



Fort Edward Union Free School District
Meeting of the Board of Education
January 9, 2023
updated 1/5/23

Board Committee Meeting: 5:30 Finance Committee link available at www.fortedward.org
Regular Board Meeting 6:30

- I. Call to Order and Pledge of Allegiance**
- II. Roll Call Attendance**
- III. Recognition of Successes:**
 - A. Student Leadership Conference Advisory Committee:** Eva Stewart, Olivia Mattison, Felicity Columbetti and Oliver Quarters.
 - B. Volleyball members:** Haley Saunders, Baylee Otero, Felicity Columbetti, Eva Stewart, Ollie Cutler, Natalie Durkee, Oliver Quarters, Gabby Durkee, Ella Aul and Lynelle Colvin
 - 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
 - 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
 - F. Special Recognition:** KeyBank Foundation donated \$1,100 to our Backpack Program
 - G. Special Recognition:** Irving Tissue donated to our Operation Santa
 - H. Special Recognition:** Anonymous donor helped provide meals for 8 families in our district

IV. Community Comments:

A public comment period not to exceed thirty (30) minutes each shall be provided at each business meeting. In an effort to provide an opportunity for all interested speakers, all speakers shall be limited to three (3) minutes during the public comment period. Community members, who wish to address the Board, are requested to complete the speaker request form and submit it to the Clerk of the Board prior to the meeting. Comments regarding agenda items will be taken first. Speakers are reminded of the three-minute time limit. Should the 30 minute time limit expire additional written comments may be taken prior to the meeting's adjournment. A member of the Board or the Superintendent will respond that the BOE received and reviewed the comments.

When members of the public speak to the Board, they shall state their name and address, the name of the organization (if any) which they represent, and the agenda item they wish to comment on. Please be aware that by law individual student information or particular personnel issues cannot be discussed at public sessions of the board. The Board will not permit interruptions, slanderous remarks or "name-calling" by speakers or the audience. We take public comment very seriously and



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careful notes will be taken. However, the board generally does not respond while the meeting is in public session.

V. Presentations:

A. Gregg Diefenbach:

1. Budget (update on calendar process) – Richard/Gregg/Chuck
2. Update on Audit and State Aid – Gregg
3. Industrial Appraisal Contract – fixed assets approval – Gregg
4. Update on COVID Grants and Equipment/Supplies Purchased – Chuck
5. Update on Capital Project (scope and dates) – Sarah Bradshaw-fiscal advisor and Garrett Hamlin-architect.
6. Presentation on school buses (lease vs. purchase) – Sarah Bradshaw
7. Start Budget Workshops (per budget calendar) – Richard/Gregg/Chris/Chuck

VI. Reports:

A. Board Committee Reports (9 Board Committees)

1. Budget, Finance and Audit Committee (Met tonight)
2. Personnel, Grievance and Negotiations Committee (Met 12/7/22)
3. Curriculum and Instruction Committee (next meeting TBD)
4. Policy Review Committee (1/18/23 5:30 p.m.)
5. Athletic Committee (next meeting TBD) ***need date**
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

C. Treasurer Report (Reports in BOE Packets)

D. K-12 Principal Report

E. Director of Pupil Services

VII. Discussion Items:

- A. Board Retreat Dates
- B. Budget Workshop Dates - (January 25th, February 28th and March 28th)
- C. Water Testing
- D. Press Box
- E. NFHS
- F. Annex sale/donation
- G. Board Member Reduction from 9 to 7
- H. Tennis Club - John Boucher
- I. Live Streaming "Quality"



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VIII. 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.
- C. Approval of Treasurer Reports for November as included in the Board packets.
- D. Approval of Budget Transfers for as included in the Board packets.
- E. Approval of the Warrants and Claims as included in the Board packets.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

IX. Action:

- A. Motion to approve the CSE/CPSE Recommendations as included in the Board Packets.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- B. Motion to approve the contract between Fort Edward UFSD and Industrial Appraisal Company.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- C. Motion to approve the REVISED Budget Calendar.

Motion By: _____ 2nd By: _____



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Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- D. Motion to approve the following: On the recommendation of the Superintendent to set up a new club called Youth Activation Committee (YAC). Salary to be negotiated.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- E. Motion to approve a coaching position for the Youth Activation Committee - YAC club, salary to be negotiated.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- F. Motion to approve the lease agreement with Newmeadow.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- G. Motion 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



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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.

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.



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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.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

H. Motion 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:



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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.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

I. Motion 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.



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- 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.



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- 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).

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- J. Motion 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



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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

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.



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- b. Make adjustments to Tier 6 of the retirement system to help districts retain staff by making longevity more valuable.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

X. 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 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 to appoint 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 By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- B. Motion to approve the resignation of Lorinda Neddo as Athletic Director effective October 11, 2022.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- C. Motion 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.



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Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- D. Motion to approve the appointment of Jessica Smatko as Enrichment Coordinator for 25 hours at a rate of salary \$37 per hour.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- E. Motion to approve the appointment of Krista Britt as volunteer co-advisor for the Trap Shooting Club effective December 12, 2022.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- F. Motion to approve the resignation for Tyler Schillinger, cleaner, effective November 16, 2022.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- G. Motion to approve the resignation for Craig Masten, Building Maintenance Mechanic, effective December 4, 2022.

Motion By: _____ 2nd By: _____

Discussion:



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All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- H. Motion to approve the appointment of Christopher Rayder as Business Manager, effective December 5, 2022.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- I. Motion 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 By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- J. Motion to appoint Fred Seabolt as Scoreboard Operator effective December 9, 2022 at a rate of salary \$50 per event.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- K. Motion to appoint Christina Durkee as volunteer Shot Clock Operator effective December 6, 2022.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____



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- L. Motion to appoint Daniel Durkee as Scoreboard Operator effective December 6, 2022 at a rate of salary \$50 per event.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- M. Motion to appoint Jim Eggleston as Shot Clock Operator effective January 9, 2023 at a rate of salary \$40 per event.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- N. Motion to appoint Jordan Markham as Shot Clock Operator \$40 per event, Scoreboard Operator \$50 per event.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- O. Motion to appoint Olivia Frederick as Shot Clock Operator \$40 per event, Scoreboard Operator \$50 per event.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

- P. Motion to appoint Stephanie Bruce as Substitute Enrichment Teacher, as per FETA Contract.

Motion By: _____ 2nd By: _____



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Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

Q. Motion to appoint Jill Boucher as Substitute Enrichment Teacher, as per FETA Contract.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

R. Motion to appoint Jason Brayman as a call-in Bus Aide, as per FESS Contract.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

S. Motion to appoint Christina Marchese as Chaperone, as per FETA Contract.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

T. Motion to approve the appointment of Katherine Murphy as Speech Pathologist, Step 11, MA +30, effective February 13, 2023.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____



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U. Motion to accept the letter of resignation with the intent to retire from Malinda Gregory, effective August 31, 2023.

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

Coaching: None

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

XI. Second Public Comment Period (if needed)
Comments:

XII. Executive Session

I need a motion to enter into Executive Session to discuss matters referring to negotiations with a specific entity, as well as the employment of specific individuals.

Motion By: _____ 2nd By: _____

Any Discussion?

Board of Education Members and other individuals invited into executive session are reminded that all matters discussed during executive session must be kept in the strictest confidence.

As I see that there is no further discussion we will vote.

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

Time: _____

XIII. Return to Public Session

Time: _____

Motion By: _____ 2nd By: _____



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All in Favor: _____ All Opposed: _____ Any Abstentions: _____

XIV. Adjournment

Time: _____

Motion By: _____ 2nd By: _____

Discussion:

All in Favor: _____ All Opposed: _____ Any Abstentions: _____

