



BARKER CENTRAL SCHOOL DISTRICT
Board of Education Meeting Minutes
Auditorium
Monday, July 6, 2020

PRESENT R. Atwater, M. Clemens-Harris, H. Ecker, C. Gancasz, E. Gow, J. Sweeney, V. Voss

EXCUSED None

ALSO

PRESENT J. Reimer, M. Carter, M. Eadie, C. Heiligenthaler, M. Kramer
Public: 6

**CALL TO
ORDER**

President Atwater welcomed everyone and called the meeting to order at 7:16 p.m. The Pledge to the Flag was given.

**APPROVE
AGENDA**

The agenda was reviewed and a budget transfer request was added under Business and Financial Items as Letter N. With no further additions or changes, a motion was made by Mrs. Ecker, seconded by Mrs. Gancasz, to approve the agenda as presented. Yes: 7, No: 0
Motion carried.

**ACCEPT
MINUTES**

The Board reviewed the minutes. A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to accept the minutes from the Audit Committee Meeting and the Regular Board Meeting dated of June 8, 2020 as presented. Yes: 7, No: 0
Motion carried.

**PUBLIC
FORUM**

None.

PRESENTATIONS

Principal's Update – Mr. Carter

Mr. Carter congratulated Mr. Sweeney on his re-election and welcomed Mrs. Gow to the Board. He discussed graduation and noted that he has been meeting with the Senior Class to discuss options and their views of how graduation could look based on the guidance available. He noted that the event will follow specifically the NYS guidance provided. A letter was received by districts regarding these recent events



as it relates to not following guidance. As more information becomes available, Mr. Carter said that plans will need to adjust accordingly. The drive-in Senior Night was very well received. Mr. Costello did a great job making a video with messages from staff, students, pictures of kids through the years to recognize the students. The video is posted to the BCS website and YouTube.

Mr. Carter discussed the status of the scheduling for next year which is almost finalized for the Jr./Sr. High. The Elementary was completed in the Spring but staff are still looking at ways to incorporate more efficiencies based on the change to the six-day rotation through used a sharing teachers, combined/concurrent teacher planning times, etc.

Mr. Carter introduced Mr. Christopher Post whose appointment is being brought forward to the Board this evening for the technology teacher position. He welcomed him and his background was provided.

Mr. Carter commented that he saw a school bus with children today. He guessed it might have been traveling to Camp Kenan, and stated it was a strange but nice thing to see.

Instructional Services Update – Dr. Kramer

Dr. Kramer noted that as required by New York State Education Department, a parent survey must be conducted every six years, and it was Barker's year to do so. She commented that she put a shameless plug in the most recent Banner to remind the parents again since their annual meeting, to complete the survey and mail it to State Ed. She also told them if an additional copy was needed to reach out to her. If the required number of responses were not received by the deadline of August 31st, Barker would need to do the process again next year. She noted however, that she had been informed that the quota has been met and exceeded, so the District is set until the next required time period.

Enrollment in the Summer School Program totaled 43, which, giving the program will be online, is 33 higher than anticipated. Dr. Kramer noted her surprise with this given the challenges associated with online learning and was pleased with the numbers. She noted she also received a call today for one additional student to participate.

Although the school year just ended for the teachers, Professional Development opportunities continue throughout the summer if staff wish to participate. One is a program utilizing a book study "Words Their Way" that looks at spelling and a different way to approach learning through the use of vocabulary, phonics and spelling. Twelve elementary teachers are participating in the program with the goal to implement what is learned in the Fall to increase literacy in the elementary area. The second opportunity is for various technology offerings. Given the District doesn't know what the Fall will look like, the programs will benefit the staff and students whether it opens in person, a blended program, or virtual.

Financial Update – Ms. Heiligenthaler

Ms. Heiligenthaler echoed her congratulations to both Board members. She discussed that this past month has been very busy with the change from the Business Office to Erie 2 BOCES for processing accounts payable, general ledger transactions, and purchasing. Mrs. Stoll will be here through month-end and has been working with Mrs. Heiligenthaler with the transition as there are many items to coordinate and implement, along with numerous meetings with our staff and Erie 2 staff, as well as Erie 1. This change to Erie 2 will allow the District an opportunity to have redundancy and segregation of duties as there are three Erie 2 BOCES on staff for each module that will work with the District. There will also be an ongoing cost savings to the District by outsourcing. She noted there is a meeting onsite tomorrow with staff and Erie 2 to gather paper resources they need and work through various processes.

Ms. Heiligenthaler stated that the last meals provided to the District residents was on June 26th, which resulted in almost 30,000 meals being served as a result of the Covid closure. She commented on the benefits and the interactions with the families and the number of students that came with parents to pick up meals.

Expenditures at year-end are estimated to be \$15,971,305, which is a decrease of approximately \$11,000 from the June meeting, and represents a decrease of \$536,000 less than the 2018 – 2019 school year. Overall, the District's expenses came in approximately \$1.3 million less than budgeted, which is due to a certain extent in part to the closure of school with less spent on transportation, coaches, substitutes, etc. Ms. Heiligenthaler also noted that the District still has not received any PILOT payments from the Somerset Power Plant.

Even with the cost savings, Mrs. Heiligenthaler noted a few things the District was able to work on this year which included the replacement of LED lights in the High School and Pratt parking lots; refurbished the High School gym bleachers; mulch, which was very much needed, has been replaced on the playground; and the 1911 and High School parking lots had spot repairs done to them. In addition, Smart School funds were used to upgrade the camera system for enhanced security which was completed in the Spring.

The auditors will be on site July 27th to perform audit functions that can not be done remotely.

As noted during the agenda review, a budget transfer will be presented to the Board which is from the second June billing from BOCES for a \$15,000 cross-contract with Wayne Finger Lakes that was not billed until now from a cross-contract agreement earlier in the year.

Communication Tower Proposal - Chief Deputy Weidel, Niagara County Sheriff's
Chief Weidel thanked the Board and Mr. Reimer for their time this evening. He noted his connections with the area and the District. He stated his purpose this evening was to discuss a grant made available through New York State to build radio towers to improve communication abilities amongst the first responders, schools and



other area businesses in Niagara County, and the opportunity for the District to have this onsite. He reviewed the history of the police's radio systems for this area since the P25 UHF Trunked Radio System went live in 2015 for all police and fire companies in Niagara County with the exception of the Niagara Falls, and how this was forced upon them as a result of narrow broadband. The original program was to have 12 designated sites along with an expansive LMR system. However, with resultant budget cuts the twelve sites became six, thus making it more difficult to communicate to the needed sources. He noted that there is 95% coverage in street applications but there is a struggle in large older buildings due to their infrastructure such as the school with the portable radios being used by fire and police. He provided an example which, in the case of the Barker SRO, during emergencies, the SRO would need to utilize his/her cell phones, call 911 and communicate that way as the portable radios will reach outside to the necessary services. As a result, two years ago, Chief Deputy Weidel started his analysis and review to determine what areas and sites would strategically help enhance this communication situation. Subsequently, two sites were determined and built at the Fashion Outlet Mall in Niagara Falls and the Lewiston Highway Garage. The State has provided an opportunity for a \$6 million Interop grant which would allow for the building of additional sites and increase the inter-operability pipeline of the radio network. He noted the cost to build a tower and network is approximately \$1.2 million. This would also allow Orleans County to be able to talk with Niagara County once implemented. He noted that based on the research, the places selected to utilize the grant funds would be the Shawnee Fire Company, Wilson, and Barker, NY. When looking at the Barker area, he noted that he approached Mr. Reimer in March about a potential site on the District property, but then the Covid pandemic broke out and work stopped until just recently, and now he is able to get back to discuss this opportunity. He stated that, although he could go to other locations in Barker, he chose to approach the school first, as users of the system do receive benefits from having the tower facility on their location through the grant. The District would be provided some materials to support its communications with the tower that it would need to otherwise pay for out of pocket such as radios. He noted how other areas have also tied other components into this system such as Niagara Wheatfield and the Factory Outlet for security purposes. The Barker Fire Company and the Town Highway Department utilize the system, and he would like to offer the opportunity to the District. He described what a typical site may look like with a 50' x 50' building in a fenced off with an access road which they would maintain, and it would have three microwave dishes, 4-5 antennas on a 180 ft. radio tower. The timeline, should the Board decide to move forward, would be to have a commitment and documentation finalized by year-end and complete the structure during the 2020 – 2021 year. He noted that the site would not be shared with others. The site would provide a huge benefit to the school, people, and surrounding community with regard to public safety. He noted he was not married to the school as a site, nor the location on the school property which he suggested. He then noted that as this is just being brought forward, the Board could take time and discuss, provided his contact information in order to respond to subsequent questions that they may have, and to let him know if they would like to proceed with this opportunity on school grounds.

**SUPERINTENDENT'S****REPORT**

Mr. Reimer asked the Board to review the information presented by Chief Deputy Weidel, that they could have a conversation with regard to the proposal at the next meeting, and to let him know if they have any questions or concerns in the interim.

With regard to expenditures, as noted by Ms. Heiligenthaler, they came in \$1.3 million under budget at year-end. Revenues from the Somerset Power Plant continues to be a concern. He noted that technically, the PILOT Agreement is still in place through year-end. Two weeks ago, Mr. Reimer and Ms. Heiligenthaler met with Niagara County Real Property Tax Services Office and the Niagara County IDA to discuss options relating to the plant and non-payment. For the 2019-2020 year, a little more than \$1.8 million is owed by the plant. Mr. Reimer commented that he continues to follow the guidance provided by legal council and Niagara County with regard to the plant's payments. Mr. Reimer discussed the timing of the plant moving onto the tax roll and subsequent implications relative to the assessed value, tax levy, and plant tax payments. He noted that for the 2020-2021 school year, if revenues are 20% less than the current year, the District can apply to the State to get monies through the Energy Cessation Program and could provide more revenue than currently budgeted. Mr. Reimer also has clearly articulated to the plant the need to pay what is owed on the PILOT and stated the plant knew it was accountable to do so. Mr. Reimer reiterated that the District very clearly used sound business practices by not budgeted revenues from the plant into the long-term budget projections. He commented that this is a difficult situation to work through and the District will do its best, slowly and carefully, to work through this in order for the school to receive as much money as possible. He also noted that besides the school's concern and investment in the resultant payments, if the plant goes back on the tax roll in 2021-2022, and does not pay taxes, the County becomes liable for its payment, so there are many that are involved and impacted by the plant.

Mr. Reimer reviewed the work being performed in relation to opening of school in the Fall. Currently there are three plans: (a.) full return; (b.) hybrid – which is hard to predict as guidance is needed from the State; and (c.) virtual. He commented that there is a great group looking at each scenario who will be ready to build out and begin implementation once guidance is received. He commented that there is a good chance what has been provided relative to summer school guidance may be close to what is provided in the Fall. Mr. Reimer ensured the Board there will be instruction, just not sure if all can be together. One good advantage at Barker is the amount of available empty space that could be utilized to maintain social distancing. Transportation may be a larger issue and expense for the District if distancing is required. It is currently estimated if that is the case, there may be the need for four bus runs vs. one next year. Once guidance is received, the District will be able to put together its plan and recommendation, reach out to the community for input; and implement and disseminate information as appropriate.

The solar project is moving along. Mr. Reimer highlighted the related negative declaration resolution being presented tonight as part of the process. Final approvals from NYSEG are pending. Once all the required pieces, documentation and approvals are in, the project should move along quickly he noted.



RFPs for the energy and building upgrades went out last week. A conference call with the architects and bidders is scheduled and includes five interested parties. Mr. Reimer noted he will continue to provide updates to the Board.

Mr. Reimer noted that 130 letters to State representatives were mailed out pertaining to the resolution brought forward from the BTU last month supporting funding for the District as a result of the Covid pandemic. He stated he is hoping to hear back soon from some. He commented that the Board knows he will not stop continuing to advocate for the District with regard to funding as it is severely under funded.

POLICIES Mr. Atwater presented the following policies for review:

- 8331 Controversial Issues;
- 8340 Textbooks/Workbooks/Calculators/Instructional Computer Hardware;
- 8350 Use of Copyrighted Materials;
- 8360 Religious Expression in the Instructional Program;
- 8410 School Calendar;
- 8420 Opening Exercises;
- 8430 Independent Study;
- 8450 Home Tutoring (Homebound Instruction);
- 8460 Field Trips;
- 8470 Home Instruction (Home Schooling);
- 8250 Animals in the Schools (Instructional Purposes);
- 8260 Title I Parent Involvement Policy;
- 8270 Instructional Technology;
- 8271 Internet Safety/Internet Content Filtering Policy; and
- 5676 Privacy and Security for Student Data and Teacher and Principal Data.

EDUCATION A motion by Mrs. Ecker, seconded by Mrs. Clemens-Harris, to approve the Cross Country Team invitational trip from Friday, September 11, 2020 to Saturday, September 12, 2020 to Vernon, NY.

Yes: 7, No: 0

Motion carried.

PERSONNEL

ITEMS A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the appointment of Marianne Provencher as a Substitute Teacher at the per diem rate; and as a Substitute Teaching Assistant and Substitute Teacher Aide at a rate of \$11.80 for Grades Pre-K – 12.

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the appointment of Ronda Baronich as a Substitute Teacher at the per diem rate; and as a Substitute Teaching Assistant and Substitute Teacher Aide at a rate of \$11.80 for Grades Pre-K – 12.

Yes: 7, No: 0

Motion carried.



A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the appointment of Christopher Post to be appointed as a probationary Technology Teacher effective September 1, 2020, as per the Agreement between the Barker Central School District and Barker Teachers Union. Probationary period effective September 1, 2020 through August 31, 2023. The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the employee must meet all requirements of the Educational Law and corresponding regulations. Annual salary rate of \$53,550.

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the following 2020 Fall sports appointments for the 2020 - 2021 school year as outlined below:

Sport	Name	Step
Varsity Cross Country	Paul DerSarkissian	4
Varsity Cross Country Assistant	Sharon Lamb	4
Modified Cross Country	Bill Wilson	4
Golf	Robert Mucha	3
Varsity Field Hockey	Jeff Costello	4
Modified Girls Soccer	Mike Gendrue	4
Field Hockey Assistant	Karin Menz	volunteer
Field Hockey Assistant	Bill Moeller	volunteer
Field Hockey Assistant	Cortney Booth	volunteer
Field Hockey Assistant	Jessamine Pavlock	volunteer

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve James Cantella as Director of the Community Adult Education program for the 2020 – 2021 school year at a rate of \$6,400.00 per year.

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the following Community Adult Education appointments for the Fall 2020 school year from Monday, September 28, 2020 – Monday, November 23, 2020:

Antique Auto	Mallon, Thomas	\$12.00
Barre	Burke, Molly	\$12.00
Basketball	Morgan, Jared	\$12.00
Basketball (Substitute)	Phillips, Shane	\$12.00
Beginner Knitting	Davis, Karen	\$12.00
Beginner Knitting (Substitute)	Niethe, Lois	\$12.00
Beginner Quilting	Stoll, Janice	\$12.00
Body Sculpting/Stretch & Tone	Mathison Trisha	\$12.00
Book Folding	Dudek, Mary	\$12.00
Ceramics for Beginners	Feltz, Krista Beth	\$12.00
Greeting Card Class	Kersch, Mary	\$12.00
Greeting Card Class	Martell, Loriann	Volunteer



Staff/Supervision (Substitute)	Wilson, William	\$12.00
Stained Glass	Diez, Laura	\$12.00
Swim Lessons/ Water Aerobics:		
Life Guard	Costello, Lori	\$16.00
Life Guard	Dergel, Heidi	\$16.00
Life Guard	Gancasz, Maddie	\$16.00
Life Guard	Goodlander, William	\$16.00
Life Guard	Lamb, Sharon	\$16.00
Life Guard/Walter Aerobics	VeRost, Beth	\$16.00
Life Guard/Water Aerobics	Wilson, Lynne	\$16.00
Life Guard/WSI	Wilson, William	\$16.00
Volleyball	Harris, James	\$12.00
Volleyball (Substitute)	Morgan, Jared	\$12.00
Special Programs:		
AARP SMART Driver	Laskey, George	Not paid by District

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the appointment of club and class advisors for the 2020-2021 school year as outlined below:

Club	Advisor	Category	Step
American Field Service (AFS) (co-share)	Amy Dewart	A	Step 4
	Joel Strong		Step 1
International Exchange Club (co-share)	Michelle Wing	B	Step 1
	Kathleen Broderick		Step 1
Latrator/Yearbook	Michelle Wing	A	Step 4
Latrator/Yearbook Business Advisor	Michelle Wing	B	Step 4
Varsity Club	Ryan Carberry	A	Step 3
Jazz Band Club	Jeff Rappold	D	Step 4
Entrepreneurs Club	Krista Beth Feltz	E	Step 4
Elementary Store	Jamie Weller	E	Step 4
National Honor Society	Melissa Bundrock	D	Step 4

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to accept the resignation of Ashley Atwater as a Teaching Assistant effective August 31, 2020.

Yes: 7, No: 0

Motion carried.

Mr. Atwater congratulated Mr. Post on his appointment.

BUSINESS & FINANCIAL

ITEMS

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to accept the Extraclassroom Report dated June 30, 2020.

Yes: 7, No: 0

Motion carried.



A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to accept the 2019-2020 Year-end Extraclassroom Report.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the transfer of the remaining treasury balance from the Class of 2020 to the Class of 2021 for use towards their class trip.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the contract between the Barker Central School District Superintendent of Schools and the Barker Central Support Staff effective July 1, 2020 through June 30, 2022.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the Memorandum of Agreement between the Barker Central School District Superintendent of Schools and the Barker Central Teachers' Union effective July 1, 2019 through June 30, 2021.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the contract between the Barker Central School District Superintendent of Schools and the Barker Central Business Administrator effective July 1, 2020 through June 30, 2022.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the contract between the Barker Central School District Superintendent of Schools and the Barker Central Principal, Michael Carter effective July 1, 2020 through June 30, 2022.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the contract between the Barker Central School District Superintendent of Schools and the Barker Central Senior Account Clerk - Typist Business Office effective July 1, 2020 through June 30, 2022.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the contract between the Barker Central School District Superintendent of Schools and the Occupational Therapy Assistant effective July 1, 2020 through June 30, 2023.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the Memorandum of Agreement between the Barker Central School District and the Barker Central School Central Services Association.

Yes: 7, No: 0

Motion carried.



A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the AHERA Periodic Surveillance and Inspection Report as of July 2020.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve the results from the 2020 - 2021 School Budget & Election Vote.

Yes: 7, No: 0

Motion carried.

A motion by Mr. Sweeney, seconded by Mrs. Clemens-Harris, to approve, the Negative Declaration Resolution of the Board of Education of the Barker Central School District Pursuant to the New York State Environmental Quality Review Act for the 2020 Capital Solar Project.

**NEGATIVE DECLARATION RESOLUTION OF THE BOARD OF EDUCATION
OF THE BARKER CENTRAL SCHOOL DISTRICT PURSUANT TO THE NEW
YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE 2020 CAPITAL
SOLAR PROJECT**

WHEREAS, the Board of Education for the Barker Central School District (the “District”) has reviewed the proposed 2020 Capital Solar Project to be completed within the District in accordance with the New York State Environmental Conservation Law (“ECL”), including ECL Article 8, as well as associated regulations including 6 N.Y.C.R.R. Section 617.1 et seq. (“SEQRA”) which includes: installation of an approximately 742,560 Watt DC solar array along the south side of Haight Road on District property encompassing approximately 4 acres in that location and that will be connected by the developer to the electric grid on the north side of Haight Road in collaboration with National Grid, with such arrays to be placed on the surface of said property as more fully set forth in plans for such project on file in the District’s offices (“the Project”);

WHEREAS, the District is required to review and evaluate the impact of the Project on the environment in accordance with applicable law including SEQRA to determine what impact the Project may have on the environment in accordance with SEQRA’s requirements; and

WHEREAS, the Board has classified the Project as an Unlisted Action under SEQRA, and has arranged for parts 1, 2 and 3 of the Short Environmental Assessment Form (“EAF”) for the Project be prepared; and

WHEREAS, the District has determined to conduct a coordinated review under SEQRA of the Project, and as a result in accordance with applicable law and regulations it hereby ratifies and approves the District Superintendent’s submission to appropriate involved and interested agencies a notice of the District’s intent to act as SEQRA lead agency, with such notice including a copy of the completed EAF part 1 for the Project and a Project description (“the Project Notice”);

WHEREAS, it has been more than 30 days since the District transmitted the Project Notice to each involved agency and to each interested agency it deems appropriate and no objection has been lodged to the District acting as lead agency for the SEQRA review of the Project and as a result, it has by virtue of applicable law and regulation been installed as the SEQRA lead agency for the Project;

WHEREAS, pursuant to the required SEQRA review to be completed for the Project, the District has reviewed the completed part 1 and drafts of parts 2 and 3 of the EAF for the Project with such draft completed by the District’s architect SEI Design Group (the “District’s architect”) and the District hereby adopts the completed EAF part 1 and drafts of the completed parts 2, and 3, and the District with the assistance of its architect has reviewed additional applicable information



concerning the Project and pursuant to this resolution, adopts Parts 1 and the part 2 of the EAF, as well as well as reviewing Project plans associated with the Project, as well as reviewing the results of the EAF Mapper for the location where Project work is to be completed (referred to as “the Project Site”), and pursuant to its issuance of this declaration and notice, the District has reviewed and adopted the completed Part 3 of the EAF (each of the foregoing referenced documents may be referred to collectively as (“the EAF and Supplemental Documents”)) ;

WHEREAS, the District resolves based upon the information contained in the EAF and Supplemental Documents on other information summarized above and other information and documentation comprising the administrative record in this matter including but not limited to, the documents and information contained in this notice and resolution, and it 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 of Negative Declaration thereof as follows:

Name of Action: The Barker Central School District 2020 Capital Solar Project

Applicant: The Barker Central School District Board of Education

Type of Action (SEQRA Classification): Unlisted

Description of Action (Summary):

The action associated with the proposed 2020 Capital Solar Project is generally comprised of: installation of a solar array equipment along the south side of Haight Road on District property encompassing approximately 4 acres, and that will be connected by the developer to the electric/power grid on the north side of Haight Road, with such arrays to be placed on the surface of said property as more specifically identified in the first Whereas clause of this resolution and notice on page 1, and more fully set forth in the Project plans on file with the Barker Central School District’s Administrative Offices with at the address identified below.

Location of Action (Project Work):

The location of the property on which the work pursuant to the proposed 2020 Capital Solar Project will be undertaken is 1628 Quaker Rd., Barker N.Y. 14012 along the south side of Haight Road (previously and hereafter referred to as the “Project Site”).

NOW THEREFORE BE IT RESOLVED:

Upon a thorough review and due consideration by the District of the completed Short 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, and upon consideration of other information associated with the completed EAF, including the EAF Mapper results for the Project Site including the completed EAF Mapper for the area where the work will be completed and the Project operated, and upon reviewing other information including Project plans as further described herein as part of the EAF Supplemental Documents and other information contained in the administrative record in this matter, the District 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 review and analyze such impacts as required.
2. The District has classified its review of the Project as an Unlisted 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 EAF, including the information in the completed the Part 1 of the EAF as well as that information set out in the completed Part 2 and Part 3 of the EAF, together with examining other available supporting information and documents concerning the Project, as well as reviewing the EAF Mapper results for the area where the Project work will be completed, and information and documentation provided by the District's architect, including the information and documentation associated with the EAF and Supplemental Documents, and it has reviewed impacts and potential impacts from the Project to land, stormwater and groundwater, wetlands, other water resources, and analyzed any reasonable impacts and potential 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, impacts from spill sites or other sites containing contaminated material in close proximity to the Project Site and other impacts and potential impacts as required, 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 impact associated with the Project, and based on its review, the District approves, adopts and incorporates by reference the responses to the completed EAF, including the Parts 1, 2 and 3 thereof, as well as the EAF Mapper results for the Project site and areas where Project work will be completed, and the Project operated 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 the placement of solar array equipment on existing land owned by the District comprising approximately 4 acres in order to operate a ground mounted solar field. A third party is responsible for connecting the solar field to any power grid for transmitting power from it. No additional or other infrastructure or construction is associated with the Project. No additional land is being acquired for the Project, and thus no part of the Project involves expansion of the footprint



of existing District property. As a result, the area where the Project is to be installed and operated will have no material effect on the land and area as it currently exists now, it will simply have solar array structures placed on top of it. Similarly, the installation of any infrastructure connecting the array to the power grid which will be undertaken by a third party (National Grid) will not impact the land as any such infrastructure is anticipated to be located below ground and is not anticipated to have any effect on above or below ground areas.

In addition, the Project is apparently not 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 past and current uses by the District are not subject to local zoning regulations.

For the reasons set forth above, no significant adverse impact is anticipated to community character as the Project Site consists of the placement of solar array structures and minimal infrastructure by a third party to connect same to the power grid and as such, since no construction of significance is needed in addition to placement of the referenced equipment on top of the ground and installation of a minimally invasive connection of the array structures to the power grid, there will be no change of significance to the uses associated with the Project area where the Project is to be constructed and operated, including to the Project Site, as currently that area is simply an open field adjacent to an educational use. Furthermore, no impact to community character is anticipated in light of the foregoing, as there will be 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 solar arrays to be placed on the Project Site and area where it will be operated has been developed with the same uses for many years and such uses will essentially continue after the Project work is completed, it is an unused field area associated with educational uses now and after the Project is constructed and operational, it will have solar array equipment placed on top of it with a minimally invasive connection installed whereby the array equipment will be connected to the power grid. 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. Further, no other significant projects are known to be planned for the area associated with the Project Site.

No significant adverse impact to agricultural uses is anticipated, as no agricultural uses are currently being undertaken in those areas where Project work will be completed. Further, while the Project Site is located in an area designated as an Agricultural District, no active agricultural activities are being undertaken on the Project Site and as such, construction of the Project will not result in any significant adverse impact associated with agriculture or with the Agricultural District.

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

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. While the area where Project work is to be completed is located near State Regulated Freshwater Wetlands, Wetlands do not occur on the area of the property where the Project is to be constructed and operated but are located adjacent to Somerset Town Park (Golden Hill Creek). Further, as no additional land beyond the Project Site is being disturbed, nor is any significant change in the intensity of uses proposed by the Project, no potentially significant adverse impact to wetland or similar areas is anticipated. In addition, there is an impaired water body which is classified as a class c stream known as Golden Hill creek located in proximity to the Project Site



and/or on a portion of it, but none of the Project work is anticipated to encroach on or be affected by such water body, and therefore no significant adverse impact from or to same is anticipated.

The Project site is located in a 100 and 500 year flood plain and in a floodway, but other parts of the District property adjacent to where the Project is to be constructed have been developed for some time without documented impact from such flood plain location; as a result, any work associated with the Project is not anticipated to adversely affect such flood plain areas or be adversely affected by such flood plains.

Air Quality Impacts and Health and Safety Impacts:

The Project will not result in any significant adverse impact to air quality. When assessing such impacts for actions such as the Project, air impacts from vehicle traffic and construction are typically analyzed. Based on the nature of the work to be undertaken for the Project including the scope of some operations associated with construction, including from any vehicles needed to deliver the solar equipment or to construct a connection from the array to the power grid, no significant adverse impacts to air quality are anticipated. 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 among others, material delivery vehicles, or equipment, such impacts are not anticipated to be significant but rather short-term and discrete (most construction will take place from around 7-3 with significant aspects of it completed in summer months). Further, once the Project is developed, for the reasons set forth below, no significant adverse impact from vehicular traffic is anticipated.

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 including the improvements or measures to be constructed concern the operation of a solar array. As such, no significant number of additional vehicle trips following construction are anticipated, nor will construction of the Project attract significantly larger numbers of visitors to the Project Site.

There will be no significant adverse impact associated with hazards to human health or the environment, as there is no indication the Project Site is located in close proximity to any spill or waste site or remediation site that will have a significantly adverse effect on the environment on the Project Site or on human health. One former hazardous waste site that is the subject of remedial activity is located within 2000 feet of the Project site is known as the former Barker Chemical site (number 932119), but such site has been the subject of remedial action including investigation and according to New York State Department of Environmental Conservation website information on such site, it does not present a risk to human health. Further, while property located on the referenced site may be impacted by contamination associated with the former Barker Chemical, there is no indication that such site will affect the Project Site.

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 aspect of the Project Site.

Impacts on Aesthetic Resources:

The Project will not have any significant adverse impact on aesthetic resources associated with the Project Site or other areas where the Project will be constructed or operated. As discussed in detail above regarding impacts to land, the development associated with the Project is not anticipated to have any significant adverse impact because the uses associated with the Project Site



will not materially change—what is now a portion of an open field area associated with educational uses thereto will contain a solar array equipment on top of a portion of it along with some connection from the array equipment to the power grid. 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. The number and appearance of the array equipment and the referenced connection is not anticipated to have a significant adverse impact to aesthetic resources given the current use of the area where the Project will be constructed and the uses adjacent to it and in light of the uses in the neighborhood in proximity to the proposed Project.

Impacts to Archeological and Historic Resources or Similar Resources:

The Project is not anticipated to have a significant adverse impact on archeological or historic resources, as no state or other list of historic structures have been identified on the Project site or adjacent to it, nor any archeological resources.

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 and area where the Project will be constructed and operated, including its connection to the power grid, has been developed and used for educational uses for many years including an open field adjacent to such uses as such, placement of solar array equipment and a connection from it to the power grid is not anticipated to cause a material change to such current use.

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 installation of solar array equipment on top of a portion of an open field adjacent to educational uses is not being undertaken to facilitate additional vehicle trips. As a result, it is not anticipated that the Project will have a significant adverse impact on traffic, including on local traffic flow and traffic patterns.

Impacts Related to Noise, Odors and 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 equipment and construction operations above ambient noise levels from installation of solar array equipment and constructing a connection from same to the power grid, the impact will be short in duration and discrete and because it is anticipated such noise will be limited to typical construction times (most construction is anticipated to take place from around 7am-5pm with significant aspects of it completed in summer months). No undue odors are anticipated from construction of the Project or operation of it after it is built.



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 incorporating and 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 Board of Education of the Barker Central School District 1628 Quaker Rd., Barker N.Y. 14012

3. The District Clerk and/or those persons whom the 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.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

The following vote was taken and recorded in the public or open session of said meeting:

Moved by: _____ Seconded by: _____

Aye _____ Nay _____ Absent _____

Accepted _____ Denied _____

Dated: July 6, 2020
Barker, New York



CERTIFICATION

STATE OF NEW YORK)
COUNTY OF NIAGARA) SS:

I, the undersigned Clerk of the Barker Central School District Board of Education DO
HEREBY CERTIFY as follows:

That I have compared the annexed extract of minutes of the meeting of the Barker Central
School District Board of Education, including the resolution contained therein, held on July 6, 2020,
with the original thereof on file in my office, and that the same is a true and correct copy of the
proceedings of the District and of such resolution set forth therein and of the whole of said original
insofar as the same related to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Barker Central School District Board of
Education had due notice of said meeting, that the meeting was in all respects duly held, said
meeting was open to the general public, and that public notice of the time and place of said meeting
was duly given.

I FURTHER CERTIFY that there was a quorum of the members of the Barker Central
School District Board of Education present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and
effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District
this 6th day of July, 2020.

Secretary

Yes: 7, No: 0

Motion carried.

A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to approve the budget
transfer in the amount of \$15,100 to cover the costs of a cross-contract with Wayne
Finger Lakes BOCES for 2019 – 2020.

END OF PUBLIC

SESSION A motion by Mrs. Clemens-Harris, seconded by Mr. Sweeney, to end the Public
Session and enter into Executive Session at 8:14 p.m. for the purpose reviewing the
Superintendent’s evaluation and a legal matter.

Yes: 7, No: 0

Motion carried.



EXECUTIVE

SESSION Motion by Mrs. Gow, seconded by Mrs. Gancasz, to approve the adjournment of the Executive Session at 8:50 p.m. and return to Public Session.

Yes: 7, No: 0

Motion carried.

PUBLIC SESSION/

ADJOURNMENT

Motion by Mrs. Gow, seconded by Mrs. Gancasz, that the Board approve the end of the Public Session and adjournment of the meeting at 8:50 p.m.

Yes: 7, No: 0

Motion carried.

Prepared by,

Mary H. Eadie
District Clerk