

**Board of Education Meeting Minutes
November 17, 2021**

Present: Jamie Doucette (President), Matthew Edwards (Member), Catherine Edwards (Member), Christian Arsenault (Superintendent/Principal), Jim Eagan (Business Manager) and Public.

1. Community Session:

1.1 Call to Order- President Jamie Doucette called the meeting to order at 5:32pm.

1.2 Additions to Agenda-

5.9 Senior Class Trip Update

1.3 Public Participation- None.

1.4 Celebrations:

A. Quarter 1 Honor Roll- Congratulations were given to all of the students who made honor roll for the first quarter.

B. IPP Halloween Festival- Mr. Arsenault thanked IPP for putting the event together.

2. Business Reports

2.1 Warrants Approved by Claims Auditor- There was a question regarding a double payment. Mr. Eagan verified that one of those payments was input by mistake and has been voided.

A. Warrant #10- October 21, 2021- Paid

B. Warrant #Pending- November 18, 2021- Unpaid

2.2 Business Manager Reports- No questions or comments.

A. Revenue-Expense Status Report (October)

B. Treasurer Report (October)

2.3 2020-2021 Budget Transfers- No questions or comments.

3. Board Committee Reports

3.1 Faculty Housing Committee (FHC)- The minutes were presented to the Board. The Faculty Housing Committee is still discussing long-term plans for faculty housing and will continue to report to the Board.

3.2 Safety Committee- The Safety Committee met to discuss current protocols. The committee discussed the HOBY leadership conference for 10th grade students. The Safety Committee is comfortable with selected students to attend as the HOBY conference requires specific safety protocols and vaccinations to participate. The committee also discussed the NYS mask mandate and the potential for future mask advisories during increased illness seasons. The Board did not have any questions.

3.3 Personnel Committee- The personnel committee did not meet this past month, but Mr. Arsenault wanted to discuss the replacement of the school secretary. The office is currently discussing the job description and timeline to bring to the Board. Mr. Arsenault thanked Mr. Eagan and Mrs. Horn for their increased workload during this time.

4. Action Items

4.1 Approval of the October 20, 2021 Board of Education Meeting Minutes- Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.

4.2 Approval of the October 20, 2021 Audit Committee Meeting Minutes- Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.

4.3 Approval of the Board Meeting Procedures Policy #2350 Revision (Second Reading)- Motion made by Catherine Edwards, seconded by Matthew Edwards. All in favor/none opposed.

4.4 Approval of the Board Meeting Agenda Preparation and Dissemination Policy #2342- Motion made by Catherine Edwards, seconded by Matthew Edwards. All in favor/none opposed.

4.5 Approval of the Fuel Oil Bid from Z and S Fuel for 2021-2022- Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.

4.6 Approval of the Correction Action Plan for the FY2021 Financial Audit- Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.

4.7 Approval of the Extension for the Letter of Intent with Walsh Park Benevolent Corporation for Winthrop Drive Land Sale- This item was tabled as additional Board members were needed for voting.

4.8 Approval of the appointment of Thomas Shillo as Board of Education Member Effective November 17, 2021- June 30, 2022- Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.

5. Administrative Report

5.1 Capital Improvement Project- The bid letter for the project was sent to Mr. Arsenault for review. The walkthrough with bidders is projected for February with bids to be accepted in March.

5.2 NEASC Accreditation- This process is still being worked on during faculty meetings.

5.3 Reimbursement for Generator Grant Project- No updates.

5.4 Walsh Park/FIS Land Sale (Winthrop Drive)- The letter of intent will potentially be extended at the next Board meeting. The letter is non-binding and specifies that the district would inform Walsh Park of any third-party offers on the land.

5.5 Reservoir Road Potential Land Sale- The two appraisals have been received and distributed to the Board. One appraisal was for \$820,000 and the other was for \$925,000. Mr. Arsenault has emailed the district's attorney to get guidance on the next steps.

5.6 Parent Teacher Conferences- Conferences will be held remotely on November 30th. Parents will schedule their conferences between 2pm and 4pm on that day. Students will have a shortened schedule which includes an activity block with a supervisor at 2pm.

5.7 Community Gymnasium Use- Community member, Tim Hoch, has requested access to the school gymnasium for basketball. He would wear a mask in the building and adhere to any other safety protocols requested of him. The safety committee is in favor of this building use so long as he wore a mask and disinfected. The Board would like to push this topic to the next meeting and is requesting additional information as to how

many people would be practicing with him.

5.8 Public Participation Policy #1230 Revision- This was a first reading of the policy.

5.9 Senior Class Trip- The senior class is requesting that the Board of Education allow a senior trip on Royal Caribbean Cruise to the Bahamas during the April vacation. Mrs. Eastman discussed the health and safety protocols that would be required for this trip. The class would also be inviting a parent of each child at the parent's expense. Mrs. Eastman and Mrs. Giles would be the chaperones of the trip, but parents would also need to adhere to school trip policies. Mr. Arsenault informed the Board that he would be in support of the trip due to the safety protocols. He also reached out to the district's attorney who indicated that the parents must understand the safety protocols and financial risk. Mr. Arsenault informed the class advisors that the trip could be cancelled at any time due to health and safety reasons up to the date of the trip and all funds lost would be at the expense of the class. The Board will vote on this topic at the next meeting which is tentatively a Special Meeting to be held on Monday, November 29, 2021.

6. Information Packet

6.1 NYSIR Legal Digest- No questions or comments.

7. Public Participation- None.

8. Adjournment- Motion to adjourn made by Matthew Edwards, seconded by Catherine Edwards at 6:07pm.

Recorded by: Aly Horn

**Board of Education Special Meeting Minutes
November 29, 2021**

Present: Jamie Doucette (President), Bill Bloethe (Vice President), Matthew Edwards (Member), Catherine Edwards (Member), Thomas Shillo (Member), Christian Arsenault (Superintendent/Principal), and Public.

1. Community Session:

- 1.1 Call to Order-** President Jamie Doucette called the meeting to order at 12:35pm.
1.2 Public Participation- None.

2. Action Items

- 2.1 Approval of the Community Use of School Gymnasium-** The Board had previously requested additional information from Tim Hoch on his request as to who in the community would be utilizing the gym. Mr. Hoch had identified that the individuals would only be him Mr. Tim Hoch (requestor) and his brother Mr. Zack Hoch. If approved, they would wear masks during use and disinfect after use. Motion made by Matthew Edwards, seconded by Catherine Edwards. All in favor/none opposed.
- 2.2 Extension of the Letter of Intent with Walsh Park Benevolent Corporation -for Winthrop Drive Land Sale-** This item was tabled during the regular November meeting to have additional Board members present for voting. This document is strictly to extend the letter with the same guidelines. Motion made by Bill Bloethe, seconded by Thomas Shillo. All in favor/none opposed.
- 2.3 Approval of the 2022 Class Trip-** The class of 2022 would like to travel on a cruise out of New Jersey to Florida and the Bahamas in April 2022. Students would be vaccinated and would also abide by all health requirements as required by the cruise company. Per cruise policy, the students would receive a refund for cancellations prior to January 15, 2022 and the students/parents are aware that they would lose their funds if they needed to cancel after January 15, 2022. They are also aware that the Board and Superintendent reserve the right to cancel the trip at any time for health/safety reasons. Motion made by Thomas Shillo, seconded by Matthew Edwards. All in favor/none opposed.

3. Public Participation- None.

4. Adjournment- Motion to adjourn made by Bill Bloethe, seconded by Thomas Shillo. All in favor/none opposed. Meeting adjourned by Jamie Doucette at 12:42pm.

Recorded by: Aly Horn

Board of Education Special Meeting Minutes
December 6, 2021
12:00 PM

Present: Jamie Doucette (President), Bill Bloethe (Vice President), Matthew Edwards (Member), Catherine Edwards (Member), Christian Arsenault (Superintendent/Principal), and Public.

1. School Community Session- 12:00 pm

- 1.1 Call to Order/ Pledge of Allegiance- President Jamie Doucette started the meeting at 12:01pm.
- 1.2 Public Participation- None.

2. Action Items

- 2.1 **Approval of the Resolution Delegating Authority to the President of the Board of Education of the Fishers Island Union Free School District to Authorize, from Time to Time and Year to Year, the Issuance and Sale of Tax Anticipation Notes of the District, in Anticipation of the Collection of Real Estate Taxes or Assessments Levied or to be Levied-** Taxpayer funds from the Town of Southold do not come on a regular schedule and many schools borrow funds to be paid back upon receiving those funds. This resolution gives the Board President authority to borrow every year moving forward. Motion made by William Bloethe, seconded by Matthew Edwards. All in favor/none opposed.

3. Public Participation- None.

4. Adjournment

Public Participation at Board Meetings

The Board of Education encourages public comment on school related matters at Board meetings, as outlined in this policy. To allow members of the public to address the Board, a period not to exceed 30 minutes will be set aside during the first part of each Board meeting for public comment, with priority given to comments on items on the meeting's agenda. A second 30-minute time period will be set aside at the end of each Board meeting for public comment on matters pertaining to the district but not on the agenda. These periods may be extended by a majority vote of the Board. Public comment may be made by individuals whom attend

Persons wishing to address the Board will advise the Board President or the Superintendent of Schools within a reasonable time prior to the start of the public comment period of the meeting. Presentation should be as brief as possible. No speaker will be permitted to speak for longer than three minutes. Speakers may not give unused time to other speakers. Speakers may comment on any matter related to district business; any agenda item; or matters related to agenda items specifically or district matters generally, depending on the public comment section.

The Board will not permit in public session discussion involving individual district personnel or students. Persons wishing to discuss matters involving individual district personnel or students should present their comments and/or concerns to the Superintendent during regular business hours.

All speakers and observers are to conduct themselves in a civil manner. Obscene language, defamatory statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Persons making presentations at a Board meeting will address remarks to the President and may direct questions or comments to Board members or other district officials only upon the approval of the President. Board members and the Superintendent have the privilege of asking questions of any person who addresses the Board, but commenters should not expect to engage in discussion with the Board. However, the Board may correct comments that are not accurate, and may refer to an existing policy when it answers a question.

Questions and comments from the public concerning matters which are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action. Persons wishing to have matters included on the agenda will contact the Superintendent in accordance with Policy 2342, Agenda Preparation and Dissemination.

The President will be responsible for the orderly conduct of the meeting and will rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented, as outlined in this policy and applicable provisions of law and regulation, and subject to the Board's parliamentary procedure. If there is disagreement about whether a speaker's topic falls within the topics permitted for public comment, the whole board will vote on the issue.

The President will remind speakers whose presentations are inconsistent with this policy of the rules for public comment. For speakers that continue to violate this policy, the President may discontinue the presentation or call for a brief recess of the meeting. The President may order the removal of speakers from the speakers' area, or from the meeting in general, or may close the public comment period.

For members of the public who are unwilling or unable to speak during public comment periods, including when these periods are closed, they may submit comments to the Board in writing, to the following address: PO Box 600, Fishers Island, NY 06390. Complaints from the public are addressed in Board policy 1400.

All individuals at Board meetings are expected to abide by the rules for Public Conduct on School Property as set forth in the district's Code of Conduct. At board meetings, speakers and observers may not engage in behavior that disrupts the meeting, such as shouting, interrupting others, blocking the free movement of others, or obstructing the views of others. In the event of such disruption, the President will remind those in attendance of the rules under this policy. Any Board member may request a brief recess of the meeting. The President may order the removal of those who are a threat to the safety of others or who disrupt the orderly conduct of the meeting. If appropriate, law enforcement may be called to remove disruptive individuals.

Cross-ref:

1400, Complaints from the Public
2342, Agenda Preparation and Dissemination
5300, Code of Conduct

Ref:

Appeal of Kushner, 49 EDR 263 (2010) (boards not required to allow the public to speak)
Matter of Martin, 32 EDR 381 (1992) (boards need not permit nonresidents to speak)
Appeal of Wittneben, 31 EDR 375 (1992) (boards encouraged to permit citizens to speak)
Matter of Kramer, 72 St. Dept. Rep. 114 (1951) (boards may put time limits on public speaking)
NYS Department of State, Committee on Open Government, Advisory Opinions OML-AO-
#2696 (1/8/1997), OML-AO-#2717 (2/27/1997), OML-AO-#3295 (4/16/2001), OML-AO-#3518
(8/30/2002), [OML-AO-#4024 \(8/23/2005\)](#), OML-AO
#4044 (9/30/2005), OML-AO-#4141 (2/24/2006), OML-AO-#4292 (12/6/2006), [OML-AO-
#4573 \(3/3/2008\)](#), [OML-AO-#5296 \(6/12/2012\)](#), OML-AO-#5607 (2/22/2019)

Adoption date: May 18, 2005

Revision date: January 18, 2017

Revision date:

APPENDIX "A" TO NOTICE OF PRELIMINARY HEARING

Docket No.: EE-22-006

Reference No.: 13747

Facility Name: Fishers Island School

Code Section	Violation Description	Date(s) of Violation
1801	Code Requirements: [1803.3(e)(1)]; [1801.5(a)]	08/25/2021
1803	<p>The results or records of any sampling, testing, inspection, or monitoring must be maintained for at least five years.</p> <p>Every facility must maintain all records required by this Article (in hard copy or electronic format) a minimum of five years and make them available to the Department within three business days following the Department's request, except for the results of the last 30 days of leak detection monitoring, which must be immediately available at the time of request.</p>	

Inspector Findings:

Leak detection records for this tank are not being maintained for at least five years. Leak detection monitoring records of at least the past five years for this tank were not made available within three business days of the Department's request for an unscheduled inspection or were not made available immediately at the time of a scheduled inspection. Leak detection monitoring records of the last 30 days for this tank were not immediately available at the time of request.

- Tank #2 (8,000 gallon #2 fuel oil)

Corrective Action:

Facility must maintain leak detection monitoring records for at least five years and make available at the time of a scheduled inspection or within three business days of an unscheduled inspection.

Facility must make the last 30 days of leak detection records immediately available at the time of request.

Due to COVID closure and change in personnel there was a gap in 2020 for detection. Detection has resume as normal and there are records back to 2015.

1801
1803

Code Requirements: [1803.3(e)(1)]; [1801.5(a)]

08/25/2021

The results or records of any sampling, testing, inspection, or monitoring must be maintained for at least five years.

Every facility must maintain all records required by this Article (in hard copy or electronic format) a minimum of five years and make them available to the Department within three business days following the Department's request, except for the results of the last 30 days of leak detection monitoring, which must be immediately available at the time of request.

Inspector Findings:

Leak detection records for the piping associated with this tank are not being maintained for at least five years. Leak detection monitoring records of at least the past five years for the piping associated with this tank were not made available within three business days of the Department's request for an unscheduled inspection or were not made available immediately at the time of a scheduled inspection. Leak detection monitoring records of the last 30 days for the piping associated with this tank were not immediately available at the time of request.

- Tank #2 (8,000 gallon #2 fuel oil)

Corrective Action:

Facility must maintain leak detection monitoring records for at least five years and make available at the time of a scheduled inspection or within three business days of an unscheduled inspection.

Facility must make the last 30 days of leak detection records immediately available at the time of request.

This is the same as finding number 1. Finding number one is in reference to the tank itself and this is in reference to associated pipes. Gap in reporting due to COVID closure and personnel changes. Has resumed as normal and records are available back to 2015.

1803

Code Requirement: [1803.1(b)(4)(iii)]

08/25/2021

The facility must maintain accurate as-built information records for the life of every Category 2 or 3 UST system in accordance with 1802.1(b)(4)(iii).

Inspector Findings:

This facility does not have an as-built diagram showing the location of every Category 2 and 3 underground tank system.

- Tank #2 (8,000 gallon #2 fuel oil)

Corrective Action:

Maintain accurate as-built diagram for this tank and retain records for the life of the tank. Records must be made available at the time of inspection.

This was not requested during the inspection and is available in the main office.

1803

Code Requirement: [1803.2(b)(2)(i)]

08/25/2021

This is an annual test done by AARCO environmental which was not done in 2020. In process of being scheduled for this month (Dec 2021)

All UST systems equipped with cathodic protection systems must be inspected for proper operation by a qualified cathodic protection tester at yearly intervals.

Inspector Findings:

The cathodic protection systems for this tank and the piping associated with this tank have not been tested for proper operation by a qualified cathodic protection tester at least annually.

- Tank #2 (8,000 gallon #2 fuel oil)

Corrective Action:

Facility must have cathodic protection system tested for proper operation by a qualified cathodic protection tester at least annually and submit test results to Department upon receipt of this notice.

1803

Code Requirement: [1803.3(a)(1)(ii)]

08/25/2021

The probe is in the spot that the inspector had the district move it to last year. Aly Horn is contacting the inspector to see where it should be placed.

Continuous electronic monitoring probes must be installed and calibrated in accordance with the manufacturer's instructions.

Inspector Findings:

The electronic monitoring probe is not properly positioned in accordance with the manufacturer's instructions. The fill sump sensor is not at the lowest point in the sump.

- Tank #2 (8,000 gallon #2 fuel oil)

Corrective Action:

Facility must rigidly mount electronic monitoring probe and position vertically at the lowest point in the sump.

08/25/2021

1804

Code Requirement: [1804.3(a)(1)(i)]

AST monthly inspection must include the exterior surface of the tank and associated equipment, the secondary containment of the AST, the monitoring equipment for cathodic protection, leak detection, the accessible portions of the piping and ancillary equipment, and any other systems. Every facility having an AST system must inspect the AST system at monthly intervals in accordance with section 760-1804.3(b)(1) of this Article.

Lapse in reporting during COVID only. All other monthly reporting records on file for AST.

Inspector Findings:

This tank has not been inspected monthly.

- Tank #3 (310 gallon diesel~e-gen)

Corrective Action:

Facility must perform monthly inspections and maintain records on site for at least five years and make records available at the time of a scheduled inspection or within three business days of an unscheduled inspection.

Delegates seek changes on virtual meetings

On Board Online • November 8, 2021

By Paul Heiser

Senior Research Analyst

School boards need greater flexibility in holding meetings remotely, according to resolutions that passed at NYSSBA's Annual Business Meeting.

The meeting was held remotely on Oct. 18. The number of school boards represented by delegates was 312 - the largest turnout in at least five years.

One passed resolution directs NYSSBA to support updates to the state's Open Meetings Law to allow board members to attend meetings remotely via video conferencing without disclosing their location and without permitting public in-person access to an individual trustee's remote location.

Delegate Lisa Anderson of the Hendrick Hudson school board, which sponsored the resolution, said it would promote the safety of board members without compromising the public's ability to observe the meeting. The measure passed by a margin of 93% to 7%. Another resolution with similar goals passed with 66% in favor.

Four resolutions were approved with no debate and by large margins. They called for NYSSBA to:

1. Advocate for state funding to help school districts make and implement decisions in the best interest of the global environment. This was the first time NYSSBA has taken a position targeting climate change. (The term "climate change" does not appear in the resolution but is in the first line of the rationale submitted by its sponsor, the Voorheesville school board.)
2. Support legislation at the state and federal levels to end local responsibility to pay for school meals by having state or federal agencies assume full fiscal responsibility for student nutrition. Sponsored by the Washingtonville school board, this resolution also breaks new ground in NYSSBA advocacy.
3. Work with the state comptroller to ensure audits are based on statutory guidelines or provisions of state law, rather than subjective standards and preferences.
4. Support state legislation that would evaluate the efficacy of, and require use of, accurate recent data in future implementation of foundation aid.

Overall, 17 resolutions were adopted and six were not adopted. Seven proposed resolutions - five of which were introduced late - were not moved to be considered because they failed to receive a motion and a second. Each of the late resolutions failed to garner the necessary two-thirds support to be considered, as per the meeting's bylaws.

Sixteen of the adopted resolutions had been recommended by the Resolutions Committee, while the other adopted resolution had not received the Resolutions Committee's imprimatur.

The Resolutions Committee is a group of board members charged with reviewing all resolutions and bylaw amendments submitted by member boards of education and the NYSSBA Board of Directors. The committee determines which resolutions and bylaw amendments to recommend for consideration by voting delegates. The committee was comprised of one representative appointed by each of the 13 NYSSBA area directors, plus a representative of the Conference of Big 5 School Districts and the Caucus of Black School Board Members.

The one resolution that passed that was not recommended by the Resolutions Committee directed NYSSBA to seek legislative and/or policy changes to streamline the teacher certification process for teachers from out of state and those with previous teaching experience. This measure passed by a 70% to 30% margin.

The one resolution that was recommended by the Resolutions Committee that did not pass was in support of state legislation to establish guidelines to help school districts identify and capture data on the effects of climate change when planning and implementing school budgets. A number of delegates described this as an unfunded mandate. The measure failed, with 55% opposed.

Four of the approved resolutions - all adopted overwhelmingly - were previously adopted ones that were scheduled to sunset this year. One was a call for the state Legislature and governor to reform education funding in accordance with the tenets of adequacy, equity, flexibility, predictability and clarity. A second supported state proposals affecting public education that: provide access to programs that prepare students to be college- and career-ready; achieve equity and adequacy in funding; promote efficiency and cost-effectiveness; advance high expectations for all students; embrace innovative approaches and assessments; and foster community engagement and regional cooperation. The other two directed NYSSBA to support proposals that would allow students with disabilities to be tested at their developmental age and increase state and federal reimbursements for school meals.

There was extensive debate on a resolution that would have directed NYSSBA to oppose allowing school district voters to use no-excuse absentee ballots upon request for school board elections and budget votes. Proponents cited the need to ensure election integrity while opponents said they supported no-excuse absentee ballots to increase voter participation. The measure was defeated, with 69% opposed.

Defeated was a proposed amendment to NYSSBA's bylaws that would have required NYSSBA's annual business meeting be held in person each year, rather than at a time and place designated by the board of directors as association bylaws currently require. The amendment, which was not recommended by NYSSBA's Resolutions Committee, fell far short of the two-third majority required to change association bylaws. It garnered the support of only 32% of delegates.

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