

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 Wednesday, August 21, 2019 at 6:30 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Members Present:

Dennis Laba, President  
R. Charles Phillips, Vice President  
John Abbott  
Kathleen Dillon  
John Heise

George Howard  
Gerald Maar  
Michael May  
Constance Rockow

Staff Present:

Jo Anne Antonacci  
Karen Brown, Esq.  
Thomas Burke  
Ginger Critchley

Steve Dawe  
Tim Dobbartin  
Dr. Michelle Ryan

1. Call the Meeting to Order  
The meeting was called to order by President Laba at 6:30 p.m.
2. Pledge of Allegiance
3. Agenda/Items(s) Modifications  
The Agenda was modified by adding an Executive Session at the end of the board meeting to discuss the employment history of a particular person(s).
4. Approval of Minutes  
Resolved: To approve the July 3, 2019 Reorganizational and Regular Meeting Minutes as presented.  
  
Motion by J. Abbott, seconded by G. Maar; passed unanimously.
5. Public Interaction  
There was no public interaction.
6. Financial Reports  
The Treasurer's Report, WINCAP Report, Internal Claims Exception Log, Bi-Annual Educational Foundation Fund Activity Statement, and Extra Class Report were in the board packet.  
  
Resolved: To approve the Treasurer's and WINCAP Reports as presented.  
  
Motion by J. Abbott, seconded by M. May; passed unanimously.

7. Audit Committee Update

1. The July 3, 2019 Audit Committee Meeting Minutes were in the board packet.

8. Director of Operations and Maintenance Tom Burke presented an annual review on Operations and Maintenance. The board asked questions and thanked him for his presentation.

9. Old Business

1. The former Alternative High School building was discussed. The board supported an engineering study of this Buffalo Road leased property.

T. Burke left the meeting at 7:00 p.m.

2. Monroe County School Boards Association's (MCSBA) Information Exchange 2019-20 suggested topics were discussed. G. Critchley will submit feedback to MCSBA.
3. Board goals were discussed. The following areas are of interest: Monroe 2-Orleans BOCES partnerships; what BOCES 2 does to support our component districts with mental health issues; and, government entities involved with BOCES 2.

10. New Business

1. First Reading of Policy 3211 Organizational Chart

The board reviewed Policy 3211 Organizational Chart. M. May recommended waiving the second reading, seconded by C. Rockow.

Resolved: To waive Second Reading for Policy 3211 Organizational Chart as presented.

Motion by M. May, seconded by C. Rockow; passed unanimously.

Resolved: To approve the Second Reading for Policy 3211 Organizational Chart as presented.

Motion by M. May, seconded by C. Rockow; passed unanimously.

2. First Reading of Policy Series 1000 and 2000

The board reviewed policy series 1000 and 2000. The second reading will be done at the September 18 board meeting.

3. Resolution to Designate a Voting Delegate and Alternate to the New York State School Board Association (NYSSBA) Convention

D. Laba volunteered to be the voting delegate for the NYSSBA Convention. C. Phillips volunteered to be the alternate voting delegate.

Resolved: To appoint D. Laba as the voting delegate and C. Phillips as the alternate voting delegate at the NYSSBA Convention in October.

Motion by C. Phillips, seconded by K. Dillon; passed unanimously.

4. Resolution to Approve CTE Equipment Reserve Fund Contribution of \$55,000.00

Resolved: That based upon the recommendation of the District Superintendent, the Monroe 2-Orleans BOCES Board authorizes a contribution to the previously established Career and Technical Education (CTE) Equipment Reserve Fund in the amount of \$55,000.00 from 2018-19 school year expenditures as presented.

Motion by J. Abbott, seconded by J. Heise; passed unanimously.

5. Resolution to Approve Expenditures from Retirement Contribution Reserve Fund of \$843,682.00

Resolved: That based upon the recommendation of the District Superintendent, the Monroe 2-Orleans BOCES Board authorizes expenditures from the previously established Retirement Contribution Reserve Fund in the amount of \$843,682.00 from the 2018-19 school year budget as presented.

Motion by C. Phillips, seconded by K. Dillon; passed unanimously.

6. Resolution to Approve Teachers' Retirement Contribution Reserve Sub-Fund Contribution of \$431,038.00

Resolved: That based upon the recommendation of the District Superintendent, the Monroe 2-Orleans BOCES Board authorizes a contribution to the previously established Teachers' Retirement Contribution Reserve Sub-Fund in the amount of \$431,038.00 from 2018-19 school year expenditures as presented.

Motion by K. Dillon, seconded by C. Rockow; passed unanimously.

7. T. Dobbertin gave a briefing on the 2019-21 Professional Development Plan.

8. T. Dobbertin gave an overview of the 2018-19 School Year Student Attendance.

9. T. Dobbertin gave an overview of Enrollment for Extended School Year Program (ESYP) and Regional Summer School (RSS).

10. Resolution to Approve that the Monroe 2-Orleans BOCES Board authorizes the District Superintendent to enter into an inter-municipal cooperation agreement for the purpose of the Labor Relations Services conducting an investigation for the Village of Pittsford

Resolved: That the Monroe 2-Orleans BOCES Board authorized the District Superintendent to enter into an inter-municipal cooperation agreement for the purpose of the Labor Relations Services conducting an investigation for the Village of Pittsford.

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

11. Resolved to Approve Donation of Digital Security Cameras and Housing for Outdoor Use.

Motion by J. Heise, seconded by G. Maar; passed unanimously.

11. Personnel and Staffing

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

Motion by J. Heise, seconded by K. Dillon; passed unanimously.

12. Bids/Lease Purchases

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

1. Resolution to Accept Erie 1 BOCES FY 2019-2020 Distance Learning State Wide Agreements – Add on #1

WHEREAS, It is the plan of a number of BOCES districts in New York, to consent to jointly enter into an agreement for the 2019-2020 fiscal year for eDoctrina, and,

WHEREAS, The Monroe 2-Orleans BOCES is desirous of participating with other BOCES Districts in New York State in joint agreements for the distance learning student courses 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 courses, 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.

2. Resolution to Accept Erie 1 BOCES FY 2019-2020 Instructional Technology State Wide Licensing Agreements – Add on #1

WHEREAS, It is the plan of a number of BOCES districts in New York, to consent to jointly enter into an agreement for Fresh Grade, Portfolium, Core Four, Music First, Code Z – JZA training, Buncee, 3D Bear, Nearpod, Codesters, Eduporium, Pasco, Math Space, BK Interactive, SkyOp, Type To Learn, Typing Pal Online, Vidcode and,

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,

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.

3. Resolution to Accept Bid for CNC Vertical Machine Center

Excel Machine Technologies	\$60,500.00
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4. Resolution to Accept Greece CSD lease purchase of copier equipment (#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 Greece 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 (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:**

Toshiba	e5518A - 1
Toshiba	e907 - 7
Toshiba	e7518A - 14
Toshiba	e5518A - 1
Toshiba	e3515AC - 2
Toshiba	e4515AC - 3
Toshiba	e1207 - 1
Toshiba	e1057 - 2
Toshiba	e5516AC - 1

Cost of the Equipment:	\$498,727.04
Finance Cost:	\$0
Total Cost:	\$498,727.04

DISTRICT INSTALLMENT PAYMENT SCHEDULE

<u>Payment</u>	<u>Amount</u>	
FY 19/20	\$ 53,435.04	(billed monthly-prorated)
FY 20/21	\$106,870.08	(billed monthly)
FY 21/22	\$106,870.08	(billed monthly)
FY 22/23	\$106,870.08	(billed monthly)
FY 23/24	\$106,870.08	(billed monthly)
FY 24/25	\$ 17,811.68	(billed monthly-prorated)

5. Resolution to Accept Greece CSD lease purchase of copier equipment (#2)

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 Greece 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 (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:**

Toshiba e5518A - 7  
Toshiba e3515AC - 18  
Toshiba e7518A - 2

Cost of the Equipment:	\$199,875.84
Finance Cost:	\$0
Total Cost:	\$199,875.84



DISTRICT INSTALLMENT PAYMENT SCHEDULE

<u>Payment</u>	<u>Amount</u>	
FY 19/20	\$41,640.80	(billed monthly-prorated)
FY 20/21	\$49,968.96	(billed monthly)
FY 21/22	\$49,968.96	(billed monthly)
FY 22/23	\$49,968.96	(billed monthly)
FY 23/24	\$ 8,328.16	(billed monthly-prorated)

Motion to approve the bids and lease purchases by J. Heise, seconded by K. Dillon; passed unanimously.

13. Executive Officer's Report

Commission Elia is resigning at the end of the month. She has met with Rochester City School District regarding the Distinguished Educator's report.

The new Westview site will have an open house sometime this fall for our board, components, students, and families.

There was a Regional BOCES Adult Ed High School Equivalency Graduation with Monroe One BOCES and Monroe 2-Orleans BOCES in July. It was held at Rush-Henrietta High School and was well attended.

The CDL graduation ceremony is being held next week. This was a first-time partnership with Monroe County and Genesee Valley BOCES. It was successful.

Monroe One BOCES and BOCES 2 met with Monroe Community College to discuss partnerships from high school and/or adult education to higher education.

District Superintendent Antonacci attended the Holley Central School District Board meeting along with trustee John Heise and reported on Holley and BOCES partnerships. She also expanded on Monroe/Orleans Accountability, Assessment and Reporting Services (MAARS) as well as the New York State Center for School Health operated by BOCES 2.

This year's Monroe 2-Orleans Educational Foundation Celebration will be held on Saturday, November 2, 2019, 6:00 p.m., at Ridgemont Country Club.

14. Committee Reports

Labor Relations Committee (J. Abbott/J. Heise) – There were no updates.

Legislation Committee (D. Laba/K. Dillon) – There were no updates.

Information Exchange Committee (R. Charles Phillips/J. Heise) – There were no updates.

15. Upcoming Meetings/Events

The various meetings for the upcoming month were listed on the agenda.

16. Other Items

There were no other items.

17. At 8:07 p.m., a motion was made by M. May, seconded by J. Abbott, passed unanimously to enter into Executive Session after a brief break to discuss the employment history of a particular person(s).

Respectfully submitted,

Virginia M. Critchley  
Clerk of the Board

Members Present:

Dennis Laba, President  
R. Charles Phillips, Vice President  
John Abbott  
Kathleen Dillon  
John Heise

George Howard  
Gerald Maar  
Michael May  
Constance Rockow

Staff Present:

Jo Anne Antonacci  
Karen Brown

Tim Dobbertin  
Dr. Michelle Ryan

At 8:17 p.m. a motion was made by J. Abbott, seconded by M. May to come out of executive session; passed unanimously.

18. Adjournment

At 8:17 p.m., a motion was made by J. Heise to adjourn the meeting, seconded G. Maar; passed unanimously.

Respectfully submitted,

Jo Anne L. Antonacci  
Clerk Pro-Tem