

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 November 16, 2022, at 6:00 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Members Present:

Dennis Laba, President	Kathy Dillon
R. Charles Phillips, Vice President	Trina Lorentz
John Abbott	Gerry Maar
Cindy Dawson	Michael May

Absent: Heather Pyke

Staff Present:

Jo Anne Antonacci	
Karen Brown, Esq.	Kelly Mutschler
Heather Case	Marijo Pearson
Mary Etta Chorjabian	Steve Roland
Stephen Dawe	Michelle Ryan
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

4. Approval of Minutes

Resolved: To Approve the Minutes of the October 19, 2022, Meeting Minutes as presented.
Moved by M. May, seconded by K. Dillon; 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 G. Maar; passed unanimously.
2. Resolved: To Accept the WinCap Report as presented
Moved by J. Abbott, seconded by K. Dillon; passed unanimously
3. Resolved: To Accept the Quarterly Classroom Report
Moved by G. Maar, seconded by K. Dillon; passed unanimously

7. Board Presentation – Barb Martorana and Gary Manuse updated the board on the Preschool program and its budget. The board asked questions and thanked the presenters. Barb and Gary left the meeting at 6:22 p.m.

8. Old Business – District Superintendent provided information to the board regarding 2 Albany Times Union Articles relating to school districts’ seclusion and restraint data. The board had no questions.

9. New Business

1. Resolved: To Approve an Inter-Municipal Cooperation Agreement between Monroe 2-Orleans BOCES and the Hamlin Fire District.
Moved by M. May, seconded by K. Dillon; passed unanimously.
2. Resolved: To Approve Center for Workforce Development Job Training Programs – Introduction to Healthcare and Workplace Health and Safety
Moved by G. Maar, seconded by J. Abbott; passed unanimously
3. Resolved: To Accept Donation of \$5,000 from the Donald F. and Maxine B. Davison Foundation
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 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 Electrical Repair Maintenance and Installation Service Bid
Bid #RFB-2036-22 Rath Electric, Inc. \$29,978.25
2. Cooperative Plumbing Repair, Maintenance and Installation Service Bid
Bid #RFB-2037-22 LMC Industrial Contractor Inc. \$32,345.00
3. Cooperative HVAC Repair, Maintenance and Installation Service Bid
Bid #RFB-2035-22 Wolf Mechanical Service \$28,420.00
4. Cooperative Food Service Equipment Repair, Maintenance and Installation Service Bid
Bid #RFB-2034-22 Wolf Mechanical Services, LLC \$12,580.00
(refrigerated)

Monroe Piping and Sheet Metal \$14,440.00
(non-refrigerated)
5. Cooperative Electric Supply Bid
Bid #RFB-2033-22 Energy Cooperative of America Actual Usage
6. Equipment Lease-Purchase For the benefit of Kendall 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 Kendall 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.

- 7. Pallet Jack and Forklifts Bid

Bid # RFB-2039-22	Octane Forklifts	\$78,106.00
-------------------	------------------	-------------

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

12. Executive Officer’s Report

District Superintendent meeting was in Albany on October 17-18, 2022. November DS meeting is on the 28th and 29th.

District Superintendent Jo Anne Antonacci and board members John Abbott, Kathy Dillon and Chuck Phillips attended the NYSSBA Annual Convention in Syracuse October 27-29, 2022.

District Superintendents Jo Anne Antonacci and Dan White together with Hilton Superintendent Casey Kosiorek represented area schools at a Monroe County Executive press conference on November 2 in an effort to promote the importance of getting a flu vaccine. BOCES 2 has hosted several flu vaccine clinics this fall and is adding more dates. Westside superintendents participated in a 2-day retreat addressing current issues facing public education.

District Superintendent Antonacci attended the Greece BOE meeting with Chuck Phillips on November 1, the Wheatland- Chili meeting with Cindy Dawson on November 7 and the Churchville-Chili meeting with Kathy Dillon on November 8. On November 21, DS Antonacci will attend the Holley board meeting with Trina Lorentz.

The CTE Expo on November 3 was very well attended. Board President Dennis Laba attended. President Laba remarked that he was very impressed by how well put together the event was and how engaged parents and families were during the event. The National Tech Honor Society inductions took place on November 15. Chef Jeffory McLean spoke to students. District Superintendent Antonacci and Assistant Superintendent Tom Schulte attended.

The Foundation Celebration online auctions are live. There are over 200 people attending the event on November 19th. Two former BOCES 2 students, Stephen Nicolazzo, a 2019 Churchville-Chili graduate and Krissten Althoff, a 2022 Holley graduate will speak at the celebration.

The annual seasonal drives have started. Holiday Connections provides basic needs and special requests to our students in need as well as their families. The Thanksgiving food

drive will help nearly 50 families with groceries and the Toys for Tots drive will provide gifts to children in our area. District Superintendent Antonacci spoke of the unwavering support of these efforts by Monroe 2 BOCES staff each year.

13. Committee Reports

1. Labor Relations – Topic was Electric School buses.
2. Legislative Committee – No trip to Albany on December 5. There will be zoom meetings with legislators scheduled that day.
3. Information Exchange Committee – Region Equity Network presentation.

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

15. Other items – none

16. At 6:51 p.m. a motion was made by M. May to adjourn the meeting to Executive Session, seconded by J. Abbott; passed unanimously.

Respectfully Submitted.

Kelly Mutschler
Clerk of the Board

Members Present

Dennis Laba
R. Charles Phillips
John Abbott
Cindy Dawson
Kathleen Dillon

Trina Lorentz
Gerry Maar
Michael May

Staff Present:

Jo Anne Antonacci
Karen Brown, Esq.
Marijo Pearson

Steve Roland
Thomas Schulte

At 7:15 p.m. a motion was made by G. Maar, seconded K. Dillon to come out of Executive Session; passed unanimously.

17. Adjournment

At 7:15 p.m. a motion was made by J. Abbott to adjourn the meeting, seconded by G. Maar; passed unanimously.

Respectfully Submitted,

Jo Anne L. Antonacci
Clerk Pro Tem