

REGULAR MEETING NO. 935

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
First Supervisory District, Erie County
Wednesday, January 11, 2017**

Regular meeting of the Board of Cooperative Educational Services, First Supervisory District, Erie County, was held on Wednesday, January 11, 2017, at the Erie 1 BOCES Education Campus, West Seneca, New York. The meeting was called to order by President, John Sherman at 4:02 p.m.

Members Present: John Sherman (President), Edward Cavan (Vice-President), Judith Katz (present via video conferencing), Raymond Carr, Mary Busse, Andrew Loeb

Members Absent: Janet MacGregor Plarr

Others Present:

Lynn Fusco District Superintendent/CEO, James Fregelette, Executive Director Administration Services & Operations; Barbara Mocarski, Executive Director, Educational Supports & WNYRIC Services; Melody Jason, Executive Director of Instructional Services; Kelly Eisenried, Director Human Relations Services; Colleen Sloan, Legal Counsel; Candace Reimer, Director of Communications Services; Deanna Schettine, School Business Administrator; EPEA: Donna Walters, Robert Ward

Mrs. Busse moved, seconded by Mr. Carr, to enter into executive session for the purpose of discussing collective negotiations with AFSCME Local 2341, and for hearing the appeal of a grievance relating to the employment of a particular person (a current member of Erie 1 Management Association) at 4:03 p.m.

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Carr moved, seconded by Mr. Cavan, to return to regular session at 4:40 p.m.

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Carr moved, seconded by Mr. Loeb, to deny the grievance filed by the Erie 1 Management Association.

6 Ayes 0 Nays 1 Absent Motion Carried.

Mike Capuana, Director of Career and Technical Education and Justin DeMartin, Director of Special and Alternative Education, presented information on the Middle Tech Academy. This will be a full day educational program for academically and socially at-risk 7th and 8th grade students that incorporates Career and Technical Education as part of a project-based curriculum.

Mr. Cavan moved, seconded by Mr. Carr, to approve the draft of the regular meeting minutes No. 934, dated December 14, 2016.

6 Ayes 0 Nays 1 Absent Motion Carried.

**EXECUTIVE
SESSION**

**REGULAR
SESSION**

**ERIE 1
MANAGEMENT
ASSOCIATION
GRIEVANCE**

PRESENTATION

**APPROVAL OF
REGULAR
MEETING
MINUTES No. 934**

Mr. Cavan moved, seconded by Mrs. Katz, to approve the Treasurer’s Reports dated June 30, 2016, July 31, 2016 and August 31, 2016. (attachment E1a.)
6 Ayes 0 Nays 1 Absent Motion Carried.

TREASURER’S REPORTS

Mr. Cavan moved, seconded by Mr. Carr, to accept the Monthly Contract Adjustment Summary as of December 23, 2016 for the January 2016-17 billing.
6 Ayes 0 Nays 1 Absent Motion Carried

MONTHLY CONTRACT ADJUSTMENT

Mr. Carr moved, seconded by Mrs. Katz, to approve the 2016-17 Budget Transfers/ Decreases/ Increases for the period of December 9, 2016 to January 4, 2017.
6 Ayes 0 Nays 1 Absent Motion Carried.

BUDGET TRANSFERS/ INCREASES/ DECREASES

Mr. Cavan moved, seconded by Mrs. Katz, to adopt the following resolution for the 2016-17 school year.

ERIE 1 BOCES

WHEREAS, the Board of Cooperative Educational Services, First Supervisory District, Erie County, New York (“Board”) finds it beneficial to purchase Cisco VoIP Licensing to meet the needs of the school district, and

INSTALLMENT PURCHASE AGREEMENT – ERIE 1 BOCES/ ADDENDUM

WHEREAS, the Board has evaluated and reviewed the project which will benefit Erie 1 BOCES and the districts in WNYRIC that have VoIP Systems.

WHEREAS, the current outright purchase of the support hardware is not possible within the current fiscal budget; therefore

BE IT RESOLVED, that the Board authorizes the administration to enter into a Financial Agreement (IPA) for a five-year term for the additional support hardware in an amount not to exceed \$90,206.68.

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Cavan moved, seconded by Mrs. Busse, to approve the bid actions per the recommendation of the Purchasing Manager.

BID ACTIONS

Approval of General Conditions for Erie 1 BOCES Bids

It is hereby recommended that the Erie 1 BOCES Board of Education approve the *General Conditions* for inclusion in all Erie 1 BOCES bids including all RFP’s (Request for Proposals) issued by Erie 1 BOCES. The bid and procurement terms contained in the *General Conditions* are current as of the new 2017 calendar year and establish an integral function of each purchase contract awarded by Erie 1 BOCES. In addition, the *General Conditions* meet all requirements included in the New York State General Municipal Law §103 that governs the competitive bidding process. The *General Conditions* are herewith attached to this Purchasing Report for the Board of Education.

RESOLUTION OF THE BOARD OF EDUCATION

Amendments to the New York State General Municipal Law

WHEREAS, an act to amend subdivision 16 of §103 to the General Municipal Law, relative to the purchase of apparatus, materials, equipment and supplies and associated services for such items through the use of contracts let by other government entities (“piggybacking”); and furthermore, an act to amend subdivision 2 of §104 to the General Municipal Law, authorizing the use certain federal programs was so delivered to the Office of the Governor of New York State on November 1, 2013; and

WHEREAS, the purpose of said amendments is to afford political subdivisions mandate relief, by allowing the use of such contracts directly let by the United States of America or any agency thereof, any state or any other political subdivision or district therein, provided the contract has been let to the lowest responsible bidder or on the basis of Best Value in a manner consistent with §103; and to authorize political subdivisions to make purchases through other federal contracts (“Schedule 84”) as exceptions to §103; and

WHEREAS, said amendments to subdivision 16 of §103 and subdivision 2 of §104 were signed into law as Chapter 497 of Bill Number S3766A-2013 by the Honorable Governor Andrew M. Cuomo on November 13, 2013; and

THEREFORE, BE IT RESOLVED the Erie 1 Board of Cooperative Educational Services (Erie 1 BOCES), First Supervisory District, Erie County, New York State hereby adopts aforesaid amendments to §103 and §104 of the New York State General Municipal Law; and

BE IT FURTHER RESOLVED that any such aforementioned purchases shall be consistent with and in compliance with all Erie 1 BOCES Purchasing policies and procedures approved by the Erie 1 BOCES Board of Education.

COOPERATIVE BIDDING RESOLUTION
Onondaga-Cortland-Madison (OCM) BOCES

WHEREAS, it is the plan of a number of Boards of Cooperative Educational Services (BOCES) to bid jointly during the 2016-2017 school year for the purchase of computer forms, computers, storage systems, accessories and replacement parts, administrative software, computer peripherals, related maintenance, data communication equipment, optical mark reading forms and related supplies and software for Regional Information Centers, and;

WHEREAS, the Erie 1 Board of Cooperative Educational Services, First Supervisory District, Erie County, New York State (Erie 1 BOCES) desires to participate in the joint bidding of above mentioned commodities as authorized by General Municipal Law, §119-0 and §103 of Article 5-A, and;

BE IT RESOLVED that the Erie 1 BOCES hereby appoints the **OCM BOCES** to represent it in all matters related to the above which are relative to the fiscal year

beginning July 1, 2016 and;

BE IT FURTHER RESOLVED that the Erie 1 BOCES agrees to: (1) the recommendations of the OCM BOCES for the award of and execution of contract, and (2) assume its equitable share of the costs associated with cooperative bidding.

COOPERATIVE BIDDING RESOLUTION
Orleans-Niagara BOCES

WHEREAS, it is the plan of a number of public school districts in Orleans, Niagara, Erie, Chautauqua and Cattaraugus Counties, New York, to bid jointly during the 2016-2017 school year authorized by General Municipal Law, Section 119-0 and Section 103 of Article 5-A, and

WHEREAS, the Erie 1 Board of Cooperative Educational Services (Erie 1 BOCES), First Supervisory District, Erie County, New York State desires to participate in the cooperative bidding program through the **Orleans/Niagara BOCES** that will be drafting specifications, advertising for bids, accepting and opening bid, tabulating bids, reporting the results to the Board of Education and making a recommendation thereon; therefore,

BE IT RESOLVED, that the Erie 1 BOCES Board of Education authorizes the above mentioned program to represent it in all matters leading up to the entering into a contract for the purchase of the above mentioned commodities; and,

BE IT FURTHER RESOLVED, that the Erie 1 BOCES Board of Education agrees to assume its equitable share of the costs of the cooperative bidding; and,

BE IT FURTHER RESOLVED, that the Erie 1 BOCES Board of Education agrees (1) to abide by majority decision of the participating districts on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the group; (3) that after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

COOPERATIVE BIDDING RESOLUTION
Erie 2 Chautauqua-Cattaraugus BOCES

WHEREAS, it is the plan of a number of public school districts in Orleans, Niagara, Erie, Chautauqua and Cattaraugus Counties, New York, to bid jointly during the 2016-2017 school year authorized by General Municipal Law, Section 119-0 and Section 103 of Article 5-A, and

WHEREAS, the Erie 1 Board of Cooperative Educational Services (Erie 1 BOCES), First Supervisory District, Erie County, New York State desires to participate in the cooperative bidding program through the **Erie 2 Chautauqua-Cattaraugus BOCES** that will be drafting specifications, advertising for bids, accepting and opening bid, tabulating bids, reporting the results to the Board of Education and making a recommendation thereon; therefore,

BE IT RESOLVED, that the Erie 1 BOCES Board of Education authorizes the above mentioned program to represent it in all matters leading up to the entering into a contract for the purchase of the above mentioned commodities; and,

BE IT FURTHER RESOLVED, that the Erie 1 BOCES Board of Education agrees to assume its equitable share of the costs of the cooperative bidding; and,

BE IT FURTHER RESOLVED, that the Erie 1 BOCES Board of Education agrees (1) to abide by majority decision of the participating districts on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the group; (3) that after award of contract(s), it will conduct all negotiations directly with the successful bidder(s).

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Carr moved, seconded by Mrs. Busse, to accept the following donations: Craftsman socket wrenches/sockets/open-ended wrenches Used/good condition, value \$250; Electronic test equipment /Used, value \$100 and Paint /materials for auto body, value \$32,042 for Workforce Development.

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Cavan moved, seconded by Mr. Carr, to approve the personnel actions/addendum per the recommendation of the District Superintendent/CEO. (Attachment E2)

6 Ayes 0 Nays 1 Absent Motion Carried.

Mr. Thomas Schiener was previously appointed to serve as the Purchasing Agent for the 2016-17 school year (per July 12, 2016 Reorganization Meeting).

Mr. Cavan moved, seconded by Mrs. Busse, to appoint Tina Ellis, previously appointed as Purchasing Manager effective December 12, 2016 (per meeting 934) as the Purchasing Agent for the 2016-17 school year, effective December 31, 2016.

6 Ayes 0 Nays 1 Absent Motion Carried.

Jim Fregelette and Deanna Schettine presented a review of the 2017-18 Administrative, Rental and Capital budgets for the Board of Education members.

Mr. Cavan moved, seconded by Mr. Carr, to approve the Incidental Employment Agreements and Special Project Contracts per the recommendation of the District Superintendent. (Attachment G1)

6 Ayes 0 Nays 1 Absent Motion Carried.

Mrs. Busse moved, seconded by Mr. Carr, to approve the 2nd quarter travel conference reports.

6 Ayes 0 Nays 1 Absent Motion Carried

DONATIONS

PERSONNEL ACTIONS/ ADDENDUM

AMEND RESOLUTION OF APPOINTMENT

2017-18 ADMINISTRATIVE RENTAL AND CAPITAL BUDGETS REVIEW

INCIDENTAL EMPLOYMENT AGREEMENTS AND SPECIAL PROJECT CONTRACTS/ ADDENDUM

2ND QUARTER TRAVEL REPORTS

Candace Reimer shared recent media events which showcased some of Erie 1 BOCES programs.

Mr. Loeb is a member of the ECASB delegate assembly and engaged the BOE members in a discussion regarding the current By-Laws.

Mrs. Busse moved, seconded by Mr. Carr, that the meeting adjourned at 6:10 p.m.

6 Ayes 0 Nays 1 Absent Motion Carried.

Denise Polanski
District Clerk

**MISCELLANEOUS
ITEMS**

**NON-AGENDA
CONTRIBUTION
FROM BOARD
MEMBERS**

ADJOURNMENT



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