

**BROOKFIELD BOARD OF EDUCATION
AGENDA**

Brookfield Board of Education
Regular Meeting of the Board
Wednesday, March 15, 2023

Location: George Economides Board Meeting Room

- I. Call to order: "Work Session" - Time: 5:30 p.m.

- II. The Brookfield Board of Education met in regular session on **Wednesday, March 15, 2023**, at 6:00 p.m. in the George Economides Board Meeting Room. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in the agenda (Item XI).

- III. Pledge of Allegiance

- IV. Roll Call: Ms. Ronda Bonekovic, President Present
 Mrs. Sarah Kurpe Present
 Dr. Derek Mihalcin Present
 Mr. Jerry Necastro, Vice President Present
 Mrs. Melissa Sydlowski Present

- V. Board of Education Reports
Dr. Mihalcin inquired about making the assistant soccer coach positions be paid positions as opposed to volunteer ones in order to help build soccer into a program instead of just a team. He also praised High School assistant principal Tyler Vallinger for his work ethic and school spirit as evidenced by his participation at the recent basketball games.

- VI. Old Business

- VII. New Business

- VIII. Enrollment Data:

	Current	Change from Previous Month
Elementary	387	- 1
Middle	320	1
High	295	0
Online	<u>16</u>	<u>1</u>
Total	1018	1

IX. Superintendent's Report

Mr. Gibson reported on numerous updates including the middle school remediation on proposed settlement with regards to the ongoing litigation against the builders and architects of the building. He also praised the Drone Racing Team for their recent invitation to a national competition in Denver, CO which he was hoping he could secure some donations for them from some local business partners.

X. Treasurer's Report

Mr. Weber reported on recent grant developments including the restructuring of the ESSER ARP grant and the receipt of the School Safety Grant from ODE. He also made mention of some proposed increases to the schools funding via fuller implementation of the Fair School Funding Plan in Governor Dewine's recent budget.

XI. Public Input (5 minutes per individual)

Mrs. Mary Arp – congratulated the drone racing team on their recent invitation to the national competition in Denver and also offered to help secure volunteers if the school puts on a fundraiser to help students with meal debt.

TREASURER'S RECOMMENDATIONS

#23-03-01

APPROVAL OF MINUTES

1. Necastro motioned and Sydlowski seconded that the following Board minutes be approved as submitted:

February 15, 2023 – Regular Meeting of the Board

BE IT RESOLVED under the provision of ORC 3319.26 regarding the reading of the minutes, that the reading be waived and the minutes approved.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

#23-03-02

APPROVAL OF FINANCIAL STATEMENTS

2. Mihalcin motioned and Sydlowski seconded that the February 2023 Check Listing, Financial Report by Fund, Annual Spending Plan and Bank Reconciliation be approved as submitted.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

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Nays: None
Motion Carried

#23-03-03

NEW FUNDS

3. **BE IT RESOLVED**, that upon recommendation of the Treasurer, the Brookfield Board of Education approves the following new funds:

507-9123	ARP Homeless 2023
516-9024	IDEA-B SPED 2024
536-9024	Title 1 Non-Competitive 2024
572-9024	Title 1-A 2024
572-9124	EOEC 2024
584-9024	Title 4-A 2024
587-9024	IDEA Early Childhood SPED 2024
590-9024	Title 2-A 2024
599-9024	Title 5-B 2024
599-9923	School Safety 2023

Moved by Necastro, Seconded by Kurpe
Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-04

FUND TRANSFER

4. **BE IT RESOLVED**, that upon the recommendation of the Treasurer, the Brookfield Board of Education approves the following transfer of funds:

From 001 (General Fund) to 499-9920 (IWIP 1)	\$65,396.37
From 019-9020 (Arconic Grant) to 001 (General Fund)	\$ 41.63
From 019 (NYLIFE Grief Grant) to 001 (General Fund)	\$ 500.00
From 499-9120 (Safety Grant) to 001 (General Fund)	\$ 4,398.26
From 200-1222 (Class of 2022) to 200-9123 (Class of 2023)	\$ 2,633.44

Moved by Necastro, Seconded by Kurpe
Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

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#23-03-05

RECLASSIFY FUND ADVANCES

5. Kurpe motioned and Mihalcin seconded that the Brookfield Board of Education approves the reclassification of fund advances to fund transfers from the General Fund (001) to ESSER 2 (507-9022) dated June 29, 2021, and June 29, 2022, respectively.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

#23-03-06

REMEDATION PROJECT SETTLEMENT

6. Kurpe motioned and Mihalcin seconded that the Brookfield Board of Education approves execution of the Settlement and Release Agreement between the Brookfield Local School District Board of Education (the "Board"), Ohio Facilities Construction Commission ("OFCC"), Timmerman Geotechnical Group ("Timmerman"), and Balog, Steins, Hendricks, & Manchester Architects, Inc. ("BSHM") to resolve the claims against Timmerman and BSHM related to the Brookfield New K-12 Facility Project (the "Project").

Background:

- After completion of the Project, the Board and the OFCC became aware of a portion of the concrete slab and other structural elements in the middle school wing of the Project that were being thrust upward due to expansion of underlying subsurface material (the "Slab Heave Issue").
- Timmerman and BSHM were notified of the Slab Heave Issue, which was not remedied.
- Due to the Slab Heave Issue not being remedied, the Board and the OFCC filed suit against Timmerman and BSHM in the Trumbull County Court of Common Pleas captioned Brookfield Local School District Board of Education, et al. v. Timmerman Geotechnical Group, Inc. et al., Case No. 2020 CV 01113 (the "Lawsuit").
- The Superintendent has been involved in settlement negotiations with Timmerman and BSHM, including three meditations.
- With the assistance of counsel, the Superintendent has worked to reach an agreement with the OFCC, Timmerman, and BSHM to settle the Lawsuit ("Settlement and Release Agreement"), which Settlement and Release Agreement will generally provide that (1) Timmerman will pay the Board and the OFCC the sum of \$550,000, (2) BSHM will pay the Board and the OFCC the sum of \$900,000, (3) neither Timmerman nor BSHM will admit to any liability, and (4) the Board, OFCC, Timmerman, and BSHM will provide full releases of any and all claims against each other regarding the Project.

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- Settlement with Timmerman and BSHM will avoid the expense, inconvenience, and uncertainty of further litigation.
- The Superintendent recommends that the Board approves the Settlement and Release Agreement containing the terms generally described above in the amount of \$1,450,000 to be paid to the Board and the OFCC and requests authority to negotiate any remaining terms and to execute the Settlement and Release Agreement and any associated documents at the conclusion of satisfactory negotiations on the Board's behalf.

The Brookfield Local School District Board of Education resolves as follows:

(1) The Board approves the Settlement and Release Agreement with the OFCC, Timmerman, and BSHM containing the terms generally described above in the total amount of \$1,450,000 to be paid to the Board and the OFCC.

(2) The Board authorizes the Superintendent and the Treasurer to work with legal counsel to finalize and execute the Settlement and Release Agreement and any associated documents at the conclusion of satisfactory negotiations on the Board's behalf.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

#23-03-07

SOFTWARE SERVICE AGREEMENT

7. Sydlowski motioned and Kurpe seconded that the Brookfield Board of Education approves the software service agreement with AssetWorks USA, Inc. effective March 1, 2023, through February 29, 2024, in the amount of \$2,080.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

#23-03-08

MOWING MAINTENANCE AGREEMENT

8. Mihalcin motioned and Kurpe seconded that the Brookfield Board of Education approves the mowing maintenance agreement with T & D Landscape & Lawn Care effective April 1, 2023, through March 31, 2024, in the total amount of \$34,960.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

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Nays: None
Motion Carried

#23-03-09

DISPOSAL OF OBSOLETE INVENTORY

9. Necastro motioned and Kurpe seconded that the Brookfield Board of Education approves the disposal of twenty-seven (27) items from the collection of the school library as they are dated, worn, duplicates, and/or in a state of disrepair.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-10

DISPOSAL OF OBSOLETE INVENTORY

10. Kurpe motioned and Mihalcin seconded that the Brookfield Board of Education approves the disposal of one hundred sixty-six (166) books from the middle school as they are damaged and/or no longer being used.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-11

DONATIONS

11. Sydlowski motioned and Kurpe seconded that the Brookfield Board of Education accept the following generous donations:

St. Thomas the Apostle Church
Thomas Steel Strip Corp.
Youngstown Pipe and Steel

Supplies for food pantry
Steel for Maker Space
Steel for Maker Space

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

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SUPERINTENDENT’S RECOMMENDATIONS

#23-03-12

MEMORANDUM OF UNDERSTANDING – SCHOOL RESOURCE OFFICER

12. Sydlowski motioned and Kurpe seconded that the Brookfield Board of Education approves the memorandum of understanding between the Brookfield Local School District and the Township of Brookfield for three (3) years commencing July 1, 2023, as submitted.

Year 1	7/1/23 – 6/30/24	\$66,552
Year 2	7/1/24 – 6/30/25	\$68,267
Year 3	7/1/25 – 6/30/26	\$69,972

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-13

MEMORANDUM OF UNDERSTANDING – COLLEGE CREDIT PLUS

13. Sydlowski motioned and Necastro seconded that the Brookfield Board of Education approves the memorandum of understanding between Youngstown State University and the Brookfield Local School District for high school students to participate/enroll in YSU’s College Credit Plus program for the 2023-2024 academic school year.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-14

UNPAID LEAVE

14. Mihalcin motioned and Kurpe seconded that the Brookfield Board of Education approves the unpaid leave request of **Ashley Miller** for three (3) days from March 8, 2023, through March 10, 2023, after being advanced five (5) sick days from March 1, 2023, until March 7, 2023, per ORC 3319.141.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

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#23-03-15

UNPAID LEAVE

15. Necastro motioned and Sydlowski seconded that the Brookfield Board of Education approves the unpaid leave request of **Amy Brigham**, educational aide, for two (2) days on March 2, 2023, and March 3, 2023.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-16

UNPAID LEAVE

16. Necastro motioned and Mihalcin seconded that the Brookfield Board of Education approves the unpaid leave request of **Alexandra Hagood-Derthick**, elementary teacher, for two (2) days on April 21, 2023, and April 28, 2023.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-17

RESIGNATION

17. Sydlowski motioned and Kurpe seconded that the Brookfield Board of Education accepts the voluntary resignation of **Kara Miller**, intervention specialist, from employment with the Board via abandonment of her position effective immediately.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-18

RESIGNATION

18. Necastro motioned and Mihalcin seconded that the Brookfield Board of Education accepts the resignation of **John Wilkes**, custodian, effective March 17, 2023.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

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#23-03-19

RESIGNATION

19. Sydlowski motioned and Mihalcin seconded that the Brookfield Board of Education accepts the resignation of **Lydia Guy**, cook's helper, effective March 24, 2023.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-20

AMEND MOTION

20. Kurpe motioned and Sydlowski seconded that the Brookfield Board of Education amends Motion #23-01-27 from the January 13, 2023, Board meeting to correct the last day of **Debra Zebroski**, educational aide, to be May 19, 2023, instead of June 2, 2023. Mrs. Zebroski is retiring.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

#23-03-21

AMEND MOTION

21. Sydlowski motioned and Kurpe seconded that the Brookfield Board of Education amends Motion #22-09-16 from the September 21, 2022, Board meeting to correct the step for a supplemental position as follows:

Timothy Filipovich	Boys' Asst. Basketball Coach (gr. 8)	\$4,002 (Step 7)
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Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski
Nays: None
Motion Carried

BOARD OF EDUCATION RECOMMENDATIONS

#23-03-22

EXECUTIVE SESSION

XII. Sydlowski motioned and Necastro seconded that the Brookfield Board of Education adjourns to Executive Session for the purpose of:

*" ...in compliance with Board policies, salary schedules, and the posting and bid procedures according to the Master Agreement between the Board and the BFT/BASE. Employment is conditioned upon receipt of satisfactory BCI and FBI criminal records checks as per Board policies, rules and regulations."

_____ 1. **To Consider Personnel Matters** - considering the (select one or more) appointment, employment, dismissal, discipline, demotion, or compensation of an employee or official of the school district.

_____ 2. **To Consider the Purchase or Sale of Property** - considering the (select one) purchase of property for School District purposes or sale of property at competitive bidding since disclosure at this time would give an unfair competitive or bargaining advantage to person(s) whose personal, private interest is adverse to the general public interest.

_____ 3. **To Consult with Legal Counsel** - meeting with Board Legal Counsel to discuss disputes involving the Board and/or the School District that are the subject of pending or imminent court action.

_____ 4. **To Discuss Negotiations or Collective Bargaining** - (select one or more) prepare for, conduct, review negotiations or bargaining sessions with employees concerning compensation and other terms and conditions of employment.

 X 5. **To Discuss Matters Required to be Kept Confidential by Federal or State Law** - considering matters required to be kept confidential by federal law or regulations or state statutes.

_____ 6. **To Discuss Security Arrangements or Emergency Response Protocols of the District** - discussing details relative to the security arrangements and emergency protocols for the School District, which, if otherwise disclosed, could jeopardize the security of the School District or Board.

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

Adjourn to Executive Session. Time: 6:37 p.m.

Return from Executive Session. Time: 7:28 p.m.

XIII. Adjourn Board Meeting. Time: 7:28 p.m.

Moved by Sydlowski, Seconded by Necastro

Ayes: Bonekovic, Kurpe, Mihalcin, Necastro, Sydlowski

Nays: None

Motion Carried

The next meeting of the Board will be held in the Board office on Wednesday, April 19, 2023, in the George Economides Meeting Room.

TG/dd

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Enclosures
dd/word/board mtgs 2023 March Mtg

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