



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

Members Present: Thomas Roche, Ella Collins, James Donahue, Amanda Durkee, Christina Durkee, John Guglielmo, Timothy Clark, Taylor Boucher

Members Absent: None

Others Present: Richard DeMallie, Joyce Long, Keaysie Ferguson, Christopher Rayder, Charles Perkins, Sarah Bradshaw, Garrett Hamlin, Sandy Wagner, Greg Weeks, Gregg Diefenbach (virtual)

I. Call to Order and Pledge of Allegiance - Time: 6:30 pm

II. Recognition of Successes:

- A. **Student Leadership Conference Advisory Committee:** Eva Stewart, Olivia Mattison, Felicity Columbetti and Oliver Quarters. Dr. DeMallie thanked them for their participation and advisory to the Student Leadership Conference in Lake George.
- B. **Volleyball Members:** Haley Saunders, Baylee Otero, Felicity Columbetti, Eva Stewart, Ollie Cutler, Natalie Durkee, Oliver Quarters, Gabby Durkee, Ella Aul and Lynelle Colvin. Dr. DeMallie congratulated them on meeting some of their goals and making a sectional playoff bid. He also thanked Christina Durkee for her volunteer coaching contributions to the team.
- C. **Special Recognition:** Adirondack League Natalie Durkee - named to the 2nd team.
- D. **Winter Carnival Participants:** Mylie Saunders, Zachary Bartholomew, Danny Boucher, Ella Aul, Shyanne Dubay-Hensler, Hunter Green, Rylan Swears, Joseph Gardner, Emma Wright, Stella Mullen and Jaedyn Ferguson. Dr. DeMallie thanked these students for taking the time to help with tasks, such as controlling the bounce house lines, at the winter carnival which was held on Friday evening, December 2, 2023.
- E. **Operation Santa Claus:** Laurie Desourdy and members of Student Council who shopped and organized to provide gifts and winter essentials to 38 families in our community - Calvin Boucher, Felicity Columbetti, Gabrielle Durkee, Olivia Mattison, Rheanna Plude, Oliver Quarters, Eva Stewart, Kyley Varney, Samantha Chapin-Witters. Dr. DeMallie stated that he is taken aback and enamored by the vast number of families that this benefited. He gave recognition to Laurie Desourdy, who has been spearheading Operation Santa for years. He also thanked the students for their assistance in the shopping, organizing and distribution of these gifts to the families.
- F. **Special Recognition:** KeyBank Foundation donated \$1,100 to our Backpack Program. Thomas Roche thanked them.
- G. **Special Recognition:** Irving Tissue donated to our Operation Santa. Thomas Roche thanked them.
- H. **Special Recognition:** Anonymous donor helped provide meals for 8 families in our district. Thomas Roche thanked them.
- I. **Special Recognition:** Dr. DeMallie added a special recognition after receiving a message from Co-Athletic Director, Jeff Durkee to congratulate Andrew Fish on bowling a perfect 300 game at



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

their bowling match against Lake George.

III. Community Comments - None

IV. Presentations:

A. Business Office:

1. Garrett Hamlin, Architect at Tetrattech

- a) Tetrattech has been working with Fort Edward School District for many years; they did the capital project for the auditorium.
- b) Tetrattech completed the building condition survey in 2016, next building condition survey will be in 2024.
- c) Capital Project Scope Document was provided in board packets
 - (1) Board to review and see if there is anything that should be added
 - (2) Board should review and develop a list of priorities
 - (3) Anticipated vote date will be February 2024

Thomas Roche inquired if there were funds left from the last capital project. Garrett Hamlin informed him that there were funds left over at the time of the capital project and they were used to create the secure entry of the office area. At this point, that capital project and funding is closed. Thomas Roche will look back in his notes to see if there are any other projects that the board had hoped to have completed in the last capital project that were not able to get done due to funding and Garrett Hamlin believed that many of those items are already included in the new proposed capital project list.

Amanda Durkee inquired if someone is looking into the potential for a grant for Line 30 in the Scope Document, relating to water filtration. Garrett Hamlin confirmed that Tetrattech and the Business Office were looking into this and are hoping that there are grants available so that it can get done outside of the future capital project. Timothy Clark stated that Tetrattech reported the municipality water is hard and has a high PFOA; he inquired if there were test results for that. Garrett Hamlin stated that we would look into this information but that he believed it was information that the district had. Dr. DeMallie included water testing information in the board packets but this was only lead results.

John Guglielmo inquired NYSERDA was going to be completing the energy study. Garrett Hamlin confirmed that Tetrattech will perform the work of that study and that NYSERDA will pay for it. He also stated that there may be some grants for energy efficiency improvements.

Tim Clark inquired about the emergency boiler project, stating that he thought we were going to fix the boilers. Dr. DeMallie explained that about a month ago we had a power outage and when we came into school the following Monday, it was cold. He further explained that internal staff, including John Brown, were able to get it running again but that it couldn't regulate itself because the control systems are bad. Trojan also came to try and piecemeal boilers together and ended up with three running; about a week later, two shut down due to failed computer boards, and we were back down to one. He stated that we got verbal approval from NYSED to do an emergency project. He confirmed that



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

fixing them was on the table but spending money to fix now and then replace later is not advisable versus replacing via emergency project now, especially since it is reimbursable at 95 cents on the dollar via emergency project, there is no guarantee that it would be approved by NYSED via capital project in the future and emergency projects get through NYSED much faster than capital projects. Garrett Hamlin added that the boilers are relatively unique boilers and parts are hard to obtain and that no one could have predicted that they would fail in the way that they did. Taylor Boucher inquired if we had an agreement from NYSED in writing and Garrett Hamlin confirmed that we had an agreement via e-mail but that we could obtain that in formal writing as well. Garrett Hamlin also mentioned that in the next few weeks the district should find out from NYSED whether the aid will be provided in one year or over the next 15 years.

2. Sarah Bradshaw, Fiscal Advisor/Vice President at Bernie Donegan,

- a) Presented Pre-Vote Estimated Impact of Proposed Capital Project and explained the capital outlay project planning process and financial impact to district and taxpayers.
- b) Presentation on school buses (lease vs. purchase).
 - (1) Timing of payments

3. Gregg Diefenbach

- a) Noted that the Budget Calendar had some dates that changed that occurred in Finance Meeting January 9, 2023
- b) Noted that we have to start getting meetings together to get the budget rolling
- c) Noted that auditors were looking for GASB 87 on leases and the business office has currently sent this over
- d) Noted that November state aid was received and that no state aid will be paid until the audit is complete. He stated that this is due to a timing issue and that we are currently okay for January and February.
- e) Noted that the Industrial Appraisal Contract was included in the board packet for review and approval at tonight's meeting.

4. Christopher Rayder

- a) Presented on NYSSBA SAS (School Aid Specialists), which is a consulting firm that specializes in maximizing state aid and other revenues for school districts. They find monies left on the table from grants, etc. and we get that money back. We only pay them after we get paid (15% if \$0 - \$499,999 is found, 13% if more than \$500,000 is found).
- b) Presented on another grant opportunity, SHI, that works with Information Technology and even buses. The Business Office is looking into this opportunity.

5. Charles Perkins

- a) Presented on ESSER 2, ESSER 3 and COVID Grants large purchases, specifically noting new refrigerators, washing machine and defibrillators As well as the new



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

walk-in freezer for cafeteria. He noted that some positive aspects of the walk-in freezer is that there is more room, which also allows our district to participate in competitive rates with bulk pricing as well as purchasing surplus commodities from the federal government, which we were not able to do before.

V. Reports:

A. Board Committee Reports (9 Board Committees)

1. Budget, Finance and Audit Committee (Met tonight)
 - a) Thomas Roche stated that most of what was presented tonight was discussed at the meeting and there were no concerns with the Treasurer's Reports to note.
2. Personnel, Grievance and Negotiations Committee (Met 12/7/22)
 - a) Thomas Roche stated that this would be discussed further in executive session.
3. Curriculum and Instruction Committee (next meeting TBD)
4. Policy Review Committee (next meeting TBD)
 - a) Amanda Durkee stated that the committee had broken into teams and that they had not yet had a chance to do their parts. Scheduled committee meeting date was canceled and is now TBD.
5. Athletic Committee (next meeting 1/23/23 6:00 pm)
6. Strategic Planning Committee (next meeting TBD)
7. Health & Safety of Buildings & Grounds (next meeting TBD)
8. Capital Project Committee (next meeting TBD)

B. Superintendent Report

1. Thanked Tiffany Wendel for organizing the Billy Martin Circus coming to Fort Edward School. He stated that this resulted in \$550 proceeds going to our PARP Reading Program.
2. Thanked Shauna Brown-Knobel for coordinating Project Cameron's Story which is a book drive that supports families with babies in our local NICU. Drive will be taking place next month.
3. Thanked Michael Smith and Sarah Taylor for putting together a wonderful winter holiday concert and for being open and receptive to his and Principal Erin Russo's feedback. He also thanked Sarah Taylor for organizing student caroling through the elementary school on December 21, 2023.
4. November 28, 2023, Dr. DeMallie and Joyce Long attended the Creating Healthy Schools and Communities Meeting with local politicians and other area schools at Glens Falls Hospital. This has sparked the rejuvenation of the Wellness Committee which will meet on January 18, 2023. The goal of that committee is to review or create a wellness policy and hopefully be awarded monies to acquire equipment for our student, staff and community that promote outdoor activities and a healthy lifestyle.
5. One student that is interested in the student Board of Education seat.
6. Patrick Kenneally has extra funds to wrap the new freezer in our school colors to make it more eye appealing. Dr. DeMallie also recognized Patrick Kenneally for his effort in our food service program, stating that over 60% of our students are eating lunch provided by the school



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

7. NFHS camera has been installed and is being calibrated, it is hoped to be ready by the end of the month.
8. All call system was updated. Dr. DeMallie thanked Keaysie Ferguson for her efforts working with Blackboard to get that running.
9. Attendance rate is currently about 90%. Dr. DeMallie noted that our seniors take the lead in that quite a bit, as well as the 5th graders. Unfortunately the low is 9th graders, at about 80%, and he will work with Erin Russo to see what we can do to increase this. Christina Durkee commented that there have been a lot of illnesses as well.
10. John Boucher is looking to start an Intramural Tennis Club, to which he would volunteer as advisor of the first year. This would get some use out of the resurfaced tennis courts. Formal resolution to come at a later board meeting.
11. Raptor has been installed. This is a software program that checks a person's identity against databases to ensure that they are not on any lists that would prohibit them from entering the school and prints off visitor badges. Dr. DeMallie thanked Sandy Wagner for his efforts with this. Taylor Boucher asked if it only checked identities via driver license as she believed this could present a problem for some visitors in our district. Sandy Wagner added that there are ways to enter alternate identification information without a license.
12. Thanked those that have sent funds in memory of Mr. Bill Durkee. The family will provide direction on how they want the funds to be allocated and formal approval of acceptance of the funds to come at a later board meeting.
13. Bowling Team has only lost one game; they are 33-1.
14. Thanked Jeff Durkee and Katelyn Singleton, Co-Athletic Directors, for their efforts in getting games scheduled for the JV Girls Basketball team.
15. Will be watching the Governor's State of the State at 1:00 pm January 10, 2023 and provide any pertinent information back to the Board.
16. Dr. DeMallie and Thomas Roche will be attending Legislative Breakfast on January 20, 2023 and providing updates to the Board.
17. Regents Week is at the end of the month, regular classes will be in session. Have someone who will be running Regents review classes this week and next week.
18. Information Technology Updates
 - a) The IT team had the network back up and running within 12 hours and fully functional within 24 hours after the power outage. Evaluating backup power systems and replacement costs, hopefully through a grant.
 - b) All phones in the district will be replaced by February 1, 2023.
 - c) Multi-Factor authentication implemented at all IT administrative levels.
 - d) Alarm system was previously connected to a phone line that was shut down; an upgrade to work via our internet connection with a cellular backup has been completed.
 - e) All servers will be updated to Windows 22 by the end of the school year, some are currently on Windows 12.



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

- f) Congratulated Fort Edward graduate, Jen Huestis, for her promotion to Network Analyst. Jen's former position as Microcomputer Specialist is currently being advertised.
- g) Closed out 500 helpdesk tickets since the start of the school year.
- h) Will be working to figure out issues with streaming occurring at the board meetings as well as sound and lighting issues that occur when holding board meetings in the auditorium.

C. Treasurer Report (Reports in BOE Packets)

D. K-12 Principal Report

E. Director of Pupil Services

- 1. Responsive intervention running for the first time; this allows us to monitor, track and have goals for nondisabled students who may need remedial reading, remedial math, counseling or speech.
- 2. BOCES bill was \$400,000 off for the past few months but is currently complete and more accurate.
- 3. Annual reviews are happening and the needs of students will be reported to the Board. Meetings are offered in person, via Google Meet, as well as via telephone; this has yielded 100% participation rate so far.
- 4. Character Education meeting will be held next week. Jessica Smatko will be interning and helping get back on target for character education in the school. Verbal praise and activities that will promote positive social behavior.

VI. Discussion Items:

A. Board Retreat Dates

- 1. Dr. DeMallie will get new dates from Dr. Brooks.

B. Budget Workshop Dates

- 1. As per revised budget calendar, #1 January 26th, #2 February 13th, #3 March 1st and #4 March 28th).
- 2. Workshop is open to the public to view, not participate.

C. Water Testing

- 1. Dr. DeMallie only sent lead testing results, he will look for PFOA results.
- 2. It was noted that the Village Water Department may be able to provide this information as well.

D. Press Box

- 1. Press box has been shut and is unable to be occupied. Dr. DeMallie is looking into options for this moving forward.

E. NFHS

- 1. Discussed earlier in meeting

F. Annex sale/donation

- 1. Dr. DeMallie is working with a new attorney and will discuss file application with the village for a subdivision

G. Board Member Reduction from 9 to 7



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

1. Thomas Roche stated that we have not filled the vacant board seat but due to the reduction of board members from 9 to 7, scheduled to occur on July 1st, 2023, it is not efficient or advisable to temporarily fill the vacant seat at this time.

- H. Tennis Club - John Boucher
 - 1. Discussed earlier in meeting
- I. Live Streaming "Quality"
 - 1. Discussed earlier in meeting

VII. Consent Agenda:

Although Board action is required, it is generally unnecessary to hold discussion on these items. With the consent of all members, they are therefore grouped and approval is given in one motion. In the event a Board member wants to discuss any item, it is moved to an appropriate place on the agenda.

- A. Approval of Minutes for Board Meeting held November 14, 2022.
- B. Kristen Morey was previously approved - letter of resignation from Ski Club Advisor on October 26, 2022. This was inadvertently approved in November as well.
- C. Approval of Treasurer Reports for November and December as included in the Board packets.
- D. Approval of Budget Transfers for November and December as included in the Board packets.
- E. Approval of the Warrants and Claims as included in the Board packets.

Motion made by John Guglielmo, seconded by Christina Durkee to approve items A-E. Motion carried 8-0.

VIII. Action:

- A. Motion made by Ella Collins, seconded by Christina Durkee to approve the CSE/CPSE Recommendations as included in the Board Packets. Amanda Durkee noted that some meetings were listed with a December Board of Education approval date and gave that information to Joyce Long to fix in her system. Motion carried 8-0.
- B. Motion made by James Donahue, seconded by John Guglielmo to approve the contract between Fort Edward UFSD and Industrial Appraisal Company. Motion carried 8-0.
- C. Motion made by John Guglielmo, seconded Ella Collins to approve the REVISED Budget Calendar. Motion carried 8-0.
- D. Motion made by John Guglielmo, seconded by Timothy Clark to approve the set up of a new club, called Youth Activation Committee (YAC). Dr. DeMallie stated that this is the Unified Sports Program. Motion carried 8-0.
- E. Motion made by Christina Durkee, seconded by Timothy Clark to approve a coaching position for the Youth Activation Committee - YAC Club, salary to be negotiated. Dr. DeMallie clarified that this is for Unified Bowling. Motion carried 8-0.
- F. Motion made by Ella Collins, seconded by James Donahue to approve the lease agreement with Newmeadow. Motion carried 8-0.



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

G. Motion made by Amanda Durkee, seconded by John Guglielmo to approve the following resolution:

WHEREAS, it has come to the attention of the Board of Education of the Fort Edward Central School District that, of the seven (7) boilers within the District, six (6) are in a state of disrepair and inoperable, compromising the District's heating source and system; and

WHEREAS, the District has taken prompt steps to inform its insurance carrier who has disclaimed replacement of the boilers as not covered by the District's insurance policy; and

WHEREAS, without prompt replacement of the boilers, the heating system will be compromised or become inoperable during colder weather in the 2022-23 school year, presenting a significant safety hazard which threatens the health and safety of students and staff in the school; and

WHEREAS, immediate replacement of the boilers is required to preserve the property of the District and to assure the health and safety of students, staff and community in the building; and

THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE FORT EDWARD CENTRAL SCHOOL DISTRICT AS FOLLOWS:

Section 1. The Board of Education hereby determines that the replacement of six (6) boilers including associated work related thereto and incidental costs, is an unanticipated, non-recurring, ordinary contingent expense, within the meaning of Section 2023 of the New York State Education Law and Section 170.2(l) of the Regulations of the Commissioner of Education, that is necessary to preserve property and to assure the health and safety of students and staff. The Board of Education further determines that the inoperable boilers are a condition that affects the health and safety of students and staff and that the replacement of the boilers requires immediate, emergency action to preserve the property and ensure that the District has adequate heat to keep its buildings open, with adequate temperatures.

Section 2. The Board determines that the replacement of the six (6) boilers and repair of the damaged area represents an emergency action within the meaning of 6 NYCRR 617.5(c)(33); and/or maintenance or repair involving no substantial changes in an existing facility or structure within the meaning of 6 NYCRR 617.5(c)(1); and/or alternatively the replacement, rehabilitation and/or reconstruction of a structure of facility in kind within the meaning of 6 NYCRR 617.5(c)(2);

Section 3. The Board determines that the proposed project will not have a significant environmental impact, is not otherwise a Type 1 Action as defined by 6 NYCRR Section 617.4, and declares this project a Type II Action pursuant to Section 617.5 of the State Environmental Quality Review Act, and no further action is required.



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

Section 4. The School District is hereby authorized to make transfers between and within functional unit appropriations in the general fund and/or by the transfer of funds in unappropriated unassigned fund balance from the 2022-23 school year in order to pay the cost associated with replacement of the boilers, in an amount not to exceed \$550,000.

Section 5. The Superintendent of Schools is hereby authorized to file any necessary and proper paperwork with the State Education Department to proceed with the removal and replacement of the District's boilers, including removal of old boilers, purchase and installation of new boilers and appurtenances thereto, and to execute any contracts, papers or agreements to proceed with the purchase.

Section 6. Due to the emergency situation, a contract for the replacement of the boilers shall be awarded immediately. Therefore, no competitive bidding will be utilized.

Section 7. This Resolution shall take effect immediately upon its adoption.

Amanda Durkee thanked Dr. DeMallie for his efforts coordinating this project. Motion carried 8-0.

H. Motion made by Taylor Boucher, seconded by Timothy Clark to approve the following Resolution:

Adoption of the State of New York Deferred Compensation Plan

WHEREAS, the Fort Edward UFSD wishes to adopt the Deferred Compensation for Employees of the State of New York and Other Participating Public Jurisdictions ("the Plan") for voluntary participation of all eligible employees; and

WHEREAS, the Fort Edward UFSD is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law State of New York and

WHEREAS, the Fort Edward UFSD has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Fort Edward UFSD by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement.

NOW, THEREFORE, it is hereby:



**Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes**

RESOLVED, that the Fort Edward UFSD hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Fort Edward UFSD, are hereby authorized to take such actions and enter such agreements.

Christopher Rayder clarified that this is a voluntary retirement savings plan that is staff contribution only and goes through the New York State Controller's Office. It allows employees to set aside money toward retirement that saves them on the back end with taxes. Motion carried 8-0.

- I. Motion made by Christina Durkee, seconded by Timothy Clark to approve the following resolution:

**Resolution To Amend
The Fort Edward Union Free School District
403(B) Retirement Plan**

WHEREAS, the Fort Edward Union Free School District ("Plan Sponsor") maintains the Fort Edward Union Free School District 403(b) Retirement Plan ("Plan"); and

WHEREAS, the Plan was duly adopted on the 1st day of January, 2009 by the Plan Sponsor; and

WHEREAS, the Plan Sponsor desires to restate and amend the Plan as regards section 5.5 Hardship Withdrawals;

NOW, THEREFORE, BE IT RESOLVED that section 5.5 of the Plan is hereby restated and amended to read as follows:

5.5 Hardship Withdrawals

- a) Hardship withdrawals shall be permitted under the Plan to the extent permitted by the Individual Agreements controlling the Account assets to be withdrawn to satisfy the hardship.



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

- b) The Individual Agreements shall provide for the exchange of information among the Employer or Employer's agent and the Service Provider(s) to the extent necessary to implement the Individual Agreements, including, in the case of a hardship withdrawal that is automatically deemed to be necessary to satisfy the Participant's financial need. In addition, in the case of a hardship withdrawal that is not automatically deemed to be necessary to satisfy the financial need (pursuant to Section 1.401(k)1(d)(3)(iii)(B) of the Income Tax Regulations), the Service Provider shall obtain information from the Employer or other Service Provider(s) to determine the amount of any plan loans and rollover accounts that are available to the Participant under the Plan to satisfy the financial need.
- c) Safe Harbor Contributions/QNECs/QMACs. Effective 1/1/2020, hardship distributions are permitted from Qualified Non-Elective Contributions, Qualified Matching Contributions or contributions used to satisfy the safe harbor requirements of Code sections 401(k)(12) or 401(k)(13), or 401(m)(11) or 401(m)(12), if available under the Plan and not held in a Custodial Account.
- d) Amount Necessary to Satisfy Need Requirement. Effective 1/1/2020, a distribution will be determined to satisfy an immediate and heavy financial need only if the three criteria listed below are met:
 - (1) The distribution is not in excess of the amount required to satisfy the financial need (including any amounts necessary to pay any federal, state or local income taxes or penalties reasonably anticipated to result from the distribution);
 - (2) The Participant has obtained all other currently available distributions, other than hardship distributions, under any deferred compensation plan, whether qualified or nonqualified, maintained by the Employer; and
 - (3) The Participant has represented (in writing or by an electronic medium) that he has insufficient cash or other liquid assets to satisfy the financial need.
- e) Six-Month Suspension. Effective 1/1/2020, the Plan will not initiate a six-month suspension period on Elective Deferrals (and after-tax contributions) following a hardship distribution.
- f) Loan Requirement. Effective 1/1/2020, Participants are not required to take all available nontaxable loans before applying for a hardship distribution.



**Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes**

- g) Modification of Repair Expense. Between 1/1/18 and 2/17/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)1(d)(3)(ii)(B)(6) and Basic Plan Document 5.5(g)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165. Effective 2/19/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(ii)(B)(6)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165 (determined without regard to section 165(h)(5) and whether the loss exceeds 10% of adjusted gross income).
- h) New Safe Harbor Financial Need Provision. Effective 1/1/2020, the following immediate and heavy financial need will be considered as a safe harbor criteria for hardship distributions in addition to the safe harbor financial need provisions outlined in 5.5(g) of the Basic Plan Document and §1.401(k) 1(d)(3)(ii)(B):
 - (1) Expenses and losses (including loss of income) incurred by the Employee on account of a disaster declared by the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provided that the Employee's principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster. *See* §1.401(k) -1(d)(3)(ii)(B)(7).

Christopher Rayer clarified that Fort Edward currently participates and offers employees a 403B plan but that it does not currently have a hardship provision, which allows employees access to their plan funds, without penalties, during a hardship. Motion carried 8-0.

- J. Motion made by Amanda Durkee, seconded by James Donahue to approve the following resolution regarding the Board of Education's 2023 Advocacy Priorities:

**Fort Edward School District Board Of Education
Regarding Advocacy Priorities For The 2023 Legislative Session**

WHEREAS, the Fort Edward Union Free School District strives to provide an outstanding education and post-secondary pathway for each and every student; and

WHEREAS; the district recognizes the deep commitment shown by the legislature and the Executive to fully fund the foundation formula; and

WHEREAS, the District works diligently to meet the needs of all students while still fulfilling its core mission, even while in our third year of a pandemic, and



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

WHEREAS, the District is facing significant increased costs due to inflationary factors for labor, fuel and goods; and

WHEREAS, property tax levy legislation at the state level has provided an increased need for State Aid to maintain quality programs; and

WHEREAS, public schools are being asked to do more for students than ever before, so they are prepared for college, military or a career; and

WHEREAS, each child in Fort Edward School District only has one opportunity to go through the full elementary and secondary educational experience;

THEREFORE, BE IT RESOLVED that the Fort Edward Board of Education calls on the New York State Legislature and Governor Kathy Hochul to act upon the following priorities:

1. Fund and Adjust the Foundation Formula
 - a. Include a due minimum increase for all districts, regardless of Foundation Aid phase-in level.
 - b. Maintain the “SAVE Harmless” provision.
 - c. Fully fund expense based aids.
 - d. Support for an initial evaluation of the current cost to educate a successful student.
2. Increase the \$30,000 threshold on BOCES Aid for Career and Technical Education (CTE) teachers.
3. Support universal free meals for students by maintaining the availability of universal meals at no cost to families.
4. Workforce Development
 - a. Increase flexibility in teacher certification requirements to allow districts to more effectively utilize those teachers that they are able to hire.
 - b. Make adjustments to Tier 6 of the retirement system to help districts retain staff by making longevity more valuable.

Motion carried 8-0.

IX. Personnel:

All appointments are subject to change and compensation proration, pending emergency school closing and required reductions in force. All coaching appointments are made pending completion and verification of all required coaching credentials, with the stipend per FETA contract commensurate with experience and no other salary or benefits. All coaching, extracurricular



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

appointments are subject to reduction and compensation proration, pending final student enrollment numbers, and pending the outcome of any potential mergers and emergency school closings.

- A. Motion made by Christina Durkee, seconded by James Donahue to approve the appointment of Kelly Hogan as Teacher Assistant Substitute for the After School Enrichment, as needed effective December 12, 2022 at a rate of salary per the FESS Contract of \$17.71 per hour. Motion carried 8-0.
- B. Motion made by Amanda Durkee, seconded by Taylor Boucher to approve the resignation of Lorinda Neddo as Athletic Director effective October 11, 2022. Motion carried 8-0.
- C. Motion made by Taylor Boucher, seconded by John Guglielmo to approve the appointment of Kamryn Trainor as Substitute Teacher effective December 5, 2022 at a rate per the SASTA Contract of \$90 per day. Motion carried 8-0.
- D. Motion made by James Donahue, seconded by Christina Durkee to approve the appointment of Jessica Smatko as Enrichment Coordinator for 25 hours at a rate of salary \$37 per hour. Motion carried 8-0.
- E. Motion made by James Donahue, seconded by Taylor Boucher to approve the appointment of Krista Britt as volunteer co-advisor for the Trap Shooting Club effective December 12, 2022. Motion carried 8-0.
- F. Motion made by Timothy Clark, seconded by Taylor Boucher to approve the resignation for Tyler Schillinger, cleaner, effective November 16, 2022. Motion carried 8-0.
- G. Motion made by Christina Durkee, seconded by Amanda Durkee to approve the resignation for Craig Masten, Building Maintenance Mechanic, effective December 4, 2022. Motion carried 8-0.
- H. Motion made by Taylor Boucher, seconded by Timothy Clark to approve the appointment of Christopher Rayder as Business Manager, effective December 5, 2022. Motion carried 8-0.
- I. Motion made by James Donahue, seconded by Amanda Durkee to approve the appointment of Mike Sharkey as Shot Clock Operator \$40 per event or Scoreboard Operator \$50 per event, effective December 9, 2022. Motion carried 8-0.
- J. Motion made by John Guglielmo, seconded by James Donahue to approve the appointment of Fred Seabolt as Scoreboard Operator effective December 9, 2022 at a rate of salary \$50 per event. Motion carried 8-0.
- K. Motion made by James Donahue, seconded by Ella Collins to approve the appointment of Christina Durkee as volunteer Shot Clock Operator effective December 6, 2022. Motion carried 6-0-2. Christina Durkee and Amanda Durkee abstained.
- L. Motion made by James Donahue, seconded by Timothy Clark to approve the appointment of Daniel Durkee as Scoreboard Operator effective December 6, 2022 at a rate of salary \$50 per event. Motion carried 6-0-2. Christina Durkee and Amanda Durkee abstained.
- M. Motion made by John Guglielmo, seconded by Amanda Durkee to approve the appointment of Jim Eggleston as Shot Clock Operator effective January 9, 2023 at a rate of salary \$40 per event. Motion carried 8-0.
- N. Motion made by Amanda Durkee, seconded by Timothy Clark to approve the appointment of Jordan Markham as Shot Clock Operator \$40 per event, Scoreboard Operator \$50 per event. Motion carried 8-0.



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
Board Minutes

- O. Motion made by Christina Durkee, seconded by Amanda Durkee to approve the appointment of Olivia Frederick as Shot Clock Operator \$40 per event, Scoreboard Operator \$50 per event. Motion carried 8-0.
- P. Motion made by Christina Durkee, seconded by Amanda Durkee to approve the appointment of Stephanie Bruce as Substitute Enrichment Teacher, as per FETA Contract. Motion carried 8-0.
- Q. Motion made by Amanda Durkee, seconded by Christina Durkee to approve the appointment of Jill Boucher as Substitute Enrichment Teacher, as per FETA Contract. Motion carried 7-0-1. Taylor Boucher abstained.
- R. Motion made by Amanda Durkee, seconded by Taylor Boucher to approve the appointment of Jason Brayman as a call-in Bus Aide, as per FESS Contract. Motion carried 8-0.
- S. Motion made by Taylor Boucher, seconded by Amanda Durkee to approve the appointment of Christina Marchese as Chaperone, as per FETA Contract. Motion carried 8-0.
- T. Motion made by Christina Durkee, seconded by Amanda Durkee to approve the appointment of Katherine Murphy as Speech Pathologist, Step 11, MA +30, effective February 13, 2023. Motion carried 8-0.
- U. Motion made by Timothy Clark, seconded by Christina Durkee to accept the letter of resignation with the intent to retire from Malinda Gregory, effective August 31, 2023. Thomas Roche noted that Mindy has been working at Fort Edward School for over 25 years and thanked her for her service. Motion carried 8-0.

Coaching: None

X. Second Public Comment Period - None

XI. Executive Session

Motion by Taylor Boucher, seconded by James Donahue to enter into Executive Session to discuss matters referring to negotiations with a specific entity, as well as the employment of specific individuals at 8:51 pm. Motion carried 8-0.

Amanda Durkee exited the executive session at 9:18am.

XII. Return to Public Session

Motion by John Guglielmo, seconded by James Donahue to return to Public Session at 10:30 pm. Motion carried 7-0.

XIII. Adjournment

Motion by James Donahue, seconded by Christina Durkee to adjourn the meeting at 10:38 pm. Motion carried 7-0.