
4. Approve to establish the James J. Markham Memorial Scholarship on behalf of the Family of James J. Markham, sponsored by family members. The scholarship should be awarded to two senior graduates for the 2020-2021 school year who most exemplify the qualities of Jim - kind, respectful, caring, responsible, inspirational and makes people laugh. These students should have a financial need and plan to pursue a career in any trade or college degree.
5. Approval of the Bob Hoffay Scholarship, which will be awarded to two seniors, in the amount of \$500.00 each, for the 21-22 school year. We expect that in future years this scholarship will continue at the level of \$500.00 per year.

C. Routine Personnel Action

The Board will take action on routine resignations, appointments, leaves and terminations.

Instructional Appointment: Temporary

Name	Assignment/FTE	Effective Dates	Certification
Rohl, Alexia	HS ESD Advisor ~ Teacher Assistant - Afterschool (2 Sessions per week 2:15pm-4:45pm)	05/03/2021-06/30/2021	APTA Collective Bargaining Agreement Professional Hourly Rate
Sector, Susan	HS ESD Advisor ~ Teacher Assistant - Afterschool (2 Sessions per week 2:15pm-4:45pm)	05/03/2021-06/30/2021	APTA Collective Bargaining Agreement Professional Hourly Rate

Appointment Correction: Coaches-Level Correction

Name	Sports/Assignment	Salary
Spence, Penny	Varsity Football Cheerleading Head Coach	APTA Collective Bargaining Agreement Article 21, Section 1, Level 10

Instructional: Resignation

Name	Position	Effective Date
Harrington, Stefanie	Teacher	06/25/2021

Non-Instructional Appointment: Probationary to Permanent

Name	Position	Location/Assignment	Effective Dates
Radley, Kyle	Custodial Worker	High School	05/31/2021

Non-Instructional Appointment: Probationary

Name	Position	Location/Assignment	Effective Dates	Salary
Ernst, Ronald L.	Custodial Worker	High School	05/10/2021	CSEA Bargaining Agreement Step 3

Non-Instructional Appointment: Change in Hours

Name	Position	Location/Assignment	Effective Date
Clark, Samantha	Bus Attendant 7 hours per day	Transportation	04/19/2021

Non-Instructional: Resignation for Retirement Purposes

Name	Position	Years of District Service	Effective Dates
Corie, Frederick	Bus Driver	16	06/25/2021
Dunson, Brian	Custodian	13	06/25/2021
Lopez, Carol	Cook	24.5	06/25/2021
Paris, Mary	Custodian	22	06/29/2021

Non-Instructional: Resignation

Name	Position	Effective Dates
Crosier, Kelly	Teacher Aide	06/11/2021
Emery, Linda	School Monitor	04/23/2021

Non-Instructional: Unpaid Leave of Absence

Name	Position	Effective Dates
Leggio, Rocky	Bus Driver	04/16/2021-05/07/2021

Appointment: Approved Instructional Substitutes

Name	Assignment	Effective Date
Bentley, Daniel	Teacher	05/11/2021
McCormick, Mary	Teacher	05/11/2021

Appointment: Approved Non-Instructional Substitutes

Name	Assignment	Effective Date
Boyd, Claudia	Cook, Food Service Helper, School Monitor, Messenger	05/24/2021
Mattice, Lorraine	Food Service Helper, Cook, Teacher Aide, School Monitor	05/11/2021
Morine, Daniel	Bus Attendant, School Monitor	05/11/2021
Paris, Mary	Custodian	07/01/2021

D. Special Education Recommendations

SPECIAL EDUCATION RECOMMENDATIONS

Move that the Board of Education, upon the recommendation of the Superintendent of Schools, approve the actions of the CSE, CPSE and 504 committees and Agreed upon Amendments.

CONSENT AGENDA APPROVED

On a motion Ms McGarry, seconded by Ms. Morone, to approve consent agenda items A-D.

YES: 5

NO: 0

MOTION CARRIED

VI. WEST SAND LAKE ELEMENTARY RESOLUTIONS

WHEREAS, the Superintendent has successfully concluded the search for a new principal to be assigned to West Sand Lake Elementary School; and,

WHEREAS, the Superintendent is recommending some staff changes to facilitate the transition of the new principal and to better align existing administrators.

IT IS HEREBY RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the assignment of Christina Mein as Interim Principal at West Sand Lake Elementary School shall end effective May 31, 2021 and effective June 1, 2021, Ms. Mein shall return to her position as an Assistant Principal at Averill Park High School; and,

IT IS FURTHER RESOLVED THAT, upon the recommendation of the Superintendent of Schools, Kate Dorgan is hereby appointed as Interim Principal at West Sand Lake Elementary School for the period June 1 through June 30, 2021, in addition to her existing duties.

VI. BE IT RESOLVED THAT, upon the recommendation of the Superintendent of Schools, the Board of Education hereby appoints Keri Rosher to a probationary appointment as an Elementary Principal assigned to West Sand Lake Elementary School in the Principal tenure area, effective July 1, 2021, for a four year term tentatively scheduled to conclude on June 30, 2025, contingent upon her successful completion of the probationary term and having received composite or overall APPR ratings of either "Effective" or "Highly Effective" in at least three of the four preceding years and a rating higher than "Ineffective" at the conclusion of the 2024-2025 school year. Salary shall be \$105,000 in accordance with the collective bargaining agreement. Ms. Rosher currently holds a School Building Leader (Initial Certification).

APPROVE RESOLUTION FOR WEST SAND LAKE ELEMENTARY

On a motion by Mr. Kelley seconded by Ms. Morone, the Superintendent has successfully concluded the search for a new principal to be assigned to West Sand Lake Elementary School; and, the Superintendent is recommending some staff changes to facilitate the transition of the new principal and to better align existing administrators.

YES: 5

NO: 0

MOTION CARRIED

VII. RESOLUTION:

WHEREAS, the Board of Education of the Averill Park Central School District of New York State (the "School District") desires to enter into a contract with the Board of Cooperative Educational Services, Rensselaer-Columbia-Greene Counties ("Questar III"), entitled the "Contract for Cooperative Educational Services", a copy of which is attached hereto as Exhibit A:

WHEREAS, pursuant to the Contract for Cooperative Educational Services, Questar III will, on behalf of the School District, facilitate the provision of lease/purchase financing for the capital equipment described in Schedule A of the Contract for Cooperative Educational Services (the "Capital Equipment");

WHEREAS, the School District believes that the Contract for Cooperative Educational Services will facilitate the provision of technology improvement under the model schools program;

WHEREAS, the School District believes that the Cooperative Bidding Program provides a cost effective means of facilitating the Contract for Educational Services and that it is in the best interests of the School District to execute and deliver the Contract for Cooperative Educational Services.

NOW, THEREFORE, BE IT RESOLVED, that the Superintendent, or such other individuals as the Board of Education may appoint, be, and hereby is authorized to execute and deliver such documents and papers in the name of the School District as he or she deems necessary, advisable or appropriate to carry into effect the Contract for Cooperative Educational Services.

EXHIBIT A

CONTRACT FOR COOPERATIVE EDUCATIONAL SERVICES

This Contract (the "Contract for Cooperative Educational Services") made this 10th day of May 2021 by and between the Board of Education of the Averill Park Central School District of New York State (the "School District") and the Board of Cooperative Educational Services, Rensselaer-Columbia-Greene Counties ("Questar III"). The School District and Questar III shall sometimes be referred to herein individually, as a "Party" and collectively as the "Parties."

WITNESSETH:

WHEREAS, Section 1950 (4) (jj) of the Education Law permits the School District to contract with Questar III for a period in excess of one (1) year, but not exceeding five (5) years;

WHEREAS, Questar III desires to facilitate the provision of lease/purchase financing for the capital equipment described in Schedule A attached hereto (the "Capital Equipment");

WHEREAS, the Parties believe that the Contract for Cooperative Educational Services will facilitate the provision of technology improvement throughout the model schools program in a Questar III component school district;

WHEREAS, the Parties believe that the Cooperative Bidding Program provides a cost effective means of facilitating the Contract for Educational Services;

WHEREAS, on the 29th day of October, 2020, the School District filed with the Commissioner of Education a statement of assurance of technology services, a copy of which is attached hereto as Exhibit A; and

WHEREAS, Questar III is authorized to facilitate provision of the lease/purchase financing pursuant to the Contract for Cooperative Services Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and premises set forth herein, the Parties intending to be legally bound, hereby agree as follows:

1. In consideration for Questar III's facilitation of the provision of the lease/purchase financing for the Capital Equipment, the School District agrees to pay, upon demand by Questar III, the total contract cost for the provision of the Capital Equipment pursuant to the Cooperative Bidding Program, including but not limited to the purchase price, interest, fees and other expenses incurred by Questar III in connection with the facilitation of the lease/purchase financing.
2. The School District further agrees to obtain insurance in an amount not less than the replacement value of the Capital Equipment from the perils of fire, extended coverage, vandalism and theft, naming Questar III as the insured, for the term of the Contract for Cooperative Educational Services.
3. The Contract for Cooperative Educational Services shall constitute the entire agreement between the Parties, the terms and provision of which shall not be altered, except by mutual agreement of the Parties, in writing.

APPROVED RESOLUTION TO ENTER A CONTRACT WITH QUESTAR

III

On a motion by Ms. McGarry seconded by Ms. Morone, the Board of Education of the Averill Park Central School District of New York State (the "School District") desires to enter into a contract with the Board of Cooperative Educational Services, Rensselaer-Columbia-Greene Counties ("Questar III"), entitled the "Contract for Cooperative Educational Services", a copy of which is attached hereto as Exhibit A:

YES: 5

NO: 0

MOTION CARRIED

VIII. RESOLUTION

WHEREAS, the water filtration system at Algonquin Middle School ("Middle School"), located in the Averill Park Central School District ("School District"), is in need of emergency action to mitigate existing PFOA contaminates in order to provide clean water throughout the Middle School, including the Kitchen and serving areas; and

WHEREAS, the water filtration system is an essential component to the Middle School's safe operation, including its kitchen and serving areas for its students; and

WHEREAS, the health and safety of the students and staff is threatened by the potential failure to mitigate the situation on a more permanent basis than being used at present; and

WHEREAS, the situation requires immediate remediation and mitigation to preserve the property and to assure the health and safety of students and staff; and

THEREFORE, BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:

Section 1. The Board of Education hereby determines that the water filtration system at the Middle School requires immediate remediation and mitigation to address existing PFOA contaminates, is an ordinary contingent expense that is necessary to preserve property and to assure the health and safety of students and staff. The Board of Education further determines that the current and continued failure of the water filtration system to adequately address this contaminate situation, is a condition that affects the health and safety of students and staff and that the remediation of the water filtration system at the Middle School requires emergency, immediate action to preserve the property.

Section 2. The School District is hereby authorized to undertake the remediation and mitigation of the water filtration system at the Algonquin Middle School and to expend from the General Fund an amount not to exceed \$150,000.00 for such purpose.

Section 3. The Superintendent of Schools is hereby authorized to file any necessary and proper paperwork with the State Education Department to proceed with the emergency installation of a water filtration system.

Section 4. The Superintendent of Schools, the Assistant Superintendent for Business and District's Design Consultant are hereby authorized to immediately prepare bid specifications in accordance with Board policy and the General Municipal Law, if applicable, and proceed with completion of the above fuel tank replacement project.

Section 5. This Resolution shall take effect immediately upon its adoption.

APPROVE RESOLUTION FOR A FILTRATION SYSTEM AT ALGONQUIN MIDDLE SCHOOL

On a motion by Ms. McGarry seconded by Mr. Kelley, the water filtration system at Algonquin Middle School ("Middle School"), located in the Averill Park Central School District ("School District"), is in need of emergency action to mitigate existing PFOA contaminates in order to provide clean water throughout the Middle School, including the Kitchen and serving areas; and the water filtration system is an essential component to the Middle School's safe operation, including its kitchen and serving areas for its students;

YES: 5

NO: 0

MOTION CARRIED

IX. RESOLUTION

WHEREAS, the Board of Education of the Averill Park Central School District ("Board") is considering to undertake an emergency project involving repairs, upgrades, and renovations to its existing facilities at the Algonquin Middle School addressing a water filtration system issue to mitigate existing PFOA contaminates and any related work ("the Project"); and the water filtration system is an essential component to the Middle School's safe operation, including its kitchen and serving areas for its students; and

WHEREAS, the Board wishes to fully comply with its obligations under the State Environmental Quality Review Act ("SEQRA") and the regulations thereunder with respect to the proposed action; and

WHEREAS, the Board has carefully considered the nature and scope of the proposed action; and

WHEREAS, upon review of the foregoing, the Board makes the following determinations:

1. The proposed action involves repairs, upgrades, and renovations to existing facilities at the Algonquin Middle School addressing repairs, upgrades, and renovations to its existing facilities at the Algonquin Middle School addressing a water filtration system issue to mitigate existing PFOA contaminates and any related work ("the Proposed Action" or "Project").
2. The proposed project represents maintenance or repair involving no substantial changes in an existing facility or structure within the meaning of 6 NYCRR 617.5(c)(1); and/or alternatively the replacement, rehabilitation or reconstruction of a structure or facility in kind within the meaning of 6 NYCRR 617.5(c)(2).
3. The proposed action will in no case have a significant adverse impact based on the environment based on the criteria contained in 6 NYCRR § 617.7(c), and is not otherwise a Type I action as defined by 6 NYCRR § 617.4.
4. The proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and is therefore not subject to review under SEQRA and the regulations thereunder.

NOW THEREFORE BE IT RESOLVED, that the Board finds and concludes that the proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and therefore is not subject to review under SEQRA and the regulations thereunder.

RESOLVED, that a copy of this Resolution shall be sent to the any involved or interested agencies.

APPROVE RESOLUTION FOR EMERGENCY REPAIRS, UPGRADES, AND RENOVATIONS TO ALGONQUIN MIDDLE SCHOOL

On a motion by Ms. McGarry seconded by Mr. Kelley, the Board of Education of the Averill Park Central School District ("Board") is considering to undertake an emergency project involving repairs, upgrades, and renovations to its existing facilities at the Algonquin Middle School addressing a water filtration system issue to mitigate existing PFOA contaminants and any related work ("the Project") and the water filtration system is an essential component to the Middle School's safe operation, including its kitchen and serving areas for its students;

YES: 5

NO: 0

MOTION CARRIED

- X. Policy Review Second Reading
Policy 4531 – Field Trip and Excursions

APPROVE POLICY 4532 – FIELD TRIP AND EXCURSIONS

On a motion by Dr. Schaefer seconded by Ms. Morone, to approve Policy 4531- Field Trip and Excursions.

YES: 5

NO: 0

MOTION CARRIED

- XI. Budget Hearing Presentation
XII. Board Member Reports
XIII. Adjourn Meeting

On the motion by Ms. McGarry, seconded by Dr. Schaefer, to **adjourn meeting** at 7:42p.m.

YES: 5

NO: 0

MOTION CARRIED



Linda M. Fitzpatrick, District Clerk