

GENERAL BROWN CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION
17643 Cemetery Road - P.O. Box 500 - Dexter, New York 13634

REGULAR MEETING
March 13, 2023 – 5:30 p.m.
General Brown Room / Jr. Sr. High School

Final
AGENDA

REGULAR MEETING – 5:30 P.M.

Call to Order – Pledge of Allegiance

A. APPROVAL OF AGENDA

B. PRESENTATIONS – None

C. PUBLIC COMMENT REQUESTS – *Lucas Lavarnway-Tucker Rosbrook

D. CONSENT AGENDA

1. Approval of Minutes as listed:
 - February 6, 2023 – Regular Meeting
 - February 23, 2023 – Special Meeting
2. Approval of Buildings and Grounds Requests as listed:
 - JSHS – Auditorium – Thursday, March 23, 2023 at 6:30 p.m. – NYS DOT Public Hearing – Bridge Replacement
3. Approval of Conferences and Workshops as listed:
 - Kimberly Shuler – NYSSBA New Board Member Training- Essentials of School Board Governance - On-line
4. Approval of Conferences and Workshops as per *My Learning Plan Report*
5. Approval of Financial Reports – Warrants – January 2023

E. REGULAR AGENDA

Other Discussion and Action Items:

Board Member Reports/Staff Member Reports and Presentations

1. Comments / Information shared by Board Members
2. Staff Member Reports
3. Christine Wheeler – Budget Presentation/Discussion

Items for Board Information/Discussion

4. Board Information/Discussion – Policy Review
 - *2nd Reading – adoption Policy #8110 (as revised) – Curriculum Development, Resources, and Evaluation*
 - *2nd Reading – adoption Policy #8320 (as revised) – Textbooks, Library Materials, and other Instructional Materials*
 - *2nd Reading – adoption Policy #8330 (as revised) – Objection to Instructional Materials and Controversial Issues*
5. Board Information – Term expiration for members of the General Brown Central School District Board of Education are listed below. Petitions are available from the District Clerk and will be accepted in the Office the District Clerk until 5 PM on Monday, April 17, 2023.
 - 2023 – Natalie Hurley
 - 2023 – Jason Reynolds
 - 2024 – Jamie Lee
 - 2024 – Albert Romano, Jr.
 - 2024 – Kelly Milkowich
 - 2025 – Tiffany Orcesi
 - 2025 – Kimberly Shuler

6. Board Information - **Jefferson-Lewis BOCES Annual Dinner Meeting** - April 5, 2023 at Jefferson/Lewis BOCES Watertown Campus – The presentation of the **2023-2024 proposed BOCES budget** will begin at 7:15 p.m. in the Conference Room A/B in the Administration Building. Please RSVP by March 29, 2023.
7. Board Information – 2nd Quarter Marking Period – Jr. Sr. High School
8. Board Information – Annual APPR submission to NYSED
9. *Board Information – **Senior High Honor Society Induction Ceremony** – March 21, 2023 at 6:00 p.m. in the General Brown Auditorium. **National Honor Society Recognition Program** – March 30, 2023 at 6:00 p.m. at Watertown High School Auditorium

Items for Board Discussion / Action

10. Board Action –Approval of the following 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 General Brown 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 **\$24,705** 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 that upon the recommendation of the Superintendent of Schools the General Brown Central School District Board of Education takes action to approve the following:

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.

Date

Lisa Leubner, District Clerk

11. Board Action – **SEQRA RESOLUTION – Bus Garage Reconstruction Project**

At a meeting of the Board of Education of the General Brown Central School District, Dexter New York duly held 13th day of March 2023:
Members Present:

Members Absent:

WHEREAS, the Board of Education of the General Brown Central School District (“Board”) is considering to undertake a building maintenance and reconstruction project involving the reconstruction of the existing exterior masonry walls and the replacement of the existing air compressor, and any related asbestos abatement to the existing General Brown Central School District Bus Garage Facility, (“the Project”); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York , as amended and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), the School District is required to make determination whether the “action” (as said quoted term as defined in SEQRA) to be taken by the School District may have a “significant impact on the environment” (as said quoted term as utilized in SEQRA) and the preliminary agreement of the School District to undertake the Project constitutes such an action; and

WHEREAS, the Board has carefully considered the nature and scope of the proposed action; and

WHEREAS, upon review of the foregoing, the Board, and after consultation with the project architect, BCA Architects & Engineers, makes the following determinations:

1. The proposed action involves the reconstruction of the existing exterior masonry walls which will include masonry stabilization and exterior siding as well as the replacement of the aging bus garage air compressor.

2. The proposed project represents maintenance or repair involving no substantial changes in an existing facility or structure within the meaning of 6 NYCRR 617.5(c)(1); and/or alternatively the replacement, rehabilitation or reconstruction of a structure or facility in kind within the meaning of 6 NYCRR 617.5(c)(2); and/or alternatively a routine activity of an educational institution.

3. The proposed action will in no case have a significant adverse impact based on the environment based on the criteria contained in 6 NYCRR § 617.7(c) and is not otherwise a Type I action as defined by 6 NYCRR § 617.4.

4. The proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and is therefore not subject to review under SEQRA and the regulations thereunder.

5. **NOW THEREFORE BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools,** the General Brown Central School District Board of Education finds and concludes that the proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and therefore is not subject to review under SEQRA and the regulations thereunder.

6. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)

)SS.:

COUNTY OF JEFFERSON)

I, the undersigned Clerk of the General Brown Central School District, **Do Hereby Certify as Follows:**

1. A Meeting of the Board of Education of the General Brown Central School District, State of New York, was held on March 13, 2023, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of said Board.

2. Public Notice of the time and place of said meeting was duly given to the public and news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that the members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and quorum was present and acted throughout.
IN WITNESS WHEREOF, I have hereto set my hand and have hereunto affixed the corporate seal of the General Brown Central School District this _____ day of March, 2023.

Lisa Leubner, District Clerk

SEAL

12. Board Action –Approval of 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,

General Brown 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).

CERTIFICATION OF DISTRICT CLERK

I, _____, District Clerk of the General Brown Central School Board of Education, hereby certify that the above resolution was adopted by the required majority vote of the Board of Education meeting held on _____.

Lisa Leubner, District Clerk _____
Date

- 13. Board Action – Approval is requested for **Family and Consumer Science (FCCLA) students** to attend overnight competition from March 22-24, 2023 at the Villa Roma Resort and Conference Center, Calicoun, NY. The district will provide one-way transportation.
- 14. Board Action – Approval is requested to accept the revised **tax cap calculation of 3.39% in tax levy equal to \$301,038 for the 2023-2024 tax levy**, subject to final revision and update if underlying data changed before the School Budget Vote.
- 15. Board Action – **BE IT RESOLVED**, upon the recommendation of the Superintendent of Schools, the General Brown Central School District Board of Education hereby takes action to approve a **Settlement Agreement with the General Brown School Related Professionals Union** related to the extension of the collective bargaining agreement to June 30, 2025.
- 16. Board Action – Approval of the **Madison-Oneida BOCES Services Commitment form for 2023-2024: BE IT RESOLVED** that the General Brown Central School District Board of Education takes action to approve participation for the **programs/services shown on the 2023-2024 Madison-Oneida BOCES FINAL Services Commitment Form/Contract**, Effective July 1, 2023.
- 17. Board Action – Approval of the **Mohawk Regional Information Center Services Commitment Form for 2023-2024: BE IT RESOLVED** that the General Brown Central School District Board of Education takes action to approve participation for the **programs/services shown on the 2023-2024 Mohawk Regional Information Center BOCES FINAL Services Commitment Form/Contract**, Effective July 1, 2023
- 18. Board Action – Approval is requested for a refund from **Pupil Benefits Plan, Inc.** for a portion of premiums, due to the Covid-19 pandemic. Policy year 2019-2020 in the amount of **\$4,522.56** and 2020-2021 in the amount of **\$10,776.53** for a total of **\$15,299.09**.
- 19. Board Action – Approval is requested for the monetary donations in memory of **Hope D. Kizzer**, to be used for the **Dexter Elementary Art and Music Department** in the amount of **\$690**.
- 20. Board Action – Approval is requested for the **Committee on Special Education Reports**

F. ITEMS FOR BOARD ACTION – PERSONNEL

- 21. Board Action – Approval of the **2022-2023 Department Chairs** as listed:

Department	Chair
English	Michelle Lamon
Social Studies	Brian Nortz
Math	Susan Menapace
Science	William Covey

22. *Board Action – Approval is requested for Sabrina Dettmer as Co-High School Musical Director. Mrs. Dettmer and Mr. Kremp had split the duties of this position and will also split the stipend. Mr. Kremp was previously appointed November 7, 2022.

G. ITEMS FOR BOARD ACTION – PERSONNEL continued

23. Board Action – Retirements:

Name	Position	Effective Date
*Bridget G. Grimm	School Counselor	06/30/2023

24. Board Action – Resignations:

Name	Position	Effective Date
Wendy Johnson	Yearbook-Co Advisor	04/28/2023
Michael Chitro	Modified-Baseball Coach	02/27/2023

25. Board Action – Appointments:

Name	Position	Annual Salary or Rate of Pay	Probationary or Tenure Track Appt. (if appl.)	Effective Date
Bruce L. Parker	Bus Driver	Unchanged	Permanent appointment	03/16/2023
Scott G. Thackston	Bus Driver	Unchanged	Permanent appointment	03/16/2023
Helen M. Timerman	Substitute Teacher	\$120 per day	n/a	03/14/2023
Benjamin L. Deskins	Computer Support Specialist	Unchanged	Corrected 1-yr probationary appt. 2/16/2023 to 2/15/2024	02/16/2023

H. ITEMS FOR BOARD ACTION – PERSONNEL continued – Coaching Appointments

26. Board Action – In the event that the season is shortened, stipends will be prorated in proportion to the actual duration of service.

PAID Coaching Appointments: None

Name	Sport / Season Spring 2023	Coaching Certification	Effective Date
James Watson	Jr. Varsity – Baseball Assistant Co-Coach	Temporary Coaching License 1 st Renewal	03/13/2023
*Patsy Doldo	Jr. Varsity – Baseball Assistant Co-Coach	Temporary Coaching License 1 st Renewal	03/13/2023
Kayla McCabe	Varsity Girls’ Lacrosse Assistant	Temporary Coaching License	03/13/2023
Louis Ingrassia	Modified – Girls’ Lacrosse Coach	Teacher Coach	04/03/2023
Michael Chitro	Jr. Varsity – Baseball Coach	Temporary Coaching License 1 st Renewal	04/03/2023

UNPAID Coaching Appointments:

Name	Sport / Season Winter/Spring 2022-2023	Coaching Certification	Effective Date
Matthew Milkowich	Modified – Girls’ Lacrosse Assistant	Professional Coaching License	04/03/202023

Coaches possess the following [as mandated by NYSED]:

Teaching Certificate: Child Abuse / School Violence / DASA / First Aid / CPR / Concussion Workshop / Fingerprint Clearance /
[Philosophies & Principals / Theories and Techniques [sport specific] / Health Sciences as required] *

Non-Teaching Temporary or Professional Coaching License and/or 2nd-4th Renewal as required: Child Abuse/School Violence/ DASA/ First Aid
CPR/Concussion Workshop/ Philosophies & Principals/Theories and Techniques [sport specific] /Health Sciences/Fingerprint Clearance ****

I. ITEMS FOR BOARD ACTION - FINAL FINGERPRINT CLEARANCE

27. Board Action - Upon the recommendation of the Superintendent of Schools – WHEREAS, on behalf of the General Brown Central School District, two sets of the following prospective employees’ fingerprints for employment have been submitted to NYSED, along with the signed Consent Form, and a request for conditional clearance. The following employees have received FINAL CLEARANCE from SED:

- **Kayla McCabe** – Coach

J. SUPERINTENDENT REPORTS

28. Business Administrator – Christine Wheeler
29. Superintendent – Brian Moore

K. CORRESPONDENCE LOG

30. Correspondence Log

L. ITEMS FOR NEXT MEETING

31. ***Wednesday – April 5, 2023 – Regular Meeting will begin at 5:30 p.m.***

M. MOTION FOR ADJOURNMENT

32. **There being no further business or discussion**, a motion is requested to adjourn the regular meeting.

*Indicates items added after the preliminary agenda was provided to the Board of Education.