Date:	Monday, March 20, 2023
Type of Meeting:	Brasher Falls Central School District Regular Board of Education Meeting
Place:	St. Lawrence Central Elementary Library 6:00 P.M.
Members Present:	Sarah Ashley, Abdo Bejjani, Seth Belt, Sarah Bowles, Katy Brown, Terri Rios-Passon and Bethany St. Hilaire
Members Absent:	Courtney Hallahan and Julie Carvel-Liberty
Administrators Present:	Christopher Rose, Superintendent of Schools; Kathy Mitchell Business Manager; Kristen Zender, High School Principal; Jamie LaBarge, Middle School Principal; Danielle Colterman, Elementary Principal; Kevin Welsh, Director of Data & Technology and Timothy Redmond, Transportation/Building & Grounds Supervisor
Administrators Absent:	Katherine LaVigne, Dir. of Student Services (Conference)
District Clerk:	Cindy Delisle
Others:	Anne Avery-Truax, Darlene Bissonette, Chloe Debyah, Destiny Sturgeon, Raegan Grant, Madison Henry, Cayden Young and Lisa Winters.

Seth Belt, President, called the meeting to order at 6:00 p.m.

Seth Belt, President, led in the Pledge of Allegiance.

Presentations – HS Robotics with Mrs. Bissonette & Students, Chloe Debyah, Destiny Sturgeon, Raegan Grant, Madison Henry and Cayden Young. They introduced themselves, explained their part of the team and reported how they did in the three competitions and showed us their trophies.

Lisa Winters with Travel Club Proposal – she provided information to the Board members which included two different proposals from two companies. Each company provides scholarships and monthly payment plans. She has many fundraising ideas such as selling water at graduation; local businesses ask consumers to donate change to their program; pancake breakfast in the spring; and yard sale. She would like to plan an international trip for 2025 and then a domestic trip for 2026.

APPROVAL OF AGENDA

Motion made by Bethany St. Hilaire, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the agenda for this Regular Board of Education meeting.

Yeas: 7 Nays: 0
Motion Carried

APPROVAL OF MINUTES

Motion made by Sarah Ashley, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the minutes of the February 13, 2023 Regular Board of Education meeting, as per enclosure.

Yeas: 7 Nays: 0
Motion Carried

REPORTS

Mr. Rose reviewed the budget for next year; expenditures amount to $29,503,352 and revenue totals $28,860,813 at this time. We have been able to sure up a few costs; he went through the percentages for each area of the budget. Current budget increase amount is $1,696,789. Our gap now is $642,539 which is $100,000 less then our gap at this point last year.

Policy Reading – The Board of Education is presented with the second reading of new or revised policies by State or Federal Law and/or Regulation:

Bylaws:
- Policy 1240 – Resignations and Vacancies on the Board
- Policy 1270 - Absentee Ballots
- Policy 1330 – Appointments and Designations by the Board
- Policy 1336 – Duties of the Extraclassroom Activity Fund Central Treasure & Faculty Advisor

Community Relations:
- Policy 3230 – Public Complaints
- Policy 3310 – Public Access to Records
- Policy 3520 - Extraordinary Circumstances

Administration:
- Policy 4110 – Administrative Personnel
- Policy 4220 – DELETE POLICY – Abolishing an Administrative Position (Now part of 4110)

Non-Instructional Business Operations:
- Policy 5130 – Budget Adoption
- Policy 5140 – Administration of the Budget
- Policy 5150 – DELETE POLICY – Contingency Budget (Now part of 5130)
- Policy 5230 – Acceptance of Gifts, Grants and Bequests to the District
- Policy 5520 – Extraclassroom Activity Fund
- Policy 5570 – Financial Accountability
- Policy 5660 – Meal Charging and Prohibition Against Meal Shaming
- Policy 5672 – Information Security Breach and Notification
- Policy 5681 – School Safety Plans

AND

Policy Reading – The Board of Education is presented with the first reading of policies by State or Federal Law and/or Regulation:

Bylaws:
- Policy 1510 – Regular Board Meetings and Rules

Non-Instructional Business Operations:
- Policy 5684 - Fire and Emergency Drills, Bomb Threats and Bus Emergency Drills
- Policy 5750 - School Bus Safety
- Policy 5751 - Idling School Buses on School Grounds
- Policy 5760 - Qualifications of Bus Drivers
- Policy 5761 - Drug and Alcohol Testing for School Bus Drivers

Personnel:
- Policy 6120 – Equal Employment Opportunity
- Policy 6121 – Sexual Harassment in the Workplace
- Policy 6140 – Employee Medical Examinations
- Policy 6150 – Alcohol, Tobacco, Drugs and Other Substances (Staff)
- Policy 6211 - DELETE - Recruitment
- Policy 6213 - Registration and Professional Development
- Policy 6215 - Probation and Tenure
- Policy 6220 – Temporary Personnel
- Policy 6470 – Staff Use of Computerized Information Resources
- Policy 6471 – Use of Email in the District
- Policy 6492 – Employment of Retired Persons
- Policy 6550 – Leaves of Absence
- Policy 6570 – Remote Working
- Bus Accident Procedure

BOARD COMMUNICATIONS

a) ***Cindy Delisle, District Clerk*** - Board of Education Terms:
   i). Sarah Bowles – 5 year term
   ii). Bethany St. Hilaire – 5 year term

Petitions are available in the District Office anytime between 8 am and 4 pm and are due back on April 17, 2023 at 5:00 PM.

b) ***Seth Belt, President***
   i). Finance Committee will meet on April 5, 2023 at 3:30 PM
   ii). Library – Vote is on June 20th at the Badenhausen Reading Room and Petitions are due on May 22, 2022
   iii). Negotiations Committee last met on March 13, 2023.

ACTION ITEMS

FINANCIAL REPORTS

Motion made by Abdo Bejjani, seconded by Bethany St. Hilaire, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, accepts the following financial reports:

a) Treasurer's Report – February 2023
b) Claims Auditor Report – February 2023
c) Revenue Status Report – February 2023
d) Budget Status Report – February 2023
e) Budget Transfers – February 2023

Yeas: 7 Nays: 0
Motion Carried

FOR INFORMATION ONLY:

- Warrant/Check Register – February 2023
- Dashboard Report – March 2023

RESERVE EXPENDITURES

Motion made by Abdo Bejjani, seconded by Bethany St. Hilaire, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, authorizes expending $304,876 from the Retirement Contribution Reserve for the district's share of ERS contributions.

Yeas: 7 Nays: 0
Motion Carried

Motion made by Sarah Bowles, seconded by Terri Rios-Passon, that the Board of Education, upon recommendation of Mr. Rose, Superintendent of Schools, authorizes expending $72,850 from the Workers' Compensation Reserve for the payment of the district's premiums.

Yeas: 7 Nays: 0
Motion Carried

BUS PROPOSITION

Motion made by Abdo Bejjani, seconded by Sarah Ashley, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the below Bus Resolution:

RESOLUTION DATED MARCH 20, 2023 OF THE BOARD OF EDUCATION OF THE BRASHER FALLS CENTRAL SCHOOL DISTRICT AUTHORIZING A PROPOSITION TO BE PRESENTED TO THE VOTERS AT THE ANNUAL DISTRICT MEETING.

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BRASHER FALLS CENTRAL SCHOOL DISTRICT that the following proposition be presented to the voters at the annual meeting of such voters to be to be held on Tuesday, May 16, 2023:

PROPOSITION

SHALL the Board of Education of the Brasher Falls Central School District be authorized to: (1) acquire school buses, at a cost not to exceed $538,518 which is estimated to be the maximum cost thereof; (2) expend such sum for such purpose; (3) levy the necessary tax therefore, to be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education in accordance with Section 416 of the Education Law taking into account state aid and trade-in value; and (4) in anticipation of the collection of such tax, issue bonds, notes and/or installment purchase contracts of the District at one time or from time to time in the principal amount not to exceed $498,518, and levy a tax to pay the interest on said obligations when due.

BE IT FURTHER RESOLVED that the District Clerk is hereby directed to include notice of such proposition in the notice of the annual meeting.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

Yeas: 7 Nays: 0
Motion Carried

CAPITAL RESERVE FUND-ZERO EMISSION BUSES RESOLUTION

Motion made by Abdo Bejjani, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the below Capital Reserve Fund-Zero Emission Buses Resolution:

RESOLUTION DATED MARCH 20, 2023 OF THE BOARD OF EDUCATION OF THE BRASHER FALLS CENTRAL SCHOOL DISTRICT AUTHORIZING A PROPOSITION TO BE PRESENTED TO THE VOTERS AT THE ANNUAL DISTRICT MEETING.

BE IT RESOLVED, by the Board of Education of the Brasher Falls Central School District, that the following proposition providing for the establishment and funding of a capital reserve fund be presented to the voters of the school district at the 2023 annual budget vote and election:

PROPOSITION

RESOLVED, that the Board of Education of the Brasher Falls Central School District is hereby authorized to establish a capital reserve fund to be used to finance in whole or part the cost of acquisition of zero-emission buses, the acquisition, construction or reconstruction of District buildings and grounds, or other capital projects required to house and/or charge zero-emission buses in accordance with Education Law section 3651, in an ultimate amount not to exceed $4,000,000. The fund shall have a probable term of 15 years. The Board of Education is hereby authorized to pay into the fund in the 2022-23 school year and annually thereafter funds of the school district in an amount determined by the Board of Education up to the maximum authorized amount, from the fund balance or other legally available funds, from state aid reimbursement to the District on account of capital projects, and from such other monies as the voters may direct.

BE IT FURTHER RESOLVED that the District Clerk is hereby directed to include notice of such proposition in the notice of the annual meeting.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

Yeas: 7 Nays: 0
Motion Carried

CAPITAL OUTLAY PROJECT

Motion made by Abdo Bejjani, seconded by Sarah Ashley, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the following Capital Outlay Project for 2023-2024 SEQR resolution:

WHEREAS, the Board of Education of the Brasher Falls Central School District (the "Board") has considered the effect upon the environment of proposed work in connection with its Capital Outlay Project, including, but not limited to the following:

Improvements to the exterior stairs, building envelope and building interiors.

WHEREAS, the Board has reviewed the scope of the project presented by its architects and has further received and considered the advice of its architects with respect to the potential for environmental impacts resulting from the proposed action; and

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR Part 617.5(c), now therefore;

BE IT RESOLVED, by the Board of Education as follows:

1. The Proposed Action does not exceed thresholds established under 6 NYCRR Part 617 of the State Environmental Quality Review Act, (SEQRA).
2. The Board hereby determines the Proposed Action as a Type II action in accordance with the SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

Yeas: 7 Nays: 0
Motion Carried

OSWEGO COUNTY BOCES COOPERATIVE PURCHASING PROGRAM

Motion made by Bethany St. Hilaire, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the following Resolution authorizing participation in Oswego County BOCES Cooperative Purchasing Program:

WHEREAS, the Cooperative Purchasing Service is a plan of a number of public-school districts in the Oswego County Board of Cooperative Educational Services Area in New York (known as the Center for Instruction, Technology & Innovation [CiTi], to bid jointly for water testing and sampling services, and

WHEREAS, Brasher Falls Central School District (hereinafter the "Participant) is desirous of participating with Oswego County Board of Cooperative Educational Services/CiTi and other Boards of Cooperative Educational Services and public-school districts in the joint bidding of the services mentioned above as authorized by General Municipal Law, Section 119-o, and

WHEREAS, the participant wishes to appoint the Oswego County Board of Cooperative Educational Services/CiTi to advertise for bids, accept bids, tabulate bids and award bids on their behalf; therefore

BE IT RESOLVED, the participant hereby appoints Oswego County Board of Cooperative Educational Services/CiTi to represent it in all matters relating above, and designates the Oswego County Board of Cooperative Educational Services/CiTi designated newspaper(s) as the legal publication(s) for all Cooperative Purchasing bid notifications, and,

BE IT FURTHER RESOLVED, the participant authorizes the Oswego County Board of Cooperative Educational Services/CiTi to represent it in all matters leading up to the entering into a contract for the purchase of the above-mentioned services, and,

BE IT FURTHER RESOLVED, the participant agrees to (1) assume its equitable share of the costs of the Cooperative Bidding; (2) abide by majority decisions of the participating districts; (3) abide by the Award of the Oswego County Board of Cooperative Educational Services/CiTi; (4) and that after the award of the bid it will conduct all negotiations directly with the successful bidder(s).

Yeas: 7 Nays: 0
Motion Carried

JUUL LABS LITIGATION

Motion made by Terri Rios-Passon, seconded by Sarah Ashley, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the following Resolution authorizing partial settlement of the Vaping Litigation:

WHEREAS, in recent years the use and abuse of e-cigarettes and vaping devises increased dramatically among high school and middle school students, leading to significant risks of addiction and potentially life-threatening respiratory ailments; and

WHEREAS, students attending the Brasher Falls Central School District (the "School District") have not been immune to this phenomenon with the School District observing students using e-cigarettes and vaping devices in school and on school grounds; and

WHEREAS, the use of e-cigarettes and vaping devices by students has caused the School District to incur costs in the form of staff time, disciplinary proceedings, and other costs, with the expectation that these costs will only increase unless and until student use of these devices decreases and stops; and

WHEREAS, the School District authorized the law firms of Ferrara Fiorenza PC, and the Frantz Law Group, APLC, to initiate litigation against Juul Labs, Inc. and other parties by board resolution relating to the production, marketing, sale and distribution of e-cigarettes and vaping devices; and

WHEREAS, the litigation involved more than 1400 U.S. public school districts across more than 25 states; and

WHEREAS, a tentative settlement has been reached with Defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements; and

WHEREAS, litigation against Altria and remaining defendants will continue; and

WHEREAS, partial settlement means the School District would forever release all claims again Juul Labs and the other released entities; and

WHEREAS, in return, the School District would receive certain cash payments; and

WHEREAS, the amount that the School District receives will be based on a final allocation framework recommended by the court-appointed Special Master Thomas Perrelli with the allocation framework for all governmental entities including factors such as population and litigation risk and be no less than $19,565 for the School District; and

WHEREAS, an initial payment of approximately 54% of the settlement amount is anticipated to be paid by late 2023; and

WHEREAS, the remaining payments will be made in four installments anticipated in late 2023, 2024, 2025 and 2026; and

WHEREAS, the Board of Education (the "Board") has determined it is necessary, advantageous, desirable, and in the public interest and the best interests of the School District that it settle this litigation against Juul Labs, Inc. and continue the litigation against remaining other parties involved with e-cigarettes and vaping devices.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the School District, as follows:

1. The Board authorizes the partial settlement of the vaping lawsuit against defendant Juul Labs, Inc and certain individual board members, directors, executives and parties with whom Juul Labs, Inc. has indemnity agreements.
2. A Settlement with the substantive terms contained herein is hereby approved in substantially the form reviewed by the Board and together with such minor modifications as are deemed necessary by the School District's attorneys and administrators to protect the best interests of the School District.
3. The Board President, Superintendent and their designee(s) are hereby authorized to finalize, sign and enter into the Settlement Agreement on behalf of the School District and take all actions and execute all documents necessary or appropriate to carry out the intent of this Resolution.
4. This Resolution shall take effect immediately.

Yeas: 7 Nays: 0
Motion Carried

POLICY REVISIONS

Motion made by Bethany St. Hilaire, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools,

adopts the revisions of the following policy by State or Federal Law and/or Regulation:

Bylaws:
- Policy 1240 – Resignations and Vacancies on the Board
- Policy 1270 - Absentee Ballots
- Policy 1330 – Appointments and Designations by the Board
- Policy 1336 – Duties of the Extraclassroom Activity Fund Central Treasure & Faculty Advisor

Community Relations:
- Policy 3230 – Public Complaints
- Policy 3310 – Public Access to Records
- Policy 3520 - Extraordinary Circumstances

Administration:
- Policy 4110 – Administrative Personnel
- Policy 4220 – DELETE POLICY – Abolishing an Administrative Position (Now part of 4110)

Non-Instructional Business Operations:
- Policy 5130 – Budget Adoption
- Policy 5140 – Administration of the Budget
- Policy 5150 – DELETE POLICY – Contingency Budget (Now part of 5130)
- Policy 5230 – Acceptance of Gifts, Grants and Bequests to the District
- Policy 5520 – Extraclassroom Activity Fund
- Policy 5570 – Financial Accountability
- Policy 5660 – Meal Charging and Prohibition Against Meal Shaming
- Policy 5672 – Information Security Breach and Notification
- Policy 5681 – School Safety Plans

Yeas: 7 Nays: 0
Motion Carried

OPENING OF BALLOT BOXES

Motion made by Terri Rios-Passon, seconded by Abdo Bejjani, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the opening of the ballot boxes and the destruction of the ballots therein from the May 17, 2022 vote and election.

Yeas: 7 Nays: 0
Motion Carried

SCHOLARSHIP

Motion made by Katy Brown, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves a new scholarship/award by Liberty Utilities, as per enclosure.

Yeas: 7 Nays: 0
Motion Carried

CSE/CPSE/SECTION 504 CLASSIFICATIONS AND PLACEMENTS

Motion made by Sarah Ashley, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the CSE, CPSE, and Section 504 classifications and placements, as per enclosures.

Yeas: 7 Nays: 0
Motion Carried

EXECUTIVE SESSION

Motion made by Katy Brown, seconded by Sarah Ashley, that the Board of Education moves into Executive Session for the purpose of Session for the purpose of discussing 2 resignations; 2 retirements; 2 appointments, 11 substitute appointments and 5 adult volunteers and 3rd & 4th year probationary teacher progression at 7:14 pm.

Yeas: 7 Nays: 0
Motion Carried

Motion made by Bethany St. Hilaire, seconded by Terri Rios-Passon, that the Board of Education moves back into General Session at 8:33 pm.

Yeas: 7 Nays: 0
Motion Carried

ACTION ITEMS

RESIGNATION

Motion made by Sarah Bowles, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, accepts resignations from **Matthew Snyder** as music teacher effective at the end of the day on March 19, 2023 and from **Michael Dinan** as school counselor effective on June 30, 2023.

Yeas: 7 Nays: 0
Motion Carried

RETIREMENT

Motion made by Sarah Ashley, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, from **Venessa Oakes,** as Monitor/Dishwasher, effective at the end of the day on May 30, 2023 and from **Karen Oehler,** as Speech Pathologist, effective June 30, 2023.

Yeas: 7 Nays: 0
Motion Carried

APPOINTMENTS

Motion made by Bethany St. Hilaire, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, appoints **Joseph Lashomb** as a long term Music Teacher substitute, effective March 21, 2023, until such time, within the next few months, when he receives his Music Certification; [at that time, he will be appointed to a probationary position]. This appointment is at Step 1 of the Teachers' Contract.

Yeas: 7 Nays: 0
Motion Carried

Motion made by Katy Brown, seconded by Sarah Bowles, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, appoints **Jacob Fisher** as a long term Mathematics Teacher substitute, effective September 1, 2023, until such time, within a few months after appointment, when he receives his Secondary Mathematics Certification; [at that time, he will be appointed to a probationary position]. This appointment is at Step 1 of the Teachers' Contract.

Yeas: 7 Nays: 0
Motion Carried

SUBSTITUTE APPOINTMENTS

Motion made by Sarah Ashley, seconded by Terri Rios-Passon, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, appoints the following individuals in their respective substitute positions, pending security clearance:

- **LeahBeth Guerard** – Teacher and Teacher Assistant
- **Krystle Lincoln** – Teacher, Teacher Assistant and Teacher Aide
- **Nicholas Alfieri** – Teacher, Teacher Assistant and Teacher Aide
- **Justin Geary** – Teacher, Teacher Assistant and Teacher Aide
- **Carl Peacock** – Teacher Assistant, Teacher Aide and Bus Driver
- **Kara Johnson** – Cleaner
- **Roger Smith** – Cleaner and Bus Driver
- **Elaina Mitchell** - Cleaner
- **Terrie Mason** – Tutor
- **Cody Crump** - Teacher, Teacher Assistant and Teacher Aide
- **Jacob Fisher** - Teacher

Yeas: 7 Nays: 0
Motion Carried

ADULT VOLUNTEER APPOINTMENTS

Motion made by Sarah Ashley, seconded by Abdo Bejjani, that the Board of Education, upon the recommendation of Mr. Rose, Superintendent of Schools, approves the following individuals as Adult Volunteer Coaches, contingent on each of them obtaining their certifications, for the 2022-2023 school year:

- **Jennifer Moulton** – Softball
- **Sidney Kulzer** – Softball
- **Bruce Truax** – Baseball
- **Nicholas Kowalchuk** – Lacrosse
- **Owen Kowalchuk** - Lacrosse

Yeas: 7 Nays: 0
Motion Carried

FOR INFORMATION ONLY:
Effective March 16, 2023

Diana Crump FMLA Leave 6-8 Weeks
- Melissa Emlin changes from 2.5 hrs. Monitor to 2.5 hrs. Cook
- Lara Taylor changes from 2.5 hrs. Cook to 6.5 hrs. Cook
- Christine Millhausen – FMLA Leave approximately 5/15/23 – 6/23/23

ADJOURNMENT

Motion made by Sarah Bowles, seconded by Abdo Bejjani, that the Board of Education, resolves that the Board of Education adjourns 8:35 p.m.

Yeas: 7 Nays: 0
Motion Carried

Respectfully,

Cindy Delisle,
District Clerk