

**Schuyler-Steuben-Chemung-Tioga-Allegany
Board of Cooperative Educational Services**
9579 Vocational Drive, Painted Post, New York 14870-9518
Phone (607) 962-3175, 739-3581 or 324-7880 Fax (607) 654-2302

Special Board Meeting Coopers Education Center, Bldg. 8, DL Room	Thursday, January 18, 2018 12:00 p.m.
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PRESENT: Rose Apgar, Neil Bulkley, Amy Dlugos, Robert Everett, Donald Keddell, William Peoples, Jr., Gary Scott, Robert Wheeler

ABSENT: Alice Learn, Mark Lemmon

ALSO PRESENT: District Superintendent James Frame, Doug Johnson, Kate Taylor

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1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Board President Keddell called the meeting to order at 12:00 p.m. and led the Pledge of Allegiance.

2. PRIVILEGE OF THE FLOOR

Board Member Bulkley asked that the following question be discussed at a future Board Meeting: How do we collectively promote GST BOCES in the state and country?

3. ACCEPTANCE OF THE AGENDA

18-068

Upon the motion of Peoples, seconded by Apgar, it was resolved to accept the agenda.

CARRIED UNANIMOUSLY

EXECUTIVE SESSION

18-069

Upon the motion of Bulkley, seconded by Dlugos, it was resolved to move to Executive Session at 12:03 p.m. to discuss pending litigation.

CARRIED UNANIMOUSLY

OPEN SESSION

18-070

Upon the motion of Dlugos, seconded by Bulkley, it was resolved to move to Open Session at 12:32 p.m.

CARRIED UNANIMOUSLY

4. Resolution Regarding Pending Litigation

18-071

Upon the motion of Dlugos, seconded by Wheeler, it was resolved to approve the following resolution:

WHEREAS, the Greater Southern Tier BOCES is a member of the NY44 Health Benefits Plan Trust, having joined as of July 1, 2014; and

WHEREAS, unfortunate disagreements have arisen between the BOCES and the Trust; and

WHEREAS, the BOCES has retained Costello, Cooney & Fearon, PLLC, to represent its interests regarding its membership in the Trust; and

WHEREAS, the Board recognizes that it may be necessary to commence litigation against the Trust to resolve the outstanding issues;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education:

- (1) ratifies the Engagement Letter retaining Costello, Cooney & Fearon, PLLC, as counsel to the Greater Southern Tier BOCES for matters related to its membership in the NY44 Health Benefits Plan Trust; and

- (2) approves the commencement of litigation against the NY44 Health Benefits Plan Trust and any other parties necessary to such litigation; and
- (3) authorizes Costello, Cooney & Fearon, PLLC, as counsel to the Board and BOCES, to take all necessary action to protect the BOCES' interest regarding its membership in the NY44 Health Benefits Plan Trust, including, but not limited to, the prosecution of litigation.

10. **ADJOURNMENT**

18-072

Upon the motion of Dlugos, seconded by Wheeler, it was resolved to adjourn the meeting at 12:33 p.m.

CARRIED UNANIMOUSLY

Respectfully Submitted,

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January 18, 2018

Kathleen E. Taylor
Board Clerk