

- Staff Members

Absent

- Mr. David Wicks

Call to Order (Board President)

Mr. Taylor

WHEREAS, the cost of the Harborfields Technology Project is \$214,356 with \$215,500 to be financed through TD Bank, the interest rate of the financing will be 4.29% 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.

WHEREAS the BOCES fb)

b) The only other financing alternative available to the BOCES involves the financing of the Project through certain joint action of the component schohohon4d(ri)5((pS3 12 Tf1 0 0 1 180.02 251.69 Tm0 g0 G(T)-8(h)6(e)c0 1 180.0

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 min1 0 0 1 22h4s of the i12 Tf1 0 0 1 111(t)-

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

Acceptance of the 2021-22

[R]

On motion by Mr. Wunsch, seconded by Mrs. Santos, the Board voted unanimously for Acceptance of the 2021-22 Independent Auditors' Report as follows:

RESOLVED, that the independent audit report prepared by Bonadio and Co. LLP, covering the school year 2021-2022 has been reviewed by the Board of Western Suffolk BOCES and is hereby accepted, as required by Commissioner's Regulations.

Mr. Wunsch noted for the record, "The BOCES Board of Trustees is aware of the fact there is a reserve for Workers' Compensation."

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

Resolution to Participate in Sourcewell Contract for Technology Catalog Solutions [R]

On motion by Mr. Wunsch, seconded by Mrs. Santos, the Board voted unanimously for Resolution to Participate in Sourcewell Contract for Technology Catalog Solutions as follows:

WHEREAS, Section 103 of the General Municipal Law permits Western Suffolk BOCES to purchase apparatus, materials, equipment or supplies or contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies through the use of a contract let by the United States or any agency thereof, any state or any other county, political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section and made available for use by other governmental entities; and

WHEREAS, Western Suffolk BOCES, based on the authority granted in General Muf leLg

is performed, and based on this review which is in accordance with the General Municipal Law, has concluded that participation in the program could result in savings to Western Suffolk BOCES;

THEREFORE, BE IT RESOLVED, that Western Suffolk BOCES is authorized to participate in Sourcewell Contract #081419-

(Listing referred to is designated as Encl. 9.1.8 and is incorporated with the official minutes of this meeting.)

Personnel

Instructional Personnel

Mr. Wunsch moved and Mrs. Cunningham 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 December 13, 2022 (Encl. 9.2.1) is incorporated with the official minutes of this meeting.

Supplementary Services

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

All items listed on the 9

WHEREAS, pursuant to the applicable collective bargaining agreements and/or other authority approved by the Board, BOCES has a policy of annually increasing the amount of the Active Employee Waiver Payments by 50% of the change in the cost of individual health insurance above a specified base amount; and

WHEREAS, for approximately the past 32 years, consistent with its policy with respect to active employees, BOCES has had a practice of providing retirees with the option of receiving annual health insurance waiver payments (“the Retiree Waiver Payments”) if they decline health insurance through BOCES; and

WHEREAS, the Board has been informed that, when the practice of making the Retiree Waiver Payments began, it was the result of an open, intentional, and sound policy judgment that doing so would result in financial savings for BOCES in the same manner as do the Active Employee Waiver Payments; and

WHEREAS, the Board has been informed that, in addition, when BOCES began the practice of making Retiree Waiver Payments, it was viewed as being an additional option by which BOCES would provide retirees with health insurance; and

WHEREAS, for approximately the last 32 years, BOCES has increased or decreased the amount of the Retiree Waiver Payments in the same manner as it has increased or decreased the amount of the Active Employee Waiver Payments; and

WHEREAS, prior to May 2, 2022, the Board is not aware of a resolution, collective bargaining agreement or other agreement expressly authorizing the practice of making the Retiree Waiver Payments and/or increasing the amount of the Retiree Waiver Payments; and

WHEREAS, BOCES’ May 2, 2022 agreement with Unit 4 (Clerical Personnel) setting forth the terms of the July 1, 2021 through June 30, 2025 collective bargaining agreement provides that active employees hired prior to the complete ratification and approval of that agreement will have the option of receiving a Retiree Waiver Payment of \$6,800, while active employees hired thereafter will have the option of receiving a Retiree Waiver Payment of \$2,500; and

WHEREAS, BOCES’ June 16, 2022 agreement with Unit 12 (Paraprofessional and Food Services) setting forth the terms of the July 1, 2021 through June 30, 2025 collective bargaining agreement provides that active employees

hired prior to the complete ratification and approval of that agreement will have the option of receiving a Retiree Waiver Payment of \$6,800, while active employees hired thereafter will have the option of receiving a Retiree Waiver Payment of \$2,500; and

WHEREAS, BOCES' October 31, 2022 agreement with Unit 7 (Health Alliance) setting forth the terms of the July 1, 2020 through June 30, 2026 collective bargaining agreement provides that active employees hired prior to the complete ratification and approval of that agreement will have the option of receiving a Retiree Waiver Payment of \$6,800, while active employees hired thereafter will have the option of receiving a Retiree Waiver Payment of \$2,500; and

WHEREAS, BOCES' November 15, 2022 agreement with Unit 5 (Custodial and Maintenance Personnel) setting forth the terms of the July 1, 2022 through June 30, 2023 collective bargaining agreement provides that active employees hired prior to the complete ratification and approval of that agreement will have the option of receiving a Retiree Waiver Payment of \$6,800, while active employees hired thereafter will have the option of receiving a Retiree Waiver Payment of \$2,500; and

WHEREAS, BOCES' December 13, 2022 agreement with Unit 1 (Teacher's Association) setting forth the terms of the July 1, 2021 through June 30, 2025 collective bargaining agreement provides that active employees hired prior to the complete ratification and approval of that agreement will have the option of receiving a Retiree Waiver Payment of \$6,800, while active employees hired thereafter will have the option of receiving a Retiree Waiver Payment of \$2,500; and

WHEREAS, the amount of the Active Employee Waiver Payment and Retiree Waiver Payment is currently \$6,800 per individual per year.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with BOCES' best financial interests, the Board hereby ratifies, approves and authorizes all Retiree Waiver Payments that have been made through the date of this Resolution.

BE IT FURTHER RESOLVED that, the Board hereby ratifies, approves and authorizes BOCES to continue to make Retiree Waiver Payments to any individuals who retired on or before the date of this Resolution in the amount of no more than \$6,800 per individual per year, unless they retired pursuant to the terms of a collective bargaining agreement that provided a different amount.

as follows:

WHEREAS, the Unit I, Western Suffolk BOCES Faculty Association and the Board of Cooperative Educational Services, Secondary Supervisory District of Suffolk County have completed collective bargaining pursuant to the requirements of the Taylor Law 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 revised agreement be

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 Educational Services and Unit IX, Western Suffolk BOCES Faculty Association representing Adult Instructors and Alternate High School Staff from July 1, 2022 to June 30, 2023.

(Listing referred to is designated as Encl. 9.2.7 and is incorporated with the official minutes of this meeting.)

Authorization to Approve Resolution - Education Law Section 913 [R]

On motion by Mr. Wunsch, seconded by Mrs. Cunningham, the Board voted unanimously for Authorization to Approve Resolution - Education Law Section 913 as follows:

BE IT RESOLVED that pursuant to Education Law Section 913, Employee No. 00357 is hereby directed to submit to a medical/psychiatric examination before a physician of BOCES' choosing; and

Cooperative Bidding of Databases, Research Tool, E-Books, Automation and Media for Use in School Library Systems Dream Consortium - SCHOOL YEAR 2023-2024 as follows:

WHEREAS, a number of Boards of Cooperative Educational Services (BOCES) and School Library Systems (SLS) require software and database access,

WHEREAS, the BOCES or SLS named below is desirous of participating with other BOCES and SLS in New York State in cooperatively procuring the software and database access, as authorized by General Municipal Law, Section 119-o, and

WHEREAS, following a competitive Request for Proposals (RFP) process, the Albany-Schoharie-Schenectady-Saratoga BOCES (Capital Region BOCES) Board of Education has approved awards to the vendors listed below:

RFP #23-018

Benchmark Education Company LLC, Capstone (Coughlan Companies LLC dba Capstone); Cavendish Square Publishing LLC; COMPanion Corporation; Digital Theatre; EBSCO Industries, Inc. dba EBSCO Information Services; Edpuzzle; Eduporium Inc.; Encyclopaedia Britannica; Exploring Nature Educational Resource; Follett; Gale, a Cengage Company; Gumdrop Books; iCEV Multimedia; InfoBase; Insignia; Ithaka Harbors dba Jstor; Kids Discover LLC; Learning A-Z; Lincoln Library Press Inc; Mackin Educational Resources; Mandarin; Maps 101; MediaFlex; Mitinet; New Dimension Media/CCC; Newsbank, Inc.; Noodle Tools; Overdrive; PBS Learning Media; Press4Kids Inc. (Newsomatic); ProQuest LLC; Reference Point Press; Rosen; Safari Montage; Sage Publications, Inc.; Scholastic Inc.; Springshare; Swank K12 Streaming; Swank Motion Pictures, Inc.; TeachingBooks.net LLC; TechRow; TLC (The Library Corp); Tumbleweed Press Inc; Turnitin; World Book; Xello Inc.; YuJa

WHEREAS, the list above is not exhaustive and is anticipated to grow as additional RFPs are let and awarded by the Board,

WHEREAS, the BOCES named below wishes to appoint the Capital Region BOCES to advertise for, receive competitive proposals, and award contracts on their behalf; therefore,

BE IT RESOLVED, that the BOCES listed below hereby appoints the Capital Region BOCES to represent it in all matters relating above, and designates the Daily Gazette Newspaper as the legal publication for all related legal notifications, and,

UPCOMING EVENTS

DATE	EVENT	ATTENDEES
1/26/23	N-SSBA/NCCSS/SCSSA Joint Conference, Thursday, 6:30 pm, Huntington Hilton	J. Santos
4/1/23 - 4/3/23	National School Boards Association Convention, Sat. – Mon., Orlando, FL	B. Sales, P. Wunsch
5/22/23	SCOPE's 22 nd Annual School District Awards Dinner, Monday, 4:30 pm, Villa Lombardi's, Holbrook, NY	

Enclosures:

- Dear Colleague Letter to Staff, *November 22, 2022*
- NYSSBA Update, *November 13, 2022*
- NYSSBA Update, *November 20, 2022*
- NYSSBA Update, *November 27, 2022*
- NYSSBA Update, *December 4, 2022*
- NYSSBA Area Director Update, *November 14, 2022*
- Separation and Vacation Notices
- N-SSBA/NCCSS/SCSSA Joint Conference Save the Date, *January 23, 2023*
- EAP Pathways, *December 2022*
- EAP Pathways for Supervisors, *December 2022*
- Thank You Card



Joanne Klein
District Clerk