

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT COUNTIES OF
MONROE AND ORLEANS**

MINUTES

of the Regular Meeting held on Wednesday, November 20, 2024, at 6:00 p.m. at the Richard E. Ten Haken Educational Services Center, 3599 Big Ridge Road, Spencerport, New York 14559

Members Present

Dennis Laba, President
R. Charles Phillips, Vice President
Kathleen Dillon

Trina Lorentz
Michael May
James Musshafen

Absent: John Abbott,
Christa Bowling,
Gerald Maar

Staff Present

Thomas K. Putnam
Karen Brown
Steve Dawe
Ian Hildreth
Heather Malone
Gary Manuse

Kelly Mutschler
Marijo Pearson
Steve Roland
Tom Schulte
Jill Slavny
Kim Stephenson

1. The meeting was called to order by President Laba at 6:00 pm.
2. Pledge of Allegiance
3. Agenda Modification
4. Approval of Minutes
Resolved: To Approve the Minutes of the October 16, 2024, Regular Meeting
Moved by K. Dillon, seconded by J. Musshafen; passed unanimously
5. There was no public interaction.
6. Financial Reports
 1. Resolved: To Accept the Treasurer's Report as presented
Moved by J. Musshafen, seconded by M. May; passed unanimously
 2. Resolved: To Accept the Win Cap Reports as presented
Moved by K. Dillon, seconded by J. Musshafen; passed unanimously
7. Audit Committee
Resolved: To Approve the October 16, 2024, Audit Committee Meeting Minutes
Moved by J. Musshafen, seconded by M. May; passed unanimously
8. Board Presentation –Director for the Department of Exceptional Children Kerry Macko introduced Special Education Supervisor Heather Malone and Assistant School Business Official Gary

Manuse. Ms. Malone and Mr. Manuse provided the board with an update on the preschool program and budget. The board asked questions and thanked Ms. Macko, Ms. Malone and Mr. Manuse who then left the meeting at 6:30 pm.

9. Old Business There was no old business

10. New Business

1. Resolved: To Waive the Second Reading and Approve Policy # 2310 – Public Access to Records.
Moved by M. May, seconded by J. Musshafen; passed unanimously
2. First Reading of new Policy # 6459 - The Board asked for clarification on sections of the policy. District Superintendent Thomas Putnam and Assistant Superintendent Thomas Schulte will bring more information to the board for review at a future board meeting.
3. Resolved: To Accept Donation of 2007 Toyota Camry VIN# JTNBE46K873073731 from Garber Automotive
Moved by J. Musshafen, seconded by K. Dillon; passed unanimously

11. Personnel and Staffing

1. Resolved: To Approve the Personnel and Staffing Agenda as presented
Moved by J. Musshafen, seconded by K. Dillon; passed unanimously
2. Resolved: That the Board approve the following substitute rates effective November 21, 2024:
 - Security Worker substitute \$18.00 - \$26.00/hour, based on experience
Moved by J. Musshafen, seconded by M. May passed unanimously

12. Bids/Lease Purchases

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

Bids 12.1-3 were moved together M. May, seconded by K. Dillon; passed unanimously

1. COOPERATIVE HVAC REPAIR, MAINTENANCE AND INSTALLATION SERVICE
Bid #RFB-2117-25
Monroe Piping & Sheet Metal Llc \$97,950.00
2. COOPERATIVE PLUMBING REPAIR, MAINTENANCE AND INSTALLATION SERVICE
Bid #RFB-2118-25
Monroe Piping & Sheet Metal, LLC \$10,506.00
3. COOPERATIVE FOOD SERVICE EQUIPMENT REPAIR, MAINTENANCE AND INSTALLATION SERVICE
Bid #RFB-2119-25
Monroe Piping and Sheet Metal, LLC \$12,580.00
(refrigerated)
Monroe Piping and Sheet Metal, LLC \$13,690.00
(non-refrigerated)

4. Equipment Lease-Purchase For the benefit of Gates-Chili CSD 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 (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.

Move by M. May, seconded by K. Dillon; passed unanimously

13. Executive Officer's Report

1. **Albany DS Report**

Regionalization

- Districts completing Regionalization Survey in the NYSED Portal. Due date extended to 12/6
- SED is reviewing stakeholder feedback through 11/24 (when comment period closes)
- Most up to date information: www.nysed.gov/regionalization

NYS Foundation Aid Study

- Conducted by the Rockefeller Institute
- Anticipated delivery to the Governor in early December 2024
- Potential impact on NYS budget decisions

2. **Local Updates**

Education Foundation

- Successful Foundation Celebration on 11/16/24!

Wheatland-Chili Superintendent Search

- WCCSD Board appointed BOCES 2 as the search consultant on 11/18/24
- Anticipated start date for new superintendent is 7/1/25

Transition Updates

- Tour and information gathering at Westside
- Tour and information gathering at Westview
- Tour and information gathering at Integrated Preschool at Gates Chili
- Presentation to Churchville-Chili BOE

National Technical Honor Society Induction Ceremony – 11/14/2024

Crystal Apple Award Recipient – Steve Dawe, Manager – Communications Group

Space Committee Update

14. Committee Reports

1. District Operations Committee – John Abbott, Kathleen Dillon
Topic – Electric Buses Presentation
2. Legislative Committee – Kathleen Dillon, Dennis Laba
Topic – Zoom meetings with legislators have been scheduled, registration form sent to MCSBA members
3. Information Exchange Committee – Jim Musshafen, Trina Lorentz
Topic – Blue Ribbon Commission; Daniel White, District Superintendent Monroe One BOCES and Thomas Putnam, District Superintendent Monroe 2-Orleans BOCES presented.

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

16. Other Items

17. At 7:20 pm J. Musshafen made a motion to adjourn the meeting; seconded by K. Dillon; passed unanimously

Respectfully Submitted



Kelly Mutschler
Clerk of the Board