

**LAWRENCE UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION
LAWRENCE, NEW YORK**

The Public Hearing and Special Meeting of the Lawrence Union Free School District Board of Education was conducted on Thursday, December 19, 2019 in the Lawrence High School Auditorium.

There were present:

Murray Forman, President
Asher Mansdorf, Vice-President
David Sussman
Heshy Blachorsky

Not present were:

Michael Hatten
Abel Feldhamer
Tova Plaut
Mohinder Bharaj, District Clerk

Also present were:

Christopher Kirby, School Counsel/Clerk Pro-Tem
Dr. Ann Pedersen, Superintendent
Jeremy Feder, Assistant Superintendent

The Pledge of Allegiance was led by Murray Forman. Upon motion by David Sussman and seconded by Asher Mansdorf 8:00 PM.

The negative votes or an abstention of board members in attendance upon any item which action is taken immediately follows the report of such action in these minutes. The absence of the name of a board member present at this meeting following a reported action indicates that person's affirmative vote. The absence of any names following an action indicates unanimous affirmation.

<p>Upon motion by Asher Mansdorf and seconded by Heshy Blachorsky the Board entered executive session for the purpose of discussing potential real property transaction at 8:02 PM. Upon motion by Asher Mansdorf and seconded by David Sussman the Board closed the executive session at 8:12 PM. Upon motion by Asher Mansdorf and seconded by Heshy Blachorsky the Board entered public session at 8:12 PM.</p>	<p>Executive Session</p>
<p>Upon motion by Asher Mansdorf and seconded by David Sussman the following resolution was unanimously approved and adopted. WHEREAS, the Board of Education of the Lawrence Union Free School District, Number 15, Town of Hempstead is desirous of expanding the campus of Lawrence Primary School at #2 School, located at 1 Donahue Avenue, Inwood, New York (hereinafter, "Lawrence Primary School") by acquiring the adjacent residential premises located at 287 Mott Avenue, Inwood, New York, which is also known as Section 40, Block 164, Lot 215 of the Nassau County Land and Tax Map to reconfigure the parking at Lawrence Primary School, make it more efficient, adding an additional nine</p>	<p>RESOLUTION AUTHORIZING THE EXECUTION OF THE AMENDED SHORT ENVIRONMENTAL ASSESSMENT FORM AND APPROVING THE NEGATIVE DECLARATION IN CONNECTION WITH THE CONDEMNATION PROCEEDING AGAINST 287 MOTT AVENUE, INWOOD, NEW YORK</p>

(9) parking spaces and expanding the recreational area and facilities for the Kindergarten to Second Grade students at Lawrence Primary School; and

WHEREAS, the acquisition of the adjacent premises at 287 Mott Avenue, Inwood, New York to enlarge the campus at Lawrence Primary School, to reconfigure the parking lot to make it more efficient, to add additional parking and to expand the recreational area and facilities for the Kindergarten to Second Grade students at Lawrence Primary School is for a “public use, benefit or purpose”, and therefore, is considered to be a “public project” (hereinafter, “Public Project”) within the meaning of Section 103 of the New York Eminent Domain Law; and

WHEREAS, the Lawrence Union Free School District Number 15, Town of Hempstead (the “District”) previously determined on November 19, 2019 that the Public Project is subject to New York State Environmental Quality Review Act Article 8 of the New York State Environmental Conservation Law and associated regulations including 6 N.Y.C.R.R. § 617.1 et. seq. (“SEQRA”), and adopted a Negative Declaration, pursuant to SEQRA; and

WHEREAS, the original proposed site plan that was reviewed by the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead on November 19, 2019 has been revised and amended to reconfigure the existing parking at Lawrence Primary School, to make it more efficient and to expand the proposed recreational area and facilities at Lawrence Primary School (hereinafter, “Revised Site Plan”); and

WHEREAS, pursuant to SEQRA, the District is required to undertake a review of potential environmental impacts associated with the Public Project; and

WHEREAS, pursuant to 6 N.Y.C.R.R. § 617.6(a)(1)(iv), the District must make a preliminary classification of the Public Project as either a Type 1 or Unlisted action, by comparing it with the thresholds set forth in 6 N.Y.C.R.R. § 617.4; and

WHEREAS, pursuant to 6 N.Y.C.R.R. § 617.6(a)(3), if the District determines that the Public Project is an Unlisted action, the Short Environmental Assessment Form (hereinafter, the “Short Form EAF”) must be used to determine the significance of such actions; and

WHEREAS, the on November 19, 2019, the Board of Education of the Lawrence Union Free School District, Number 15, Town of Hempstead approved a Short Form EAF (hereinafter, “Original Short Form EAF”) and also approved a Negative Declaration, pursuant to SEQRA on that date; and

WHEREAS, since the original proposed site plan has been amended and revised after the approval of the Original Short Form EAF and Negative Declaration, the District has prepared a revised Short Form EAF (hereinafter, “Revised Short Form EAF”); and

WHEREAS, the District has prepared and reviewed the required Revised Short Form EAF for the Public Project; and

WHEREAS, in addition to reviewing the Revised Short Form EAF for the Public Project as completed, and by reviewing each of the matters associated with the Public Project as required by SEQRA, including analyzing, among other impacts and potential impacts those to land, stormwater and groundwater, community character, potential impacts to historic and agricultural resources, as well as other impacts;

NOW THEREFORE BE IT RESOLVED as follows:

1. That the Board of Education on behalf of the District has reviewed and considered the Revised Short Form EAF pursuant to the parameters set forth in the applicable provisions found under 6 N.Y.C.R.R. § 617.
2. That the Board of Education authorizes DR. ANN PEDERSEN, as Superintendent of Schools, to execute the Revised Short Form EAF on behalf of the District.
3. That the Board of Education on behalf of the District has classified its review and approval of the Public Project as an Unlisted action pursuant to applicable regulations and criteria.
4. That the Board of Education on behalf of the District has carefully reviewed the Revised Short Form EAF, including the responses provided, and that based on the foregoing analyses and information, the District has thoroughly reviewed the potential relevant areas of environmental concern and finds that the Project will not result in a significant adverse impact on the environment for the following reasons:
 - a) The Public Project will not have a significant adverse impact on the land since the proposed property to be acquired will be used for the expansion of the recreational area and facilities and the parking of vehicles associated with the current educational use of Lawrence Primary School; nor is any adverse environmental impact anticipated to the areas surrounding the Public Project since the building and campus following implementation of the Public Project will continue to be operated as educational uses.
 - b) The Public Project will not have a potential significant adverse environmental impact on water, including surface (ground) water stormwater. The Public Project will not affect any protected water body. Further, the Public Project will not have any significant impacts on federal or state wetlands as it will not encroach on any such wetlands located on or in proximity to the Public Project. There will be no potential significant adverse impact to any non-protected water body. There will be no potential significant adverse impact to surface or groundwater quality or quantity. In addition, the Proposed Project will not alter the drainage flow or patterns, or surface water runoff.
 - c) The Public Project will not result in any significant adverse impact to air quality from traffic and other operations associated with the Public

Project, including during construction of the Public Project, as no material increases in traffic is expected, and the construction including equipment used during construction it is not anticipated to result in any significant negative impacts to air quality.

d) The Public Project will not result in a significant adverse impact on plants or animals, including those which may be identified as endangered or threatened.

e) The Public Project will not result in a significant adverse impact on agricultural resources.

f) The Public Project will not result in a significant adverse impact on aesthetic resources.

g) The Public Project will not result in a significant adverse impact to historic or archeological resources as no building or structure that is listed or eligible for listing is on the state or national registers of historic sites has been identified at the subject premises. In addition, the Public Project is not being constructed in an area designated as archeologically sensitive.

h) The Public Project will not result in a significant adverse impact on existing open space and recreation, as there is no change to any open space which may be used by the community, and any open space and recreation will continue to exist after the Public Project is completed.

i) The Public Project will not result in a significant adverse impact on a Critical Environmental Areas as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations as no such area within the Public Project site area has been identified.

j) The Public Project will not result in a significant adverse impact on transportation or to the existing traffic patterns or flow as no significant increase to traffic from the Public Project is anticipated.

k) The Public Project will not result in a significant adverse impact from objectionable noise and odor. While during demolition of the existing residential premises and the construction of the parking lot at the site may result in some noise or potential odors from heavy equipment, same are not anticipated to be of any significant duration, and will be within the normal range of such noise and odor for construction and demolition projects of the size proposed by the District.

l) For the reasons set forth in the Revised Short Form EAF, no adverse impact is impact on local utilities from the Public Project. Thus, no such significant adverse impacts are anticipated based on water usage, or sewer usage associated with the Public Project; and

NOW THEREFORE BE IT FURTHER RESOLVED:

Based on the foregoing, the District finds that the Public Project will not have a significant adverse environmental impact 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 in 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The Board of Education thus adopts a Negative Declaration pursuant to SEQRA and directs the following be undertaken and/or 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 Preambles, findings and conclusions relating to the determination of non-significance contained within the Notice of Negative Declaration are hereby adopted and incorporated by reference into this Resolution as applicable.

2. This Resolution has been prepared and adopted in accordance with Article 8 of the New York Environmental Conservation Act by the Lawrence Union Free School District Number 15, Town of Hempstead.

3. The Lawrence Union Free School District Number 15, Town of Hempstead is authorized to file the Negative Declaration in accordance with the applicable provisions of the law.

4. The requirements of SEQRA have been satisfied.

Upon motion by David Sussman and seconded by Heshy Blachorsky the following resolution was unanimously approved and adopted.

WHEREAS, on November 19, 2019, the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead, authorized the institution of legal proceedings in the name of the District under the provisions of the New York Eminent Domain Procedure Law to acquire the residential real property, adjacent to Lawrence Primary School at #2 School, located at 287 Mott Avenue, Inwood, New York, which is also known as Section 40, Block 164, Lot 215 of the Nassau County Land and Tax Map (hereinafter, "Lawrence Primary School") to expand the campus of Lawrence Primary School by reconfiguring the existing parking to make it more efficient, to add additional parking at Lawrence Primary School and to expand the recreational area and facilities at Lawrence Primary School; and

WHEREAS, on November 19, 2019, the Board of Education of the Lawrence Union Free School District authorized the execution of a Short Environmental Assessment Form ("Short Form EAF") by the Superintendent of Schools and adopted a Negative Declaration, pursuant to the New York State Environmental Quality Review Act Article 8 of the New York State Conservation Law and associated regulations including 6 N.Y.C.R.R. § 617.1 et. seq. ("SEQRA"); and

WHEREAS, the original proposed site plan that was reviewed by the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead on November 19, 2019 has been revised and amended to reconfigure the existing parking lot at Lawrence Primary School, to make it more efficient and to expand the proposed recreational areas and facilities at Lawrence Primary School (hereinafter, "Revised Site Plan"); and

WHEREAS, the acquisition of the adjacent premises at 287 Mott Avenue, Inwood, New York to enlarge the campus at Lawrence Primary School, to reconfigure the existing parking at Lawrence Primary School to make it more efficient, to add additional parking and to expand the recreational

**RESOLUTION AUTHORIZING
CONDEMNATION PROCEEDING
AND PUBLIC NOTICE PURSUANT
TO NEW YORK STATE
EMINENT DOMAIN LAW**

area and facilities at Lawrence Primary School as shown in the Revised Site Plan is for a “public use, benefit or purpose”, and therefore, is considered to be a “public project” (hereinafter, “Public Project”) within the meaning of Section 103 of the New York Eminent Domain Law; and

WHEREAS, pursuant to New York Eminent Domain Procedure Law Section 201, prior to acquisition, the condemnor in order to inform the public and to review the public use to be served by a proposed public project and the impact on the environment and residents of the local community is required to conduct a public hearing in accordance with the provision of the New York Eminent Domain Procedure Law at a location reasonably proximate to the property which may be acquired for such project; and

WHEREAS, pursuant to New York Eminent Domain Procedure Law Sections 202 and 203, the condemnor is required to conduct a public hearing to outline the purpose, proposed location of the public project and any other information it considers pertinent, including maps and property descriptions of the property to be acquired and adjacent parcels, and to give notice to the public (hereinafter, the “Public Notice”) of the purpose, time and location of the hearing setting forth the proposed location of the public project including any proposed alternate locations, at least ten but not more than thirty days prior to the public hearing; and

WHEREAS, pursuant to New York Eminent Domain Procedure Law Sections 202, the condemnor is required to publish the Public Notice in at least five successive issues of an official daily newspaper if there is one designated in the locality where the project will be situated and in at least five successive issues of a daily newspaper of general circulation in such locality; and

WHEREAS, pursuant to New York Eminent Domain Procedure Law Sections 202, the condemnor is required to serve the Public Notice, either by personal service or certified mail, return receipt requested, to each assessment record billing owner or his or her attorney of record and that such Public Notice shall be served at least ten but not more than thirty days prior to the public hearing. The Public Notice must clearly state that those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at such hearing; and

WHEREAS, the Board of Education has heretofore adopted a Negative Declaration pursuant to 6 NYCRR Part 617 in connection with the Public Project as shown in the Revised Site Plan.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the District is hereby authorized to institute legal proceedings in the name of the District under the provisions of the New York Eminent Domain Procedure Law to acquire the residential real property, adjacent to Lawrence Primary School, located at 287 Mott Avenue, Inwood, New York,

which is also known as Section 40, Block 164, Lot 215 of the Nassau County Land and Tax Map to expand the campus of Lawrence Primary School, to reconfigure the parking at Lawrence Primary School and make it more efficient, increasing the parking by an additional nine (9) spaces and expanding recreational area and facilities for the Kindergarten to Second Grade students at Lawrence Primary School located at 1 Donahue Avenue, Inwood, New York, as shown in the Revised Site Plan.

2. That the Board of Education finds and determines that the acquisition of the residential real property at 287 Mott Avenue, Inwood, New York would be for a “public use, benefit or purpose”.

3. That the Board of Education hereby authorizes the Superintendent of Schools, DR. ANN PEDERSEN, to execute all required documentation in connection with the commencement of the legal proceedings to acquire the real property at 287 Mott Avenue, Inwood, New York.

4. That the Board of Education authorizes the publication and service of a Public Notice, in compliance with the New York Eminent Domain Procedure Law, to inform the public of the proposed Public Project, including publication of the required Public Notice in Newsday, the Nassau Herald and the Long Island Business News.

5. That the Board of Education authorizes the conducting of a public hearing on February 3, 2020 at Lawrence High School, 2 Reilly Road, Cedarhurst, New York, to outline the purpose, proposed location of the Public Project, and any other information pertinent, including maps and property descriptions of the property to be acquired.

Upon motion by David Sussman and seconded by Heshy Blachorsky the following resolution was unanimously approved and adopted.

LAWRENCE UNION FREE SCHOOL DISTRICT NUMBER 15, TOWN OF HEMPSTEAD NOTICE OF PUBLIC HEARING PURSUANT TO EMINENT DOMAIN PROCEDURE LAW CONCERNING THE PARCEL OF LAND AT 287 MOTT AVENUE, INWOOD, NEW YORK 11096, WHICH IS ALSO KNOWN AS SECTION 40, BLOCK 163, LOT 215 ON THE NASSAU COUNTY LAND AND TAX MAP

PLEASE TAKE NOTICE that pursuant to the authority granted to the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead and the Eminent Domain Procedure Law (the “EDPL”), the Board of Education of the Lawrence Union Free School District, Number 15, Town of Hempstead hereby gives notice of a public hearing pursuant to EDPL Section 202 as follows:

A public hearing will be in the Lawrence High School, 2 Reilly Road, Cedarhurst, New York 11516 by the Board of Education of the Lawrence Union Free School District Number 15, Town of Hempstead on February 3, 2020 at 8:00 P.M., to consider the proposed acquisition, by eminent

**NOTICE OF PUBLIC HEARING
PURSUANT TO EMINENT
DOMAIN PROCEDURE LAW
CONCERNING THE PARCEL OF
LAND AT 287 MOTT AVENUE,
INWOOD, NEW YORK 11096**

domain, of the property described as 287 Mott Avenue, Inwood, New York 11096, which is also known as Section 40, Block 163, Lot 215 on the Nassau County Land and Tax Map.

The acquisition of this property by the Lawrence Union Free School District Number 15, Town of Hempstead will be used to reconfigure the existing parking lot at Lawrence Primary School at #2 School ("Lawrence Primary School"), to make the existing parking lot more efficient, add additional parking at the school and to expand the recreational area and facilities for Lawrence Primary School, a District owned educational facility, which is a Kindergarten to Grade 2 School in the District.

Persons may appear at the hearing in person or by agent and will be given the opportunity to present oral or written statement and to submit other documents or information concerning the proposed acquisition.

If the property owners wish to challenge condemnation of their property via judicial review, they may do so only on the basis of issues, facts and objections raised at this hearing.

Dated: December 19, 2019
Cedarhurst, New York

**BY ORDER OF THE BOARD OF EDUCATION, LAWRENCE UFSD, NUMBER 15,
TOWN OF HEMPSTEAD**

MOHINDER BHARAJ
District Clerk

Upon motion by Asher Mansdorf and seconded by Heshy Blachorsky the Special Meeting adjourned at 8:15 PM.

Adjournment

Christopher G. Kirby, Esq.
Clerk Pro-Tem