

Minutes

<p>A budget workshop was held prior to the Board Meeting at 6:00 p.m.</p> <p>TRANE Technologies – Matt Pinczes, Project Developer and Business Manger Patti Loker presented their reports as part of the Budget Workshop.</p> <p>President Salisbury called the meeting of the Unatego Central School District Board of Education to order at 7:00 p.m. in room #93 at the MS/HS.</p> <p>Clapper, Johnson, McMichael, Nordberg, O’Hara, and Salisbury answered roll call.</p> <p>Member Downey was absent.</p> <p>Administrative members present: Supt. Dr. David S. Richards, Transportation Director Brian Trask, and Clerk Sheila Nolan were all present.</p> <p>Visitors/Staff: 1</p> <p>Board President Salisbury led the Flag Salute.</p> <p>Motion by McMichael, seconded by Johnson, to approve the Regular Board Meeting Minutes of February 6, 2023, as presented. Yes-6 No-0. Carried.</p> <p>Motion by McMichael, seconded by O’Hara, to adopt the Agenda and Addendums as presented. Yes-6 No-0. Carried.</p> <p><u>Public Comment</u>- None</p> <p><u>Presentations:</u></p> <p>Transportation Report – Brian Trask:</p> <ul style="list-style-type: none"> • Follow-up discussion from the November 21 meeting, regarding transportation for non-allowable students that live within a mile and a half of the school to ride the bus. -It was decided by the board that they would like a financial breakdown from the Business Manager before deciding to move forward. <p>Superintendent’s Report - Dr. David S. Richards:</p> <ul style="list-style-type: none"> • Referendum for an Energy Performance Contract (EPC) will be added to the May Budget Vote. • Need more information on the transportation of non-allowable students before a decision can be made. • The 23-24 calendar will be on the agenda for approval at the March 6 board meeting. • Booster Club has made a request to have a school field named after a previous employee that has made an enormous impact on the district. - 	<p>M. Pinczes & P. Loker</p> <p>Call to Order</p> <p>Roll Call</p> <p>Flag Salute</p> <p>2-6-23 Reg Brd Mtg Min</p> <p>Adopt Agenda & Addendums</p> <p>B. Trask</p> <p>Dr. Richards</p>
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<p>The board discussed this, and it was decided that the board would like this to be reviewed by the policy committee before deciding. More information will be forthcoming.</p>	
<p><u>Administrative Action</u></p>	
<p>Motion by McMichael, seconded by Johnson, to approve the following resolutions 4.1- 4.14 as presented and Addendums 4.15-4.17. Yes-6 No-0. Carried.</p>	
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve the Treasurer’s Report as presented.</p>	<p>Treasurer’s Report</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby adopt Policy #7150 Remote Instruction as presented.</p>	<p>Approve BP#7150 Remote Instruction</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve the Board of Education date change from May 1, 2023, to May 2, 2023, as presented.</p>	<p>Approve Board Meeting Date Change</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve Budget Transfers as presented.</p>	<p>Approve Budget Transfers</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve Installment Purchase Agreement (IPA) with Broome-Tioga BOCES as presented.</p>	<p>Approve IPA w/ BT BOCES</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve transportation request from Otsego Christian Academy for the remainder of the 2022-2023 school as well as the 2023-2024 school year as presented.</p>	<p>Approve Transportation Request-OCA</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve the revised Corrective Action Plan as presented (NYSED IDEA Grants).</p>	<p>Approve Revised Correction Action Plan (NYSED IDEA Grants)</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby authorize the Board President to sign a letter of commitment to TRANE to conduct an Energy Performance Contract (EPC) as presented.</p>	<p>Approve Letter of Commitment to TRANE (EPC)</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve the following resolution as presented.</p>	<p>Approve Resolution Settlement of Vaping Litigation</p>

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RESOLUTION AUTHORIZING PARTIAL SETTLEMENT OF VAPING LITIGATION

WHEREAS, in recent years the use and abuse of e-cigarettes and vaping devices 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 Unatego 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 against 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

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entities including factors such as population and litigation risk and be no less than \$8,325 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.

Dated:

District Clerk

RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby appoint Lorraine Clark permanent appointment as a bus aide, effective February 28, 2023, as presented.

RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby appoint Brecke Gifford as a substitute teacher for the 2022-2023 school year as presented.

Approve Perm Appt. L.
Clark-Bus Aide

Appt Sub Teacher-
B. Gifford

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<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby accept, with regret and appreciation, Nancy Creveling’s resignation for the purpose to retire as Elementary teacher, effective June 30, 2023, as presented.</p>	<p>Accept Resignation- N. Creveling, Elementary Teacher</p>
<p>DCMO BOCES Annual Meeting, Election of Board Members, and Notice for Special Board Meetings of Component Districts (Information only)</p>	<p>DCMO BOCES</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby accept, with regret and appreciation, Lori Keyser’s resignation for the purpose to retire as Special Education teacher, effective June 30, 2023, as presented.</p>	<p>Accept Resignation- L. Keyser, Special Education Teacher</p>
<p>RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby accept, with regret and appreciation, Michelle Havens resignation for the purpose to retire as school nurse, effective June 30, 2023, as presented.</p>	<p>Accept Resignation- M. Havens, School Nurse</p>
<p><u>Public Comment</u>- None</p>	
<p><u>Round Table Discussion</u>- -Dr. Richards - Congratulations to all the teachers retiring at the end of this school year. Thank you for your years of service to the district.</p>	
<p><u>Adjourn:</u> Motion by McMichael, seconded by Johnson, to adjourn the meeting at 7:51 p.m. Yes-6 No-0. Carried.</p>	<p>Adjournment</p>
<hr/> <p>Sheila Nolan District Clerk</p>	