

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SOLE SUPERVISORY DISTRICT
FRANKLIN-ESSEX-HAMILTON COUNTIES**

DATE: December 19, 2013

LOCATION: North Franklin Educational Center, Malone, New York

KIND OF MEETING: Regular

MEMBERS PRESENT: Dennis J. Egan, Stephen J. Dupree, Shir Filler, William A. McConvey,
Thomas O'Bryan, John G. Swanston

MEMBERS ABSENT: Ralph H. Russell, Christine A. Blumberg, Thomas P. Derouchie

OTHERS PRESENT: Stephen T. Shafer, District Superintendent
Carol J. Lavoie, Clerk
Leslie A. LaRose, Deputy Superintendent

**CALL TO ORDER AND
PLEDGE OF ALLEGIANCE:** The meeting was called to order at 7:00 P.M. by President Egan followed by
the Pledge of Allegiance.

OATH OF OFFICE: Oath of office was administered to the following elected member of the Board by
District Superintendent Stephen T. Shafer:
Shir Filler

**PRESENTATION BY
INTERNAL AUDITOR:** The Board received a presentation from Carlos Dishman on the Internal Audit
Report for June 30, 2013 from James McKee III, CPA, PC.

**BIANNUAL
PRESENTATION FROM
CLAIMS AUDITOR:** The Board, acting as the Audit Committee of the Whole, met and received a
report from Esther Debyah, Claims Auditor. Following discussion, Mr. Swanston
moved, seconded by Mr. Dupree that the Biannual Presentation and Claims Audit
Report for the period of September 19 – December 4, 2013 submitted by Esther
Debyah, Claims Auditor and dated 12/10/13, be accepted.

Yes - 6
No - 0, motion carried

**PRESENTATION OF
STUDY FINDINGS (ALAN
POLE AND JESSICA
COHEN):** Jessica Cohen and Alan Pole, Castallo & Silky Education Consultants, presented
the Board with their findings and recommendations on the recent study conducted
in connection with the Administrative Structure of the Franklin-Essex-Hamilton
BOCES.

APPROVAL OF MINUTES:

President Egan asked for a motion concerning the minutes of the previous meeting. Mr. McConvey moved, seconded by Mr. O'Bryan that the minutes of the regular meeting of November 21, 2013 be approved.

Yes - 6

No - 0, motion carried

**APPROVAL OF
FINANCIAL REPORTS:**

The Board, acting as the Audit Committee of the Whole, reviewed the Treasurer's Reports for the Consolidated, Workers' Compensation, Health Insurance, CTE Equipment Reserve, Employee Benefit Accrued Liability Reserve, Unemployment Insurance Reserve and ERS Retirement Reserve Funds as well as the Group Checking and Payroll Checking for the month of November. Following discussion, Mr. Dupree moved, seconded by Ms. Filler that the Treasurer's Reports, Budget Control and Analysis of Revenue Reports for all funds for the month of November be approved.

Yes - 6

No - 0, motion carried

**REPORT ON APPROVED
EXTRA-TIME AND
OVERTIME
COMPENSATION:**

The Board received the report on approved extra-time and overtime compensation for the period of September 13, 2013 through December 2, 2013. Mr. Swanston moved, seconded by Ms. Filler to accept the report as annexed to these minutes.

Yes - 6

No - 0, motion carried

**DISCUSSION ON BOARD
MEETING DATES:**

The Board discussed the possibility of changing the regular monthly meetings from the Third Thursday to the Fourth Wednesday for the remainder of the school year. The Clerk was asked to contact the absent members regarding this suggested change and pending their agreement, Mr. Swanston moved, seconded by Mr. O'Bryan that the regular monthly meetings for the remainder of the 2013-14 school year will be held on the 4th Wednesday of each month.

Yes - 6

No - 0, motion carried

EXECUTIVE SESSION:

Mr. Dupree moved, seconded by Mr. O'Bryan that the Board enter into an executive session to discuss proposal development for the upcoming teacher negotiations.

Yes - 6

No - 0, motion carried

The Board entered into an executive session at 9:07 P.M.

Ms. Filler moved, seconded by Mr. Swanston that the Board leave the executive session.

Yes - 6

No - 0, motion carried

The Board left executive session at 10:55 P.M.

RESIGNATION:

Ms. Filler moved, seconded by Mr. Dupree that the following resignation be accepted:

Karen Plante-Lanthier – Account Clerk (Effective 12/16/13)

Yes - 6

No - 0, motion carried

APPOINTMENT:

Upon the recommendation of Mr. Shafer, Mr. McConvey moved, seconded by Mr. Swanston that:

June O'Dell, be appointed as an ACCOUNT CLERK, commencing on 01/13/14, salary to be at Grade 6 – Step 10 of the Non-Instructional Salary Schedule for the school year 2013-14. *(Pending Final Approval from the Franklin County Department of Civil Service.)*

Yes - 6

No - 0, motion carried

**PART-TIME &
OCCASIONAL
EMPLOYEES:**

Upon the recommendation of Mr. Shafer, Mr. Dupree moved, seconded by Mr. McConvey that the following individuals be appointed as Part-time and Occasional Employees:

Substitute – Instructional Employees (Effective upon receipt of fingerprint clearance)

Melanie Carr-Feimann (Add Teaching Assistant)

Yes - 6

No - 0, motion carried

POSITIONS TO BE FILLED:

Mr. Shafer informed the Board that at the present time the following positions are yet to be filled:

COTA 80%

Curriculum & Differentiated Instruction Inc. the Analysis of Student Perf.

Data Coord. (Anticipated)

Employment and Training Assistant

Teacher of the Deaf and Partially Sighted

Mr. O'Bryan moved, seconded by Mr. McConvey that Mr. Shafer be authorized to fill all vacancies for the 2013-14 school year.

Yes - 6

No - 0, motion carried

**APPROVAL OF BEST
VALUE RESOLUTION:**

Ms. Filler moved, seconded by Mr. McConvey that:

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 of 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 additional 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 Franklin-Essex-Hamilton Board of Cooperative Educational Services (Franklin-Essex-Hamilton BOCES), Sole Supervisory District, Franklin, Essex, Hamilton Counties, 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 Franklin-Essex-Hamilton BOCES Purchasing policies and procedures approved by the Franklin-Essex-Hamilton BOCES Board of Education.

Yes - 6

No - 0, motion carried

**APPROVAL FOR REVISED
POLICY REGARDING
INDIVIDUAL EDUCATION
PROGRAMS:**

Mr. Dupree moved, seconded by Mr. McConvey that the revised Policy regarding Individual Education Programs be approved as annexed to these minutes.

Yes - 6

No - 0, motion carried

**APPROVAL FOR
DISPOSITION OF BOCES
PERSONAL PROPERTY:**

Upon the recommendation of Mr. Shafer, Mr. O’Bryan moved, seconded by Mr. Dupree that the property itemized on the list annexed to these minutes has been determined to be obsolete or otherwise not needed by the Franklin-Essex-Hamilton BOCES pursuant to the Personal Property Accountability Policy and that the property be recycled pursuant to the NYS Electronic Equipment Recycling and Reuse Law effective April 1, 2011 or disposed of through public bid or auction or sold as scrap to local dealers or disposed of at local landfill as indicated.

Yes - 6

No - 0, motion carried

**AUTHORIZATION FOR
PRESIDENT AND/OR
DISTRICT
SUPERINTENDENT TO
SIGN:**

Mr. Swanston moved, seconded by Mr. O'Bryan that the President and/or District Superintendent be authorized to sign:

Agreement with Adirondack Health in connection with HIPAA
Business Associate Agreement
Agreement with Partners in Safety in connection with Drug and
Alcohol Testing
Agreement with Akwesasne Boys and Girls Club in connection with
Adult Education Programs
Agreement with Franklin County DSS/School Links Coordinator

Yes - 6

No - 0, motion carried

**APPROVAL OF DIGNITY
FOR ALL STUDENTS
(DASA) COORDINATOR
FOR THE REMAINDER OF
THE 2013-14 SCHOOL
YEAR:**

Mr. O'Bryan moved, seconded by Ms. Filler that Rick Swanston be appointed as Dignity for All Students Act Coordinator for the remainder of the 2013-14 school year.

Yes - 6

No - 0, motion carried

**ACKNOWLEDGEMENT OF
REVISED COSMETOLOGY
CONSULTANT
COMMITTEE:**

Mr. Dupree moved, seconded by Mr. McConvey that the revised Cosmetology Consultant Committee as annexed to these minutes, be acknowledged for the 2013-14 school year.

Yes - 6

No - 0, motion carried

**APPROVAL OF
AUCTIONS
INTERNATIONAL BID
RESULTS:**

Mr. Shafer reviewed the bid results from the auction of BOCES equipment on Auctions International:

John Deere 935 Mower and 246 Sweeper - \$1,050
John Deere 70 Skid Steer - \$2,125
Wheeltronic Air Scissor Lift - \$420
12 ft. x 30 in. Stainless Steel Dish Table - \$360
Moyer Diebel Dishwasher - \$105
Lot of 10 Kaemark Cosmetology Stations – no bids
Rockwell Delta Radial Arm Saw - \$52.50
Rockwell 10 inch Unisaw - \$260
Delta Rockwell 12 inch/14 inch Tablesaw - \$220

Following discussion, Mr. Swanston moved, seconded by Mr. McConvey that the BOCES be authorized to accept the bids in the amounts listed above.

Yes - 6

No - 0, motion carried

APPROVAL OF UPCOMING MEETING:

Mr. O'Bryan moved, seconded by Mr. Swanston that the Board Members and Administrators be authorized to attend the following at the expense of the BOCES:

Legislative Breakfast – January 31, 2014, 8:30 AM, Crowne Plaza, Lake Placid

Yes - 6

No - 0, motion carried

ADJOURNMENT:

Mr. McConvey moved, seconded by Mr. Dupree that the meeting be adjourned.

Yes - 6

No - 0, motion carried

Meeting adjourned at 11:08 P.M.

These minutes approved _____

Carol J. Lavoie, Clerk