

Board of Education
LANCASTER CENTRAL SCHOOL DISTRICT
Lancaster, New York

MINUTES

October 18, 2018

Special Session

Central Avenue School Building, 149 Central Avenue, Lancaster, NY

Patrick Uhteg, President

Bill Gallagher, Vice President

Shannon Cohen, Trustee

Jill Fecher, Trustee

Glenn Jackson, Trustee

Sue Metz, Trustee

Mike Sage, Trustee

Michael Vallely, PhD, Superintendent of Schools

Jamie Phillips, Asst. Superintendent for Business & Support Services

District residents, staff members, students, and media representatives.

The regular meeting of the board of education was called to order at 5:30pm by President Uhteg. The pledge to the flag was recited and Mr. Uhteg asked for a moment of silent reflection.

WHEREAS, the Lancaster Central School District Board of Education (hereinafter referred to as the “District”) proposes the following work to be completed at the following District facilities and campuses pursuant to the 2018 Capital Project, including: (a) High School: existing building renovations site pavement and drainage improvements, tennis court replacement, new synthetic turf field with bleachers and lighting, and expanded parking areas, as well as paving Stendahl Drive, a new parking area at the baseball and softball fields, and replacing sidewalk, fencing and curbs, site drainage work, including additional on-site stormwater retention, grading, underground piping and modifications to storm water systems, as well as interior work including, replacement of heating and cooling systems, renovation/replacement of piping, and insulation, as well as heating, ventilation and air conditioning control (HVAC) work, replacement of exterior windows, replace pool filtration system, renovation of science rooms, renovation/replacement of gun range, and other associated interior and exterior work and similar upgrades and replacements; (b) William Street School: existing building renovations and site related pavement replacement, including replacing asphalt parking lots and drive lanes, replacement of existing sidewalks, curbs and walkways, and replacement of the existing loading dock, renovation/replacement of play court, upgrades to site drainage, storm piping and on-site storm retention work, replace rooftop HVAC units, associated piping and ductwork, upgrade HVAC controls building-wide, replace clock system and PA system, other internal renovations and upgrades including

MEETING DATE

KIND

PLACE

MEMBERS PRESENT

DISTRICT ADMINISTRATORS

OTHERS PRESENT

1.0 CALL TO ORDER

2.0 PLEDGE TO FLAG

3.0 MOMENT OF SILENCE

4.0 BUSINESS AND FINANCIAL ITEMS

4.1 STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR)

lighting and flooring, and similar upgrades and replacements; (c) Court Street Elementary School: existing building renovations and site related pavement replacement, including replacement of the existing parking lot, replacement of site lighting, removal of an existing light well adjacent to the building and additional sidewalks and drive lanes around the perimeter of the building, replace exterior windows, replace heating units and associated piping in corridors and vestibules, and other internal upgrades and similar upgrades and replacements; (d) Hillview Elementary School; existing building renovations and site related pavement replacement, provide protective coating to the masonry exterior of on-site building, and internal renovations and upgrades, including replacing classroom doors and floor tile, as well as auditorium upgrades and renovations, including undertaking such work for the stage floor and lighting, painting work and upgrade auditorium seating and similar upgrades and replacements; (e) John A. Sciole Elementary School; existing building renovations and site related pavement replacement, including sidewalks and playground, renovation of classrooms, bathrooms and gymnasium, replacement and renovation of heating systems, doors, ceilings, lighting, flooring, millwork and code required ventilation upgrades, other internal renovations and upgrades including floor tile and carpet replacement, and similar upgrades and replacements; (f) Lancaster Middle School; existing building renovations and site related pavement replacement and renovations to the 1922 building, including replacement of heating systems, and replacement/upgrades to bathrooms, floors, ceilings, lighting, millwork, interior doors, plaster repairs, patching and painting work, replacement of exterior windows and doors and storefront systems, and similar upgrades and replacements; (g) Como Park Elementary School: existing building renovations and site related pavement replacement and athletic field improvements, replacement of asphalt at the bus drop off loop, replace concrete sidewalks including exterior stairs and railings, sewer line replacement, exterior window replacement and exterior masonry repair, and various internal work including renovating classrooms, plumbing fixture replacement in the 1950s wing, upgrade HVAC building controls, including interior floors, ceilings, lighting and millwork, and similar upgrades and replacements; and (h) Transportation Building at 295 Pleasant View Drive: decommission and remove underground fueling tanks, including concrete and asphalt work, remove the existing steam boiler and associated mechanical equipment, provide gas-fired heating system and associated piping and all associated work at each of the above locations as more fully identified in the documents on file in the District's Administrative offices (collectively the "Project"), with each of the referenced locations on which Project work is to be completed collectively referred to as the "Project Site";

WHEREAS pursuant to the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and associated regulations including, 6 NYCRR §617.1, et seq.

(“SEQRA”), the District is required to undertake a review of potential environmental impacts associated with the Project; and the District reviewed the Project plans and components and after additional careful consideration, it has determined that it constitutes Type I action under SEQRA based upon its review of the record and in consultation with the District’s architect, Young + Wright Architectural (the “District Architect”);

WHEREAS, pursuant to the requirements under SEQRA, the District arranged for a draft of the part 1 of the Full Environmental Assessment Form for the Project to be completed (for each of the campuses/sites on which Project work is to be performed) and transmitted by the District’s Architect to involved and interested agencies along with a Project description and a notice to such agencies that the District intended to act as SEQRA lead agency for the Project review (collectively the “Notice”), and 30 days have elapsed since the Notice was transmitted to the involved agencies, and no involved agency has objected to the District acting as SEQRA lead agency for the Project and as a result, pursuant to the SEQRA resolution the District has been installed as lead agency for the Project and the District Board hereby endorses and ratifies such designation;

WHEREAS, pursuant to the required SEQRA review to be completed for the Project, the District has reviewed the draft of the completed part 1 and part 2 of the EAF (with a draft EAF part 1 for each campus/site where work will be performed and a part 2 for the all the sites combined where Project work is to be performed) with such draft completed by the District’s Architect and the District hereby adopts the drafts of the completed EAF parts 1 and 2, and the District with the assistance of the District’s Architect has reviewed additional applicable information concerning the Project and pursuant to this resolution, adopts Parts 1 and 2 of the EAF (may hereinafter be referred to collectively as the “EAF Documents”) as well as reviewing Project plans associated with the Project, as well as reviewing the results of the EAF Mappers for each of the campuses and locations on which Project work is to be completed, as well as reviewing additional documents and information prepared by the District’s Architect including a summary of Project issues, and has reviewed any documents provided by involved and interested agencies, including the New York State Department of Environmental Conservation’s correspondence dated September 25, 2018 (the “DEC Correspondence”), and correspondence from Erie County dated October 9, 2018 and correspondence from the Erie County Department of Public Works dated October 11, 2018 (collectively “the Erie County Correspondence”) and pursuant to its issuance of this declaration and notice, the District has reviewed and adopted the completed Part 3 of the EAF;

WHEREAS, the District resolves based upon the information contained in the completed EAF Documents and the referenced additions, as well as based on the other information summarized above and herein comprising the administrative record in this matter, and determines that the Project for the reasons set forth below will not result in any significant adverse impact to the environment, and hereby issues this resolution which shall also constitute the Negative Declaration and notice thereof as follows:

Name of Action: The Lancaster Central School Districts 2018 Capital Project

Applicant: The Lancaster Central School District Board of Education

Type of Action (SEQRA Classification): Type I

Description of Action (Summary):

The action associated with the 2018 Capital Project is generally comprised of reconstruction and replacement of existing features on the District campuses and District sites as referenced above in the first Whereas clause contained on the first page of this resolution (with work located on the collective Project Site), and includes replacement of parking lot areas and associated structures including drainage structures, reconstruction of playing fields, reconstruction of tennis court and similar facilities, as well as replacement of athletic field features, as well as replacement of lighting at the tennis courts and new lighting for the turf field to be added, as well as various internal renovations and upgrades to classrooms, HVAC upgrades, flooring and electrical system upgrades and replacements, window, doors and flooring replacement work, and each of the other Project components as more specifically identified in the referenced Whereas clause.

Location of Action (Project Work):

The location of the property and campuses on which the work pursuant to the 2018 Capital Plan will be undertaken includes: Lancaster High School, One Forton Drive, Lancaster, New York; William Street School, 5201 William Street, Lancaster, New York; Lancaster Middle School, 148 Aurora Street, Lancaster, New York; Court Street Elementary School, 91 Court Street, Lancaster, New York; Hillview Elementary School, 11 Pleasant View Drive, Lancaster, New York; John A. Sciole Elementary School, 86 Alys Drive, Depew, New York; Como Park Elementary School, 1985 Como Park Boulevard, Lancaster, New York; and Transportation Building, at Pleasant View Drive, 295 Pleasant View Drive, Lancaster, New York.

NOW THEREFORE BE IT RESOLVED:

Upon a thorough review and due consideration by the District of the completed Full Environmental Assessment Form (previously referred to as

the “EAF” and which may be subsequently referred to as the EAF), for the Project, including reviewing and adopting the completed answers to parts 1, 2 and 3 of it (with a separate part 1 prepared for each of the campuses and/or sites on which Project work is to be completed, but considered collectively), and in consideration of other information associated with the completed EAF including the EAF Mapper results for each of the campuses and locations upon which work associated with the Project is to be completed, and upon reviewing other information provided by the District’s Architect, and upon review of the plans for the Project on file with the District and other information contained in the administrative record in this matter including comments or information provided by interested and involved agencies, the District’s makes the following additional findings:

1. The District has considered the Project, including identifying the reasonable impacts associated with it and compared same to the parameters and criteria set forth in applicable law and regulations, including but not limited to those set forth in 6 NYCRR §§617.1 and 617.3 in order to analyze such impacts pursuant to the SEQRA review it conducted for the Project.
2. The District has classified its review of the Project as a Type I Action pursuant to the SEQRA regulations.
3. The District adopts each of the matters set forth in the Whereas clauses set out herein as part of this resolution and each shall have the same force and effect as each of the other findings made in this resolution.
4. The District has considered the significance of the potential environmental impacts of the proposed Project by: (i) carefully reviewing and examining the responses to the Full EAF, including the information in the completed Part 1 of the Full EAF, as well as that information set out in the completed Parts 2 and 3 of the EAF (including reviewing the separate EAF part 1 prepared for each of the campuses and sites on which Project work shall be performed), together with examining other available supporting information and documents concerning the Project, as well as reviewing the EAF Mapper results for each of the campus locations/sites at issue, and information and documentation provided by the District’s Architect, as well as reviewing any comments or responses from involved or interested agencies, including the DEC Correspondence and the Erie County Correspondence, and the District has reviewed impacts and potential impacts from the Project to land, stormwater and groundwater, wetlands, other water resources, and analyzed any impacts associated with agricultural district designation(s), as well as impacts and potential impacts associated with or to historic, archaeological and other recognized and/or protected resources, and impacts to threatened or endangered plant and animal species, impacts to transportation, including such impacts associated with traffic and considered impacts to community

character and cumulative impacts, if any, and considered each of the other potential impacts as required by applicable regulation;

(ii) considered the criteria set forth in 6 NYCRR §617.7(c) in light of such impacts or potential impacts; and (iii) thoroughly analyzed the identified areas of relevant environmental concern in issuing this negative declaration and notice of such declaration.

5. The District has not identified any potentially significant adverse environmental impacts associated with the Project, and based on its review, the District approves, adopts and incorporates by reference the responses to the Full EAF, including Parts 1, 2 and 3 thereof with the summary prepared by the District's Architect, and finds that the Project will not result in any potentially significant adverse impact to the environment for the following reasons:

Impacts to Land, and Geologic Features as well as Impacts to Agricultural Uses as Well as Impacts to Community Character and Cumulative Impacts:

There will be no significant adverse impact to land as a result of the Project. The Project work entails renovations and reconstruction of and certain additions to facilities and facility components including to existing buildings and structures located on land that is currently devoted to educational and school uses, including but not limited to expansion and additions to parking areas, as well as athletic facility upgrades and improvements. Significant work is also being completed inside of existing buildings and structures, including to classroom and other areas and replacement and upgrade of facilities inside such structures including to electrical systems, HVAC systems and other internal features. No additional land is being acquired for the Project, and thus no part of the Project involves expansion of the footprint of the Project Site. As a result, the Project Site, after the Project is completed will have the same use as it does now, including educational uses.

The work to be completed that is outside of structures on the Project Site is limited for the most part to reconstruction and renovation of existing facilities, including parking areas, associated drainage features and the like as well as upgrades to certain athletic facilities and play areas. Additional/supplemental drainage containment and storm water features to be constructed will be located on the Project Site and as detailed below, will be constructed and operated in accordance with applicable regulations and as such no significant adverse impact to land from such work being completed outside of existing buildings or structures is anticipated.

No significant adverse impact to any geologic features of significance is anticipated as no such geological features on the Project Site have been identified.

In addition, the Project is not believed to be inconsistent with adopted land use plans as most of the Project Site has for some time been developed for educational uses and in any event, such educational uses are not subject to local zoning regulation.

For the reasons set forth above, no significant adverse impact is anticipated to community character as the Project Site consists of educational uses, and there will be no change in the uses associated with the Project work to be completed on the Project Site. Furthermore, no impact to community character is anticipated in light of the foregoing as there will be no change in use, and no material change in the intensity of such use associated with the construction or operation of the Project

In addition, no potentially significant adverse impacts from cumulative impacts are anticipated. The Project Site has been developed with the same uses for many years and such uses will continue after the Project work is completed. Further, the development associated with the Project is not anticipated to be an inducement for any additional development in the area of the Project Site.

No significant adverse impacts to Agricultural uses is anticipated, as the areas to be disturbed are not located in any recognized Agricultural District or designation; as such, the Project is not anticipated to have any material adverse impact to agriculture.

Groundwater/Stormwater Impacts, Wetland Impacts and Impacts to Surface Water and Designated Floodplains:

The Project will not have any significant adverse environmental impact on water or from water, including surface or ground water, or from stormwater, and there will be no significant adverse impact to wetlands. Though land disturbance is proposed at various sites comprising the Project Site consisting of certain parking reconstruction, sewer line replacement, construction of certain detention facilities, repair/replacement and upgrades or additions to certain athletic facilities, no significant changes to those campuses/sites associated with the Project work is anticipated. To the extent several of the campuses where Project work is to be constructed are located in areas identified as wetlands or adjacent to them, and /or in proximity to Class C streams, it is not anticipated that any Project work or operation of the Project will have any potentially significant adverse environmental impact to any such designated areas as such campuses and sites have been developed for some time, and no adverse impact to those areas has been previously noted and as no additional land beyond the Project Site is being disturbed, nor any significant change in the intensity of uses proposed by the Project, no potentially significant adverse impact to wetland or similar areas is anticipated.

Moreover, during Project construction the District will implement erosion control measures and obtain coverage under the New York State Department of Environmental Conservation's ("DEC") State Pollutant Discharge Elimination System ("SPDES") General Permit for Stormwater Discharges for construction activities (*see* DEC's September 25, 2018 Correspondence referenced above as part of the Administrative Record). Pursuant to the implementation of the DEC's SPDES permit the District has committed to ensuring that a Stormwater Pollution Protection Plan ("SWPPP") is implemented in accordance with such regulations which will include measures such as hay bales and fencing to prevent undue runoff and associated damage from same. Further, to the extent detention/retention facilities are to be constructed to sites as part of reconstruction of parking areas, extension of bus loop features and the like, such retention/retention facilities shall be constructed and operated in accordance with applicable regulations and requirements, including the District obtaining any appropriate permits from DEC including under the referenced SPDES Program and complying with any construction and operational requirements associated with such permits.

Furthermore, the Project will not be significantly impacted in a negative way by or have a significant adverse environmental impact on construction on lands subject to flooding, or located in designated floodplains. It is noted that one or more of the campuses/sites identified are located within designated 100 or 500 year flood plains or areas, but there will be no significant adverse impact from the Project due to Project construction or operation of the Project in these areas, as the Project construction will be limited to sites which have been developed for some time and no new land is being acquired to expand the Project Site footprint. As a result, no potentially significant adverse impacts from the Project being constructed (including any such impacts after it is operational) in such areas is anticipated.

Air Quality Impacts and Health and Safety Impacts:

The Project will not result in any significant adverse impact to air quality from traffic or operations associated with construction, including from construction vehicles. It should also be noted that the development associated with the Project will not create a State regulated air emissions source and while construction will have an effect on air emissions including those from construction equipment and material delivery vehicles, such impacts are not anticipated to be significant but rather short-term and relatively discreet.

Further, as discussed below regarding traffic and transportation impacts, no increase in vehicular traffic associated with the Project is expected as the work to be completed as none of the improvements or measures to be constructed to parking areas are being undertaken to facilitate more vehicle

trips or attract significantly larger numbers of attendees to events, but rather are being undertaken to be serve current needs and demands.

Further, while two listed sites associated with New York State's inactive hazardous waste site list/spill list are located within 2,000 feet of the Court Street School, including the former Scott Aviation Facility (including Area 1) located on Erie Street (215, 221 and 225) (hereinafter the "Scott Aviation sites"). A review of available information from the New York State Department of Environmental Conservation website that assesses the Scott Aviation sites indicates certain investigations and remediation has been completed on them, and there are no significant impacts anticipated away from the Scott Aviation sites and none to the Court Street School campus or to the occupants of it from any contamination issues from such sites. As a result, no significant health or environmental impact from the referenced waste sites is anticipated.

Further, to the extent an impaired water body has been identified as located in proximity to the Project Site (including to the Court Street School and presumably associated with the referenced waste sites), for the reasons stated above concerning the discussion of the inactive hazardous waste sites, no significant adverse impact from or to such water body is anticipated, including because no impact from that water body to any of the campuses associated with the work on the Project Site is anticipated.

Impacts to Plants and Animals Including to Threatened or Endangered Species:

The Project is not anticipated to result in any significant adverse impact to plants or animals, including to threatened or endangered species as none have been identified as located on any aspects of the Project Site.

Impacts of Aesthetic Resources:

The Project will not have any significant adverse impact on aesthetic resources associated with the Project Site, as discussed in detail above regarding impacts to land, the development associated with the Project is not anticipated to have any significant impact because the uses associated with the Project Site will remain the same after the Project is completed as they are now, educational uses. Further, no significant increase to the intensity of site uses is proposed under the Project for the Project Site which further demonstrates there will be no potentially significant adverse impact to aesthetic resources.

Impacts to Archeological and Historic Resources:

The Project is not anticipated to have a significant adverse impact on archeological or historic resources. Buildings and/or elements thereof located at the High School campus have been identified by the New York State Historic Preservation Office as historically significant. The District

Architect has reviewed the Project and based on its input, the District will insure the Project is undertaken so as to meet applicable requirements for any work undertaken to elements of such buildings deemed historically and archeologically significant. In particular any work completed on such Project components shall comply as appropriate with regulations or guidance from the New York State Historic Preservation Office (SHPO) with all pertinent elements of the Project work being subject to SHPO review and as appropriate, measures will be implemented to such elements as part of the Project work to mitigate impacts as needed.

Similarly to the extent the High School and other campuses where Project work will be completed is located in a special planning district known as the West Erie Canal Corridor, no potentially significant adverse impact from the Project to any such district features is anticipated because the sites at issue have been developed for a significant period of time prior to the Project being proposed and no impact to such district has been noted, and the Project will not result in any material or significant changes to such Project Site.

Further, none of the other work associated with the Project will be undertaken on facilities that are listed on the State or National Register of Historic Places, nor is any such work adjacent to any sites listed on the State or National Register.

Impacts on Open Space and Recreation:

The Project will not have any significant adverse impact on existing open space and recreation, as the Project Site has been developed and used for educational uses for many years, and the Project work will not change such use. To the extent under District policy District facilities are available for use by the public, the Project is not anticipated to have any impact on such polices.

Impacts on Critical Environmental Areas:

The Project will not have any significant adverse impact on any Critical Environmental Area (CEA) based upon review of available information including the EAF Mapper associated with the Project Site, as no such CEA on the Project Site has been identified.

Impacts on Transportation (Traffic):

The Project is not anticipated to have any significant adverse impact on transportation or to existing traffic patterns and flow. As discussed, the Project work, including the addition of certain parking improvements to a number of campuses is not being undertaken to facilitate additional vehicle trips or materially increase the use of such facilities by attracting materially larger attendees to events. As a result, it is not

anticipated that the Project will have a significant adverse impact on traffic, including local traffic flow and traffic patterns.

Impacts Related to Noise and Odors and Impacts From Light:

The Project will not have any significant adverse impact from objectionable noise and odor. While the Project will result in an increase in noise from construction, including from equipment and construction operations above ambient noise levels, the impact will be relatively short in duration and discrete, because the noise will be limited to typical construction times and some buffering to adjacent properties will be provided by retained vegetation in the area including perimeter vegetation. In addition, any such noise from construction will be undertaken during work hours and as such is not anticipated to be significant. No undue odors are anticipated from construction of the Project or operation of it after it is built.

Further, to the extent that additional lighting is proposed as part of the Project, such lighting will not cause significant adverse impacts. The lighting that will be installed so as to avoid excessive light splash away from the site(s) at issue.

Impacts on Local Utilities and Energy:

No significant adverse impacts based on utility and energy usage are anticipated from the Project.

NOW THEREFORE BE IT FURTHER RESOLVED:

Based on the foregoing, the District finds that the Project will not have any significant adverse impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 NYCRR §617.7(b)-(c) of the SEQRA regulations and as such, no environmental impact statement shall be prepared. The District thus issues this Negative Declaration pursuant to SEQRA, and directs the following be undertaken and makes the following additional findings:

1. A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations, and as the District may deem advisable. The findings and conclusions relating to the determination of significance contained within this Negative Declaration and this notice hereof are hereby adopted and incorporated by reference into this Resolution as applicable, including the District adopting by reference the completed EAF (including parts 1, 2 and 3 of it).

2. This Resolution has been prepared in accordance with Article 8 of

the New York Environmental Conservation Law, by the Lancaster Central School District Board of Education with offices located at 177 Central Avenue, Lancaster, New York 14086.

3. The District Clerk and/or those persons whom District may designate or has designated for such purpose is authorized to file the Negative Declaration in accordance with the applicable provisions of the law and this resolution shall also constitute a notice of Negative Declaration.

4. The requirements of SEQRA have been satisfied. This resolution and notice of negative declaration shall take effect immediately.

MOVED by Metz SECONDED by Sage to accept the State Environmental Quality Review, as submitted.

| | <u>AYES</u> | <u>NAYS</u> |
|----------------|-------------|-------------|
| Patrick Uhteg | x | |
| Bill Gallagher | x | |
| Shannon Cohen | x | |
| Jill Fecher | x | |
| Glenn Jackson | x | |
| Sue Metz | x | |
| Michael Sage | x | |

MOTION APPROVED.

4.2 BOND ISSUE
AUTHORIZATION

WHEREAS, the Board of Education of the Lancaster Central School District, Erie County, New York (the “District”) is proposing to have the District undertake a district-wide capital improvement project (the “Project”) consisting of (i) alterations, renovations and improvements to Lancaster High School, Lancaster Middle School, Court Street Elementary School, Como Park Elementary School, Hillview Elementary School, John A. Sciole Elementary School, William Street School and the transportation building located at 295 Pleasant View Drive, including in each case, site improvements for various school purposes and other appurtenant and related improvements, and (ii) the acquisition and installation in and around the foregoing buildings, facilities and improvements of original furnishings, equipment, machinery, apparatus, and other services incidental thereto, all at a total estimated total cost not to exceed \$77,100,000; with such cost being raised by (a) the expenditure of \$5,000,000 from the District’s existing General Capital Reserve Fund-2018, established pursuant to a proposition approved by the qualified voters of the District on May 15, 2018, (b) the expenditure of up to \$500,000 expected to be donated to the District by the Lancaster Educational Alumni Foundation (“LEAF”) to contribute to the cost of the Project, and (c) with the balance thereof, in an

amount not to exceed \$72,100,000, reduced *by* the aggregate dollar amount of such donation actually received by the District from LEAF (not in excess of \$500,000), or so much thereof as may be necessary, being raised by a tax upon the taxable property of said District to be levied and collected in annual installments in such amounts and in such years as may be determined by the Board as provided in Section 416 of the Education Law, with such tax to be partially offset by State aid available therefore, and in anticipation of such tax, by obligations of said District as may be necessary; and

WHEREAS, by resolution adopted on October 18, 2018 immediately prior to the consideration of this resolution, the Board determined that (i) the actions and improvements included in the Project constitute a “Type I” action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, “SEQRA”), (ii) the Board assumed lead agency status for purposes of conducting a coordinated review of the Project for purposes of SEQRA, (iii) the Project will not result in any significant adverse environmental impacts, and (iv) a “negative declaration” is issued and shall be circulated, in accordance with the requirements of SEQRA; and

WHEREAS, the Board of Education now intends to schedule a special meeting of the qualified voters of the District to be held on December 11, 2018 for the purpose of voting on a proposition on whether authorize the District to undertake the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE LANCASTER CENTRAL SCHOOL DISTRICT, ERIE COUNTY, NEW YORK, AS FOLLOWS:

Section 1. A special meeting of the qualified voters of the District shall be held at the Lancaster High School, North Entrance-New Java Gym, located at 1 Forton Drive, Lancaster, New York in the District, on Tuesday, December 11, 2018 (subject to postponement until Thursday, December 13, 2018 in the event that the District’s facilities are closed on December 11, 2018 due the occurrence of a snow emergency or other emergency situation), with the polls to be open between the hours of 7:00 a.m. and 9:00 p.m. for the purpose of voting upon the following proposition:

PROPOSITION

RESOLVED, that the Board of Education of Lancaster Central School District, Erie County, New York (the “District”) is hereby authorized to undertake a district-wide capital improvement project (the “Project”) consisting of (i) alterations, renovations and improvements to Lancaster High School, Lancaster Middle School, Court Street Elementary School, Como Park Elementary School, Hillview Elementary School, John A. Sciole Elementary School, William Street School and the transportation

building located at 295 Pleasant View Drive, including in each case, site improvements for various school purposes and other appurtenant and related improvements, and (ii) the acquisition and installation in and around the foregoing buildings, facilities and improvements of original furnishings, equipment, machinery, apparatus, and other services incidental thereto, all at a total estimated total cost not to exceed \$77,100,000; with such cost being raised by (a) the expenditure of \$5,000,000 from the District’s existing General Capital Reserve Fund-2018, established pursuant to a proposition approved by the qualified voters of the District on May 15, 2018, (b) the expenditure of up to \$500,000 expected to be donated to the District by the Lancaster Educational Alumni Foundation (“LEAF”) to contribute to the cost of the Project, and (c) with the balance thereof, in an amount not to exceed \$72,100,000, *reduced by* the aggregate dollar amount of such donation actually received by the District from LEAF (not to exceed \$500,000), or so much thereof as may be necessary, being raised by a tax upon the taxable property of said District to be levied and collected in annual installments in such amounts and in such years as may be determined by the Board as provided in Section 416 of the Education Law, with such tax to be partially offset by State aid available therefore, and in anticipation of such tax, by obligations of said District as may be necessary.

Section 2. A public hearing on the proposed Project shall be held at 7:00 p.m. on December 3, 2018 in the John A. Sciole Elementary School Cafetorium, 86 Alys Drive, Depew, New York 14043, for the purpose of hearing all interested parties.

Section 3. Said special meeting and said public hearing shall be called by the publication of a notice substantially in the form attached to this resolution as Exhibit A and the District Clerk is hereby authorized and directed to publish said notice, in the manner required by law, in the *Lancaster Bee* and the *Depew Bee*, newspapers of general circulation within the District.

Section 4. Voting on the above referenced proposition shall be by ballot with the full text of such proposition appearing thereon.

Section 5. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows.

| | <u>AYES</u> | <u>NAYS</u> |
|----------------|-------------|-------------|
| Patrick Uhteg | x | |
| Bill Gallagher | x | |
| Shannon Cohen | x | |
| Jill Fecher | x | |

| | |
|---------------|---|
| Glenn Jackson | x |
| Sue Metz | x |
| Michael Sage | x |

The foregoing resolution was thereupon declared duly adopted.

EXHIBIT A

NOTICE OF SPECIAL MEETING OF THE QUALIFIED VOTERS OF THE LANCASTER CENTRAL SCHOOL DISTRICT

TO THE QUALIFIED VOTERS OF LANCASTER CENTRAL SCHOOL DISTRICT, ERIE COUNTY, NEW YORK:

PLEASE TAKE NOTICE that the Board of Education of the Lancaster Central School District, Erie County, New York (the “District”), has scheduled a special meeting of the qualified voters of said District to be held in Lancaster High School, North Entrance-New Java Gym, located at 1 Forton Drive, Lancaster, New York, 14086 in said District, on Tuesday, December 11, 2018 (subject to postponement until Thursday, December 13, 2018, the event that the District’s facilities are closed on December 11, 2018 due the occurrence of a snow emergency or other emergency situation, as more fully described below), with the polls to be open between the hours of 7:00 a.m. and 9:00 p.m. for the purpose of voting upon the following proposition:

PROPOSITION

RESOLVED, that the Board of Education of Lancaster Central School District, Erie County, New York is hereby authorized to undertake a district-wide capital improvement project (the “Project”) consisting of (i) alterations, renovations and improvements to Lancaster High School, Lancaster Middle School, Court Street Elementary School, Como Park Elementary School, Hillview Elementary School, John A. Sciole Elementary School, William Street School and the transportation building located at 295 Pleasant View Drive, including in each case, site improvements for various school purposes and other appurtenant and related improvements, and (ii) the acquisition and installation in and around the foregoing buildings, facilities and improvements of original furnishings, equipment, machinery, apparatus, and other services incidental thereto, all at a total estimated total cost not to exceed \$77,100,000; with such cost being raised by (a) the expenditure of \$5,000,000 from the District’s existing General Capital Reserve Fund-2018, established pursuant to a proposition approved by the qualified voters of the District on May 15, 2018, (b) the expenditure of up \$500,000 expected to be donated to the District by the Lancaster Educational Alumni Foundation (“LEAF”) to contribute to the cost of the Project, and (c) with the balance thereof, in an amount not to exceed \$72,100,000, *reduced by* the aggregate dollar amount

of such donation actually received by the District from LEAF (not to exceed \$500,000), or so much thereof as may be necessary, being raised by a tax upon the taxable property of said District to be levied and collected in annual installments in such amounts and in such years as may be determined by the Board as provided in Section 416 of the Education Law, with such tax to be partially offset by State aid available therefore, and in anticipation of such tax, by obligations of said District as may be necessary.

AND NOTICE IS HEREBY FURTHER GIVEN that in the event that the District's buildings and facilities are closed on December 11, 2018 due to the occurrence of a snow emergency or other emergency situation, such special meeting of the qualified voters of the District shall be postponed until Thursday, December 13, 2018 at the same location and with the polls to be open between the same hours as set forth above; provided that notice of such postponement is communicated by the District to the local media and on the District's website;

AND NOTICE IS HEREBY FURTHER GIVEN that the Board of Education of the District has scheduled a public hearing on the proposed Project described in the above-referenced proposition to be held at 7:00 p.m. on December 3, 2018 in the John A. Sciole Elementary School Cafetorium, 86 Alys Drive, Depew, New York 14043, at which time all interested parties may be heard;

AND NOTICE IS HEREBY FURTHER GIVEN that pursuant to a resolution dated October 18, 2018, the Board of Education of the District determined that (i) the actions and improvements included in the Project (as described in the above-referenced proposition), constitute a "Type I" action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"), (ii) the Board assumed lead agency status for purposes of conducting a coordinated review of the Project for purposes of SEQRA, (iii) the Project will not result in any significant adverse environmental impacts, and (iv) a "negative declaration" is issued and shall be circulated, in accordance with the requirements of SEQRA;

AND NOTICE IS HEREBY FURTHER GIVEN that applications for absentee ballots for voting on the above-referenced proposition may be applied for at the office of the District Clerk, 177 Central Avenue, Lancaster, New York 14086. Any such application must be received by the District Clerk at least seven (7) days before the date of the vote on the above-referenced proposition, if the ballot is to be mailed to the voter, or the day before such vote, if the ballot is to be picked up personally by the voter. A list of all persons to whom absentee ballots shall have been issued will be available for public inspection during regular business hours in the office of the District Clerk on each of the five (5) days prior to the day of the election except Saturday and Sunday. Absentee ballots must be received in the office of the District Clerk not later than 5:00 p.m. on December 11, 2018.

4.3 LEGAL
NOTICE/PROPOSITION
VOTE

MOVED by Fecher SECONDED by Cohen to approve the resolution to publish the legal notice for the district-wide capital improvement project proposition vote, and institute all other procedures required to conduct the vote, as submitted.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

5.0 ADJOURNMENT

At 5:36pm MOVED by Fecher SECONDED by Cohen to adjourn the special session.

VOTE ON THE MOTION: 7 Ayes 0 Nays

MOTION APPROVED.

Sandra A. Janik, District Clerk