

MINUTES

BOARD OF EDUCATION VALLEY STREAM SCHOOL DISTRICT 24

BUSINESS MEETING

WILLIAM L. BUCK SCHOOL
OCTOBER 13, 2021

Members Present: President Pellicane, Vice-President Maier, Trustees Hernandez, Herrera, LaRocco, Wheeler and Wilson.

Others Present: Superintendent Don Sturz, Dr. Lisa Conte, Principals Johanne Gaddy, Rosario Iacono and Dr. Scott Comis, School District Attorney Joe Lilly, Director of Pupil Services Dr. Robert Mueller and Director of Technology Mark Onorato. Also in attendance were several District 24 teachers and a Valley Stream 24 resident.

Absent With Prior Notice: None

I. CALL TO ORDER

The Business Meeting was called to order at 6:47 PM, at the William L. Buck School, by President Pellicane.

Motion to enter Executive Session at 6:47 PM was made by Vice-President Maier seconded by Trustee LaRocco, to discuss Personnel and Contractual obligations. Motion unanimously carried.

Motion made to adjourn Executive Session at 7:29 PM was made by Trustee Hernandez seconded by Vice-President Maier. Motion unanimously carried.

The Business Meeting was reconvened at 7:35 PM, at the William L. Buck School by President Pellicane.

II. INFORMATIONAL ITEMS:

Welcome to Visitors: President Pellicane welcomed all in attendance to the Business Meeting and further specified conditions of public comment/questions within Policy 9400.

Motion made by Trustee Hernandez, seconded by Trustee LaRocco to approve the Minutes of September 22, 2021, and October 6, 2021. Motion unanimously carried.

Correspondence Report from the District Clerk: The District Clerk received an email from Ms. Arroyo on October 10, 2021 with multiple questions related to support for non-english speaking families, support for teachers and DEI issues. Another email was received from Ms. Arroyo on October 11, 2021 in regard to Columbus day.

Superintendents Report: Welcomed all in attendance.

Dr. Sturz opened the meeting with a warm welcome to all the District 24 Staff that attended tonight's Board Meeting. Dr. Sturz said a reminder that the virtual DEI forums for each building are coming up as we continue our journey forward. Dr. Sturz shared that Enrichment for All is off to a great start. Dr. Sturz spoke about one of the recommendations from the DEI Committee for ongoing professional development for teachers. Dr. Sturz shared insights from the session held that day on Being Agents of Change. Dr. Sturz also mentioned that tonight was Board of Education Appreciation night and thanked the Board for their continuous efforts and dedication. Dr. Sturz closed the meeting by welcoming and inviting all three principals to introduce the Board of Education Appreciation Video.

VII. LIST OF ITEMS FOR ACTION:

A. PERSONNEL – MARKUS WILSON

Motion made by Trustee Wilson, seconded by Trustee Herrera to move items A. 1 – A. 7 as listed. Motion unanimously carried.

1. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education appoints the following teacher liaisons for clubs/departments for the 2021-2022 school year at the appropriate Club Rate per the VSTA contract as follows:

Teacher Liaisons for Departments:

ENL - Kathleen Murray
Nurses - Estelle Dempsey

Science

WLB - Christine Brenneis
RWC - Shannon Quinn
BAS - Jessica Anastasio

Robert W. Carbonaro School - Clubs:

Fitness/Sports - Phil Testa
Student Council - Cathy Haufler/Pam Fowler
Book Club - Chelsea Cittadino
Wellness - Michele Knight/Sam Joltin
Robotics - Julia Sollin
Spanish - Caitlyn Kempsey
Challenge - Risa Miller

Brooklyn Avenue School- Clubs:

Art/STEAM - Nicole Barci
Wellness - Kaitlyn Gillespie/Kelly Martin
Sports - Michael Whelan
Student Council - Kathleen Carter/Allison Smithwick
Robotics - Samantha Ponzio
Spanish - Caitlyn Kempsey
Challenge - Risa Miller

William L. Buck School – Clubs:

Chess Club - Chris Chroma
Drama/Theater - Marc Levenson
Wellness/Fitness - Jeannie Gavigan/Kerriann Pieper-
Student Council - Marissa Campo/Christine Iadevaio
Robotics - Kathryn Sileo
Spanish - Caitlyn Kempsey
Challenge - Risa Miller

District– Instrumental Music -

Jr. Orchestra-B Club - -Gary Garzetta
Sr. Orchestra - B Club - -Gary Garzetta
Jr. Band -B Club - -Nicholas Shmorhun
Sr. Band -B Club - -Nicholas Shmorhun
District Instrumental Music- C Club -Nicholas Shmorhun

2. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following additions to the per diem substitute list for the 2021-2022 School Year:

TEACHER:

Tracie Goldman
Carl Hawkins
Nicole Massop

3. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board approves the appointment of Sultana Baloch as a School Monitor Part-time, effective October 14, 2021. Compensation for this appointment will be at Step 1 in accordance with the agreement between the District and the United Public Service Employees Union (UPSEU).

4. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board approves the appointment of Maria Paz as a School Monitor Part-time, effective October 18, 2021, pending civil service approval and fingerprint clearance. Compensation for this appointment will be at Step 1 in accordance with the agreement between the District and the United Public Service Employees Union (UPSEU).

5. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board approves the appointment of Colette Stroude as a School Monitor Part-time, effective October 18, 2021, pending civil service approval and fingerprint clearance. Compensation for this appointment will be at Step 1 in accordance with the agreement between the District and the United Public Service Employees Union (UPSEU).

6. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education approves the permanent appointment of Kenneth Martinez as a Custodian, in accordance with Nassau County Civil Service Exam No. 26-536, effective November 2, 2021.

7. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, and in accordance with Section 5.11 of the negotiated agreement with VSTA, the Board of Education grants a medical leave with 70% salary for a portion of the 2021-2022 school year, upon exhaustion of accumulated sick days, to a certain employee, effective October 19, 2021, subject to the receipt of medical certification.

B. EDUCATION – MELISSA HERRERA

Motion made by Trustee Herrera, seconded by Trustee Hernandez, to move items B.1 and B.2 as listed. Motion unanimously carried.

1. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education accepts the confidential recommendations of the Committee on Special Education previously approved by the Committee on Special Education on 2/26/21, 8/31/21, 9/2/21, 9/13/21, 9/15/21, 9/17/21, 9/17/21, 9/20/21, 9/20/21, 9/22/21, 9/22/21, 9/26/21 and 9/27/21 pertaining to students being considered for pre-school special education services as set forth in a schedule provided to the Board of Education and the Board of Education hereby approves and ratifies said recommendations of the Committee on Pre-School Special Education.

2. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education accepts the confidential recommendations of the Committee on Pre-School Special Education previously approved by the Committee on Pre-School Special Education 9/14/21, 9/14/21 and 9/27/21 pertaining to students being considered for pre-school special education services as set forth in a schedule provided to the Board of Education and the Board of Education hereby approves and ratifies said recommendations of the Committee on Pre-School Special Education.

C. FINANCE – MR. JOHN MAIER

Motion made by Vice-President Maier, seconded by Trustee LaRocco, to move item C.1 as listed. Motion unanimously carried.

1. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board hereby accepts the Treasurer’s Report, Collateral Report, Claims Auditor’s Report, Appropriation Status Report, Revenue Status Report, Trial Balance for August 2021.

VIII. OTHER REPORTS

A. VALLEY STREAM CENTRAL HIGH SCHOOL DISTRICT

There are three delegates from Valley Stream UFSD Twenty-Four on the Central High School Board of Education, Mr. Hernandez, Mr. Maier, and Mr. Wilson.

Central High School District – Vice-President Maier – Reported that there will was a meeting, October 12, 2021 and the next meeting will be on November, 2, 2021

Residency Hotlines:

| | |
|-------------------------------|--------------|
| Valley Stream School District | 516-872-5677 |
| Village of Valley Stream | 516-592-5140 |
| Town of Hempstead | 516-584-5000 |

B. LEGAL REPORT – Representative from the law firm, Frazer & Feldman, LLP – No Report

C. LEGISLATION REPORT – MR. ARMANDO HERNANDEZ – Reported that Tuesday, November 2, 2021 is Election Day.

D. POLICY COMMITTEE – MRS. KIMBERLY WHEELER – No Report

IX. UNFINISHED BUSINESS, IF ANY: - Trustee Hernandez spoke about the Spaish Program. Dr. Sturz discussed trying to reinstate a spainsh program for 5th and 6th graders.

President Pellicane discussed trying to have a joint board meeting and having to try another date for District #13 was not able to attend the 2 given dates.

X. NEW BUSINESS:

Motion made by Vice-President Maier, seconded by Trustee Hernandez, to move items # 1 - # 7 as listed. Motion unanimously carried.

1. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the following charities for the District for the 2021-2022 school Year:

St. Jude's Children Research Hospital
American Heart Association
Island Harvest

2. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, the Board of Education will award the Transportation Cross-Contract to The Valley Stream Central High School District for the period of October 14, 2021, through June 30, 2022 in the amount of \$616.00 pppm for transportation to and from the Kellenberg School in Uniondale.

BE IT FURTHER RESOLVED that the Board of Education hereby authorizes the Board President to execute this transportation contract on behalf of the Board of Education.

3. BE IT RESOLVED that the Board of Education authorizes the disposal of the following items:

| Valley Stream 24 Tag # | Device |
|-------------------------------|---------------|
| 002384 | iMac |
| 002042 | MacBookAir |
| 001807 | iMac |
| 002253 | MacBook Pro |
| 002300 30 | Printer |

4. BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education hereby authorizes the following Budget Transfer for the 2021-2022 School year:

| BUDGET TRANSFER FOR BOARD APPROVAL | | | |
|---|---------------------------------------|---------------------|---------------------|
| DATE: October 13, 2021 | | | |
| CODE | DESCRIPTION | FROM | TO |
| A9010.8 | Employee Retirement | \$ 32,000.00 | |
| A2110.473 | Charter School Tuition | | \$ 32,000.00 |
| | Academy Charter School Tuition | | |
| A5540.4 | Transportation Expenses | \$ 30,000.00 | |
| A1930.4 | Claims/Judgement | | \$ 30,000.00 |
| | Transportation Settlements | | |
| | TOTALS | \$ 62,000.00 | \$ 62,000.00 |

5. BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools, the Valley Stream UFSD #24 Board of Education hereby accepts Town of Hempstead (TOH) funds in the amount of \$40,389.55 and increases the 2021-2022 General Fund by that amount. This TOH grant is to be appropriated pursuant to subdivision 2 of Section 1718 of the Education Law as amended by Chapter 82 of the Laws of 1995 for General Purposes. The offsetting revenue shall be A 4289 Revenue Code: Other State Aid

BE IT FURTHER RESOLVED: That the total amount of \$40,389.55 is appropriated in the following Budget Codes:

| Budget Code | Amount | Description |
|-------------|------------|--------------------|
| 1620.272 | \$29,285 | Cleaning Equipment |
| 1620.407 | \$7,500 | Cleaning Expenses |
| 1620.457 | \$3,604.55 | Cleaning Supplies |

6. WHEREAS, the Valley Stream Union Free School District No. 24 (“District”) and Baumann Bus Company, Inc. were parties to one or more Transportation Agreement(s) covering the period of July 1, 2019, through June 30, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic and, in an effort to protect the health and welfare of

its students and their families, the Governor of the State of New York issued Executive Orders requiring that schools be closed beginning on March 18, 2020 through June 30, 2020 (“Closure”) during which time students were not transported and the District did not pay Baumann Bus Company, Inc.; and

WHEREAS, Baumann Bus Company, Inc. commenced an action against the District entitled *Baumann Bus Company, Inc. v. Valley Stream Union Free School District No. 24*, Eastern District of New York Bankruptcy Court Adv. Pro. No. 20-08222, in the Supreme Court of the State of New York in the County of Nassau by filing a Complaint on December 3, 2020 (the “Action”), alleging breach of contract and/or related claims against the District in connection with the Transportation Agreement(s); and

WHEREAS, the District denies any wrongdoing and denies the right of Baumann Bus Company, Inc. to enforce the Transportation Agreement(s) or to recover any payment thereunder from the District under these circumstances; and

WHEREAS, a Chapter 11 Bankruptcy Plan Administrator (the “Plan Administrator”) was appointed on behalf of the Post-Confirmation Debtors under the *Third Amended Joint Plan of Liquidation Pursuant to Chapter 11 of the Bankruptcy Code* (Docket No. 495) to administer and prosecute the Adversary Proceedings pending in the Eastern District of New York Bankruptcy Court, including prosecution of the above-referenced Action behalf of Baumann Bus Company, Inc.; and

WHEREAS, in recognition of the uncertainties of litigation and other considerations, the Plan Administrator and the District desire to resolve the matter amicably and without the necessity of continued litigation and without any admission or concession of liability;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the District’s Board of Education approves the Settlement Agreement between the District and the Plan Administrator, under which the Plan Administrator has agreed to accept and the District has agreed to pay the sum of \$6,402.53, which represents 22 percent of the total amount sought in the Action, in full settlement of Baumann Bus Company, Inc.’s claims for the months of April of 2020 through June of 2020 and in exchange for a release and a discontinuance of the Action; and be it further

RESOLVED, that the Board hereby authorizes the Board President to execute the Settlement Agreement on behalf of the Board.

7. WHEREAS, the Valley Stream Union Free School District No. 24 (“District”) and ACME Bus Corp. were parties to one or more Transportation Agreement(s) covering the period of July 1, 2019, through June 30, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic and, in an effort to protect the health and welfare of its students and their families, the Governor of the State of New York issued Executive Orders requiring that schools be closed beginning on March 18, 2020, through June 30, 2020 (“Closure”) during which time students were not transported and the District did not pay ACME Bus Corp.; and

WHEREAS, VTC Bus Corp. commenced an action against the District entitled *ACME Bus Corp. v. Valley Stream Union Free School District No. 24*, Eastern District of New York Bankruptcy Court Adv. Pro. No. 20-08202, in the Supreme Court of the State of New York in the County of Nassau by filing a Complaint on December 3, 2020 (the “Action”), alleging breach of contract and/or related claims against the District in connection with the Transportation Agreement(s); and

WHEREAS, the District denies any wrongdoing and denies the right of ACME Bus Corp. to enforce the Transportation Agreement(s) or to recover any payment thereunder from the District under these circumstances; and

WHEREAS, a Chapter 11 Bankruptcy Plan Administrator (the “Plan Administrator”) was appointed pursuant to Court Order to administer and prosecute the Adversary Proceedings pending in the Eastern District of New York Bankruptcy Court, including prosecution of the above-referenced Action behalf of ACME Bus Corp.; and

WHEREAS, in recognition of the uncertainties of litigation and other considerations, the Plan Administrator and the District desire to resolve the matter amicably and without the necessity of continued litigation and without any admission or concession of liability;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the District’s Board of Education approves the Settlement Agreement between the District and the Plan Administrator, under which the Plan Administrator has agreed to accept and the District has agreed to pay the sum of \$10,051.65, which represents 22 percent of the total amount sought in the Action, in full settlement of ACME Bus Corp.’s claims for the months of April of 2020 through June of 2020 and in exchange for a release and a discontinuance of the Action; and be it further

RESOLVED, that the Board hereby authorizes the Board President to execute the Settlement Agreement on behalf of the Board.

XI. DISCUSSION

A Valley Stream resident spoke about wanting a dual language program

XII. AUDIENCE TO VISITORS

There were two digital cards submitted from Valley Stream residents, one by Ms. Arroyo requesting that the district hire a Chief Diversity Officer and recommending that all three Valley Stream elementary school districts be combined into one school district and another by Mrs. Cheng requesting the school district map . Mrs. Cheng also spoke at the meeting requesting consideration of a dual-language program.

XIII. ADJOURNMENT

Motion to adjourn the Business Meeting at 7:58 PM was made by Vice-President Maier, seconded by Trustee Hernandez. Motion unanimously carried.

Respectfully Submitted,

Jennifer Biscardi

Jennifer Biscardi
District Clerk