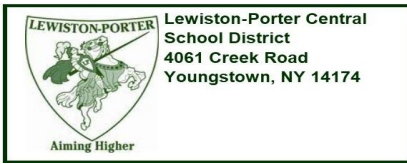


**Regular/Work Session
Board of Education Meeting**

August 10, 2020; 6:00pm

Boardroom, Community Resource Center

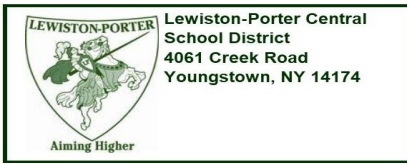
<p>Approval of the Total Collection Solution, System East</p>	<p>RESOLVED, that the Lewiston-Porter Board of Education approve the Total Collection Solution, System East agreement for tax collection software. Motion made by Riordan, seconded by Orr to approve NA-2.</p>	<p align="center">NA-2 Approved, CARRIED 7-0</p>
<p>Approval of SEQRA Resolution Relating to Failure of Electrical System at Middle School</p>	<p align="center">A RESOLUTION, DATED AUGUST 10, 2020, OF THE BOARD OF EDUCATION OF THE LEWISTON-PORTER CENTRAL SCHOOL DISTRICT, NIAGARA COUNTY, NEW YORK (THE "DISTRICT") DECLARING THE DISTRICT'S PROPOSED EMERGENCY CAPITAL PROJECT INVOLVING NECESSARY AND IMMEDIATE MEASURES TO ADDRESS THE SIGNIFICANT AND UNEXPECTED FAILURE OF THE ELECTRICAL SYSTEM FEED AT THE DISTRICT'S MIDDLE SCHOOL TO BE A TYPE II ACTION UNDER SEQRA</p> <p>WHEREAS, the Lewiston-Porter Central School District, Niagara County, New York (the "District") is in the process of responding to the significant and unexpected failure of the electrical system feed (the "System") at the District's Middle School at 4061 Creek Road, Youngstown, New York (the "Facility"), with the work involved being anticipated to include, but not necessarily be limited to, the removal and replacement of a damaged/failed conduit, installation of a new 4,800 volt rated cable, replacement of a deteriorated splice box and various other System components, as well as the investigation of the overall system, with components thereof to be removed and replaced (to the extent necessary) if such components are found to be in a similar deteriorated condition, all in compliance with applicable statutes, regulations and standards (collectively, the "Emergency Capital Project"); and WHEREAS, the District's architect, Trautman Associates ("Trautman"), has determined that the System failure at the Facility poses a risk of injury or harm to District employees and other users of the Facility (essentially rendering the Facility unusable for its normal functions), and recommends that the District pursue an emergency capital project with the State Education Department to facilitate the immediate reconstruction/replacement of the system, thereby allowing the Facility to be rapidly returned to its full intended and critical function and ensuring the health and safety of District employees and other users of the Facility; and WHEREAS, Trautman has specifically recommended that the District implement the Emergency Capital Project that is anticipated to include, but not necessarily be limited to, the removal and replacement of various System components, as well as the investigation of the remaining System, with such components to be replaced (and removed, as needed), if such components are found to be in a similar deteriorated condition, to meet current Code requirements; and WHEREAS, Section 617.5 of the State Environmental Quality Review Act ("SEQRA") Regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include "emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment," "routine activities of educational institutions," "maintenance or repair involving</p>	<p align="center">NA-3 Approved, CARRIED 7-0</p>



**Regular/Work Session
Board of Education Meeting**

August 10, 2020; 6:00pm
Boardroom, Community Resource Center

	<p>no substantial changes in an existing structure or facility;” and “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any [Type I] thresholds in section 617.4”; and</p> <p>WHEREAS, the proposed Emergency Capital Project constitutes such emergency actions, routine activities of educational institutions; maintenance or repair activities; and/or in-kind, same-site replacement, rehabilitation or reconstruction activities;</p> <p>NOW THEREFORE, BE IT RESOLVED that it is the final determination of the District’s Board of Education that the Emergency Capital Project is a Type II action, which is not subject to review under SEQRA and the proposed action will not result in a significant adverse impact on the environment.</p> <p>Motion made by Riordan, seconded by Mullen to approve NA-3.</p>	
<p>Approval to Authorize Emergency Declaration Resolution Relating to Failure of Electrical System at Middle School</p>	<p align="center">A RESOLUTION, DATED AUGUST 10, 2020, OF THE BOARD OF EDUCATION OF THE LEWISTON-PORTER CENTRAL SCHOOL DISTRICT, NIAGARA COUNTY, NEW YORK (THE “DISTRICT”) FINDING AND DECLARING THE EXISTENCE OF AN EMERGENCY SITUATION ARISING OUT OF SIGNIFICANT AND UNEXPECTED FAILURE OF THE ELECTRICAL SYSTEM AT THE DISTRICT’S MIDDLE SCHOOL, AND AUTHORIZING AN EMERGENCY CAPITAL IMPROVEMENTS PROJECT TO ADDRESS THE SITUATION, IN ORDER TO ENSURE THE SAFETY OF DISTRICT STUDENTS, EMPLOYEES AND MEMBERS OF THE PUBLIC, AND THE PROTECTION AND PRESERVATION OF DISTRICT FACILITIES AND PROPERTY.</p> <p>WHEREAS, the Lewiston-Porter Central School District, Niagara County, New York (the “District”) is in the process of responding to the significant and unexpected failure of the electrical system feed (the “System”) at the District’s Middle School at 4061 Creek Road, Youngstown, New York (the “Facility”), with such work being anticipated to include, but not necessarily be limited to, the removal and replacement of a damaged/failed conduit, installation of a new 4,800 volt rated cable, replacement of a deteriorated splice box and various other System components, as well as the investigation of the overall system, with components thereof to be removed and replaced (to the extent necessary) if such components are found to be in a similar deteriorated condition, all in compliance with applicable statutes, regulations and standards (collectively, the “Emergency Capital Project”); and</p> <p>WHEREAS, the District’s architect, Trautman Associates (“Trautman”), has determined that the System failure at the Facility poses a risk of injury or harm to District employees and other users of the Facility (essentially rendering the Facility unusable for its normal functions), and recommends that the District pursue an emergency capital project with the State Education Department to facilitate the immediate reconstruction/replacement of the system, thereby allowing the Facility to be rapidly returned to its full intended and critical function and ensuring the health and safety of District employees and other users of the Facility; and</p> <p>WHEREAS, Trautman has specifically recommended that the District implement the Emergency Capital Project that is anticipated to include, but not necessarily be limited to, the removal and replacement of various System components, as well as the investigation of the remaining System, with such</p>	<p align="center">NA-4 Approved, CARRIED 7-0</p>



**Regular/Work Session
Board of Education Meeting**

August 10, 2020; 6:00pm
Boardroom, Community Resource Center

components to be replaced (and removed, as needed), if such components are found to be in a similar deteriorated condition, to meet current Code requirements; and

WHEREAS, the District has been in contact with the Facilities Planning Unit of the New York State Education Department (which has indicated that the Emergency Capital Project is to be appropriately treated as an emergency situation, with an expedited review and an accelerated flow of State building aid); and

WHEREAS, a project number is in the process of being obtained from SED, and the District has solicited cost proposal(s) and retained and/or will retain one or more contractors to undertake and complete the Emergency Capital Project, as well as any reasonably required additional work to address the described situation; and

WHEREAS, the District proposes to undertake the Emergency Capital Project for the general protection of the public and, specifically, for the restoration and continued use of a safe and reliable Facility for the benefit of the District, to ensure the safety of District employees and other users of the Facility;

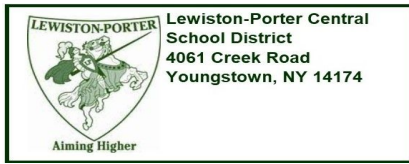
NOW, THEREFORE, BE IT RESOLVED that the District finds that the situation described above: (1) requires immediate action to restore and preserve the physical integrity of the Facility, and to protect the health and safety of District employees and other users of the Facility; and (2) constitutes an emergency within the meaning of Section 103(4) of the General Municipal Law; and be it further

RESOLVED, that the Emergency Capital Project shall be limited in general scope to those items of work that have been deemed by Trautman to be immediately necessary or advisable to restore the integrity of the Facility, to return it to its intended function and use on an expedited basis, and to ensure the safety of District employees and other users of the Facility; and be it further

RESOLVED, that it was the final determination of the District's Board of Education that the Emergency Capital Project is a Type II action, which is not subject to review under SEQRA, and that the proposed action will not result in a significant adverse impact on the environment; and be it further

RESOLVED, that the Board hereby declares that the expenditure of funds for the purpose of undertaking the Emergency Capital Project in an amount up to \$73,889.00 (being Trautman's preliminary estimate of the maximum total cost of the work involved, including incidental expenses), constitutes an ordinary contingent expense of the District, on the basis that such action is immediately necessary to maintain the District's educational program, preserve property and assure the health and safety of District employees and other users of the Facility; and be it further

RESOLVED, that all of the expenses associated with the Emergency Capital Project (including, without limitation, the costs of the Emergency Capital Project, and the undertaking of any reasonably required additional work to address the described emergency situation, as well as the incurrence of necessary architectural and engineering costs, legal costs and other related incidental costs), all of which are hereby declared to be ordinary and contingent expenses in response to the emergency situation, shall be initially funded by the expenditure of up to \$73,889.00 (or so much thereof as may be necessary) from the District's General Fund and, ultimately, from State building aid that is anticipated to be forthcoming (on an expedited



Regular/Work Session
Board of Education Meeting
 August 10, 2020; 6:00pm
 Boardroom, Community Resource Center

	<p>and accelerated basis) in connection with the Emergency Capital Project; and be it further</p> <p>RESOLVED, that the Superintendent of Schools, the Assistant Superintendent for Administrative Services and other appropriate District officials be, and they hereby are, authorized to work with the District's contractors and/or Trautman to develop and complete the plans and specifications for the Emergency Capital Project, to solicit (in accordance with State Education Department guidance) cost proposals/quotes/bids for the work on the Emergency Capital Project, to enter into (in the case of the Superintendent, only) contracts for the work on the Emergency Capital Project on behalf of the District, and to undertake such other actions as may be reasonably necessary for the District to undertake, carry out and complete the Emergency Capital Project as soon as reasonably practicable, all in accordance with applicable New York State law.</p> <p>Motion made by Riordan, seconded by Mullen to approve NA-4.</p>	
ADJOURNMENT		
Adjournment	Motion made by Riordan, seconded by Warrick to adjourn the meeting at 6:50 pm.	Approved, CARRIED 7-0

Marisa I. Barile, District Clerk