

REVISED ON MARCH 9, 2021
MALVERNE UNION FREE SCHOOL DISTRICT
Regular Board of Education Meeting
Tuesday March 9, 2021
8:00 P.M.

BOARD MEMBERS

Phyllis M. Tinsley, **President**
Laura Avvinti, **1st Vice President**
Josephine Bottitta, **2nd Vice President**
Jeanne D'Esposito, **Trustee**
Danielle Hopkins, **Trustee**

ADMINISTRATION

Dr. Lorna R. Lewis **Superintendent**
Steven Gilhuley, **Assistant Superintendent for Curriculum Instruction**
Christopher Caputo, **Assistant Superintendent for Business**
Dan Balzan, **Assistant Business Administrator**

BOARD OFFICER

Lisa Ridley, **District Clerk**
Alyssa Contarino, **Treasurer**

BOARD COUNSEL

Frazer & Feldman, LLP

AGENDA

- I. **CALL TO ORDER**
- II. **EXECUTIVE SESSION**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES**
Approval of February 9, 2021 Board Meeting Minutes
- V. **TREASURER'S REPORT**
February 2021

VI. RECEIPTS OF FINANCIAL REPORTS

- A. Claims Audit Reports: February 2021
- B. Trial Balance Reports: February 2021
- C. Revenue Status Reports: February 2021
- D. Appropriation Status Reports: February 2021
- E. Cash Flow Status Report: February 2021
- F. Budget transfers Report: February 2021

VII. SUPERINTENDENT'S REPORT /ANNOUNCEMENT

- 1- HTH Production
- 2- April 5th Return
- 3- NYSED Update

VIII. PERSONNEL

- A. Terminations
None
- B. Resignations
 - 1. Teachers/ Teacher Assistants (1)
 - 2. Civil Service (3)
- C. Leaves of Absence
 - 1. Teachers/Teacher Assistants (2)
- D. Appointments
 - 1. Teachers / Teacher Assistants (2)
 - 2. Malverne Teacher Center 2020-2021 (33)
 - 3. Interscholastic 2020-2021 (2)
 - 4. Bus Monitors 2020-2021 (2)
 - 5. Homework Center -Malverne High School -2020-2021 (1)

IX. OLD BUSINESS

None

X. NEW BUSINESS

**A. BOARD RESOLUTION:
ANNUAL ELECTION AND BUDGET VOTE AND PUBLIC NOTICE**

BE IT RESOLVED by the Board of Education of the Malverne Union Free School District, as follows:

Section I: The Annual District Meeting and Election of the Malverne Union Free School District shall be held on Tuesday, May 18, 2021 in the gymnasium of the Howard T. Herber Middle School, 75 Ocean Avenue,

Malverne, New York. Said Annual District Meeting and Election as set forth in the Notice of said Annual District Election, annexed hereto, shall be held for the purpose of electing one member of the Board of Education; voting upon the 2021-22 proposed school district budget to vote on an expenditure from the District Capital Reserve Fund for the construction of certain capital improvements to school facilities and to vote on any other matter which may regularly be proposed for voting therein accordance with law. The polls will remain open from 7:00 a.m. until 9:00 p.m. and as much longer as may be necessary to enable the voters then present to cast their ballots.

Section II: An Annual Public Budget Hearing for the purpose of discussion of the expenditure of funds and the budgeting thereof for school purposes for the 2021-2022 school year shall be held on Tuesday May 11, 2021, at 8:00 p.m. in the Malverne High School Library, Ocean Avenue, Malverne, New York.

Section III: The Public Notice of the Annual District Election and Budget Hearing provided for in Appendix A is deemed a part of this Resolution, including each and every proposition and election to be presented to the qualified registered voters of the School District required by law to be contained in such Notice, and is hereby approved.

Section IV: The District Clerk is hereby authorized and directed to cause notice to be given of said Annual District Election and Budget Hearing in the form prescribed above, by publishing the Notice four times within the seven weeks next preceding such Annual District Election, the first publication to be at least forty-five days prior to the said Annual District Election, in *Newsday*, and *The Herald*, two newspapers having general circulation in said School District, and by giving such other notice as, in her discretion, may be deemed desirable.

Section V: The District Clerk is hereby authorized and directed to rent the necessary voting machines and to have the necessary voting machine ballot labels printed for said voting machines in the form corresponding as nearly as may be with the requirements of the Education Law, and the voting rules of the School District.

Section VI: A Special Meeting of the Board of Education acting as the Board of Canvass shall be held on Tuesday, May 18, 2021, in the gymnasium of the Howard T. Herber Middle School following the closing of the polls for the purpose of accepting and declaring the results of the voting on all matters submitted to the qualified voters at said Annual District Election.

Section VII: This resolution shall take effect immediately

**B. BOARD RESOLUTION TO AUTHORIZE PROPOSITION TO
EXPEND CAPITAL RESERVE FUNDS**

WHEREAS, the Board of Education of the Malverne Union Free School District (“Board”) has determined that there is a need to undertake certain capital improvements, renovations and construction work at District buildings and/or facilities to commence during the 2020-21 school year (“Project”) as described in a memorandum report prepared by the District’s architects (“Report”), on file and available for public inspection in the office of the District Clerk; and

WHEREAS, the Board desires that a proposition be presented to the voters of the School District authorizing the expenditure of available remaining funds from the District’s Capital Reserve Fund II for that purpose, at no additional cost to the District’s taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Board establishes itself as lead agency for the purposes of SEQRA determinations regarding the proposed Project; and be it further

RESOLVED, that, upon the review and recommendation of the District’s Architect, the proposed Project is hereby determined to be a Type II action, as defined by 6 NYCRR §617.5[c], which will have no significant impact on the environment, and which does not require any other determination or procedure under SEQRA; and, therefore, be it further

RESOLVED, that the Board hereby authorizes and directs that a proposition in substantially the form set forth below shall be placed before the voters of the Malverne Union Free School District at the Annual District Meeting to be held between the hours of 7 a.m. and 9 p.m. on May 18, 2021, at the polling place heretofore established within the District; and that the District Clerk be hereby authorized and directed to give notice of such proposition to be voted at said Annual District Meeting by publishing reasonable and appropriate notice thereof, and to have the necessary ballot labels printed for said vote in the form corresponding as nearly as may be with the requirements of the Education Law and the provisions of the voting machine rules of this school district:

Attached Legal Notice

NOTICE OF ANNUAL DISTRICT ELECTION AND BUDGET HEARING OF MALVERNE UNION FREE SCHOOL DISTRICT, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK

NOTICE IS HEREBY GIVEN that the annual meeting of the qualified voters of the Malverne Union Free School District, Town of Hempstead, County of Nassau, will be held on May 18, 2021, at 9:00 p.m. in the gymnasium of the Howard T. Herber Middle School, Ocean Avenue, Malverne, N.Y., in said School District for the transaction of such business as is authorized by law.

NOTICE IS HEREBY GIVEN that the Budget Hearing will be held on May 11, 2021 at 8:00 p.m. at the Malverne Performance Art Center, 80 Ocean Avenue, Malverne, N.Y. for the purposes of discussing funds for the proposed 2021-2022 School Budget. The Budget Hearing may be viewed at the following website: www.malverneschoolslive.com

PLEASE TAKE FURTHER NOTICE that the vote upon the appropriation of necessary funds to meet the necessary expenditures for the school year 2021-2022, on all propositions duly filed with the Board of Education, and to fill two (2) vacancies on the Board of Education shall be held in the gymnasium of the Howard T. Herber Middle School on Tuesday, May 18, 2021, from 7:00 a.m. to 9:00 p.m. The qualified voters shall fill the following two vacancies: the office of Phyllis M. Tinsley and Danielle Hopkins, current members of the Board of Education which terms expire on June 30, 2021, and for two new terms commencing on July 1, 2021 and expiring on June 30, 2025. The qualified voters shall also vote upon the following propositions.

PROPOSITION NO. 1

Resolved that the proposed Budget of the Malverne Union Free School District of the Town of Hempstead, County of Nassau, State of New York for the fiscal year 2021-2022 be adopted and that the amount of said budget be raised by tax upon the taxable property of the School District after first deducting the monies available from the State Aid and other sources.

PROPOSITION NO. 2(Capital Reserve Fund Expenditure Proposition):

RESOLVED: That the Board of Education of the Malverne Union Free School District ("District") be hereby authorized to appropriate and expend from the District's Capital Reserve Fund II, established by the voters of the District on May 20, 2014, an amount not to exceed Two Million Eighty Thousand Dollars (\$2,080,000.00) to undertake and perform the following school building and district-wide site improvements, renovations and/or

alterations to commence during the 2020-2021 school year (“Project”), substantially as described in a memorandum report prepared by the District’s architects (“Report”), on file and available for public inspection in the office of the District Clerk, all at no additional cost to District taxpayers: certain capital improvements, construction, reconstruction, renovations and/or alterations in all District buildings and facilities and the sites thereof, including (1) installation of new High School baseball field with synthetic turf infield, grass outfield, and associated site work including drainage, fencing, dugout structures, and batting cages/bullpens, (2) additional site upgrades including installation of synthetic turf with inlaid logo on hill near Varsity Football Field, parking lot entrance sign at High School, flag pole at Center Field Varsity Baseball field, dugout furnishings including bat rack/helmet rack for Varsity Baseball Field, and audio-visual equipment related to Varsity Baseball Field, and (3) roof repair and remediation work at the High School, including (as and where necessary) furnishings, equipment, machinery, demolition, and other work in connection therewith, as well as preliminary costs and costs incidental thereto and to the financing thereof; provided that the costs of the components of the Project as set forth in the Report may be reallocated among such components if the Board of Education shall determine that such reallocation is in the best interests of the District and no material change shall be made in the scope of the Project.

PLEASE TAKE FURTHER NOTICE that the voting shall be on voting machines and the polls will remain open from 7:00 a.m. until 9:00 p.m. and as much longer as may be necessary to enable the voters then present to cast their ballots. The condensed form of the budget proposition and the text of all other propositions to appear on the voting machines and a detailed statement in writing of the amount of money which will be required for the school year 2021-2022, specifying the purposes and the amount for each, will be prepared and copies thereof will be made available, upon request, to any resident in the district at each school house in the district in which school is maintained from 9:00 a.m. to 3:00 p.m. during the 14 days immediately preceding said election of May 18, 2021, excluding Saturday, Sunday and holidays, and at such annual election.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 495 of the Real Property Tax Law, the district is required to attach to its proposed budget an exemption report. Said exemption report, which will also become part of the final budget, will show the total assessed value on the final assessment roll used in the budgetary process is exempt from taxation, list every type of exemption granted by the statutory authority, and show the cumulative impact of type of exemption, the cumulative amount expected to be received as payments in lieu of taxes and the cumulative impact of all exemptions granted.

PLEASE TAKE FURTHER NOTICE that the election shall be held in accordance with the Rules of the Conduct of Meetings and Elections adopted by the Board.

PLEASE TAKE FURTHER NOTICE that the nominations for the office of Board of Education member shall be made by petition subscribed by at least 25 qualified voters of the District, and filed in the District Clerk's Office, in the Administration Building, 301 Wicks Lane, Malverne, N.Y., from 9:00 a.m. to 5:00 p.m., not later than the 30th day preceding election, this year April 19, 2021. Such petition shall state the specific vacancy on the Board for which the candidate is nominated, which description shall include at least the length of the term of office and the name of the last incumbent, if any. Each vacancy shall be considered a separate office and a separate petition shall be required to nominate a candidate to each separate office. No person shall be nominated for more than one separate office. However, a nomination may be rejected by the Board of Education if the candidate is ineligible for the office or declares his unwillingness to serve.

PLEASE TAKE FURTHER NOTICE that any proposition or question to be placed upon the voting machines shall be submitted, in writing, by petition subscribed by at least 100 qualified voters of the District and filed in the District Clerk's Office between 9:00 a.m. and 5:00 p.m., not later than 30 days preceding the meeting or election at which such question or proposition shall be voted upon, this year April 19, 2021, except that this rule shall not apply to those questions or propositions which are required to be stated in the published or posted notice of the meeting or to those propositions or questions which the Board of Education has authority by law to present at any annual or special meeting of the district.

PLEASE TAKE FURTHER NOTICE that the Board of Registration shall meet on Thursday, April 15, 2021, from 8:30 a.m. to 11:30 a.m., at the Malverne High School Lobby and at the District Administration Building from 11:30 a.m. to 3:30 p.m., and on Thursday, May 13, 2021 from 9:00 a.m. to 1:00 p.m., for the purpose of preparing a register of the qualified voters for said annual district election, at which time any person shall be entitled to have his/her name placed upon the such registry provided that, at such meeting of the Board of Registration, he/she is known, or proven to the satisfaction of the Board of Registration, to be then or thereafter entitled to vote at the annual district elections for which such register is prepared.

PLEASE TAKE FURTHER NOTICE that the register shall include: (1) all qualified voters of the District who shall personally present themselves for registration; (2) all previously qualified voters of the District who have been previously registered for any annual or special District meeting or election and who have voted at any annual or special District meeting or election held or conducted within four calendar years (2017-2020) prior to preparation of the said register; and (3) those voters permanently registered with the Nassau County Board of Elections.

PLEASE TAKE FURTHER NOTICE that the Board of Registration will further meet during the Annual District Election on May 18, 2021 to prepare a register for District meetings or elections to be held after May 18, 2021. The Register shall be filed in the District Clerk's Office where it shall be open for inspection by any qualified voter from 9:30 a.m. to 1:30 p.m. on the five days prior to the election, except Sunday, and at the polling place on election day.

PLEASE TAKE FURTHER NOTICE that applications for absentee ballots for election of school board members and for voting on the school budget are to be completed on a form prescribed by the state board of elections and may be obtained by visiting the New York State Education Department's Website (<http://www.counsel.nysed.gov/common/counsel/files/absentee-ballot-application-and-instructions-english.pdf>, <http://www.counsel.nysed.gov/common/counsel/files/absentee-ballot-application-and-instructions-spanish.pdf>), or by contacting the District Clerk by email (Iridley@malverne.k12.ny.us) or phone (516-887-6483). Completed applications must be received at least seven (7) days before the election if the ballot is to be mailed to the applicant, or the day before the election if the ballot is to be delivered personally to the applicant or to his or her designated agent. Absentee ballot applications will not be accepted by the District Clerk before April 19, 2021. A list of all persons to whom absentee ballots have been issued will be available in the District Clerk's office on each of the five days prior to the election except Sunday, and by appointment only between the hours 9:00 a.m. and 12:00 noon on the Saturday prior to the election.

PLEASE TAKE FURTHER NOTICE that pursuant to Education Law §2018-d, any person serving in the military, including spouses and dependents, may register to vote in the upcoming school district election. A military voter who is a qualified voter of the District may obtain a registration form by contacting the District Clerk by telephone (516-887-6483), facsimile (516-596-2910), email (Iridley@malverne.k12.ny.us), mail (District Clerk, Malverne UFSD, Administration Building, 301 Wicks Lane, Malverne, NY 11565), or in person (during regular office hours or between the hours of 9:30AM and 2:30PM). A military voter who is duly registered may apply for a military ballot by requesting an application from the District by also contacting the District Clerk. Completed applications must be personally delivered or mailed to the District Clerk and received no later than 5:00 p.m. on April 22, 2021. Military ballots must be received by 5:00 p.m. on May 18, 2021 if signed and dated by the military voter and one witness thereto with a date which is not later than the day before the election, or not later than the close of the polls on May 18, 2021 if postmarked or endorsed by an agency of the United States government. A military voter may designate a preference to receive a military voter registration form, military ballot application or military ballot by mail, facsimile or electronic mail in the request for such registration, ballot application, or ballot.

PLEASE TAKE FURTHER NOTICE that this Board shall convene a special meeting thereof within 24 hours after the filing with the District Clerk of a written report of the results of the ballot for the purpose of examining and tabulating and declaring said results; that the Board hereby designates itself to be set of poll clerks to cast and canvass ballots pursuant to Education Law, §2019-a, subdivision 2b at said special meeting of the Board.

Dated: March 9, 2021

BY ORDER OF BOARD OF EDUCATION
MALVERNE UNION FREE SCHOOL DISTRICT
TOWN OF HEMPSTEAD
COUNTY OF NASSAU, NEW YORK

LISA RIDLEY
DISTRICT CLERK

- C. BE IT RESOLVED that the Malverne UFSD hereby adopts the **District Wide School Safety Plan.**
- D. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District appoints **Pauline Palomino Election Inspector** and **Kate McDermott Assistant Election Inspector** for the May 18, 2021 School Election.
- E. BE IT RESOLVED that the Board of Education of the Malverne Union Free School District hereby declares the articles of property on the list designated exhibit “A” to be surplus property.

BE IT FURTHER RESOLVED that the Board of Education of the Malverne Union Free School District authorizes the Superintendent to sell or dispose of such property consistent with Board Policy 5250.

- F. BE IT HEREBY RESOLVED THAT the Board of Education of the Malverne Union Free School District approves the terms of the Memorandum of Agreement dated March 2, 2021 between the District and the Malverne Classroom Aides and Monitors Unit regarding the terms and conditions of employment for the members of the bargaining unit; and

BE IT FURTHER RESOLVED that the President of the Board is authorized to execute the resulting collective bargaining agreement on behalf of the Board.

- G.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the Agreement for the **IDEA Flow Through Agreements for the 2020-2021 SEDCAR Sub-Allocation Funds disbursement.**

BE IT FURTHER RESOLVED that the Board authorizes the Board president to execute said contracts.

- H.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Authors and More** for author lecture for the 2020- 2021 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- I.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Anne Frank Center USA** for the 2020-2021 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- J.** BE IT HEERBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the following PAYABLE Health & Welfare Contracts for the 2020-2021 school year.

**-Hicksville UFSD
-Lynbrook School District**

**- South Huntington UFSD
-Syosset Central School District**

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- K.** BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Bayada Home Health Care, Inc.** for related services for the 2020-2021 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- L. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Nassau BOCES for the Regional Summer School Program for the 2021-2022 school year.**

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- M. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the following **RECEIVABLE Health & Welfare Contract** for the 2020-2021 school year:

City of New York

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- N. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the amendment to the end user license agreement with Infinite Campus, Inc., for Student Information Software, for the 2020-21 and 2021-22 school years.

BE IT FURTHER RESOLVED that the Board authorizes the Board President and/or Superintendent to execute said amendment.

- O. BE IT RESOLVED that the Board of Education of the Malverne Union Free School District hereby approves the terms and conditions of the Stipulation of Settlement resolving a certain matter between the District and the parents of a younger classified by the District's CSE and identified by student number 060760000; and

BE IT FURTHER RESOLVED that the Board of Education authorizes the President of the Board to execute the stipulation of settlement as approved on the District's behalf.

XII. CURRICULUM MATTERS / STUDENTS SERVICES

BE IT HEREBY RESOLVED that the Board of Education approves the recommendations at the March 9, 2021 Board of Education meeting and

BE IT FURTHER RESOLVED that the Board of Education approves the recommendations made by the committee on Special Education for meetings held on, 2/10/2021, 2/22/2021, 2/23/2021 and 2/5/2021 and specific recommendations made by the Subcommittee on Special Education for meetings held on 2/03/2021, 2/08/2021, 2/09/2021 and 2/10/2021.

XIII. GENERAL DISCUSSION

XIV. PUBLIC PARTICIPATION

XVI. DATES TO REMEMBER

March 23	Board of Education Budget Review & Public Discussion @ 7:00pm -MPAC Building
March 29 - April 5	Spring Recess – Schools closed

XVII. ADJOURNMENT