



**BARKER CENTRAL SCHOOL BOARD OF EDUCATION
MINUTES OF A REORGANIZATIONAL MEETING
Held on Wednesday, July 13, 2016, at 7:00 p.m.
Board of Education Board Room**

PRESENT	R. Atwater, C. Gancasz, M. Clemens-Harris, H. Ecker, J. Mead, J. Sweeney, V. Voss
EXCUSED	None
ALSO PRESENT	R. Klatt, M. Eadie, P. Graczyk, C. Heiligenthaler, J. Hoar, B. Pritchard, Public 1
CALL TO ORDER	The meeting was called to order by District Clerk, Mary Eadie at 7:00 p.m. The Flag Salute was given.
OATHS GIVEN	District Clerk Eadie administered the oath to elected members: Heather Ecker, M. Clemens-Harris. District Clerk Eadie administered the oath of allegiance to Superintendent Klatt.
NOMINATIONS FOR THE PRESENT	District Clerk Eadie called for nominations for President of the Board Education for the 2016-2017 school year. Motion by J. Sweeney, seconded by V. Voss, to nominate R. Atwater Yes: 7, No: 0 Motion carried.
R. ATWATER ELECTED PRESIDENT	District Clerk Eadie declared Randall Atwater, President of the Board of Education for the 2016-2017 school year. District Clerk Eadie then administered the oath, and turned the meeting over to President Atwater.
NOMINATIONS FOR VICE PRESIDENT	President Atwater called for nominations for Vice President of the Board for the 2016-2017 school year. Motion by V. Voss, seconded by C. Gancasz, to nominate J. Sweeney Yes: 7, No: 0 Motion carried.
SWEENEY ELECTED VICE PRESIDENT	President Atwater declared John Sweeney, Vice President of the Board of Education for the 2016-2017 school year. Yes: 7, No: 0 Motion carried.



OFFICERS APPOINTED Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint the following officers of Board for the 2016-2017 school year:

<u>Name</u>	<u>Position</u>	<u>Stipend</u>
District Clerk	Mary Eadie	\$4,587.00
Treasurer	Colleen Padilla	\$3,978.00
Tax Collector	Janice Stoll	\$ 0
Records Management Officer	Carol Heiligenthaler	\$ 0
Extra-Class Activity Treasurer	Colleen Padilla	\$ 0
Attendance Officer	Sarah McKee	\$ 0
Claims Auditor	Susan Benoit	\$ 672.00
Records Access Officer	Dr. Roger Klatt	\$ 0
Transportation Director	Carol Heiligenthaler	\$ 0
Asbestos Local Education Agency (LEA) Designee	Leon Szczerbinski	\$ 0
Health Insurance Portability & Accountability Act (HIPAA) Privacy Official Compliance Officer	Deborah Farese	\$ 0
Safety Director	John Hoar	\$ 0
Human & Civil Rights Compliance Officer	Carol Heiligenthaler	\$ 0
Chemical Hygiene Officer	Philip Graczyk	\$ 0
School Pesticide Representative	Philip Graczyk	\$ 0
Liaison for Homeless Children & Youth	Deborah Farese	\$ 0
Freedom of Information/Records Access Officer	Dr. Roger Klatt	\$ 0
Designated Official to Receive court Notification Regarding student's sentence/adjudication and juvenile delinquency proceedings	Dr. Roger Klatt	\$ 0

Yes: 7, No: 0.

Motion carried.

TREASURER TO AUDITORS

Motion by M. Clemens-Harris, seconded by J. Sweeney, that the School District Treasurer be and hereby is authorized to open and keep an account of deposit and discount with the official depositories to be named by this Board of Education in the name of and for the use of the Barker Central School District, Niagara County, Barker, New York, and the purpose to execute any depositories' signature cards, deposit agreements, and other documents requested by said depositories, to deposit with them all monies, drafts, checks, acceptances and other evidences of indebtedness which may now or hereinafter come into the Treasurer's possession, and the said depositories are hereby authorized to make payment from funds of the Barker Central School District on deposit with them, and upon and according to the check draft, note, or other acceptances of this district, signed by the Officers of the School District as designated by the Board of Education.

Yes: 7, No: 0

Motion carried.

SCHOOL ATTORNEY

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Board of Education approve the appointment of Osborn, Reed & Burke, LLP as the School Attorney for the 2016-2017 school year at a billing rates per hour as follows: Partners (Schwartzott) - \$175.00, Associate Attorneys - \$165.00; and Hodgson Russ, LLP for the 2016-2017 school year at billing rates per hour as follows: Partners - \$257.00, Senior Associates - \$243.00; Associates - \$219.00, Legal Assistants - \$117.00, Law Clerk - \$171.00, Environmental and Specialized Tax and Securities Matters - \$311.00.

Yes: 7, No: 0

Motion carried.



**INDEPENDENT
AUDITOR**

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to approve the appointment of Lumsden and McCormick as Independent Auditor for the district for the 2016-2017 school year at a billing rate of \$16,500/year.

Yes: 7, No: 0

Motion carried.

**BOARD
REPRESENTATION**

Mr. Atwater reviewed the various board representation positions and the basic accountabilities of the positions.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint Ruth Smith as the Niagara-Orleans Board of Cooperative Educational Services (BOCES) Board representative for the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint the following Board of Education member as the New York State School Boards Association (NYSSBA) Legislative Liaison for the 2016-2017 school year: Mr. Sweeney, alternate: Mrs. Clemens-Harris.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint the following Board of Education member as the New York State School Boards Association (NOSBA) representative for the 2016-2017 school year: Mrs. Clemens-Harris, alternate: Mrs. Voss.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint Carol Heiligenthaler, School Business Administrator, as the district representative to the Niagara-Orleans Health Consortium Board of Directors and Niagara-Orleans Workers' Compensation Consortium for the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.

**SPECIAL EDUCATION
APPOINTMENTS**

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint the following members to the Committee on Special Education (CSE) and Committee on Preschool Special Education Process (CPSE) for the 2016-2017 school year. The Committees shall include, but not be limited to:

Committee on Special Education Chairperson
Committee on Preschool CSE Chairperson
Substitute CSE/CPSE Chairperson
School Psychologist
School Physician
School Nurse
Parent Representatives

Deborah Farese
Deborah Farese
Darnise Annable
Darnise Annable
Dr. Margaret Libby
Sarah McKee
Terrie Schultz
Erin Goodlander
Jennifer Jaques
Kirsty Pierce

Special Education Teacher
Regular Education Teacher
Related Service Providers

Case Specific for CSE/CPSE
Case Specific for CSE/CPSE
Case Specific for CSE/CPSE



Student Evaluator	Case Specific for CSE/CPSE
County Representative	CPSE Only
Parent of Student	
Student, if appropriate	CSE Only
Surrogate Parent	Kirsty Pierce

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Board of Education approves the appointment of Hodgson Russ, LLP and Harris Beach, PLLC, as the Special Education Attorneys for the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Superintendent of Schools shall act as Family Educational Rights & Privacy Act (FERPA) Officer for the District.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, to appoint the following administrator of the Federal Grant Program:

Title I "No Child Left Behind"	Deborah Farese
Title II, Part A Teacher and Principal Training & Recruiting Fund	Deborah Farese
Title VI Compliance Officer	Carol Heiligenthaler
	Bradley Pritchard
Title IX Compliance Officer	Carol Heiligenthaler
	Bradley Pritchard
	Deborah Farese
Section 504/ADA Compliance Officer	
Federal Funding for the Education of Students with Disabilities	
Individuals with Disabilities Education Act (IDEA)	Deborah Farese

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Board of Education, upon recommendation of the Superintendent, approves the following resolution for the list of Impartial Hearing Officers for Special Education:

IT IS RESOLVED, that the Board of Education hereby adopts the list of Impartial Hearing Officers who have been duly certified by the New York State Education Department as having satisfied the training and examination requirements for certification prescribed by the State Education Department (SED) for children with disabilities and whose names appear on the SED Updated List of Impartial Hearing Officers effective July 1, 2016.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Board of Education, upon recommendation of the Superintendent, approve the following resolution for appointment of Impartial Hearing Officers for Special Education:

IT IS RESOLVED, that the Board of Education shall appoint on a rotational basis the first available Impartial Hearing Officer from its list of Impartial Hearing Officers who have been duly certified by the State of New York in accordance with Education Law Section 4404(1) to serve as the Impartial Hearing Officer in each proceeding in which such an Impartial Hearing Officer is required to be appointed pursuant to the Education Law and the Regulations of the Commissioner of Education.



IT IS FURTHER RESOLVED, that the District Clerk and Superintendent or the Superintendent's designee are authorized to contact the Impartial Hearing Officers from the District's list of Impartial Hearing Officers on a rotational basis to determine their availability, and to carry out all ministerial actions necessary to determine the first available Impartial Hearing Officer. Where an Impartial Hearing Officer is to be appointed at a time when the Board of Education is not in session or between Board meetings, the District Clerk, the Superintendent or Superintendent's designee are authorized to designate and appoint the first available Impartial Hearing Officer from the District's list of Impartial Hearing Officers, and shall report to the Board promptly thereafter the name of the Impartial Hearing Officer so appointed.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Board of Education, upon recommendation of the Superintendent, approve the following resolution for compensation of the Impartial Hearing Officer:

IT IS RESOLVED, that the Board of Education 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 New York Codes, Rules and Regulations (NYCRR) Section 200.1(x), at the rate of one hundred dollars (\$100.00) per hour for time spent in pre-hearing, hearing, and post-hearing activities. In addition, Impartial Hearing Officers may be reimbursed for automobile travel at the then-current IRS per diem rate and receipted tolls. Meals and consecutive overnight lodging will be reimbursed in accordance with the current U.S. General Services Administration (GSA) reimbursement rates for Niagara County, New York. Travel by airplane or train will be reimbursed at the lower of the mileage cost (if travel had been by automobile) or the airplane/train ticket. Mailing costs associated with the hearing will also be reimbursed.

Yes: 7, No: 0

Motion carried.

DESIGNATIONS

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the regular public meetings of the Board of Education be held at 7:00 p.m. on the following dates:

August 22, 2016	January 9, 2017
September 12, 2106	February 13, 2017
October 17, 2016	March 13, 2017
November 14, 2016	April 18, 2017
December 12, 2016	May 8, 2017
June 12, 2017	

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the following banks be named depositories for the 2016-2017 school year: Key Bank, N.A.; First Niagara Bank, N.A.; and JP Morgan Chase & Company deposit amount not to exceed \$20 million per institution.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Lockport Union-Sun & Journal be named the official newspaper of the Barker Central School District for the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.



AUTHORIZATIONS

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the School Business Administrator to certify payrolls.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the School Business Administrator to act as purchasing agent.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent to sign purchase orders in the absence of the School Business Administrator.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent of Schools to apply for state and federal grants in aid.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent of Schools to approve attendance of staff at conferences.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent of Schools to approve budget transfers.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent of Schools/School Business Administrator to send reasonable assurance letters to all ten-month employees of the District stating the district's intent to continue their employment during the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Superintendent of Schools/School Business Administrator to establish and administer Petty Cash Funds, \$50 for the Business Office, and \$60 for Sports Admissions, and \$100 Varsity Club.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the District Treasurer and Business Administrator as backup to sign checks.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, that the Barker Central School District Board of Education delegates to the School Business Administrator the authority to act as its agent with regard to Barker Central School District's participation in the National School Lunch School Breakfast/Special Milk Programs and to enter into on its behalf all contracts and agreements associated with said participation.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, approve the resolution that the Superintendent of Schools is authorized to require any employee(s) to submit to a medical examination to determine his/her fitness to continue employment. The Superintendent of Schools shall also be authorized to appoint and engage school physician(s) and make such arrangements as are necessary to effectuate this resolution.

Yes: 7, No: 0

Motion carried.



Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the District Treasurer to correct errors in real property tax payments or billings:

WHEREAS, New York State Real Property Tax Law, Section 554 and Section 556, provides for an administrative correction of error process that assists property owners in obtaining refunds and/or corrections for real property tax payments or billings, and **WHEREAS**, certain clerical errors, unlawful entries and errors in essential fact, as defined in the New York State Real Property Tax Law, are permitted to be corrected by a taxing jurisdiction which can delegate, by resolution, on an annual basis, to an official who is empowered to authorize payment of bills without prior audit, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Section 554 and 556,

NOW THEREFORE BE IT RESOLVED, that the Barker Central School District Treasurer is hereby delegated the authority to perform the duties of the tax levying body during 2016 when the Real Property Tax Director's recommended refund and/or correction is twenty-five hundred dollars or less, and

BE IT FURTHER RESOLVED, that on or before the regular monthly Board of Education meeting, the Treasurer shall submit a report to the Board of Education of the refunds and or corrections processed during the preceding month, containing the name of each recipient, the location of the property, and the amount of the refund.

Yes: 7, No: 0

Motion carried.

Motion by M. J. Clemens-Harris, seconded by J. Sweeney, authorizing the Barker Central School District to participate in a regional cooperative purchasing program coordinated by any BOCES:

WHEREAS, it is the plan of a number of public school districts in Orleans and Niagara Counties, New York to bid jointly: art, general office supplies, physical education and athletic supplies and equipment; chlorine-swimming pool supplies; custodial supplies; paper, duplicating and data processing supplies and paper; fuel oil and gasoline; natural gas, cafeteria products and other supplies bid cooperatively through BOCES, and

WHEREAS, the Barker Central School District wishes to participate in the cooperative bidding program through the BOCES that will be drafting specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education and making recommendations thereon; therefore,

BE IT FURTHER RESOLVED, that the Barker Central School District Board of Education agrees to assume its equitable share of the costs of the cooperative bidding, and

BE IT FURTHER RESOLVED, that the Barker Central School District Board of Education agrees (1.) to abide by majority decision of the participating districts on quality standards; (2.) that unless all bids are rejected, it will award contracts according to the recommendations of the group; (3.) that after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

Yes: 7, No: 0

Motion carried.

BONDING OF PERSONNEL

Motion by J. Sweeney, seconded by M. Clemens-Harris, that the Superintendent of Schools, School Business Administrator, District Tax Collector, and District Treasurer, and District Clerk be covered under a blanket position bond to the limit of \$10,000,000.

Yes: 7, No: 0

Motion carried.



OTHER ITEMS

Motion by J. Sweeney, seconded by M. Clemens-Harris, to readopt all Policies, including the Transportation Policy, also including the Code of Ethics, the Code of Conduct and the Dignities for All Students Act in effect during the 2016-2017 school year.

Yes: 7, No: 0

Motion carried.

Motion by J. Sweeney, seconded by M. Clemens-Harris, authorizing the District Treasurer to invest funds at the discretion of the Superintendent of Schools/School Business Administrator.

Yes: 7, No: 0

Motion carried.

Motion by J. Sweeney, seconded by M. Clemens-Harris, establishing mileage reimbursement at the I.R.S. standard rate for authorized district business, except where otherwise specified in negotiated agreements.

Yes: 7, No: 0

Motion carried.

Motion by J. Sweeney, seconded by M. Clemens-Harris, establishing the following substitute rates effective July 1, 2016:

Substitute Teaching Assistant	\$71.00/day
Substitute Teacher	\$85.00/day
Long-term Substitute Teacher (1-14 days)	\$85.00/day
Long-term Substitute Teacher (15-30 days)	\$90.00/day
Long-term Substitute Teacher (31-92 days)	\$100.00/day
Long-term Substitute (93+ days)	BA/MA 1
Substitute Teacher Aide	\$10.00/hour
Substitute Cleaner	\$10.00/hour
Substitute Typist	\$10.00/hour
Substitute Food Service Helper	\$10.00/hour
Substitute Teacher Aide:	\$10.00/hour
Substitute School Nurse	\$115.00/day
Substitute Clerical	\$10.00/hour
Substitute Maintenance/Facilities	\$10.00/hour

NON-DISCRIMINATION STATEMENT

Motion by J. Sweeney, seconded by M. Clemens-Harris, Board of Education hereby adopts the following non-discrimination statement and directs that it be publicized to staff, students, and others as appropriate:

The Barker Central School District (Barker) is an equal opportunity employer and does not discriminate against any employee or applicant for employment on the basis of gender, race, color, religion or creed, age, national origin, marital status, disability, sexual orientation, military or veteran status, domestic violence victim status, genetic predisposition or carrier status, or any other classification that is recognized by law as a protected classification. Barker is an equal opportunity educational system and does not discriminate against any student or candidate for enrollment on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, marital status, gender, sex, or any other classification that is recognized by law as a protected classification. Any person wishing to obtain information about Barker's procedures for grieving alleged civil rights violations may obtain information by contacting Ms. Carol Heiligenthaler, Director of Labor Relations/Civil Rights Compliance Officer, 1628 Quaker Road, Barker NY 14012, telephone number (716)795-9111, email address: cheiligenthaler@barkercsd.net

Yes: 7, No: 0

Motion carried.



FACILITY USAGE RATE Motion by J. Sweeney, seconded by M. Clemens-Harris, Board of Education hereby approves the facilities fee schedule as provided.
Yes: 7, No: 0
Motion carried.

ADJOURNMENT Motion by J. Sweeney, seconded by V. Voss to conclude the re-organizational portion of the e meeting at 7:15 p.m.
Yes: 7, No: 0
Motion carried.

Respectfully submitted,

Mary H. Eadie
District Clerk