

**West Valley Central School Board of Education
Official Minutes**

Regular Meeting

February 23, 2021

via in person and ZOOM

Members Present: Niesyty, Ploetz, Davis - ZOOM, Harmony, Klahn, Amanda, Frank
Others Present: Ward, Amodeo, O'Brien, Boberg, Bryan Hansen, Taweepon Farrar

I. CALL TO ORDER

Regular Meeting called to order at 7pm with Ploetz presiding.

II. PLEDGE OF ALLEGIANCE to the UNITED STATES FLAG

III. Moved by Niesyty, seconded by Frank to **ADOPT** the amended agenda as listed below:

Tim Ploetz handed out a proposal for consultant services for Mark Ward after he leaves on March 5th to be added to the agenda. Consensus of the board did not want to add to agenda but rather to talk about it in executive session. No additions

Additions: none

Deletions: none

Changes: none

7 ayes, 0 nays, motion accepted.

IV. Correspondence/BOE information

Mike Harmony – policy manual discussion at last meeting – BOCES will charge \$9,000 to do a total review – why not do in house? Mark responds by stating that BOCES will give us the most updated reviews and there are some policies that overlap, and they will make sure we have the most current. Mike also asks about a 5-year plan – when will the strategic plan start? Mark responds that he did not work on that while he was here because he felt it was best to have the new superintendent start that process.

V. PUBLIC COMMENTS

The Board of Education invites you, the residents of our school community, to feel comfortable in sharing matters of interest or concern that you might have with us.

The Board President will be happy to recognize those of you who wish to speak. Please indicate this on the sign in sheet and you will be called on in order, identify yourself with your name and address.

Those items brought to the attention of the Board during this time may be taken under consideration for future response or action. We ask that individual comments be limited to a few minutes in order to accomplish the evening's agenda.

We respectfully ask that issues related to specific school district personnel or students be brought to the attention of the Superintendent or Principal privately.

none

VI. BOARD COMMENTS

Within this section of the agenda, the Board of Education or Administration may take the opportunity to comment on matters of interest or concern.

none

VII. PRESENTATIONS

Campus Construction ZOOM presentation was given to the board. They are dedicated exclusively to construction management, focus on K-12 capital improvement projects, \$5 billion in K-12 CM project value throughout NYS, Offices in Buffalo, Rochester, & Southern Tier regions, 100% employee – owned ESOP company since 2008. They would be involved in the pre-construction phase for cost estimating, field investigation, scheduling, construction planning and bidding/contracting plan. We would then go into the construction phase – full-time field management, coordination, inspection, flow of payments to contractors, change management and safety compliance. Understanding the project – it is \$3,875,000 referendum value, voting on March 9th, Young + Wright Architects, Construction will start in spring 2022 through Spring 2023. Scope highlights of the project are a community playground, secure entrance, fire alarm system, classroom improvements, locker replacements, LED lighting, window replacements and bus garage roofing and upgrades. Historical building and Smart Schools Bond Act.

VIII. REPORTS

A. Interim Superintendent, Mark Ward reports on the Communicable Disease Plan, executive order on how to handle COVID 19 precautions. The district is to ask for a copy of staff members paperwork that have been vaccinated. Brochure will be delivered to resident for the building project. One more community meeting this Thursday at 7pm in the auditorium to present the benefits for the district doing a project

B. Principal, Daniel Amodeo gives update on a letter sent by New York State Education department regarding a waiver, they will not give a complete waiver for assessments. Federal government will work with states, so it will alter, but need to go forward with local testing. Cattaraugus Allegany BOCES scoring – we have a calendar and schedule – no teacher can correct their test. Tomorrow 100th day of school for students. Usually parents, students and teachers can come in to view projects but with COVID

C. Business Official, Ann O'Brien reviewed the 1st draft of the expenditure portion of the budget. On June 9, 2008 the District, as well as the majority of District's in our BOCES opted out of NYS real property tax law (RPTL) 487. District's across the State of New York were advised to do this to avoid losing revenue for tax exempt wind, solar, and farm waste energy systems. Another way of putting it is, not opting out could cause us to be left out of PILOT agreements which are potential sources of new revenue for the District. Opting out sounds counter intuitive, but that is what we need to do based on

the language in the law. Recently, we received a notice from Cattaraugus County the NYS RPTL 487 has been amended to include battery storage systems and similar systems. Cattaraugus County has amended their local law to include battery storage. On the agenda is a resolution to approve the purchase of a 65 passenger IC Bus, State Contract. To assist in reducing the amount in unassigned fund balance (the amount that is over the 4% limit) my plan would be to pay cash for this bus as opposed to borrowing money. Not only is this an appropriate use of unassigned reserves it will save us money in interest. We will also receive aid on interest we are not paying for. This is in accordance with how the state calculates bus aid. This creates a net tax impact of zero. The voters would approve the bus purchase by passing the budget. As mentioned at the last meeting, in order to assist in getting closer to the 4% fund balance limit, the creation of a reserve for bus and vehicle purchases would be prudent. WE are recommending \$750,00. This resolution, which would be written by our attorneys, Hodgson Russ, would need to be on the March 23rd agenda. The reserve would act similar to the capital reserve. The voters would have to approve the reserve, as well as any use of the reserves for future bus purchase. These approvals would always be separate propositions for the annual vote.

D. Director of Special Education, Shawna Gugino reported on special education referral process outside of the district. Early Intervention program through the county can referral a child. They can receive PT, OT services. The district can bill Cattaraugus county for administrative costs.

IX. CONSENT AGENDA

A. Moved by Harmony, seconded by Niesyty to approve the unofficial January 12, 2021 and February 4, 2021 minutes. 7 ayes, 0 nays, motion accepted

X. PERSONNEL

A. Moved by Frank, seconded by Lawrence to approve Jackie Mumbach and Pat Connor as monitors for detention, the days will be shared, effective February 22, 2021 through the end of the 2020/2021 school year, pay according to the WVCS/WVTA contract. 7 ayes., 0 nays, motion accepted

B. Moved by Harmony, seconded by Frank to approve Tyler Blumenstein as a substitute teacher (uncertified), effective February 24, 2021, pay is \$93 per day. Fingerprint clearance is on file. 7 ayes, 0 nays, motion accepted

C. Moved by Niesyty, seconded by Klahn to approve Loreen Butcher and Hannah Mazzuto as Art club co advisors for the remainder of the 2020/2021 school year, pay is according to the WVCS/WVTA contract. 7 ayes, 0 nays, motion accepted

XI. OLD BUSINESS:

A. Moved by Harmony, seconded by Niesyty to approve the **second reading** of the following board policies:

✚ “Title IX and Sex Discrimination” #3421 new under Community Relations

✚ “Controversial Subjects” #8331 under Instruction

7 ayes, 0 nays, motion accepted

XII: NEW BUSINESS:

A. Moved by Frank, seconded by Niesyty to approve the proposal from Young + Wright for architectural services for the Smart Schools Bond Act Project.

7 ayes, 0 nays, motion accepted

B. Moved by Frank, seconded by Harmony to approve the CSE recommendations. 7 ayes, 0 nays, motion accepted

C. Moved by Niesyty, seconded by Harmony to approve the following resolution:
A Resolution to Continue the Prior Opt Out of Exemption Provided Under Real Property Tax Law § 487 Concerning Wind, Solar, and Farm Waste Energy Systems, and Opting Out of the Exemption Provided Under Real Property Tax Law § 487 Concerning Electric Energy Storage and Related Systems

Be it hereby enacted by the West Valley Central School District Board of Education as follows:

WHEREAS, On June 9, 2008, the Board of Education passed a resolution opting out of the tax exemption provided under Real Property Tax Law § 487; and

WHEREAS, thereafter, Real Property Tax Law § 487 was amended to include, among other things, electric energy storage systems, which were eligible for the exemption; and

WHEREAS, the Board of Education desires, consistent with its prior resolution, to maintain the opt-out, and seeks to opt out of the Real Property Tax Law § 487 exemption as it concerns electric energy storage and related systems;

WHEREAS, the Board of Education has determined that broadening the opt out to cover electric energy storage and related systems is appropriate; and

WHEREAS, the Board of Education chooses to exercise its right under Real Property Tax Law § 487(8) to opt out and therefore not provide an exemption to any system provided under Real Property Tax Law § 487.

NOW, THEREFORE BE IT RESOLVED by the West Valley Central School District Board of Education as follows:

Section 1. The School District’s prior opt out of the exemption provided by Real Property Tax Law § 487 by resolution on June 9, 2008 concerning active or passive solar, wind, farm waste, or other similar energy system shall remain in effect and unchanged by this resolution.

Section 2. The School District’s opt out shall be broadened so that the exemption from real property taxation provided by Real Property Tax Law § 487 shall not be applicable

to any active or passive micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, fuel-flexible linear generator electric generating system, or other similar energy system located within the jurisdiction of the School District constructed subsequent to the effective date of this resolution.

Section 3. The Clerk of the Board of Education shall ensure that a copy of this resolution is promptly filed with the Commissioner of the New York State Department of Taxation and Finance, President of the New York State Energy Research & Development Authority, and the assessors within the School District's boundaries.

Section 4. This resolution shall take effect immediately.

7 ayes, 0 nays, motion accepted

D. Moved by Niesyty, seconded by Harmony to approve Mrs. Karen Bernhoff and Mrs. Tracy Ploetz as registrars and Mrs. Virginia Reed as supervisor of the voting process during the Capital Improvements Project Vote on March 9, 2021 from noon – 8pm and the Annual Budget Vote and election of BOE members on May 18, 2021 from noon – 9pm. The rate of pay will be \$13.20 per hour.

6 ayes, 0 nays, motion accepted

E. Moved by Frank, seconded by Lawrence to approve the West Valley Central School District Communicable Disease Related Operation Plan.

6 ayes, 0 nays, 1 abstain (Ploetz) motion accepted

F. Moved by Harmony, seconded by Niesyty to authorize the Superintendent to execute the Five Star Bank credit card application with a \$3000 credit limit. The authorized card holders are Taweepon Farrar, Superintendent and Ann M. O'Brien, Business Official. 7 ayes, 0 nays, motion accepted

G. Moved by Frank, seconded by Harmony to approve the West Valley Board of Education to include the purchase of a 65 passenger IC Bus, at a cost not to exceed \$126,891.17, State Contract #PC67615, Award #2300, as part of its annual budget vote. 7 ayes, 0 nays, motion accepted

Moved by Niesyty, seconded by Frank to go into Executive session at 8:28pm to discuss pending litigation consultant contract and no business afterwards. Dr Taweepon Farrar incoming superintendent was invited into executive session by the board of education. 7 ayes, 0 nays, motion accepted

Moved by Harmony, seconded by Frank to come out of Executive session at 9:25pm
7 ayes, 0 nays, motion accepted

XIII: Moved by Niesyty, seconded by Frank to **ADJOURN** at 9:26pm

7 ayes, 0 nays, motion accepted

District Clerk