

LI school bus companies sue 47 school districts, say payments were stopped



Buses at a Baumann lot in Oceanside in 2017. Credit: Howard Schnapp

By Jesse Coburn

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Updated December 30, 2020 8:00 PM

A group of family-owned Long Island school bus companies is seeking nearly \$20 million through lawsuits against 47 local school districts that allegedly stopped paying for busing after schools closed early in the pandemic last spring.

That move by the districts forced the companies — Baumann Bus, Baumann & Sons Buses, and Acme Bus — into bankruptcy, according to the lawsuits, leaving more than 1,200 staffers unemployed and ending the Baumann family's more-than-60-year history of busing children across Long Island.

The lawsuits, another ripple effect of the pandemic's widespread economic fallout, contend the districts breached their contracts with the Ronkonkoma-based companies when they ceased payments during the school shutdowns in the spring, although the districts had the money available to continue covering transportation costs.

"Every school district employee in the State of New York was paid," said Richard Hamburger, a Melville-based attorney who is representing the companies in the litigation. "The only people who didn't get paid in the school districts were the contractors."

While some of the Island's 124 districts have their own student transportation operations, many rely on private bus companies like Baumann to get students to and from school each day.

The 47 school districts span Nassau County and include some in Suffolk County. Newsday requested comments Wednesday from 36 of the districts. Twelve declined to comment, while another 23 did not respond.

The one district that did respond was Mineola. Michael Nagler, Mineola's superintendent, said the district did not pay Baumann because it never received an invoice.

"Once they filed suit, we asked them for an invoice, which we received and paid," he said.

The Baumann companies filed similar suits against a Hempstead charter school for about \$24,000 and a school district in Westchester County for about \$2.4 million.

The lawsuits, the first of which was filed earlier this month, also note that districts received pandemic relief funding last spring through the federal CARES Act, which stipulated districts should continue paying employees and contractors if possible. That funding, combined with the money already allocated for transportation, should have made it possible to continue paying the companies, the suits contend.

School districts have incurred additional costs because of the pandemic, however. Newsday reported last month that Long Island districts spent on average more than \$1.1 million to safely reopen schools this fall.

Roger Tilles, who represents Long Island on the state Board of Regents, said whatever money schools held on to last spring has likely gone toward the costs of reopening during the public health crisis, like buying computers for remote learning, and desk shields for classrooms.

"The money is certainly not going in anybody's pocket," he said.

Tilles said other Long Island school districts continued to pay bus contractors last spring — some to do things like bring lunches or course materials to children studying at home.



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