

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 December 21, 2022, at 4:30 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

Staff Present:

Jo Anne Antonacci	Kelly Mutschler
Karen Brown, Esq.	Marijo Pearson
Stephen Dawe	Steve Roland
Ian Hildreth	Thomas Schulte
Catherine Jackson	

1. Call the Meeting to Order

The meeting was called to order by President Laba at 4:30 p.m.

2. Pledge of Allegiance

3. Agenda Modifications

4. Approval of Minutes

Resolved: To Approve the Minutes of the November 16, 2022, Meeting Minutes as presented.  
Moved by M. May, 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 G. Maar; passed unanimously.
2. Resolved: To Accept the WinCap Report as presented  
Moved by J. Abbott, seconded by G. Maar; passed unanimously

7. Old Business – There was no old business

8. New Business

1. Resolved: To Accept Single Audit Report for Year Ended June 30, 2022  
Moved by J. Abbott seconded by G. Maar; passed unanimously.
2. Resolved: To Accept Extra Classroom Activity Funds Financial Report for year ended June 30, 2022.

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

3. Resolved: To Accept Corrective Action Plan for the year ended June 30, 2022.

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

4. Resolved: To Accept a Donation of Damaged Autobody Panels from West Herr Auto Group

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

5. Kathleen Dillon and Cindy Dawson volunteered to be Make All the Difference Scholarship Reviewers

9. Personnel and Staffing

1. Resolved: That the following position be created:

1.0 FTE Human Resources Coordinator for the Department of Exceptional Children, 12 months/year

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

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

Moved by G. Maar; seconded by J. Abbott; passed unanimously

10. Bids/Lease Purchases

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

1. Cooperative School Lunch Paper and Plastic Supplies Bid  
Bid #RFB-2032-22 Regional Distributors, Inc \$586.06
2. Cooperative Electrical, Plumbing, and Building Supplies Bid  
Bid #RFB-2031-22 Cooper Friedman Electric Supply Co. \$706.86
3. AUTHORIZING RESOLUTION  
Equipment Lease-Purchase For the benefit of Greece 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 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 (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 K. Dillon; passed unanimously

11. Executive Officer's Report

District Superintendent meeting was in Albany on December 18-20, 2022.

Counties are required to have a Domestic Terrorism Plan and are seeking interagency input from mental health professionals, law enforcement and school officials. Plans are due December 31, 2022.

New accountability restart system designation will be shared with schools on January 9, 2023. The goal is to make it a friendlier system and SED is working with DSs and professional development administrators across the state.

State Aid Budget SED objectives:

1. - Learning at the Core
2. - DEI
3. - Customer service
4. - Fully fund expense-based aid

Other matters of priority are PreK streamlining and equity funding, guidance on virtual learning, mixed competition guidance and commitment to expedite coaching certifications. New modules to aid teachers in new technology for in-person and remote learning will be presented to the Board of Regents in January.

The Board of Regents will also be looking at discipline reform in January. This is an important issue with BOCES and our components school districts. We are working with component representatives on a potential full day suspension program to include social emotional/mental health and parent engagement aspects. The first meeting will take place in January.

The Blue Ribbon Committee will present findings in June 2023 to the NYS Board of Regents

Locally, Holiday Connections, in its 10th year supported 41 families through donations by staff and partners – 17 families were supported by Mindex. The SEPTO/West Central Kiwanis breakfast and crafts with Santa event was a big success with many staff volunteers and over 150 attendees. Charitable events are happening in departments across the BOCES and District Superintendent commented on how proud and moved she is by the generosity of the BOCES 2 staff.

12. Committee Reports – No Committee Meetings in December.

1. Labor Relations - presented by Gates-Chili, lack of school buses.
2. Legislative Committee - prepped for Advocacy Day, calls to legislative offices made on December 5, 2022. Much information was provided to legislators' staff.
3. Information Exchange Committee - no meeting
4. COAC (Communications Outreach) – discussed preparation of talking points for new board members.

13. Upcoming Meetings/Calendar Events: The various meetings for the month were listed in the agenda.
14. Other items – There were no other items
15. At 5:04 p.m. a motion was made by J. Abbott to adjourn the meeting, seconded by G. Maar; passed unanimously.

Respectfully Submitted.

Kelly Mutschler  
Clerk of the Board