

HANCOCK CENTRAL SCHOOL DISTRICT

HANCOCK, NEW YORK 13783

AGENDA FOR REGULAR BOARD MEETING

Tuesday, October 10, 2023

Exempt Session 6:00PM

Regular Meeting 7:00 PM

I. CALL TO ORDER – 7:00 P.M.

Meeting called to order at _____ with _____ presiding.

Attendance

Board Members	Present	Absent
Cliff Johnston, President		
Christopher Geer, Sr., Vice-President		
Nick Hazen		
Vicky Bogart		
Tammi Wadeson, District Clerk		

Others	Present	Absent
Lori Asquith, Superintendent		
Lothar Holbert, Wayne Highlands Rep		

II. PRESENTATIONS

N/A

III. PUBLIC COMMENTS

- There will be a sign-up sheet for members of the public wishing to address the Board of Education available at each Board meeting.
- Anyone wishing to speak at public session should fill in their name, address, and the topic or topics they want to speak about.
- People shall speak in order of names on the list.
- Each speaker shall be limited to five minutes total of speaking time.
- Public session shall be limited to a maximum of 30 minutes total. People may also submit any comments in writing to the District Clerk.

IV. CONSENT AGENDA

- A) Approval of minutes, Regular and Executive Meeting, September 25, 2023.
- B) Upon the recommendation of the Superintendent, it is recommended that the recommendations of the Hancock Central School District Internal Claims Auditor for the period ending 10/06/2023 be approved.

- C) Upon the recommendation of the Superintendent, it is recommended that the General Fund, School Lunch Fund, Capital Fund and Federal Aid Fund bills for the period ending 10/06/2023 be approved.
- D) Upon the recommendation of the Superintendent, it is recommended to appoint Kimberly Makowski and Judy Ellis as Co-Weight Room Supervisor's for the 2023-2024 school year at the rate of \$1,831/ year shared.
- E) Upon recommendation of the Superintendent, it is recommended that the appointment of Valerie Tompkins be approved as follows:
The Superintendent having advised the Board that a conditional appointment is necessary in relation to the appointment of a Non-Certified Substitute Teacher and Substitute Aide/Monitor and the prospective employee having filed a statement regarding criminal convictions and the Superintendent having forwarded to the State Education Department an application for conditional appointment and the fingerprints of the prospective employee, and on recommendation of the Superintendent, it is resolved that the conditional appointment is hereby made for Valerie Tompkins as a Non-Certified Substitute Teacher at the rate of \$115/day and Substitute Aide/Monitor at the rate of \$15.50/hour for the 2023-2024 school year.

- F) Upon recommendation of the Superintendent, it is recommended to approve the following:
In accordance with a Small Claims Assessment Review stipulation, Filing # EF2023-539, regarding parcel 123689, 419.-1-21.121, Jesse Alexander Harding and Patricia Shiu vs. Jim Basile the Assessors of the Town of Hancock, Hancock New York. I have investigated the filed stipulation. The 2023 decision requires that the total assessed value for 2023 Assessment Roll on tax parcel 13689, 419.-1-21.121 be corrected to \$900. Therefore, pursuant to Section 554 of the Real Property Tax Law, the taxpayer is due a 2023 School Tax Bill Correction in the amount of \$101.68.

In accordance with a Small Claims Assessment Review stipulation, Filing# EF2023-539, regarding parcel 123689, 419.-1-21.122, Jesse Alexander Harding and Patricia Shiu vs. Jim Basile the Assessors of the Town of Hancock, Hancock New York. I have investigated the filed stipulation. The 2023 decision requires that the total assessed value for 2023 Assessment Roll on tax parcel 13689, 419.-1-21.122 be corrected to \$1,180. Therefore, pursuant to Section 554 of the Real Property Tax Law, the taxpayer is due a 2023 School Tax Bill Correction in the amount of \$133.32.

In accordance with a Small Claims Assessment Review stipulation, Filing# EF2023-539, regarding parcel 123689, 419.-1-21.13, Jesse Alexander Harding and Patricia Shiu vs. Jim Basile the Assessors of the Town of Hancock, Hancock New York. I have investigated the filed stipulation. The 2023 decision requires that the total assessed value for 2023 Assessment Roll on tax parcel 13689, 419.-1-21.13 be corrected to \$2,000. Therefore, pursuant to Section 554 of the Real Property Tax Law, the taxpayer is due a 2023 School Tax Bill Correction in the amount

of \$225.95.

- G) Upon recommendation of the Superintendent, it is recommended to approve the following:

In accordance with SECTION #550-(2) (a) of the Real Property Tax Law, concerning the Claimed "clerical error" on the 2023 assessment roll, I have investigated the claim by Jim Basile, Assessor, Town of Hancock, on parcel 123601 429.17-2-67 owned by Janet Sutliff. The Assessor has verified that the ENHANCED STAR Exemption (41834 STAR ENHANCED) was not applied to the 2023 Assessment Roll, when in fact the Owner was entitled to the exemption. Therefore, pursuant to Section 554(1) of the Real Property Tax Law, the taxpayer is due a 2023 School Tax Bill Correction in the amount of \$1,431.54.

Motion by _____ Seconded by _____
 ___ Yes ___ No ___ Abstain Motion Carried Yes No

V. REGULAR AGENDA

- A) Upon the recommendation of the Superintendent, it is recommended to approve 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 Hancock 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 Altria Group, Inc. and Philip Morris USA, Inc., Altria Client Services LLC, Altria Enterprises LLC, and Altria Group Distribution Company (collectively "Altria") by board resolution relating to the production, marketing, sale, and distribution of e-cigarettes and vaping devices; and

WHEREAS, a tentative settlement has been reached with Defendant Altria whereby in return for discontinuing the litigation, the School District would receive certain cash payment; and

WHEREAS, the amount that the School District receives will be no less than \$2,524 ; 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 Altria.

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 Altria.
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.

Motion by _____ Seconded by _____
___ Yes ___ No ___ Abstain Motion Carried Yes No

B) It is recommended to approve a transfer of \$116,310 to the 2022-2023 General Fund Budget for the purpose of replenishing the funds used in paying the contractual retirement unused sick/vacation time buy-outs as well as contractual incentives of Kelly Czapnik, Terrance Dougherty and Cynthia Gill. The source of funds will be from the Employee Benefit and Liability Reserve (EBLAR). The Board authorizes moving \$116,310 from the EBLAR reserve to the unassigned fund balance.

Motion by _____ Seconded by _____
___ Yes ___ No ___ Abstain Motion Carried Yes No

Items for Discussion:

1. Erie 1 BOCES Policy
2. Board Docs Update
3. Entry Plan
4. School Messenger -SMS Text Messaging
5. Health Insurance Consortium

VI. FUTURE BUSINESS

- A) Regular Board of Education Meeting, Monday, October 23, 2023, 7:00 PM
- B) Regular Board of Education Meeting, Monday, November 13, 2023, 7:00 PM

VII. EXECUTIVE SESSION

For the Board to enter into Executive Session at _____.

Motion by _____ Seconded by _____
___ Yes ___ No ___ Abstain Motion Carried Yes No

For the Board to move out of Executive Session at _____ and regular meeting resumed.

Motion by _____ Seconded by _____
___ Yes ___ No ___ Abstain Motion Carried Yes No

VIII. ADJOURNMENT

Consideration of a motion to adjourn the meeting at _____.

Motion by _____ Seconded by _____
___ Yes ___ No ___ Abstain Motion Carried Yes No