



December 10, 2019

Meeting Type: Regular Meeting

Date: Tuesday, December 10, 2019

State Time: 6:25 p.m. Eastern Standard Time

Location: Central Administrative Office

Roll Call – (Attendees Noted by District Clerk)

Present were:

Board Members

- Salvatore Marinello (President)
- Jeannette Santos (Vice President)
- Ilene Herz, Esq.
- Brian J. Sales (via videoconferencing)
- Maryann Zumpano

BOCES Staff

- Michael Flynn (Chief Operating Officer)
- Dr. Hugh Gigante (Exec. Dir. – Personnel)
- Warren Taylor (Chief Financial Officer)
- Nancy Fischetti (Public Relations Director)
- Joanne Klein (District Clerk)
- Nancy Kelsey (Exec. Dir. Career and Tech. Education)
- Nancy Wilson (Exec. Dir. - Special Education)
- Staff Members

Absent:

- Peter Wunsch
- Angelique Johnson-Dingle

Call to Order/Pledge of Allegiance (Board President)

The Regular Meeting was called to order at 6:25 p.m. by Board President, Mr. Marinello.

EXECUTIVE SESSION

At this time a motion to move into Executive Session to discuss ongoing negotiations was made by Mrs. Zumpano, seconded by Mrs. Herz. At 6:58 p.m. the Board unanimously agreed to adjourn Executive Session and move into the Regular Meeting on motion made by Mrs. Zumpano, seconded by Mrs. Herz.

REGULAR MEETING

The Regular meeting of the Board resumed at 7:01 p.m. Mr. Marinello led the audience in the Pledge of Allegiance.

Visitors: ACKNOWLEDGMENT OF VISITORS BY PRESIDING OFFICER

Mr. Marinello invited anyone present in the audience who wished to address the Board to please step forward and state their name and address. No one present wished to address the Board.

Approval of Minutes Regular Meeting – November 12, 2019

The minutes of the Regular Meeting of November 12, 2019 were approved on motion of Mrs. Santos and seconded by Mrs. Zumpano.

Program Presentation

Timothy Doyle and Heather Briggs of Bonadio & Co., LLP, Independent Auditor for Western Suffolk BOCES presented to the Board the draft report “Financial Statements and Required Reports as of June 30, 2019”, including the legal requirements that mandate the reports.

Treasurer's Report

The Board acknowledged receipt of the Treasurer’s Report indicating balances in the various financial accounts as of October 31, 2019. (Copies incorporated with the official minutes of this meeting.)

Claims Auditor's Report

The Board acknowledged receipt of the Report of the Claims Auditor from October 1, 2019 to December 3, 2019 for expenditures totaling \$20,777,316.14. (Copies incorporated with the official minutes of this meeting.)

EXECUTIVE OFFICER'S REPORTS

District Superintendent – Comments/Events

Mrs. Johnson-Dingle was unable to attend this meeting.

Chief Operating Officer Report – Comments/Events

Annual Board Dinner Follow-up – Mr. Flynn reported to the Board regarding the Annual Board dinner held last week. Mr. Flynn mentioned the comments were tremendously favorable and the event was a success, especially the introduction of Star Lab. Mr. Flynn thanked Mrs. Nancy Kelsey and Mrs. Nancy Fischetti for their collaboration on this event. Mr. Flynn acknowledged the outstanding presentations given by the students.

Award of Grants – Mr. Flynn noted the Award of Grants.

Legislative Program – January 17, 2020 – Mr. Flynn spoke of the upcoming WS BOCES Annual Legislative Program being held on Friday, January 17, 2020. Mr. Flynn mentioned the collaboration between the SCSSA Executive Board and the NCCSS as an important measure so the message is consistent with the legislators.

Mr. Flynn discussed with the Board the following topics:

- Draft School Calendar 2020/21
- New NYSED Student with Disabilities (SWD) Certification Requirements
- Update of the WS BOCES Computer Management Systems

Chief Financial Officer – Update of Capital Projects

Mr. Taylor updated the Board on the Report of Capital Projects stating there are many projects in design and alterations. Mr. Taylor further stated there are several projects in Albany waiting for approval.

ITEMS FOR BOARD ACTION

Business Administration Matters

Approval of Budget Adjustments December 2019-20

On motion by Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously to approve 2019-20 budget adjustments/transfers for December 2019 in the following programs:

Center for Learning Technology	School Improvement for Stds. Implementation
Supplemental Services	Services Other BOCES
Center for Learning Technology	Administration – Special Education
Perkins Adult Transition Year Grant	

(Listing referred to is designated as Encl. 9.1.1 and is incorporated with the official minutes of this meeting.)

Approval of Bid Awards

The members of the Board reviewed the bid analysis presented by the Chief Operating Officer. Mrs. Herz moved, Mrs. Zumpano seconded, and the Board voted unanimously to approve awards to the lowest bidders meeting specifications as listed on the schedule dated December 10, 2019.

(Listing referred to is designated as Encl. 9.1.2 and is incorporated with the official minutes of this meeting.)

Acceptance of the 2018-19 Independent Auditors' Report [R]

On motion by Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Acceptance of the 2018-19 Independent Auditors' Report as follows:

RESOLVED, that the independent audit report prepared by Bonadio and Co. LLP, covering the school year 2018-2019 has been reviewed by the Board of Western Suffolk BOCES and is hereby accepted, as required by Commissioner's Regulations.

Mr. Marinello noted for the record "The BOCES Board of Trustees is aware of the fact that there is a \$4.7 million reserve for Workers' Compensation."

(Listing referred to is designated as Encl. 9.1.3 and is incorporated with the official minutes of this meeting.)

Approval of Equipment Lease Purchase Financing Agreement [R]

On motion by Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Approval of Equipment Lease Purchase Financing Agreement as follows:

WHEREAS, the Board of Cooperative Educational Services Second Supervisory District of Suffolk County (the "BOCES") desires to undertake project (the "Project") consisting of the acquisition of certain computer equipment, and

WHEREAS, the cost of the Northport-E Northport Technology Project is \$890,685 with \$891,000 to be financed through TD Bank, the interest rate of the financing will be 1.904% for fifty five (55) months, and

WHEREAS the BOCES further desires to take certain preliminary actions to provide such financing, including, but not limited to, the making of certain findings and evaluations of financing alternatives required pursuant to 2 NYCRR Section 39.2, and to execute the Lease Purchase Agreements, subject to the prior review and approval of the BOCES' counsel, Van Nostrand & Martin.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the BOCES as follows:

Section 1. The BOCES has evaluated the financing alternatives available to it and hereby determined that it is in the best interest of the BOCES to finance the project pursuant to the Lease Purchase Agreement for the following reasons:

a) As provided by law and regulation, in accordance with 8 NYCRR 170.3, the project may not be financed by the BOCES under the New York Local Finance Law, but may be financed through an equipment lease purchase agreement. The use of an equipment lease purchase agreement pursuant to 109-b of the General Municipal Law provides the BOCES with a means to directly finance the Project.

b) The only other financing alternative available to the BOCES involves the financing of the Project through certain joint action of the component school districts of the BOCES. This alternative would be costly and not meet the time schedule of the BOCES.

c) The use of an equipment lease purchase agreement provides the BOCES with greater flexibility of structuring the financing, including, but not limited to, the timing of the closing of the financing and the establishment of principal repayment schedules.

Section 2. The President or Vice President of the Board of Education is hereby authorized, on behalf of the

BOCES, to execute and deliver the Lease Purchase Agreement, the Escrow Agreement and related documents, the Chief Financial Officer is authorized to execute payment request notices and, where appropriate, the District Clerk is hereby authorized to affix the seal of the BOCES, thereto and to attest the same, with such changes, variations, omissions and insertions as the President or Vice President of the Board of Education shall approve, the execution thereof by the President or Vice President of the Board of Education to constitute conclusive evidence of such approval. The President or Vice President shall not execute the aforesaid documents nor shall the District Clerk affix the seal of the BOCES to said documents as aforesaid until the review and approval of the documents by counsel to the BOCES, Van Nostrand & Martin.

Section 3. The officers, employees and agents of the BOCES are hereby authorized and directed for and in the name and on behalf of the BOCES to do all acts and things required or provided for by the provisions of the Lease Purchase Agreement, including all acts and things necessary to ensure the interest component of the rental payments due under the Equipment Lease Purchase Agreement is excludable from gross income tax pursuant to Section 103 of the Internal Revenue code of 1986, as amended (the "Code"), and to designate the Equipment Lease Purchase Agreement as a "qualified tax-exempt obligation" under Section 265 of the Code, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officers, employee or agent acting, desirable and proper to effect the purpose of the foregoing resolution and to cause compliance by the BOCES with all of the terms, covenants and provisions of the Lease Purchase Agreement, binding upon the BOCES.

Section 4. The execution of the aforesaid documents, and the subsequent delivery of the same to TD Bank is herewith made subject to the prior approval of the Commissioner of Education as required by 8 NYCRR 170.3 (f)(6).

Section 5. Subject to the review and approval of the counsel to the BOCES, it is hereby found and determined that the terms of the subject Lease Purchase Agreement is in the best interests of the BOCES for the acquisition of the equipment.

Section 6. This resolution shall take effect immediately.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the within Equipment Lease/Purchase agreement is the same as presented at said meeting of the governing body of Lessee.

(Listing referred to is designated as Encl. 9.1.4 and is incorporated with the official minutes of this meeting.)

Personnel

Instructional Personnel

Mrs. Herz moved and Mrs. Zumpano seconded, and the Board voted unanimously to approve Instructional Personnel matters, agenda items 9.2.1 as follows:

All Instructional personnel matters listed on the 7-page Instructional Report dated December 10, 2019 (Encl. 9.2.1) is incorporated with the official minutes of this meeting.

Supplementary Services

Mrs. Herz moved and Mrs. Zumpano seconded, and the Board voted unanimously to approve Supplementary Services, agenda items 9.2.2 as follows:

All items listed on the 7-page Supplementary Services Report dated December 10, 2019 (Encl. 9.2.2) is incorporated with the official minutes of this meeting.

Non-Instructional Personnel

Mrs. Herz moved and Mrs. Zumpano seconded, and the Board voted unanimously to approve Non-Instructional Personnel matters, agenda items 9.2.3 as follows:

All Non-Instructional Personnel matters listed on the 3-page Non-Instructional Report dated December 10, 2019 (Encl. 9.2.3) is incorporated with the official minutes of this meeting.

Approval of Agreement with Unit II Administrative and Supervisory Association [R]

On motion by Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Approval of Agreement with Unit II Administrative and Supervisory Association as follows:

WHEREAS, the Western Suffolk BOCES Unit II Administrative and Supervisory Association and the Board of Cooperative Educational Services, Second Supervisory District, Suffolk County have completed collective bargaining pursuant to the requirements of the Taylor Law; and

WHEREAS, the Unit II members have ratified said agreement; and

WHEREAS, this agreement is consistent with the Guidelines established by the Board of Cooperative Educational Services; and

WHEREAS, the Chief Operating Officer is designated as a representative of the Board of Cooperative Educational Services of the Second Supervisory District; and

THEREFORE BE IT RESOLVED that the Chief Operating Officer be authorized to execute the agreement between the Board of Cooperative Education Services and the Western Suffolk BOCES Unit II Administrative and Supervisory Association dated July 1, 2019 through June 30, 2023.

(Listing referred to is designated as Encl. 9.2.4 and is incorporated with the official minutes of this meeting.)

Other Action Items

Approval of Disposition of Surplus Property [R]

The Board voted unanimously to approve the Disposition of Surplus Property on motion of Mrs. Herz, seconded by Mrs. Zumpano as follows:

WHEREAS, Western Suffolk BOCES has certain equipment and materials which have been deemed surplus or obsolete and are of no use to Western Suffolk BOCES; and

WHEREAS, these items have also been deemed to have no resale value and have been declared valueless; and

WHEREAS, according to Policy #4420, no surplus property may be disposed of without the recommendation and authorization of the District Superintendent, or his designee, and the approval of the Board;

THEREFORE BE IT RESOLVED, that the Board hereby approves the disposition of this surplus property as listed on the attached.

(Listing referred to is designated as Encl. 9.3.1 and is incorporated with the official minutes of this meeting.)

Approval of Agreement with Suffolk County Police Department and Suffolk County Fire and Rescue Emergency

Services [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Approval of Agreement with Suffolk County Police Department and Suffolk County Fire and Rescue Emergency Services as follows:

WHEREAS, it has been determined through reviews of security procedures in all Western Suffolk BOCES facilities, that it would be advantageous for Western Suffolk BOCES to grant temporary remote access of electronic devices to include but not be limited to cameras, door access controls and digital video recording (DVR) systems to the Suffolk County Police Department (SCPD), a municipal agency of the County of Suffolk, and the Suffolk County Department of Fire, Rescue and Emergency Services (FRES), a municipal agency of the County of Suffolk; and

WHEREAS, the purpose of this remote electronic device access consent is to maximize the safety of those who utilize the facilities of Western Suffolk BOCES; and

WHEREAS, the SCPD and FRES agree to work together with Western Suffolk BOCES in order to enhance the security of the agency's locations; and

WHEREAS, Western Suffolk BOCES has electronic devices that include but are not limited to cameras, door access controls and digital video recording (DVR) systems that help protect the property, the agency's locations as well as the safety of all individuals who utilize that property. These electronic devices and system are under the direction and control of Western Suffolk BOCES; and

WHEREAS, the SCPD is tasked with emergency response, law enforcement and other public safety functions in the County of Suffolk and FRES is tasked with emergency response, fire rescue, and other emergency management functions within the County of Suffolk: and

WHEREAS, Western Suffolk BOCES consents to allow the SCPD and FRES to gain temporary remote access to electronic devices to include but not limited to cameras, door access controls and digital video recording (DVR) systems subject to the conditions set forth in said agreement; and

WHEREAS, the agreement creates no obligation on the SCPD or FRES to actively monitor the electronic devices that include but are not limited to cameras, door access controls and digital video recording (DVR) systems camera systems of Western Suffolk BOCES; and

WHEREAS, the agreement shall not be deemed to supersede or limit the authority of any officer or agent of SCPD or FRES.

THEREFORE, BE IT RESOLVED, that the Chief Operating Officer is hereby authorized to execute the necessary agreement. This agreement may not be changed orally, but only by an agreement, in writing, signed by authorized representatives of the parties. This agreement, and any amendments to this agreement, will not be in effect until agreed to in writing and signed by authorized representatives of the parties.

(Listing referred to is designated as Encl. 9.3.2 and is incorporated with the official minutes of this meeting.)

Authorization to Accept Donated Equipment and Supplies [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Authorization to Accept Donated Equipment and Supplies as follows:

WHEREAS, Western Suffolk BOCES has received an offer from David Baker, 8 Egret Way, Center Moriches NY 11934 to donate the following items to be used by the students attending the Wilson Tech Construction Skills Programs:

- 17 inch Drill Press
- 14 inch Band Saw
- 6 1/8 inch Jointer/Planer
- 13 inch Planer
- 6X4 8 Belt 9 inch Disc Sander
- Table Saw

WHEREAS, Western Suffolk BOCES students would benefit from these donations, and

WHEREAS, according to Policy #4420, all donations of equipment, materials and property shall be presented to the Board for acceptance, and

THEREFORE BE IT RESOLVED, that the Board hereby approves the acceptance of the donated supplies and equipment as listed above.

(Listing referred to is designated as Encl. 9.3.3 and is incorporated with the official minutes of this meeting.)

Authorization to Accept a Scholarship Donation – Finkelstein [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Authorization to Accept a Scholarship Donation – Finkelstein as follows:

WHEREAS, in prior action the Western Suffolk BOCES has authorized the establishment of a scholarship program in honor of Sydney Finkelstein; and

WHEREAS, various individuals have offered donations in further support of the above program;

THEREFORE BE IT RESOLVED, that the Western Suffolk BOCES accept various donations in the total amount of \$1,100 to be used to fund this scholarship program.

(Listing referred to is designated as Encl. 9.3.4 and is incorporated with the official minutes of this meeting.)

Authorization to Accept a Scholarship Donation – Gordon F. Smith [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Authorization to Accept a Scholarship Donation – Gordon F. Smith as follows:

WHEREAS, in prior action the Western Suffolk BOCES has authorized the establishment of a scholarship program in honor of Gordon F. Smith; and

WHEREAS, various individuals have offered donations in further support of the above program;

THEREFORE BE IT RESOLVED, that the Western Suffolk BOCES accept various donations in the total amount of \$1,500 to be used to fund this scholarship program.

(Listing referred to is designated as Encl. 9.3.5 and is incorporated with the official minutes of this meeting.)

Authorization to Accept a Scholarship Donation – Laverty [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Authorization to Accept a Scholarship Donation – Laverty as follows:

WHEREAS, in prior action the Western Suffolk BOCES has authorized the establishment of a scholarship program in honor of William Laverty; and

WHEREAS, various individuals have offered donations in further support of the above program;

THEREFORE BE IT RESOLVED, that the Western Suffolk BOCES accept various donations in the total amount of \$500 to be used to fund this scholarship program.

(Listing referred to is designated as Encl. 9.3.6 and is incorporated with the official minutes of this meeting.)

Authorization to Accept a Donation – Estee Lauder [R]

On motion of Mrs. Herz, seconded by Mrs. Zumpano, the Board voted unanimously for Authorization to Accept a Donation – Estee Lauder as follows:

WHEREAS, Estee Lauder, 767 5th Avenue, New York, NY 10153, has offered to fund a donation in honor of Robert Fitzgerald; and

WHEREAS, the donation would benefit students in the Special Education program at JEA Jr/Sr High School and is endorsed by the administration of the program;

THEREFORE BE IT RESOLVED, that Western Suffolk BOCES accepts the \$2,809.73 donation to be used for the students at the JEA Jr/Sr High School.

(Listing referred to is designated as Encl. 9.3.7 and is incorporated with the official minutes of this meeting.)

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

At 7:21 p.m. there being no further business items for discussion, the meeting was adjourned on motion by Mrs. Zumpano and seconded by Mrs. Santos.

UPCOMING EVENTS

DATE	EVENT	ATTENDEES
12/11/19	Guidance Advisory Council Holiday Brunch, Wednesday, 9:30 am, Wilson Tech, Dix Hills	J. Santos
3/23/20	SCOPE's 19 th Annual School District Awards Dinner, Monday, Villa Lombardi's, Holbrook, NY	J. Santos
3/19/20	PTA Night, Thursday, 6:30 pm, Wilson Tech, Dix Hills	
4/4/20 - 4/6/20	National School Boards Association Convention, Sat. Mon., Chicago, IL	S. Marinello, B. Sales

Enclosures:

- EAP Pathways, November 2019
- EAP Pathways for Supervisors, November 2019
- NYSSBA Area Director Update, November 15, 2019
- Separation Notices
- Special Education Division – Holiday Assembly Schedules 2019
- Get Well Card_
- The Link, Nov/Dec 2019
- The Brennan Voice, Fall 2019



Joanne Klein
District Clerk