

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

DATE: July 19, 2012

LOCATION: Adirondack Educational Center, Saranac Lake, New York

KIND OF MEETING: Organizational

MEMBERS PRESENT: Dennis J. Egan, Gail Rogers Rice, Thomas P. Derouchie, Stephen J. Dupree, William A. McConvey, Thomas O’Bryan, Ralph H. Russell, John G. Swanston

MEMBERS ABSENT: Hallie E. Bond

OTHERS PRESENT: Stephen T. Shafer, District Superintendent
Carol J. Lavoie, Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: The meeting was called to order at 7:06 P.M. by President Egan followed by the Pledge of Allegiance.

OATHS OF OFFICE: Oath of office was administered to the following elected members of the Board by District Superintendent Stephen T. Shafer:
Dennis J. Egan
William A. McConvey
Gail Rogers Rice

CLERK OF THE BOARD: Mr. Swanston moved, seconded by Dr. Rice that Carol J. Lavoie be appointed Clerk of the Board for the 2012-13 school year for a salary of \$1,500.

Yes - 8
No - 0, motion carried

PRESIDENT: Mr. Egan asked that the Clerk act as temporary Chairperson for the purpose of electing the President. Clerk Lavoie called for nominations for President of the Board of Education for the 2012-13 school year. Dennis Egan was nominated by Mr. Swanston, seconded by Mr. McConvey moving that the polls be closed and the Clerk cast one ballot for Dennis Egan.

Yes - 8
No - 0, motion carried

VICE-PRESIDENT:

Mr. Egan called for nominations for the office of Vice-President of the Board of Education for the 2012-13 school year. Gail Rogers Rice was nominated by Mr. Russell, seconded by Mr. Swanston moving that the polls be closed and the Clerk cast one ballot for Gail Rogers Rice.

Yes - 8
No - 0, motion carried

APPOINTMENT OF DISTRICT TREASURER:

Mr. O'Bryan moved, seconded by Dr. Rice that Jamie Manor be appointed District Treasurer having authority to sign all BOCES checks for the 2012-13 school year.

Yes - 8
No - 0, motion carried

APPOINTMENT OF DEPUTY TREASURER:

Mr. O'Bryan moved, seconded by Dr. Rice that Charles A. McKee be appointed Deputy Treasurer for the 2012-13 school year.

Yes - 8
No - 0, motion carried

APPOINTMENT OF EXTRACLASSROOM ACTIVITY FUND AUDITOR:

Upon the recommendation of Mr. Shafer, Mr. O'Bryan moved, seconded by Mr. Russell that Charles A. McKee be appointed Extraclassroom Activity Fund Auditor for the 2012-13 school year.

Yes - 8
No - 0, motion carried

APPOINTMENT OF CHIEF FACULTY COUNSELORS:

Upon the recommendation of Mr. Shafer, Mr. O'Bryan moved, seconded by Mr. Derouchie that Betsy Sageman and Rick Swanston be appointed Chief Faculty Counselors for the 2012-13 school year.

Yes - 8
No - 0, motion carried

APPOINTMENT OF CLAIMS AUDITOR:

Mr. O'Bryan moved, seconded by Mr. Russell that the resolution as attached to these minutes appointing Esther M. Debyah as Claims Auditor for the school year 2012-13 be approved.

Yes - 8
No - 0, motion carried

APPOINTMENT OF DEPUTY CLAIMS AUDITOR:

Mr. McConvey moved, seconded by Mr. Dupree that the resolution as attached to these minutes appointing Diane J. Hellmann as Deputy Claims Auditor for the school year 2012-13 be approved.

Yes - 8
No - 0, motion carried

PURCHASING AGENTS:

Mr. McConvey moved, seconded by Mr. Derouchie that the resolution as attached to these minutes appointing Rosemary C. Racine and Sharon I. Earle as Purchasing Agents for the school year 2012-13 be approved.

Yes - 8

No - 0, motion carried

INDEPENDENT AUDITOR:

Mr. Dupree moved, seconded by Dr. Rice that Seyfarth & Seyfarth, CPA's, P.C. be appointed as the BOCES Independent Auditor for the 2011-12 school year and for consultation during the 2012-13 school year.

Yes - 8

No - 0, motion carried

**APPOINTMENT OF
INTERNAL AUDITOR TO
PERFORM INTERNAL
AUDIT FUNCTION:**

Mr. Swanston moved, seconded by Mr. Dupree that James McKee III, CPA, P.C. be appointed as the BOCES Internal Auditor to perform the Internal Audit Function for the 2012-13 school year.

Yes - 8

No - 0, motion carried

**APPOINTMENT OF TITLE
IX COMPLIANCE OFFICER:**

Dr. Rice moved, seconded by Mr. Russell that Leslie A. LaRose be appointed as the Title IX Compliance Officer for the 2012-13 school year.

Yes - 8

No - 0, motion carried

**APPOINTMENT OF
MEDICAID COMPLIANCE
OFFICER:**

Dr. Rice moved, seconded by Mr. Swanston that Leslie A. LaRose be appointed as the Medicaid Compliance Officer for the 2012-13 school year.

Yes - 8

No - 0, motion carried

**APPOINTMENT OF
DIGNITY FOR ALL
STUDENTS ACT
COORDINATORS:**

Mr. O'Bryan moved, seconded by Mr. Dupree that Lorraine Childs and Philip Beaney be appointed as Dignity for All Students Act Coordinators for the 2012-13 school year.

Yes - 8

No - 0, motion carried

**AUTHORIZATION FOR
CERTIFICATION OF
PAYROLLS - HUMAN
RESOURCES
COORDINATOR:**

Dr. Rice moved, seconded by Mr. O'Bryan that the authorization as annexed to these minutes for Certification of Payrolls - Human Resources Coordinator be approved.

Yes - 8

No - 0, motion carried

**AUTHORIZATION FOR
BUDGET TRANSFERS -
DISTRICT
SUPERINTENDENT:**

Mr. McConvey moved, seconded by Dr. Rice that the authorization as annexed to these minutes for Budget Transfers - District Superintendent be approved.

Yes - 8
No - 0, motion carried

**PROPOSED RESOLUTION
AUTHORIZING THE
ISSUANCE OF REVENUE
ANTICIPATION NOTES:**

Dr. Rice moved, seconded by Mr. Russell that a resolution authorizing the issuance of Revenue Anticipation Notes of the Board of Cooperative Educational Services of the Sole Supervisory District of Franklin, Essex and Hamilton Counties, New York, in an aggregate principal amount not to exceed \$4,000,000 for general expenses of said Board of Cooperative Educational Services be approved as follows:

BE IT RESOLVED, by the Board of Cooperative Educational Services of the Sole Supervisory District of Franklin, Essex and Hamilton Counties, New York (the "Board of Cooperative Educational Services") as follows:

SECTION 1. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell revenue anticipation notes, including renewals of such notes, is hereby delegated to the District Treasurer of the Board of Cooperative Educational Services. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said District Treasurer of the Board of Cooperative Educational Services, consistent with the provisions of the Local Finance Law.

SECTION 2. The notes are issued in anticipation of the receipt of contractual liabilities of the component school districts.

SECTION 3. Such revenues are due and shall be accrued during the 2012-13 fiscal year.

SECTION 4. The notes are authorized to be issued against estimated uncollected contractual liabilities of the component school districts of approximately \$20,609,181 to be accrued during the 2012-13 year.

SECTION 5. The notes shall be issued in an aggregate principal amount not to exceed \$4,000,000 and shall be used to meet the ordinary operating expenses of Board of Cooperative Educational Services. The proceeds of the notes shall not be used to redeem revenue anticipation notes previously issued by the Board of Cooperative Educational Services.

SECTION 6. The notes shall mature no later than one year after issuance.

SECTION 7. The faith and credit of the Board of Cooperative Educational Services of the Sole Supervisory District of Franklin, Essex and Hamilton Counties are hereby irrevocably pledged for the payment of the principal of and interest on such notes as the same become due and payable.

SECTION 8. The District Treasurer of the Board of Cooperative Educational Services is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the notes authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

SECTION 9. This resolution shall be effective immediately.

SECTION 10. The Board of Education shall be notified of the amount borrowed pursuant to this resolution at the next Board of Education meeting.

Yes - 8
No - 0, motion carried

BANK DEPOSITORY:

Mr. Swanston moved, seconded by Mr. Russell that First Niagara Bank be designated as the official bank depository for the 2012-13 school year.

Yes - 8
No - 0, motion carried

MUNICIPAL HIGH INTEREST ACCOUNTS:

Mr. O’Bryan moved, seconded by Mr. Dupree that JP Morgan Chase be designated for the Municipal High Interest Accounts for Workers’ Compensation Consortium and Health Insurance Consortium for the 2012-13 school year.

Yes - 8
No - 0, motion carried

AUTHORIZATIONS:

Mr. McConvey moved, seconded by Dr. Rice that

Thomas LaRocque, Karen Martell, Jack Piasecki and Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C., Walsh & Edwards, Joseph Lavorando and Whiteman, Osterman & Hanna LLP be appointed as BOCES Attorneys for the school year 2012-13. Legal matters will be referred to the appropriate attorney at the discretion of the BOCES;

Stephen T. Shafer be appointed as the Board’s representative for the F-E-H School Districts’ Health Insurance Consortium Joint Governing Board;

Jamie Manor be appointed Records Access Officer for the 2012-13 school year;

Carol J. Lavoie be appointed Records Management Officer for the 2012-13 school year;

Elgin (Joe) Wright be appointed Asbestos (LEA) Designee for the 2012-13 school year;

All persons and positions required by law or regulation including Educational Communications Delivery be covered under a Faithful Performance Blanket Bond with limits of \$100,000 and an additional \$1,000,000 coverage for the District Treasurer and Deputy Treasurer;

Authorization for memberships as annexed to these minutes be approved for the school year 2012-13;

Thomas Derouchie be named as delegate for the NYSSBA Convention; Committee Membership be approved as follows:

Audit Committee – The Board shall serve as a **Committee of the Whole** for such purpose during a regular or special meeting of the Board.

- Sub-Committee - In those instances when the full Board is not available to meet with the Board’s Auditors and/or staff in accordance with applicable laws and regulations an audit subcommittee composed of three Board Members will convene for this purpose. In such instances, the Sub-Committee will make a report to the full Board at a subsequent meeting. The Audit Sub-Committee shall consist of the following members for the 2012-2013 school year:

Thomas O’Bryan
Ralph Russell
John Swanston

Franklin-Essex-Hamilton School Boards Association Executive
Committee – Board President & District Superintendent
Sick Leave Pool Committee – Gail Rogers-Rice, John Swanston &
Leslie LaRose
Safety Committee – Stephen Dupree
Negotiations Committee – Thomas O’Bryan, Ralph Russell,
John Swanston, Stephen Shafer & Leslie LaRose;
Technology Committee – Thomas O’Bryan
Annual Professional Performance Review Committee – Thomas O’Bryan

The mileage reimbursement rate for all employees shall be \$.555 per mile for the 2012-13 school year;

The District Superintendent be authorized to attend District Superintendent meetings at the expense of BOCES and that payment for the District Superintendent Business Account also be authorized;

BOCES be authorized to provide Workers’ Compensation Coverage for board members and Volunteers in addition to employees;

Advertising and opening bids - District Clerk or Purchasing Agent;

The dates and hours of regular meetings of the Board of Education be designated as 7:00 P.M. on the third Thursday of every month with the meetings to alternate between Malone and Saranac Lake;

Approval for attendance at conferences, conventions, workshops, etc. - District Superintendent or designee;

Approval for the accounts annexed to these minutes and authorization to sign checks - District Treasurer and Deputy Treasurer;

Approval for the accounts annexed to these minutes and authorization to sign checks - Central Treasurers and Principals;

Use of electronic check signature disk to authenticate checks issued on the BOCES accounts - District Treasurer/Deputy Treasurer; or in the case of Emergency - Accountant

Authorization to sign special aid projects - District Superintendent;

Authorization for District Superintendent to sign E-Rate Applications;

Authorization to sign BOCES contracts - President and/or District Clerk;

Authorization to invest funds - District Treasurer/Deputy Treasurer;

All Board policies currently in effect be readopted for 2012-13.

Authorization for Petty Cash Fund – Business Office \$50 (Charles A. McKee)

Yes - 8

No - 0, motion carried

APPROVAL OF MINUTES:

President Russell asked for a motion concerning the minutes of the previous regular meeting. Mr. Russell moved, seconded by Mr. Swanston that the minutes of the regular meeting of June 21, 2012 be approved.

Yes - 8
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 and Unemployment Insurance Reserve and ERS Retirement Reserve Funds for the month of June. Following discussion, Dr. Rice moved, seconded by Mr. Dupree that the Treasurer's Reports, Budget Control and Analysis of Revenue Reports for all funds for the month of June be approved.

Yes - 8
No - 0, motion carried

CREATION OF POSITIONS FOR 2012-13:

Upon the recommendation of Mr. Shafer, Dr. Rice moved, seconded by Mr. Derouchie that the following positions be created:

Physical Therapist
School Psychologist 80%

Yes - 8
No - 0, motion carried

RESIGNATIONS:

Mr. O'Bryan moved, seconded by Mr. Swanston that the following resignations be accepted:

Anne Reilly – Physical Therapist Assistant (Effective 06/22/12)
David Tyldesley – Physical Education Teacher (Effective 07/30/12)

Yes - 8
No - 0, motion carried

CALL BACK:

Upon the recommendation of Mr. Shafer, Dr. Rice moved, seconded by Mr. Dupree that the individuals below be called back as follows:

Loretta Charland – Teaching Assistant
Brenda Fletcher – School Monitor

Yes - 8
No - 0, motion carried

**PART-TIME &
OCCASIONAL
EMPLOYEES:**

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

Extra Program Employment – 2012-13 School Year

Kim Bruso – Special Education Teacher (Additional 26 Hours – 2011-12 School Year)
Candida Tavernier – RSE-TASC Transition Specialist (Up to 30 Days)
Dana Retherford – SESIS Coordinator (Up to 20 Days)
Brian Battistoni – School Counselor (Up to 10 Days)
Lisette Maguire – School Counselor (Additional 3 Days)

Academic/Regional Summer School 2012-13

Heather Phippen – Art Teacher (33% to 67%)
Jamie Armstrong – Science Teacher 67%
Lori Staves – Social Studies/Math Teacher (67% to 50%)
Giselle Hance – Registered Professional Nurse - \$175 for 6 Days
Lori Gordon-Walbridge – 6th Grade Teacher
Danielle White – 6th Grade Teacher
Terry Collins – Physical Education Teacher .05%
James Abare (Additional 15 Hours – Scoring Regents)
Jason Massaro (Additional 15 Hours – Scoring Regents)
Tracy Edwards- Warren (Additional 15 Hours – Scoring Regents)
Angelo Pietropaoli (Additional 15 Hours – Scoring Regents)
Theresa Pontius (Additional 15 Hours – Scoring Regents)
Pat Brockway (Additional 15 Hours – Scoring Regents)
Barbara Hart (Additional 15 Hours – Scoring Regents)

Adult Education Instructor

Patricia Ventiquattro, CPR Instructor – 3 Hours at \$40/Hour

Substitute Summer School Principal - \$325 Per Day

Donald Merrick (Up to 15 Days)

Part-time Clerk - \$12.11 Per Hour

Priscilla Rouselle

Yes - 8

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:

New Visions Health
Occupational Therapist Assistant
Physical Education Teacher 35%
Physical Therapist
Physical Therapist Assistant
School Library System Director
School Psychologist 80%
SE SIS Coordinator
Teacher of the Blind and Partially Sighted

Mr. Swanston moved, seconded by Dr. Rice that Mr. Shafer be authorized to fill all vacancies for the 2012-13 school year.

Yes - 8

No - 0, motion carried

**AUTHORIZATION FOR
PRESIDENT TO SIGN:**

Mr. Dupree moved, seconded by Mr. O'Bryan that the President be authorized to sign the following:

Agreement with OneWorksource in connection with the NYS Certified ServSafe Training

Agreement with OneWorksource in connection with the NYS Certified ServSafe Alcohol Training

Agreement with the St. Regis Mohawk Tribe in connection with the Early Childhood Development Program

Agreement with Malone Central School District for Fuel Sharing

Yes - 8

No - 0, motion carried

**APPROVAL OF THE 2012
MODULAR HOME BID:**

The Board reviewed the tabulation of bids received for the 2012 Modular Home. Dr. Rice moved, seconded by Mr. McConvey that the bid submitted by Gerald T. & Helen B. Ryan in the amount of \$39,800.15 (including tax) for the 2012 Modular Home be accepted.

Yes - 2

No - 6, motion denied

Following discussion, Mr. Russell moved, seconded by Mr. Dupree that the notice to bidders for the 2012 Modular Home be re-advertised with a minimum bid of \$44,900.

Yes - 8

No - 0, motion carried

**CONSIDERATION
OF BIDS FOR
GENERAL BUILDING
SUPPLIES IN
CONNECTION WITH THE
MODULAR HOUSE
PROJECT AT NFEC:**

Mr. Shafer provided the Board with information regarding General Building Supplies Bid in connection with the Modular House Project at the North Franklin Educational Center.

The Board reviewed the tabulation of bids received for General Building Supplies in connection with the Modular House Project at the North Franklin Educational Center. Following discussion, Dr. Rice moved, seconded by Mr. O'Bryan that the low bid meeting specifications for General Building Supplies in the amount of \$56,570.25, submitted by Sample's Lumber Company, be accepted.

Yes - 0

No - 8, motion denied

Following discussion, Mr. Dupree moved, seconded by Mr. O'Bryan that the notice to bidders for the General Building Supplies Bid in connection with the Modular House Project at the North Franklin Educational Center be re-advertised.

Yes - 8

No - 0, motion carried

**NYSSBA ADVOCACY
ALERT RESOLUTION:**

Mr. O'Bryan moved, seconded by Mr. Russell that:

WHEREAS, a last minute legislative effort has resulted in passage of a bill that would heap new financial and administrative burdens on our school districts by requiring Committees on Special Education to take a student's home life and cultural environment into account when making special education placements and require reimbursement within 30 days of tuition payments made by parents for unapproved placements.

And WHEREAS, The bill may well violate federal IDEA requirements and according to the Poughkeepsie Journal, "leave local school districts exposed to a myriad of lawsuits and soaring special educational costs."

And WHEREAS, this legislation came without sufficient time for due consideration, leaving schools blindsided with new costs after their budgets were decimated to stay under the tax cap.

And WHEREAS, the legislation leaves districts with high ethnic and religious populations subject to outlandish parental demands, jeopardizing funds budgeted for other special education students and the general education population of the district; ignoring the fact that under the tax cap, unexpected funds must be taken from existing programs and services, hurting other students.

And WHEREAS, there are better ways to make sure that parents don't wait too long for reimbursement when it's found to be warranted, streamlining how placement challenges are settled and being culturally sensitive when making placements. Allowing parents to demand private school placement when an appropriate public school programs exists is detrimental to other students and the taxpaying communities that support our schools.

And WHEREAS, if the State of New York believes this is appropriate, it needs to provide the funding from its larger tax base and not expect local taxpayers to pay for a program that is not based on educational concerns.

And WHEREAS, the bill is legally flawed, as Committees on Special Education do not have the authority to reimburse parents for private, unapproved placements within 30 days as required under the bill. They may only do so only when directed by a hearing officer.

And WHEREAS, this amounts to New York State's first voucher program and one for only the wealthy, as only wealthy parents can afford to pay private, non-approved tuition payments and wait for reimbursement.

And WHEREAS, this is a voucher program intended to segregate our children. New York State has always been a leader in integrating all of our children, irrespective of race, culture or special needs. Now, we are not only allowing a return to segregation, we are encouraging it by paying wealthy parents to use high cost, private services based on culture and not the appropriate educational services needed by the student to separate student, depriving them of the advantages of a shared social experience.

Therefore, be it RESOLVED that the Board of Education calls on Governor Andrew Cuomo to veto this onerous and inappropriate legislation.

Yes - 8

No - 0, motion carried

**APPROVAL FOR
UPCOMING MEETING:**

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

NYSSBA's 93rd Annual Convention and Education Expo in Rochester,
October 25-27, 2012

Yes - 8
No - 0, motion carried

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

Upon the recommendation of Mr. Shafer, Mr. Swanston moved, seconded by Mr. McConvey 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 - 8
No - 0, motion carried

**NOMINATION FOR
NYSSBA BOARD OF
DIRECTORS FOR AREA 6:**

Mr. Dupree moved, seconded by Mr. Derouchie that Esther Sherman Arlan be nominated for Area 6 Director of the New York State School Boards Association for the term beginning January 1, 2013 and that the Clerk be authorized to send a letter accordingly.

Yes - 8
No - 0, motion carried

**CONSIDERATION OF
PURCHASE AND
AUTHORIZATION
TO BID FOR BOCES
VEHICLE:**

Mr. Shafer reviewed specifications with the Board regarding the purchase of 2013 Ford F350 4x4 Truck to be utilized by the Operations and Maintenance Department. Following discussion, Mr. O'Bryan moved, seconded by Mr. Derouchie that the BOCES be authorized to advertise bids for a 2013 Ford F350 4x4 Truck.

Mr. Swanston moved, seconded by Dr. Rice to amend the above motion changing 2013 Ford F350 4x4 Truck to a 2012 Ford F350 4x4 Truck.

Yes - 8
No - 0, motion carried

**SET DATE FOR AUGUST
BOARD MEETING:**

Mr. Dupree moved, seconded by Mr. Russell that the regular August meeting be held on the third Thursday, August 16, 2012 at 7:00 P.M. at the North Franklin Educational Center in Malone.

Yes - 8
No - 0, motion carried

**SET DATE FOR NOVEMBER
BOARD MEETING:**

Mr. Dupree moved, seconded by Mr. Derouchie that the regular November meeting be changed to Wednesday, November 14, 2012 at 7:00 P.M. at the Adirondack Educational Center in Saranac Lake.

Yes - 8

No - 0, motion carried

**NYSSBA 2012 NEW SCHOOL
BOARD MEMBER
ACADEMY:**

The Board received information regarding the NYSSBA 2012 New School Board Member Academy being held on November 9, 2012 in Lake Placid.

**SCHOOL LIBRARY SYSTEM
CONTRIBUTIONS:**

Mr. Shafer provided the Board with a list of School Library System Contributions to Member Libraries since 1985 prepared by Donna Hanus.

ADJOURNMENT:

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

Yes - 8

No - 0, motion carried

Meeting adjourned at 8:40 P.M.

These minutes approved _____

Carol J. Lavoie, Clerk