Forestville Central School
Board of Education

Organizational & Regular Meeting Agenda
July 15, 2026 5:30 PM
Alene J. Bradigan Memorial HS Library

Members Present: Andrea Spengler, Michelle Merritt, Derek Case, Lindsey Ellis, Jamie Gruber, Rachel Locke Jamie Hebner, Student Board Member Sophia Stewart

Administration Present: John O'Connor, Kerriann Pelletter

ORGANIZATIONAL MEETING

Call To Order – Superintendent

Dr. John O'Connor called the meeting to order at 5:31 pm.

Pledge to the Flag

Moment of Silence-

In remembrance of Forestville High School student Sky Hahn.
In remembrance of Forestville Alumni Seadra (Rummel) Ponvert, daughter of Sharolyn Wutz.

Appoint Clerk of Meeting

Dr. John O'Connor appointed Melody Voigt as Clerk of the Meeting.

Administration of Oath

Melody Voigt administered the Oath of Faithful Performance in Office to newly elected board members Derek Case, Lindsey Ellis, Jamie Hebner.

Nominations and Election of Officers for 2026-2027

President-Andrea Spengler

Nominations- Jamie Gruber nominated Andrea Spengler for the office of President. Andrea accepted the nomination. No other nominations were made. Nominations were closed. By a vote 7-0, Andrea Spengler was elected President for 2026-2027.

Vice President-Derek Case

Nominations- Andrea Spengler nominated Jamie Gruber for the office of Vice-President. Jamie accepted the nomination. Jamie Hebner nominated Derek Case for the office of Vice-President, Derek accepted the nomination. Nominations were closed. By a vote 4-3, Derek Case was elected Vice-President for 2026-2027.

Melody Voigt administered the Oath of Faithful Performance in Office to President Spengler and Vice President Case.

Recommends that the following school personnel be required to complete a **Conflict of Interest Disclosure Statement**, indicating whether they have nothing to disclose or listing any significant financial interests, businesses, and other non-profit affiliations related to the Forestville Central School District: All school board members, school superintendent, school principal, business manager, district treasurer, district clerk, and department heads must sign this statement annually.

Appointments for 2026-2027

Lindsey Ellis made the motion, seconded by Jamie Gruber, upon the recommendation of the Superintendent to approve the following appointments for the 2026-2027 school year.

Upon recommendation of the Superintendent to approve the following appointments for the 2026-27 year:

Student Board Member	Sophia Stewart
Clerk of the Board	Melody Voigt
District Treasurer	Stacy Korzenieski
Deputy District Treasurer	Amanda Seneca
Tax Collector	Amanda Seneca
Claims Auditor	Sandra Muck
Extra-Curricular Faculty Auditor	Sandra Muck
Central Treasurer	Heather Jackson
Insurance Consultant	Arthur J. Gallagher and Company
Bond Counsel	Hodgson Russ
Financial Advisor	Municipal Solutions
District Attendance Officer	John O'Connor
Purchasing Agent	Kerrieann Pelletter
Deputy Purchasing Agent	John O'Connor
Investment Officer	John O'Connor
Records Management Officer	John O'Connor
Records Access Officer (FOIL)	John O'Connor
Records Access Appeals Officer (FOIL)	Board President
Records Retention & Disposition Officer	John O'Connor
District Human Rights Officer	John O'Connor
Civil Rights Compliance Officer	John O'Connor
Asbestos Designee	John O'Connor
OSHA and Toxic Substance Coordinator	John O'Connor
Chemical Hygiene Officer	John O'Connor
Meals Program Verification	Sarah LoManto
Meals Program Review Official	Sarah LoManto
Meals Hearing Officer	John O'Connor
Representative to Workers' Compensation	Kerrieann Pelletter Stacy Korzenieski
504 Coordinator/Chairpersons	Daniel Grande Shauna McMahon
Title IX Officers	Daniel Grande Shauna McMahon
Designated Education Officials	John O'Connor Daniel Grande Shauna McMahon
Petty Cash Controller	Stacy Korzenieski
Attorney	Bond Schoeneck & King PLLC Harris Beach Hodgson Russ Webster Szanyi
School Physician	Matthew D. Wehr, MD

Chairperson CSE & CPSE	Aaron Bevill
Alternate Chairperson CSE & CPSE	Shauna McMahon
Psychologists CSE & CPSE	TBD
Physician CSE & CPSE	Matthew Wehr, MD
CSE/CPSE Administrators	Daniel Grande
	Shauna McMahon
Parents CSE	Jamie Blasdell
	Trisha Pryll

Mediators (if requested) Regular Education Teacher of Student with disability

One Special Education Teacher	Sarah Borrello
	Lisa Szumigala
	Stephanie Kubera
	Stephen Travis
	Lisa Brewster
	Laura LeBaron
	Savanah Clear

Parent Representative CPSE	Jamie Blasdell
	Trisha Pryll
	Jennifer Newkirk
County Representative CSE	Denise Nichols – Chautauqua County
	Pat Siminski – Cattaraugus County
Evaluator CSE	BOCES
	Other Approved Evaluators
Evaluator CPSE	Buffalo Hearing and Speech
	Children's Educational Services
	Other Approved Evaluators
Impartial Hearing Officers	List from NYSED
Homeless Student Liaison	John O'Connor
Hearing Officer for Student Discipline	John O'Connor or designee
Dignity Act Coordinator	Daniel Grande – MS/HS
	Shauna McMahon – Elementary
Residency Officer	John O'Connor
Lead Evaluators of Teachers	John O'Connor
	Daniel Grande
	Shauna McMahon

Designated Employees to Provide Substance Abuse Information to Students, Parents & Staff	Brianne Hazelton
	Christina Bauer
	Shannon Soffel
Data Protection Officer	Wesley Wright

All voted yes, motion carried.

Designations for 2026-2027

Jamie Hebner made the motion, seconded by Derek Case to approve the following designations for the 2026-2027 school year:

Upon recommendation of the Superintendent to make the following designations for 2026-27:

Designate NBT Bank as a depository for school funds.
In addition, other banking transactions will be permitted with any other New York State Bank.

Designate the 2nd Thursday of the month at 5:30 pm as the Regular Meeting date for the 2026-2027 school year with the exceptions of the April 2027 meeting.

Designate The Observer as the official newspaper.
Designate the School Business Executive and the District Treasurer to sign payroll checks and other disbursements.

All votes yes, motion carried.

Authorizations for 2026-2027

Lindsey Ellis made the motion, seconded by Michelle Merritt to approve the following authorizations for the 2026-2027 school year:

Upon recommendation of the Superintendent to make the following authorizations for 2026-2027:

Authorize the Superintendent to:

Certify Payrolls
Approve Staff Attendance at Conferences, Conventions, Workshops, In-Services
Approve Board of Education Attendance at Conferences, Conventions, Workshops and Other Out of District Activities
Transfer moneys up to $15,000 within budget categories
Employ part-time and temporary help within budget allocations

Authorize the Superintendent to conditionally employ personnel on a temporary, part-time, per diem, or substitute basis.

Authorize the Superintendent of Schools, to apply for any and all grants for the District, its students, employees, officers and agents, as well as all cooperative efforts with other organizations and businesses, with the understanding that the final authorization of grants rests with the Board of Education.

Authorize the Superintendent to require employees to submit to a medical examination to determine his/her fitness to continue employment, and to make such arrangements as are necessary to effectuate this 913 resolution.

Authorize the School Business Executive to:
Approve purchase orders up to $10,000
Pay bills up to $10,000

Authorize the following staff to be bonded for the 2026-2027 school year:

Superintendent	$ 200,000
School Business Executive	$ 200,000
District Treasurer	$1,000,000
Deputy District Treasurer	$1,000,000
District Tax Collector	$1,000,000
Claims Auditor	$ 200,000
Central Treasurer	$ 100,000
Employees Blanket Bond	$ 100,000

All voted yes, motion carried.

Establish Rates for 2026-2027
Jamie Gruber made a motion, seconded by Jamie Hebner to approve the following rates for the 2026-2027 school year:

Upon recommendation of the Superintendent to establish the following rates for 2026-2027:

Tuition non-resident students
Grades K-12 Per NYSED Recommendations
Siblings will be charged 50% of appropriate fee

Mileage	IRS standard mileage rate
Substitutes	7/1/26–6/30/27
Per Diem Teachers Certified	$140 / day
Per Diem Teachers Uncertified	$115.00/ day
Per Diem Nurse RN/COTA	$150 / day
Bus Driver	$20.00 / hr.
School Bus Driver Trainee	$16.00 / hr.
Custodial	$16.00 / hr.
Clerical	$16.00 / hr.
Aides/Food Service	$16.00 / hr.
Clock Operator	$60 / Modified game
	$60 / JV game
	$60 / Varsity game
	$60 / Varsity Football game
Chaperone	$60 / Modified game
	$60 / JV game
	$60 / Varsity game

	$60 / Varsity game
	$60 / Other events as needed
Ticket Taker	$50 / athletic/other events as needed
Auditorium Rental Rates	$50 / hr. Not for Profit Org.
	$75 / hr. For Profit Org.
	Plus, the cost of custodial wages and benefits
Copying Fees	
Freedom of Information	$ .25 per photocopy up to 9 x 14 inches
Incidental copying	$ .25 per side per page
Laminating	$2.00 per linear foot
Bus Rental Rate:	$1.95 mile plus driver

All voted yes, motion carried.

Reaffirmation of Board Policies and Bylaws for 2026-2027
Rachel Locke made a motion, seconded by Jamie Gruber to reaffirm the Board policies and bylaws for the 2026-2027 school year.

Upon recommendation of the Superintendent to reaffirm the Board policies and bylaws, as adopted by the Board of Education for the 2026-27 school year.

All voted yes, motion carried

Standing Advisory Committee Appointments 2026-2027

A. Negotiations –Andrea Spengler, Jamie Hebner, Derek Case

B. Policy Committee –Rachel Locke, Jamie Hebner, Derek Case

C. Audit/Finance Committee –Lindsey Ellis, Andrea Spengler, Jamie Gruber

D. Athletic Committee –Michelle Merritt, Derek Case, Andrea Spengler

E. Budget Committee – All members of the Board

F. Diversity, Equity, Inclusivity and Civics Committee – All members of the Board

G. Wellness Committee member-Jamie Hebner

H. CCSBA Liaison-Michelle Merritt

I. NYSSBA Liaison-Lindsey Ellis

Upon recommendation of the Superintendent, make the following standing advisory committee appointments for the 2026-27 year:

Lindsey Ellis made a motion, seconded by Jamie Hebner to approve the committee appointments for the 2026-2027 school year.

J. School Safety Committee
John O'Connor
Shauna McMahon
Daniel Grande
Wesley Wright
Brenda Schneider
Melody Voigt
Jennifer Hodkin
Ashley Cross
Greg Greenough
Scot Greenough
Scott Hazelton
Jon LeBaron
Kristen Marvin
Brian Hanner
Mark Woolley
Kris Richter
Kyle Barthel
Sarah LoManto
Andrea Spengler

K. Professional Development Committee
John O'Connor
Shauna McMahon
Daniel Grande
Greg Greenough
Melissa Press
Stephanie Kubera
Christina Bauer

L. Technology Committee
John O'Connor
Shauna McMahon
Wesley Wright
Dan Grande
Kerrieann Pelletter
Melissa Press
Sarah Borrello
Tom Dempsey
Laurie Becker
Allison Kwilos

M. Wellness Committee
Scott Greenough
Sarah LoManto
Kerrieann Pelletter
Sharolyn Wutz
Board of Education Member

All voted yes, motion carried.

REGULAR MEETING

Approval of Regular Agenda

Public Comment

Board Reports President

Superintendent O'Connor gave updates on the building projects and upcoming new teacher orientation.

Discussion Items
First reading of Policy #5661Wellness
Second reading of Policy #5840 Artificial Intelligence
Old Business

None

New Business Consent Agenda
Jamie Gruber made a motion, seconded by Derek Case to approve items A.

Recommendation from Superintendent to approve agenda items A.

A. Meeting Minutes

Approve the minutes of the Board of Education Regular Meeting Minutes of June 11, 2026.

All voted yes, motion carried.

Lindsey Ellis made a motion, seconded by Jamie Gruber to approve items B.

Recommendation from Superintendent to approve agenda items B.

B. Financial Items:

1) Treasurer's Report for all funds: May and June 2026.

2) Warrant Summary Report and Claims Auditor Report - June 2026.

3) Extra-Curricular Reports-May and June 2026.

4) Budget Transfers May 2026

5) Approve the School Business Executive to issue corrected tax bills as needed.

6) Authorize the transfer from the unappropriated fund balance to Unemployment Reserves Fund in the amount not to exceed $73,000 effective June 30, 2026.

7) Authorize the transfer from the unappropriated fund balance to the Retirement Contribution Reserve Fund in the amount not to exceed $75,000 effective June 30, 2026.

8) Authorize the transfer from the Employee Benefit Accrued Liability Reserve Fund to the General Fund in the amount not to exceed $120,000 effective June 30, 2026.

9) Authorize the transfer from the unappropriated fund balance to the Retirement Contribution Reserve Sub-Fund in the amount not to exceed $76,000 effective June 30, 2026.

10) Authorize the transfer from the unappropriated fund balance to the Property Loss Reserve Fund in the amount not to exceed $25,000 effective June 30, 2026.

11) Authorize the transfer from the unappropriated fund balance to the Capital Reserve Fund in the amount not to exceed $750,000 effective June 30, 2026.

12) Authorize the transfer from the unappropriated fund balance to the Insurance Reserve Fund in the amount not to exceed $15,000 effective June 30, 2026.

13) Blanket Purchase Orders for 2026-27:

Add Lumber- Smith True Value- B&G	5,000.00
Add Lumber- Smith True Value- Tran	1,500.00
Amazon - B&G	4,500.00
Amherst Exterminators	3,000.00
Utica Insurance Group	110,321.00
Casella	9,000.00
Chautauqua County CSD Med	1,690,149.00
Chautauqua Transportation	2,500.00
Children's Educational Services	20,000.00
Degoliers Maple Farm	500.00
DFT	1,740.00
Director of Finance	121,343.45
FM Communications	5,000.00
Grainger	2,500.00

Hershey Ice Cream	2,500.00
Hillyard	30,000.00
Home Depot -B&G	3,000.00
Kenworth Northeast	2,000.00
Kings III Emergency Communications	588.00
Lakeshore Employee Testing	1,000.00
Latina Foods	44,000.00
Lovern, Stacey	20,000.00
Management Advisory Group	4,175.00
Maplevale Farms	44,000.00
Meadow Farms	1,000.00
New York Bus Sales	25,000.00
NOCO	85,000.00
NYSEG	98,500.00
Pitney Bowes	3,000.00
Produce Peddlers	2,700.00
Shred It	2,000.00
Sprague Operating Resources	67,700.00
Superior Auto Supply- Dunkirk	12,000.00
The Hartford	2,000.00
The Observer	2,000.00
UC Direct	3,066.00
Upstate Niagara	30,269.00
Valley Tire	30,000.00
Walmart - Café	1,012.00
Windsor Distributing -James McClure	1,500.00
Wright Wisner Distributing Corp	2,000.00
Zoom	10,460.00

All voted yes, motion carried.

Michelle Merritt made a motion, seconded by Rachel Locke to approve items C.

Recommendation from Superintendent to approve agenda items C.

C. Personnel

1) Approve the resignation of Michelle Devine, Elementary Teacher, effective August

31, 2026.

2) Approve the following unpaid days:

Daniel Egan	5/22/2026	1.0
Matthew Ellis	5/15/2026	1.0
Samantha Slate	5/26/2026	0.5
Samantha Slate	5/27/2026	1.0
Samantha Slate	06/01/2026	.25
Samantha Slate	06/18/2026	0.5
Anita Stewart	06/09/2026	1.0

3) Approve the following substitutes:

Kaylee Anders	Certified Teacher
Tyler Morgan	Floater/Monitor/Aide effective July 6, 2026

4) Approve the following unpaid volunteer:

Michele Sprague	Modified Volleyball

5) Grant tenure to Halie Booth, who has professional certification in Childhood Education (Grades 1-6) in the Elementary tenure area effective October 17, 2026.

6) Approve the following summer floater/monitor/aide at their regular 2026-2027 pay:

Cindy Spears	Mon.-Thurs.	4.5 hours/day

7) Approve the following cafeteria positions for the summer at their regular 2026-2027 pay:

Eric Flitt	Cook/Baker	Mon-Thurs.	5.0 hours/day

Cook/Baker Substitutes:
Kristin Bellis

8) Approve the following Summer Media/Tech Assistant:

Anita Stewart	4.0 hours/day	$16.15/per hour

9) Approve the following summer cleaners:

Jaunice Thompson	8.0 hours/day	$16.15/per hour
Tyler Morgan	8.0 hours/day	$16.15/per hour

10) Approve the following bus drivers and aides for summer transportation runs at their regular 2026-2027 hourly rates:

Jane Scott	Bus Driver	4.0 hours/day
Joanne Moss	Bus Driver	4.0 hours/day

Meranda Heim	Bus Driver	4.0 hours/day
Willaim Moss	Bus Driver	6.75 hours/day
Jennifer Tampio-France	Bus Driver	4.0 hours/day
Ken Lucas	Bus Driver	4.5 hours/day
Marv Cummings	Bus Driver	4.0 hours/day
Tyler Morgan	Substitute Bus Driver	
Mary Gunther	Bus Aide	4.0 hours/day
Adrienne Grubb	Bus Aide	4.0 hours/day
Anita Stewart	Bus Aide	4.0 hours/day
Kristen Bellis	Substitute Bus Aide	
Sharon Rebmann	Substitute Bus Aide	

11) Approve the following substitute summer Head Bus Driver effective July 6, 2026:

Meranda Heim $30.87 per hour

12) Approve the following stipends effective July 1, 2026.

Public Relations	$5000.00
Tax Collector	$4000.00

13) Appoint Melody Voigt as Public Relations effective July 1, 2026.

14) Appoint Amanda Seneca as the Tax Collector effective July 1, 2026.

15) Approve the following Graduate Hours and Masters Degree:

Cassandra Bayles 12 grad. hours

16) Upon the recommendation of the Superintendent Rebecca Thornton, who holds an initial certification in Visual Arts, is hereby appointed to a probationary position in the Visual Arts tenure area for a 4-year probationary period commencing on September 1, 2026, and ending on September 1, 2030 (unless extended in accordance with the law).This expiration date is tentative and conditional only. Rebecca Thornton shall receive a salary for the school year (2026-2027) to include 45 graduate hours and master's degree based on Step H of the Collective Bargaining Agreement.

17) Approve the following extracurricular advisor for the 2026-2027 school year, salary will be determined by the FTA Contract:

Art Play Director- Rebecca Thornton

18) Upon the recommendation of the Superintendent Elizabeth Privitera, who holds a professional certification in Childhood Education (Grades 1-6), is hereby appointed to a probationary position in the Elementary tenure area for a 4-year probationary period commencing on September 1, 2026, and ending on September 1, 2030 (unless extended in accordance with the law). This expiration date is tentative and conditional only.

Elizabeth Privitera shall receive a salary for the school year (2026-2027) to include 36 graduate hours and master's degree based on Step J of the Collective Bargaining Agreement.

19) Upon the recommendation of the Superintendent Emily Thomas, who holds an initial certification in Childhood Education (Grades 1-6) is hereby appointed to a probationary position in the Elementary tenure area for a 4-year probationary period commencing on September 1, 2026, and ending on September 1, 2030 (unless extended in accordance with the law). This expiration date is tentative and conditional only. Emily Thomas shall receive a salary for the school year (2026-2027) to include 30 graduate hours and master's degree based on Step C of the Collective Bargaining Agreement.

20) Upon the recommendation of the Superintendent Jessica Howes, who holds an initial certification in Childhood Education (Grades 1-6) is hereby appointed to a probationary position in the Elementary tenure area for a 4-year probationary period commencing on September 1, 2026, and ending on September 1, 2030 (unless extended in accordance with the law). This expiration date is tentative and conditional only. Jessica Howes shall receive a salary for the school year (2026-2027) based on Step B of the Collective Bargaining Agreement.

All voted yes, motion carried.

Recommendation from Superintendent to approve agenda items D.

Jamie Hebner made a motion seconded by Lindsey Ellis to approve the other items and additional other item.

D. Other

1) Approve IEP Recommendation #'s:8039, 6296, 8039, 6891, 6998, 6773, 6704, 8023, 8039, 6768, 6955, 7176, 6615, 6630, 6807, 6365, 6807, 6652.

2) Approve the amended instructional calendar for the 2026-2027 school year.

3) Approve the surplus of the following items:

   4-45lb weightlifting bars.

4) Approve the second reading and adopt the following policy:

   #5840 Artificial Intelligence

5) Authorize the Superintendent to enter into agreements with Erie 2 Chautauqua-Cattaraugus BOCES regarding Drivers Education services effective 07/01/26-07/25/2026.

6) BE IT RESOLVED, that the Forestville Central School District, hereby establishes the

following as standard work hours for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System.

Cook	6.0 hours
Food Service Helper	6.0 hours
Teacher Aide/School Monitor	7.5 hours
School Secretary/Typist	7.5 hours
Senior Library Clerk	7.5 hours
Operations Assistant	8.0 hours
Custodians	8.0 hours
Cleaners	8.0 hours
Mechanic	8.0 hours
Bus Driver	6.0 hours
School Bus Driver Trainee	6.0 hours
Head Bus Driver	8.0 hours
Superintendent's Secretary	8.0 hours
Cook Manager	8.0 hours
Director of Technology	8.0 hours
Director of Facilities 1	8.0 hours
Nurse	7.5 hours
Occupational Therapist Assistant	7.5 hours
District Clerk	8.0 hours
District Treasurer	8.0 hours
Deputy District Treasurer	8.0 hours
Claims Auditor	8.0 hours
Substitute Caller	6.0 hours
Building Maintenance Mechanic	8.0 hours
Central Treasurer	7.5 hours

7) RESOLVED, that Dr. Matthew Wehr be appointed to serve as the District's Medical Director for the 2026-2027 school year. Dr. Wehr's services will be provided to the District pursuant to a cooperative services arrangement with Erie 2- Chautauqua-Cattaraugus BOCES.

8) Authorize the Superintendent to enter into an agreement with R.A. Mercer & Co. P.C. for the external audit for the year end June 30, 2026.

9) Authorize the Superintendent to enter into a renewal agreement with ESI for the Employee Assistance Program in the amount of $ 3,200.00 for the period of July 1, 2026- June 30, 2027.

10) Authorize the Superintendent to enter into an agreement with Pine Valley Central School District for the tuition agreement for the period of July 1, 2026 - June 30, 2027.

11) Authorize the Superintendent to approve up to 100 summer curriculum hours.

Additional Other Items:

Approve the following resolution and membership agreement with The School and Municipal Energy Cooperative of Western New York:

SCHOOL AND MUNICIPAL ENERGY
COOPERATIVE OF WESTERN NEW YORK
MEMBERSHIP AGREEMENT

This municipal cooperative agreement is made effective this ____ day of _____ , 20___ by and between *The School and Municipal Energy Cooperative of Western New York* (the "Cooperative") and , _____a municipal corporation with offices at , _____New York, (hereinafter referred to as "Member").

WITNESSETH:

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually; and

WHEREAS, Section 119-n of the General Municipal Law defines the term "municipal corporation" to mean a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district, or a school district; and

WHEREAS, the Members have determined they can save money by the joint purchasing of energy, and

WHEREAS, each Member has determined to its individual satisfaction that it can purchase energy through the use of a marketing firm; and

WHEREAS, each Member has obtained the necessary approvals to enter into this Agreement and perform its obligation hereunder,

ARTICLE I - ACCEPTANCE OF COVENANTS

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties covenant and agree as follows:

I. The Members collectively shall purchase energy for their facilities.

II. The Members establish the School and Municipal Energy Cooperative of Western New York to act as administrator of this Agreement.

III. The Members authorize the Cooperative to take such steps as are necessary, within the limits of applicable law and in accordance with this Agreement and the By-Laws of the Cooperative, to carry out the purpose of the Cooperative.

ARTICLE II- ADMINISTRATION

I. The Chairperson shall act as the administrator of the Cooperative and the Treasurer shall act as the fiscal officer of the Cooperative and disbursing agent for all payments made by the Cooperative.

II. Each year the Board of Trustees and/or the Executive Committee shall:

A) Determine the consultants, if any, who are to assist in purchasing any energy;

B) Establish all necessary premiums, contributions, charges, and assessments against members as authorized herein and as may be necessary for the proper operation and administration of the Cooperative in accordance with the By-Laws, the terms set forth herein, and applicable law;

C) Appoint such Service Agents (see Definitions) as the Committee deems appropriate to assist the Treasurer and other administrators in the operation and management of the Cooperative (including the Cooperative assets).

III. The Treasurer shall be bonded as an Erie 1 BOCES employee and/or independently through the Cooperative for all moneys received from the Members who shall

collectively be designated as the Obligee. The amount of such bond shall be fixed by the Committee in such principle amount as it deems adequate to protect the interest of the Members.

IV. If a surplus/deficit exists after accounting for all claims for a specific Cooperative year, after provision for payments of all known unsettled claims, and after receipt of annual independent financial audits, the Committee may retain from such surplus an amount sufficient to establish and maintain a contingency fund. Any remaining surplus may be returned to the Members, subject to the approval of the Board of Trustees on a pro rata basis (in the same percentage that they contributed premiums for that specific Cooperative year). If a Member has been dropped from the Cooperative for non-payment of premiums or other assessments, such Member's share of such surplus to be returned shall be applied to the amount due to the Cooperative and any excess shall be returned to the former Member, in accordance with the rules and procedures established by the Board of Trustees.

V. All moneys paid to the Treasurer by the individual Members shall be co-mingled and administered as a common fund. Except as provided above, no refunds shall be made to a Member and no assessments shall be charged a Member. However, if it appears to the Board of Trustees that the liabilities of the Cooperative will exceed its cash assets, the Board shall determine the amount needed to meet such deficiency and shall assess such amount against all Members, their pro rata share based on energy used. Such special assessment shall be paid by each Member within sixty (60) days after written notification of such assessment from the Chairperson of the Board of Trustees.

Revised March 23, 2023

VI. All disbursements shall be approved by at least two members of the Executive Committee prior to payments. Nothing in this Section shall prevent the Executive Committee from entering into agreements requiring advance payments by the Cooperative or Members, to the extent advance payments are authorized by law.

VII. Funds not required for payment of current obligations may be temporarily invested by the Treasurer as authorized by law.

Alene J. Bradigan Memorial HS Library

VIII. The Member agrees to remit the initial membership fee payable to the Cooperative as detailed in Attachment A. This is a one-time fee per Member. Additional services or accounts added do not require an additional membership fee.

IX. In accordance with Article IV, Section 1 (c) of the By-Laws of the Cooperative, the Member agrees to remit its payment for advance purchase of energy to the Cooperative as described in Attachment A of the Membership Agreement. These funds will be allocated as fifty percent (50%) to a reserve payable to the Member and fifty percent (50%) to the net assets of the Cooperative. Each metered account added after initial participation may require an additional payment for advance purchase of energy, as described in Attachment A, which will be allocated in the same manner as the initial payment.

X. Upon termination of the Member's participation in the Cooperative (pursuant to SMEC By-Laws, Article III, Section 3), the Member is entitled to the return of its reserve payable. In addition to the reserve payable, the amount included in net assets, reduced by any amounts owed the Cooperative, and adjusted for the profit/loss of the Cooperative during the time period the Member is participating, as described herein in Article II (IV), will be returned to the Member. If the termination takes place prior to the completion of the first six (6) months of the Cooperative's fiscal year, the amounts to be returned to the Member will be determined by the information included in the Cooperative's previous fiscal year audit report. If the termination takes place after the completion of the first six (6) months of the Cooperative's fiscal year, the amounts to be returned to the Member will be determined by the information included in the audit for the current fiscal year.

[The Cooperative may make an initial payment for the return of the Member's funds upon receipt of the resignation letter with a final payment to be made after the acceptance of the audit report by the Board.] Regardless of timing of the Member's decision to terminate its participation in the Cooperative, a factor to be considered in determining the amount to be returned to the Member will be whether the Member is terminating its membership in the Cooperative in whole or in part.

In addition to the factors mentioned above, if a member who had committed to participating in a hedge exits the Cooperative, the member will be required to reimburse the Cooperative for any financial exposure relating to the hedge. This amount may be deducted from the member's reserve reimbursement. The exposure will be calculated based on current forward pricing as of the date of the reserve reimbursement.

Revised March 23, 2023

SMEC MEMBERSHIP AGREEMENT
DEFINITIONS

Member	Each individual school district, town, village, fire district or other municipality with the ability to tax the community.
Member Representative (SMEC Official 1)	One designated representative for each Member.

Board of Trustees (The Board)	Elected by the Member Representatives every three years. The Board of Trustees is given the authority to manage and control the business affairs of the Cooperative. It shall consist of all four (4) Officers and other Trustees up to ten (10).
Officers (Executive Committee)	Elected or appointed by Board of Trustees and serve at the pleasure of the Board of Trustees: Chairperson Vice-Chairperson Secretary Treasurer (May be a non-member at discretion of the Board) Asst. Secretary or Treasurer (Optional)
Service Agents	These shall include, but are not limited to the following service providers: Banking Auditors Insurance Agents Third Party Administrators

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SMEC MEMBERSHIP AGREEMENT
ATTACHMENT A
FEES/DUES/RESERVES BY-LAWS

ARTICLE IV-Method of Operation

SECTION 1. Operation

c. At the time of joining the Cooperative and in order to carry out the functions of the Cooperative, each Member will be required to provide funds to the Cooperative for advance purchase of energy, plus an amount to cover administrative expenses of the Cooperative. The amount of this initial contribution shall be established and determined from time to time by the Board of Trustees.

ARTICLE X-Finances

SECTION 1. Dues. An initial, non-refundable membership fee (Dues) of $400 shall be required for each new Member upon joining the Cooperative. This amount is the same whether participating in gas, electric or both and is used towards administrative expenses. [See BY-LAWS ARTICLE IV, Section 1 (c)].

SECTION 2. Reserves. There may be set aside out of any funds of the Cooperative, as the Board of Trustees in its sole discretion may from time to time deem proper, a reserve or reserves as the law allows to meet contingencies, or

for repairing or maintaining any property of the Cooperative, or for such other purpose or purposes as the Board of Trustees shall deem conducive to the interests of the Cooperative; the Board of Trustees may modify or abolish any such reserve or reserves in the manner in which it was created.

FEES/DUES/RESERVES SCHEDULE

ADMINISTRATIVE FEES:

GAS MANAGEMENT/SMEC FEES:	$0.10/MCF Monthly (Subject to change with Board approval).
ELECTRIC MANAGEMENT/SMEC FEES:	$0.001/kWh Monthly (Subject to change with Board approval).

DUES:

INITIAL MEMBERSHIP FEE:	$400 / MEMBER (Non-refundable)

RESERVES:

DEPOSIT FOR GAS RESERVE FUND:	120% of the HIGHEST ANTICIPATED* TOTAL MONTHLY BILL including transportation, supply and fees for each account enrolled.
DEPOSIT FOR ELECTRIC RESERVE FUND:	120% of the HIGHEST ANTICIPATED* TOTAL MONTHLY BILL including supply and fees for each account enrolled.

*At the discretion of the Cooperative, ANTICIPATED charges will be based on the enrolled account's historical monthly usage multiplied by either historical or forecasted market rates.

If a member has additional accounts to add after their initial participation, and usage of those additional accounts is 10% or more of the member's current annual usage, they will be required to make an additional payment for reserves which will be allocated in the same manner as the initial payment.

The AMOUNTS ON DEPOSIT FOR MEMBER RESERVE PAYABLE AND NET ASSETS are refundable to a Member upon a Member's leaving the Cooperative or upon dissolution of the Cooperative and may be adjusted by a surplus/deficit depending on the state of the Cooperative at such time.

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SMEC MEMBERSHIP AGREEMENT

ACCEPTANCE

IN WITNESS WHEREOF, the undersigned has executed this Membership Agreement as of _____20___, being a duly authorized officer of

_____and

Member Name

does hereby agree on behalf of this municipal corporation to be bound by all the terms and conditions of this Agreement between said Member and the Cooperative acting by and through the Board of Trustees.

Executed this_____ day of _____ 20__

By: _____
(Signature of Officer)

(Print Name of Officer)

Title: _____, a duly authorized officer of

_____
Member Name

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SMEC MEMBERSHIP AGREEMENT
CONFIRMATION

IN WITNESS WHEREOF, the Board of Trustees of the *School and Municipal Energy Cooperative of Western New York*, acting on behalf of the Cooperative and all of its Members, does hereby agree to all the terms and conditions of this Agreement when duly signed by the Chairperson of the Board of Trustees and hereby accept:

_____
Member Name

as a Member of and participant in the Cooperative as of 12:01 a.m. on this date:

_____, 20__

By:

_____
Chairperson of the Board of Trustees
School and Municipal Energy Cooperative of Western New York

Revised March 23, 2023

All voted yes, motion carried.

Adjournment

Jamie Gruber made a motion to adjourn the meeting seconded by Jamie Hebner. All voted yes, the meeting was adjourned at 5:52pm.

Correspondence/Information