

The reorganization meeting of the Orleans/Niagara BOCES Board of Education was held on July 10, 2019 at the Orleans/Niagara BOCES, 4232 Shelby Basin Road, Medina, New York. The meeting was called to order by Wendy Swearingen at 7:09 p.m.

Present: Janice M. Covell
Carol J. Feltz
Edward J. Grabowski
Ann Kennedy
Thomas J. Klotzbach
Timothy F. Kropp
Colleen M. Osborn
Wendy Swearingen
Wayne Wadhams
Joanne E. Woodside

Absent: Keith Bond (excused)

Also present: Dr. Clark J. Godshall, District Superintendent; Mrs. Melanie A. Conley, Director of Business Services; Mr. Wayne M. Van Vleet, Director of Labor Relations; Mr. Joseph J. Steinmetz, Director of CTE and Adult/Secondary Programs.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to appoint Cynthia Hurt as District Clerk, at a stipend of \$4,530.00. Carried unanimously. APPOINTMENT DISTRICT CLERK

The oaths of office were administered to the following board members: OATHS OF OFFICE

Ann Kennedy
Timothy F. Kropp
Colleen M. Osborn

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to nominate Wendy Swearingen for Board President. Moved by Mr. Klotzbach, seconded by Mrs. Covell, to close nominations. Carried unanimously. ELECTION OF PRESIDENT

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to nominate Edward J. Grabowski for Board Vice President. Moved by Mr. Klotzbach, seconded by Mr. Kropp to close nominations. Carried unanimously. ELECTION OF VICE PRESIDENT

The oath of office was administered to the President (Wendy Swearingen). OATH OF PRESIDENT

The oath of office was administered to the Vice President (Edward J. Grabowski). OATH OF V. PRESIDENT

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Kelly von Kramer as Treasurer, to serve at the pleasure of the Board, at a salary of \$68,227.00 (plus \$250.00 longevity). Carried unanimously. APPOINTMENT TREASURER

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Laurie Ward as Deputy Treasurer, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously. APPOINTMENT DEPUTY TREASURER

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Melanie Conley as Purchasing Agent, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously. APPOINTMENT PURCHASING AGENT

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Diane Edwards as Claims Auditor, to serve at the pleasure of the Board, at a stipend of \$2,725.00. Carried unanimously.	APPOINTMENT CLAIMS AUDITOR
Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Carrie Standish as Deputy Claims Auditor, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously.	APPOINTMENT DEPUTY CLAIMS AUDITOR
Moved by Mr. Klotzbach, seconded by Mrs. Covell, to appoint Daniel Connolly as Asbestos Designee, at no additional compensation. Carried unanimously.	APPOINTMENT ASBESTOS DESIGNEE
Moved by Mr. Klotzbach, seconded by Mr. Kropp, to appoint Wayne Van Vleet as Human Rights Officer/Civil Rights Compliance Officer, at no additional compensation. Carried unanimously.	APPOINTMENT HUMAN AND CIVIL RIGHTS OFFICER
Moved by Mr. Klotzbach, seconded by Mr. Kropp, to appoint Wayne Van Vleet (at his existing compensation agreement) as Board Attorney. Carried unanimously.	APPOINTMENT BOARD ATTORNEYS
Moved by Mr. Klotzbach, seconded by Mr. Kropp, to appoint Matthew Fletcher (at \$225.00 per hour) as Board Attorney. Carried unanimously.	
Moved by Mr. Klotzbach, seconded by Mr. Kropp, to authorize the District Superintendent or his designee to seek and obtain outside legal counsel as needed on an hourly basis (rate of \$225 per hour for partners, \$185 per hour for senior counsel and associates, and \$175 per hour for trainees, and \$110 per hour for paralegals) to advise and represent the BOCES regarding its various legal services needs and to designate the law firm of Bond Schoeneck and King, PLLC, as a law firm of record. Carried unanimously.	APPOINTMENT LEGAL COUNSEL
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to appoint Daniel Connolly as Safety Director, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously.	APPOINTMENT SAFETY DIRECTOR
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to appoint Melanie Conley as Records Management Officer, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously.	APPOINTMENT RECORDS MANAGEMENT OFFICER
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to appoint Wayne Van Vleet as Health Insurance Portability and Accountability Act of 1996 ("HIPAA") Privacy Official/ Complaint Official at no additional compensation. Carried unanimously.	APPOINTMENT HIPAA OFFICIAL
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to appoint Wayne Van Vleet as Freedom of Information/Records Access Officer, to serve at the pleasure of the Board, at no additional compensation. Carried unanimously.	APPOINTMENT FREEDOM OF INFO/RECORD OFFICER
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to appoint the following individuals as Extra Classroom Activity Fund Treasurers, at no additional compensation: Orleans - Michael Weyrauch, Co-Treasurer Jaye Gerling, Co-Treasurer Susan Ryan, Co-Treasurer Niagara - Leslie Tanner, Co-Treasurer V. Loraine Clark, Co-Treasurer	APPOINTMENT EXTRA CLASS ACTIVITY FUND TREASURERS

Carried unanimously.

Moved by Mr. Grabowski, seconded by Mrs. Covell, to appoint the following individuals as SkillsUSA Advisors, at no additional compensation:

APPOINTMENT
SKILLSUSA
ADVISORS

Orleans

Michael Weyrauch, Chief Administrative Advisor	
Jaye Gerling, Co-Student Activity Treasurer	
Michael Weyrauch, Co-Student Activity Treasurer	
Susan Ryan, Co-Student Activity Treasurer	
Kara Kirk, Chief Faculty Advisor	
Matt Anastasi	Kara Kirk
Annette Anderson	Jessica Kronenberg
James Atzrott	William Leggett
Melissa Brigham	Susan Lindke
Steven Browning	Melissa Loiacano
Christine Burdick	Margaret Lupo
Anne Carnahan	Rebecca Mahar Price
Jennifer Dunham	William Rakonczay
Eric Farrell	Marguerite Richards
Jaye Gerling	Susan Ryan
Dudley Gilbert	Michael Schultz
Crystal Hall	Courtney Slack
Darlene Harriger	Thomas Struebing
Paul Herrmann	Richard Tynan
Sarah Ivory	Michael Weyrauch
Peter Jablonski	Joseph Wilkie
Debra Jackson	Robert Winters
Ronald Jackson	

Niagara

Leslie Tanner, Chief Administrative Advisor	
V. Loraine Clark, Co-Student Activity Treasurer	
Leslie Tanner, Co-Student Activity Treasurer	
Maureen Bartlett	Jeff Keller
Jillian Beatty	Karen Krull
Rene Becht	Caitlin Kucharski
Gary Benker	Michelle LeFauve
Westin Blidy	Mark Leffler
Scott Brauer	Jennifer Manning
Pauline Carney	Darlene Mariani
Lisa Cook	Matthew McCall
Amber Croff	Sara McCartin
Joseph Croff	Vincent Piaskowski
Elaine Herberger	Ken Polchlopek

Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, that the Board of Education hereby designates the following administrators (or their successors), based upon their current job assignments, as "principals" for the purposes of Education Law Section 3214, and also as "dignity act coordinators", at the BOCES sites indicated below (as currently assigned by the District Superintendent) for the 2019-2020 school year:

DESIGNATION
OF
PRINCIPALS
AND
DIGNITY ACT
COORDINATORS

Amanda Bennett (Niagara Academy)
Brenda Good (LaSalle Preparatory School and Niagara Falls High School)
Paulette Hamilton-Koehler (Royalton-Hartland Learning Center)
Ann Logel (North Tonawanda Learning Center and North Tonawanda High School)
Krista Macomber (Newfane Learning Center and Orleans Learning Center)
Leslie Tanner (Niagara Career and Technical Education Center)
Michael Weyrauch (Orleans Career and Technical Education Center)

The District Superintendent is authorized to appoint acting principals and acting dignity act coordinators in the absence of an administrator having the designation of principal and acting dignity act coordinator. Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to authorize the Treasurer's signature on all checks and authorize the Deputy Treasurer's signature on all checks in the absence of the Treasurer. Carried unanimously. CHECK SIGNATURES

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to authorize the following bonds at the expense of the BOCES: AUTHORIZED BONDS

Treasurer \$1,000,000
Deputy Treasurer \$1,000,000
Claims Auditor \$1,000,000
Extra Classroom Activity Treasurer \$1,000,000
Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to authorize the District Superintendent to certify all payrolls. Carried unanimously. PAYROLL CERTIFICATION

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to establish the mileage rate for 2019-2020 at \$.58 per mile. Carried unanimously. MILEAGE RATE

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to authorize the Purchasing Agent to participate in bids from other municipal organizations that comply with New York State's Piggybacking regulations when it is beneficial to the organization. Carried unanimously. PARTICIPATE IN BIDS FROM OTHER ORGANIZATIONS

Moved by Mr. Klotzbach, seconded by Mrs. Covell, to adopt all existing board policies, regulations, codes, and plans. Carried unanimously. ADOPTIONS OF BOARD POLICIES

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to designate the following official bank depositories for 2019-2020: OFFICIAL BANK DEPOSITORIES

KeyBank, Medina, NY
JPMorgan Chase Bank, Buffalo, NY
US Bank, Hartford, CT
Bank of Castile, Medina, NY
PMA Financial Network, Naperville, IL
M&T Bank, Buffalo, NY
NYCLASS

The maximum balance allowable at each depository shall not to exceed \$30 million. Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to designate the Daily News (Batavia, NY) as an official newspaper for 2019-2020. Carried unanimously. OFFICIAL NEWSPAPERS

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to designate the Union-Sun and Journal (Lockport, NY) as an official newspaper for 2019-2020. Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to establish the following petty cash fund for 2019-2020: PETTY CASH FUND

\$25 District Office Cynthia Hurt (Custodian)
Carried unanimously. Carrie Standish (Deputy Custodian)

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to establish a change fund for food service programs at the Orleans Career and Technical Education Center and the Niagara Career and Technical Education Center of \$75.00 per center. Carried unanimously.

CHANGE FUND
FOR FOOD
SERVICE
PROGRAM

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to establish a change fund for cosmetology at the Orleans Career and Technical Education Center and the Niagara Career and Technical Education Center of \$20.00 per classroom. Carried unanimously.

CHANGE FUND
FOR
COSMETOLOGY
PROGRAM

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, to establish a change fund for automotive at the Orleans Career and Technical Education Center of \$75.00. Carried unanimously.

CHANGE FUND
FOR
AUTOMOTIVE
PROGRAM

Moved by Mr. Grabowski, seconded by Mr. Kropp, to establish the following substitute rates effective July 1, 2019:

SUBSTITUTE
RATES

Substitute Teacher:
Non-certified \$ 85.00 per day
Certified \$ 95.00 per day
Retired as Teacher
from Orleans/Niagara BOCES \$110.00 per day
Substitute Clinical Teacher \$ 65.00 per half day
Substitute Teacher Aide:
Not teacher certified \$ 75.00 per day
Teacher certified \$ 80.00 per day
Substitute School Nurse \$120.00 per day
Substitute Clerical \$ 12.50 per hour
Substitute Maintenance \$ 12.50 per hour
Substitute Motor Vehicle Operator \$ 12.50 per hour
Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, to establish the second Wednesday of the month as the meeting date of the Board of Education. Carried unanimously.

BOARD
MEETING
DATE

Moved by Mr. Grabowski, seconded by Mr. Klotzbach, to appoint Janice Covell as BOCES delegate to NOSBA. Carried unanimously.

NOSBA
DELEGATE

Moved by Mr. Grabowski, seconded by Mr. Kropp, to appoint Thomas Klotzbach as BOCES delegate to the New York State School Boards Association Annual Convention. Carried unanimously.

NYSSBA
DELEGATE

Moved by Mr. Grabowski, seconded by Mr. Klotzbach, to appoint Carol Feltz as BOCES alternate delegate to the New York State School Boards Association Annual Convention. Carried unanimously.

NYSSBA
ALTERNATE
DELEGATE

Moved by Mr. Grabowski, seconded by Mr. Klotzbach, to appoint Janice Covell as BOCES delegate to the New York State School Boards Association Legislative Liaison. Carried unanimously.

NYSSBA
LEGISLATIVE
LIAISON
DELEGATE

Moved by Mr. Grabowski, seconded by Mr. Klotzbach, to appointment Wayne Wadhams as the Federal Legislative Network Delegate. Carried unanimously.

FLN
DELEGATE

Moved by Mr. Klotzbach, seconded by Mr. Grabowski, that the Board of Education hereby authorizes the District Superintendent to require any employee(s) to submit to a medical examination to determine his/her fitness to continue employment. The District Superintendent shall also be authorized to appoint and engage school physician(s) and make such arrangements as are necessary to effectuate this resolution. Carried unanimously.	MEDICAL EXAMINATION REQUIREMENT
Moved by Mrs. Osborn, seconded by Mr. Kropp, that the District Superintendent is authorized to designate the BOCES principal as the chemical hygiene officer in the building and/or program in which the administrator has responsibility. Carried unanimously.	CHEMICAL HYGIENE OFFICER
Moved by Mr. Klotzbach, seconded by Mrs. Osborn, that the Board of Education hereby authorizes the District Superintendent to impose a charge not to exceed twenty dollars (\$20.00) per transaction to any account owing the Orleans/Niagara BOCES where a tendered payment of such an account was returned for insufficient funds.	ADOPTION OF INSUFFICIENT FUND CHARGE
The service charges shall be collected in the manner prescribed by law for the collection of the account for which the payment was tendered. The District Superintendent of Schools may require future payments by individuals to be tendered in cash or by certified or cashier's check. Carried unanimously.	
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, that the District Superintendent is hereby authorized to employ individuals on an interim basis until such time as the Board of Education is able to act upon a formal recommendation for appointment. Such interim appointments shall be considered temporary in nature. Carried unanimously.	APPOINTMENT OF STAFF ON AN INTERIM BASIS
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, that the Orleans/Niagara BOCES Board of Education authorizes the District Superintendent to send letters of reasonable assurance of continuing employment, for the purpose of complying with the Unemployment Insurance Amendments of 1976, to BOCES faculty and/or staff. Carried unanimously.	LETTERS OF REASONABLE ASSURANCE
Moved by Mr. Klotzbach, seconded by Mr. Grabowski, that the District Superintendent and/or the Purchasing Agent are authorized to enter into contracts or agreements, consistent with law and policy. Carried unanimously.	CONTRACTS AND AGREEMENTS
Moved by Mr. Klotzbach, seconded by Mrs. Osborn, that the District Superintendent and/or his designee is authorized to promulgate and revise staff handbooks and student handbooks. Carried unanimously.	APPROVAL OF STAFF AND STUDENT HANDBOOKS
Moved by Mr. Klotzbach, seconded by Mrs. Osborn, that the District Superintendent or his designee is hereby authorized to conduct pre-discipline hearings as required by law or recommended by General Counsel. Carried unanimously.	PRE- DISCIPLINE HEARINGS
Moved by Mr. Grabowski, seconded by Mrs. Covell, that the District Superintendent is authorized to commence or settle any lawsuits or prospective lawsuits for a sum of money that is or would be within the monetary jurisdiction of the small claims court. Carried unanimously.	SMALL CLAIMS ACTIONS

Moved by Mr. Grabowski, seconded by Mrs. Covell, that the District Superintendent or his designee is authorized to decide whether to contest or settle claims before the Workers' Compensation Board, consistent with the terms of the Municipal Cooperation Agreement among the members of the Workers' Compensation Consortium of which the BOCES is a member.

DEFENSE OF
WORKERS'
COMPENSATION
AND
UNEMPLOYMENT
INSURANCE
CLAIMS

The District Superintendent or his designee is authorized to decide whether to contest or settle claims for unemployment insurance pending before the Department of Labor. Carried unanimously.

Moved by Mr. Kropp, seconded by Mr. Klotzbach, that the District Superintendent shall be authorized to vote and otherwise act on behalf of the BOCES with respect to all business pertaining to the Orleans/Niagara School Health Plan, and the District Superintendent shall also have standing authority to delegate such responsibility to another BOCES employee or representative. Carried unanimously.

ORLEANS/
NIAGARA
SCHOOL
HEALTH
PLAN

Moved by Mr. Kropp, seconded by Mr. Klotzbach, to approve the following bank accounts:

APPROVAL OF
BANK
ACCOUNTS

<u>Fund</u>	<u>Bank</u>
General	PMA Financial Network
General	M&T Bank
General (Health Reserve)	M&T Bank
Risk Retention:	
CTE Equipment Reserve	JPMorgan Chase
Unemployment Reserve	JPMorgan Chase
Health Consortium	US Bank
Health Consortium	JPMorgan Chase
Workers Comp. Consortium	JPMorgan Chase
Liability Insurance Reserve	JPMorgan Chase
Employee Retirement Reserve	JPMorgan Chase
Special Aid	PMA Financial Network
Special Aid	M&T Bank
Capital Fund	M&T Bank
Trust & Agency:	
Trust & Agency	M&T Bank
Payroll Account	M&T Bank
Niagara Academy Trust	Key Bank
Orleans Extra Class Act.	Key Bank
Niagara Extra Class Act.	Key Bank

The Treasurer and Deputy Treasurer are the authorized signers on all accounts, except the extra class student activity accounts. Michael Weyrauch, Jaye Gerling and Susan Ryan are authorized signers for the Orleans CTEC and Leslie Tanner and V. Loraine Clark are authorized for the Niagara CTEC. Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, that the Board of Education hereby adopts the following non-discrimination statement and directs that it be publicized to staff, students, and others as appropriate.

NON-
DISCRI-
MINATION
STATEMENT

The Orleans/Niagara Board of Cooperative Educational Services (BOCES) is an equal opportunity employer and does not discriminate against any employee or applicant for employment on the basis of gender, gender identity or expression, race, color, religion or creed, age, national origin, marital status, disability, sexual orientation, military or veteran status, domestic violence victim status, genetic predisposition or carrier status, or any other classification that is recognized by law as a protected classification.

The Orleans/Niagara Board of Cooperative Educational Services (BOCES) is an equal opportunity educational system and does not discriminate against any student or candidate for enrollment on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, marital status, gender, gender identity or expression, sex, or any other classification that is recognized by law as a protected classification.

Any person wishing to obtain information about the BOCES procedures for grieving alleged civil rights violations may obtain information by contacting Wayne M. Van Vleet, Director of Labor Relations/Civil Rights Compliance Officer, 4232 Shelby Basin Road, Medina, New York, 14103, telephone number (716)731-6800, extension 2206, email address wvanvleet@onboces.org. Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Kropp, by the Board of Education of the Orleans/Niagara Board of Cooperative Educational Services (BOCES) that Records Retention and Disposition Schedule ED-1, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein.

RECORDS
RETENTION

Further Resolved, that in accordance with Article 57-A:

- a. Only those records will be disposed of that are described in Records Retention and Disposition Schedule ED-1 after they have met the minimum retention periods described therein;
- b. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Carried unanimously.

Moved by Mr. Grabowski, seconded by Mrs. Osborn, that the Board of Education hereby approves the rate of \$37.00 per hour for approved facility usage by the public when building usage is after normal work hours. Carried unanimously.

FACILITY
USAGE
RATE

Moved by Mr. Grabowski, seconded by Mrs. Osborn, that the Board of Education hereby approves the rate of \$25.00 per four (4) hours and \$50.00 per eight (8) hours for profit-making organizations to utilize the BOCES facilities. Carried unanimously.

FACILITY
USAGE
RATE

Moved by Mr. Grabowski, seconded by Mrs. Osborn, that the Board of Education hereby approves the rate of \$25.00 per four (4) hours and \$50.00 per eight (8) hours for organizations requesting use of conference center equipment in accordance with the conference equipment request form. Carried unanimously.

FACILITY
USAGE
RATE

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, upon the recommendation of the District Superintendent, that the Board of Education hereby accepts the following capitalization thresholds for financial reporting (GASB 34) purposes:

Land Improvements	\$25,000
Buildings and Improvements	\$50,000
Furniture and Equipment	\$ 5,000

Carried unanimously.

CAPITALI-
ZATION
THRESHOLD
FOR
FINANCIAL
REPORTING
(GASB 34)

Moved by Mr. Klotzbach, seconded by Mrs. Osborn, that the following resolution be approved:

Whereas, it is the plan of Erie II BOCES, New York, to bid jointly paper supplies;

COOPERATIVE
BID FOR
PAPER
SUPPLIES

Whereas, the Orleans/Niagara BOCES is desirous of participating with Erie I BOCES in the joint bidding of the commodities mentioned above as authorized by General Municipal Law; and,

Be It Resolved, that the Orleans/Niagara BOCES Board of Education agrees to assume its equitable share of the costs of cooperative bidding; and,

Be It Further Resolved, that the Orleans/Niagara BOCES Board of Education agrees (1) to abide by majority decisions of the participating districts on quality standards; (2) that unless all bids are rejected, it will award contracts according to the recommendations of the committee; (3) that after award of contract(s) it will conduct all negotiations directly with the successful bidder(s). Carried unanimously.

Moved by Mr. Klotzbach, seconded by Mr. Grabowski, to adjourn the meeting at 7:12 p.m. Carried unanimously.

ADJOURNMENT

Respectfully submitted,

Cynthia P. Hurt
District Clerk