



February 28, 2023

The Regular Meeting of the Alexandria Central School Board of Education, held in the Auditorium, was called to order at 6:03 p.m. by Board President, Suzanne Hunter.

Board Members Present: President- Suzanne Hunter, Vice President-Christine Lingenfelter, Betty Compeau, Timothy Davidson, Eric Heath, Heather Lavarney, and James VanCour.

Board Members Absent: None

Others Present: Christopher Clapper- Superintendent of Schools, and Brianne Kirchoff- School Business Administrator

The Pledge of Allegiance was recited.

Executive Session

Motion by Heath, seconded by VanCour, to go into executive session for legal advice with council with regards to possible pending litigation.

7 yes 0 no Motion Carried Time: 6:04 p.m.

Motion by Davidson, seconded by VanCour, to come out of executive session and reconvene into regular meeting.

7 yes 0 no Motion Carried Time: 6:53 p.m.

Presentations

-Counselors Presentation: Mrs. Andrea Miller, Mrs. Katie Durand, Mr. Kevin Durr & Ms. Michelle Mourino

Alexandria Central Counselors and Psychologists introduced themselves and updated the Board of Education on the current issues that our students face, as well as a review of duties performed by counselors and school psychologists on a daily basis. Mr. Scott Diange of the American Legion presented a plaque resolution to the counseling team in appreciation of the support they have given the American Legion with many of their initiatives .

Executive Session

Presentations

-Counselors Presentation

Presentations (Cont.)

-Business Office Reports: Ms. Brianne Kirchoff, School Business Administrator

School Business Administrator, Brianne Kirchoff, gave an update on the electric bus grant, impact aid payment, UPK extension grant submission, as well as a review of where the school is in regards to the budget planning process.

Consent Agenda

- 1) **Minutes:**
 - A. Minutes of the January 24, 2023 Regular Meeting

- 2) **January 2023 Fiscal Reports & Warrants:**
 - A. Financial Report
 - B. Activity Account Report
 - C. Lunch Fund Report
 - D. Treasurer's Report
 - E. Warrants
 - F. Fundraiser Request: Class of 2026-Snacking Sensations

- 3) **CSE/CPSE/504 Placements**
 - A. Acceptance of Recommendations from the Committee on Special Education.
 - B. Acceptance of Recommendations from the Committee on Preschool Special Education.
 - C. Acceptance of Recommendations from the 504 Committee.

Motion by VanCour, seconded by Lingenfelter, to approve the above Consent Agenda items as presented.

7 yes 0 no Motion Carried

Approve Jefferson-Lewis BOCES School Calendar

Motion by Compeau, seconded by Davidson, on the recommendation of the Superintendent, to approve the Jefferson-Lewis BOCES School Calendar for the 2023-2024 school year.

7 yes 0 no Motion Carried

Transportation Proposition Approval

Upon the recommendation of the Superintendent, the following resolution was offered by Compeau, seconded by Lingenfelter to wit:

WHEREAS, the Alexandria Central School District (the "District"), is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, the District is considering the acquisition of two student transport vehicles and one passenger vehicle(the "Vehicles"); and

WHEREAS, the District has reviewed the classifications of actions contained in the Regulations; and

BE IT RESOLVED by this Board of Education as follows:

(Cont.)

Presentations (Cont.)

-Business Office Reports

Consent Agenda

-Minutes

-January 2023
Fiscal Reports &
Warrants

-CSE/CPSE/504

Approve Jefferson-Lewis
BOCES School Calendar

Transportation Proposition
Approval

Transportation Proposition Approval (Cont)

Section 1. The District hereby determines that the acquisition of the Vehicles constitutes a Type II Action pursuant to Parts 617.5(c)(10) and 617.5(c)(31) of the Regulations and as such is not subject to review under SEQRA.

Section 2. The proposition hereinafter set forth is hereby authorized to be submitted for the approval of the qualified voters at the annual school district election to be held in said District on May 16, 2023.

Section 3. The District Clerk is hereby authorized and directed to include as a part of the notice of the annual district meeting and election notice the proposition in substantially the following form:

NOTICE IS HEREBY FURTHER GIVEN that at said annual election to be held on May 16, 2023, the following proposition will be submitted:

TRANSPORTATION PROPOSITION

Shall the following resolution be adopted:

~~Shall the Board of Education of the Alexandria Central School District be authorized to purchase and finance two student transport vehicles and one passenger vehicle, including necessary furnishings, fixtures and equipment and all other costs incidental thereto, and expend a total sum not to exceed \$300,000, which is estimated to be the total maximum cost thereof, and said amount, or so much thereof as may be necessary, shall be raised by the levy of a tax upon the taxable property of said School District and collected in annual installments as provided by Section 416 of the Education Law; and, in anticipation of such tax, obligations of said School District, in the principal amount not to exceed \$300,000, shall be issued?~~

****Amended to the following on 3/28/2023 in a motion made by Heath, seconded by Lingenfelter:**

Shall the Board of Education of the Alexandria Central School District be authorized to issue bonds and notes of the District at one time or from time to time, in the principal amount **not to exceed \$300,000**, or so much thereof as may be necessary, and apply a grant awarded by the U.S. Environmental Protection Agency in the amount of seven-hundred ten thousand dollars together with any other aid received by the District and the proceeds of such bonds, notes, to purchase two student transport vehicles and one passenger vehicle, including necessary furnishings, fixtures and equipment and all other costs incidental thereto, at a cost not to exceed one-million ten-thousand dollars, which is the estimated maximum cost of such vehicles, and levy a tax upon the taxable property of the District to pay principal, in an amount not to exceed three-hundred thousand dollars as indicated above, and interest on such bonds and notes, to be levied and collected in annual installments as provided by Section 416 of the Education Law?

NOTICE IS FURTHER GIVEN that qualified voters of the District may obtain applications for an absentee ballot from the office of the Clerk of the District. Completed applications must be received by the Clerk of the District no later than 4:00 p.m. on May 15, 2023 and must be received no later than 4:00 p.m. on May 9, 2023 if the absentee ballot is to be mailed to the voter. Completed applications received after 4:00 p.m. on May 9, 2023 will require the voter to personally appear at the office of the Clerk of the District to receive an absentee ballot. A listing of all persons to whom an absentee ballot is issued will be available for inspection by any qualified voter in the office of the Clerk of the District between the hours of 8:00 a.m. and 4:00 p.m. during each of the 5 days prior to the election.

NOTICE IS FURTHER GIVEN that military ballots may be applied for by qualified voters by requesting an application from the District Clerk at 315-482-9971 or rgill@acsghosts.org. Completed applications for military ballots must be received by the Clerk no later than 5:00 p.m. on April 20, 2023. In a request for a military ballot application or ballot, the military voter may indicate their preference for receiving the application or ballot by mail, facsimile transmission or electronic mail.

Section 4. The Clerk of the School District is hereby authorized and directed in the name and on behalf of the District to do all acts and things necessary, following the advice and counsel of the District's Attorney and the District's Bond Counsel, to comply with all applicable laws, regulations and executive orders relating to the Annual Meeting to be held on May 16, 2023, and to do all other acts as may be necessary, or in the opinion of the District's Attorney and the District's Bond Counsel, desirable or proper to effectuate the purposes of the foregoing Resolution and to cause compliance by the District with all applicable laws, regulations and executive orders relating to the notice of, and procedural steps to be taken in connection with such Annual Meeting.

Section 5. This resolution shall take effect immediately.

Suzanne Hunter, President	Voting Yes	Eric Heath	Voting Yes
Christine Lingenfelter, Vice President	Voting Yes	Heather Lavarnway	Voting Yes
Betty Compeau	Voting Yes	James VanCour	Voting Yes
Timothy Davidson	Voting Yes		

7 yes 0 no Motion Carried

Resolution Authorizing Partial Settlement of Vaping Litigation

Upon the recommendation of the Superintendent, the following resolution was offered by Lavarnway, seconded by Heath to wit: (Cont.)

Transportation Proposition Approval (Cont.)

Resolution Authorizing Partial Settlement of Vaping Litigation (Cont.)

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 Alexandria 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 entities including factors such as population and litigation risk and be no less than \$12,129 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 - 2- 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.

Suzanne Hunter, President
Christine Lingenfelter, Vice President
Betty Compeau
Timothy Davidson

Voting Yes
Voting Yes
Voting Yes
Voting Yes

Eric Heath
Heather Lavarney
James VanCour

Voting Yes
Voting Yes
Voting Yes

7 yes 0 no Motion Carried

Resolution Authorizing
Partial Settlement of
Vaping Litigation
Resolution Authorizing
Partial Settlement of
Vaping Litigation (Cont.)

Substitute Bus Driver Rate of Pay Increases

Motion by VanCour, Seconded by Heath, on the recommendation of the Superintendent, to approve the following substitute daily rate increases as listed, effective March 1, 2023:

<u>Substitute Bus Driver-Previous Rate</u>	<u>Substitute Bus Driver-New Rate</u>
\$20 per hour	\$22.50 per hour

7 yes 0 no Motion Carried

Spring Coaching Appointments

Motion by Compeau, Seconded by Lingenfelter, on the recommendation of the Superintendent, to approve the following Spring coaching appointments for the 22-23 school year:

<u>Sport:</u>	<u>Coach:</u>
Varsity Golf	Ron Hazelton
Modified Golf	Mark Benz
JV & Modified Golf Volunteer	Kyle Gorman
Varsity Baseball	Scott Chase
Modified Baseball	Miles Kearns
Varsity Softball	Mike Roberts
JV Softball	Drew Walldroff
Modified Softball	Shane Simpson
JV & Varsity Softball Volunteer	Patrick Copeland

7 yes 0 no Motion Carried

Resignation

Motion by Compeau, seconded by Davidson, on the recommendation of the Superintendent, to accept the following resignation:

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
John Johnston	Resignation as Teachers Assistant	February 17, 2023

7 yes 0 no Motion Carried

Appointments/Approvals

Motion by VanCour, seconded by Heath, on the recommendation of the Superintendent, to approve the following appointments:

<u>Name</u>	<u>Position</u>	<u>/Rate of Pay</u>	<u>Probationary or Tenure Track Appt.</u>	<u>Effective Date</u>
John Mahay	Mechanic	\$22.50 per Hour	Probationary	February 13, 2023

7 yes 0 no Motion Carried

Substitute Approvals

Motion by Davidson, seconded by Lingenfelter, on the recommendation of the Superintendent, to approve the following substitutes for the 2022-2023 school year:

(Cont.)

Substitute Bus Driver Rate of Pay Increases

Spring Coaching Appointments

Resignation

-John Johnston

Appointments/Approvals

-John Mahay - Mechanic

Substitute Approvals

Substitute Approvals (Cont.)

<i>Name</i>	<i>Substitute Positions</i>	<i>Certified</i>	<i>Fingerprinted</i>	<i>New/ Returning</i>
John Mahay	Substitute Bus Driver // Substitute Bus Aide	N/A	Yes	New
Pamela Kerr	Substitute Bus Driver // Substitute Bus Aide	N/A	Yes	New
John Kerr	Substitute Bus Driver // Substitute Bus Aide	N/A	Yes	New
Renee Gill	Substitute Bus Driver // Substitute Bus Aide	N/A	Yes	New

7 yes 0 no Motion Carried

Nomination for BOCES Board Candidate

Motion by Lingenfelter, seconded by VanCour, on the recommendation of the Superintendent, to nominate and support Stephen Dreizler as a candidate for election to the Jefferson -Lewis - Hamilton - Herkimer-Oneida Board of Cooperative Educational Services.

7 yes 0 no Motion Carried

Reports by Mr. Christopher Clapper, Superintendent

Mr. Clapper updated the Board of Education on current school happenings, including recent replacement of gas lines, tuition reimbursement, APPR submission, Capital outlay bid, and trainings done by several bus garage employees

Committee Updates

Committee updates were given by board members present at the nutrition taste testing and athletic meetings that were held this month.

Upcoming Events and Meetings

-Friday, March 3, 2023: End of 25 Weeks

-Thursday, March 9- Saturday, March 11, 2023: High School Musical in Auditorium - 7:00 p.m.

-Tuesday, March 28, 2023: Board of Education Meeting - 6:00 p.m.

Public Participation

There was a session of public participation

Adjournment

Motion by VanCour, seconded by Lavarway, to adjourn. Meeting adjourned at 9:23 p.m.

7 yes 0 no Motion Carried

Renee Gill, District Clerk

Substitute Approvals (Cont.)

Nomination for BOCES Board Candidate

Reports by Mr. Christopher Clapper, Superintendent

Committee Updates

Upcoming Events and Meetings

Public Participation

Adjournment