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December 5, 2017

VIA E-MAIL: jbrucato@ktufsd.org

John J. Brucato
Assistant Superintendent for Finance
Kenmore-Town of Tonawanda Union Free School District
1500 Colvin Boulevard
Buffalo, New York 14223

Dear John:

Re: Kenmore-Town of Tonawanda Union Free School District, Erie County, New York;
Smart Schools Bond Act/District-Wide Capital Improvements Project, 2017

Following from the discussions and e-mail exchanges that have been taking place among the working group members, enclosed please find an extract of minutes document containing a resolution determining the District's planned Smart Schools Bond Act District-wide capital improvements project to be a Type II action under SEQRA. As you will recall, this project is anticipated to involve the acquisition and installation of new interior and exterior security/camera systems with associated card readers and request-to-exit devices (to allow for lockdown ability and the elimination of exterior door keys), and the acquisition and installation of optical fiber between data closets. This assumes Board of Education action on December 12, 2017.

A simple majority vote of the Board will suffice to pass this resolution. We will eventually need for our file two certified copies of the enclosed extract of minutes document (showing the vote results and signed by Gina as the District Clerk). For Gina's convenience, we have included a checklist.

Please call John Alessi (716.848.1567), Emily Dinsmore (716.848.1729) or me if you have any questions or require anything further. Kindly keep us posted, and thank you for this opportunity to be of continuing service to the District—good luck with the project!

Very truly yours,

Jeffrey W. Stone

JWS/kt
Enclosures

ccs: Stephen Bovino, Superintendent of Schools (sbovino@ktufsd.org)
M. Jean Weglarski, District Treasurer (mweglarski@ktufsd.org)
Gina Santa Maria, District Clerk (gsantamaria@ktufsd.org)
Richard J. Little, Jr. (rlittle@seidesigngroup.com)
John A. Alessi, Esq.
Emily A. Dinsmore, Esq.

To: John A. Alessi, Esq.
Partner
Hodgson Russ LLP
The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, New York 14202



Re: Kenmore-Town of Tonawanda Union Free School District, Erie County, New York;
Smart Schools Bond Act/District-Wide Capital Improvements Project, 2017

Date: _____, 2017

I enclose the following legal documents:

_____ two (2) certified copies of the extract of minutes document containing the resolution regarding the District's Smart Schools Bond Act District-wide capital improvements project, and the related Clerk's certificate.

Forwarded by: _____ phone: _____

Questions:

	<u>Phone</u>	<u>Fax</u>	<u>E-mail</u>
John A. Alessi, Esq.	716.848.1567	716.819.4660	jalessi@hodgsonruss.com
Emily A. Dinsmore, Esq.	716.848.1729	716.819.4660	edinsmor@hodgsonruss.com
Catherine Schindler	716.848.1696	716.819.4660	cschindl@hodgsonruss.com
Ann Staniszewski	716.848.1234	716.819.4660	astanisz@hodgsonruss.com
Amy Krzywicki	716.848.1741	716.819.4660	akrzywic@hodgsonruss.com
Robin Oprean	716.848.1257	716.819.4660	roprean@hodgsonruss.com

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

ERIE COUNTY, NEW YORK

EXTRACT OF MINUTES

A meeting of the Board of Education (the "Board") of the Kenmore-Town of Tonawanda Union Free School District, Erie County, New York (the "District") was convened in public session at the _____ in the District, on December 12, 2017 at _____ p.m., local time.

The meeting was called to order by _____ and, upon roll being called, the following members of the Board were:

PRESENT:

ABSENT:

ALSO PRESENT:

The following resolution was offered by _____ and seconded by _____, to-wit:

A RESOLUTION, DATED DECEMBER 12, 2017, OF THE BOARD OF EDUCATION OF THE KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT, ERIE COUNTY, NEW YORK (THE “DISTRICT”) DETERMINING THE DISTRICT’S PROPOSED SMART SCHOOLS BOND ACT DISTRICT-WIDE CAPITAL IMPROVEMENTS PROJECT, INVOLVING THE ACQUISITION AND INSTALLATION OF NEW INTERIOR AND EXTERIOR SECURITY/CAMERA SYSTEMS WITH ASSOCIATED CARD READERS AND REQUEST-TO-EXIT DEVICES (TO ALLOW FOR LOCKDOWN ABILITY AND THE ELIMINATION OF EXTERIOR DOOR KEYS), AND THE ACQUISITION AND INSTALLATION OF OPTICAL FIBER BETWEEN DATA CLOSETS, TO BE A TYPE II ACTION UNDER SEQRA

WHEREAS, the voters of the State of New York (the “State”), on November 4, 2014, approved the Smart Schools Bond Act (“Smart Schools”), which authorizes the State to issue bonds to fund certain capital improvements projects involving technology and security upgrades; and

WHEREAS, the Kenmore-Town of Tonawanda Union Free School District, Erie County, New York (the “District”) has been awarded a Smart Schools allocation of \$4,951,929 by the State; and

WHEREAS, the Board of Education of the District (the “Board”), with the assistance of the District’s architect, SEI Design Group, proposes to undertake a District-wide capital improvements project (using approximately \$3,185,000 of the District’s Smart Schools allocation, or so much thereof as may be necessary), such work being anticipated to include, but not necessarily be limited to, the acquisition and installation of new interior and exterior security/camera systems with associated card readers and request-to-exit devices (to allow for lockdown ability and the elimination of exterior door keys), and the acquisition and installation of optical fiber between data closets (collectively, the “Project”); and

WHEREAS, in accordance with New York State Education Department guidance and policy, the Board is the appropriate body to be the lead agency to undertake project review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, Section 617.5 of the State Environmental Quality Review Act (“SEQRA”) Regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include “routine activities of educational institutions,” “maintenance or repair involving no substantial changes in an existing structure or facility;” “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any [Type I] thresholds in section 617.4” and/or “emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment”; and

WHEREAS, the proposed Project constitutes such routine activities of educational institutions; maintenance or repair activities; and/or in-kind, same-site replacement, rehabilitation or reconstruction activities not exceeding Type I thresholds;

NOW THEREFORE, BE IT RESOLVED that it is the final determination of the Board that the Project is a Type II action, which is not subject to review under SEQRA, and that the proposed action will not result in a significant adverse impact on the environment.

ADOPTED: December 12, 2017

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

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
)
 COUNTY OF ERIE) ss:

I, the undersigned Clerk of the Kenmore-Town of Tonawanda Union Free School District, Erie County, New York (the “District”), DO HEREBY CERTIFY as follows:

1. A meeting of the Board of Education (the “Board”) of the District was held on December 12, 2017, and minutes of such meeting have been duly recorded in the minute book kept by me in accordance with law for the purpose of recording the minutes of meetings of the Board.

2. I have compared the attached extract with the minutes so recorded and such extract is a true and correct copy of the minutes and of the whole thereof insofar as the minutes relate to the matters referred to in such extract.

3. Such minutes correctly state the time and place when the meeting was convened and the place where such meeting was held and the members of the Board who attended and voted at such meeting.

4. Public notice of the time and place of such meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and all members of the Board had due notice of such meeting and such meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District as of December 12, 2017.

District Clerk

(SEAL)