

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

Special Meeting
Lawrence High School Conference Room
Friday, August 17, 2018, 7:00 AM

AGENDA

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

II. SEQRA Resolution

WHEREAS, in or about September, 2017, the Peninsula Public Library (hereinafter, "Library") purported to enter into an agreement with the Incorporated Village of Lawrence (hereinafter "Village") to acquire a certain parcel of real property; and

WHEREAS, in or about November, 2017, the Lawrence Union Free School District ("District"), as part of its due diligence obligations, submitted a Freedom of Information Law ("FOIL") request to the Village seeking a copy of the proposed agreement; and

WHEREAS, in or about December 2017, the Village provided the District with a copy of the proposed agreement, which copy did not contain a Schedule "A" description of the subject parcel; the only description contained in the copy of the agreement provided by the Village merely referenced vacant land bearing "no number", located on Lawrence Avenue, Lawrence NY; and

WHEREAS, the District subsequently submitted additional requests and follow-up requests to the Village seeking a copy of the Schedule "A;" and

WHEREAS, on or about June 14, 2018, counsel for the Library provided the District with a copy of the Schedule "A", which purports to be a proposed site plan "diagram" and which does not describe the specific real property sought to be acquired by the Library; and

WHEREAS, on or about June 14, 2018, counsel for the Library formally requested that the Board of Education schedule a bond referendum, seeking voter approval for a bond in the amount of \$24 million for the construction of a new library building; and

WHEREAS, the School District further requested from the Village and from the Library a specific description of the property which was the subject of the proposed Library acquisition, which requests were unsuccessful; and

WHEREAS, on or about June 27, 2018 the Library's environmental consultant for the first time provided the District with a generic site plan ("Proposed New Library Building") annexed to a long form Environmental Assessment ("EAF") which references "proposed library parcel", which includes a "proposed lease parcel" (hereinafter collectively referred to as the "Proposed Library Parcel"); and

WHEREAS, portions of the Proposed Library Parcel have subsequently been identified as parkland pursuant to the acquisition of said portion by Village resolution dated August 12, 1929, and deed dated October 28, 1930, and the Village's dedication, use and/or identification of portions as "Zion Park;" and

WHEREAS, being mindful of its obligations pursuant to 6 NYCRR 617.1 (a) through (e) in connection with the foregoing, on or about July 9, 2018, the Board of Education declared itself to be the lead agency in connection with the proposed acquisition and bonding of the Proposed Library Parcel; and

WHEREAS, the District is an involved agency as defined by 6 NYCRR 617.2(s) by reason of the following:

- the Library's request for a \$24 million bond to be issued by the School District (should the requested bond be approved by referendum) mandates that the proposed site be acquired by the Board of Education and that title to said property be held in the District's name; (*see*, 4 Op. St. Compt. 609 (1948); *see also*, Op. Counsel Educ. Dept. No. 83 (1953));
- the proposed bond would be issued by the Board of Education utilizing the full faith and credit of the District;
- pursuant to Education Law §§404 and §416, the District may acquire title to property only after authorized to do so by a majority of the voters present and voting at an annual or special meeting; and

WHEREAS; the proposed New Library Building would have potential adverse impacts upon parkland, the loss of open space, the potential disruptive impact upon construction (which would include traffic and

parking disruption, potential air quality impacts, and other potential adverse environmental impacts upon the community);

NOW, THEREFORE, upon motion made by _____, seconded by _____, and due deliberation being had thereon, it is hereby RESOLVED:

(a) that the preambles hereinabove set forth are specifically incorporated herein by reference; and shall be deemed findings adopted by the board;

(b) that the Board of Education, as lead agency, hereby determines that the proposed action constitutes and does designate it as an Unlisted Action pursuant to 6 NYCRR 617.1 *et seq.* ;

(c) that the Board of Education hereby designates the Board president, counsel and staff (and or their designee) to the extent permitted by 6 NYCRR 617.1, *et seq.*, as its agent in connection with the scheduling of and making such further determinations as may be so permissible pursuant to 6 NYCRR 617.1, *et seq.* in connection with the scoping of environmental issues and such further matters as shall be required by 6 NYCRR 617.1, *et seq.* as the environmental review of the proposed action shall proceed.

III. Adjournment