

NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION REGULAR MEETING

April 11, 2024                      6:00 PM                      Auditorium of High School

**PRESENT:**

**BOE Members:** Lucinda Collier, Tina Reed, John Boogaard, Linda Eygnor Paul Statskey

**Absent:** Shelly Cahoon, Jasen Sloan

**Superintendent:** Michael Pullen

**District Clerk:** Tina St. John

Approximately 25 students, staff and guests

**1. Call to Order/Pledge of Allegiance**

President, Lucinda Collier called the meeting to order at 6:00p.m.

**Approval of Agenda:**

Motion for approval was made by Tina Reed and seconded by Linda Eygnor with the motion approve 5-0.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the agenda of April 11, 2024.

**2. Presentations:**

- Student Presentation – Leavenworth Middle School
  - 7<sup>th</sup> Grader, Jimmy Haffner was the student presenter
- Combined Sports – Marc Blankenberg
  - Mr. Blankenberg presented and answered questions regarding Combined Sports
- Booster Club
  - Bruce McIntyre, Aaron Petrosino and Stephanie Macro Zwolinski presented the annual report.
- Superintendent Update – Michael Pullen
  - April is Music in Our Schools Month – Mr. Pullen provided the music program numbers since the 2021-2022 school year.
  - Mr. Pullen provided budget goals and the budget at a glance over the years and gave examples of the budgets of component districts.
  - Mr. Pullen provided an overview of what would appear on the ballot on May 21<sup>st</sup>.

**3. Reports and Correspondence:** Committee chairperson or liaison provided an update.

- Board of Education Building Liaisons
  - Elementary School –John Boogaard
  - Middle School – Shelly Cahoon - no report given
  - High School – Linda Eygnor
  - Cougar Ops – Tina Reed –
- Four County Board of Directors – Linda Eygnor –
- Four County Legislative Committee – Linda Eygnor –
- Handbook Committee – Lucinda Collier, Jasen Sloan, Paul Statskey – no report given
- Audit Committee –John Boogaard, Shelly Cahoon, Paul Statskey - no report given
- District Safety Committee – no report given
- Personnel & Negotiations Committee – Tina Reed, John Boogaard, Lucinda Collier – no report given
- Policy Committee – Paul Statskey, Shelly Cahoon, Tina Reed
  - First Reading: The following policies are being submitted for a first reading.

1000	By Laws	
1334	Duties of the External (Independent) Auditor	Revised
1334.1	Appointment and Duties of the Claims Auditor	Revised

<b>5000</b>	<b>Non-Instructional/Business Operations</b>	
5120	School District Budget Hearing	Revised
5260	Vending Machines	Revised
5311	Safeguarding and Use of District Credit Cards	Revised
<b>6000</b>	<b>Personnel</b>	
6190	Workplace Violence Prevention Policy Statement	New

➤ The following policies are being submitted as reviewed.

<b>5000</b>	<b>Non-Instructional/Business Operations</b>	
5313	Reimbursement for Meals/Refreshments	Reviewed
5413	Procurement: Uniform Grant Guidance for Federal Awards	Reviewed
5510	Accounting of Funds	Reviewed
5511	Maintenance of Fund Balance	Reviewed
5512	Reserve Funds	Reviewed
5620	Fixed Asset Inventories, Accounting and Tracking	Reviewed
5630	Facilities: Inspection, Operation and Maintenance	Reviewed
5631	Hazardous Waste and Handling of Toxic Substances By Employees	Reviewed

**EXECUTIVE SESSION:**

A motion was requested to enter executive session to discuss the employment history of a specific employees and a legal matter.

The motion was made by Tina Reed and seconded by Linda Eygnor with motion approved 5-0.

Time entered: 7:21p.m.

Return to Regular Session: 7:41p.m.

**4. Public Access to the Board:**

- No one addressed the Board of Education

**5. Consent Agenda:**

A motion for approval of the following items as listed under the CONSENT AGENDA is made by John Boogaard and seconded by Paul Statskey with the motion approved 5-0.

a. Board of Education Meeting Minutes

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the meeting minutes of March 28, 2024.

b. Recommendations from CSE and CPSE

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the recommendations for the Committee on Special Education dated January 9, 17, 29, 31, February 6, and 7, 2024; and instructs the Superintendent to implement the recommendations on behalf of the following individuals identified by student number:

12561	14325	12711	12354	13292	14668	13083			
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c. Substitute Teachers and Substitute Service Personnel

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the individuals named on the substitute lists, which are on file with the District Clerk.

d. 2024-2025 Board of Education Meeting Calendar

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law adopts the 2024-2025 Board of Education Meeting Calendar.

e. Participation in Cooperative Bid- WFL BOCES – Various Commodities and/or Services

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase of Various Commodities and/or Services. And...

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education, North Rose – Wolcott Central School District of New York State and making recommendations thereon...

THEREFORE...

BE IT RESOLVED, That The Board of Education, North Rose – Wolcott Central School District of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Board of Education North Rose – Wolcott Central School District of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Board of Education North Rose – Wolcott Central School District of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The Purchasing Agent on behalf of the Board of Education, North Rose – Wolcott Central School District of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for various commodities and/or services and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

f. Personnel Items:

1. Appoint Food Service Helper – Augustus Vanderlinde

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the 52-week probationary appointment of Augustus Vanderlinde as a Food Service Helper conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Probationary Period: April 9, 2024-April 8, 2025

Salary: \$15.25/hr.

2. Correction Appoint School Counselor – Tracy Migliore

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four-year probationary appointment of Tracy Migliore as a School Counselor conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: School Counselor, Permanent

Tenure Area: School Counselor

Probationary Period: ~~April 29, 2024-April 28, 2028~~ April 15, 2024-April 14, 2028

Salary: \$61,763 Step: Q

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

3. Appoint Teacher – Kristin Gardner

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the three year probationary appointment of Kristin Gardner as a Social Studies Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Social Studies 7-12, Permanent

Tenure Area: Social Studies

Probationary Period: May 13, 2024-May 12, 2027

Salary: Step W \$71,899

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

4. Co-Curricular Appointments

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill co-curricular positions for the 2023-24 school year.

Name	Bldg.	Title	Step	Year	Salary
Joe Slaski		Athletic Event Staff			Per NRWTA Contract

5. Program Appointments

The following individuals are being recommended to work in enrichment programs that are funded by grants.

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following individuals to work various enrichment programs during the 2023-2024 school year conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87.

Staff	Position	\$/Hr.
Ashley Kennedy	Grant Program Teacher	\$35.00/hr.

6. Appoint Volunteers

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the following individuals to work as a volunteer in the district for the 2023-2024 school year.

Jessica McCarthy                      Chalsea Humbert                      Frank Drock                      Brandi Kesel

7. 913 Examination

**RESOLVED** that the Board of Education of the North Rose-Wolcott Central School District, upon the recommendation of the Superintendent of Schools, and pursuant to its powers under New York education Law § 913, hereby directs a civil service employee to undergo medical and/or psychiatric examination(s) and/or other tests deemed medically appropriate, by an examiner(s) selected by the District; and

**BE IT FURTHER RESOLVED** that the Board of Education directs the Superintendent of Schools to make such arrangements as are necessary to effectuate this resolution, pursuant to Education Law Section 913; and

**BE IT FURTHER RESOLVED** that the findings of such examination(s) shall be reported back to the Board of Education for the evaluation of the employee’s fitness to continue employment.

8. Reject Bid Award for NRWCS D High Library SED Control # 65-15-01-06-0-10-025.

It is the recommendation of our Architects, SEI Design Group and Construction Managers, DGA Builders LLC, to reject the sole bid received for the High School Library (Phase II) Outlay project following competitive sealed bids received on March 28, 2024 as follows;

**Contractor**

Iverson Construction  
Base Bid Contract Sum \$188,500

**RESOLUTION**

Be it Resolved, the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, to reject the bid as follows:

<u>Contractor</u>	<u>Items</u>	<u>Amount</u>
Iverson Construction Corp.	High School Library Outlay Project	\$188,500

**6. Item requiring a roll call vote:**

A motion for approval of Adoption of the 2024-2025 Budget Spending Plan is made by John Boogaard and seconded by Linda Eygnor with the following votes being cast:

- a) Adoption of the 2024-2025 Budget Spending Plan

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the proposed 2024-2025 budget spending plan in the amount of \$35,489,766.

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u> X </u> yes	___ no
Tina Reed	Voting	<u> X </u> yes	___ no
John Boogaard	Voting	<u> X </u> yes	___ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u> X </u> yes	___ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u> X </u> yes	___ no

A motion for approval of the Real Property Tax Report Card is made by Tina Reed and seconded by Paul Statskey with the following votes being cast:

b) Approval of Real Property Tax Report Card

**RESOLUTION**

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the North Rose-Wolcott Central School District’s Real Property Tax Report Card for the 2024-2025 tax year.

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u> X </u> yes	___ no
Tina Reed	Voting	<u> X </u> yes	___ no
John Boogaard	Voting	<u> X </u> yes	___ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u> X </u> yes	___ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u> X </u> yes	___ no

A motion for approval of the Settlement Agreement is made by John Boogaard and seconded by Paul Statskey with the following votes being cast:

c) Approve and Authorize Settlement Agreement

**RESOLUTION TO APPROVE AND AUTHORIZE THE SETTLEMENT OF A CLAIM ASSERTED AGAINST THE NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT (“DISTRICT”) BY THE UTICA MUTUAL INSURANCE COMPANY, GRAPHIC ARTS MUTUAL INSURANCE COMPANY, AND UTICA NATIONAL INSURANCE GROUP, THEIR AFFILIATES AND PREDECESSORS AND SUCCESSORS IN INTEREST (“UTICA MUTUAL”) IN AN ACTION CAPTIONED *UTICA MUTUAL INSURANCE COMPANY, et al. v. NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT*, BEARING INDEX NO. CV090336 (“DECLARATORY JUDGMENT ACTION”), IN WHICH UTICA MUTUAL SEEKS A JUDGMENT AGAINST THE DISTRICT DECREERING THAT IT HAS NO OBLIGATION TO PROVIDE THE DISTRICT WITH A DEFENSE OR INDEMNIFICATION RELATIVE TO CLAIMS ASSERTED AGAINST THE DISTRICT IN AN ACTION CAPTIONED AS, *LINDA MAE LOHSE v. NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT, et al.*, IN THE NEW YORK STATE SUPREME COURT, WAYNE COUNTY, BEARING INDEX NO. CV085952 (“UNDERLYING ACTION”), PURSUANT TO THE TERM OF A PROPOSED SETTLEMENT AGREEMENT ATTACHED TO THIS RESOLUTION (“PROPOSED SETTLEMENT AGREEMENT”).**

**WHEREAS**, a claim was filed against the District in the Underlying Action alleging that the District is liable to the Plaintiff in in that action relative to certain alleged acts and omissions that occurred approximately 50 years ago, and the District requested that Utica Mutual to provide it with a defense and indemnification relative to the claims asserted in the Underlying Action; and

**WHEREAS**, Utica Mutual has, to date, provided the District with a defense regarding the claims asserted in the Underlying Action and paid the costs of that defense, but has asserted that a diligent search of its records and files has failed to reveal that Utica Mutual or its predecessors in interest agreed to provide the District with insurance coverage relative to such claims during the times alleged in the Underlying Action and, therefore, it does not believe that it has an obligation to provide the District with a defense or indemnification relative to the claims asserted in the Underlying Action; and

**WHEREAS**, the District retained experts to conduct a forensic search relative to its insurance coverage during the times referenced in the Underlying Action and has diligently searched its records and files and neither the forensic search nor the search of the District has located any record concerning the District's insurance coverage during the times referenced in the Underlying Action and has been unable to locate any document demonstrating that Utica Mutual has an obligation to provide the District with a defense and/or indemnification concerning the claims asserted in the Underlying Action; and

**WHEREAS**, based on for foregoing, Utica Mutual commenced the Declaratory Judgment Action, seeking a Declaratory Judgment against the District, decreeing that Utica Mutual has and had no obligation to provide the District with a defense or indemnification relative to the claims asserted in the Underlying Action; and

**WHEREAS**, pursuant to the terms of the Proposed Settlement Agreement, Utica Mutual will forego any claim it may possess to recover the cost of the District's defense in the Underlying Action to date and the District will agree that Utica Mutual has no obligation to pay future costs of the District's defense or to provide the District with indemnification relative to the Underlying Action; and

**WHEREAS**, based on the foregoing and advice of its counsel and its administrators, the Board has determined that a settlement of the Declaratory Judgment Action under the terms stated in the attached Settlement Agreement are in the District's best interests;

**THEREFORE**, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT that it hereby authorizes and approves the terms stated in the Proposed Settlement Agreement and it authorizes and directs its Superintendent of Schools to execute said Settlement Agreement and take such further and additional action as may be necessary to effectuate the above-referenced settlement;

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

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u>  X  </u> yes	_____ no
Tina Reed	Voting	<u>  X  </u> yes	_____ no
John Boogaard	Voting	<u>  X  </u> yes	_____ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u>  X  </u> yes	_____ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u>  X  </u> yes	_____ no

**Board Member Requests/Comments/Discussion:**

- Meet the candidate night

**Good News:**

- Various newspapers articles

**Informational Items:**

- Four County
- BOCES Candidate Information

**Adjournment:**

A motion was requested to adjourn the regular meeting.

Motion for approval was made by Linda Eynor and seconded by Paul Statskey with motion approved 5-0.

Time adjourned 7:54p.m.

*Tina St. John*

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Tina St. John, Clerk of the Board of Education