

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

Minutes of the Regular Meeting of the Board of Cooperative Educational Services, Second Supervisory District of Monroe and Orleans Counties, held on February 15, 2023, at 6:00 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Members Present:

Dennis Laba, President	Trina Lorentz
John Abbott	Gerald Maar
Kathy Dillon	Michael May

Staff Present:

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

1. Call the Meeting to Order
The meeting was called to order by President Laba at 6:00 p.m.
2. Pledge of Allegiance
3. Agenda Modifications - A walk in resolution was added at Agenda Item 11.1
4. Approval of Minutes
Resolved: To Approve the Minutes of the January 18, 2023, Meeting Minutes as presented.
Moved by K. Dillon, seconded by J. Abbott; passed unanimously
5. Public Interaction – There was no public interaction.
6. Financial Reports
 1. Resolved: To Accept the Treasurer’s Report as presented
Moved by J. Abbott, seconded by M. May; passed unanimously.
 2. Resolved: To Accept the WinCap Report as presented
Moved by J. Abbott, seconded by M. May; passed unanimously
7. Board Presentation – Assistant Superintendent for Finance and Operations Steve Roland presented the 2023-2024 Proposed Budget. The board asked questions and thanked Steve for his work on the budget.
8. Old Business – There was no old business.
9. New Business
 1. WHEREAS the job training programs will be in accordance with Education Law 4602; and
WHEREAS the District Superintendent is charged with the responsibility to ensure the job training programs for purposes of EPE Funding are conducted in accordance with applicable New York State Laws and Regulations;

BE IT HEREBY RESOLVED THAT THE Monroe 2 Orleans Board of Cooperative Education approves the Center for Workforce Development creating and providing the following job training programs:

ServSafe in accordance with the New York State Education Department requirements to be eligible for EPE Funding.

Moved by G. Maar seconded by M. May; passed unanimously.

2. Resolved: To Accept Donation of Older Model Cars for Student Practice from Monroe Community College.

Moved by M. May, seconded by G. Maar; passed unanimously

10. Personnel and Staffing

1. Resolved: To Approve the Personnel and Staffing Agenda as presented

Moved by J. Abbott; seconded by K. Dillon; passed unanimously

2. Resolved: That the following position be created:

1.0 FTE Careers in Agriculture CTE Teacher, 10 months/year

Moved by K. Dillon, seconded by G. Maar; passed unanimously

11. Bids/Lease Purchases

1. **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 Holley Central School District (the "District") relating to same; and

Whereas, in order to acquire such equipment, the BOCES 2 proposes to enter into with Xerox (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.

Moved by M. May, seconded by G. Maar; passed unanimously

12. Executive Officer's Report

The Monroe 2-Orleans Educational Foundation Celebration had a record year raising nearly \$63,000 for student scholarships and awards. Scholarship interviews will occur in March. The 2023 Celebration takes place on November 18, 2023, at Ridgemont Country Club.

The NYSUT/BOCES Advocacy Day is Wednesday March 1, 2023. BOCES 2 Board President Dennis Laba, Assist. Superintendent Tom Schulte, Communications Manager Steve Dawe and Special Education Teacher Kate Jackson will be joining District Superintendent Jo Anne

Antonacci in Albany to meet with legislators throughout the day.

The Monroe County School Boards Association Legislative Breakfast took place on February 4, 2023. District Superintendent Antonacci acted as a table leader at Senator Ort's table. Discussions were positive and legislators were receptive.

Transition Program Family Information Night took place on January 16. Attendees learned about the BOCES 2 Transition Program, enjoyed a video featuring BOCES students and had some light refreshments.

CTE Exercise Science students and students at Village Plaza became Fitness Buddies this month. This was an opportunity for CTE students to lead exercise programs and for students at Village Plaza to participate in a fun wellness activity.

13. Committee Reports –

1. Labor Relations - J. Abbott – Topic: Crisis Management: *WHAT TO DO WHEN FACED WITH A CRISIS IN YOUR DISTRICT*
2. Legislative Committee - preparation for the 2/4/2023 Legislative Breakfast
3. Information Exchange Committee – Esports: Engaging our Digitized Youth, presented by East Irondequoit and National Esports Association.

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 6:47 p.m. a motion was made by M. May to adjourn the meeting to Executive Session, seconded by G. Maar; passed unanimously.

Respectfully Submitted,

Kelly Mutschler
Board Clerk

Members Present

Dennis Laba
John Abbott
Kathleen Dillon

Trina Lorentz
Gerald Maar
Michael May

At 7:14 a motion was made by J. Abbott, seconded by G. Maar to come out of Executive Session; passed unanimously.

17. Adjournment

At 7:14 a motion was made by M. May to adjourn the meeting, seconded by G. Maar; passed unanimously.

Respectfully Submitted,

Jo Anne L. Antonacci
Clerk Pro Tem