

On Thursday, March 02, 2023, the Charlotte Valley Central School Board of Education held its Regular Meeting in the Elementary Gym.

Members present: B. Garrison, J. Ballard, M. Moyse, R. Dianich, and J. Vroman

Member(s) absent: None

Others present: E. Whipple, C. Davis, J. Plante, members of the Class of 2023 and various members of the community.

B. Garrison called the meeting to order at 6:30 p.m. with the pledge to the Flag.

B. Garrison asked if anyone would like to speak with the Board. Rich Quigley and Korbin Anderson, Class of 2024 representative asked to address the Board.

Ms. Anderson asked the Board to approve the Class of 2024 Senior trip.

Mr. Quigley asked the Board to consider merging with South Kortright for Varsity Baseball.

On a motion by R. Dianich and seconded by J. Ballard, the Board approved the following items:

February 02, 2023 Regular BOE Meeting Minutes.

General Warrant #30 dated March 02, 2023 in the amount of \$202,030.09

Cafeteria Warrant #31 dated March 02, 2023 in the amount of \$13,368.52

Federal Warrant #29 dated March 02, 2023 in the amount of \$33,394.34

No Treasurer's Report

January 2023 Student Activity Report

Budget Status Report and the Revenue Status Report for the General and Cafeteria Funds as of 03/03/2023.

Recommendations of the CSE Chairperson.

Meeting Minutes

Warrant #30 3/02/2023

Warrant # 31 3/02/2023

Warrant #29 3/02/2023

Treasurer's Report

Student Activity Report

Budget Status

CSE recommendations

**APPROVED**

B. Garrison - yes M. Moyse - yes J. Ballard - yes  
R. Dianich - yes J. Vroman - yes Roll Call - Motion passed

On a motion by M. Moyse and seconded by R. Dianich, the Board approved the unpaid leave request of Karen Wamsley on April 17th and April 18th 2023.

K. Wamsley/unpaid leave

B. Garrison - yes M. Moyse - yes J. Ballard - yes  
R. Dianich - yes J. Vroman - yes Roll Call - Motion passed

On a motion by M. Moyse and seconded by J. Vroman, the Board approved the following appointments:

Morgan Falcone to the position of Substitute Teacher/Aide effective March 02, 2023.

Kevin Jorgensen to the position of Substitute Teacher/Aide effective March 02, 2023.

Jodi Clapper to the position of CROP leader effective February 03, 2023.

M. Falcone/sub

K. Jorgensen/sub

J. Clapper/CROP

B. Garrison - yes M. Moyse - yes J. Ballard - yes  
R. Dianich - yes J. Vroman - yes Roll Call - Motion passed

**Superintendent's Report:**

Superintendent Report

CVCS was marked 1 of only 13 schools in the state with a 100% graduation rate for 2022.

The winter athletic season saw success for several of our teams. Most notable was the Girls JV Basketball league championship win. The girls ended their season with a 19-1 record. Also, the Varsity Boys Basketball team made it all the way to the Class D Section semifinals.

Thank you to Cheryl Butler for finding games for our teams. Several teams would not have had very many games otherwise. Also, thanks to the transportation department for getting all of our teams to where they needed to be even when many teams were going in different directions.

The BOE goals that the Board worked on during their workshop are on the agenda for approval.

The 22/23 Capital outlay project is complete with the exception of the punch list. We will be closing it out as soon as these items are taken care of.

The capital project planning is coming along. The user group meetings are done and changes were made to the design to accommodate the suggestions made by the stakeholders in their specific areas. We are still on schedule to submit to SED in July.

**Principal's Report:**

Principal Report

We had a great two day presentation by Sweethearts and Heroes. The kids seemed to really enjoy this event.

We had the annual Principal's Luncheon at Brooks on February 9th.

Four student were Inducted into the Musical Honor Society.

There was a ice cream celebration put on by Mrs. Leh for the Summer Reading Challenge.

Mrs. Davis has completed 17 teacher observations already. Most of the tenured teachers have at this point been observed.

Tomorrow we will be making the Val/Sal announcement.

On a motion by J. Ballard and seconded by J. Vroman, the Board approved the following:

The School District Facility request of Hartwick College for March 31, 2023 from 4:00 to 6:30PM to perform tax prep services to the community.

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.

The Class of 2023 Senior trip.

Transfer of \$500,000 from the Capital Reserve fund to the Capital Fund as authorized by District residents on December 06, 2022.

2023-2024 Board of Education goals.

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

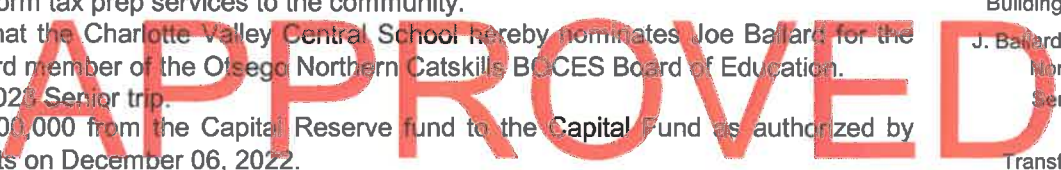
WHEREAS, a tentative settlement has been reached with Defendant Juul Labs, Inc. and certain individual board members, directors, executives and parties with whom Juul labs, Inc. has indemnity agreements; and

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

Building use request  
J. Ballard BOCES BOE  
Nomination  
Senior Trip  
Transfer of funds  
BOE Goals  
Vaping litigation



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.

*B. Garrison - yes    M. Moyse - yes    J. Ballard - yes*  
*R. Dianich - yes    J. Vroman - yes    Roll Call - Motion passed*

APPROVED

On a motion by M. Moyse and seconded by R. Dianich, the Board approved to go into executive session to discuss a personnel issue and collective bargaining.

Executive session

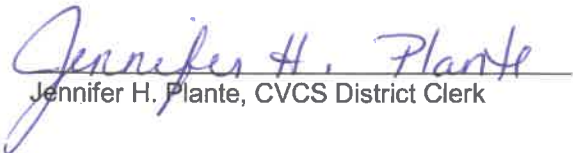
*B. Garrison - yes    M. Moyse - yes    J. Ballard - yes*  
*R. Dianich - yes    J. Vroman - yes    Roll Call - Motion passed*

On a motion by B. Garrison and seconded by M. Moyse, the Board approved to adjourn the meeting at 8:02 p.m.

Adjourn

*B. Garrison - yes    M. Moyse - yes    J. Ballard - yes*  
*R. Dianich - yes    J. Vroman - yes    Roll Call - Motion passed*

Respectfully submitted,

  
 Jennifer H. Plante, CVCS District Clerk