

**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 January 19, 2022 at 6:00 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Members Present:

Dennis Laba, President
R. Charles Phillips - Remote
John Abbott
Cindy Dawson

Kathleen Dillon
Gerald Maar
Michael May
Heather Pyke

Absent:

Mark Porter

Staff Present:

Jo Anne Antonacci
Karen Brown, Esq.
Steve Dawe
Ian Hildreth
Kelly Mutschler

Marijo Pearson
Steve Roland
Dr. Michelle Ryan
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 – Board Retreat discussion was added to Old Business

4. Approval of Minutes

Resolved: To Approve the Minutes of the January 19, 2022 Regular Meeting Minutes as presented.

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

5. Public Interaction – There was no public interaction.

6. Financial Reports

Resolved: To Accept the Treasurer's Report and WinCap Report and Contractor's report as presented

Moved by M. May, seconded by J. Abbott; passed unanimously.

7. Board Presentation – Steve Roland presented the 2022-23 proposed budget. The Monroe 2-Orleans BOCES budget will be presented to component superintendents, board members, and staff at the April 6, 2022, Annual Meeting. The board asked questions and thanked Steve for his presentation.

8. Old Business

1. Annual Meeting –plans to return to traditional dinner meeting format showcasing skills of students in Culinary, Baking, Food Service and Personal Service were finalized.
2. Possible dates and topics for a Spring BOCES Board retreat were discussed.

9. New Business

1. BOCES Educational Consortium (BEC) Annual Meeting (March 1)
2. Resolved: To Approve Lease Amendment to BFB Associates Lease
Moved by G. Maar, seconded by M. May; 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. WHEREAS, the BOCES Board has been provided evidence that the following individual has completed training which meets the requirements of 8 NYCRR 30-2.10 and the Monroe 2-Orleans BOCES 2021-2022 State-approved Annual Professional Performance Review Plan for certification as a Lead Evaluator of teachers, therefore

BE IT RESOLVED, that, upon recommendation of the District Superintendent, the following individual be certified as a Lead Evaluator of teachers: John A. Britt

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

11. Bids/Lease Purchases

1. SCHEDULE D AUTHORIZING RESOLUTION -Equipment Lease-Purchase
For the benefit of Hilton Central School 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 Hilton 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.

DESCRIPTION OF EQUIPMENT:

Xerox B9125 Booklet, SFT 2 Tray, IDM –1

Xerox B9125 Std Fin 2 Tray, IDM, Tape–1

Xerox C8170 BR Fin, fax–22

Xerox C8170 BR Fin–25

Xerox V4100–1

Xerox V280–1

Xerox Fiery Controller for V280–1

Xerox Fiery Controller for B9125–2

Xerox Fiery Controller for V4100–1

Cost of the Equipment: \$722,655.80

Finance Cost: \$0

Total Cost: \$722,665.80

DISTRICT INSTALLMENT PAYMENT SCHEDULE

<u>Payment</u>	<u>Amount</u>
FY 21/22 (4 months)	\$ 48,177.72 (billed monthly)
FY 22/23	\$144,533.16 (billed monthly)
FY 23/24	\$144,533.16 (billed monthly)
FY 24/25	\$144,533.16 (billed monthly)
FY 25/26	\$144,533.16 (billed monthly)
FY 26/27 (8 months)	\$ 96,355.44 (billed monthly)

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

2. WHEREAS, It is the plan of a number of BOCES districts in New York, to consent to jointly enter into an agreement for the 2021 – 2022 fiscal year, for Pixton Comics, Carnegie Mellon Computer Science, Grace Notes, Blooket, PowerSchool – Schoology, SnapWiz, NASEF, EverFi, Kialo, Nearpod, NewsELA, Classcraft, Tools for Schools, Digital Teaching Tools, Khan Academy, Bloom Learning, Edcite, Inknoe, Desmos, EdPuzzle, Code.org,

WHEREAS, The Monroe 2-Orleans BOCES is desirous of participating with other BOCES Districts in New York State in joint agreements for the software/learning packages and licensing mentioned above as authorized by General Municipal Law, Section 119-0, and,

BE IT RESOLVED, That the Monroe 2-Orleans BOCES Board authorizes Erie 1 BOCES to represent it in all matters leading up to and entering into a contract for the purchase of and licensing of the above mentioned software/learning packages, and record training sessions in Zoom and post those recorded sessions to the consortium, and,

BE IT FURTHER RESOLVED, That the Monroe 2-Orleans BOCES Board agrees to assume its equitable share of the costs associated with Erie 1 BOCES negotiating the Agreements, and,

BE IT FURTHER RESOLVED, That the Monroe 2-Orleans BOCES Board agrees (1) to abide by majority decisions of the participating BOCES on quality standards; (2) Erie 1 BOCES will negotiate contracts according to the majority recommendations; (3) that after contract agreement, it will conduct all purchasing arrangements directly with the vendor.

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

12. Executive Officer's Report

February District Superintendents meeting was held virtually.

The Board of Regents appointed Western Suffolk BOCES District Superintendent Angelique Johnson-Dingle to Serve as Deputy Commissioner, P-12 Instructional Support and Jason Harmon to serve as Deputy Commissioner, P-12 Operational Support.

Staffing shortages continue to be an issue. Recruitment efforts are ongoing.

The MCSBA Legislative Breakfast was productive with meaningful discussions with local legislators.

BOCES 2 continues to build relationships with community partners. CTE and CWD Administrators met with Rochester Works leadership earlier this month to talk about American Rescue Plan grant opportunities. Safety and Security Coordinator Doug Comanzo met with Gates PD and Monroe County Law enforcement officers this month.

CTE Heavy Equipment students have had some good opportunities for hands on training with all the snow!

13. Committee Reports

1. Labor Relations Committee – presentation was impact of new marijuana laws on schools
2. Legislative Committee – preparations for legislative breakfast which took place on 2/5/2022
3. Information Exchange Committee – Rochester Museum and Science Center presentation.

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

15. Other Items - None

16. Executive Session At 6:51 p.m. a motion was made by J. Abbott to adjourn the meeting to Executive Session, to discuss employment history of a particular person(s), seconded by G. Maar; passed unanimously.

Respectfully submitted,

Kelly Mutschler
Clerk of the Board

Members Present

Dennis Laba, President
R. Charles Phillips (remote)
John Abbott
Cindy Dawson

Kathleen Dillon
Gerald Maar
Michael May
Heather Pyke

Staff Present

Jo Anne Antonacci
Karen Brown
Marijo Pearson

Steve Roland
Michelle Ryan
Tom Schulte

At 7:17 a motion was made by J. Abbott to come out of executive session, seconded by M. May; passed unanimously.

17. Adjournment - At 7:17 p.m. a motion was made by M. May to adjourn the meeting, seconded by K. Dillon; passed unanimously.

Respectfully submitted,

Jo Anne L. Antonacci
Clerk Pro Tem