

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT COUNTIES OF
MONROE AND ORLEANS**

MINUTES

of the Regular Meeting held on Wednesday, February 14, 2024, at 5:30 p.m. at the Richard E. Ten Haken Educational Services Center, 3599 Big Ridge Road, Spencerport, New York 14559

Members Present

Dennis Laba, President	Trina Lorentz
John Abbott	Gerald Maar
Cindy Dawson	Michael May
Kathleen Dillon	Heather Pyke

Absent: R. Charles Phillips

Staff Present

Jo Anne Antonacci	Marijo Pearson
Karen Brown	Steve Roland
Stephen Dawe	Michelle Ryan
Ian Hildreth	Tom Schulte
Kelly Mutschler	

1. The meeting was called to order by President Laba at 5:30 pm.
2. Pledge of Allegiance
3. At 5:30 pm a motion was made by M. May to adjourn to executive session; seconded by J. Abbott; passed unanimously

Members Present

Dennis Laba	Trina Lorentz
John Abbott	Gerald Maar
Cindy Dawson	Michael May
Kathleen Dillon	Heather Pyke

At 6:00 pm a motion was made by M. May, seconded by G. Maar to come out of Executive Session; passed unanimously.

4. Agenda Modification - There are two walk-in resolutions at Item 7, Financial Reports
5. Approval of Minutes
Resolved: To Approve the Minutes of the January 17, 2024, Regular Meeting
Moved by J. Abbott, seconded by G. Maar; passed unanimously
6. There was no public interaction.
7. Financial Reports
 1. Resolved: To Accept the Treasurer's Report as presented

Moved

by J. Abbott, seconded by K. Dillon: passed unanimously

2. Resolved: To Accept the WinCap Reports as presented
Moved by G. Maar, seconded by M. May; passed unanimously
6. Resolved: To Approve the Revised Management Letter Corrective Action Plan for the Year Ended June 30, 2023
Moved by G. Maar, seconded by K. Dillon; passed unanimously
7. Resolved: To Approve the Revised Extra Classroom Activity Funds Corrective Action Plan for the Year Ended June 30, 2023
Moved by M. May, seconded by G. Maar; passed unanimously

8. Board Presentation - Assistant Superintendent for Finance and Operations Steve Roland presented the board with the Monroe 2-Orleans BOCES 2024-25 Proposed Budget. The board asked questions and thanked Mr. Roland.

9. Old Business

1. Resolved: To Appoint the Law Firm of Bond, Schoeneck & King per Harris Beach, PLLC 2023-24 Rate Schedule as Presented.
Moved by J. Abbott, seconded by K. Dillon: passed unanimously

10. New Business

1. Resolved: To Accept Donation of Bar Stock and Shelving from Align Precision
Moved by K. Dillon, seconded by M. May; passed unanimously
2. Resolved: To Adopt Workplace Violence Prevention Policy 5321
Moved by G. Maar, seconded by K. Dillon; passed unanimously

11. Personnel and Staffing

1. Resolved: To Approve the Personnel and Staffing Agenda as presented
Moved by K. Dillon, seconded by J. Abbott; passed unanimously
2. Resolved: To Create the Position of:
1.0 FTE Paraprofessional, 10 months/year
Moved by K. Dillon, seconded by G. Maar; passed unanimously

11. Bids/Lease Purchases

Resolved: To Accept the bid recommendations and awarding of the following bids and lease purchases as presented:

1. COOPERATIVE BUILDING SUPPLIES
Bid #RFB-2072-23A
Cooper Friedman Electric Supply Co. \$3,015.00
2. AUTHORIZING RESOLUTION -Equipment Lease-Purchase For the benefit of Wheatland-Chili CS District

Whereas, Board of Cooperative Educational Services, Second Supervisory District of Monroe County ("BOCES 2"), a body politic and corporate duly organized and

existing as a political subdivision, municipal corporation or similar public entity of the State of New York, is authorized by the laws of the State of New York to purchase, acquire and lease personal property and to enter into contracts with respect thereto; and

Whereas, pursuant to New York State Education Regulations contained at 8 NYCRR Part 170.3(f), and in furtherance of BOCES 2's mission and essential functions, BOCES 2 desires to purchase, acquire and lease certain equipment constituting personal property in connection BOCES's ongoing service programs; to wit, the Lessor anticipates entering into a contract with Wheatland-Chili Central School District (the "District") relating to same; and

Whereas, in order to acquire such equipment, the BOCES 2 proposes to enter into with Toshiba (the "Lessor"), the form of which has been presented to the governing body of the BOCES 2 at this meeting; and

Whereas, the governing body of the BOCES 2 deems it for the benefit of the BOCES 2 and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the equipment therein described on the terms and conditions therein provided;

Now, Therefore, Be It And It Is Hereby Resolved;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and cross-contracts with the District (collectively, the "Agreements") are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel to BOCES 2 or other authorized representatives of BOCES 2 executing the same, the execution of such documents being conclusive evidence of such approval; and the BOCES 2 Board President is hereby authorized and directed to execute, and the BOCES 2 District Superintendent is hereby authorized and directed to attest and countersign the Agreements and any related exhibits attached thereto, and the BOCES 2 District Clerk is hereby authorized to affix the seal of BOCES 2 to such documents.

Section 2. Findings - Financial. The BOCES 2 Board finds and determines that it is in BOCES 2's best financial interest to acquire the Equipment for the benefit of the District because:

- (i) it provides an opportunity to use the equipment without committing to the full costs of purchase; and
- (ii) after seeking competitive quotes, Lessor provides the most financially advantageous lease terms; and

Section 3. Findings - Ordinary Contingent Expense. The BOCES 2 Board finds and determines that the Equipment is necessary to maintain BOCES 2's educational program, preserve property or assure the health and safety of students and staff and thus payments under the Agreements constitute ordinary contingent expenses.

Section 4. Other Actions Authorized. The officers and employees of BOCES 2 shall take all action necessary or reasonably required by the parties to the Agreements to

carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreements.

Section 5. No General Liability. Nothing contained in this Resolution, the Agreements nor any other instrument shall be construed with respect to BOCES 2 as incurring a pecuniary liability or charge upon the general credit of BOCES 2 or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreements or any other instrument or document executed in connection therewith impose any pecuniary liability upon BOCES 2 or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreements are special limited obligations of BOCES 2 as provided in the Agreements.

Section 6. Section 265(b)(3) Designation. BOCES 2 hereby designates the Agreements as a "qualified tax exempt obligation" for the purposes and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. BOCES 2 further represents that BOCES 2 reasonably anticipates that BOCES 2 and other entities that BOCES 2 controls will not issue tax exempt obligations (including the Agreement) that exceed the aggregate principal amount of \$10,000,000 during the calendar year in which the Agreement is executed and delivered.

Section 7. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

Description of Equipment to be purchased:

Make/Model	District	Location
Toshiba e-Studio 1058	Wheatland-Chili CSD	HS Copy Room

Price and Payment Terms

Cost of the Equipment:	\$ 30,723.60
Finance Cost:	\$ 0.00
Monthly Cost	\$ 512.06

Estimated Payment Schedule*

Payment	Amount
FY 23/24	\$ 2,560.30 (billed annually)
FY 24/25	\$ 6,144.72 (billed annually)
FY 25/26	\$ 6,144.72 (billed annually)
FY 26/27	\$ 6,144.72 (billed annually)
FY 27/28	\$ 6,144.72 (billed annually)
FY 28/29	\$ 3,584.42 (billed annually)

3. AUTHORIZING RESOLUTION Equipment Lease-Purchase For the benefit of Churchville-Chili CS District

Whereas, Board of Cooperative Educational Services, Second Supervisory District of Monroe County ("BOCES 2"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of New York, is authorized by the laws of the State of New York to purchase, acquire and lease personal property and to enter into contracts with respect thereto; and

Whereas, pursuant to New York State Education Regulations contained at 8 NYCRR Part 170.3(f), and in furtherance of BOCES 2's mission and essential functions, BOCES 2 desires to purchase, acquire and lease certain equipment constituting personal property in connection BOCES's ongoing service programs; to wit, the Lessor anticipates entering into a contract with Churchville-Chili Central School District (the "District") relating to same; and

Whereas, in order to acquire such equipment, the BOCES 2 proposes to enter into with Toshiba (the "Lessor"), the form of which has been presented to the governing body of the BOCES 2 at this meeting; and

Whereas, the governing body of the BOCES 2 deems it for the benefit of the BOCES 2 and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the equipment therein described on the terms and conditions therein provided;

Now, Therefore, Be It And It Is Hereby Resolved;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and cross-contracts with the District (collectively, the "Agreements") are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel to BOCES 2 or other authorized representatives of BOCES 2 executing the same, the execution of such documents being conclusive evidence of such approval; and the BOCES 2 Board President is hereby authorized and directed to execute, and the BOCES 2 District Superintendent is hereby authorized and directed to attest and countersign the Agreements and any related exhibits attached thereto, and the BOCES 2 District Clerk is hereby authorized to affix the seal of BOCES 2 to such documents.

Section 2. Findings - Financial. The BOCES 2 Board finds and determines that it is in BOCES 2's best financial interest to acquire the Equipment for the benefit of the District because:

(i) it provides an opportunity to use the equipment without committing to the full costs of purchase; and

(ii) after seeking competitive quotes, Lessor provides the most financially advantageous lease terms; and

Section 3. Findings - Ordinary Contingent Expense. The BOCES 2 Board finds and determines that the Equipment is necessary to maintain BOCES 2's educational

program, preserve property or assure the health and safety of students and staff and thus payments under the Agreements constitute ordinary contingent expenses.

Section 4. Other Actions Authorized. The officers and employees of BOCES 2 shall take all action necessary or reasonably required by the parties to the Agreements to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreements.

Section 5. No General Liability. Nothing contained in this Resolution, the Agreements nor any other instrument shall be construed with respect to BOCES 2 as incurring a pecuniary liability or charge upon the general credit of BOCES 2 or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreements or any other instrument or document executed in connection therewith impose any pecuniary liability upon BOCES 2 or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreements are special limited obligations of BOCES 2 as provided in the Agreements.

Section 6. Section 265(b)(3) Designation. BOCES 2 hereby designates the Agreements as a "qualified tax exempt obligation" for the purposes and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. BOCES 2 further represents that BOCES 2 reasonably anticipates that BOCES 2 and other entities that BOCES 2 controls will not issue tax exempt obligations (including the Agreement) that exceed the aggregate principal amount of \$10,000,000 during the calendar year in which the Agreement is executed and delivered.

Section 7. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

Description of Equipment to be purchased:

Make/Model	District	Location
Toshiba e-Studio 5525AC	Churchville-Chili CSD	Senior HS Library R
Toshiba e-Studio 5525AC	Churchville-Chili CSD	Senior HS Library @CRS
Toshiba e-Studio 5525AC	Churchville-Chili CSD	MSS-Rm 2410
Toshiba e-Studio 5525AC	Churchville-Chili CSD	MS - South Library Rm 3120

Price and Payment Terms

Cost of the Equipment:	\$ 29,638.08
Finance Cost:	\$ 0.00
Monthly Cost	\$ 823.28

Items 11.1-4 moved by J. Abbott, seconded by M. May; passed unanimously

12. Executive Officer's Report

Senior Deputy Commissioner Jeffrey Matteson is following up on project work requested by the Commissioner to include District Superintendents.

The AI Summit was well attended with lots of representation from across the districts and the University of Rochester. The staff did an excellent job explaining the what and how to use it. District Superintendent Antonacci extended compliments to the staff who facilitated the event.

The Finger Lakes Youth Apprenticeship Signing Day took place on January 28, 2024. Over one hundred students applied and thirty-six were selected to engage with employers - 19 of those selected are enrolled in the Engineering and Metal Fabrication Academy program at the Career and Technical Institute at WEMOCO.

The MCSBA Legislative Breakfast on February 3, 2024, had over 125 attendees. Wheatland-Chili CSD and Greece CSD were represented by student speakers at the breakfast and legislators were engaged and impressed with the students.

Cindy Dawson, Wheatland Chili's representative to the Monroe 2-Orleans BOCES board, submitted her letter of resignation to the board. Wheatland-Chili will provide a nominee to be presented to component boards at the Annual Meeting on April 10, 2024.

13. Committee Reports

Labor Relations Committee - J. Abbott, K. Dillon - Topic: Workplace Violence Prevention

Legislative Committee - K. Dillon, C. Dawson - Legislative Breakfast debrief

Information Exchange - C. Dawson, C. Phillips - Topic: Ecopark Presenter, managing chemical waste

14. Upcoming Meetings/Calendar Events - the various meetings for the month were listed in the agenda

15. Other Items -There were no other items

16. At 6:55 pm a motion was made by G. Maar to adjourn to executive session; seconded by J. Abbott; passed unanimously

Respectfully Submitted



Kelly Mutschler
Clerk of the Board

Members Present

Dennis Laba
John Abbott
Cindy Dawson
Kathleen Dillon

Trina Lorentz
Gerald Maar
Michael May
Heather Pyke

At 7:44 pm a motion was made by J. Abbott, seconded by T. Lorentz to come out of Executive Session; passed unanimously.

17. Adjournment

At 7:45 pm a motion was made by K. Dillon to adjourn the meeting, seconded by G. Maar, passed unanimously.

Respectfully Submitted,



Jo Anne L. Antonacci
Clerk Pro Tem