

OTSELIC VALLEY CENTRAL SCHOOL  
Board of Education – Special Meeting  
January 18, 2018

Present:	Mr. Foster, Mr. Wood, Mrs. Peabody, Mrs. Smith, Mr. Swayze, District Clerk, Mrs. G. Burpee
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Also Present:	Mrs. C. O'Connor, Mrs. E. Robinson
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**CALL TO ORDER** President Foster called the meeting to order at 6:00 PM. All pledged allegiance to the flag.

**AGENDA** The agenda was approved on a motion by Mrs. Peabody and seconded by Mr. Wood.

Motion carried, 5 - 0.

**NEW BUSINESS**

Attorney  
Retention

Motion by Mr. Swayze, upon the recommendation of the Superintendent of Schools, to adopt the following resolution:

**WHEREAS** The Otselic Valley Central School is a member of the NY44 Health Benefits Plan Trust, having joined as of July 1, 2016; and

**WHEREAS**, Unfortunate disagreements have arisen between the BOCES/District and the Trust; and

**WHEREAS**, the BOCES/District has retained Costello, Cooney, and 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 Otselic Valley Central School for matter related to its membership in the NY44 Health Benefits Plan Trust; and
- (2) approves the commencement of litigation against the NY 44 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' interests regarding its membership in the NY44 Health Benefits Plan Trust, including, but not limited to, the prosecution of litigation.

Second by Mrs. Smith.

Motion carried, 5 - 0.

**ADJOURNMENT** Motion by Mr. Wood, second by Mr. Foster, to adjourn the meeting at 6:02 PM.

Motion carried, 5 – 0.

Submitted by,

Gail Evans Burpee  
District Clerk

