

**ANDES CENTRAL SCHOOL
RE-ORGANIZATIONAL MEETING
JULY 6, 2023**

I. ROLL CALL

A. Board members present

Kelly Bauer
Gordon Krick
Alice DeVita

B. Board members absent

Jason Mondore
Dale Tait

C. Others present

Catherine Barber-Graves – Interim Superintendent (Via Zoom)
Heather Evangelista – Interim District Treasurer

II. RE-ORGANIZATION

A. Motion by Alice DeVita seconded by Gordon Krick to approve the following resolution,

“BE IT RESOLVED that the Board of Education of the Andes Central School District hereby appoints Catherine Barber-Graves, as Interim Superintendent of Schools, Purchasing Agent and Title IX Officer for a term commencing July 1, 2023 through a date no later than December 31, 2023; Mrs. Barber-Graves will be compensated at the rate of \$600 per day worked and \$500 monthly for mileage.
M/C 3-0

B. Election of Officers

Upon a motion made by Gordon Krick seconded by Alice DeVita, Kelly Bauer was elected President of the Board of Education, with no compensation. M/C 3-0

Upon a motion made by Alice DeVita seconded by Gordon Krick, Jason Mondore was elected Vice President of the Board of Education, with no compensation. M/C 3-0

Upon a motion made by Alice DeVita seconded by Gordon Krick, Heather Evangelista was appointed Clerk of the Board of Education, with no compensation. M/C 3-0

C. Oath of Office for the Superintendent and Clerk administered by President _____.

Oath of Office for Vice President and Board Trustees were administered by President _____.

-MOTION TABLED-

D. Upon a motion made by Alice DeVita and seconded by Gordon Krick the following appointments and authorizations were approved:

Samantha Candreva is appointed District Treasurer, as a contractual employee.

The ONC BOCES Shared Business Office is appointed Internal Claims Officer, with no compensation.

_____ is appointed as Chief Medical Officer as a contractual employee. **-MOTION TABELED-**

The firm of Guercio and Guercio is appointed as school attorneys as contractual employees.

The firm of Girvin and Ferlazzo, P.C. is appointed as General Legal/Litigation/Labor Relations Counsel, in addition to firms previously appointed by the Board of Education, as contractual employees. **-MOTION TABELED-**

The firm of RBT is appointed as School District Auditor for the 2023-2024 fiscal year, as contractual employees.

The firm of Bernard P. Donegan is appointed as School District Financial Advisors.

The Superintendent is appointed Purchasing Official, with no compensation.

Sharon Tucker is appointed Treasurer and Auditor of the Student Activity Fund, with no compensation.

The Superintendent of Schools is authorized to approve meeting, conference and convention attendance by employees within budget limitations.

The Superintendent of Schools is authorized to employ personnel on a temporary part-time, per diem or substitute basis and to set appropriate wages for such personnel.

The Superintendent of Schools is authorized to certify all payrolls and that in the absence of the Superintendent, the District Treasurer is authorized to certify all payrolls.

The District Clerk is authorized to execute contracts on behalf of the school district and with the ONC BOCES for contract services.

Margaret Moshier is appointed School District Tax Collector, as a contractual employee.

Heather Evangelista is appointed as Records Officer, with no compensation.

To appoint Beth Smith as our 19A Examiner at the rate of \$2,000.00 and \$25.00 more for the physical performance tests. M/C 3-0

- E. Upon a motion made by Alice DeVita seconded by Gordon Krick the following were approved:

The Treasurer was authorized to invest funds.

Approval of payments of utilities, postage, freight, and credit card bills in advance of routine claims auditing process.

The President of the Board of Education was authorized to borrow funds for the district.

The mileage rate for use of personal car for school business was set at 62.5 cents per mile.

The Superintendent of Schools was named State Aid signatory.

The Superintendent was authorized to make budget transfers up to \$10,000.00.

The District Clerk was authorized to extend and check tax rolls.

That the District Treasurer be authorized to sign checks.

That the Superintendent be authorized to sign Student Activity check orders and sign extra-curricular activity checks when needed.

That the Superintendent be authorized to sign all reports for Title Funded Programs submitted to the State Education Department. M/C 3-0

- F. Upon a motion made by Gordon Krick seconded by Alice DeVita the following designations were approved:

That the Wayne Bank, Andes Branch be designated as the official depository for the Andes Central School District funds for the 2023-24 school year.

That the tax fee schedule be as follows: Sept. 6, 2023 to Oct. 6, 2023, no interest; Oct. 7 to Nov. 7, 2023 2 % interest.

That The Mountain Eagle and The Reporter Co. be designated as the official school newspaper for the 2023-24 school year.

That the third Thursday of each month at 7:00 P.M. be designated as the date of the regular monthly board meeting. M/C 3-0

- G. Upon a motion made by Alice DeVita seconded by Gordon Krick that the District Treasurer, Tax Collector and Cafeteria Cashier be bonded for an amount to be determined as necessary for the 2023-24 school year. M/C 3-0
- H. Oaths of Office were administered to the following people:
District Treasurer – Samantha Candreva
Tax Collector – Margaret Moshier **-MOTION TABELLED-**
- I. Substitute rates were established for the 2023-24 school year.
Non-Instructional -- Cafeteria, Custodial and Secretarial will be minimum hourly wage
Instructional -- Teacher substitutes will be paid at the rate of \$105.00 per day for uncertified, and \$120.00 per day for certified substitute teachers.

The above rates were established on a motion made by Gordon Krick seconded by Alice DeVita. M/C 3-0
- J. Upon a motion made by Alice DeVita seconded by Gordon Krick all District Plans and policies were renewed for the 2023-24 school year. M/C 3-0
- K. Upon a motion made by Gordon Krick seconded by Alice DeVita approval is hereby given for the 2023-24 Title I Program to be approved in the amount determined by the State Education Department. M/C 3-0
- L. Upon a motion made by Alice DeVita seconded by Gordon Krick the Andes Central School's Investment Policy was readopted. M/C 3-0
- M. Upon a motion made by Gordon Krick seconded by Alice DeVita to approve Jon Barber at \$60.00/per hour for psychological services during the 2023-24 school year. M/C 3-0
- N. On a motion of Alice DeVita seconded by Gordon Krick it is moved as follows:

The school district shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his public employment or duties; provided further that in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount or settlement by the board of education.

Except as otherwise provided by law, the duty to indemnify and save harmless prescribed by this resolution shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the employee.

The board of education shall not indemnify or save harmless an employee with respect to punitive or exemplary damages, fines or penalties or money recovered from an employee pursuant to Section 51 of the General Municipal Law. However, the board shall indemnify and save harmless its employees in the amount of any costs, attorneys' fees, damages, fines or penalties which may be imposed by reason of an adjudication that an employee, acting within the scope of his public employment or duties, has, without willfulness or intent on his part, violated a prior order, judgment, consent decree or stipulation of settlement entered in any court of this state or of the United States.

Upon entry of the final judgment against the employee, or upon the settlement of the claim, the employee shall serve a copy of such judgment or settlement, personally or by certified or registered mail within 30 days from the date of entry or settlement, upon the superintendent of the school district; and, if not inconsistent with the provisions of this resolution, such amount of such judgment or settlement shall be paid by the school district.

The duty to defend or indemnify to save harmless prescribed by this resolution shall be conditioned upon (i) delivery by the employee to the superintendent of the school district of a written request to provide for his defense together with the original or copy of any summons, complaint, process, notice, demand or pleading within 10 calendar days after he is served with such document and (ii) the full cooperation of the employee in the defense of such action or proceeding and in defense of any action or proceeding against the school district based upon the same act or omission and in the prosecution of any appeal.

Upon compliance by the employee with the provision of the last paragraph, the school district shall provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his public employment or duties. This duty to provide a defense shall not arise where such civil action or proceeding is brought by or at the behest of the school district employing such employee.

The employee shall be entitled to be represented by private counsel of his choice in any civil action or proceeding whenever the school district attorney or other counsel designated by the school district determines that a conflict of interest exists, or whenever a court, upon appropriate motion or otherwise by a special proceeding, determines that a conflict of interest exists and that the employee is entitled to be represented by counsel of his choice provided, however, that the school district attorney or other counsel designated by the school district may require, as a

condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. Reasonable attorneys' fees and litigation expenses shall be paid by the school district to such private counsel from time to time during the pendency of the civil action or proceeding with the approval of the board of education of the school district.

The board of education may from time to time purchase insurance from any insurance company created by or under the laws of the State of New York, or authorized by law to transact business in the State of New York, against any liability imposed by the provisions of this resolution, or to act as self-insurer with respect thereto.

For the purposes of this resolution, the term "employee" shall mean any member of the board of education, employee, volunteer, as well as a former employee, his estate or judicially appointed personal representative.

The benefits of this resolution shall supplement and be available in addition to defense or indemnification protection conferred by any other enactment.

M/C 3-0

III. ADJOURNMENT

The Re-Organizational meeting was adjourned at 7:18 pm on a motion by Gordon Krick seconded by Alice DeVita.