



July 14, 2020

Meeting Type: Regular Meeting

Date: Tuesday, July 14, 2020

State Time: 6:30 p.m.

Location: Central Administrative Offices

Roll Call – (Attendees Noted by District Clerk)

Present were:

Board Members

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

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)
- Staff Members

Call to Order/Pledge of Allegiance (Board President)

The Regular Meeting was called to order at 6:15 p.m. by Board President, Mrs. Santos.

EXECUTIVE SESSION

At this time a motion to move into Executive Session to discuss personnel matters and negotiations was made by Mrs. Zumpano, seconded by Mr. Wunsch. At 6:16 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. Wunsch.

REGULAR MEETING

The Regular meeting of the Board resumed at 7:00 p.m. Mrs. Santos led the audience in the Pledge of Allegiance.

Visitors: ACKNOWLEDGMENT OF VISITORS BY PRESIDING OFFICER

Mrs. Santos 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 – June 9, 2020

The minutes of the Regular Meeting of June 9, 2020 were approved unanimously on motion of Mr. Wunsch and seconded by Mr. Marinello.

PROGRAM PRESENTATION – Opening of Summer School and Summer Programs

Mr. Flynn welcomed everyone to the Board and introduced Mrs. Johnson-Dingle, District Superintendent who reported on the Regional Summer School program.

Ms. Nancy Wilson, Executive Director, Special Education and Mrs. Nancy Kelsey, Executive Director, Career and Technical Education discussed the summer programs being offered for their divisions, all of which are being conducted remotely.

Treasurer's Report

The Board acknowledged receipt of the Treasurer's Report indicating balances in the various financial accounts as of May 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 May 5, 2020 to July 1, 2020 for expenditures totaling \$63,793,046.19. (Copies incorporated with the official minutes of this meeting.)

EXECUTIVE OFFICER'S REPORTS

District Superintendent – Comments/Events

Mrs. Johnson-Dingle welcomed everyone to the Board meeting and discussed the following topics:

- NYSED Reopening Framework
- Regional Summer School Update
- Day Camp at Sunken Meadow.

Chief Operating Officer Report – Comments/Events

Mr. Flynn updated the Board on the following topics:

- CTE Adult Health Career Outdoor Graduation Ceremonies
- Summer School Special Education Program
- Reopening of Schools.

Chief Financial Officer – Update of Capital Projects

Mr. Taylor updated the Board on the Report of Capital Projects mentioning the new list has expanded greatly and the regulatory engineering approval has been taking some time.

ITEMS FOR BOARD ACTION

Business Administration Matters

Approval of Budget Adjustments July- 2019-20

On motion by Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously to approve 2019-20 budget adjustments/transfers for July 2020 in the following programs:

Capital and Facility Rental
Center for Learning Technology

Distance Learning
Planning

Services Other BOCES
Center for Learning Technology

Outdoor Learning Lab

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

Approval of Budget Adjustments July- 2020-21

On motion by Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously to approve 2020-21 budget adjustments/transfers for July 2020 in the following programs:

Safety/Risk Management
Virtual Summer School
Center for Learning Technology

Regional Summer School
Center for Learning Technology

(Listing referred to is designated as Encl. 9.1.2 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. Mr. Wunsch moved, Mrs. Herz seconded, and the Board voted unanimously to approve awards to the lowest bidders meeting specifications as listed on the schedule dated July 14, 2020.

(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 Mr. Wunsch, seconded by Mrs. Herz, 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 Commack Technology Project is \$1,793,940 with \$1,794,000 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the Elwood Technology Project is \$204,354 with \$204,400 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the Lindenhurst Technology Project is \$148,126 with \$148,200 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the North Babylon Technology Project is \$603,838 with \$603,900 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the South Huntington Technology Project is \$102,222 with \$102,300 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the West Babylon Technology Project is \$411,189 with \$411,200 to be financed through TD Bank, the interest rate of the financing will be .90% for forty-eight (48) months, and

WHEREAS, the cost of the Amityville Technology Project is \$254,245 with \$254,300 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the Babylon Technology Project is \$150,464 with \$150,500 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the Cold Spring Harbor Technology Project is \$573,189 with \$573,200 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the Copiague Technology Project is \$1,004,370 with \$1,004,400 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the Harborfields Technology Project is \$100,264 with \$100,300 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the North Babylon Technology Project is \$166,010 with \$166,100 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the Northport-E Northport Technology Project is \$576,793 with \$576,800 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) months, and

WHEREAS, the cost of the South Huntington Technology Project is \$306,317 with \$306,400 to be financed through TD Bank, the interest rate of the financing will be .987% for sixty (60) 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. 9.1.4 and is incorporated with the official minutes of this meeting.)

Resolution to Accept Standardization of the Fossa 4-Ply 100% Cotton Cloth Facial Mask [R]

On motion by Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Resolution to Accept Standardization of the Fossa 4-Ply 100% Cotton Cloth Facial Mask as follows:

WHEREAS, General Municipal Law §103(5) permits advertising for bids for a particular type or kind of equipment, materials, or supplies upon the adoption by the governing body of a political subdivision or district therein stating that, for reasons of efficiency or economy, there is need for standardization; and

WHEREAS, the Fossa 4-ply 100% cotton cloth facial mask was vetted and evaluated by a large committee that consisted of our school doctor, school nurses, Executive Directors and Administrators. The original smaller committee evaluated over 50 masks that were submitted for review and narrowed the selection down to eight masks for review by the large committee. The evaluation consisted of a water test, in which the mask held water and did not leak for a few seconds and a light infiltration test, where little to no light filtered through when held up to the light and additionally it was evaluated for comfort. This Fossa 4-ply 100% cotton cloth facial mask was found to be the most acceptable by majority; and

WHEREAS, the following facts demonstrate the efficiency and economy of standardization of the Fossa 4-ply 100% cotton cloth facial mask. The Fossa mask:

- (1) Met the evaluation criteria as stated above;
- (2) Because of its design, there is no need for additional filters to be added to the mask; and
- (3) BOCES staff do not have to evaluate a large number of other masks that did not meet the standards and testing as stated above; and

WHEREAS, for these reasons the Chief Operating Officer has recommended adoption of a standardization resolution;

NOW THEREFORE BE IT RESOLVED, that the Board of Cooperative Educational Services, Second Supervisory District of Suffolk County, that for reasons of efficiency and/or economy hereby approves the standardization of the FOSSA 4-PLY 100% COTTON CLOTH FACIAL MASK for use by Western Suffolk BOCES staff throughout the Agency.”

(Listing referred to is designated as Encl. 9.1.5 and is incorporated with the official minutes of this meeting.)

Approval for Advance Issuance of Purchase Orders and Award for Piggyback Use - Personal Protective Equipment (PPE) [R]

On motion by Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Approval for Advance Issuance of Purchase Orders and Award for Piggyback Use - Personal Protective Equipment (PPE) as follows:

WHEREAS, it is essential that materials and supplies be promptly delivered to the schools and programs for the 2020-21 school year; and

WHEREAS, General Municipal Law requires that the supplies and materials purchased are procured pursuant to GML and all competitive bids to be awarded by the Board; and

WHEREAS, General Municipal Law allows municipalities to piggyback off contracts for supplies and materials pursuant to GML; and

WHEREAS, past experience indicates that much of the required supplies and materials are bid on and awarded without controversy;

THEREFORE, BE IT RESOLVED that the Director of Business be authorized to issue purchase orders and the Board allows for any municipality to piggyback for non-controversial bid items for Personal Protective Equipment (PPE) prior to the formal award of these items by the Board at its regular August meeting.

(Listing referred to is designated as Encl. 9.1.6 and is incorporated with the official minutes of this meeting.)

Personnel

Instructional Personnel

Mr. Wunsch moved and Mrs. Herz 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 6-page Instructional Report dated July 14, 2020 (Encl. 9.2.1) is incorporated with the official minutes of this meeting.

Supplementary Services

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

All items listed on the 8-page Supplementary Services Report dated July 14, 2020 (Encl. 9.2.2) is incorporated with the official minutes of this meeting.

Non-Instructional Personnel

Mr. Wunsch moved and Mrs. Herz 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 5-page Non-Instructional Report dated July 14, 2020 (Encl. 9.2.3) is incorporated with the official minutes of this meeting.

Approval of Post-Retirement Health Insurance Agreements [R]

On motion by Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously to approve Post-Retirement Health Insurance Agreements as follows:

WHEREAS, various collective bargaining agreements require the Board to provide written agreements to retiring employees covering the conditions under which those retirees will continue to receive health insurance and,

WHEREAS, the board has adequately funded the cost of post-retirement benefits through current year appropriations and reserve funds for future year costs, then it is

THEREFORE, BE IT RESOLVED, that the President of the Board be authorized to execute the required agreements with the employees listed below who have resigned for the purpose of retirement,

Catherine Goldstein
Despina Makrakis

(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 Mr. Wunsch, seconded by Mrs. Herz 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 Board Member to Attend a Conference [R]

On motion of Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Authorization for Board Member to Attend a Conference as follows:

WHEREAS, Western Suffolk BOCES is committed to providing the best possible leadership to the organization; and

WHEREAS, the ongoing education of Board of Education members assists in achieving this goal;

THEREFORE, BE IT RESOLVED the following Board Member is authorized to attend the conference noted below:

Jeannette Santos

NYSSBA's Annual Convention
New York, New York
October 29 - 31, 2020

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

Authorization for Articulation Agreement with SUNY Delhi [R]

On motion of Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Authorization for Articulation Agreement with SUNY Delhi as follows:

WHEREAS, an agreement between Western Suffolk BOCES and SUNY Delhi has been developed for the purpose of providing instruction for Veterinary Assisting courses for Western Suffolk BOCES students participating in SUNY Delhi educational programs; and

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

THEREFORE, BE IT RESOLVED that the Chief Operating Officer be authorized to execute said agreement with SUNY Delhi. This agreement will be effective on July 1, 2020 and may be revised annually by mutual agreement of both parties.

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

Designation of Lead Agency for SEQRA Requirements on Capital Projects [R]

On motion of Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Designation of Lead Agency for SEQRA Requirements on Capital Projects as follows:

WHEREAS, The State Education Department Office of Facilities Planning requires that each capital project have a SEQRA (environmental review) process completed by a lead agency for the BOCES;

THEREFORE, BE IT RESOLVED, that the Western Suffolk BOCES declares itself the lead agency for the following projects:

- Electrical/Distribution Panel Replacement at WT Dix Hills-McGuire 1
- Electrical/Distribution Panel Replacement at WT Dix Hills-Jones 1
- Step-Down Transformer Replacement at WT Dix Hills-McGuire 1
- Electrical Switch Gear Upgrades at WT Dix Hills-McGuire 2
- Roof Top Units at Taukomas

- Bathroom Renovation at WT Huntington
- Bathroom Renovation at WT Northport
- Floor Tile Replacement District Wide
- Security Enhancements District Wide

It is also declared that these projects represent Type II actions and that these projects will have no significant adverse impact on the environment based on the criteria contained in subdivision 617.7c and these are not Type I actions as defined in section 617.4.

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

Authorization for Lease Agreement between Western Suffolk BOCES and Deer Park UFSD [R]

On motion of Mr. Wunsch, seconded by Mrs. Herz, the Board voted unanimously for Authorization for Lease Agreement between Western Suffolk BOCES and Deer Park UFSD as follows:

WHEREAS, pursuant to Education Law sec. 1950(4)(p), Western Suffolk BOCES (“BOCES”) has the power and duty to rent suitable land, classrooms, offices or buildings upon or in which to maintain and conduct such cooperative educational services and administrative offices for a period not to exceed ten (10) years and to improve, alter, equip and furnish such land, classrooms, offices or buildings in a suitable manner for such purposes; and

WHEREAS, before executing any lease, the board shall adopt a resolution determining that such agreement is in the best financial interests of the supervisory district and stating the basis of that determination; and

WHEREAS, the rental payment shall not be more than the fair market value as determined by the board; and

WHEREAS, no lease or other contract for the occupancy of such land, classrooms, offices or buildings shall be enforceable against the board of cooperative educational services unless and until the same shall have been approved in writing by the commissioner; and

WHEREAS, due to the significant increase in special education enrollment for the 2020/2021 school year and beyond, BOCES is exploring the rental of a portion of a Deer Park elementary school to meet the needs of the significant increase in special education enrollment;

THEREFORE, BE IT RESOLVED, due to the significant increase in special education enrollment for the 2020/2021 school year and beyond, it is in the best interests of BOCES to seek suitable land, classrooms, and offices upon which to maintain and conduct such cooperative educational and services; and

IT IS FURTHER RESOLVED, that pursuant to Education Law sec. 1950(4)(p), the BOCES Chief Operating Officer, be and is hereby authorized and empowered to seek suitable land, classrooms, and offices upon which to maintain and conduct such cooperative educational and services to meet the needs of the significant increase in special education enrollment for the 2020/2021 and beyond; and

IT IS FURTHER RESOLVED, that the Chief Operating Officer, be and is hereby expressly authorized and empowered to explore rental of a portion of the Deer Park elementary school to meet the needs of the significant increase in special education enrollment for the 2020/2021 and beyond, on such terms and conditions as are authorized by Education Law sec. 1950(4)(p).

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

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

At 7:50 p.m. there being no further business items for discussion, the meeting was adjourned on motion by Mr. Wunsch and seconded by Mr. Marinello.

UPCOMING EVENTS

DATE	EVENT	ATTENDEES
10/14/20	REFIT Annual Dinner Meeting Wednesday, Southward Ho Country Club, Bay Shore NY	
10/29/20-10/31/20	NYSSBA Annual Convention and Education Expo, Thursday to Saturday, NYC, NY	J. Santos

4/10/21 - 4/12/21	National School Boards Association Convention, Sat. – Mon., New Orleans	
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Enclosures:

EAP Pathways, *March 2020*

EAP Pathways for Supervisors, *March 2020*

REFIT Annual Dinner Meeting – Save the Date

N-SSBA Thank You Letter, June 29, 2020

Annual Safety Drills



Joanne Klein
District Clerk