MINUTES ROCKY POINT PUBLIC SCHOOLS BOARD OF EDUCATION MEETING March 13, 2023

Ms. Ward called the meeting to order at 5:30 p.m. in the auditorium of Rocky Point High School.

Present: Jessica Ward, President

Michael Lisa, Vice President Edward Casswell, Trustee Susan Sullivan, Trustee Erin Walsh, Trustee

Scott O'Brien, Ed.D., Superintendent of Schools

Susann Crossan, Assistant Superintendent

Christopher Van Cott, Assistant Superintendent for Business

Kelly White, District Clerk

Absent:

EXECUTIVE SESSION

At 5:30 p.m. a motion was made by Erin Walsh, and seconded by Susan Sullivan, to adjourn to Executive Session to discuss personnel and legal matters.

All in favor – Motion carried 5-0

At 5:57 p.m. a motion was made by Michael Lisa, and seconded by Erin Walsh, to adjourn Executive Session in order to attend the Budget Workshop presented by Christopher Van Cott.

All in favor – Motion carried 5-0

At 6:15 p.m., upon completion of the Budget Workshop, a motion was made by Michael Lisa, and seconded by Erin Walsh, for the Board to return to Executive Session to continue their discussions regarding confidential legal and personnel matters.

All in favor – Motion carried 5-0

The Board returned to Open Session at 7:03 p.m.

Ms. Ward reminded the meeting attendees of the public comment procedures.

PLEDGE OF ALLEGIANCE

SUPERINTENDENT'S REPORT

Dr. O'Brien thanked Mr. Van Cott for the budget presentation and noted that it would be posted on the district website.

He announced that the Booster Club hosted a sold out Wizards basketball game at Rocky Point High School this past Friday. It was a great evening for all who attended. Dr. O'Brien thanked Administration as well as the staff members who played and volunteered. A special thanks to the Weisman's for their hard work to ensure it was a successful event.

Dr. O'Brien stated that the 5-year strategic plan is being finalized. The committee has met to develop the strategic direction of our district including our mission, vision and values. The group, that includes a broad spectrum of constituents, have been analyzing data as well as outlining priorities and focusing on key objectives. Dr. O'Brien announced that the plan will be presented at the April 19th Board of Education meeting. He added that it will also be available online.

Ms. Ward opened the floor to questions/comments regarding the agenda.

There were no questions/comments.

CONSENT AGENDA

The items listed below are presented as part of the Consent Agenda which can be adopted by the Board of Education under a single motion followed by a second and then a formal vote. On the following page the Consent Agenda items are listed in their regular order within a group. Before an actual vote is taken, any Consent Agenda item may be removed by a Board member without a formal motion or second. If this occurs, the indicated resolution will be discussed during its regular order on the agenda and voted on individually.

III-IX CONSENT AGENDA ITEMS

Upon a motion made by Michael Lisa, and seconded by Susan Sullivan, the following resolution was offered:

BE IT RESOLVED, that the Board of Education accepts the following agenda items as one item.

III: Minutes – Regular Meeting February 6, 2023

IV: Budget Transfer Summary – January 2023 and February 2023

V: Treasurer's Reports – January 2023

VI: Extra-Classroom Activity Account Treasurer's Report – January 2023

VII: Financials - January 2023

VIII: Internal Claims Audit Report – January 2023 and February 2023

IX: Committees on Special Education Schedules 3-13-23-A and 3-13-23-B as recommended by the Superintendent of Schools, to arrange for appropriate services, as indicated.

X LIVE LIKE SUSIE DONATION

Upon a motion made by Susan Sullivan, and seconded by Erin Walsh, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves and accepts the donation on behalf of the Live Like Susie Scholarship, totaling \$200.00, as follows:

Robert A. Lauritsen/Elizabeth M. Lauritsen \$100.00 Kenneth/Kathleen Sapanski \$100.00.

All in favor – Motion carried 5-0

Ms. Ward thanked the Lauritsen and Sapanski families for their donations.

XI DONATION FROM OHIOPYLE PRINTS, INC.

Upon a motion made by Erin Walsh, and seconded by Ed Casswell, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approve and accept the donation from Ohiopyle Prints, Inc.

BE IT RESOLVED, that the Rocky Point Union Free School District hereby approves upon the recommendation of the Superintendent of Schools, to increase the general fund budget by \$56.43 as a result of the donation from Ohiopyle Prints, Inc.

BE IT FURTHER RESOLVED, that the following budget code be adjusted to reflect that increase:

A2110500030000 \$56.43

All in favor – Motion carried 5-0

Ms. Ward thanked the Ohiopyle Prints, Inc. for their donation.

XII INTERDISTRICT COUNCIL OF SUPERINTENDENTS – DONATION SCHOLARSHIP

Upon a motion made by Ed Casswell, and seconded by Michael Lisa, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approve and accept the \$500 donation from the Interdistrict Council of Superintendents, to be deposited to the Scholarship Fund-CM-2020.

All in favor – Motion carried 5-0

Ms. Ward thanked the Interdistrict Council of Superintendents for their donation.

XIII REVISION AND RE-ADOPTION OF BOARD OF EDUCATION POLICY NUMBERS 7350 AND 7619 (SECOND READING)

Upon a motion made by Michael Lisa, and seconded by Susan Sullivan, the following resolution was offered:

BE IT RESOLVED, that the Board of Education re-adopts the following revised policies (second reading):

- 7350 Corporal Punishment/Emergency Interventions
- 7619 Use of Time Out Rooms

All in favor – Motion carried 5-0

XIV REVISION AND RE-ADOPTION OF BOARD OF EDUCATION POLICY NUMBERS 1530, 5130, 5230, 5760, 6140 AND 6160 AND THE REMOVAL/DELETION OF 5150 (FIRST READING)

Upon a motion made by Susan Sullivan, and seconded by Erin Walsh, the following resolution was offered:

BE IT RESOLVED that the Board of Education re-adopts the following revised policies (first reading):

- 1530 Minutes
- 5130 Budget Adoption
- 5230 Acceptance of Gifts, Grants, and Bequests to the District
- 5760 Idling School Buses on School Grounds
- 6140 Employee Medical Examinations
- 6160 Professional Growth / Staff Development

AND BE IT ALSO RESOLVED, that the Board of Education remove/delete the following policy (first reading):

• 5150 Contingency Budget

XV STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) / 2023-24 CAPITAL PROGRAM

Upon a motion made by Erin Walsh, and seconded by Ed Casswell, the following resolution was offered:

WHEREAS, the Board of Education of the Rocky Point Union Free School District desires to embark upon the following capital improvement projects:

- DISTRICT WIDE:
 - DOOR ACCESS CONTROL EXPANSION
 - INSTALLATION OF ADDITIONAL SECURITY CAMERAS
- MIDDLE SCHOOL:
 - VCT REPLACEMENT IN CAFETERIA
 - LIBRARY CARPET REPLACEMENT
- HIGH SCHOOL:
 - o DOOR AND HARDWARE REPLACEMENTS

(the "Projects"); and

WHEREAS, said capital improvements are subject to classification under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, maintenance or repair involving no substantial changes in an existing structure or facility are classified as Type II Actions under the current Department of Environmental Conservation SEQRA Regulations (Section 6 NYCRR 617.5 (c)(1)); and

WHEREAS, replacement, rehabilitation or reconstruction of a structure or a facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 are classified as Type II Actions under the current Department of Environmental Conservation SEQRA Regulations (Section 6 NYCRR 617.5 (c)(2); and

WHEREAS, the SEQRA Regulations declare Type II Actions to be actions that have no significant impact on the environment and require no further review under SEQRA; and

WHEREAS, the Board of Education, as the only involved agency, has examined all information related to the capital improvement projects and has determined that the Project is classified as a Type II Action pursuant to Section 617.5(c)(1) and (2) of the SEQRA Regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby declares itself lead agency in connection with the requirements of the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Board of Education, after a review of the proposed action, hereby declares that the Projects are Type II Actions, which requires no further review under SEQR; or

BE IT FURTHER RESOLVED, that the Board of Education hereby shall forward an official copy of this Resolution to the New York State Education Department together with a copy of the correspondence from the New York State Office of Parks, Recreation and Historic Preservation in connection with its request for approval of the listed project from the New York State Education Department.

XVI RESOLUTION TO AWARD A BID-2022/23 CAPITAL IMPROVEMENT PROGRAM SED: 58-02-09-02-0-005-042 (HS/MS)

Upon a motion made by Ed Casswell, and seconded by Michael Lisa, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, that the Board of Education award the Capital Improvement contract as follows:

Contract No. 2: Electrical Reconstruction

Eldor Contracting Corp. \$1,152,400.00

All in favor – Motion carried 5-0

XVII SENECA CONSULTING GROUP-AFFORDABLE CARE ACT CONTRACT FOR 2023-2024

Upon a motion made by Michael Lisa, and seconded by Susan Sullivan, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education agrees to enter into a 2023-24 contract with Seneca Consulting Group, Inc. for Patient Protection and Affordable Care Act administration at an annual cost of \$11,500 plus additional fees to print and mail required IRS 1095 forms. Pricing and terms for this service will be in accordance with a Request for Proposal process administered by Eastern Suffolk BOCES.

All in favor – Motion carried 5-0

XVIII 2023-2024 BOCES COOPERATIVE BIDDING SERVICES PURCHASING CONTRACT

Upon a motion made by Susan Sullivan, and seconded by Erin Walsh, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the Resolution to participate in the BOCES Cooperative Bidding Purchasing Program for the 2023-2024 Fiscal Year on as "as needed" basis as per the Attached Joint Municipal Cooperative Bidding Program Resolution (A).

XIX 2022-2023 HEALTH SERVICE CONTRACT – SMITHTOWN CENTRAL SCHOOL DISTRICT

Upon a motion made by Erin Walsh, and seconded by Ed Casswell, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the President of the Board of Education and the Superintendent of Schools to enter into an agreement for health services for the 2022-2023 school year with the following district: Smithtown Central School District.

All in favor – Motion carried 5-0

XX RESOLUTION TO ENTER INTO A SETTLEMENT AGREEMENT

Upon a motion made by Ed Casswell, and seconded by Michael Lisa, the following resolution was offered:

WHEREAS, plaintiff, Dominic Baldi, commenced litigation in the Supreme Court of the State of New York, New York County (Index No.: 190217/2020) against the Rocky Point Union Free School District ("District"), in addition to over thirty co-defendant school districts in Nassau, Suffolk, Westchester Counties and New York City, and multiple private corporations, alleging that he was diagnosed with lung cancer on November 6, 2019, as a result of his exposure to airborne asbestos dust while working for Interface Cable Assembly Services at various schools installing communications cable, including multiple schools within the Rocky Point Union Free School District in 1996-1997, and

WHEREAS, the Board maintains that it has acted in accordance with the law at all times and denies all fault or liability for any damage or claim whatsoever; and

WHEREAS, the Law Firm of Lewis Johs Avallone Aviles, LLP., acting as special litigation counsel to the District, filed a motion to dismiss the litigation against the District based upon the expiration of the statute of limitations, which was denied by the Supreme Court New York County (J. Silvera, J.S.C); and

WHEREAS, subsequent to the denial of the aforesaid motion, the plaintiff and the District have expressed a willingness to resolve the claims against the District for the total amount of \$6,500.00 (six thousand five hundred dollars) to avoid protracted litigation and undue expense, including the cost of an appeal from the denial of the motion; and

NOW THEREFORE BE IT RESOLVED:

1. The Board deems it is in the best interests of the Rocky Point Union Free School District ("District") to enter into a settlement agreement to avoid unnecessarily expending valuable resources by defending the Board's position through appeal, discovery proceedings and trial and agrees to settle the litigation with the plaintiff for \$6,500.00 (six thousand five hundred dollars) in exchange for a full release from the plaintiff and discontinuance of the pending claims against the District.

- 2. The Treasurer, the Superintendent, and the Assistant Superintendent for Business are authorized and directed to do all things necessary and consistent with this Resolution and to take such actions as are necessary or appropriate to accomplish the objectives of this Resolution.
- 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

All in favor – Motion carried 5-0

XXI ANNUAL MEETING (BUDGET VOTE AND TRUSTEE ELECTION)

Upon a motion made by Michael Lisa, and seconded by Susan Sullivan, the following resolution was offered:

BE IT RESOLVED, that the Annual Meeting (Budget Vote and Trustee Election) of the Rocky Point Union Free School District, Town of Brookhaven, Suffolk County, New York be conducted on Tuesday, May 16, 2023 from 7:00 A.M. to 9:00 P.M., and further

BE IT RESOLVED, that pursuant to Section 2017 of the Education Law, a Public Hearing for the purpose of discussion of the expenditure of funds and the budgeting thereof be held at 5:00 PM on May 2, 2023 at the Rocky Point High School, Rocky Point, New York and further

BE IT RESOLVED, that the Legal Notice of the Public Hearing and Annual Meeting, as required by law, be published in the *LONG ISLAND BUSINESS NEWS*, on March 31, April 14, April 28 and May 12 and in *THE VILLAGE BEACON RECORD* on March 30, April 13, April 27 and May 11 and further

BE IT RESOLVED, that the Legal Notice of the Annual Meeting (Budget Vote and Trustee Election), as required by law, be published in the *LONG ISLAND BUSINESS NEWS*, March 31, April 14, April 28 and May 12 and in *THE VILLAGE BEACON RECORD* on March 30, April 13, April 27 and May 11 and further

BE IT RESOLVED, that the following location is hereby designated as the polling place:

Rocky Point High School Gymnasium; and further

BE IT RESOLVED, that the Board of Education, in addition to the legal publication in four editions of each of the two above-mentioned newspapers, will send a notice with all information relative to the date and time of the vote and election to all residents within the District, and further

BE IT RESOLVED, that the residents of the Rocky Point Union Free School District may register to vote for School District Meetings at the office of the District Clerk between the hours of 9:00 AM and 3:00 PM on any day that the office is open, and on the evening of May 9, 2023 until 9:00 PM. However, such registration may not take place less than five (5) days preceding any School District Meeting, and further

BE IT RESOLVED, that the District Clerk is authorized to assign the necessary personnel to function as Election Inspectors, and further

BE IT RESOLVED, that the final tally of votes shall be held at the Rocky Point High School, 82 Rocky Point-Yaphank Road, Rocky Point, New York at 9:00 PM on the evening of the election as soon thereafter as the election inspectors can certify as to the necessary information.

All in favor – Motion carried 5-0

XXII APPOINTMENT OF POLL CLERKS AND TELLERS FOR THE ANNUAL BUDGET VOTE AND ELECTION TO BE HELD ON MAY 16, 2023

Upon a motion made by Susan Sullivan, and seconded by Erin Walsh, the following resolution was offered:

BE IT RESOLVED that the Board of Education appoints the Board of Registration; Poll Clerks; Tellers and Substitute Poll Clerks and Tellers at an hourly rate of \$15.00.

BE IT ALSO RESOLVED, that the District Clerk is authorized to canvass individuals to serve as Poll Clerks/Tellers and Substitute Poll Clerks/Tellers for the Annual Budget Vote and Board of Education Election to be held on Tuesday, May 16, 2023, during the hours of 7:00 a.m. and 9:00 p.m. and is authorized to fill any vacancies in these positions which may occur before such date.

All in favor – Motion carried 5-0

XXIII APPOINTMENT OF CHAPERONES, LUNCH DUTY AND PROCTORS

Upon a motion made by Erin Walsh, and seconded by Ed Casswell, the following resolution was offered:

BE IT RESOLVED, that the Rocky Point UFSD Board of Education approves all teachers to work as chaperones, lunch duty, and proctors for the 2022-2023 school year; and,

BE IT RESOLVED, that the Rocky Point UFSD Board of Education approves all teaching assistants to work as chaperones, lunch duty coverage, and proctors for the 2022-2023 school year.

XXIV APPOINTMENT OF ROCKY POINT STUDENT SUPPORT SERVICES INSTRUCTORS / LIAISONS AND HOME TUTORS/ALC TUTORS

Upon a motion made by Ed Casswell, and seconded by Michael Lisa, the following resolution was offered:

BE IT RESOLVED, that the Rocky Point UFSD Board of Education approves all teachers to work as Rocky Point Student Support Services instructors/liaisons, and home tutors/ALC tutors for the 2022-2023 school year.

All in favor – Motion carried 5-0

XXV SPECIAL EDUCATION SOLE SOURCE VENDOR

Upon a motion made by Michael Lisa, and seconded by Susan Sullivan, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Horizon Healthcare Staffing for special education Registered Nurse Consultant services, as required under applicable Individual Educational Programs, applicable law, and/or District Policy.

All in favor – Motion carried 5-0

XXVI PERSONNEL

Upon a motion made by Susan Sullivan, and seconded by Erin Walsh, the following resolution was offered:

BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the attached Personnel changes.

All in favor – Motion carried 5-0

Ms. Ward congratulated the following employees on their appointments:

- Mr. Barry Collin P/T Custodial Worker
- Mr. Darren Ilardi Security Guard
- Ms. Denise Zubiller School Lunch Monitor
- Ms. Nancy Pollard FJC Office Assistant

XXVII NEW BUSINESS

Ms. Ward inquired of the trustees if there was any new business they wished to discuss.

There was no new business at this time.

Ms. Ward once again opened the floor to questions/comments.

- Ms. Watkis spoke regarding the High School Musical and described it as a beautiful demonstration of students' commitment to excellence. She thanked the staff members for their time in planning and organizing the event. Ms. Watkis asked that the District allocate the necessary funds needed to allow the students to shine. She referred to the technical difficulties of faulty microphones. Dr. O'Brien and Mr. Van Cott confirmed that replacements were promptly ordered as well as rentals secured in the event that they do not arrive prior to the Middle School Musical. Mr. Van Cott added that funds have been allocated in the upcoming budget to improve the fine arts/music departments.
- Ms. Baldi suggested a newsletter or announcement to keep the community informed. She expressed concerns with political agendas being discussed within the classrooms. Dr. O'Brien encouraged reaching out to the teacher or building Principal to share any concerns. Ms. Baldi inquired if staff attend Edcamp. Ms. Ward advised they do not. Ms. Baldi further inquired regarding the guidelines of how/if gender identity is discussed.
- Ms. Villafane commented on the amazing High School Musical performance. She asked if parents were permitted to make monetary donations and request that it be earmarked for a specific use and if so, is there a cap on the amount. Ms. Ward confirmed that it is permitted to earmark a donation and that there is no limit on the amount.

There were no further questions/comments.

XXVIII ADJOURNMENT

At 7:39 p.m. a motion was made by Susan Sullivan, and seconded by Michael Lisa, to adjourn the meeting.

All in favor – Motion carried 5-0

Respectfully submitted,

Kelly White District Clerk