



**NORTH BELLMORE UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION
MINUTES – OCTOBER 12, 2023**

Business Meeting	Martin Avenue School 2616 Martin Avenue, North Bellmore, NY 11710	6:30 PM
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The Business meeting of the North Bellmore Union Free School District Board of Education was held on Thursday evening, October 12, 2023, in the All Purpose Room of the Martin Avenue School at 2616 Martin Avenue, Bellmore, New York, and was recorded.

The following members of the Board of Education were present:

- Christine Malloy, President
- Nina Lanci, Vice President
- Melissa Cmar-Grote
- Rosemarie Corless
- Christopher Nardo

Also present:

- Marie Testa, Superintendent of Schools
- Janet Pollitt, Assistant Superintendent for Curriculum and Instruction
- Jacqueline Rehak, Assistant Superintendent for Business
- Steven Goodstadt, District Counsel
- Laurice Gunnels, District Clerk

CALL TO ORDER The meeting was called to order at 6:31 p.m. A motion was made by Mrs. Lanci, seconded by Mrs. Cmar-Grote to move into an executive session. Motion was carried 5-0. The meeting reconvened at 7:45 p.m.

PLEDGE OF ALLEGIANCE Mrs. Malloy led those present in the Pledge of Allegiance.

MISSION STATEMENT Mrs. Lanci read the District’s Mission Statement. Mrs. Malloy called for a moment of silence for the students and families in the Farmingdale School District and regarding the events that are occurring in the Middle East. Mrs. Malloy reflected on the daily challenges experienced in the lives of all in the local and global communities, and reminded everyone the importance to be hopeful and supportive of each other.

Mrs. Malloy reported that the BOE is aware of the situation surrounding the Martin Avenue security guard including communications sent by community members, the Martin Avenue PTA meeting held this past Tuesday night, and the related discussions between Mrs. Testa and the parents regarding this matter. In furtherance, Mrs. Malloy explained due to privacy considerations and due process the BOE will not be discussing matters of personnel or any such related issues at this meeting.

SPECIAL PRESENTATIONS:
***Newbridge Road Sixth
 Grade BOE Representatives***

Mrs. Malloy happily welcomed the sixth-grade students present this evening representing the Newbridge Road School:

- Saide Heim
- Colin McGovern
- Enzo Volpe

The students thanked the BOE for the opportunity to meet with them this evening to speak about the Newbridge Road family and the amazing educational programs available to them. The students individually spoke of the heart of Newbridge Road School, the faculty, who guided them to learn and grow, the custodians for maintaining and keeping their environment clean, the kitchen personnel for preparing their lunch, and to the amazing staff, they thanked them for welcoming them each day with friendly greetings, morning announcements, and activities.

Mrs. Testa spoke to how difficult it is to stand up and speak in public, and expressed how proud she was of all of them on their presentation. Mrs. Testa again recognized each student individually and Mrs. Malloy congratulated and presented each student with a certificate.

***Nawrocki Smith -Audit
 Presentation: Fiscal School
 Year Ending June 30, 2023***

Mr. Christopher Angotta, a partner at the firm of Nawrocki Smith, presented the results of the June 30, 2023, year-end audit presentation to the Board of Education. His firm he explained is hired to do the audit of the district's financial statements in addition to performing a single audit of the Federal Award Programs administered thereto. Mr. Angotta reported meeting with the BOE Audit Committee on October 5 to review the results in detail. He described the district's timely accurate closing of books and records, and noted no significant deficiencies or material weaknesses were cited. Mr. Angotta expressed gratitude and complimented the Business Office specifically Mrs. Rehak and Mr. Newman for their tremendous efforts throughout the course of the audit.

BOE DISCUSSION:
***NBUFSD Transportation
 Policy Nos. 8410 and 8413
 Education Law 3635***

Mrs. Rehak prepared a detailed power point presentation in response to a request by the BOE to present an overview of the NBUFSD Transportation policies. A copy of this presentation is available on the website.

Mrs. Rehak began by detailing the mileage requirements for transportation under NYS Education Law 3635 and North Bellmore adopted policies, and described the provisions applied to students attending public, private, and parochial schools up to a distance of fifteen miles.

- NYS Education Law 3635:
 - Grades K-8: More than two miles.
 - Grades 9-12: More than three miles.
 -
- North Bellmore UFSD (Policies 8410/8413):
 - Grades K-3: More than one-half mile.
 - Grades 4-6: More than one mile.

BOE DISCUSSIONS:
NBUFSD Transportation
Policy Nos. 8410 and 8413
Education Law 3635
(continued)

Mrs. Rehak explained transportation policies must be voter approved and any changes to the approved mileage limits must go through a public vote. Taxpayers can petition the BOE to place a separate referendum on the ballot at the annual budget vote to make changes to the policy. Mrs. Rehak addressed the impact that transportation changes in policy would have upon the overall budget:

- A decrease in transportation mileage limits will increase the budget and possibly cause the tax levy to surpass the tax cap. A supermajority vote (60 percent) would be required for approval of the budget.
- State Aid for transportation is recomputed every three years based on a non-allowable pupil decimal report. Non-allowable pupils are non-disabled students who live 1 ½ miles or less from the school that are transported. A decrease in mileage and an increase in pupils you could result in a reduction of transportation aide.
- A change in the transportation policy resulting in an increase in ridership will affect the tax levy upon the taxpayer.

Mrs. Testa reminded all of the 2018/19 fiscal school year when a transportation referendum was on the ballot, and spoke to the results of the vote.

- Proposition 2A / 9.15 percent (232 votes) ... Change mileage limit in Grades 4-6 to ½ mile.
- Proposition 2B / 33.68 percent (854 votes) ... Raise mileage limits K-6 to NYS statutory limit of 2 miles.
- Proposition 2C / 57.18 percent (1,450 votes) ... Maintain current mileage limits of K-3 at 1/2 mile and 4-6 at one mile.
- Proposition 3 / Increase mileage limit for students attending private and parochial schools from 15 miles to 17.5 miles ... 452/yes and 1982/no.

Mrs. Testa reported the transportation policies based upon the voting community remained status quo and, though, the annual budget received majority status failed due to the supermajority vote requirement of 60 percent. As a result, Mrs. Testa indicated the district went out for a revote on the same budget in June 2018 at an additional expense and it passed with a majority vote.

In closing, Mrs. Rehak spoke to an overall 60 percent increase in transportation costs since 2018/19, and an increase in transportation mileage/students could generate approximately \$1M to \$2M in cost. She indicated if a referendum is made to the BOE for a public vote, a full analysis of the costs, etc. will need to be done with the consortium.

Usage of Digital Component
for BOE Meetings

The BOE had requested the district to do an analysis of the livestream attendance with respect to potentially reinstating livestream meetings. Mrs. Testa extended gratitude to Mr. Fischetti for providing the analysis, and detailed for the BOE the breakdown between community and staff attendees, the potential impact of the subject matter upon the attendance, and how many attendees overall remained for the entire meeting.

**Usage of Digital Component
for BOE Meetings
(continued)**

Based on BOE discussion and the data provided, the BOE recommended live-stream for those meetings illustrating higher attendance only (March, April, and June meetings), i.e., tenure, retiree, and special presentation evenings (art and music), and will revisit the option again in the future based on the results of these parameters.

APPROVAL OF MINUTES

On a Motion by Mrs. Lanci, seconded by Mrs. Cmar-Grote, and carried 5-0, the Board of Education approved the minutes of the Business meeting of September 14, 2023.

**PUBLIC COMMENTS
(Agenda Items only)**

Guidelines for Public Comments was communicated by Mrs. Malloy on behalf of the Board of Education relating to Agenda Items ONLY: *“Any person wishing to make comments or raise questions shall complete an information card. Questions are to be addressed to the Board President, not to individual board members. Personal attacks on individual board members, administrators, and staff will not be tolerated and may be cause to adjourn the meeting. There will be no back and forth dialogue. Out of courtesy and fairness on the rest of the audience, it would be appreciated if each visitor would limit his/her remarks to not more than three minutes or ask only one question. Public discussion on matters relating to staff and students at which their reputation, privacy, or rights to due process, or those of others could be in some violated is prohibited”.*

A female parent/community member at the meeting attempted to hold an open discussion describing a particular student/classroom. Mrs. Testa interrupted her and informed her that matters relating to students are not addressed in public and was redirected numerous times by both Mrs. Malloy and Mrs. Testa to fill out a card so her question(s) can be reviewed and addressed as per the parameters clearly outlined by Mrs. Malloy. Disruption of the meeting continued and Mrs. Testa reminded again the importance of following the guidelines. Mr. Goodstadt, District’s Counsel, interjected and reiterated the School District is not going to address student matters in public and maybe submitted to the Superintendent in private. Verbal outbursts and total disregard for meeting protocol continued. Mrs. Testa reminded the importance of the Code of Conduct and those in violation may be asked to leave and/or the meeting adjourned. Due to inappropriate behavior and total disregard for meeting protocol outlined the meeting was recessed.

MOTION FOR RECESS

On a Motion made by Mrs. Lanci, seconded by Mrs. Cmar-Grote, and carried 5-0, the meeting was recessed at 8:41 p.m.

MOTION TO RECONVENE

On a Motion made by Mrs. Lanci, seconded by Mrs. Corless, and carried 5-0, the meeting reconvened at 8:56 p.m. Mr. Goodstadt addressed the audience on the manner to which questions/comments are to submitted in writing for review and reiterated that matters relating to students and/or staff cannot be discussed in public session. He indicated any such outburst like before will give cause for an adjournment of the meeting.

CORRESPONDENCE

Mrs. Malloy advised that the Board received correspondence and were discussed during Executive session.

**TREASURER'S
REPORT**

On a Motion made by Mrs. Lanci, seconded by Mrs. Corless, and carried 5-0, the Board of Education approved the Treasurer's report for the month ended August 31, 2023.

**BOARD COMMITTEE / HIGH
SCHOOL REPORTS**

Mrs. Lanci reported the high school district met last week. She proudly informed that the Bellmore Merrick Central High School District was ranked No. 28 in the nation and No. 8 in New York State. Mrs. Lanci praised the Build-On Club at Mepham High School who raised over \$50,000 to build two new schools in Cingoli and in Nicaragua, and congratulated the students and staff on this huge accomplishment. Mrs. Lanci reported due to rain many homecoming events had to be canceled but will be rescheduled. The next meeting is scheduled for November 1.

FINANCE

11.1 The Board of Education acknowledged the review of the warrants that had been approved by the Claims Auditor for the month of September 2023.

11.2 On a Motion made by Mrs. Corless, seconded by Mr. Nardo, and carried 5-0, the Board of Education, upon the recommendation of the Superintendent of Schools, accepted the Audit Report for the fiscal year ended June 30, 2023, as presented by Nawrocki Smith, LLP, Certified Public Accountants.

11.3 On a Motion made by Mrs. Lanci, seconded by Mrs. Cmar-Grote, and carried 5-0, the Board of Education hereby accepted the 2022-23 Internal Audit Risk Assessment Corrective Action Plan.

11.4 On a Motion made by Mrs. Lanci, seconded by Mrs. Corless, and carried 5-0, the Board of Education hereby accepted the 2022-23 Use of Facilities Internal Audit Corrective Action Plan.

**SUPERINTENDENT'S
REPORT**

See *BOE Discussions/NBUFSD Transportation Policies*.

**CONSENT AGENDA
(Item Nos. 12.1-15.7)**

On a Motion by Mrs. Lanci, seconded by Mrs. Cmar-Grote, and carried 5-0, the Board of Education approved Item Nos. 12.1 through 15.7.

PERSONNEL REPORT

12.1 BE IT RESOLVED, that the Board of Education approve the Personnel Report dated October 12, 2023.

- A. Appointments
- B. Change of Status
- C. Leave Requests
- D. Resignations
- E. Terminations

STAFF DEVELOPMENT

12.2 BE IT RESOLVED, that the Board of Education approve the Staff Development Report dated October 12, 2023.

BUSINESS REPORT

See *BOE Discussions/NBUFSD Transportation Policies*.

CPSE/CSE REPORTS

14. 1 BE IT RESOLVED, that the Board of Education approve the CPSE and CSE reports dated October 5, 2023.

BUSINESS CONTRACTS

15.1 BE IT RESOLVED, that the Board of Education approve the following contracts for the 2023-24 school year:

- Barry & Florence Freidberg JCC
- Horizon Healthcare Staffing (Nursing)
- Horizon Healthcare Staffing (Services)
- LI Emergency Care Training, LLC
- Merrick Woods Country Day School
- Mind Prep Tutoring (Nursing)
- New York Therapy Placement Services, Inc. (Academic Tutoring)
- New York Therapy Placement Services, Inc. (Services)
- Pearlcare Search Group, LLC (Services)
- St. John's University
- Supplemental Health Care (Services)
- Supplemental Health Care (Nursing)
- TLC at Brookside, Inc.

DISPOSAL OF DISTRICT PROPERTY

15.2 BE IT RESOLVED, that the Board of Education declare obsolete and approve the excess of two old refrigerators located at Park Avenue School that are broken and beyond repair, North Bellmore Serial Nos. 000171 and 20091243.

**SECOND READING AND ADOPTION:
Policy No. 5699**

15.3 The Board of Education accepts Policy 5699: Data Security and Privacy for a second reading and adoption.

AMENDMENT TO EMPLOYMENT AGREEMENT

15.4 BE IT RESOLVED, that the Board of Education of the North Bellmore Union Free School District approves and authorizes the School District to enter into a First Amendment to an Employment Agreement 2023-2028 between Marie Testa, Superintendent of Schools, and the School District.

NASSAU BOCES TRANSPORTATION CONTRACT

15.5 BE IT RESOLVED, that the Board of Education approve the 2023-24 Transportation Contracts for transportation with Nassau BOCES.

EDUCATIONAL EXPENSE REIMBURSEMENT

15.6 BE IT RESOLVED, that the Board of Education hereby authorizes the District to reimburse the parents of a child made known to the District for their expenses associated with obtaining an Independent Educational Evaluation in the area of central auditory processing for a one-time cost of \$2,516.00 to be paid upon submission of invoice and proof of payment. (Confidential Attachment "A" on file in District Office)

ED DATA

15.7 BE IT RESOLVED, that the Board of Education of the North Bellmore Union Free School District authorizes an agreement with Ed-Data; and

ED DATA
(continued)

BE IT FURTHER RESOLVED that the Board of Education of the North Bellmore Union Free School District authorizes the Board President to sign the agreement with Ed-Data on the School District's behalf.

OLD BUSINESS

No old business was raised.

PUBLIC COMMENTS

Guidelines for Public Comments was communicated by Mrs. Malloy on behalf of the Board of Education: *"Any person wishing to make comments or raise questions shall complete an information card. Questions are to be addressed to the Board President, not to individual board members. Personal attacks on individual board members, administrators, and staff will not be tolerated and may be cause to adjourn the meeting. There will be no back and forth dialogue. Out of courtesy and fairness on the rest of the audience, it would be appreciated if each visitor would limit his/her remarks to not more than three minutes or ask only one question. Public discussion on matters relating to staff and students at which their reputation, privacy, or rights to due process, or those of others could be in some violated is prohibited"*.

Mr. Smart: *Security – the big picture – bully issue – and proper care for victim. What is your security plan, door alarms, etc.?* Mrs. Malloy indicated the District Safety Plan is posted on the district's website. Mr. Smart then attempted to clarify his question. Mrs. Testa inquired if his question was related to the recent reassignment and Mr. Smart responded affirmatively. Mrs. Testa explained that questions with respect to this cannot be answered due to privacy issues. Mr. Smart then inquired about security cameras and door alarms. Mrs. Testa thanked Mr. Smart for the question and replied that the district has many cameras and cannot disclose the locations for security reasons. The district she explained is actively working with the vendor on alarm updates. Mr. Smart then posed a question with respect to bullying. Mrs. Testa responded that due to the privacy of the student and the staff members mentioned she would be unable to answer this question in public.

The meeting again was met with disruptive outbursts and Mr. Goodstadt, District Counsel, firmly advised that this is the final warning regarding this behavior. The BOE members reminded those in attendance of meeting protocol and that a card must be completed with questions and comments.

Kristin: *Since tomorrow is the global Jihad, how is the school protecting the students?* Mrs. Malloy responded that the district is actively working with Homeland Security and the Nassau County Police Department, and there is a plan in place.

Ms. DiRubbio: *How does the district define "safety" for our children ... you remove our security guard, but you have our children on a public IG account... why weren't waivers of consent not sent out and instead hidden on Page 24 of the calendar... why were my safety concerns not addressed when I sent my e-mail to Principal Yannucci and Mrs. Testa ... why are dogs permitted on school property when an e-mail and signs are posted around ... when are we getting a permanent school security guard.* Mrs. Malloy responded with respect to safety the District Safety Plan is posted on the website. Ms. DiRubbio clarified her question as to safety concerns regarding children's photos and information on Instagram and Twitter,

PUBLIC COMMENTS
(continued)

exposure of children on social media, and parental waivers of consent with respect to same. Mrs. Testa thanked Ms. DiRubbio for her questions and understood her concerns. Mrs. Testa indicated many parents have different views on what type of media they want their children illustrated in so written notification of parental preferences if waiving consent is required and spoke to revisiting the consent process. Regarding Instagram and Twitter, she indicated the information Ms. DiRubbio shared was sent to the buildings with respect to the items reported. Mr. Fischetti approached and spoke to the security controls that are presently in place for the social media accounts. In closing, Mrs. Testa displayed appreciation of Ms. DiRubbio's concerns and asked Mr. Fischetti to contact her for further discussion regarding her ideas. In response to Ms. DiRubbio's question regarding dogs on the premises, Mrs. Testa indicated the only dogs permitted on the grounds are service dogs, and asked Mrs. Malone to provide any further information obtained thus far with respect to this matter. Mrs. Malone informed the BOE that it is a civil right issue, limited questions can be asked, and service dogs are not required to wear identifying collars or vests. She indicated the matter is still under investigation as it was only brought to the district's attention last week.

Ms. Dzechowski (Oak Street) – *You stated at the PTA meeting you asked for [redacted] every year. Did you do anything to try to prevent his reassignment?* Mrs. Testa reported every year a performance evaluation is done of the security guards and the district did request his return. In furtherance, she indicated when a situation occurs the third-party employer investigates it. Allied investigated the matter, and based on the details and communication provided during the process, the security guard was reassigned.

The meeting again was abruptly interrupted by another female parent/community member shouting comments from the floor and using personal attacks in the form of verbal insults. Mrs. Testa attempted to redirect her in the guidelines, but due to the continuous disrespectful disruption in violation of meeting protocol an adjournment of the meeting was called.

POTENTIAL EXECUTIVE SESSION

Motion was made to enter into Executive Session to discuss matters of personnel by Mrs. Lanci at 9:28 p.m., seconded by Mrs. Cmar-Grote, and carried 5-0. The meeting reconvened at 9:55 p.m.

ADJOURNMENT

On a Motion by Mr. Nardo, seconded by Mrs. Lanci, and carried 5-0, the Board of Education meeting was adjourned at 9:57 p.m. The next business meeting will be held on Thursday, November 2, 2023.

Respectfully submitted,

Laurice Gunnels
District Clerk