

**Charlotte Valley Central School  
Board of Education  
Regular Meeting  
March 02, 2023 at 6:30 p.m.**

**I. COMMENCE REGULAR MEETING/PLEDGE TO FLAG**

**II. PUBLIC FORUM REGISTRATION AND RULES**

- A) The President of the Board of Education will ask members of the community if they would like to address the Board of Education.
- B) A list of speakers will be prepared by the Clerk of the Board.

**III. AGENDA REVISIONS**

- A) Potential motion to approve revisions to the preliminary agenda.

**IV. BUSINESS MEETING**

- A) Approval of Minutes – February 02, 2023, Regular BOE Meeting Minutes.
- B) Approval of General Warrant #30 dated March 02, 2023 (expenditures through 03/01/23).
- C) Approval of Cafeteria Warrant #31 dated March 02, 2023 (expenditures through 03/01/23).
- D) Approval of Federal Warrant #29 dated March 02, 2023 (expenditures through 03/01/23).
- E) No Capital Warrant at this time.
- F) No Treasurer's Report.
- G) Approval of the January 2023 Student Activity Account Report.
- H) Approval of the Budget Status Report and the Revenue Status Report for the General and Cafeteria Funds as of 3/03/23.
- I) Approval of the recommendations of the CSE Chairperson.

**V. BUSINESS MEETING (Non-Standard Items) - None at this time**

**VI. PERSONNEL**

- A) Departures from the District
  - 1) Resignation(s) - None at this time
  - 2) Leave Requests
    - a) Approval of the unpaid leave request of Karen Wamsley on April 17<sup>th</sup> and 18<sup>th</sup> 2023.
- B) Appointments
  - 1) Instructional/Professional - None at this time
  - 2) Extra-curricular and Co-curricular - None at this time
  - 3) Non-Instructional - None at this time
  - 4) Contractual - None at this time
  - 5) Substitute Teachers/Aides
    - a) Potential approval of the appointment of Morgan Falcone to the position of Substitute Teacher Aide, effective March 02, 2023.
    - b) Potential approval of the appointment of Kevin Jorgensen to the position of Substitute Teacher/Aide effective March 02, 2023.
  - 6) Retirement(s) - None at this time
  - 7) Appointment(s) to Tenure - None at this time
  - 8) Other
    - a) Approval of the retroactive appointment of Jodi Clapper to the position of CROP leader effective February 03, 2023.

**VII. ADMINISTRATIVE REPORTS**

- A) Superintendent's Report - To Be Determined
- B) Principal's Report - To Be Determined
- C) Business Manager's Report - To Be Determined

**VIII. ACTION / DISCUSSION ITEMS**

- A) Potential approval of the School District Facility request of Hartwick College for **March 31**, 2023 from 4:00 to 6:30 pm to perform tax prep services to the community.

- B) Potential approval of the following resolution: RESOLVED that the Charlotte Valley Central School hereby nominates Joe Ballard for the position of board member of the Otsego Northern Catskills BOCES Board of Education.
- C) Potential approval of the Class of 2023 Senior trip.
- D) Potential approval to transfer \$500,000.00 from the Capital Reserve fund to the Capital Fund as authorized by District residents on December 06, 2022.
- E) Potential approval of the 2023-2024 Board of Education goals.
- F) Potential 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 Charlotte Valley 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 on school and on school grounds; and  
WHEREAS, the use of e-cigarettes and vaping devices by students had caused the School District to incur the 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 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 final allocation framework recommended by court-appointed Special Master Thomas Perrelli with the allocation framework for all government entities including factors such as population and litigation risk and 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 in 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 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.

## **IX. EXECUTIVE SESSION**

- A) Enter into Executive Session

- 1.) Items pertaining to a collective bargaining agreement, the appointment, discipline or continued employment of an individual or individuals.

**X. CORRESPONDENCE & INFORMATIONAL ITEMS**

- A) ONC BOCES Annual Meeting invitation.
- B) BOCES Annual Meeting Notice.
- C) **CASSC School Boards Institute Workshop Invitation**

**XI. FUTURE MEETING DATES**

- A) March 07, 2023 – 1st BOE Budget Review Workshop for the 2023-2024 CVCS Budget – 6:30 p.m. Elementary Gym
- B) March 21, 2023 – 2<sup>nd</sup> BOE Budget Review Workshop for the 2023-2024 CVCS Budget – 6:30 p.m. Elementary Gym
- C) April 6, 2023 – Regular BOE Meeting - 6:30 p.m. Elementary Gym

**XII. ADJOURN REGULAR MEETING**