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**ATTICA CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING MINUTES  
OCTOBER 27, 2016**

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**A REGULAR MEETING** of the Board of Education of the Attica Central School District was held on October 27, 2016, at the Attica Central School District's Performing Arts Center, 3338 E. Main Street, Attica, NY. The meeting was called to order by President Kirsch at 7:00 pm.

**MEMBERS PRESENT:** Mr. Kirsch-President, Mr. Fugle-Vice President, Mr. Witkowski, Mr. Peters, Mr. Day, Mr. Wright & Mrs. Toland-George

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Mr. Thompson, Mr. Dziak, Mr. Barber, Mrs. Tomidy, Mr. Clark, Mr. Audsley, Mrs. Lacey, Mr. Romesser, and Mrs. Breissinger

**PRESENTATION:**

Charles Bastian, President of Bernard P. Donegan, Inc. (financial advisors) presented information on the long-range financial analysis and the response to the NYS Comptroller's audit. Now that the auditors have finished the June 30, 2016 financial statements, he utilized that information in preparing both of these documents. He reviewed the revenues, expenses and fund balance for the past four years, the current year, as well as projections for next year. He indicated that state aid is a variable each year. The reserves were also mentioned, along with the potential capital project. Mr. Bastian will revise figures to reflect the addition of a UPK program for two sections. He indicated we need to be cognizant of the levy cap with regard to adding an agricultural program and/or universal pre-kindergarten. Mr. Bastian then reviewed the response to the Comptroller's audit. He indicated they followed the same format as previous response. Four areas were mentioned and responses were provided.

C. Bastian – Long-range  
Financial Analysis &  
Response to Comptroller's  
Audit

**Motion by Mr. Witkowski, seconded by Mr. Fugle, to approve the response to the NYS Comptroller's audit.**

**MOTION CARRIED 7-Yes; 0-No**

**PUBLIC FORUM:** Norbert Fuest, John Dickhut, Kyle Folts, Dan Snyder, and Eric Romesser all spoke about the capital project.

**CONSENT AGENDA ITEMS**

**CONSENT AGENDA**

- Dispensed with the reading of the minutes from the Regular Meeting held on October 13, 2016.
- Approved the minutes from the Regular Meeting held on October 13, 2016.
- Dispensed with the reading of the minutes from the Retreat held on October 13, 2016.
- Approved the minutes from the Retreat held on October 13, 2016.
- Accepted a resignation letter from Amber Kane as the Community Education Director.
- Appointed Graham Aylsworth as a long-term substitute in accordance with the recommendation.
- Approved the wrestling program merger between the Attica Central School District and the Batavia School for the 2016-17 season, in accordance with the recommendation.
- Approved the 5<sup>th</sup> & 6<sup>th</sup> grade chorus performance at a Rochester Red Wings game, in accordance with the request.
- Approved the trip rules, medical forms, chaperone list, and Outback Bowl

Resign – A Kane

LTS – G Aylsworth

Wrestling Merger

Chorus-Rochester Red  
Wings

Band trip – Rules

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Waiver & Hold Harmless Agreement for the 2016-17 Band trip to Orlando, Florida in accordance with the request.

- Resolved that the Board of Education will appoint Impartial Hearing Officers on the Impartial Hearing Officer Rotational List from the New York State Education Department Impartial Hearing Reporting System.
- Resolved that the Board of Education, pursuant to Section 200.5(j)(3) of the Regulations of the Commissioner of Education, hereby appoints each of the following Board members to make appointment of the Impartial Hearing Officer when a special education impartial hearing is requested or initiated under Part 200 of the Regulations of the Commission of Education, each such individual empowered to act alone: President of the Board of Education; Vice President of the Board of Education.
- Resolved that the Board of Education, upon recommendation of the Superintendent of Schools, shall compensate Impartial Hearing Officers who have been certified by the Commissioner of Education of the State of New York to serve as Impartial Hearing Officers in accordance with Education Law Section 4404(l) and 8 N.Y.C.R.R. Section 200.1(x), in accordance with the rates for services and expenses listed on the attached resolution.
- Re-appointed the coaches for the 2016-17 Winter Sport Season, in accordance with the list.
- Appointed Danielle Harvey as the JV Basketball Cheer coach for the 2016-17 Winter Sport Season, pending NYS fingerprint clearance, and in accordance with the recommendation.
- Appointed Ryan Napieralski as the Modified Boys Basketball coach for the 2016-17 Winter Sport Season, pending NYS fingerprint clearance, and in accordance with the recommendation.
- Approved the 2016-17 Winter Sport Season schedule.
- Approved attendance for Melanie Nowak at the What's New in Young Adult Literature and How to Use it in Your Program conference on December 2, 2016 in Boston, Massachusetts, in accordance with the request.
- Denied the request for a child safety zone in accordance with the Transportation Committee's recommendation.

Discussed the costs associated with the conference for Melanie Nowak.

**Motion by Mrs. Toland-George, seconded by Mr. Peters, to approve the Consent Agenda Items as listed above.**

**MOTION CARRIED 7-Yes; 0-No**

IHO

IHO - BOE Appointments

IHO Compensation

Coaches

Coach-D Harvey

Coach – R Napieralski

Winter Sport Schedule  
Conf-M Nowak

Denied Child Safety Zone

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#### SUPERINTENDENT'S UPDATE

#### SUPER. UPDATE

Mr. Thompson reviewed the expenses for a pre-kindergarten program. He indicated there is no additional aid available and transportation was discussed. This item will be kept for consideration during the budget cycle. Transportation pick-ups and drop-offs at centralized points is permissible in a hamlet or village; however, it is not permissible at a fire hall, etc. A meeting was held regarding the Every Student Succeeds Act (ESSA) and one of the questions raised was do they want you to do more with the same amount of funding, or are they increasing the funding? A presentation on opiate/heroin addiction was held recently and was very informative. Five candidates have been selected to be interviewed for the Business Administrator position and the next steps were reviewed. STA has indicated they will not accept the CPI rate for next year, so we have contacted a consultant to assist in preparing an RFP for transportation.

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#### BOARD DISCUSSION

#### DISCUSSION

1. 2<sup>nd</sup> Read – Policy 7670 – Due Process

Policy 7670

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**Motion by Mr. Fugle, seconded by Mr. Witkowski, to adopt Policy 7670 - Due Process**

**MOTION CARRIED 7-Yes; 0-No**

2. Sheldon Building – A proposal was received from the Corpus Christi Church and Pinecrest Bible Institute, Inc. to purchase the Sheldon Elementary School building for \$50,000. The board declined the offer. Discussion on keeping options open for a possible sale or use of the building. Costs on maintaining the building were discussed, Mr. Barber reviewed costs associated with repair of the roof. Mr. Dziak contacted the State Aid Planning Unit and they indicated that if we were to put a pre-kindergarten program in the Sheldon School building, we would likely not receive capital aid because we have sufficient space in other open buildings to accommodate the program. Additionally, he indicated that if the Attica Elementary building was closed and students moved to the Middle/High School complex, we probably would not meet the criteria (financial efficiencies) to get aid. Mr. Paul Hedin from the architectural firm of Clark Patterson Lee indicate he spoke with the Director of Facilities Planning at SED and he was told they would scrutinize very carefully any plan to close a viable building, which creates a need to build an addition. Discussion on the previous plan to fit all students into the middle/high school. Mr. Hedin thought that the previous plan included the need for specialized places for physical education, library and food service.

Sheldon Bldg.

3. Capital Project - Mr. Thompson indicated that Mr. Hedin and Mr. Bastian are here to answer any questions regarding the proposed capital project. The capital project committee held meetings and reviewed the scope of the proposed project and have made their recommendation. All board members were given an opportunity to speak regarding their thoughts on this project, including safety and parking, the stadium and practice fields, the ag program, administration building, etc. It will be up to the voters to decide if this project is approved.

Capital Project

**A. Resolution for SEQRA for capital project.**

Cap Proj-SEQRA

WHEREAS, the voters of the Attica Central School District (the “School District”) will be asked to approve a proposition authorizing general obligation serial bonds (and bond anticipation notes in anticipation thereof) to finance a capital construction project consisting of construction and reconstruction of existing school buildings and facilities, acquisition of land or rights in land, and site and athletic field improvements in the School District; and

WHEREAS, the Board of Education of the Attica Central School District is principally responsible for undertaking, funding or approving such project and its anticipated impact is primarily of local significance; and

WHEREAS, to aid the Board of Education in determining whether the Project and financing and other actions of the School District in connection therewith (the “action”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information (“EAF”), a copy of which is attached hereto; and

WHEREAS, the Board of Education has duly reviewed the EAF and related documents with respect to the proposed action and duly considered the impacts which may be expected to result from the proposed action with the criteria (copy attached) set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”);

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ATTICA CENTRAL SCHOOL DISTRICT, NEW YORK as follows:

1. The Board of Education of the Attica Central School District hereby declares itself, and is hereby designated as, Lead Agency for the proposed action and therefore responsible for determining whether an environmental impact statement is required in connection therewith and otherwise complying with the procedural and substantive requirements of SEQRA.
2. Based upon the review by the Board of Education of the EAF and other necessary criteria, the Board hereby finds and determines that (a) the proposed action will result in no significant impacts and, therefore, such action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement" need be prepared, as such quoted terms are defined in SEQRA. The proposed action is an "unlisted action" under SEQRA and does not constitute a "type I action" as such quoted term is defined in the regulations (copy attached hereto) of New York Department of Environmental Conservation of the State of New York (6 NYCRR Part 617). Reasons supporting this determination are set forth in the EAF and supporting materials attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
3. A copy of this resolution shall be placed on file in the Office of the District Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

**Motion by Mr. Peters, presented the above resolution and duly moved that it be adopted and was seconded by Mr. Witkowski**

**MOTION CARRIED 5-Yes; 2-No (J. Kirsch, C. Day)**

**B. Resolution to set day for vote and adopt proposition language**

**BE IT RESOLVED BY THE BOARD OF EDUCATION AS FOLLOWS:**

1. A special meeting of the qualified voters of the Attica Central School District shall be held at the Senior High Auditorium Lobby, Sheldon Town Hall, and Bennington Town Hall in said District, on Tuesday, December 20, 2016, between the hours of 1:00 P.M. and 9:00 P.M., for the purpose of voting on the proposition described in the notice of special meeting hereinafter set forth.
2. Said special meeting shall be called by giving the following notice thereof:

**NOTICE OF SPECIAL MEETING OF THE QUALIFIED VOTERS OF  
ATTICA CENTRAL SCHOOL DISTRICT**

NOTICE IS HEREBY GIVEN that a special meeting of the qualified voters of the Attica Central School District shall be held at the Senior High Auditorium Lobby, Sheldon Town Hall, and Bennington Town Hall in said District, on Tuesday, December 20, 2016, between the hours of 1:00 P.M. and 9:00 P.M. The following proposition will be submitted for voter approval at said meeting:

**PROPOSITION**

Shall the following resolution be adopted to wit:

**RESOLVED THAT THE BOARD OF EDUCATION OF THE ATTICA CENTRAL SCHOOL DISTRICT IS HEREBY AUTHORIZED TO UNDERTAKE**

Cap Proj – Set date/  
Proposition language

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CERTAIN CAPITAL IMPROVEMENTS CONSISTING OF CONSTRUCTION AND RECONSTRUCTION OF EXISTING SCHOOL BUILDINGS AND FACILITIES, ACQUISITION OF LAND OR RIGHTS IN LAND, SITE AND ATHLETIC FIELD IMPROVEMENTS AND THE ACQUISITION OF CERTAIN ORIGINAL FURNISHINGS, EQUIPMENT, AND APPARATUS AND OTHER INCIDENTAL IMPROVEMENTS REQUIRED IN CONNECTION THEREWITH FOR SUCH CONSTRUCTION AND SCHOOL USE, ALL AT AN ESTIMATED MAXIMUM AGGREGATE COST OF \$14,600,000; AND TO APPROPRIATE AND EXPEND FROM THE EXISTING BUILDING CAPITAL RESERVE FUND \$3,600,000 FOR SUCH COSTS, AND THAT THE BALANCE OF SUCH COST, OR SO MUCH THEREOF AS MAY BE NECESSARY, SHALL BE RAISED BY THE LEVY OF A TAX TO BE COLLECTED IN ANNUAL INSTALLMENTS, WITH SUCH TAX TO BE OFFSET BY STATE AID AVAILABLE THEREFOR; AND, IN ANTICIPATION OF SUCH TAX, DEBT OBLIGATIONS OF THE SCHOOL DISTRICT AS MAY BE NECESSARY NOT TO EXCEED \$11,000,000 SHALL BE ISSUED.

NOTICE IS HEREBY FURTHER GIVEN that the text of the aforesaid proposition may appear on the ballot labels in the following abbreviated form:

#### PROPOSITION

Shall the proposition set forth in the legal notice of this special voter meeting, authorizing construction, reconstruction and equipping of existing school buildings and facilities, acquisition of land or rights in land, site, athletic field and incidental improvements, all at an estimated maximum aggregate cost of \$14,600,000; with the expenditure of \$3,600,000 from the existing capital reserve fund for such costs, the issuance of not to exceed \$11,000,000 of debt obligations of the School District therefor, and the levy of a tax in annual installments therefor, with such tax to be offset by state aid available therefor, all as more fully described in said notice, be approved?

The School District, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on October 27, 2016, has duly issued a negative declaration and has determined that the implementation of the unlisted action as proposed will not result in any significant adverse environmental impacts.

AND NOTICE IS ALSO GIVEN that applications for absentee ballots to vote on the proposition may be applied for at the office of the School District Clerk. Any such application must be received by the District Clerk at least seven days before the date of the aforesaid special district meeting if the ballot is to be mailed to the voter, or the day before such special district meeting if the ballot is to be delivered personally to the voter. A list of all persons to whom absentee ballots shall have been issued shall be available for public inspection in the office of the District Clerk during regular office hours on each of the five days prior to the day of the vote (excluding Saturday and Sunday). An absentee ballot must reach the office of the District Clerk not later than 5:00 p.m. on the day of such special district meeting.

DATED: October 27, 2016

Attica, New York

District Clerk - Attica Central School District, New York

3. At such meeting taxes to be levied by installments will be proposed providing for payment of such capital costs and providing for the

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financing costs therefor. Such taxes shall be levied upon all the taxable property of the District, shall be levied in annual installments and shall be of such amounts and levied in such years as may be determined by the Board of Education.

4. The District Clerk or the Clerk's designee is hereby directed to publish a copy of said notice of special meeting in two newspapers having general circulation within the School District in the manner prescribed by law for publication of notice of the annual meeting of the School District.
5. All actions by the School District prior to the final environmental determination by the Board of Education, if any, are hereby found and determined to have been preliminary planning activities under SEQRA necessary to the formulation of a proposal for action which did not commit the School District to commence, engage in, fund or approve any portion of the proposed building project and financing therefor.
6. This resolution shall take effect immediately upon its adoption.

**Motion by Mr. Fugle, presented the above resolution and duly moved that it be adopted and was seconded by Mr. Peters**

**MOTION CARRIED 5-Yes; 2-No (J. Kirsch, C. Day)**

**Motion by Mr. Peters, seconded by Mr. Witkowski, to move into EXECUTIVE SESSION for CSE/CPSE recommendations, negotiations matters concerning a particular student, and the employment history of one individual at (9:17 p.m.)**

**MOTION CARRIED 7-Yes; 0-No**

EXECUTIVE SESSION

OPEN SESSION

**The Board Reconvened REGULAR SESSION at 9:47 p.m.**

CSE/CPSE REC

**Motion by Mr. Day, seconded by Mrs. Toland-George, to approve the implementation of the CSE/CPSE recommendations from their meeting(s)**

**MOTION CARRIED 7-Yes; 0-No**

ADJOURN

New business for discussion at next Board of Education meeting. Mrs. Toland-George and Mr. Kirsch reviewed some matters from the first day of the NYSSBA Convention; and Mr. Fugle reviewed some matters from the NYSSBA Pre-Convention Law Seminar.

**Motion by Mr. Witkowski, seconded by Mr. Wright, to adjourn the meeting (10:06 p.m.)**

**MOTION CARRIED 7-Yes; 0-No**

Respectfully submitted,  
Denise L. Breissinger, District Clerk  
Board of Education  
Attica Central School District