



February 9, 2021

Meeting Type: Regular Meeting

Date: Tuesday, February 9, 2021

Start Time: 6:00 p.m.

Location: Central Administrative Office/Videoconferencing/Livestream

Roll Call – (Attendees Noted by District Clerk)

Present were:

Board Members

- Jeannette Santos (President)
- Ilene Herz, Esq. (Vice President)
- James Kaden
- Brian J. Sales
- Peter Wunsch
- Maryann Zumpano (via telephone)

BOCES Staff

- Michael Flynn (Chief Operating Officer)
- Angelique Johnson-Dingle (District Superintendent)
- 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)
- Lorraine Hein (Director of Business)

Absent:

- Dr. Hugh Gigante (Exec. Dir. – Personnel)

Call to Order (Board President)

The Regular Meeting was called to order at 6:00 p.m. by Board President, Mrs. Santos.

EXECUTIVE SESSION

At this time a motion to move into Executive Session to discuss a potential litigation and ongoing negotiations was made by Mr. Wunsch, seconded by Mrs. Herz. At 7:01 p.m. the Board unanimously agreed to adjourn Executive Session and move into the Regular Meeting on motion made by Mr. Wunsch, seconded by Mrs. Herz.

REGULAR MEETING/Pledge of Allegiance (Board President)

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

Visitors: ACKNOWLEDGMENT OF VISITORS BY PRESIDING OFFICER

Mrs. Santos acknowledged the participants who were viewing the Board meeting via video conference/livestream.

Approval of Minutes Regular Meeting – January 12, 2021

The minutes of the Regular Meeting of January 12, 2021 were approved unanimously on motion of Mrs. Herz and seconded by Mrs. Zumpano.

Approval of Minutes Special Meeting – January 27, 2021

The minutes of the Special Meeting of January 27, 2021 were approved unanimously on motion of Mrs. Herz and seconded by Mrs. Zumpano.

Program Presentation

Internal Audit Report to the Board

The Audit Committee Meeting was held and Internal Auditors Don Hoffmann and Rich Coffey of Cullen and Danowski presented the draft Applying Agreed-Upon Procedures Report and the draft Risk Assessment Update Report to the Audit Committee.

Mr. Hoffmann reminded the Board at the meeting last March 2020, it was determined the benefits administration and receipts processing were going to be the focus of the audit. The draft report is provided to the Audit Committee for their review. Mr. Hoffmann reported there is great cooperation among BOCES staff. Mr. Hoffmann introduced Mr. Rich Coffey.

Mr. Coffey reported on the Agreed-Upon Procedures which focuses on detailed work interviews with respect to the Agreed-Upon Procedures. This report is to provide the reader with some key financial information related to budgets and actual budget numbers. Benefits administration is a significant area as far as reconciliations and timeliness are concerned. Part of the review pertains to overall diligence. Recommendations have been made.

As for the bank reconciliations and processing and managing of receipts, no errors were found in process and procedures. The bank reconciliations and proper signatures follow the Cash Management Policy #4210.

Interviews for the second report, the Risk Assessment interviews took place in December. Both reports have been vetted through administration. Mr. Coffey spoke of recommendations for written and formal procedures.

Mr. Hoffmann mentioned the next step will be for the Board to acknowledge receipt of the reports and approve the Corrective Action Plan. The recommendation for the next area of focus will be Purchasing.

It was recommended the Board accept the reports and approve the Corrective Action Plan.

2021/22 Proposed Administrative and Capital Charges

Mr. Flynn discussed the proposed Administrative and Capital Charges for the 2021-22 school year. The proposed charges for 2021-22 are under the 2% tax cap. BOCES has two charges, the first is the administrative charge and the second is the capital charge Mr. Flynn mentioned how Mr. Taylor and the two Executive Directors have continued to maintain the course.

Tuition charges have been below 2% for the past ten years and it will be approximately 1.95% for charges to the component school districts for 2021-22.

Treasurer's Report

The Board acknowledged receipt of the Treasurer's Report indicating balances in the various financial accounts as of December 31, 2020. (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 December 1, 2020 to January 28, 2021 for expenditures totaling \$9,459,507.22. (Copies incorporated with the official minutes of this meeting.)

EXECUTIVE OFFICER'S REPORTS

District Superintendent – Comments/Events

Mrs. Johnson-Dingle welcomed everyone to the meeting. The following topic was discussed:

- NYSED Updates – A new Chancellor has been elected and Betty Rosa has been named as permanent NYSED Commissioner after a national search.

Chief Operating Officer Report – Comments/Events

BOCES Annual Election – Mr. Flynn noted there will be one Board of Education trustee seeking reelection this year. Mr. Kaden has indicated he willingness to seek reelection to a new three-year term. There is a vacancy on the Board created by Mr. Marinello's resignation and this term expires on June 30, 2021. Nominations may be made by every school district. Nominations will close on March 19, 2021 and elections will be held in the component school districts on Tuesday, April 27, 2021.

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

Chief Financial Officer – Update of Capital Projects

Mr. Taylor updated the Board on the Report of Capital Projects. Mr. Taylor noted the Capital Projects Report is broken down into two sections again this month. One section is the individual listing, status and designer. The newer section consists of the breakdown of projects by completion. There are six projects in design, 16 projects are with NYSED for review and approval, four projects are in the quotation process and seven projects are beginning.

ITEMS FOR BOARD ACTION

Business Administration Matters

Approval of Budget Adjustments – February 2020/21

On motion by Mr. Wunsch, seconded by Mr. Kaden, the Board voted unanimously for Approval of Budget Adjustments – February 2020/21 in the following programs:

Outdoor Learning Lab	Exploratory Enrichment Program
Center for Learning Technology	School Improvement for Stds. Implementation
Model Schools	Supplemental Services
Services Other BOCES	Continuing Occupational Education
Center for Learning Technology	Creating Healthy Schools & Communities I
Creating Healthy Schools & Communities II	WIOA, Title II – Adult Education & Lit 3231
WIOA, Title II – Adult Education & Lit 3096	WIOA, Title II – ESOL/Civics
Adult Education & Lit 3233	Teacher Center
Perkins IV/CTEIA-Basic Grant 0014	Perkins IV/CTEIA-Basic Grant 9035

(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. On motion by Mr. Wunsch, seconded by Mr. Kaden, and the Board voted unanimously to approve awards to the lowest bidders meeting specifications as listed on the schedule dated February 9, 2021.

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

Approval of Equipment Lease Purchase Financing Agreement [R]

On motion by Mr. Wunsch, seconded by Mr. Kaden, 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 Cold Spring Harbor Technology Project is \$112,155 with \$112,500 to be financed through TD Bank, the interest rate of the financing will be 1.09% for fifty-three (53) months, and

WHEREAS, the cost of the West Babylon Technology Project is \$282,423 with \$282,500 to be financed through TD Bank, the interest rate of the financing will be 1.09% for fifty-three (53) 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 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 of the Board of Education shall approve, the execution thereof by the President of the Board of Education to constitute conclusive evidence of such approval. The 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. 9.1.3 and is incorporated with the official minutes of this meeting.)

Approval of Corrective Action Plan

On motion by Mr. Wunsch, seconded by Mr. Kaden, the Board voted unanimously to approve the Corrective

Action Plan. All items listed on the Corrective Action Plan, dated February 9, 2021(Encl. 9.1.4) are incorporated with the official minutes of this meeting.

Personnel

Instructional Personnel

Mr. Sales moved, Mr. Kaden 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 3-page Instructional Report dated February 9, 2021 (Encl. 9.2.1) are incorporated with the official minutes of this meeting.

Supplementary Services

Mr. Sales moved, Mr. Kaden seconded, and the Board voted unanimously to approve Supplementary Services, agenda items 9.2.2 as follows:

All items listed on the 5-page Supplementary Services Report dated February 9, 2021 (Encl. 9.2.2) are incorporated with the official minutes of this meeting.

Non-Instructional Personnel

Mr. Sales moved, Mr. Kaden 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 4-page Non-Instructional Report dated February 9, 2021 are 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 Mr. Wunsch, seconded by Mr. Sales 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.)

Authorization for Articulation Agreements - SUNY Canton [R]

On motion of Mr. Wunsch, seconded by Mr. Sales, the Board voted unanimously for Authorization for Articulation Agreements - SUNY Canton as follows:

WHEREAS, agreements between Western Suffolk BOCES and SUNY Canton have been developed for the purpose of providing instruction for Advertising/Graphic Design, Architectural and Interior Design/CAD, Carpentry, and Construction Electricity courses for Western Suffolk BOCES students participating in SUNY Canton's educational programs;

WHEREAS, said agreement would be beneficial to the students participating;

THEREFORE, BE IT RESOLVED that the Chief Operating Officer be authorized to execute said agreements with SUNY Canton. These agreements will be effective as of February 1, 2021 and shall continue through January 31, 2026.

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

Acceptance of Donations [R]

On motion of Mr. Wunsch, seconded by Mr. Sales, the Board voted unanimously for Acceptance of Donations as follows:

WHEREAS, Western Suffolk BOCES has received donations toward the Outdoor Environmental Education Program in the form of (1) Physics in a Box kit.

WHEREAS, this donation will assist the Outdoor Environmental Education Program deliver physics-based instruction

WHEREAS, component districts would benefit from this donation by further enhancing the level of instruction that can be offered by the Outdoor Environmental Education Program

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

THEREFORE, BE IT RESOLVED that the Board hereby approves the acceptance of the donated items as listed below:

Physical Science Research Associates
2855 Dynamic Dr.
Colorado Springs, CO 80920-5125

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

Approval of Agreement with BusPatrol America, LLC [R]

On motion of Mr. Wunsch, seconded by Mr. Sales, the Board voted unanimously for Approval of Agreement with BusPatrol America, LLC as follows:

WHEREAS, Western Suffolk BOCES has previously approved agreements with BusPatrol America LLC authorizing the Suffolk County stop arm camera system, and

WHEREAS, that agreement additionally includes the optional ability to obtain recorded audio and video of incidents occurring within the buses, at no additional cost, and

WHEREAS, the agreement to obtain this extended service component is believed to be in the interests of both the bus contractor and Western Suffolk BOCES; and

WHEREAS, the agreement has been reviewed and approved by legal counsel;

THEREFORE, BE IT RESOLVED, that the Chief Operating Officer of Western Suffolk BOCES is hereby authorized

to execute the necessary agreements.

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

OLD BUSINESS

NEW BUSINESS

Review Proposed WS BOCES Board of Education Meeting Dates for 2021/22

The members of the Board of Education agreed to review the Proposed WS BOCES Board of Education Meeting Dates for 2021/22.

(Listing referred to is designated as Encl. 11.1. and is incorporated in the official minutes of this meeting.)

ADJOURNMENT

At 7:35 p.m. there being no further business items for discussion, the meeting was adjourned on motion by Mr. Wunsch and seconded by Mrs. Herz.

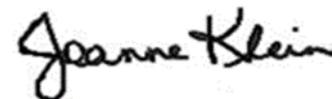
UPCOMING EVENTS

DATE	EVENT	ATTENDEES
4/8/21 - 4/10/21	2021 National School Boards Association Convention, An Online Experience	

Enclosures:

- Letter Sent to Lauren Schnitzer, *February 4, 2021*
- Letter Sent to Staff, *January 8, 2021*
- Notification Sent to Staff, *January 10, 2021*
- Notification Sent to Staff, *January 11, 2021*
- Letter Sent to Staff, *January 11, 2021*
- Notification Sent to Staff, *January 12, 2021*
- Notification Sent to Staff, *January 13, 2021*
- Notification Sent to Staff, *January 14, 2021*
- Notification Sent to Staff, *January 15, 2021*
- Notification Sent to Staff, *January 19, 2021*
- Notification Sent to Staff, *January 20, 2021*

Notification Sent to Staff, *January 21, 2021*
Notification Sent to Staff, *January 22, 2021*
Notification Sent to Staff, *January 24, 2021*
Notification Sent to Staff, *January 25, 2021*
Notification Sent to Staff, *January 26, 2021*
Notification Sent to Staff, *January 27, 2021*
Notification Sent to Staff, *January 28, 2021*
Letter Sent to Staff, *February 4, 2021*
Letter Sent to Suffolk County PTA Region Director, *Jan 28, 2021*
Letter from Wyandanch School District, *January 4, 2021*
Separation Notice
EAP Pathways, *January 2021*
EAP Pathways for Supervisors, *January 2021*
NYSSBA Advocacy Update, *January 15, 2021*
NYSSBA Advocacy Update, *January 19, 2021*
NYSSBA Advocacy Update, *January 20, 2021*
NYSSBA Advocacy Update, *January 22, 2021*
NYSSBA Update, *January 17, 2021*
NYSSBA Update, *January 24, 2021*
NYSSBA Update, *January 31, 2021*
NYSSBA Area Director Update, *February 2, 2021*
Thank You Email and Card
Western Suffolk BOCES Shared Services Directory 2021-22



Joanne Klein
District Clerk