

The Regular meeting of the Canandaigua City School District Board of Education was held on Monday, March 6, 2023 at 6:30 p.m. at the Operations Center, President Grimm presiding.

**BOARD MEMBERS PRESENT:** Jeanie Grimm, Amy Calabrese, Milton Johnson, Julianne Miller, Megan Personale, Jen Schneider, Beth Thomas

**BOARD MEMBERS ABSENT:** John Polimeni, Jenny Tessendorf

**LEADERSHIP TEAM PRESENT:** Jamie Farr, Matt Fitch, Brian Nolan, Matt Schrage

**BOARD DISTRICT CLERK ABSENT:** Deborah Sundlov

**OTHERS PRESENT:** On file

***Pledge of Allegiance to the Flag***

Mrs. Grimm called the meeting to order at 6:30 p.m. with kindergartner Adeline Wantuch leading all in the Pledge of Allegiance.

***Superintendent's Report***

Music in our Schools was recognized with Mr. Greg Kane, Music Curriculum Area Lead Teacher. Superintendent Farr provided an update on the Braves name.

***Board Student Representative***

Neil Stringer provided the Board an update on the happenings in the buildings.

***Public Comments***

Christine Ross, Canandaigua  
Melanie Smith, Canandaigua  
Kelly Mariano, Rochester  
Terese Keys, Canandaigua

***Board Meeting Minutes***

Upon a motion made by Mrs. Thomas, seconded by Dr. Schneider, with all present voting yes, the Board of Education approved the February 6, 2023 Regular Board Meeting Minutes and February 13, 2023 Special Meeting Minutes.

**APPROVED: MINUTES**

***2023-2024 Budget and Department Budget Presentation***

The below presented their draft budget for the 2023-2024 school year:

- Mrs. Marissa Logue- Academy
- Mr. John Arthur- Middle School
- Mr. Brian Amesbury- Elementary School
- Mrs. Emily Bonadonna- Primary School
- Mr. Dennis DesRosiers- Special Programs
- Mr. Greg Kane- Music
- Mr. Matt Schrage- Office of Instruction
- Mrs. Caroline Chapman/Mr. Jim Simmons- Athletics
- Mr. Dan Bowman- Technology

- Mr. Mike McClain- Buildings and Grounds
- Mr. Seth Clearman- Transportation

### **2023 Vehicle Purchase Reserve Fund**

Upon a motion made by Mr. Johnson, seconded by Mrs. Personale, with all present voting yes, the Board of Education approved voting on the 2023 Vehicle Purchase Reserve Fund

#### **APPROVED: RESERVE FUND**

**BE IT RESOLVED**, by the Board of Education of the Canandaigua City School District, as follows:

Section 1. The proposition hereinafter set forth is hereby authorized to be submitted for the approval of the qualified voters of the District on the 16<sup>th</sup> day of May, 2023 (the "Vote").

Section 2. The proposition set forth below shall be submitted at the Vote and the District Clerk shall include notice of the proposition in substantially the following form in the notice of the Vote:

**NOTICE IS HEREBY FURTHER GIVEN** that at the Vote to be held on May 16, 2023, the following proposition will be submitted:

#### **PROPOSITION 3- 2023 VEHICLE PURCHASE RESERVE FUND**

Resolved, the Board of Education of the Canandaigua City School District is hereby authorized to establish a capital reserve fund pursuant to Section 3651 of the Education Law to be designated, "2023 Vehicle Purchase Reserve Fund", for the purchase of school buses, other vehicles, and other equipment for use in the transportation program of the School District, in an ultimate amount not to exceed Ten Million Dollars (\$10,000,000) inclusive of accrued interest and other investment earnings, with a probable term of ten (10) years. The Board of Education is hereby authorized to pay funds from the available fund balance, state aid reimbursement to the School District on account of bus purchases and the proceeds of the sale of used buses, and/or such other monies as the voters may direct, and/or other legally available funds of the School District to such reserve fund in an amount determined by the Board of Education up to the maximum authorized amount.

Section 3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution will be a vote on roll call as follows:

Mrs. Amy Calabrese	Voting Yes
Mr. Milton Johnson	Voting Yes
Mrs. Julianne Miller	Voting Yes
Mrs. Megan Personale	Voting Yes
Mr. John Polimeni	Absent
Dr. Jen Schneider	Voting Yes
Ms. Jennifer Tessorf	Absent
Mrs. Beth Thomas	Voting Yes
Mrs. Jeanie Grimm	Voting Yes

### **Consensus Agenda**

Upon a motion made by Mrs. Calabrese, seconded by Dr. Schneider with all present voting yes, the Board of Education approved/accepted the Consensus Agenda.

#### **APPROVED: CONSENSUS AND SUPPLEMENTAL AGENDA**

**Business**

**1. Treasurer's Report**

the Treasurer's Report for the Period of December 1, 2022 - December 31, 2022. Additional information is included as an attachment and is filed.

**2. Budget Status Report**

the Appropriation Status Report, which is a summary which is a summary, for the period of July 1, 2022 - December 31, 2022. Additional information is included as an attachment and is filed.

**3. Revenue Status Report**

the Revenue Status Report, which is a summary July 1, 2022 - December 31, 2022. Additional information is included as an attachment and is filed.

**4. Field Trips- Final Approval**

the request Mrs. Marissa Logue, Academy Principal, for final approval of the below trips:

- Academy Music Trip- Nashville, TN, March 30-April 2, 2023 (*initial 9/12/2022*)
- Distributive Education Clubs of America (DECA) State Conference- Rochester, NY, March 8-10, 2023 (*initial 10/17/2022*)

**5. Athletic Trip- Initial Approval**

the request from the Athletic Department for initial approval of the below trips:

- Boys Lacrosse- Boston, MA, March 24-25, 2023
- Varsity Softball- Binghamton, NY, April 29-30, 2023

**6. Athletic Trip- Final Approval**

the request from the Athletic Department for final approval of the below trip:

- Girls Lacrosse- Boston, MA, April 1-4, 2023 (*initial 2/6/2023*)

**7. Agreements**

an agreement with Jaqueline Messina-Cowles to provide Speech/Language Pathologist services for UPK screening from February 6-March 7, 2023.

an agreement with Sunbelt Staffing, LLC for the purpose of referring and placing a Teacher of the Deaf with the District, effective February 13, 2023-June 30, 2023.

**8. Surplus Books**

the request of Mr. John Arthur, Middle School Principal, to declare as surplus items the listing of library books.

**9. Clinical Experience/Preceptorship**

the request of Mr. John Arthur recommends:

- Emma Smithers, SUNY Alfred State College with Vicky Gashlin- February 14-April 13, 2023

#### **10. Internal Risk Assessment Audit**

acceptance of the Internal Audit 2022-2023- Annual Update to Risk Assessment completed by Bonadio & Co., LLP.

#### **11. Surplus Items**

the request of Mrs. Emily Bonadonna, Primary School Principal, to declare as surplus items the below:

- Four wooden balance beams (splintering)
- One rolling volleyball standard pole
- Two large physical education storage shelves (broken)

#### **12. Canon of Literature- *Initial Approval***

following additions to be made for first grade Canon of Literature, approved by Council of Instructional Excellence on February 2, 2023.

- *Nouns and Verbs Have a Field Day* by Robin Pulver
- *The Dot* by Peter Reynolds
- *My Mouth is a Volcano* by Julia Cook
- *Elmer* by David McKee
- *Eats, Shoots & Leaves* by Lynne Truss
- *Rocket Writes a Story* by Tad Hills
- *Avocado Asks What Am I?* by Momoko Abe

#### **13. Ontario County Mental Health**

approval for Cassandra Webster to be a co-located services support provider, which is provided through Ontario County Mental Health.

#### **14. New Clubs**

the request of Mr. Brian Amesbury, Elementary School Principal, for the below clubs:

- **Building Braves After-School Tutoring Program.** This club will pair up fourth and fifth grade students with Academy students for help during the school year. The unpaid advisor is Ms. Kym McCarthy.
- **Primary-Elementary School Safety Patrol.** This club is for fifth grade students who model and teach appropriate behavior and safety on a peer-to-peer basis. They provide an extra sense of safety and security, while providing leadership and guidance to students UPK-fifth grade. The unpaid advisors are Ms. Mary Kate Cywinski and Ms. Shauna Karley.

#### **15. Advanced Placement Proctor Rate**

the rate for Advanced Placement proctors' rate will be \$20/hour.

#### **16. 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 Canandaigua City 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 Perrelli with the allocation framework for all governmental entities including factors such as population and litigation risk and be no less than \$16,166 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.
4. This Resolution shall take effect immediately.

**17. Recommendations of the Committee on Special Education**

of the Committee on Special Education meeting dates of: January 3, 2023; January 9, 2023; January 10, 2023; January 13, 2023; January 17, 2023; January 19, 2023; January 20, 2023; January 25, 2023; January 26, 2023; January 27, 2023; January 31, 2023; February 1, 2023; February 2, 2023; February 3, 2023; February 1, 203; February 6, 2023; February 7, 2023; February 8, 2023; February 9, 2023; February 14, 2023; February 16, 2023

**Personnel**

1. Non-Instructional Personnel

A. Removals

<u>Name</u>	<u>Position</u>	<u>Reason</u>	<u>Effective</u>
Penelope Hastings	Teacher Aide	Resignation	2/9/2023
Brad Kovalovsky	Sr. Computer Services Assistant	Resignation	2/24/2023
Taylor Meade	School Bus Monitor	Resignation	2/17/2023
Kayla Ratka	School Monitor	Resignation	3/6/2023

B. Appointments

*Pending Civil Service approval and NYSED fingerprint clearance where applicable:*

<u>Name</u>	<u>Position</u>	<u>Effective</u>	<u>Rate</u>
Charity Chrysler	School Bus Driver	2/27/2023	\$24.18/hr.
Emily Bonacci	School Monitor	2/27/2023	\$14.70/hr.
John Cooley	Substitute Teacher Aide	2/27/2023	\$14.20/hr.
Jordan Boylan	Teacher Aide	2/27/2023	\$14.75/hr.
Taylor Meade	Substitute School Bus Driver	2/17/2023	\$19.00/hr.
Beatriz Oyola Rodriguez	School Monitor	3/6/2023	\$14.70/hr.

2. Instructional Personnel

A. Leave of Absence

- 1) of Sheila Sullivan-Murphy, Special Education Teacher at the Academy, for a leave of absence from September 1, 2023 through November 28, 2023.

B. Resignation for the Purpose of Retirement

letter of resignation for the purpose of retirement from the following individuals. On behalf of the District, sincere best wishes for a happy and healthy retirement are offered. Thank you for the many years of service to the youth of the Canandaigua City School District.

<u>Name</u>	<u>Position</u>	<u>Effective</u>	<u>Years of Service</u>
Lisa Carro	Elementary Teacher	6/30/2023	34
Kimberly Broderick-Webb	Instructional Support Teacher	6/30/2023	33
Pamela Welch	Elementary Teacher	6/30/2023	33
Donald J. Kitzel	English Teacher	6/30/2023	21
Catherine Kelley	Elementary Teacher	6/30/2023	33
Lorin Van Nostrand	Special Education Teacher	6/30/2023	30

C. Appointments

*The Board of Education of the Canandaigua City School District hereby accepts the recommendation*

1) Interim Substitute Teacher

the following individual for an Interim Substitute Teacher position as indicated at an agreed upon rate for the duration of the assignment:

<u>Name</u>	<u>Position</u>	<u>Building</u>	<u>Effective</u>
Matthew Johengen	Chemistry Teacher	Academy	2/13/2023 – 6/23/2023

2) Mentors

the following individuals to Mentor assignments for the 2022-2023 school year at the contractual rate:

Lauren O'Reilly for Sabrina Dziubek, Elementary School, Effective 2/7/2023  
Adam Stoler for Matthew Johengen, Academy, Effective 2/13/2023

***End of Consensus Agenda***

**Board Committees**

Audit Committee

Mr. Milton Johnson reported out on behalf of the Audit Committee which met on March 3, 2023. The committee discussed the cafeteria fund balance. The next meeting is scheduled for March 31.

Policy Committee

Mrs. Beth Thomas reported out on behalf of the Policy Committee. With no second required, the below policy amendment was accepted.

- Policy 1120 District Organization Chart- Second Reading

***Upcoming Events***

- March 8- CIE Meeting
- March 7- Fifth Grade Band and Orchestra Concert
- March 10, 11- CA Musical
- March 14- Seventh Grade Band and Chorus Concert
- March 15- Sixth Grade Band and Chorus and Eighth Grade Chorus Concert
- March 16- 100 Days until Graduation
- March 17- Superintendent Conference Day- No School
- March 20- Regular Board Meeting
- March 21- Academy Orchestra Concert
- March 21- PTSA Meeting
- March 23- Character Education Committee
- March 23- CA Symphonic Band and Eighth Grade Band Concert
- March 27- Modified Sports Begin
- March 28- Academy Chorus Concert
- March 31- Audit Committee Meeting





***Adjournment***

Upon a motion made Dr. Schneider, seconded by Mrs. Thomas, with all present voting yes, the Board of Education approved the adjournment of the Regular meeting at 8:06 p.m. The next Regular meeting will be on March 20, 2023 at 6:30 p.m.

Respectfully submitted,

Matt Fitch  
District Clerk Pro Tem