#### REGULAR MEETING OF THE BOARD OF EDUCATION – January 24, 2023

The Regular Meeting of the Board of Education of the Johnson City Central School District, held in the Board Room of the Johnson City High School, 666 Reynolds Road, Johnson City, Broome County, New York was called to order by President Matyas at 7:00 p.m. on Tuesday, January 24, 2023.

President Matyas led the Pledge of Allegiance to the Flag. Upon roll call,

Board Members present: Nicholas J. Matyas, President

Jeannette Farr, Trustee Stephen Barrows, Trustee Shannon Edmondson, Trustee Matthew Jablonowski, Trustee Richard G. Martinez, Trustee Amber Stallman, Trustee

Also present were: Eric Race Superintendent of Schools; Elisa Eaton, Assistant Superintendent for Administration; Joseph Guccia, Assistant Superintendent for Teaching, Learning, and Accountability; and Jalynn Doig, Board Clerk.

BOARD RECOGNITION The following students were recognized for participating in the district's first EDU-111 class and/or Youth Apprenticeship Program:

- Aaron Brown - Alex Kroplewski

Donovan BurgherHannah BuzaKyra Moore

- Savannah Coleman - Arianna Ostrander - Harrison Hauer-Ross - Madelyn Ralph

- Trinity Ingram

#### ROUTINE MATTERS

MIN. 1/10/22 MINUTES: January 10, 2023 – Regular Meeting approved as presented. REGULAR MOTION: Trustee Edmondson SECOND: Trustee Martinez

MEETING CARRIED UNANIMOUSLY

FINANCIAL DECEMBER 2022 – APPROVED

STATEMENTS MOTION: Trustee Jablonowski SECOND: Trustee Stallman

CARRIED UNANIMOUSLY

COMMUNI- President Matyas shared a memo outlining donations to JC Connects and the

CATIONS Wildcat Food & Clothing Center during December and January.

#### POLLING OF THE BOARD MEMBERS – PROPOSED EXECUTIVE SESSION

MOTION: Trustee Jablonowski SECOND: Trustee Edmondson

CARRIED UNANIMOUSLY

<u>Upon the polling of the Board, a motion was made to leave open session at 7:17 p.m. to enter into executive session to discuss CSE recommendations that are made part of the official minutes filed in the permanent record and collective bargaining negotiations, specifically JCEA.</u>

The following attended Executive Session: Trustees Matyas, Farr, Jablonowski, Barrows, Martinez, Edmondson, Stallman. Also attending: Eric Race, Joseph Guccia, Elisa Eaton, Jalynn Doig MOTION to Adjourn Executive Session: Trustee Jablonowski SECOND: Trustee Martinez CARRIED UNANIMOUSLY – The Regular Meeting reconvened at 7:42 p.m.

#### REPORT - SUPERINTENDENT OF SCHOOLS

MOTION: Trustee Jablonowski SECOND: Trustee Edmondson CSE

**RECOMMEND-CARRIED UNANIMOUSLY** 

ATIONS Upon the recommendation of the Superintendent, the Board approved the

CSE recommendations.

A. INSTRUC-The high school business department provided a program overview which included courses offered, participation numbers, future challenges/goals, and TIONAL

the year's highlights. REPORT

B. BOARD <u>Instruction/Curriculum Committee</u>: The committee's discussion topics **COMMITTEE** were possible additions/name changes to the course catalogue, accountability, upcoming professional development, and computer-based testing. **REPORTS** 

> Campus Committee: The committee discussed the BOE prioritization survey for upcoming projects. The board agreed with the committee recommendation to move forward with turf/track resurfacing. They discussed possibilities for a small-scale capital improvement project, video scoreboard, and reestablishing a project committee for this work.

> Policy Committee: The committee is continuing ongoing discussion regarding several policy revisions, a new policy, and refining the Code of Conduct to reflect current practices.

Audit Committee: The committee is awaiting the internal audit report and discussed the desk review on title funding which provided an opportunity to review and improve practices.

C. LEGAL MOTION: Trustee Edmondson SECOND: Trustee Jablonowski Upon the recommendation of the Superintendent and Assistant Superintendent **ISSUES** (CONT'D.) for Administration, the Board approved the budget transfers.

Upon roll call the vote was as follows: - Budget

**Transfers** (7) Trustees Matyas, Farr, Jablonowski, Barrows, Ayes:

Edmondson, Martinez, Stallman

Noes: (0)Abstains: (0) Absent:

President Matyas declared the motion approved.

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# C. LEGAL ISSUES

 Amended EPC Contract **MOTION:** Trustee Martinez

SECOND: Trustee Edmondson

RESOLUTION AMENDING THE PIGGYBACKING ENERGY PERFORMANCE CONTRACT WITH TRANE U.S. INC. AND AUTHORIZING THE ACCEPTANCE OF THE AMENDED EPC

WHEREAS, the Board of Education (the "Board") of the Johnson City Central School District (the "District"), pursuant to Section 9-103 of the New York State Energy Law and 8 NYCRR 155.20, is authorized to enter into energy performance contracts ("EPCs") for the provision of energy services, contingent upon approval by the New York State Commissioner of Education; and WHEREAS, the Board resolved to enter into a Piggybacking contract with Trane U.S. Inc. ("Trane") for an EPC concerning potential capital improvements to District facilities that are appropriate projects to be completed under an EPC, resulting in a scope of work to be completed at the High School and K-8 Building, (the "Capital Project"); and

WHEREAS, Trane submitted and the Board accepted a Piggybacking proposal for the Capital Project for the sum total amount of \$2,005,217; and WHEREAS, Trane's Piggybacking proposal for the Capital Project did not include certain "soft costs" resulting in a deficit of approximately \$155,000 for the Capital Project, necessitating the amendment of the Trane EPC to the increased amount of \$2,160,217; and

**WHEREAS**, concurrently with this resolution, the Board is authorizing the execution and delivery of an amended lease purchase agreement as set forth hereinabove.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Education of the Johnson City Central School District, after review and discussion, hereby approves the amendment of Trane U.S. Inc.'s Piggybacking EPC to construct the Capital Project for the increased amount as set forth herein; and be it

**FURTHER RESOLVED**, that such award shall not be executory until approval by the New York State Commissioner of Education; and be it

**FURTHER RESOLVED**, that the Superintendent is hereby authorized to sign and deliver, after approval by the State Commissioner of Education, the amended EPC for the Capital Project as set forth herein, and implement the same on behalf of the District; and be it

C. LEGAL ISSUES (CONT'D)

**FURTHER RESOLVED**, that this resolution shall take effect immediately. Upon roll call the vote was as follows:

Ayes: (7) Trustees Matyas, Farr, Jablonowski, Barrows, Edmondson, Martinez, Stallman

Noes: (0) Abstains: (0) Absent: (0)

President Matyas declared the motion approved.

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C. LEGAL ISSUES -EPC Lease

**MOTION:** Trustee Martinez

SECOND: Trustee Edmondson

# RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR THE PURPOSE OF FINANCING CAPITAL IMPROVEMENTS IN CONNECTION WITH AN ENERGY PERFORMANCE CONTRACT

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed;

WHEREAS, the Johnson City Central School District, Broome County, New York (the "School District") has heretofore entered into an energy performance contract (the "EPC") with Trane U.S. ("Trane"), which EPC was not executory until approval by the State Commissioner of Education, for various energy efficiency improvements as further described in the Scope of Work attached to said EPC, including original equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith for a total maximum estimated cost, of not to exceed \$2,005,217 (the "Project"); and

**WHEREAS**, to finance the cost of the Project, the School District will seek proposals from parties interested in acting as lessor (the Lessor") in a fifteen year energy performance contract lease purchase agreement as authorized and defined under Article 9 of the Energy Law, and Section 109-b of the General Municipal Law; and

**WHEREAS**, such Project financing approval did not include certain soft costs in the amount of \$155,000; and

**WHEREAS**, it is now desired to approve the financing of this Project, at a new maximum estimated cost of \$2,160,217 and to authorize execution of an equipment lease purchase agreement ("LPA") with the Lessor;

#### NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Education hereby authorizes the entering into of an LPA in an amount not to exceed \$2,160,217 for the aforedescribed Project, subject to counsel approval of all documentation in connection therewith.

Section 2. The School District hereby determines that it has critically evaluated the financing alternatives available to it pursuant to the requirements of Title 2 Part 39 of the New York Codes, Rules and Regulations ("NYCRR") Section 39.2 and that entering into the LPA and financing the Project thereby is in the best interests of the School District as the LPA results in a lower overall cost thereof to the School District.

Section 3. In accordance with paragraph (f) of subdivision 2 of Section 109-b of the General Municipal Law, the School District's obligation under the LPA shall be subject to annual appropriation by the Board of Education of the School District as set forth in the LPA and the School District's obligation under the LPA shall not constitute a general obligation of the School District nor constitute indebtedness under the Constitution or laws of the State of New York.

Section 5. It is hereby determined that the Project is a class of objects or purposes described in subdivision 97 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said class of objects or purposes is thirty years, calculated from the date of issuance of the LPA. This determination shall be conclusive upon the effective date of the LPA. Pursuant to paragraph 1 of Section 9-103 of the Energy Law of the State of New York, the School District is authorized to enter into energy performance contracts of up to thirty-five

C. LEGAL ISSUES (CONT'D.) -EPC Lease C. LEGAL ISSUES (CONT'D.) - EPC Lease years duration, limited by the reasonably expected useful life of the object or purpose subject to such energy performance contract, and pursuant to Title 8, Part 155 of NYCRR, Section 155.20, the School District is authorized to enter energy performance contracts of not to exceed the lesser of eighteen years or the useful life of the equipment being installed.

Section 5. It is therefore hereby further determined the term of the LPA authorized by this resolution will be less than eighteen years, which is less than the reasonably expected aggregate average useful life of the objects or purposes subject to the EPC and does not exceed the term of the EPC in accordance with the requirements of Education Law Section 3602(6)(i)(5)(i).

Section 6. The President of the Board of Education, as chief fiscal officer of the School District, is hereby authorized, on behalf of the School District, to execute an LPA in a form reviewed and approved by counsel to the School District in order to finance the Project described in the preambles hereof. The President of the Board of Education is hereby further authorized to execute and deliver such additional documents, certificates, undertakings, agreements or other instruments as the President of the Board of Education, with advice of counsel, may deem necessary or appropriate in connection therewith and do and cause to be done any and all acts and things necessary or appropriate for carrying out the transaction contemplated hereby.

Section 7. The President of the Board of Education is hereby further authorized, with the advice of counsel, if so required, to execute and deliver such agreements with a bank or trust company located and authorized to do business in New York State and in a form reviewed and approved by counsel for the School District to serve as escrow agent for the proceeds of the LPA, including amendments thereto, as may be necessary, in order to effectuate the financing of the Project.

<u>Section 8.</u> This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the Project described herein.

<u>Section 9.</u> This resolution shall take effect immediately.

Upon roll call, the vote was as follows:

Ayes: (7) Trustees Matyas, Farr, Jablonowski, Barrows,

Edmondson, Martinez, Stallman

Noes: (0) Abstains: (0) Absent: (0)

President Matyas declared the motion approved.

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D. PERSONNEL -

TIONAL

**INSTRUC-**

MOTION: Trustee Jablonowski

SECOND: Trustee Edmondson

SECOND: Trustee Martinez

CARRIED UNANIMOUSLY

Upon the recommendation of the Superintendent of Schools, the Board

approved the following:

#### SUBSTITUTE APPOINTMENTS

Name	Tenure Area / Certification		Effective Dates
Anthony Darling	Science	Uncertified	1/18/2023 - 3/6/2023
Lauren Moerler	Elementary	Childhood Ed. 1-6 –	1/23/2023-6/9/2023
	-	Internship Certificate	

#### DAILY SUBSTITUTE APPOINTMENT

Name	Certification	Effective Date
Juliana Tobin	Uncertified	1/25/2023

E. PERSONNEL-NONINSTRUC- CARRIED UNANIMOUSLY TIONAL

MOTION: Trustee Jablonowski

Upon the recommendation of the Superintendent of Schools, the Board

approved the following:

## APPOINTMENTS

Name	Position / Location		Effective Date
Samantha Walsh	Teacher Aide, PT	Districtwide	01/25/23
Kiara Walker	Teacher Aide, PT	Districtwide	01/25/23

## **CHANGES IN CLASSIFICATION**

Name	From / To		Effective Date
Christopher Cicak	Sub. Laborer	Cleaner, FT	1/25/23
Dara Vimalavong	Sub. Food Service Worker	Food Service Worker, PT	01/25/23

#### RESIGNATIONS

Name	Position / I	Effective Date	
Harry Striley	Substitute Food Service Worker	Districtwide	01/09/23
Shoeba Ansari	Substitute Food Service Worker	Districtwide	01/20/23

F. CONFERENCE REQUESTS MOTION: Trustee Martinez CARRIED UNANIMOUSLY

SECOND: Trustee Jablonowski

Upon the recommendation of the Superintendent, the Board approved:

Date(s)	Conference	Attendee(s)
3/7/23-3/8/23	NYS Teacher Center Spring Symposium Latham, NY	S. Yagley

G. FIELD TRIP REQUESTS

MOTION: Trustee Jablonowski CARRIED UNANIMOUSLY

SECOND: Trustee Edmondson

<u>Upon the recommendation of the Superintendent of Schools, the Board approved the following:</u>

Date of Trip	Destination	Requesting Org./Group	Purpose
1/26/23	JC Fire Station/Pizza on	S. Rosato	Community
	the Plaza	HS Living Center	Experience
	Johnson City, NY		
2/3/23-	Ithaca College	J. Chudacik	NYSSMA Area
2/4/23	Ithaca, NY	10-12 Music	All-State
2/4/23	ME Middle School	C. Ruston	
	Endwell, NY	Science Olympiad	Competition
2/9/23	Dollar Tree/Food &	S. Rosato	Community
	Fire/Post Off.	Living Center	Experience
	Johnson City, NY	_	_
2/28/23	BOCES	J. Pizza	CTE Day
	Binghamton, NY	Gr. 10 Students	-
3/3 – 3/5/23	Smugglers' Notch	E. Adolf	Ski
	Jeffersonville, Vermont	Ski Club	Trip

H. BUILDING & GROUNDS REQUESTS

MOTION: Trustee Jablonowski CARRIED UNANIMOUSLY

SECOND: Trustee Edmondson

Upon the recommendation of the Superintendent of Schools, the board approved the following:

Organization	Facility Requested	Timeframe	Purpose
Science & Technology Entry Program	HS Conf. Rm. 137	10:30 AM – 12:30 PM Wed. 1/18 - 6/07/2023	Academic Counseling
Science & Technology Entry Program	HS Science Classroom	2:20 – 4:15 PM Tues. 1/17 - 6/13/2023	After School Programing Workshop
J.C. Connects Community Schools	Elem. Café.	5:00 – 8:00 PM 1/26/2023- Thurs.	Pre-K/ Kindergarten Family Night
Johnson City Little League	MS & Elem. Gym	2/01 – 3/31/2023 5:00 – 9:00 PM M, W, F	Open Gyms
Binghamton University Physics Dept.	Elem. LGI & Old Café	3:20 – 5:10 PM 2/01, 2/08, 2/15, 2/22, 3/01, 3/08/2023 Wed.	POP Science Program
JC Connects Community Schools	HS A102, A103	2/9/2023 5:00 – 8:00 PM	GRAND Care
JCA2A	HS Gym, Lobby, Concession	2/23/23 2:30 – 10:00 PM	Charity BB Game

I. BOARD OPEN DISCUSSION Superintendent Race discussed the Governor's State of the State Address. President Matyas discussed the Board of Education retreat scheduled for March. Trustee Martinez commented on the student attendance rate being the lowest it has been in five years.

J. VISITORS There were no visitors that wished to speak.

K. REGULAR MEETING ADJOURNED MOTION: Trustee Jablonowski CARRIED UNANIMOUSLY

The Regular Meeting adjourned at 9:32 p.m.

Jalynn Doig
Board Clerk

SECOND: Trustee Stallman