

**HORNELL CITY SCHOOL DISTRICT
120 RAIDER ROAD
HORNELL, NEW YORK
BOARD OF EDUCATION
TENTATIVE AGENDA
WEDNESDAY, MARCH 16, 2022 - 5:15 PM
NORTH HORNELL CAFETERIA**

- I. Opening by the President
 - II. Pledge of Allegiance
 - III. Roll Call: Kerry Davis, Jessica Hess, James Marino, Uzma Mehr, Meghann Khork, Christopher Clark, Joseph Liberto
 - IV. Agenda
 - A. Revisions
 - B. Approval
 - V. Public Comment
 - VI. Recommended Actions
 - A. Presentations: 2022 23 Budget Preparation Update
 - B. Reports:
 - 1. Construction Report
 - 2. Celebrating Success - Administrators
 - 3. Superintendents Report -
 - C. Consent Agenda / Routine

Moved by _____, seconded by _____ to act upon the recommendation of Superintendent Palotti to approve the following Consent Agenda items 1 through 9:

 - 1. Approval of the minutes for the meetings of February 10, 2022.
 - 2. Acceptance of the Treasurer's Report of January 31, 2022 and February 28, 2022.
 - 3. Acceptance of the Student Activities Report of January 31, 2022 and February 28, 2022.
 - 4. Acceptance of the Revenue Report of January 31, 2022 and February 28, 2022.
 - 5. Acceptance of the GF Budget Transfer Report of January 31, 2022 and February 28, 2022.
 - 6. Acceptance of Fed Budget Transfer Report of January 31, 2022 and February 28, 2022.
 - 7. Acceptance of the Appropriations Report of January 31, 2021 and February 28, 2022.
 - 8. Acceptance of the Warrant Report of January 31, 2022 and February 28, 2022.
 - 9. Resolved that the Board has no objections to the recommendations of the Committee on Special Education and approves the authorization of funds to implement the special education programs and services consistent with such recommendations for the meetings of February 7, 9, 10, 15, 16 and 17, 2022 and March 2, 3, 9 and 10, 2022, the CPSE meetings of February 7, 10, 17 and 18, 2022 and March 9, 2022 and the 504 meetings of February 9, 2022 and March 2 and 9, 2022.
- AYE _____ NAY _____ ABSTAINED _____

D. New Business

1. Finance

- a. 2022 Voting Machine Use Contract
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the 2022 Voting Machine Contract with the Steuben County Board of Elections.
- b. Independent Contractor Agreement
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the Independent Contractor Agreement with Teffanie Bovee to provide staff development and in service training to the St. Ann's teaching staff, effective September 1, 2021 through August 31, 2022.
- c. Professional Service Agreement
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the Professional Service Agreement with LaBella Assoc., PC to provide professional services for the 2022 Capital Outlay Project.
- d. Cooperative Natural Gas Bid
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the resolution to participate in the Cooperative Natural Gas Bid with the WFL BOCES for the 2022/23 school year.
- e. HEA Tentative Agreement
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the tentative agreement with HEA for the 2022-2026 contract.
- f. HEA MOA
Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the MOA with HEA regarding "sick days".
- g. Emergency Capital Project
Whereas, the current condition of our electric service to our stadiums has been destroyed by fire and properly supplying electricity our stadiums and this service is in need of replacement; and
Whereas, the baseball stadiums needs to continue to maintain a minimum temperature for maintenance work functions and to prevent the freezing of water lines; and Whereas, the district has worked with Utica National Insurance and Blackman Farrell Electricians to identify the problem, assess the cause design a temporary plan to address the deficiencies, create a formal plan to permanently address the deficiencies and submit necessary claims to insurance carrier to cover said work; and
Whereas, the district consulted with the New York State Education Department office of facilities planning who indicated that a building project number designation was not necessary; and
Whereas, LaBella Associates has opined that the scope of the emergency project is a Type II SEQRA action.
RESOLVED, that the Hornell City School District Board of Education declares:
1. The necessity of an Emergency Capital Project to remedy the current condition of electric service provided to two athletic stadiums by replacing all of the damaged wiring with the funding provided by the district's insurance carrier.

2. The majority of the cost for said replacement will be covered by the district's insurance carrier. Any necessary funding needed to cover a difference between the total cost and funds received from the insurance claim will be funded by the General.
3. The Superintendent of Schools is hereby authorized and directed to take all steps reasonably necessary or appropriate to complete the Emergency Project and to carry out the intent of this resolution.

h. Student Transportation Vehicle Purchase

Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the following Student Transportation Vehicle Purchase Resolution to be placed on the official ballot to be voted on by the qualified voters of the City School District of the City of Hornell, New York at the Annual Budget Vote/Board Member Election on May 17, 2022:

Shall the following resolution be adopted to wit:

RESOLVED that, the Board of Education of the City School District of the City of Hornell, New York is hereby authorized to expend \$75,000 from the existing 2012 School Bus Reserve Fund for the acquisition of student transportation vehicles, expenditure to be made no later than June 30, 2024?

i. Lease of School Buses

Resolved that, upon the recommendation of Superintendent Palotti, the Board approve the following Lease of School Buses Resolution to be placed on the official ballot to be voted on by the qualified voters of the City School District of the City of Hornell, New York at the Annual Budget Vote/Board Member Election on May 17, 2022:

Shall the following resolution be adopted to wit:

RESOLVED that, pursuant to Chapter 472 of the Session Laws of 1998, the Board of Education of the Hornell City School District is hereby authorized to lease and expend therefore, including costs incidental thereto and the financing thereof, an amount not to exceed the estimated maximum cost of two hundred forty thousand dollars (\$240,000.00), and for a term not to exceed five (5) years, the following motors vehicles: Two (2) sixty-six (66) passenger school buses;

AND, that such sum, or so much thereof as may be necessary, shall be raised by the levy of a tax collected in annual installments; and that in anticipation of such tax, obligations of the District shall be issued?

j. Transportation Reserve Renewal Resolution

Resolved, that upon the recommendation of Superintendent Palotti, the Board approve the following resolution to be added to the official ballot for the Annual Election / Budget Vote to be voted on by the qualified voters of the City School District of the City of Hornell, New York at the Annual Budget Vote/Board Member Election on May 17, 2022:

Shall the following resolution be adopt to wit:

RESOLVED that, the Board of Education of the Hornell City School District is hereby authorized to renew the "2012 School Bus Reserve Fund" that was established by a vote of the qualified voters of the Hornell City School District on December 20, 2012 pursuant to Section 3651 of the Education Law of the State of New York (the "Fund"). The Fund will now be known as

the “2022 Transportation Reserve Fund”; the Fund shall be renewed for the purpose of financing the purchase and/or lease of student transportation vehicles and equipment, and costs incidental thereto the ultimate amount of such Fund shall not be greater than \$1,000,000 plus interest thereon; that the probable term of such Fund to be not longer than 10 years; and that the source of the monies for the Fund shall be (a) the unappropriated fund balance of the District (b) State Aid received as reimbursement for expenditures by the District in connection with capital improvement expenditures from the Fund, and (c) such other sources as the Board or voters of the District may direct from time to time, be approved?

k. Capital Improvements Reserve Resolution

Resolved, that upon the recommendation of Superintendent Palotti, the Board approve the following resolution to be added to the official ballot for the Annual Election / Budget Vote to be voted on by the qualified voters of the City School District of the City of Hornell, New York at the Annual Budget Vote/Board Member Election on May 17, 2022:

Shall the following resolution be adopt to wit:

RESOLVED that, the Board of Education of the Hornell City School District is hereby authorized to create a “Capital Improvements Reserve Fund” pursuant to Section 3651 of the Education Law of the State of New York (the “Fund”). The Fund will be known as the “Capital Improvements Reserve Fund of 2022”; the Fund shall be used for the purpose of funding the construction, reconstruction, addition to, renovation, alteration and improvement of the District’s buildings, facilities, grounds and real property, including the acquisition of original furnishings, equipment, machinery and apparatus required in connection therewith; the ultimate amount of such Fund shall not be greater than \$10,000,000 plus interest thereon; that the probable term of such Fund to be not longer than 10 years; and that the source of the monies for the Fund shall be (a) the unappropriated fund balance of the District (b) State Aid received as reimbursement for expenditures by the District in connection with capital improvement expenditures from the Fund, and (c) such other sources as the Board or voters of the District may direct from time to time, be approved?

l. 2022-2023 Capital Outlay Project - SEQR

WHEREAS, the City School District of the City of Hornell, Steuben County, New York (the “District”), after consultation by District officials with the District’s retained architectural firm, LaBella Associates, D.P.C. (“LaBella”), has resolved that the District should propose to undertake, during the District’s pending (2022-2023) fiscal year, a capital outlay project involving certain upgrades and improvements at the District’s High School, such work being anticipated to include, but not necessarily be limited to, the replacement of the current Exterior Insulation Finishing System with an insulated metal panel system and also replacement of the interior elevator, remodeling of the main office, which will include reconfiguration of the existing main office space (and will not result in a change to the building footprint), along with any related work required in connection therewith (collectively, the “Project”); and

WHEREAS, the estimated maximum cost of the Project (inclusive of all preliminary and incidental costs) has been determined by LaBella to be \$1,000,000; and

WHEREAS, the District is proposing that the Project be financed by the application of \$1,000,000 of funds to be earmarked for such purpose as a “Transfer to Capital Fund” in the District’s pending (i.e., 2022-2023) budget, with the work on the Project being

anticipated to occur (and be completed) during the 2022-2023 fiscal year of the District; and WHEREAS, the District wishes to reserve the right to expand, contract or modify the scope of the Project in light of the level of future bids received, with the understanding that the estimated maximum cost of the Project will not exceed \$1,000,000; and WHEREAS, in accordance with State Education Department guidance and policy, the District/Board of Education is the appropriate agency to be the lead agency to undertake Project review under the State Environmental Quality Review Act (“SEQRA”); and WHEREAS, Section 617.5 of the SEQRA Regulations (6 NYCRR Part 617) provides that certain activities are Type II actions that are not subject to review under SEQRA and that such activities include “routine activities of educational institutions,” “maintenance or repair involving no substantial changes in an existing structure or facility;” “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any [Type I] thresholds in section 617.4”; and WHEREAS, the proposed Project constitutes such routine activities of educational institutions; maintenance or repair activities; and/or in-kind, same-site replacement, rehabilitation or reconstruction activities; and WHEREAS, under the terms of the 2017 Memorandum of Understanding (a/k/a the “Letter of Resolution” or the “MOU”) between the State Office of Parks, Recreation and Historic Preservation (“OPRHP”) (a/k/a the “State Historic Preservation Office” or “SHPO”) and SED, and the terms of the MOU’s exemption form, a project is exempt from SHPO review if, among other possible reasons, a building is 50 years old or older but has previously been evaluated by SHPO and found not to meet the criteria for inclusion in the State and National Registers (the “Registers”); and WHEREAS, as indicated in the Cultural Resource Information System (“CRIS”), SHPO has determined (in 2016) that the High School building is “not eligible” for listing on the Registers because it does not meet the criteria for inclusion in the Registers; and WHEREAS, although the High School building is “not eligible” for listing on the Registers, and LaBella has determined that the proposed work is exempt from review by SHPO (given that it has no anticipated impacts on historic and archeological resources under the terms of the MOU), LaBella may nonetheless choose to submit information on the proposed work to SHPO for confirmation; NOW THEREFORE, BE IT RESOLVED, that it is the final determination of the District’s Board of Education that the proposed Project is a Type II action, which is not subject to review under SEQRA, and that the proposed Project will not result in a significant adverse impact on the environment; and be it further RESOLVED, that the proposed Project shall be included as a “Transfer to Capital Fund” line item (not exceeding \$1,000,000 in amount) in the District’s proposed budget for the 2022-2023 fiscal year (with appropriate additional notification to District voters regarding the anticipated details of the work to be given in connection with the District’s regular budget approval process), so that such Project may be initiated and completed (assuming voter approval of the District’s proposed budget) during the District’s 2022-2023 fiscal year; and be it further RESOLVED, that this resolution shall take effect immediately.

2. Policy/Procedure

a. Misc. Equipment Disposal

Resolved that, upon the recommendation of Superintendent Palotti, the Board authorize Patrick Flaitz to dispose of the following miscellaneous equipment:

Art equipment on the list dated March 9, 2022

Technology equipment on the list dated March 16, 2022

b. Board of Registration

WHEREAS, personal registration of voters in city school districts of cities with less than one hundred twenty-five thousand inhabitants is required pursuant to Section 2606 of the New York State Education Law;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education (the “Board”) of the City School District of the City of Hornell, Steuben County, New York (the “District”) as follows:

Section 1. The Board hereby appoints Carol Eaton, Susan Brown, Susan Martin, Colby Moore and Kimberly Bacon as members (the “Members”) of the Board of Registration for the District and hereby specifically authorizes and directs the Members to provide a means and opportunity for qualified District residents to register to vote in connection with the District’s Annual Meeting and Vote to be held on Tuesday, May 17, 2022, pursuant to applicable law.

Section 2. The Board of Registration for the District shall attend at the District Clerk’s office, located at 120 Raider Road, Hornell, New York 14843, to prepare the voter register for the District, pursuant to applicable law.

Section 3. The Members shall serve as the District’s Board of Registration until February 15, 2023 or such time as the Board acts to change the membership of the Board of Registration, and shall continue to act as the Board of Registration for future District votes, until such time as the Board directs otherwise.

Section 4. This resolution shall take effect immediately.

c. School Board Member Election / Budget Vote

Resolved that, upon the recommendation of Superintendent Palotti, the annual school board member election/budget vote be held on Tuesday, May 17, 2022 (Noon – 9:00 PM) in accordance with Education Law, and further:

- (1) Recommended that the Board approve the Notice of Annual School Election/Budget Vote. (Exhibit A)
- (2) Recommended that the Board approve the Notice of Filing of School Election District Registers. (Exhibit B)
- (3) Recommended that the Board approve the Notice of Registration for Annual School Election/Budget Vote. (Exhibit C)
- (4) Recommended that the Board approve the list of school election inspectors and alternates and authorize payment at the rate of \$150 per day.
- (5) Recommended that the Board authorize the Clerk of the Board of Education to appoint new election inspectors in the event that those who are appointed are unable to work.
- (6) Recommended that the Board approve the process for absentee ballots in accordance with §2018-a of Education Law.

3. Personnel

There are numerous personnel items on the agenda.

Discussion:

Informational:

The next regular meeting of the Board of Education will be held on Wednesday, April 6, 2022 at 5:15 PM in the High School Library located at 134 Seneca Street, Hornell, NY.

Motion to move to Executive Session to discuss contract negotiations.