



**Minutes of the Barker Central School District  
Special Board of Education Meeting  
Tuesday, November 26, 2024, 7:00 p.m.  
Board Room**

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<b>Present</b>	R. Atwater, E. Gow, J. Harris, V. Voss
<b>Excused</b>	D. Carnes, C. Gancasz, J. Sweeney, Jr.,
<b>Also Present</b>	J. Reimer, M. Eadie Public – 0
<b>Call to Order</b>	Mr. Atwater called the meeting to order at 7:00 PM. The Pledge to the Flag was given.
<b>Agenda</b>	Motion by Mrs. Gow, seconded by Mrs. Harris, to approve the Board Meeting agenda as presented for November 4, 2024. Yes: 4, No: 0 Motion carried.
<b>Public Forum</b>	None.
<b>Business &amp; Financial Items</b>	Motion by Mrs. Gow, seconded by Mrs. Voss to approve the Resolution Concerning a Proposed Capital Improvement Project Pursuant to the New York State Environmental Quality Review Act.

**WHEREAS**, the Barker Central School District Board of Education (the "District") is proposing a capital improvement project to include various work at a number of District facilities including as follows: 1) exterior and interior building upgrades including educational programming, infrastructure, HVAC, mechanical, life and safety, communications, electrical and plumbing upgrades; 2) architectural items including exterior brick and concrete restoration, classroom renovations, corridor renovations, and window replacements, and 3) site renovations including pavement improvements, asphalt repair, drainage renovations, renovations to existing athletic facilities including but not limited to the track, ADA compliance improvements, and additional site-related work (collectively referred to hereafter as the "Project"); and

**WHEREAS**, in accordance with applicable law and procedure, the District has reviewed the Project in light of the requirements pursuant to the New York State



Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and its applicable regulations 6 NYCRR 617 et seq. (collectively referred to as "SEQRA"), identified the Project as an Unlisted Action, and conducted an uncoordinated review of the Project in accordance with SEQRA's requirements;

**WHEREAS**, the District has considered the impact on the environment of the Project as set forth in more detail below by undertaking a thorough review of conditions and issues associated with construction and development of the Project, including the completion of Parts 1 and 2 of the Short Environmental Assessment Form ("EAF");

**WHEREAS**, the District resolves based upon the information contained in the EAF, including Parts 1 and 2 of the EAF, for the Project completed by the District's consultants which the District hereby adopts as its own after review and analysis of same, as well as based on the review the District has completed of the EAF Mapper for the Project site where Project work is to be performed and its review of documents associated with the Project plan, the District has determined that the Project will not result in a potential significant negative impact to the environment for the following reasons which are summarized herein as follows:

Name of Action: Barker Central School District's 2025 Capital Improvement Project

Applicant: Barker Central School District's Board of Education

Type of Action: Unlisted

Description of Action:

As more specifically identified in the project documents on file at the District's Business Office and summarized in the "Whereas Clauses" this resolution, the Project includes in general among other work: exterior and interior building upgrades including educational programming, infrastructure, HVAC, mechanical, life and safety, communications, electrical, and plumbing upgrades; architectural items including exterior brick and concrete restoration, classroom renovations, corridor renovations, and window replacements; and site renovations including pavement improvements, asphalt repair, drainage renovations, renovations to existing athletic facilities including but not limited to the track, ADA compliance improvements, and additional site-related work.

Location of Action:

The location where the Project work will be undertaken include the District buildings and structures located at 1628 Quaker Road, Barker, New York 14012 (hereinafter the "Site" or the "Project Site").

**NOW THEREFORE BE IT RESOLVED:**

The District's Reasons Supporting its Determination of Non-Significance and Negative Declaration:

Upon thorough review and due consideration by the District of the EAF including the completed answers to Parts 1 and 2, the completed EAF Mapper



prepared for the Project, and the plans and other documents provided regarding the Project, the District makes the following findings:

1. The District has considered the Project pursuant to the parameters and criteria set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g).
2. The District classifies its review and approval of the Project as an Unlisted Action pursuant to 6 N.Y.C.R.R. § 617.1. et seq.
3. The District adopts each of the matters set out in the “Whereas” clauses herein as part of this resolution and adopts same as findings with the same force and effect of any other findings and determinations set out herein.
4. The District has considered the significance of the potential adverse environmental impacts of the proposed Project by: (i) carefully reviewing and examining the responses to the EAF, including the information in the completed Parts 1 and 2, which the District hereby adopts and incorporates each of the parts of the EAF by reference with the enactment of this resolution, together with examining other available supporting information and documents concerning the Project in terms of Project plans, as well as reviewing the EAF Mapper results at the Site where Project work will be completed and assessing the potential impacts from the Project to land, stormwater and groundwater, wetlands, other water resources, agriculture to historic, archaeological and other recognized and/or protected resources, threatened or endangered plant and animal species, transportation, traffic, community character and cumulative impacts if any, 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 finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

Impacts to Community Character and Land:

The Project will not have a significant adverse impact on land, since the location associated with the Project including where renovations of District buildings and site work will occur on the Project Site will take place on property that has for a significant period of time been developed and utilized for educational purposes, including those associated with administrative, educational, extracurricular, and transportation (associated with education and extracurricular activities) purposes, and such location will continue to be utilized for those or similar purposes when the Project is completed. Moreover, as indicated, each of the additions and alterations associated with the Project are proposed for the existing school campus site where the buildings and schools at issue are located, and there is no change in land use proposed. Further, no significant impact anticipated to the surrounding areas or settings because the Site will continue to be utilized directly by the District for the same purposes associated with education as the Project Site has been used for an extended period.

Water/Stormwater Impacts:

The Project will not have a significant potential adverse environmental impact on water, including surface water and stormwater. The Project will not have a significant adverse impact on any protected water body. Further, while wetlands



or other water bodies appear to be located in areas associated with the Project Site (based on EAF Mapper and other results), no significant adverse impacts from Project construction or Project operations (once it is constructed) to any such wetlands or bodies is anticipated based on the fact that all of the work is on the same site that has been used by the District for many years (for the same purpose), and no offsite property is to be acquired for the Project. Further, no water body in proximity to the Site has been identified as a water-quality impaired resource.

Further, New York State Department of Environmental Conservation (NYSDEC) Phase II Stormwater Regulations pursuant to the New York State Pollutant Discharge Elimination Permit program ("SPDES") requires approval of stormwater management system designs for projects having an overall disturbance area greater than one (1) acre. To the extent any of the Project work will result in site disturbance greater than one (1) acre and as otherwise appropriate, the District shall file and for such permits and seek coverage under the NYSDEC general SPDES permit program. In seeking such coverage pursuant to the applicable SPDES permit program should same apply, the District would be required to demonstrate (and shall do so if such a permit is required and appropriate) that the Project's stormwater management system design meets the requirements set forth in the which will require that same meet NYS Stormwater Management Design Manual and the District shall complete such application as appropriate and if necessary to insure such measures are instituted that will be in accord with such requirements. For example, as practicable and applicable to avoid as much as practicable stormwater impacts, the District shall insure its contractors implement as appropriate measures such as fencing, and other measures to avoid or lessen impacts. As such, because activities undertaken during construction of the Project will be completed in a manner so as to meet or exceed the referenced regulatory requirements, no significant adverse impact to drainage patterns, surface waters or groundwater including conveyances are anticipated. There will be no significant adverse impact to surface or groundwater quality and quantity.

In addition, the Project will not alter drainage flow or patterns, or surface water runoff as any work on the Project site and features added will follow the current flow patterns previously established.

#### Air Quality Impacts:

The Project will not result in any significant adverse impact to air quality. The District finds there will be no substantive negative impacts to air quality from the Project, including from construction activities, nor from any traffic increases that may result from development and operation of the Project based on the size and scope of the Project under the circumstances.

#### Impacts to Plants and Animals:

The Project will not result in a significant adverse impact on plants or animals. Given the nature of the work to be completed in constructing the Project, no significant adverse impact from same is anticipated, nor from operation of the Project as the Site will continue to function as it has previously. Further, no impacts from construction of the Project are anticipated in light of the fact that other similar



work on the Site has apparently taken place in the past without any documented significant adverse impact.

Impacts on Agricultural Resources:

The Project will not result in a significant adverse impact on agricultural land resources, as available information reviewed by the District indicates that there are no established agricultural districts within or contiguous to any of the school campus locations associated with the Project.

Impacts of Aesthetic Resources:

The Project will not have a significant adverse impact on aesthetic resources. Proposed building additions and site work associated with the Project is consistent with the current use of the property and buildings encompassed by the Project, and as a result, it is not anticipated that the Project will have any significant adverse impact to aesthetic resources, including to the areas in proximity to where Project work will be undertaken.

Impacts to Historic and Archeological Resources:

The Project will not result in a significant adverse impact to historic or archaeological resources. No historical or archeological resources on or in proximity to the Project Site have been identified. As a result, the District finds there will be no significant adverse impact to any recognized historic or archeological resources.

Impacts on Open Space and Recreation:

The Project will not have a potential significant adverse impact on existing open space and recreation. As the Project contemplates work consistent with continued use of the Site for educational purposes, no potential significant adverse impact is anticipated to open space and recreation.

Impacts on Critical Environmental Areas:

The Project will not have a significant adverse impact on any Critical Environmental Area as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations.

Impacts on Transportation (Traffic):

The Project will not have a significant adverse impact on transportation or the existing traffic patterns and flow. Based on the scope of the Project, the District determines there will be no significant adverse impact to transportation including from any Project related traffic including associated with construction or otherwise.

Impacts on Energy:

The Project will not have a significant adverse impact on energy. In fact, the Project may result in a slight decrease in overall annual energy use by the District through improvements to existing facilities and because new construction will be undertaken in accordance with current energy codes. Further improvements to existing facilities including installation of new control systems that should result in less energy being expended.



Impacts Related to Noise, Odor and Light:

The Project will not have a significant adverse impact from objectionable noise or from odor or light. While during construction there will be some noise and potential odors, including potentially 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 issues for construction projects of the size proposed for the Project here. Further impacts from construction activities will be mitigated by requirements and specifications the District will insist any of its contractors meet, including limiting work on the Project reasonable daytime hours unless extraordinary circumstances arise. Further, once construction is complete, the Project is not anticipated to have any material impact from noise or odors significantly different from current activities at the Site. It is anticipated that if there will be a need for additional lighting to be included with proposed building additions and site improvements, the District will request the contractors at issue to design implementation of same to minimize light spill away from the Site.

Impacts on Public Safety:

The Project will not have a significant adverse impact on public health or safety as no remediation sites have been identified on in proximity to the Project Site, and no other issues have been identified as adversely impacting in any significant manner public safety.

Impacts on Local Utilities:

No significant adverse impact is expected on local utilities from the Project, including to such utilities after the Project becomes operational, as no issue has been identified as to the capacity of such local utilities to provide services etc. to the Project.

**NOW THEREFORE BE IT FURTHER RESOLVED:**

1. Based on the foregoing, the District finds that the Project will not have a potential 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 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The District thus issues a Negative Declaration pursuant to SEQRA.
2. The Negative Declaration, which this resolution constitutes under the circumstances 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 the Negative Declaration (which is this resolution) are hereby adopted and incorporated by reference into this Resolution as applicable.
3. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law and associated regulations by the Barker Central School District Board of Education, with offices located at 1628 Quaker Road, Barker, New York 14012.
4. The Superintendent is authorized to file the negative declaration in accordance with the applicable provisions of the law.



5. This resolution shall take effect immediately.
6. The requirements of SEQRA have been satisfied.

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

Moved by: Mrs. Gow  
Seconded by: Mrs. Voss

Roll call vote taken.

<b>Aye: 4</b>	<b>Nay: 0</b>	<b>Excused: 3</b>
Mr. Randall Atwater	None	Mrs. Deanna Carnes
Mrs. Emily Gow		Mrs. Candice Gancasz
Mrs. Jennifer Harris		Mr. John E. Sweeney, Jr.
Mrs. Virginia Voss		

Accepted   X   Denied         
Yes: 4, No: 0  
Motion carried.

Dr. Reimer noted the SEQRA was reviewed by the architects, attorneys, and those related to the preparation of the proposed project. He commented that there is no environmental impact that would occur from the proposed project. The forms used were the same as for the 2022 Capital Improvement Project to determine that as the work is primarily to the interior of the building with some exterior work planned.

Motion by Mrs. Gow, seconded by Mrs. Harris to approve the 2025 Capital Improvement Project Referendum regarding the Resolution of the Board of Education of the Barker Central School District, Niagara and Orleans Counties, New York (The "District") Authorizing the Submission of a Proposition to be Voted Upon by the Qualified Voters of Said District at a Special Meeting Thereof to be Held on January 14, 2025.

**WHEREAS**, the Board of Education of the Barker Central School District, Niagara and Orleans Counties, New York (the "District") proposes to have the District to undertake a capital improvement project consisting of the construction of alterations, renovations and improvements to the District's existing buildings and facilities, including, classroom renovation, site improvements (drainage, walkways, asphalt, play surfaces and bleachers), building envelope updates, emergency and communication system updates, enhanced safety components, and the acquisition of certain original furnishings, equipment and apparatus and other incidental improvements required in connection thereto for such construction and school use; for a total aggregate maximum cost of \$14,000,000, with such cost being raised by the expenditure of \$2,700,000 from the District's existing Capital Improvements Reserve Fund, and with the balance thereof, not to exceed \$11,300,000, being raised by a tax upon the taxable property of the District to be levied and collected in annual installments as provided in Section 416 of the Education Law, with such tax to be offset by State aid available therefore, and in



anticipation of such tax, by obligations of the District as may be necessary; and

**WHEREAS**, by resolution adopted on November 26, 2024, immediately prior to the consideration of this resolution, the Board determined that (i) the actions and improvements included in the Project constitute a "Unlisted" action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"), (ii) the Board assumed lead agency status for purposes of conducting a coordinated review of the Project for purposes of SEQRA, (iii) the Project will not result in any significant adverse environmental impacts, and (iv) a "negative declaration" is issued and shall be circulated, in accordance with the requirements of SEQRA; and

**WHEREAS**, the Board of Education now intends to schedule a special meeting of the qualified voters of the District to be held on January 14, 2025 for the purpose of voting on a proposition on whether to authorize the District to undertake the Project.

**NOW THEREFORE, BE IT RESOLVED BY THIS BOARD OF EDUCATION OF THE BARKER CENTRAL SCHOOL DISTRICT, NIAGARA AND ORLEANS COUNTIES, NEW YORK, AS FOLLOWS:**

SECTION 1. A special meeting of the qualified voters of the Barker Central School District, Niagara and Orleans Counties, State of New York (the "District"), shall be held at the Barker Jr-Sr. High School, 1628 Quaker Road, Barker, New York, on January 14, 2025, at 12:00 p.m. (noon), with polls to be open between the hours of 12:00 p.m. (noon) and 8:00 p.m. for the purpose of voting upon the following proposition:

**PROPOSITION NO. 1**

Shall the Board of Education of the Barker Central School District, Niagara and Orleans Counties, New York (the "District") be authorized to undertake a capital improvement project consisting of the construction of alterations, renovations and improvements to the District's existing buildings and facilities, including, classroom renovation, site improvements (drainage, walkways, asphalt, play surfaces and bleachers), building envelope updates, emergency and communication system updates, enhanced safety components, and the acquisition of certain original furnishings, equipment and apparatus and other incidental improvements required in connection thereto for such construction and school use; for a total aggregate maximum cost of \$14,000,000, with such cost being raised by the expenditure of \$2,700,000 from the District's existing Capital Improvements Reserve Fund, and with the balance thereof, not to exceed \$11,300,000, being raised by a tax upon the taxable property of the District to be levied and collected in annual installments as provided in Section 416 of the Education Law, with such tax to be offset by State aid available therefore, and in anticipation of such tax, by obligations of the District as may be necessary.



SECTION 2. Said special meeting shall be called by the publication of a notice of special meeting substantially in the form attached to this resolution as Exhibit A. The District Clerk is hereby authorized and directed to publish said notice of special meeting, in the manner required by law, in the *Lockport Union-Sun & Journal*, the newspaper of general circulation within the District.

SECTION 3. Voting on the above referenced proposition shall be by ballot with the full text of such proposition appearing thereon.

SECTION 4. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows.

Moved by: Mrs. Gow  
Seconded by: Mrs. Harris  
Roll call vote taken.

<b>Aye: 4</b>	<b>Nay: 0</b>	<b>Excused: 3</b>
Mr. Randall Atwater	None	Mrs. Deanna Carnes
Mrs. Emily Gow		Mrs. Candice Gancasz
Mrs. Jennifer Harris		Mr. John E. Sweeney, Jr.
Mrs. Virginia Voss		

Accepted   X   Denied         
Yes: 4, No: 0  
Motion carried.

#### EXHIBIT A

### **NOTICE OF SPECIAL MEETING OF THE QUALIFIED VOTERS OF THE BARKER CENTRAL SCHOOL DISTRICT, NIAGARA AND ORLEANS COUNTIES, NEW YORK**

TO THE QUALIFIED VOTERS OF THE BARKER CENTRAL SCHOOL DISTRICT,  
NIAGARA AND ORLEANS COUNTIES, NEW YORK:

PLEASE TAKE NOTICE that the Board of Education of the Barker Central School District, Niagara and Orleans Counties, New York, has scheduled a special meeting of the qualified voters of said District to be held in the Barker Jr-Sr. High School Auditorium, 1628 Quaker Road, Barker, New York, on January 14, 2025, at 12:00 p.m. (noon), with polls to be open between the hours of 12:00 p.m. (noon) and 8:00 p.m., for the purpose of voting upon the following proposition:

#### **PROPOSITION NO. 1**



Shall the Board of Education of the Barker Central School District, Niagara and Orleans Counties, New York (the "District") be authorized to undertake a capital improvement project consisting of the construction of alterations, renovations and improvements to the District's existing buildings and facilities, including, classroom renovation, site improvements (drainage, walkways, asphalt, play surfaces and bleachers), building envelope updates, emergency and communication system updates, enhanced safety components, and the acquisition of certain original furnishings, equipment and apparatus and other incidental improvements required in connection thereto for such construction and school use; for a total aggregate maximum cost of \$14,000,000, with such cost being raised by the expenditure of \$2,700,000 from the District's existing Capital Improvements Reserve Fund, and with the balance thereof, not to exceed \$11,300,000, being raised by a tax upon the taxable property of the District to be levied and collected in annual installments as provided in Section 416 of the Education Law, with such tax to be offset by State aid available therefore, and in anticipation of such tax, by obligations of the District as may be necessary.

**AND NOTICE IS HEREBY FURTHER GIVEN**, that pursuant to a resolution adopted on November 26, 2024, immediately prior to the consideration of this resolution, the Board determined that (i) the actions and improvements included in the Project constitute a "Unlisted" action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"), (ii) the Board assumed lead agency status for purposes of conducting a coordinated review of the Project for purposes of SEQRA, (iii) the Board reviewed Parts 1 and 2 of the [Short/Long] Environmental Assessment Form; (iv) the Board determined Project will not result in any significant adverse environmental impacts, and (v) a "negative declaration" is issued and shall be circulated, in accordance with the requirements of SEQRA; and

**AND NOTICE IS HEREBY FURTHER GIVEN**, that applications for early mail and absentee ballots for voting on the above-referenced proposition may be applied for at the office of the District Clerk, 1628 Quaker Road, Barker, New York 14012. Any such application must be received by the District Clerk at least seven (7) days before the date of the vote on the above-referenced proposition, if the ballot is to be mailed to the voter, or the day before such vote, if the ballot is to be picked up personally by the voter.

A list of all persons to whom early mail and absentee ballots shall have been issued will be available for public inspection by qualified voters of the District during regular business hours in the office of the District Clerk on each of the five (5) days prior to the day of the election, except Sunday and Saturday which shall be by appointment only, and on the day of the vote. Early mail and absentee ballots must be received in the office of the District Clerk not later than 5:00 p.m. local time on January 14, 2025.

**AND NOTICE IS HEREBY FURTHER GIVEN**, that military voters who are qualified voters of the District may apply for a military ballot by requesting an



application from the district clerk. In a request for a military ballot application/military ballot, the military voter may indicate their preference for receiving the application/military ballot by mail, facsimile transmission or electronic mail. Ballots for military voters shall be mailed, or otherwise distributed, no later than twenty-five (25) days prior to the date of the vote. All absentee ballots including military must be received in the Office of the District Clerk no later than 5:00 p.m. local time on January 14, 2025.

**AND NOTICE IS HEREBY FURTHER GIVEN**, that the qualified voters of the School District shall be entitled to vote at said annual vote and election. A qualified voter is one who is: (1) a citizen of the United States of America, (2) eighteen years of age or older, and (3) a resident within the School District for a period of thirty (30) days next preceding the annual vote and election.

**AND NOTICE IS HEREBY FURTHER GIVEN**, the deadlines and procedures stated herein may change as required by law or further state guidance. All District residents are encouraged to closely monitor the District's website for any updated information regarding the District's annual meeting and vote.

Dated: November 27, 2024

BOARD OF EDUCATION OF THE BARKER CENTRAL SCHOOL DISTRICT, Niagara and Orleans Counties, New York

Dr. Reimer confirmed, as discussed the last few months, the project would not have any impact on the taxpayers. The spending will be in line with the approved project amount. The project is focused the majority of instructional space to move the District forward the next twenty years.

**End of Public  
Session**

The Board of Education concurred that an Executive Session was not needed.  
Motion by Mrs. Gow, seconded by Mrs. Harris to adjourn public session at 7:08 p.m.  
Yes: 4, No: 0  
Motion carried.

Prepared by,

Mary H. Eadie  
District Clerk