

**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 May 11, 2022 at 6:00 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Members Present:

Dennis Laba, President	Gerald Maar
R. Charles Phillips, Vice President	Michael May
Kathleen Dillon (remote)	Heather Pyke

Absent:

John Abbott, Cindy Dawson, Mark Porter

Staff Present:

Jo Anne Antonacci	
Karen Brown	
Steve Dawe	Steve Roland
Ian Hildreth	Dr. Michelle Ryan
Kelly Mutschler	Thomas Schulte

1. Call the Meeting to Order

The meeting was called to order by President Dennis Laba at 6:00 p.m.

2. Pledge of Allegiance

3. Agenda Modifications - there were no agenda modifications

4. Approval of Minutes

Resolved: To Approve the Minutes of the April 13, 2022, Regular Meeting Minutes as presented.

Moved by G. Maar, seconded by H. Pyke; passed unanimously

5. Public Interaction – There was no public interaction.

6. Financial Reports

Resolved: To Accept the Treasurer’s Report and WinCap Report as presented

Moved by M. May, seconded by H. Pyke; passed unanimously

Resolved: To Accept the and WinCap Report as presented

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

7. Board Presentation – Exceptional Children Supervisor Robert Nells presented a Ridgcrest Academy program update. The board asked questions and thanked Mr. Nells for the presentation. Mr. Nells left the meeting at 6:14 p.m.

8. Old Business - none

9. New Business

1. Resolved: To Waive Second Reading and Approve Various Policies for Annual Review
2. Resolved: To Waive Second Reading and Approve Policy 1348 Reorganizational Meeting
9.1-2 Moved together by M. May, seconded by G. Maar; passed unanimously
3. Resolved: To Approve 2022-23 Monroe 2-Orleans BOCES Proposed Adopted Budget
Moved by G. Maar, seconded by H. Pyke; passed unanimously
4. Resolved: To Approve 2022 Lease Template – Summer Programs
Moved by M. May, seconded by C. Phillips; passed unanimously
5. Resolved: To Approve Chemical Hygiene Plan for 2022-23 School Year
Moved by H. Pyke, seconded by G. Maar; passed unanimously
6. Resolved: To Accept Donation of Various Machining Tools from Mary P. Mueller
Moved by M. May, seconded by H. Pyke; passed unanimously
7. Resolved: To Accept Donation of Two Picnic Tables from Dillon Adams
Moved by C. Phillips, seconded by H. Pyke; passed unanimously
8. Resolved: To Approve Contract Amendment
Moved by G. Maar, seconded by H. Pyke; passed unanimously

10. Audit Committee

1. Resolved: To Approve 2022-23 Audit Committee Members: John Abbott, Dennis Laba, Michael May, R. Charles Phillips
Moved by M. May, seconded by C. Phillips: passed unanimously

11. Personnel and Staffing

1. Resolved: To Approve the Personnel and Staffing Agenda as presented
Moved by G. Maar, seconded by H. Pyke; passed unanimously
2. Resolved: To Approve the Agreement between District Superintendent and Administrative Assistant to the District Superintendent/Board Clerk as presented
Moved by C. Phillips, seconded by M. May; passed unanimously
3. Resolved: To Approve the Agreement between District Superintendent and District Treasurer Manager as presented
Moved by G. Maar, seconded by H. Pyke; passed unanimously

12. Bids/Lease Purchases

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

1. Cooperative Classroom Supplies Bid

Quill	\$3,314.35
W.B. Mason	\$1,287.49
Cascade School Supplies	\$1,116.02
Pyramid School Products	\$981.81
National Art & School Supplies	\$857.09
School Specialty Inc.	\$726.27

2. Cooperative Calculators Bid

Quill Corporation	\$1,826.86
Cascade School Supplies	\$31.50

3. Equipment Lease-Purchase For the Benefit of Gates Chili 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 Gates 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 Business Solutions, Inc. (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:

E-Studio 478S – 19

E-Studio 6518A – 20

E-Studio 6516ACT – 6

E-Studio 3515AC – 7

Cost of the Equipment:	\$238,385.40
Finance Cost:	\$.00
Total Cost	\$238,385.40

DISTRICT INSTALLMENT PAYMENT SCHEDULE

Payment Amount

FY 21/22 (1 month)	\$ 3,973.09 (billed monthly)
FY 22/23	\$47,677.08 (billed monthly)
FY 23/24	\$47,677.08 (billed monthly)
FY 24/25	\$47,677.08 (billed monthly)
FY 25/26	\$47,677.08 (billed monthly)
FY 26/27 (11 months)	\$43,703.99 (billed monthly)

- WHEREAS**, the Monroe 2-Orleans BOCES desires to secure for its use the equipment listed below; and

WHEREAS, MONROE 2-ORLEANS BOCES is willing to arrange for the installment purchase of the Equipment (which includes an equipment lease purchase) for the price and on the terms listed below.

NOW, THEREFORE, be it resolved as follows:

1. MONROE 2-ORLEANS BOCES is authorized to enter into an agreement (the "Installment Purchase Agreement") with Eastern\Xerox.
2. The Purchasing Agent is authorized to approve the final form and terms of and to execute, on behalf of MONROE 2-ORLEANS BOCES, such agreements, documents, schedules, addendum, certificates, letters and instruments as may be necessary to complete the installment purchase transaction described below.
3. This resolution shall take effect when adopted.

DESCRIPTION OF EQUIPMENT	PURCHASE PRICE and TERMS
Xerox C8170 – 30	Installment Purchase of \$220,744.20 with monthly payments for 60 months with 0% finance charge.
Xerox B9100 – 1	
Xerox C405 – 13	
Xerox Prilmelink C9070 - 1	
Xerox Fiery Controller - 1	

Items 12.1-4 moved by M. May, seconded by G. Maar; passed unanimously.

13. Executive Officer’s Report

District Superintendent Jo Anne Antonacci thanked the board for supporting Extended School Year hiring incentives as they made an impact on staffing allowing for 38 classrooms in the program.

Regional Summer School sites will be at Greece Athena and Churchville-Chili. There are still some staffing openings. Tom Schulte noted that all content areas will be covered, but the number of sections available in each subject will be dependent on filling those openings.

The Regents meeting is May 16-17 and will be covered by Mid-West JMT.

The SkillsUSA Team performed very well at the regional competition, and we will be sending 8 students to Nationals in Atlanta in June – 4 students from the Team Works group, 3 leadership students and 1 student in the dental skills competition.

The Spring Dinner Dance was a big success. Ian Hildreth served as the DJ for this event. Staff interaction with students was not only motivating but heartwarming.

This month’s Learning Unlimited Group hosted Deputy Ottley and K9 “officer” Peak. Learning Unlimited currently has 30 plus adults with disabilities participating in monthly activities.

The Monroe 2-Orleans BOCES Board Retreat on May 31 will include a presentation and discussion led by Dr. John Erhart.

The End of the Year Celebration for staff and board will take place right after the SEPTO Fair on June 3.

14. Committee Reports

1. Labor Relations Committee – minutes distributed via email.
2. Legislative Committee – last meeting of the year, meeting in fall with representatives, will discuss electric buses.
3. Information Exchange Committee - minutes distributed via email

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

16. Other Items – none

17. Adjournment: At 6:41 p.m. a motion was made by C. Phillips to adjourn the meeting, seconded by M. May; passed unanimously.

Respectfully submitted,

Kelly Mutschler
Clerk of the Board