

ALBANY SCHOOL BOARD
DECEMBER 6, 2018
MINUTES

PRESENT: Joseph Ferris, Jeanette West, and Kevin Richard.

1. Joe Ferris called the meeting to order at 5:30 p.m.
2. Rules of Procedure and Appointment of School Board Member – Joe Ferris recommended that the Board adopt the indemnification document (attached) for the School Board. **Joe Ferris moved to adopt the Indemnification Policy; the motion was seconded by Jeanette West and passed 2-0-0.**

Due to Jeanette West not having been sworn in, this special meeting is being held to appoint a school board member to take Stan Solomon's place. The Board listened to presentations by both Dan Bianchino and Tim Sorgi. The Board discussed the two candidates. The RSA on filling vacancies was reviewed. Dan Bianchino then withdrew his letter of interest. **Joe Ferris moved to appoint Tim Sorgi as school board member until March of 2019. The motion was seconded by Jeanette West and passed 2-0-0.** Jeanette voiced her concerns.

3. Any Other Business

A. The manifest was signed.

B. Public Comment – Dan Bianchino read an email received from Senator Maggie Hassan's office regarding IDEA funding (see attached).

4. **Joe Ferris moved to adjourn. The motion was seconded by Jeanette West and passed 2-0-0 at 6:29 p.m.**

Respectfully submitted,

Kevin Richard
Superintendent of Schools

Indemnification Policy – Town of Albany, NH

Indemnification of Town Employees and Officials Pursuant to NH RSA 31:104, 105, 106

The Board of Selectmen of the Town of Albany, New Hampshire in Carroll County hereby adopts the provisions of NH RSA 31:104, NH RSA 31:105, NH RSA 31:106, whereby the Town shall indemnify and save harmless for loss or damage occurring after the date of the adoption of this motion and to reaffirm the vote of the Legislative Body at the 1985 Albany Town Meeting, to the fullest extent possible, any person employed by it and by any member or officer of its Board of Selectmen, administrative staff or municipal agencies, including, but not limited to, the Selectmen, Town Administrator, Road Agent, Town Clerk / Tax Collector, Deputy Town Clerk / Tax Collector, Treasurer, Deputy Treasurer, Regional Planning Commissioners /Representatives, Health Officer, Deputy Health Officer, as well as the members of its Conservation Commission, Heritage Commission, Highway Safety Committee, Planning Board, Supervisors of the Checklist, Trustees of Trust Funds, advisory bodies/committees, and members of the Zoning Board of Adjustment from personal financial loss and expense from any of the following:

- A. **NH RSA 31:104 Liability of Municipal Executives** - Arising out of any claim, demand, suit or judgment and shall not be held liable for civil damages for any vote, resolution, or decision made by said person acting in his or her official capacity in good faith and within the scope of his or her authority for the Town of Albany.
- B. **NH RSA 31:105 Indemnification for Damages** - Arising out of any claim, demand, suit or judgment by reason of negligence or other acts resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in such injury, damage or destruction, was acting within the scope of employment or their official duties for the Town of Albany.
- C. **NH RSA 31:106 Indemnification; Civil Rights Suits** - Arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office for the Town of Albany.

This policy of indemnification shall not apply to any action by an otherwise indemnified individual in the event that the conduct forming the basis of the claim was as a result of a wanton or malicious behavior or actions taken in bad faith which shall include, but not be limited to, conscious wrongdoing or behavior based upon a dishonest, immoral or improper motive.

The omission by title of any municipal employee, official or board or committee member from the above enumeration shall not be construed to deny indemnification to such individuals.

In addition, pursuant to NH RSA 31:108 Attachment, Trustee Process Prohibited – No attachment or trustee process shall be available or allowed where immunity has been granted pursuant to RSA 31:104 or where indemnification has been voted pursuant to RSA 31:105 or where indemnification is required pursuant to RSA 31:106.

From: Daniel Bianchino <dbianchino@roadrunner.com>
Sent: Wednesday, December 5, 2018 12:15 PM
To: Weaver, Brittany (Hassan) <Brittany_Weaver@hassan.senate.gov>
Subject: Re: IDEA funding

Thank you so much for the thoughtful reply. I wish this issue would receive more attention as it directly impacts almost everyone in our small town. We have a school board meeting this week and I'll be sure to mention Senator Hassan's efforts on this. - Dan Bianchino

Sent from my Verizon Motorola Smartphone

On Dec 5, 2018 11:38 AM, "Weaver, Brittany (Hassan)" <Brittany_Weaver@hassan.senate.gov> wrote:

Mr. Bianchino,

I am writing to reply to your recent email to Senator Hassan regarding funding for IDEA and its impact on the Albany education budget. I serve as Senator Hassan's advisor on issues related to education and disability policy and wanted to email you to let you know that this is of upmost concern for Senator Hassan as well. As such, Senator Hassan is a cosponsor of the IDEA full funding act and she annually signs on to a letter supporting an increase to IDEA federal funding.

I do not expect the federal government to reach its original 40% funding obligation in the near future – though I can assure you that the Senator will continue to work with her colleagues to increase funding here. I would be happy to talk with you more about this if you would like to set up a call.

All my best,

Brittany

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Brittany Weaver

Legislative Assistant

Office of Senator Maggie Hassan (NH)

330 Hart Senate Office Building

Washington, DC 20510

202-224-3324

   EDITED  EDITED  EDITED  EDITED

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Laurie Burnell <l_brnll@sau9.org>

Fwd: FW: IDEA funding

1 message

Kevin Richard <krichard@sau9.org>
To: Laurie Burnell <l_brnll@sau9.org>

Mon, Dec 10, 2018 at 2:01 PM

Please enter this email into the minutes for the Albany School Board meeting.

Thank you,

Kevin Richard
Superintendent, SAU 9
(603) 447-8368

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----- Forwarded message -----

From: **Daniel Bianchino** <dbianchino@roadrunner.com>
Date: Thu, Dec 6, 2018 at 6:43 PM
Subject: FW: IDEA funding
To: krichard@sau9.org <krichard@sau9.org>

Sent from Mail for Windows 10

From: Weaver, Brittany (Hassan)
Sent: Wednesday, December 5, 2018 1:23 PM
To: Daniel Bianchino
Subject: RE: IDEA funding

Absolutely – and feel free to share my contact information with anyone who would like to discuss this further.

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Brittany Weaver

Legislative Assistant

Office of Senator Maggie Hassan (NH)