

Board of Education  
Lancaster Central School District  
Lancaster, New York

Minutes

Meeting Date

October 10, 2023

Kind

Regular Session

Place

William Street School, 5201 William Street, Lancaster

Members Present

Michael Sage, President  
Shannon Cohen, Vice President  
Jill Fecher, Trustee  
Glenn Jackson, Trustee – arrived at 7:18pm  
John Talarico, Trustee

Members Excused

Kevin Davenport, Trustee  
Timothy Talbot, Trustee

District Administrators Present

Michael Vallely, PhD, Superintendent of Schools  
Daniel D'Amico, Asst. Superintendent for Human Resources  
Andrew Kufel, PhD, Asst. Superintendent for Curriculum, Instruction & Pupil Services  
Jamie Phillips, Asst. Superintendent for Business & Support Services  
Andrew Krazmien, Director of Secondary Education  
Karen Marchioli, EdD, Director of Elementary Education  
Michele Ziegler, Director of Instructional Technology & Accountability

Others Present

District administrators and faculty members

- 1.0 Call to Order
- 2.0 Pledge to Flag
- 3.0 Moment of Silence

The regular meeting of the board of education was called to order at 7:00pm by President Sage. The Pledge of Allegiance was recited and Mr. Sage asked for a moment of silent reflection for Tom Wierzbowski, a custodian from 1986 through 2019, who passed away on September 19, 2023.

- 4.0 Presentations
- 4.1 Audit Presentation

Mr. Carl Widmer and Mr. Charles Trottier of Drescher & Malecki LLP gave an overview of the annual audit report for the year ending June 30, 2023.

- 4.2 Accept Audit Report

Moved by Cohen seconded by Fecher to accept the audit report year ending June 30, 2023 from Drescher & Malecki LLP and the corrective action plan, as submitted.

Vote on the motion: 4 Ayes 0 Nays

Motion approved.

- 4.3 Board of Education Recognition  
To celebrate school board recognition, several students presented the board members with light-up statuettes created by students in the Project Lead the Way academy.
- 4.4 Tenure Certificate Presentation  
Miss Erin Gannon presented recently tenured teachers with certificates.
- 5.0 Correspondence  
No correspondence was received.
- 6.0 Approval of Minutes  
6.1 Regular Session  
September 18, 2023  
Moved by Cohen seconded by Talarico to accept the minutes from the regular session held on September 18, 2023, as submitted.  
Vote on the motion: 5 Ayes 0 Nays  
Motion approved.
- 7.0 Staff Organizations  
Lancaster Administrative and Supervisory Association:  
Mrs. Bull thanked the board members for their service.  
Lancaster Central Teachers Association:  
John Abraham thanked the board members for their dedication and service and also congratulated the teachers who received tenure.  
Lancaster Association of Service Personnel:  
No one present to report.  
Lancaster Association of Substitute Teachers:  
No one present to report.
- 8.0 Board Reports  
Mr. Sage, Mrs. Fecher and Mr. Jackson thanked everyone for the school board celebration and spoke about events they attended since the last board meeting.
- 9.0 Superintendent's  
Administrative Report  
Dr. Vallely presented his administrative report.
- 10.0 Old Business  
No old business was discussed.
- 11.0 New Business  
11.1 Personnel Items  
11.1.1 Personnel Changes  
Moved by Fecher seconded by Cohen to approve the personnel changes with the addendum for the period ending October 10, 2023, as submitted.  
Vote on the motion: 5 Ayes 0 Nays  
Motion approved.
- 11.1.2 Tenure Recommendation  
Moved by Jackson seconded by Talarico to approve the teacher listed for tenure status, effective on the date as indicated. Such grant of tenure is subject to and conditioned upon the teacher receiving an APPR rating of (D) Developing or higher at the conclusion of the 2023-2024 school year. In the event that they do not obtain the required rating as described above, the tenure appointment shall be null and void, as submitted.  
Vote on the motion: 5 Ayes 0 Nays  
Motion approved.

11.2 Education Items

11.2.1 Committee on Special Education

Moved by Fecher seconded by Cohen to approve the recommendations of the committee on special education, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

11.2.2 Committee on Preschool  
Special Education

Moved by Talarico seconded by Jackson to approve the recommendations of the committee on preschool special education, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.0 Business & Financial Items

12.1 Financial Reports

Moved by Fecher seconded by Cohen to approve the financial reports, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.2 Policy Adoption #3420  
Non-Discrimination  
and Anti-Harassment in the  
District

Moved by Jackson seconded by Talarico to adopt policy #3420 Non-Discrimination and Anti-Harassment in the District for inclusion in the district's policy manual, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.3 Policy Adoption  
#6121 Sexual Harassment  
in the Workplace

Moved by Talarico seconded by Fecher to adopt policy #6121 Sexual Harassment in the Workplace for inclusion in the district's policy manual, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.4 Policy 2<sup>nd</sup> Reading  
#3430 Culture, Climate, and  
Inclusivity in the District

Policy #3430 Culture, Climate, and Inclusivity in the District was presented to the board for a second reading. This policy will be placed on the board's next agenda for adoption.

12.5 Policy 2<sup>nd</sup> Reading  
#5140 Administration of  
the Budget

Policy #5140 Administration of the Budget was presented to the board for a second reading. This policy will be placed on the board's next agenda for adoption.

12.6 Policy 2<sup>nd</sup> Reading  
#7410 Extracurricular  
Activities

Policy #7410 Extracurricular Activities was presented to the board for a second reading. This policy will be placed on the board's next agenda for adoption.

12.7 Food Service Department  
Operating Systems Reports  
August 2023

Moved by Jackson seconded by Talarico to approve the food service department operating system reports for August 2023, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.8 Declare Surplus Equipment

Moved by Fecher seconded by Cohen to declare the attached listing of equipment as prepare for disposal according to board policy #5250, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.9 Accept Auction Results  
Auction Number 34166

Moved by Cohen seconded by Talarico to accept results from auction #34166, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.10 Amended Contract  
Maria Blask

Moved by Fecher seconded by Talarico to approve the amended agreement between the Lancaster Central School District and Maria Blask, to provide AIS services at St. Mary's Elementary for the 2023-2024 school year paid with pass-through funds from other districts, as submitted.

Vote on the motion: 5 Ayes 0 Nays

Motion approved.

12.11 Bond Defeasance

Resolution of The Lancaster Central School District, Erie County, State of New York, Adopted October 10, 2023, Authorizing the Redemption of All or A Portion of Serial Bonds of Said School District, Stating the Plan of Redemption, And Making Certain Other Determinations All Relative Thereto

Whereas, the Lancaster Central School District, located in Erie County, State of New York (the "School District") previously issued \$10,655,000 principal amount of School District Refunding (Serial) Bonds, 2013 (the "2013 Bonds"), which 2013 Bonds are dated July 31, 2013 and have matured, or will mature, in annual installments on June 1 in each of the years 2014 to 2025, inclusive, as follows:

2014 in the amount of \$785,000  
2015 in the amount of \$745,000  
2016 in the amount of \$765,000  
2017 in the amount of \$800,000  
2018 in the amount of \$825,000

2019 in the amount of \$860,000  
2020 in the amount of \$370,000  
2020 in the amount of \$525,000  
2021 in the amount of \$925,000  
2022 in the amount of \$960,000  
2023 in the amount of \$990,000  
2024 in the amount of \$1,030,000  
2025 in the amount of \$1,075,000

Whereas, \$2,105,000 aggregate principal amount of the 2013 Bonds currently remain outstanding and unredeemed as of the date hereof; and

Whereas, the School District previously issued \$11,135,000 principal amount of School District Serial Bonds - 2018 (the "2018 Bonds"), which 2018 Bonds are dated June 13, 2018 and matured or mature in annual installments on June 1 in each of the years 2014 to 2025, inclusive, as follows:

2019 in the amount of \$740,000  
2020 in the amount of \$760,000  
2021 in the amount of \$790,000  
2022 in the amount of \$820,000  
2023 in the amount of \$860,000  
2024 in the amount of \$905,000  
2025 in the amount of \$950,000  
2026 in the amount of \$995,000  
2027 in the amount of \$1,050,000  
2028 in the amount of \$1,080,000  
2029 in the amount of \$1,125,000  
2030 in the amount of \$820,000  
2031 in the amount of \$240,000

Whereas, \$7,165,000 aggregate principal amount of the 2018 Bonds currently remain outstanding and unredeemed as of the date hereof; and

Whereas, it is hereby determined to be in the public interest of the School District to redeem (i) all of the outstanding \$2,105,000 of the 2013 Bonds and (ii) a portion of the outstanding \$7,165,000 of the 2018 Bonds in the amount of \$6,985,000; and

Now Therefore, The Board of Education of The Lancaster Central School District, Erie County, New York, Hereby Resolves as Follows:

Section 1. For the purpose of redeeming the outstanding principal balance of the 2013 Bonds and a portion of the outstanding principal balance of the 2018 Bonds as more fully set forth in the Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of moneys of the

School District shall be sufficient to pay: (i) the principal amount of the 2013 Bonds and a portion of the principal amount of the 2018 Bonds; (ii) the aggregate amount of the unmatured interest payable on the 2013 Bonds and 2018 Bonds to and including the date on which any of the 2013 Bonds and 2018 Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Financial Plan (as hereinafter defined) attached hereto as Exhibit A and made a part of this resolution; (iii) the costs and expenses incidental to the redemption of the 2013 Bonds and the 2018 Bonds hereinafter authorized, including without limitation, the development of the Financial Plan, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as hereinafter defined), and any securities supply contract, fees of bond counsel and financial advisors, rating agency fees, printing and service agency fees and expenses, and fees and charges of the Escrow Holder (as hereafter described); and (iv) the redemption premium, if any, to be paid on the 2013 Bonds and 2018 Bonds which are to be called prior to their respective maturities;

## Section 2.

(a) The President of the Board of Education is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in the State of New York as the President of the Board of Education shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the 2013 Bonds and the 2018 Bonds, as the escrow holder. In addition, the Escrow Contract may include a forward supply or purchase contract or agreement as part thereof or as a separate agreement for the provision of acquiring obligations of the United States of America or unconditionally guaranteed by the United States of America or other obligations or instruments qualified under Section 90.10 of the Local Finance Law. The Escrow Contract shall contain such terms and conditions as shall be necessary or required, including terms and conditions required for the completion of the Financial Plan, including provisions for the Escrow Holder, without further authorization or direction from the Board of Education of the School District, except as otherwise provided therein, including, without limitation, (i) to make all required payments of principal, interest and any redemption premiums to appropriate paying agents with respect to the 2013 Bonds and the 2018 Bonds, (ii) to pay costs and expenses incidental to the redemption of the 2013 Bonds and the 2018 Bonds, including the development of the Financial Plan and of executing and performing the terms and conditions of the Escrow Contract by the Escrow Holder, (iii) at the appropriate time or times, to cause to be given on behalf of the School District in the manner provided by law the notices of redemption authorized to be given pursuant to Section 4 hereof, and (iv) to invest the moneys held by the

Escrow Holder pursuant to the terms of the Escrow Contract and consistent with the provisions of the Financial Plan.

(b) All of the moneys to be used by the School District to redeem the 2013 Bonds and a portion of the 2018 Bonds shall be placed in escrow by the School District with the Escrow Holder pursuant to the terms of the Escrow Contract. All moneys held by the Escrow Holder, whether in the form of cash or investments or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the 2013 Bonds and the redeemed 2018 Bonds and the owners of such 2013 Bonds and 2018 Bonds shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. Such pledge and lien provided herein shall become valid and binding upon the deposit of moneys in the Escrow Account and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract, equity, at law or otherwise against the School District irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and lien, needs to be filed or recorded.

Section 3. The financial plan for the refunding authorized by this resolution (the "Financial Plan") showing the sources and amounts of all moneys required to accomplish such redemption are set forth in Exhibit B attached hereto and made a part hereof.

Section 4. In accordance the provisions of Section 53.00, the School District hereby elects to call in and redeem each of the 2013 Bonds and a portion of the 2018 Bonds as set forth in the Financial Plan, which the President of the Board of Education shall determine to be redeemed at the earliest respective call date available. The sum to be paid therefor on such redemption dates shall be the par value thereof plus the redemption premium, if any, and the accrued interest to such redemption date. The Escrow Holder is hereby authorized and directed to cause notices of such call for redemption to be given in the name of the School District in the manner and within the times provided in the issuance proceedings for the 2013 Bonds and the 2018 Bonds. Such notices of redemption shall be in substantially the form attached to the Escrow Contract. Upon the deposit of moneys in the Escrow Account, the election to call in and redeem the applicable portion of the 2013 Bonds and the 2018 Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the notice requirements of paragraph (a) of Section 53.00 of the Local Finance

Law, or any successor law thereto. It is hereby determined that with respect to the 2013 Bonds and the 2018 Bonds to be called in and redeemed as provided in this Section 4, it is to the financial advantage of the School District not to charge, impose and collect or receive from registered owners of the 2013 Bonds and the 2018 Bonds for mailing, shipping, insurance or other similar charges in connection with such redemption or calls. Accordingly, pursuant to paragraph (c) of Section 70.00 of the Local Finance Law, no such charges shall be so charged, collected or received by the Chief Fiscal Officer, as fiscal agent.

Section 5. The Board of Education of the School District hereby appoints M&T Bank as Escrow Holder, as that term is referred to herein.

Section 6. The President of the Board of Education and all other officers, employees and agents of the School District are hereby authorized and directed for and on behalf of the School District to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including to correct or amend the documents and certificates authorized to complete the transactions contemplated by this resolution.

Section 7. In the absence or unavailability of the President of the Board of Education, the Vice President of the Board of Education is hereby specifically authorized to exercise the powers delegated to the President of the Board of Education.

Section 8. This resolution shall take effect immediately upon its adoption by the Board of Education of the School District.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Kevin Davenport - Excused  
Jill Fecher - Aye  
Glenn Jackson - Aye  
John Talarico - Aye  
Timothy Talbot - Excused  
Shannon Cohen - Aye  
Michael Sage - Aye

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

12.12 Club Creation  
Culture, Climate and Inclusivity

Moved by Cohen seconded by Jackson to approve the creation of a Culture, Climate and Inclusivity Club at the high school, as submitted.  
Vote on the motion: 5 Ayes 0 Nays



- 12.13 Contract – Jonathan Rizzo
- Motion approved.
- Moved by Fecher seconded by Cohen to approve the agreement between the Lancaster Central School District and Jonathan Rizzo, as submitted.
- Vote on the motion:    5 Ayes            0 Nays
- Motion approved.
- 12.14 Contract – Christopher Taber
- Moved by Cohen seconded by Fecher to approve the agreement between the Lancaster Central School District and Christopher Taber, as submitted.
- Vote on the motion:    5 Ayes            0 Nays
- Motion approved.
- 12.15 Contract – James Welch
- Moved by Fecher seconded by Jackson to approve the agreement between the Lancaster Central School District and James Welch, as submitted.
- Vote on the motion:    5 Ayes            0 Nays
- Motion approved.
- 13.0 Public Hearing
- Nobody addressed the board at this time.
- 14.0 Adjournment
- At 7:43pm moved by Jackson seconded by Talarico to adjourn the regular session.
- Vote on the motion:    5 Ayes            0 Nays
- Motion approved.

Sandra A. Janik, District Clerk