

**SPECIAL BOARD MEETING OF THE
MALVERNE UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

MINUTES

March 16, 2020

Danielle Hopkins	Phyllis M. Tinsley	Laura Avvinti	Josephine Bottitta	Jeanne D'Esposito	AGENDA ITEM:	ACTION TAKEN:
M	Y	Y	S Y	Y	<p><u>BOARD MEMBERS PRESENT</u> Danielle Hopkins, Phyllis Tinsley, Laura Avvinti Josephine Bottitta, and Jeanne D'Esposito</p> <p>Also present were: Dr. James Hunderfund, Steven Gilhuley Dr. Spiro Colaitis , Christopher Caputo</p> <p><u>I - CALL TO ORDER</u> The meeting was held in the Central office conference room Danielle Hopkins called the meeting to order at 2:40pm Seconded by Josephine Bottitta 5 Yes, 0 No, Motion carried</p>	Call to Order
M	Y	Y	S Y	Y	<p><u>II -EXECUTIVE SESSION</u> Danielle Hopkins motioned to retire into executive session at 2:40 pm Seconded by, Josephine Bottitta 5 Yes, 0 No, Motion carried</p>	Executive Session
S Y	Y	Y	M Y	Y	<p><u>III -ADJOURNMENT OF EXECUTIVE SESSION</u> Josephine Bottitta motioned to adjourn the executive session at 3:21 pm Seconded by, Danielle Hopkins 5 Yes, 0 No Motion carried</p>	Adjournment Of Executive Session
M	Y	Y	Y	S Y	<p><u>IV -OPENING OF PUBLIC SESSION</u> Danielle Hopkins motioned to open the public meeting at 3:22 pm Seconded by, Jeanne D'Esposito 5 Yes, 0 No Motion Carried</p>	Opening of Public Session
Y	Y	Y	Y	S Y	<p><u>V – NEW BUSINESS</u></p> <p>A. BE IT HEREBY RESOLVED, that the Board of Education of the Malverne Union Free School District accepts the 2018-2019 Federal Single Audit report (Single Audit report of R.S Abrams) and corrective action plan in response to the 2018-19 Single Audit of R.S. Abrams.</p>	New Business Acceptance of the 2018/2019 Federal Single Audit report Single Audit report of R.S. Abrams

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				<p><u>RESOLUTION TO AUTHORIZE CAPITAL RESERVE FUND ESTABLISHMENT PROPOSITION</u></p> <p>WHEREAS, the Board of Education of the Malverne Union Free School District has determined that there is a need to create a capital reserve fund to cover, in whole or in part, the cost of future capital improvements, renovations and/or alterations of School District facilities, as well as future equipment and/or motor vehicles purchases, to be funded with available monies from the District’s fund balance and/or reserves, as authorized herein; and</p> <p>WHEREAS, the Board desires that a proposition be presented to the voters of the School District authorizing the establishment of a capital reserve fund for said purposes; and</p> <p>NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes and directs that the following proposition be placed before the voters of the Malverne Union Free School District at the Annual District Meeting to be held between the hours of 7:00 a.m. and 9:00 p.m. on May 19, 2020, 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 a notice thereof, four times within the seven (7) weeks next preceding the district election, the first publication to be at least forty-five (45) days before the election, 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.</p> <p><u>PROPOSITION NO.2</u> <u>(Establishment of Capital Reserve Fund III):</u></p> <p>BE IT RESOLVED, that the Board of Education of the Malverne Union Free School District is hereby authorized to establish a capital reserve fund, known as the “Capital Reserve Fund III,” at the terms set forth below, in order to fund future capital projects. Any proposed project to be undertaken with these funds will require voter authorization at a future public vote. The Capital Reserve Fund III will not impact the school budget or the tax rate. It will be funded with available monies from the District’s fund balance and/or reserves, as authorized herein. The Capital Reserve Fund III will be created in accordance with the provisions of Education Law section 3651, for the purpose of funding future district wide improvements, renovations and/or alterations, including but not limited to construction, renovation, improvement, alteration and/or replacement of district wide facilities</p>	<p>Approval to Authorize Capital Reserve Fund Establishment Proposition</p>
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				<p>and property, capital improvements related to changes in future enrollment, other infrastructure improvements and similar projects, and the purchase or acquisition of equipment and motor vehicles, and associated or incidental work, services and expenses. Such capital reserve fund shall be for a probable term of twelve (12) years and will commence on June 30, 2020 and expire on June 30, 2032. The capital reserve fund will be capitalized in a total amount not to exceed Ten Million Dollars (\$10,000,000), plus interest, during the term of the fund. The source of the funding of the capital reserve fund shall include an annual transfer of surplus money, if any, from the District's General Fund's unassigned fund balance, as may be available as of the end of each fiscal year from June 30, 2020 through and including June 30, 2032, and any other sources permitted by law, including transfers from existing reserves.</p> <p>B. BOARD RESOLUTION:</p> <p style="text-align: center;"><u>ANNUAL ELECTION AND BUDGET VOTE AND PUBLIC NOTICE</u></p> <p>BE IT RESOLVED by the Board of Education of the Malverne Union Free School District, as follows:</p> <p><u>Section I:</u> The Annual District Meeting and Election of the Malverne Union Free School District shall be held on Tuesday, May 19, 2020 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 2020-21 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.</p> <p><u>Section II:</u> An Annual Public Budget Hearing for the purpose of discussion of the expenditure of funds and the budgeting thereof for school purposes for the 2020-2021 school year shall be held on Tuesday May 12, 2020, at 8:00 p.m. in the Malverne High School Library, Ocean Avenue, Malverne, New York.</p> <p><u>Section III:</u> 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.</p> <p><u>Section IV:</u> 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</p>	<p>Approval of Annual Election and Budget Vote and public notice</p>
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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*, *The Herald*, and *Noticia* three 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 19, 2020, 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

Appendix A 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
TO BE HELD ON MAY 19 2020**

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 19, 2020, 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 12, 2020 at 8:00 p.m. at the Malverne High School Library, Ocean Avenue, Malverne, N.Y. for the purposes of discussing funds for the proposed 2020-2021 School Budget.

PLEASE TAKE FURTHER NOTICE that the vote upon the appropriation of necessary funds to meet the necessary expenditures for the school year 2020-2021, on all propositions duly filed with the Board of Education, and to fill one (1) vacancy on the Board of Education shall be held in the gymnasium of the Howard T. Herber Middle School on Tuesday, May 19, 2020 between 7:00 a.m. and 9:00 p.m. The qualified voters shall fill the following vacancy: the office of Jeanne D’Esposito, current member of the Board of Education which term expires June 30, 2020, and for a new term commencing on July 1, 2020 and expiring on June 30, 2024. The qualified voters shall also vote upon the following propositions:

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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 2020-2021 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 (Establishment of Capital Reserve Fund III):

BE IT RESOLVED, that the Board of Education of the Malverne Union Free School District is hereby authorized to establish a capital reserve fund, known as the "Capital Reserve Fund III," at the terms set forth below, in order to fund future capital projects. Any proposed project to be undertaken with these funds will require voter authorization at a future public vote. The Capital Reserve Fund III will not impact the school budget or the tax rate. It will be funded with available monies from the District's fund balance and/or reserves, as authorized herein. The Capital Reserve Fund III will be created in accordance with the provisions of Education Law section 3651, for the purpose of funding future district wide improvements, renovations and/or alterations, including but not limited to construction, renovation, improvement, alteration and/or replacement of district wide facilities and property, capital improvements related to changes in future enrollment, other infrastructure improvements and similar projects, and the purchase or acquisition of equipment and motor vehicles, and associated or incidental work, services and expenses. Such capital reserve fund shall be for a probable term of twelve (12) years and will commence on June 30, 2020 and expire on June 30, 2032. The capital reserve fund will be capitalized in a total amount not to exceed Ten Million Dollars (\$10,000,000), plus interest, during the term of the fund. The source of the funding of the capital reserve fund shall include an annual transfer of surplus money, if any, from the District's General Fund's unassigned fund balance, as may be available as of the end of each fiscal year from June 30, 2020 through and including June 30, 2032, and any other sources permitted by law, including transfers from existing reserves.

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 2020-2021, 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 between 9:00 a.m. and 3:00 p.m. during the 14 days immediately preceding said election of May 19, 2020, excluding Saturday, Sunday and holidays, and at such annual election.

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				<p>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.</p> <p>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.</p> <p>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., between 9:00 a.m. and 5:00 p.m., not later than the 30th day preceding election, this year April 20, 2020. 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.</p> <p>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 20, 2020, 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.</p> <p>PLEASE TAKE FURTHER NOTICE that the Board of Registration shall meet on Thursday, April 23, 2020 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 Friday, May 8, 2020 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</p>	
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				<p>thereafter entitled to vote at the annual district elections for which such register is prepared.</p> <p>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 (2016-2019) prior to preparation of the said register; and (3) those voters permanently registered with the Board of Elections of the County of Nassau.</p> <p>PLEASE TAKE FURTHER NOTICE that the Board of Registration will further meet during the Annual District Election on May 19, 2020 for the purpose of preparing a register for District meetings or elections to be held subsequent to May 19, 2020. The Register shall be filed in the District Clerk’s Office where it shall be open for inspection by any qualified voter between 9:30 a.m. and 1:30 p.m. on each of the five days prior to the day set for election, except Sunday, and at the polling place on election day.</p> <p>PLEASE TAKE FURTHER NOTICE that applications for absentee ballots may be applied for at the District Clerk’s Office. A list of all persons to whom absentee ballots shall have been issued will be available in the District Clerk’s Office on each of the five days prior to the day of the election, except Sundays.</p> <p>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 school district may obtain a registration form by contacting the District Clerk by telephone (516 -887-6483), facsimile (516-596-2910), email (lr Ridley@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 9:30 a.m. to 2:30 p.m. A military voter who is duly registered may apply for a military ballot by requesting an application form from 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 23, 2020. Completed military ballots must be received by 5:00 p.m. on May 19, 2020 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 19, 2020 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.</p>	
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M Y	Y	Y	Y	S Y	<p>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.</p> <p>Dated: March 16, 2020</p> <p>BY ORDER OF BOARD OF EDUCATION MALVERNE UNION FREE SCHOOL DISTRICT TOWN OF HEMPSTEAD COUNTY OF NASSAU, NEW YORK</p> <hr style="width: 20%; margin-left: 0;"/> <p>LISA RIDLEY DISTRICT CLERK</p> <p><u>VI. ADJOURNMENT</u></p> <p>Danielle Hopkins motioned to adjourn the public meeting at 3:25pm Seconded by, Jeanne D’Esposito 5 Yes, 0 No</p>	Approval of Adjournment