

April 10, 2018

The regular meeting of the Le Roy Central School Board of Education was called to order on April 10, 2018 at 7:30 p.m. by President Donald Hobart in the Board of Education conference room.

The following members were present:

Mr. Lawrence Bonacquisti
Mrs. Denise Duthé
Mr. Richard Lawrence
Mr. Peter Loftus
Mr. Lloyd Miller (via remote videoconferencing)
Mrs. Jacalyn Whiting

The following member was absent:

Mr. Donald Hobart

The following administrators were also present:

Mr. Merritt Holly, Superintendent of Schools
Mr. Brian Foeller, School Business Administrator
Mr. Tim McArdle, High School Principal
Mrs. Carol Messura, Elementary Principal
Mr. Robert Blake, Director of Curriculum, Instruction
& Technology

During the “Something Special” segment of the meeting, Mrs. Jennifer Bertrand showcased the student digital portfolios that have been put in place for students in grades 3-6 this school year. This digital portfolio represents a collection of a student’s work during their time at Le Roy Central Schools and will carry with them from year to year. At the end of each marking period, a student will add one exemplar to each page of their portfolio. Beginning with the 2018-19 school year, students in seventh grade will be able to maintain the e-portfolio that they had opened while in sixth grade. The portfolio will continue throughout their high school years. Mrs. Bertrand is looking at the potential of

working with students in grades 8-12 to create a portfolio, as this has become a useful tool in the college application/review process.

The following agenda changes were approved on a motion given by Mr. Lawrence and seconded by Mrs. Duthé:

- ADD TO: ITEM H.5. APPROVAL OF THE RECOMMENDATIONS OF THE COMMITTEE FOR SPECIAL EDUCATION**
- ADD TO: ITEM I1. 2018-19 BUDGET PRESENTATION**
- ADD: ITEM J.1.c. ACCEPTANCE OF RESIGNATION OF PART-TIME CLERK-TYPIST**
- ADD TO: ITEM J.2.B. APPROVAL OF APPOINTMENT OF AUTMOTIVE MECHANIC**
- ADD TO: ITEM J.2.i. APPROVAL OF CLERK PRO TEM**
- ADD: ITEM J.2.j. APPROVAL OF APPOINTMENT OF SUBSTITUTE CLEANER**
- ADD: ITEM J.2.k. APPROVAL OF APPOINTMENT OF SUMMER LABORER**
- ADD: ITEM J.2.l. APPROVAL OF 2018-19 EXTRA-CURRICULAR APPOINTMENTS**
- ADD TO: ITEM J.7. ADOPTION OF 2018-19 SCHOOL DISTRICT BUDGET**

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Superintendent's Report: Mr. Holly discussed the instructional calendar for 2017-18, noting that the Superintendent Conference Day scheduled for May 25th will be a holiday for students and teachers. For the 2018-19 instructional calendar, May 24th (the Friday prior to Memorial Day) is already a scheduled holiday. Therefore, if the district

has two or more snow days remaining, then May 28th (the Tuesday following Memorial Day) will be a holiday.

Mr. Holly informed the Board that ELA testing will begin on Wednesday, April 11th.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Lawrence, the Board of Education approved the following consent items, as listed:

1. Minutes of the March 20, 2018 regular meeting, as presented.
2. Warrants for the following accounts and bills contained thereon, as presented:

| | | |
|--------------------------|---|----------------------|
| GENERAL ACCOUNT | - | \$ 881,156.17 |
| CAFETERIA ACCOUNT | - | \$ 25,805.67 |
| CAPITAL ACCOUNT | - | \$ 4,880.00 |
| AWARDS ACCOUNT | - | \$ 1,400.00 |

3. Treasurer's Reports for the following accounts for the period from February 1, 2018 – February 28, 2018, as presented:

| | | |
|---------------------------------|---|------------------------|
| AWARDS ACCOUNT | - | \$ 490,025.21 |
| CAPITAL CHECKING ACCOUNT | - | \$ 25,660.16 |
| CAPITAL SAVINGS ACCOUNT | - | \$ 218,399.00 |
| DEBT SERVICE ACCOUNT | - | \$ 1,928,937.06 |
| EXTRACLASSROOM ACCOUNT | - | \$ 89,568.65 |
| FEDERAL FUND ACCOUNT | - | \$ 19,966.87 |
| GENERAL CHECKING ACCOUNT | - | \$ 601,759.19 |
| GENERAL SAVINGS ACCOUNT | - | \$ 3,584,905.07 |

| | | | |
|--------------------------------------|---|----|-------------------|
| GENERAL FUND-TAX COLLECTOR | - | \$ | 234.30 |
| PAYROLL ACCOUNT | - | \$ | 571.20 |
| SCHOOL LUNCH CHECKING ACCOUNT | - | \$ | 11,396.91 |
| LUNCH SAVINGS ACCOUNT | - | \$ | 115,810.33 |
| TRUST & AGENCY ACCOUNT | - | \$ | 27,206.30 |

4. February 2018 Budget Transfers, as presented.

[FEBRUARY 2018 BUDGET TRANSFERS ATTACHED HERETO]

5. Recommendations of the Committee for Special Education, as presented

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

PRESENTATION: Mr. Foeller presented the final draft of the 2018-19 budget proposal. The total budget proposal is \$25,199,228 which is a budget increase of \$678,510 or 2.77%. Notable changes from last year's budget include a 3.5% increase in health insurance rates, increases in special education placements and program costs, an increase in the district contribution rates to the New York State Teachers' Retirement System and increases to diesel and unleaded gasoline costs.

The levy will increase \$195,882 or 2%. This is below the allowable tax levy limit of 2.9%. Mr. Foeller reiterated that the tax rate is not set until the final assessment figures are received in the summer. At this time, his best estimate would be a 2018-19 tax rate of approximately \$24.54 or a \$49.00 increase on a \$100,000 home from last year to 2018-19.

The Annual Public Budget Hearing is scheduled for Tuesday, May 8th at 7:00 p.m. in Memorial Auditorium.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mr. Loftus, the Board of Education accepted the resignation of Mrs. Diane Sia from her position as Financial Records Control Clerk

effective April 27, 2018 for personal reasons. Voting: 6 Yes, 1 Absent (Mr. Hobart).

Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthé and seconded by Mr. Miller, the Board of Education accepted the resignation of Mrs. Laura Carlie from her position as Winterguard Director effective March 13, 2018 for personal reasons. Mrs. Carlie's stipend will be prorated to March 13, 2018. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthé and seconded by Mr. Lawrence, the Board of Education accepted the resignation of Mrs. Marianne Garigen from her position as a Part-Time Clerk-Typist effective June 30, 2018 for purposes of retirement. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mr. Loftus, the Board of Education approved the following Genesee County Civil Service probationary appointment:

| | |
|----------------------|---|
| Name: | Patrick Major |
| Position: | Full-time Building Maintenance Worker |
| Type of Appointment: | Genesee County Civil Service probationary (non-competitive) |
| Effective Date: | April 30, 2018 |
| Salary: | 85% of SEIU Rate or \$18.02 per hour |
| Benefits: | Consistent with SEIU Contract |

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthé and seconded by Mr. Bonacquisti, the Board of Education approved the following Genesee County Civil Service probationary appointment:

Name: Charles Schmidt
Position: Full-time Automotive Mechanic
Type of Appointment: Genesee County Civil Service probationary (non-competitive)
Effective Date: April 12, 2018
Salary: 85% of SEIU Rate or \$18.46 per hour
Benefits: Consistent with SEIU Contract

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Lawrence, the Board of Education approved the following long-term substitute teaching appointment:

Name: Maribeth Doyle
Position: Long-Term Substitute Elementary Teacher (to fill the leave of Mrs. Sarah Spink)
Effective Dates: April 9, 2018 – Mrs. Spink’s return from leave
Salary: 1/200th of Step 1 of LTA Contract or \$185.00/day
Benefits: Prorated non-cumulative sick/personal time

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Lawrence, the Board of Education approved the following long-term substitute teaching appointment:

Name: Jeffrey Fischer
Position: Long-Term Substitute Music Teacher (to fill the leaves of Mrs. Jackie McLean and Mrs. Lindsay Buckel)
Effective Dates: March 26, 2018 – Mrs. Buckel’s return from leave
Salary: 1/200th of Step 1 of LTA Contract or \$185.00/day
Benefits: Prorated non-cumulative sick/personal time

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Lawrence, the Board of Education approved the following probationary teaching appointment:

Name: Kathryn Michalewski
 Tenure Area: Music
 Type of Appointment: Four-year probationary
 Effective Date: September 1, 2018
 Tenure Date: September 1, 2022
 Salary: Step 4 of LTA Contract

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Lawrence, the Board of Education approved the appointment of Ms. Deborah Konieczny to the Genesee County Civil Service labor position of Substitute Food Service Helper effective April 11, 2018 at a salary of \$10.40 per hour. This appointment is pending successful completion of NYS fingerprinting clearance. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mr. Loftus, the Board of Education approved the following extra-curricular/coaching appointments for the 2017-18 season:

| <u>Name</u> | <u>Position</u> | <u>Stipend</u> |
|--------------|--|--|
| Eric Egeling | Modified Baseball Coach (eff. 3/26/18) | Per LTA Contract |
| Art Graton | Winterguard Director (eff. 3/14/18-4/7/18) | Per LTA Contract (prorated from 3/14/18) |

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Miller, the Board of Education approved the following individuals to serve in the capacities indicated below pursuant to the May 15, 2018 annual school district election and budget vote.

| <u>Name</u> | <u>Position</u> | <u>Stipend</u> |
|----------------|------------------------------|----------------|
| Barbara Parton | Chief Inspector of Elections | \$110.00/day |
| Marie Tucci | Poll Clerk | \$10.40/hour |

| | | |
|------------------|------------|--------------|
| Marianne Garigen | Poll Clerk | \$10.40/hour |
| Barbara Parton | Poll Clerk | \$10.40/hour |
| David Parton | Poll Clerk | \$10.40/hour |

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Bonacquisti, the Board of Education approved the appointment of Ms. Teresa McMullen as Clerk Pro Tem (as needed) from Monday, April 9, 2018 through Friday, April 20, 2018. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mrs. Duthe, the Board of Education approved the Genesee County Civil Service appointment of Ms. Deborah Renteria as a substitute cleaner effective April 11, 2018 at a salary of \$11.00 per hour, pending successful completion of NYS fingerprinting clearance. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Lawrence, the Board of Education approved the Genesee County Civil Service appointment of Mr. Phil Tooze as a summer laborer effective May 1, 2018 at the Board of Education approved rate of pay for summer laborer, pending successful completion of NYS fingerprinting clearance. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mr. Loftus, the Board of Education approved the following 2018-19 extra-curricular appointments:

| <u>Name</u> | <u>Position</u> | <u>Stipend</u> |
|--------------------|----------------------------------|------------------|
| Matthew Nordhausen | Marching Band Director | Per LTA Contract |
| Katie Michalewski | Assistant Marching Band Director | Per LTA Contract |

Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthé and seconded by Mr. Miller, the Board of Education approved a change in the employment status of Brenda Dillon from probationary part-time cleaner to permanent part-time cleaner effective April 18, 2018. Voting: 6 Yes, 1 Absent (Mr. Hobart).

Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthé and seconded by Mr. Lawrence, the Board of Education approved the creation of three (3) Genesee County Civil Service non-competitive positions of Driver (School). Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mr. Loftus, the Board of Education approved a change in job title for Julie Hart, Rachel Hunter and Sherry Roberts-Snell from School Bus Driver to the Genesee County Civil Service non-competitive title of Driver (School) effective April 11, 2018. This is only a change in job title classification and does not affect any other aspect of their employment. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Miller, the Board of Education set the pay rate for 2017-18 for a baseball pitch counter at \$30.00 per game. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Acting upon a recommendation of the Superintendent and on a motion given by Mrs. Duthe and seconded by Mr. Bonacquisti, the Board of Education approved the following 2018-19 budget resolution, on a roll call vote:

RESOVLED, that the Board of Education adopt the following proposition to be placed before the voters of the school district at the annual school district election and budget vote to be conducted on May 15, 2018 between 8:00 a.m. and 8:00 p.m.:

That the Board of Education of the Le Roy Central School District in the Counties of Genesee and Livingston be authorized to expend the sum of \$25,199,228 for the 2018-19 school year and to accumulate no planned balance and levy the necessary tax therefor.

| | YES | NO |
|--|---------------|---------------|
| Donald Hobart, President | | ABSENT |
| Jacalyn Whiting, Vice President | VOTING | YES |
| Lawrence Bonacquisti, Member | VOTING | YES |
| Denise Duthe, Member | VOTING | YES |
| Richard Lawrence, Member | VOTING | YES |
| Peter Loftus, Member | VOTING | YES |
| Lloyd Miller, Member | VOTING | YES |

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Loftus and seconded by Mr. Miller, the Board of Education adopted the following Bond Resolution, on a roll call vote:

BOND RESOLUTION DATED MARCH 20, 2018

BOND RESOLUTION OF THE BOARD OF EDUCATION OF THE LE ROY CENTRAL SCHOOL DISTRICT, GENESEE AND LIVINGSTON COUNTIES, NEW YORK (THE “DISTRICT”) AUTHORIZING THE ISSUANCE OF UP TO \$313,000 IN SERIAL BONDS OF THE DISTRICT TO FINANCE THE PURCHASE OF TRANSPORTATION VEHICLES.

WHEREAS, the qualified voters of the Le Roy Central School District, Genesee and Livingston Counties, New York (the “District”) on March 20, 2018 approved a proposition (the “Proposition”) authorizing the Board of Education (the

“Board”) of the District to purchase (i) two 65-passenger school buses with interior surveillance equipment and a two-way radio package at an estimated maximum cost of \$104,000 each; (ii) one 28-passenger mini bus with interior surveillance equipment and a two-way radio package at an estimated maximum cost of \$55,000; and (iii) two Dodge Pacifica LX with a two-way radio package at an estimated maximum cost of \$25,000 each, for a total aggregate estimated maximum purchase cost not to exceed \$313,000, such cost to be raised by tax upon the taxable property of said District to be levied and collected in annual installments 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, not to exceed such aggregate estimated maximum cost; and

WHEREAS, the purchase of such vehicles and the financing thereof through the issuance of the District's obligations constitutes a “Type II” action within the meaning of the State Environmental Quality Review Act and the regulations thereunder (collectively, “SEQRA”), and no further actions or proceedings must be taken by the Board under SEQRA prior to authorizing the issuance of obligations or expenditure of funds for said purchase.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE DISTRICT HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all its members of the Board), AS FOLLOWS:

SECTION 1. The District is hereby authorized to issue up to \$313,000 aggregate principal amount of serial bonds (the “Bonds”) (including, without limitation, statutory installment bonds), or bond anticipation notes in anticipation of the Bonds, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of the Project, in accordance with the Proposition.

SECTION 2. It is hereby determined that the aggregate estimated maximum cost of the aforesaid specific objects or purposes is \$313,000 and said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of up to \$313,000 in serial bonds of the District authorized to be issued pursuant to Section 1 of this

resolution, or bond anticipation notes issued in anticipation of such serial bonds.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five (5) years, pursuant to paragraph 29 of subsection a. of Section 11.00 the Law.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(5) of the Law.

SECTION 5. The temporary use of available funds of the District, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the Bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be general obligations of the District, payable as to both principal and interest by a general tax upon all the real property within the District without legal or constitutional limitation as to rate or amount. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal and interest on the Bonds and bond anticipation notes and provisions shall be made annually in the budget of the District by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, and Sections 62.10 and 63.00 of the Law, the

powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes including, without limitation, the determination of whether to issue bonds having substantially level or declining debt service, and all matters incidental thereto, and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the President of the Board of Education (the “President of the Board”), as the chief fiscal officer of the District. Further, pursuant to subdivision b. of Section 11 of the Law, in the event that bonds to be issued for the specific objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the President of the Board, as the chief fiscal officer of the District.

SECTION 8. The President of the Board is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof, 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”) and to designate the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The President of the Board is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the Bonds or bond anticipation notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the President of the Board sufficient authority to execute those applications, agreements, instruments, certificates or to do any similar acts necessary or in the opinion of the President of the Board advisable to effect the issuance of the Bonds or bond

anticipation notes without resorting to further action of the Board.

SECTION 11. The District Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper(s) of the District for legal publication purposes, together with a notice of the District in substantially the form provided in Section 81.00 of the Law.

SECTION 12. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 13. This resolution shall take effect immediately upon its adoption.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

| | | |
|--|---------------|---------------|
| Donald Hobart, President | | ABSENT |
| Jacalyn Whiting, Vice President | VOTING | YES |
| Lawrence Bonacquisti, Member | VOTING | YES |
| Denise Duthe, Member | VOTING | YES |
| Richard Lawrence, Member | VOTING | YES |
| Peter Loftus, Member | VOTING | YES |
| Lloyd Miller, Member | VOTING | YES |

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Bonacquisti and seconded by Mrs. Duthe, the Board of Education adopted the

following resolution regarding SEQRA Determination on the 2018 Capital Outlay Exception Project (\$100,000), on a roll call vote:

**LE ROY CENTRAL SCHOOL DISTRICT BOARD OF
EDUCATION RESOLUTION REGARDING SEQRA
DETERMINATION**

WHEREAS, the Leroy Central School District Board of Education (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

**Jr/Sr High School
SED PROJECT NO.: 18-10-01-06-0-017-005**

Replacement of through wall flashing on various sections of building

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Architects and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has relied on the statement of facts contained in the State Education Department Project Descriptions (Form FP-PD) and reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- **Maintenance or reconstruction involving no substantial changes in an existing facility or structure (6 NYCRR §617.5(c)(1));**
- **Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes (6 NYCRR §617.5(c)(2)), and**

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. **The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities and involves routine activities of educational institutions,**

and, therefore, does not exceed the thresholds for a Type II Action established under 6 NYCRR Part 617.

- 2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.**
- 3. No further review of the Proposed Action is required under SEQRA.**
- 4. This resolution shall be effective immediately.**
- 5. The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:**

| | | |
|--|---------------|---------------|
| Donald Hobart, President | | ABSENT |
| Jacalyn Whiting, Vice President | VOTING | YES |
| Lawrence Bonacquisti, Member | VOTING | YES |
| Denise Duthe, Member | VOTING | YES |
| Richard Lawrence, Member | VOTING | YES |
| Peter Loftus, Member | VOTING | YES |
| Lloyd Miller, Member | VOTING | YES |

Acting upon a recommendation of the Superintendent and on a motion given by Mr. Lawrence and seconded by Mr. Bonacquisti, approved the requests for transportation of school district students enrolled in private/parochial institutions per the following count (backup documentation included in board packet) for the 2018-19 school year:

| <u>School</u> | <u>No. of Students</u> |
|---|------------------------|
| Notre Dame High School 73 Union Street Batavia, New York 14020 | 8 |
| St. Joseph's School 2 Summit Street Batavia, New York 14020 | 17 |
| St. Paul Lutheran School 31 Washington Avenue Batavia, New York 14020 | 1 |

Voting: 5 Yes, 1 Absent (Mr. Hobart), 1 No (Mr. Miller). Motion carried.

COMMITTEE REPORTS:

Policy: The committee conferred on request for seventh grade participation, but the committee agreed to not move forward with that request.

On a motion given by Mrs. Duthe and seconded by Mr. Loftus, the Board of Education entered into executive session at 9:11 p.m. for the purpose of discussion of the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation; a student discipline issue; and tenure reviews. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

The Board returned to open session at 11:15 p.m.

A motion to adjourn was offered by Mr. Loftus and seconded by Mr. Lawrence at 11:15 p.m. Voting: 6 Yes, 1 Absent (Mr. Hobart). Motion carried.

Lori E. Wrobel
District Clerk