

Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

Board of Education:

President, Jodee Riordan (2019-2022)
Vice Pres., Lance Dickinson (2017-2020)
Gemma Fournier (2018-2021)
Danielle Mullen (2019-2020)
Anne H. Orr (2019-2022)
Sarah Roat Waechter (2017-2020)
Betty VanDenBosch-Warrick (2019-2022)

Superintendent:

Asst. Supt. for Admin. Svcs.:

Asst. Supt. for Curr./Inst. & Tech:

District Clerk:

Paul J. Casseri

Patricia Grupka, Ed.D.

Heather Lyon, Ph.D.

Marisa I. Barile

Due to the need for social distancing during this time, we will be offering an opportunity for community members to participate in our Board of Education Meeting by joining the Zoom Meeting;

<https://us04web.zoom.us/j/76133570685?pwd=ajR6QUZ5UGs5SjQ2WEc1SHhoeFhJUT09>

Meeting ID: 761 3357 0685

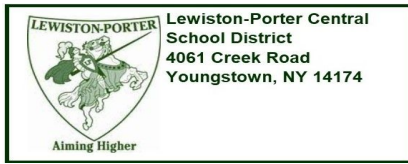
Password: Lewiston

CALL TO ORDER

Call to Order	The Board President will call the meeting to order with the Pledge of Allegiance.	Jodee Riordan
Acceptance of Agenda	RESOLVED, that the Board of Education accept the Agenda for April 21, 2020.	
Community Comments	<p>One of the most important duties of the Board of Education is to listen to the public. Accordingly, time will be set aside at regular monthly Board meetings for members of the public to address the Board. A sign-up sheet will be provided for individuals wishing to address the Board.</p> <p>When speaking, please identify yourself first. Speak clearly and loudly enough for everyone in the room to hear you. Speakers are requested to: limit their remarks TO NOT MORE THAN THREE (3) MINUTES; appoint a spokesperson if a concern is a group concern; and supplement verbal presentations with written reports, if necessary or desired. Personal comments toward a member of the community, staff or Board of Education will not be considered appropriate.</p>	

REPORTS

Committee Schedules and Reports	<p>Board of Education Schedules</p> <p><i>All schedules/meetings are pending due to the Executive PAUSE order from Governor Andrew Cuomo until May 15, 2020.</i></p> <p><i>05/05/2020 Work Session Board of Education Meeting</i></p> <p><i>05/26/2020 Regular Board of Education Meeting</i></p>	
----------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

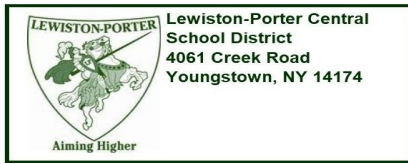


Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

[illegible]



Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

OLD BUSINESS

No old Business

NEW BUSINESS - ADMINISTRATION

Approval of the SEQR Negative Declaration for Proposed 2020-2024 Capital Improvement Project

Resolution Issuing SEQR Negative Declaration for Proposed 2020-2024 Capital Improvement Project

NA-1

WHEREAS, the Lewiston-Porter Central School District (the "District") and its Board of Education (the "Board") propose to undertake a 2020-2024 Capital Improvement Project (the "Project") at the District's campus and facilities; and

WHEREAS, as a Type I action, a coordinated review has been conducted with the District/Board as the "Lead Agency" in accordance with State Education Department policy and procedure and State Environmental Quality Review Act ("SEQRA") regulations; and

WHEREAS, the District/Board duly considered the proposed Project, the SEQRA Environmental Assessment Form, the criteria for determining whether the Project will have a significant adverse impact on the environment as set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, input from involved agencies including the New York State Department of Environmental Conservation, and such other information deemed appropriate; and

WHEREAS, the District/Board identified the relevant areas of environmental concern, took a hard look at these areas, and made a reasoned elaboration of the basis for its determination;

NOW, THEREFORE, BE IT RESOLVED by the Lewiston-Porter Central School District Board of Education that:

1. The District/Board is the lead agency under SEQRA, and the 2020-2024 Capital Improvement Project will not result in a significant adverse impact on the environment.
2. The attached Negative Declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the attached Negative Declaration, and Parts 1, 2, and 3 of the Environmental Assessment Form are also incorporated herein by reference.
3. The Superintendent of the District is authorized to sign and file or have filed on behalf of the District/Board all documents necessary to comply with SEQRA.
4. This resolution is effective immediately.

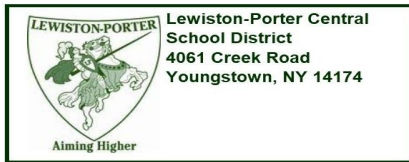
Approval of the Annual Notice Publication

RESOLUTION DATED APRIL 21, 2020 CALLING FOR THE SUBMISSION, TO THE VOTERS OF THE LEWISTON-PORTER CENTRAL SCHOOL DISTRICT, NIAGARA COUNTY, NEW YORK (THE "DISTRICT"), OF A PROPOSITION AUTHORIZING A 2020-2024 CAPITAL IMPROVEMENT PROJECT AT AN ESTIMATED MAXIMUM COST OF \$17,250,000, AND DIRECTING THAT SUCH PROPOSITION BE INCLUDED IN THE DISTRICT'S NOTICE OF ANNUAL MEETING AND VOTE.

NA-2

BE IT RESOLVED BY THE BOARD OF EDUCATION AS FOLLOWS:

1. That provisions in substantially the following form (subject to final review and approval of the appropriate District officials and the District's



Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

bond counsel) shall be added to the District's notice of annual meeting and vote for 2020, to-wit:

AND FURTHER NOTICE IS HEREBY GIVEN that the vote upon the authorization of a 2020-2024 Capital Improvement Project will be taken with respect to the following Proposition No. ☐:

PROPOSITION NO. ☐

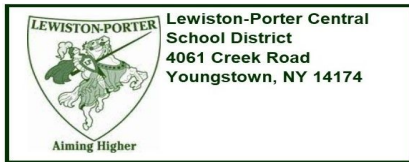
2020-2024 CAPITAL IMPROVEMENT PROJECT

Shall the following resolutions be adopted, to-wit:

RESOLVED, that the Board of Education (the "Board") of the Lewiston-Porter Central School District, Niagara County, New York (the "District"), is hereby authorized to undertake a 2020-2024 Capital Improvement Project consisting of the reconstruction, rehabilitation and renovation, in part, and the construction of improvements and upgrades to, various District buildings and facilities and the sites thereof (collectively, the "Project") to implement various health, safety, accessibility and Code compliance measures required by the State Education Department in connection with any significant capital improvement project and various other measures that are included and generally described in (but are not to be limited by) the project plan that has been prepared by the District (with the assistance of Trautman Associates) and that is available for public inspection in the offices of the District Clerk (the "Project Plan"), such work being anticipated to include, without limitation and to the extent as and where required, the elements that are generally described below.

Proposed building upgrades are anticipated to include Intermediate Education Center ("IEC") library reconstruction, and building systems upgrades such as various HVAC improvements to replace outdated equipment, including the Middle School boiler, and cooling at the High School gymnasium, IEC, and Middle School. Alternate building improvements are anticipated to include IEC auditorium upgrades, reconstruction of the former administrative building roof, and Primary Education Center window treatment upgrades. Proposed site work is anticipated to include a new synthetic turf surface for the football field and replacement field lighting for the football field and new lighting at the soccer fields. Alternate site work items are anticipated to include reconstruction of the water supply line and various paved areas. If the budget allows after receiving construction bids, or if other items are identified, additional similar renovations, upgrades, and improvements could be undertaken. All of such work (or so much thereof as can be accomplished within the overall budget for the Project, once the construction bids are received) is to be undertaken at an estimated maximum cost of \$17,250,000, provided that the detailed costs of the components of the Project Plan may be reallocated among such components, or such components may be deleted, revised or supplemented if (1) the Board shall determine that such reallocation, deletion, revision or supplementation is in the best interests of the District and (2) the aggregate amount to be expended for the Project shall not exceed \$17,250,000 and (3) no material change shall be made in the overall scope and nature of the Project; and be it further

RESOLVED, that a tax is hereby voted to finance the estimated maximum cost of the Project in an amount not to exceed \$17,250,000, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by the Board; and be it further



Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

RESOLVED, that in anticipation of such tax, obligations of the District (including, without limitation, serial bonds, statutory installment bonds, and/or lease/purchase obligations) are hereby authorized to be issued in the aggregate principal amount of not to exceed \$17,250,000, and a tax is hereby voted to pay the interest on such obligations as the same shall become due and payable; and be it further

RESOLVED, that New York State Building Aid funds that are expected to be received by the District are anticipated to offset a substantial part of the cost of the Project, and such funds shall, to the extent received, be applied to offset and reduce the amount of taxes herein authorized to be levied.

AND FURTHER NOTICE IS HEREBY GIVEN, that an Environmental Assessment Form has been completed for all of the anticipated work involved in the Project, which constitutes a Type I action under the State Environmental Quality Review Act ("SEQRA"), a thorough review of the Project's potential environmental impacts has been undertaken, it has been found that the Project will not result in a significant adverse impact on the environment, and a reasoned elaboration of the SEQRA review and findings has been provided in a Negative Declaration.

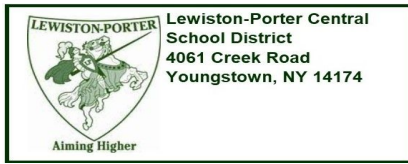
AND FURTHER NOTICE IS HEREBY GIVEN, that such Proposition No. [] shall appear on the scannable ballot sheet to be inserted in the voting machines used for voting on such Proposition in substantially the following abbreviated form:

PROPOSITION NO. [] – 2020-2024 CAPITAL IMPROVEMENT
PROJECT YES NO

Shall the following resolution be adopted?

RESOLVED, that (a) the Board of Education (the "Board") of the Lewiston-Porter Central School District (the "District") is hereby authorized to undertake a 2020-2024 Capital Improvement Project (the "Project") consisting of the reconstruction, rehabilitation and renovation, in part, and the construction of improvements and upgrades to, various District buildings and facilities (and the sites thereof) to implement various health, safety, accessibility and Code compliance measures and various other measures that are included and generally described in (but are not to be limited by) the Project Plan that was referred to in the public notice of the vote on this Proposition, and to expend therefor an amount not to exceed \$17,250,000; (b) a tax is hereby voted in an amount not to exceed \$17,250,000 to finance the estimated maximum cost of the Project, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by the Board; (c) in anticipation of such tax, obligations of the District are hereby authorized to be issued in the aggregate principal amount of not to exceed \$17,250,000, and a tax is hereby voted to pay the interest on such obligations as the same shall become due and payable; and (d) New York State Building Aid funds expected to be received by the District are anticipated to offset a substantial part of such costs, and such funds, to the extent received, shall be applied to offset and reduce the amount of taxes herein authorized to be levied.

2. That 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 Local Finance Law, for the purpose or purposes

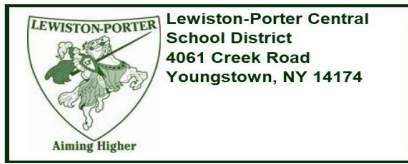


Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

	<p>described in this resolution. The District then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (A) the date hereof or (B) the date of any earlier expression by the District of its intent to reimburse expenditures for this or any earlier iteration of the Project) with the proceeds of the bonds, notes, lease/purchase arrangements or other obligations contemplated by this resolution. This resolution shall constitute the declaration (or reaffirmation) of the District's "official intent" to reimburse the expenditures authorized hereof (or expenditures for any earlier iteration of the Project) with such proceeds, as required by United States Treasury Regulations Section 1.150-2.</p> <p>3. That the District Clerk (or the District Clerk's designee) is hereby directed to add the above-referenced provisions (in substantially the stated form) to the notice of the annual meeting and vote of the District for 2020, working in consultation with the appropriate District officials and the District's bond counsel.</p> <p>4. That this resolution shall take effect immediately.</p>	
<p>Approval for the District Clerk to implement the publication of the Annual Vote Notice</p>	<p>WHEREAS, in light of the situation that has been created by the COVID-19 pandemic, New York State Governor Andrew Cuomo has issued Executive Order No. 202.13 ("Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency") on March 30, 2020 (the "Order"); and</p> <p>WHEREAS, the Order provides, in relevant part, that any school board...election scheduled to take place in April or May of 2020 is postponed until at least June 1, 2020, subject to further directive as to the timing, location or manner of voting for such election; and</p> <p>WHEREAS, the New York State School Boards Association has obtained informal guidance from the Deputy Secretary for Education in New York that the Order was intended to cover not just school board "elections" but also school board "votes" in general (such as the District's annual vote that had been scheduled to occur on May 19, 2020); and</p> <p>WHEREAS, in light of the Order, the Board of Education of the District (the "Board") wishes to direct and empower the District Clerk to monitor the situation and to defer the pending initial publication of the District's annual vote notice (or cease further publication of such notice, to the extent possible), until such time as further guidance is provided in accordance with the Order, and then to proceed as directed;</p> <p>NOW, THEREFORE, be it resolved that the District Clerk be, and hereby is, authorized and directed to monitor the events that are the subject of the Order, and to keep abreast of the future guidance that is anticipated to be delivered pursuant to the Order; and be it further</p> <p>RESOLVED, that the District Clerk shall, in the meantime, defer initial publication (or any further publication, to the extent possible) of the District's annual vote notice until such time as a date for the District's annual vote has been established pursuant to the Order (or has otherwise been established by law), and then proceed to implement such publication arrangements as may be directed, without further action of the Board being necessary; and be it further</p> <p>RESOLVED, that this resolution shall take effect immediately.</p> <p>Dated: April 21, 2020.</p>	<p>NA-3</p>

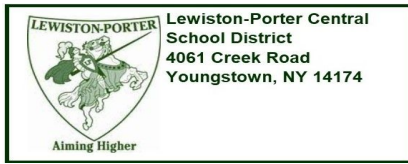


Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

Policy Revision Acceptance of the Second Reading	RESOLVED , at the second reading, that the Lewiston-Porter Board of Education accept the following policies; Policy 5741, Drug and Alcohol Testing of School Bus Drivers and Other Safety Sensitive Employees Policy 7530, Child Abuse and Maltreatment Policy Section 8000; Policy 8240, Academic Freedom Policy 8241, Patriotism, Citizenship and Human Rights Education Policy 8242, Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education Policy 8260, Title 1 Parent and Family Engagement Policy 8270, Instructional Technology Policy 8271, Internet Safety/Internet Content Filtering Policy 8280, Instruction for English Language Learners	NA-4
Orleans/Niagara Administrative Budget	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby approves the proposed administrative budget for the Orleans/Niagara Board of Cooperative Educational Services in the amount of \$ 2,783,582 for the 2020-2021 school year.	NA-5
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Vincent Cancemi Sr. , representing Niagara Falls City School District , as member of the Board of Cooperative Educational Services.	NA-6
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Anthony Casinelli , representing Newfane Central School District , as member of the Board of Cooperative Educational Services.	NA-7
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Janice Covell , representing Starpont Central School District , as member of the Board of Cooperative Educational Services.	NA-8
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Carol Feltz , representing Barker Central School District , as member of the Board of Cooperative Educational Services.	NA-9
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Thomas Klotzbach , representing Lyndonville Central School District , as member of the Board of Cooperative Educational Services.	NA-10
Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Robert McDermott , representing Niagara Wheatfield Central School District , as member of the Board of Cooperative Educational Services.	NA-11



Regular Board of Education Meeting AGENDA

April 21, 2020; 6:00pm

Boardroom, Community Resource Center

Election of Orleans/Niagara BOCES Board Member	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby casts its vote for Wendy Swearingen , representing Lewiston-Porter Central School District , as member of the Board of Cooperative Educational Services.	NA-12												
Approval of Change Orders	RESOLVED , upon the recommendation of the Assistant Superintendent for Administrative Services that the Board of Education approve the following change order; Phase 2: Intermediate Education Center: Change # S-05 Mark Cerrone, Inc - \$95,965.30 – extend concrete pad and fencing to existing batting cages. Additional site work to include stripping soil and preparing subgrade, installing stone and regrading.	NA-13												
Approval of IPA Contract	RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby agrees to enter into the contract with the Erie 1 BOCES for a five (5) year period commencing on or about May 13, 2020 to authorize the Western New York Regional Information Center to furnish certain computer services to the District pursuant to Education Law 1950 (4) (JJ) for an amount not to exceed \$90,985.20 and authorizes 60 monthly payments to be made to Erie 1 BOCES in the amount not to exceed \$1,516.42 per month. Be it further RESOLVED , that the Board of Education of the Lewiston-Porter Central School District hereby authorizes the Board President or the District Clerk to execute the contract on behalf of the District.	NA-14												
PUPIL PERSONNEL														
Recommendations for CSE Placement and Amendments	RESOLVED , upon the recommendation of the Superintendent of Schools, that the Board of Education accept the recommendations and amendments of the Committee on Special Education for the March 10, 11, 12, 13, 18, 2020 for the 2019-2020 school year, and April 2, 2020 for the the 2020-2021 school year, and approve the authorization of funds to implement the special education programs and services consistent with such recommendations.	NP-1												
PERSONNEL - CONSENT AGENDA														
Resignations/ Rescissions - <u>Instructional</u>	RESOLVED , upon the recommendation of the Superintendent of Schools, that the Board of Education accept the consent agenda for resignations/rescissions. <table><tr><td>Name</td><td>Date</td><td>Tenure</td><td>Reason</td></tr><tr><td>Mark Herbst</td><td>06/30/2020</td><td>Speech</td><td>Retirement</td></tr><tr><td>Carol Matthews</td><td>06/30/2020</td><td>Occupational Therapist</td><td>Retirement</td></tr></table>	Name	Date	Tenure	Reason	Mark Herbst	06/30/2020	Speech	Retirement	Carol Matthews	06/30/2020	Occupational Therapist	Retirement	PRI
Name	Date	Tenure	Reason											
Mark Herbst	06/30/2020	Speech	Retirement											
Carol Matthews	06/30/2020	Occupational Therapist	Retirement											
ADJOURNMENT														
Adjournment														