

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

DATE: July 17, 2008

LOCATION: Adirondack Educational Center, Saranac Lake, New York

KIND OF MEETING: Organizational

MEMBERS PRESENT: Ralph H. Russell, Thomas F. Mac Donald, Jules J. Comeau, Thomas P. Derouchie, William A. McConvey, Paula M. Niles, Thomas O'Bryan, John G. Swanston

MEMBERS ABSENT: William Madden, III (entered at 7:35 PM)

OTHERS PRESENT: Stephen T. Shafer, District Superintendent
Carol J. Lavoie, Clerk
Nancy M. Montevago, Deputy Superintendent
Rick J. Swanston, Director of Management Services

**CALL TO ORDER AND
PLEDGE OF ALLEGIANCE:** The meeting was called to order at 7:30 by President Russell 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:
Thomas P. Derouchie
Ralph H. Russell
John G. Swanston

CLERK OF THE BOARD: Mr. Swanston moved, seconded by Mr. Derouchie that Carol J. Lavoie be appointed Clerk of the Board for the 2008-09 school year for a salary of \$1,500.

Yes - 8
No - 0, motion carried

William Madden, III entered the meeting at 7:35 PM.

PRESIDENT:

Mr. Russell 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 2008-09 school year. Ralph Russell was nominated by Mr. Swanston, seconded by Mr. Madden. Mr. Mac Donald moved, seconded by Dr. Comeau that the polls be closed and the Clerk cast one ballot for Ralph Russell.

Yes - 9

No - 0, motion carried

VICE PRESIDENT:

Mr. Russell called for nominations for the office of Vice President of the Board of Education for the 2008-09 school year. Thomas Mac Donald was nominated by Mr. Swanston, seconded by Mr. McConvey. Mr. Derouchie moved, seconded by Mr. McConvey that the polls be closed and the Clerk cast one ballot for Thomas Mac Donald.

Yes - 9

No - 0, motion carried

**APPOINTMENT OF
DISTRICT TREASURER:**

Mr. Mac Donald moved, seconded by Mr. Derouchie that Susan M. Perkins be appointed District Treasurer having authority to sign all BOCES checks for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**APPOINTMENT OF DEPUTY
TREASURER:**

Mr. McConvey moved, seconded by Mrs. Niles that Charles A. McKee be appointed Deputy Treasurer for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**APPOINTMENT OF
EXTRACLASSROOM
ACTIVITY FUND AUDITOR:**

Upon the recommendation Mr. Shafer, Mr. Swanston moved, seconded by Mr. O'Bryan that Charles A. McKee be appointed Extraclassroom Activity Fund Auditor for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**APPOINTMENT OF CHIEF
FACULTY COUNSELORS:**

Upon the recommendation of Mr. Shafer, Mr. McConvey moved, seconded by Mr. Madden that Lorraine Bessette and Gregory Camelo be appointed Chief Faculty Counselors for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**APPOINTMENT OF CLAIMS
AUDITOR:**

Mr. Swanston moved, seconded by Mr. McConvey that the resolution as attached to these minutes appointing Esther M. Debyah as Claims Auditor for the school year 2008-09 be approved.

Yes - 9
No - 0, motion carried

PURCHASING AGENTS:

Mr. Mac Donald moved, seconded by Mr. Madden that the resolution as attached to these minutes appointing Rosemary C. Racine and Sharon I. Earle as Purchasing Agents for the school year 2008-09 be approved.

Yes - 9
No - 0, motion carried

INDEPENDENT AUDITOR:

Mr. Derouchie moved, seconded by Mr. McConvey that Seyfarth & Seyfarth, CPA's, P.C. be appointed as the BOCES Independent Auditor for the 2007-08 school year and for consultation during the 2008-09 school year.

Yes - 9
No - 0, motion carried

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

Mr. McConvey moved, seconded by Mr. Madden that Dragon Benware Crowley & CO., P.C. be appointed as the BOCES Internal Auditor to perform the Internal Audit Function for the 2008-09 school year.

Yes - 9
No - 0, motion carried

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

Mr. Swanston moved, seconded by Mr. Mac Donald that the authorization as annexed to these minutes for Certification of Payrolls - Human Resources Coordinator be approved.

Yes - 9
No - 0, motion carried

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

Mr. Mac Donald moved, seconded by Mr. Derouchie that the authorization as annexed to these minutes for Budget transfers - District Superintendent be approved.

Yes - 9
No - 0, motion carried

**AUTHORIZATION TO
PARTICIPATE IN THE ST.
LAWRENCE-LEWIS BOCES
COOPERATIVE
PURCHASING PROGRAMS:**

Mr. Derouchie moved, seconded by Mr. O'Bryan that the Franklin-Essex-Hamilton BOCES agrees to participate in the St. Lawrence-Lewis BOCES Cooperative Purchasing Programs in accordance with the guidelines set forth in the "Cooperative Purchasing Agreement" for the 2008-09 school year.

Yes - 9
No - 0, motion carried

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

Mr. Swanston moved, seconded by Dr. Comeau 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 2008-09 fiscal year.

SECTION 4. The notes are authorized to be issued against estimated uncollected contractual liabilities of the component school districts of approximately \$20,474,430 to be accrued during the 2008-09 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 - 9

No - 0, motion carried

BANK DEPOSITORY:

Dr. Comeau moved, seconded by Mr. Derouchie that HSBC, Bank USA be designated as the official bank depository for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**MUNICIPAL HIGH
INTEREST ACCOUNTS:**

Mr. Swanston moved, seconded by Mr. Madden that JP Morgan Chase be designated for the Municipal High Interest Accounts for Workers' Compensation Consortium and Health Insurance Consortium for the 2008-09 school year.

Yes - 9

No - 0, motion carried

AUTHORIZATIONS:

Mr. Mac Donald moved, seconded by Mr. O'Bryan that

Thomas LaRocque, Jack Piasecki, Andrew Silver, Karen Martell (Bonding Attorney) and Ferrara, Fiorenza, Larrison, Barrett & Reitz, P.C. Law Firm be appointed as BOCES Attorneys for the school year 2008-09. Legal matters will be referred to the appropriate attorney at the discretion of the BOCES;

Bernadette Ratelle be appointed as Central Treasurer and Extraclassroom Activity Fund Treasurer at the Adirondack Educational Center at a salary of \$1600 and that Lori A. Davis be appointed as Central Treasurer and Extraclassroom Activity Fund Treasurer at the North Franklin Educational Center at a salary of \$1600 for the 2008-09 school year;

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

Rick J. Swanston be appointed Records Access Officer for the 2008-09 school year;

Rosemary C. Racine be appointed Records Management Officer for the 2008-09 school year;

Elgin (Joe) Wright be appointed Asbestos (LEA) Designee for the 2008-09 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 2008-09;

Ralph Russell be named as delegate for the NYSSBA Convention and John Swanston as Alternate and Legislative Representative;

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 2008-2009 school year:

Thomas O'Bryan

Thomas Mac Donald

Ralph Russell

Franklin-Essex-Hamilton School Boards Association Executive

Committee - Ralph Russell, District Superintendent

Sick Leave Pool Committee - Thomas Mac Donald, John Swanston & Rick Swanston

Safety Committee - Thomas Mac Donald

Negotiations Committee - Ralph Russell, Thomas Mac Donald, John Swanston, Stephen Shafer, Nancy Montevago & Rick Swanston;

The mileage reimbursement rate for all employees shall be \$.505 per mile for the 2008-09 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 7:30 P.M. on the third Thursday of every month (7:00 P.M. during the months of December - March) 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 following accounts and authorization to sign checks - District Treasurer and Deputy Treasurer:

Consolidated Group Fund (Capital Fund) - Account #421-81389-0

Consolidated Money Market Account: #421-503416

Health Insurance Fund - Account #421-81390-3

Health Insurance Money Market Account: #421-503335

Health Insurance Secured Bank Account #421-525568

Municipal High Interest (Health Insurance) - Account #573-88147-2

Workers Compensation Fund - Account #421-81388-1

Workers' Compensation Money Market Account: #421-503238

Municipal High Interest (Workers' Compensation) - Account #573-88146-4

Unemployment Insurance Fund - Account #421-81391-1

Payroll Checking Account - Account #421-83684-9

Group Checking Account - Account #421-83682-2
Money Market Savings - Employee Benefit Accrued Liability Reserve -
Account #421-48777-1;

Approval for the following accounts and authorization to sign checks - Central Treasurers and Principals:

Extraclassroom Activity Fund Account #421-83096-4 (NFEC)
Extraclassroom Activity Fund Account #433-01328-1 (AEC);

Use of electronic check signature disk to authenticate checks issued on the BOCES accounts - District Treasurer/Deputy Treasurer or in the case of emergency - Director of Management Services;

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 2008-09.

Yes - 9

No - 0, motion carried

APPROVAL OF MINUTES:

President Russell asked for a motion concerning the minutes of the previous regular meeting. Mr. Swanston moved, seconded by Mrs. Niles that the minutes of the regular meeting of June 19, 2008 be approved.

Yes - 9

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 Fund, Workers' Compensation and Health Insurance Fund for the month of June. Following discussion, Mr. Derouchie moved, seconded by Mr. Madden that the Treasurer's Reports, Budget Control and Analysis of Revenue Reports for all funds for the month of June be approved.

Yes - 9

No - 0, motion carried

ABOLISHMENT OF POSITION:

Upon the recommendation of Mr. Shafer, Mr. Derouchie moved, seconded by Mr. Mac Donald that the following position be abolished:

Senior Account Clerk

Yes - 9

No - 0, motion carried

CREATION OF POSITION:

Upon the recommendation of Mr. Shafer, Dr. Comeau moved, seconded by

Mr. O'Bryan that the following position be created:

Account Clerk

Yes - 9

No - 0, motion carried

RESIGNATIONS:

Mr. Swanston moved, seconded by Mr. Derouchie that the following resignations be accepted:

Laurie J. Johnston - School Monitor (*Due to Retirement - Effective 07/01/08*)

Carolyn T. Parker - Teacher of the Deaf & Hearing Impaired (*Effective 08/31/08*)

Tracy Edwards-Warren - Adult Equivalency Teacher (*In order to accept position as a Social Studies Teacher - Effective 08/31/08*)

Dana Willett - Senior Clerk (*Effective 08/13/08*)

Yes - 9

No - 0, motion carried

**EMERGENCY
CONDITIONAL
APPOINTMENTS:**

The Franklin-Essex-Hamilton Board of Cooperative Educational Services has been unable to fill certain vacancies which existed despite good faith efforts to fill such vacancies in a manner which would have allowed sufficient time for clearance or conditional clearance by the Commissioner of Education.

Therefore, upon the recommendation of Stephen T. Shafer, District Superintendent, Mr. Swanston moved, seconded by Mrs. Niles that the following emergency conditional appointments in the areas and on the effective dates indicated be approved for the 2008-09 school year under terms permitted by the Education Law:

Richard J. Arens - Librarian/Media Specialist 65% - Step 10
(Effective Date 09/01/08)

Cheryl E. Seymour - Librarian/Media Specialist - Step 7
(Effective Date 09/01/08)

Laura L. LaFountain-Teeple - Account Clerk - Grade 5
Step A (Effective Date 7/15/08)

Yes - 9

No - 0, motion carried

INTERN:

Upon the recommendation of Mr. Shafer, Mr. Madden moved, seconded by Mr. Swanston that Brittany Poupore be approved for a clerical internship through the Vocational and Educational Services for Individuals with Disabilities (VESID).

Yes - 9

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:

Account Clerk
Adult Equivalency Teacher
Senior Clerk
Special Education Teacher
Teacher of the Blind and Partially Sighted
Teacher of the Deaf & Hearing Impaired
Technology & Data Analysis Coordinator - Instructional Support

Mr. Derouchie moved, seconded by Mr. Mac Donald that Mr. Shafer be authorized to fill all vacancies for the 2008-09 school year.

Yes - 9

No - 0, motion carried

**APPROVAL OF REVISION
TO POLICY REGARDING
TUITION RATE FOR
ADULTS IN ALL CAREER
AND TECHNICAL
EDUCATION PROGRAMS:**

Upon the recommendation of Mr. Shafer, Dr. Comeau moved, seconded by Mrs. Niles that the Policy Regarding Tuition Rate for Adults in All Career and Technical Education Programs be revised as annexed to these minutes.

Yes - 9

No - 0, motion carried

**RESCIND ACTIONS ON
BOILER PROJECT TAKEN
AT JUNE 19, 2008 MEETING:**

Upon the recommendation of the District Superintendent, Mr. Madden moved, seconded by Mr. Derouchie that the following actions taken at the June 19, 2008 Board of Education Meeting in connection with the Boiler Project be rescinded:

Rick Swanston informed the Board that we recently opened bids for the Boiler Replacement Project at the North Franklin Educational Center. There are new requirements in effect for Boiler Projects. This will require a new fuel oil management system and air supply for the boilers. One bid was received for the Boiler Replacement Project at the North Franklin Educational Center on May 28, 2008 in the amount of \$356,500. This will require an amendment of the original cost estimate authorization from \$306,000 to \$383,000.

Following discussion, Mr. Mac Donald moved, seconded by Mr. McConvey that the Board President and District Superintendent be authorized to sign the Request for Revision of Financial Information in connection with the Boiler Replacement Project at the North Franklin Educational Center to increase the estimated cost of the project from \$306,000 to \$383,000.

Yes - 8

No - 0, motion carried

Mr. McConvey moved, seconded by Mr. Swanston that the low bid meeting specifications submitted by JT Erectors, LLC. in the amount of \$356,500 for the Boiler Replacement Project at the North Franklin Educational Center be accepted.

Yes - 8

No - 0, motion carried

Mr. McConvey moved, seconded by Mr. Swanston that Charles P. LaBrake, Jr. be appointed as the Clerk of the Works in connection with the upcoming Boiler

Replacement Project at the North Franklin Educational Center at no additional compensation.

Yes - 8

No - 0, motion carried

Mr. Madden moved, seconded by Mr. McConvey that the President and/or District Superintendent be authorized to sign the FP-F1 and SA-139 Form to amend the original cost estimate.

Yes - 8

No - 0, motion carried

Mr. McConvey moved, seconded by Mr. Mac Donald that the President and/or District Superintendent be authorized to sign the Contract with JT Erectors, LLC in connection with the Boiler Replacement Project at the North Franklin Educational Center for a total amount not to exceed \$356,500 pending attorney's review.

Yes - 8

No - 0, motion carried

Yes - 9

No - 0, motion carried

**AUTHORIZATION FOR
PRESIDENT TO SIGN:**

Mr. Mac Donald moved, seconded by Mr. Swanston that the President be authorized to sign the following:

Agreement with Essex County Preschool Services
Agreement with David Conaway Vision Consulting Services
Agreement with Kristen Green Consulting Services
Agreement with Lisa Tebo/ADK Abilities for Occupational Therapy
Services

Yes - 9

No - 0, motion carried

UPCOMING MEETINGS:

Dr. Comeau moved, seconded by Mr. Mac Donald that Board Members be authorized to attend the following meeting at the expense of the BOCES:

NYSSBA 89th Annual Convention, New York, NY -
October 16-19, 2008

Yes - 9

No - 0, motion carried

**SET DATE FOR AUGUST
BOARD MEETING:**

Dr. Comeau moved, seconded by Mr. Madden that the regular August meeting be changed to Thursday, August 28, 2008.

Yes - 9

No - 0, motion carried

BOARD COMMENTS:

Mr. Madden advised the Board of the volunteer work provided by Jay Field, CTE Instructor at the AEC in connection with the construction of the Habitat for

Humanity house.

ADJOURNMENT:

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

Yes - 9

No - 0, motion carried

Meeting adjourned at 8:30 P.M.

These minutes approved _____

Carol J. Lavoie, Clerk