

**Port Chester – Rye Union Free School District
Special Meeting - Resolutions
March 20, 2018
Board Room**

Action Items:

- A. **WHEREAS**, the Board of Education of the Port Chester-Rye Union Free School District desires to embark upon a capital improvement project at the Port Chester Middle School for the following: façade and window wall system renovation, unit ventilator replacement, electrical upgrades, install building, heating, ventilation management system, pedestrian bridge reconstruction, and related site work; and,

WHEREAS, said capital improvement project at Port Chester Middle School is subject to classification under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, routine activities such as renovations to, or expansions of existing public school facilities by less than 10,000 square feet are classified as Type II Actions under the current Department of Environmental Conservation SEQRA Regulations (Section 6 NYCRR 617.5(8)); and

WHEREAS, the SEQRA Regulations declare Type II Actions to be actions that have no significant impact on the environment and require no further review under SEQRA; and

WHEREAS, the Board of Education, as the only involved agency, has examined all information related to the capital improvement project and has determined that the capital improvement project at Port Chester Middle School is classified as a Type II Action pursuant to Section 617.5(8) of the SEQRA Regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education hereby declares that the capital improvement at Port Chester Middle School is a Type II Action, which requires no further review under SEQRA; and

BE IT FURTHER RESOLVED, that the Board of Education hereby shall forward an official copy of this resolution to the New York State Education Department together with a copy of the correspondence from the New York Office of Parks, Recreation and Historic Preservation in connection with its request for approval of the work at Port Chester Middle School from the New York State Education Department.

- B. **RESOLVED BY** the Board of Education of the Port Chester-Rye Union Free School District, in the county of Westchester, New York, as follows:

Section 1. A Special District Meeting of the qualified voters of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the "District"), shall be held within the District, on Tuesday, June 5, 2018, at 7:00 o'clock A.M. (Prevailing Time) at the Main Gymnasium of the Port Chester Middle School as provided in the Notice calling said Special District Meeting hereinafter substantially prescribed. The voting at such Special District Meeting shall be by voting machine or paper ballot, as provided by the Education Law, and the polls shall remain open from 7:00 o'clock A.M. to 9:00 o'clock P.M. (Prevailing Time) on said day and as much longer as may be necessary to enable the voters, then present, to cast their votes.

Section 2. The business to be acted upon at said Special District Meeting shall be as stated in the Notice thereof, and the District Clerk is hereby authorized and directed to cause the Notice of said Special District Meeting to be published in "The Journal News," and "The Westmore News," two newspapers each having a general circulation within the District, such publications to be at least made four (4) times within the seven (7) weeks next preceding such Special District Meeting, the first publication to be at least forty-five (45) days prior to the date of said Special District Meeting.

Section 3. Said Notice of Special District Meeting shall be in substantially the following form:

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**NOTICE OF SPECIAL DISTRICT MEETING
PORT CHESTER-RYE UNION FREE SCHOOL DISTRICT,
IN THE COUNTY OF WESTCHESTER, NEW YORK**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York, adopted on March 20, 2018, a Special District Meeting of the qualified voters of said School District will be held on

Tuesday, June 5, 2018

from 7:00 o'clock A.M. to 9:00 o'clock P.M. (Prevailing Time) at the Main Gymnasium of the Port Chester Middle School for the purpose of voting upon the following Bond Proposition:

BOND PROPOSITION

RESOLVED:

(a) That the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the "District"), is hereby authorized to construct improvements and alterations to the Port Chester Middle School building and site (the "Project") as described in a plan dated March 13, 2018, prepared by the District (the "Plan"), which report is on file and available for public inspection at the office of the District Clerk, including improvements in connection with the remediation and reconstruction of building envelope structures and window replacements; façade reconstruction; replacement of exterior window wall systems; replacement of façade pre-cast panels with new exterior window wall systems; unit ventilator replacements; electrical, heating, ventilation and building management system improvements; hazardous material abatement; and pedestrian bridge improvements; all of the foregoing to include all original equipment, furnishings, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of \$11,025,000; provided that the estimated costs of the components of the Project as set forth in detail in the Plan may be reallocated among such components if the Board of Education shall determine that such reallocation is in the best interests of the District;

(b) that a tax is hereby voted therefor in the amount of not to exceed \$11,025,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and

(c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed \$11,025,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

Such Bond Proposition shall appear on the ballots used for voting at said Special District Meeting in substantially the following condensed form:

BOND PROPOSITION

YES

NO

RESOLVED:

(a) That the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the "District"), is hereby authorized to construct improvements and alterations to the Port Chester Middle School building and site, and to expend therefor an amount not to exceed \$11,025,000; (b) that a tax is hereby voted in the amount of not to exceed \$11,025,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts the Board of Education shall determine; and (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the amount of not to exceed \$11,025,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

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The voting will be conducted by ballot on voting machines or paper ballot as provided in the Education Law and the polls will remain open from 7:00 o'clock A.M. to 9:00 o'clock P.M. (Prevailing Time) and as much longer as may be necessary to enable the voters then present to cast their ballots.

NOTICE IS FURTHER GIVEN, that pursuant to Education Law §2014, personal registration of voters is required, and no person shall be entitled to vote at the Special District Meeting whose name does not appear on the register of the District. The Board of Registration will meet at the Port Chester Middle School, 113 Bowman Avenue, Port Chester, New York, on Tuesday, May 29, 2018, from 2:30 o'clock P.M. to 6:30 o'clock P.M. (Prevailing Time) for the purpose of preparing a register of the qualified voters of the District for said Special District Meeting, at which time any person shall be entitled to have his/her name placed upon such register, provided that at such meeting of the Board of Registration he/she is known or proven to the satisfaction of such Board of Registration to be then or thereafter entitled to vote at said Special District Meeting.

The register of the qualified voters of said District prepared for the Annual Election held on May 15, 2018, shall be used by said Board of Registration as the basis for the preparation of the register for said Special District Meeting to be held on June 5, 2018. Any person whose name appears on such register or who shall have been previously registered for any annual or special District meeting or election and who shall have voted at any annual or special District meeting or election held or conducted at any time since January 1, 2014, will not be required to register personally for this Special District Meeting. In addition, any person otherwise qualified to vote who is registered with the Board of Elections of Westchester County under the provisions of the Election Law shall be entitled to vote at said Special District Meeting without further registration.

Immediately upon its completion, said register will be filed in the Office of the District Clerk and will thereafter be open for inspection by any qualified voter of the District between the hours of 8:30 o'clock A.M. and 1:00 o'clock P.M. (Prevailing Time) on each of the days prior to the day set for the Special District Meeting, except Saturday, June 2, 2018, by appointment only and Sunday, June 3, 2018.

NOTICE IS FURTHER GIVEN that applications for absentee ballots may be applied for at the office of the District Clerk, 113 Bowman Avenue, Port Chester, New York, during school business hours, Monday through Friday, except holidays. If the ballot is to be mailed to the voter, the completed application must be received by the District Clerk no later than May 29, 2018. If the ballot is to be delivered personally to the voter at the office of the District Clerk, the completed application must be received by the District Clerk no later June 4, 2018.

A list of all persons to whom absentee ballots shall have been issued will be available for inspection in the office of the District Clerk during regular office hours until the date of said Special District Meeting. Absentee ballots must be received by the District Clerk no later than 5:00 o'clock P.M. (Prevailing Time) on June 5, 2018.

Only qualified voters who are registered to vote will be permitted to vote.

Section 4. The vote upon the Bond Proposition to be submitted to the qualified voters shall be by ballot on voting machines or by paper ballot, and the District Clerk is hereby authorized and directed to have the necessary ballots printed, in form corresponding as nearly as may be with the requirements of the Education Law.

Section 5. The proceeds of the bonds authorized pursuant to the Bond Proposition set forth in Section 3 hereof, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the District for expenditures made for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. This resolution shall take effect immediately.

- C. **BE IT RESOLVED**, that on March 13, 2018, the Board of Education found probable cause to convene a Section 3020-a Education Law hearing against Employee No. 1819 based upon charges of Misconduct and/or Conduct Unbecoming a Teacher and/or Neglect of Duty and/or Incompetence and/or Insubordination; and

BE IT FURTHER RESOLVED that Employee No. 1819 shall be suspended with pay, effective, March 19, 2018, during the pendency of said Section 3020-a proceedings.