

Minutes of Regular Meeting
Thousand Islands Board of Education
Tuesday, March 21, 2023
MS/HS Library



Members Present: President, Tucker Wiley Vice President, Bruce Mason
 Carolyn Delaney Sarah Riddoch
 Erin Churchill Dan Ward
 Jenny Bach Sean Cherchio
 Erik Swenson

Also present: Michael Bashaw, Jr., Superintendent
 Angela Picunas, Business Manager
 Jessica Steblen, BOE Secretary & District Clerk
 Kenny Garnsey, Building & Grounds Director

President Wiley called the meeting to order at 6:03 p.m. and led the group in the Pledge of Allegiance.

Presentation:

Justin Taylor presented as a representative from both Clayton and Cape Vincent's Fire Departments. He requested the Board of Education consider adopting the New York State Emergency Response Tax Exemption, for eligible volunteer firefighters and EMS as a part of a state-wide effort for recruitment and/or retainment incentives. This would be in effect for the next tax year if adopted and as he explained would have no fiscal impact on school tax base or budget. Angela Picunas led a budget discussion, which included a visual presentation of the 2023-2024 proposed budget.

Business, Finance and Property:

Motion by Dan Ward, second by Eric Swenson, to approve the following:

- Approve Minutes of February 14, 2023 meeting – enclosure.
- Approve Property Tax Cap of 3.34 % for the 2023-2024 school year- enclosure.
- Approve contract for Health and Welfare Services between Watertown CSD and TICSD for students attending parochial schools- enclosure.
- Approve Cooperative Purchasing Agreement between Oswego County BOCES and TICSD- enclosure.

After no further discussion, vote was taken; all voting aye.

9:0

Acknowledged receipt of Warrants.

Motion by Sarah Riddoch, second by Eric Swenson, to approve the following:

- Approve Resolution Authorizing Partial Settlement of Vaping Litigation (enclosure):
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 Thousand Islands 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 Petrelli with the allocation framework for all governmental entities including factors such as population and litigation risk and be no less than \$18,348 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.

This Resolution shall take effect immediately.

After no further discussion, vote was taken; all voting aye.

9:0

Personnel:

Motion by Sarah Riddoch, second by Erin Churchill, to approve the following:

- **Dorene Dickerson**- Resignation for the purpose of retirement, effective July 5, 2023.
- **Elizabeth Mason**- Resignation for the purpose of retirement, effective June 30, 2023.
- **Taylor Kieffer**- Physical Education/Health, Advance on Teacher Salary Schedule to B24 Step 2, effective March 6, 2023.

- **Mikael Ann Melfi**- Secondary Science, Advance on Teacher Salary Schedule to B6 Step 1, effective January 23, 2023.
- **Elizabeth Slack-Joles**- Appointment as .62 FTE Math Teacher, in the tenure area of Math, at a salary of M30 Step 33, with benefits consistent with the TIEA contract, effective March 13, 2023 through June 30, 2023.
- **Kasey Pitkin**- Appointment as Account Clerk/Typist, at a rate of \$20.73/hr., 8 hours per day (excluding lunch), with benefits consistent with Supervisory and Confidential Personnel, with a 52-week probationary period, effective March 21, 2023.
- **Matthew Jobson**- Appointment as Substitute Help Desk Operator, at a rate of \$27 per hour, retroactive to February 27, 2023.

After no further discussion, vote was taken; all voting aye.

9:0

Motion by Jenny Bach, second by Sarah Riddoch, to approve the following:

- Appointment for the following 2022-2023 Spring Sports;

Baseball	Modified Head Coach: Brian Coombs Volunteer Assistant: Geoff Peters	1
Lacrosse	Modified Head Coach: William Solar II Volunteer Assistants: Michael Fox Chris Symenow	1
Softball	Volunteer Assistants: Jim Webb Eric Swenson	

After a short discussion, vote was taken, **Erik Swenson abstained**.

8:0

Acknowledged receipt of criminal clearance from the New York State Education Department for **Garrett Cipullo, Mathew Jobson and Elizabeth Slack-Jones**.

Motion by Carolyn Delaney, second by Bruce Mason, to approve the following:

- **Matt Jobson**- Provisional appointment as Computer Support Specialist, at a rate of \$27 per hour, 8 hours per day (excluding lunch), with benefits consistent with Supervisory and Confidential Personnel, effective March 21, 2023.

After no further discussion, vote was taken; all voting aye.

9:0

Superintendent's Report

Superintendent Bashaw's report included the following items; AED upgrades through Cape Ambulance Squad/Grants, new bus software installation, and an Inclusive Swimming event to be held on April 1, 2023.

Students and Programs

Motion by Erik Swenson, second by Sarah Riddoch, to approve the following:

- Recommendations by Committee on Special Education for a meeting held on March 1, 2023.
- Approve Student Instructional Calendar for 2023-2024 school year.

After no discussion, vote was taken; all voting aye.

9:0

Motion by Bruce Mason, second by Erik Swenson to move to Executive Session to discuss legal and personnel related matters. Vote was taken, all voting aye. The Board entered Executive Session at 7:50 p.m.

9:0

Erin Churchill left the meeting at 8:05 p.m. The Board reconvened at 8:12 p.m.

Motion by Erik Swenson, second by Jenny Bach to adjourn the meeting. Vote was taken; all voting aye.

8:0

Meeting adjourned at 8:12 p.m.

Date

Clerk

DRAFT