

DATE: November 3, 2010

KIND OF MEETING: Special Meeting

LOCATION: District Conference Room

MEMBERS PRESENT: Robert Devins David Dufrane Valerie Dunning
Dennis Egan Melissa Mills Valerie Pelkey
Stephen Perry Tracy Warren

MEMBER ABSENT: George Martin

OTHERS PRESENT: Robin Jones, Superintendent of Schools

CALL TO ORDER: The Special Meeting of the Brushton-Moira Central School District's Board of Education was called to order at 6:25 p.m. by President, David Dufrane.

PLEDGE OF ALLEGIANCE: Members of the Board of Education rose and said the Pledge of Allegiance.

EXECUTIVE SESSION: Motion made by Valerie Pelkey, and seconded by Dennis Egan, that the Board of Education shall enter into Executive Session to discuss Legal Issues, at 6:25 p.m. Motion voted and carried.

8-Yes 0-No

RETURN TO REGULAR SESSION: Motion made by Valerie Dunning, and seconded by Valerie Pelkey, that the Board of Education shall return to Regular Session, at 6:37 p.m. Motion voted and carried.

8-Yes 0-No

APPROVE RESOLUTION: Upon presentation and recommendation of Robin Jones, Superintendent of Schools, motion made by Stephen Perry, and seconded by Dennis Egan, that the Board of Education shall approve the following resolution:

WHEREAS, David Dufrane is the President of the Board of Education of the Brushton-Moira Central School District, and

WHEREAS, David Dufrane has been named in a lawsuit as a defendant in both his capacity as the President of the Board of Education of the Brushton-Moira Central School District and in his individual capacity, which lawsuit was commenced by plaintiff Michael F. Lahendro by filing a Summons and Complaint in the Franklin County Clerk's Office on October 18, 2010, and

WHEREAS, the Brushton-Moira Central School District and the Board of Education of the Brushton-Moira Central School District are also named as defendants in the above mentioned litigation, and

WHEREAS, the Board of Education received a copy of the Summons and Complaint in the aforementioned lawsuit in accordance with the timeliness requirements set forth in Education Law §3811, and

WHEREAS, David Dufrane has requested that his reasonable costs and expenses, as well as all costs and damages adjusted against him in connection with his defense in the above mentioned lawsuit be paid by the School District in accordance with Education Law § 3811, and

WHEREAS, the members of the Board of Education have reviewed the Complaint,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby grants David Dufrane's request that his reasonable costs and expenses, as well as all costs and damages adjusted against him in connection with his defense in the above mentioned lawsuit shall be paid by, or on behalf of, the School District as in accordance with, and subject to, Education Law § 3811, and
2. The Board hereby advised David Dufrane that attorney Benjamin R. Pratt has been designated to defend David Dufrane, the Brushton-Moira Central School District and the Board of Education of the Brushton-Moira Central School District in the above reference litigation.
3. This Resolution shall take effect immediately.

Motion voted and carried.

7-Yes	0-No	1-Abstained- David Dufrane
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ADJOURNMENTS:

Motion made by Stephen Perry, and seconded by Valerie Pelkey, to adjourn the Special Meeting of the Board of Education. Motion voted and carried.

8-Yes	0-No
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The Special Meeting of the Board of Education was adjourned at 6:38 p.m.

Minutes approved by:

Clerk of the Board