

Port Chester-Rye Union Free School District  
Board of Education – Special Meeting Minutes  
November 2, 2015 – Port Chester High School

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Present: Robert Johnson, President; James Dreves, Vice President; and Trustees Anne Capeci, Carolee C. Brakewood, and Christopher Wolff, Trustee

Also Present: Dr. Edward A. Kliszus, Superintendent of Schools; Maura J. McAward, Assistant Superintendent for Business; Joseph Durney, Assistant Superintendent for Grants and Personnel, Cathy A. Maggi, District Clerk

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**Call to Order**

Mr. Johnson called a public meeting to order at 5:00 p.m. The Pledge of Allegiance was recited.

**President's Opening Remarks**

Mr. Johnson summarized the meeting agenda. He spoke about the revised bond project. He stated Public Comment would only be for comments on the proposed bond project and would hold speakers to 3 minutes.

**Public Comment**

Dom Cervi, 1 Dixon Street, questioned the 3 minute rule.

Richard Hyman, 55 Lafayette Drive, expressed reservations regarding the proposed bond project.

Angie Rubino, 6 Maplewood Lane, asked why there was a 3 minute rule and asked about the date of the bond being December 22<sup>nd</sup>.

Mr. Johnson said that they would respond to the questions raised after the comments are concluded.

Thomas Ceruzzi, 84 Hobart Avenue, commented in opposition to the proposed bond project and the proposed date of the vote.

Robert Reis, 70 Munson Street, spoke in support of the proposed bond project.

Thomas Corbia, 365 Putnam Avenue, expressed reservations regarding the proposed bond project and the proposed date of the vote.

There was a 5 minute recess at 5:20 p.m.; back into session at 5:22 p.m.

Thomas Corbia, 365 Putnam Avenue, continued his discussion and expressed reservations about the proposed bond.

Arnold Lori, 60 Upland Street, expressed reservations regarding the proposed bond project.

Francis Polizio, 514 North Main Street, expressed reservations regarding the proposed bond project.

There being no further comments, Mr. Johnson closed the floor.

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There was discussion back and forth between the board members about whether to have a discussion before or after reading of the resolutions. It was decided that there could be a motion and a second and then discussion before the vote as per Roberts' rules.

**Action Items**

There was a motion and a second, there was then discussion about the planetarium and replacing the equipment which hasn't been operable for many years. The discussion was whether or not this should be part of the bond, and part of the budget. It would be aided in the bond, but wouldn't be if it was in the budget. The SEQRA has been put in front of bond counsel and has been properly vetted.

Upon motion by Mrs. Brakewood and seconded by Mr. Dreves, this resolution was passed by a 4-1 vote. Mrs. Capeci dissented.

- a) **WHEREAS**, the Board of Education of the Port Chester-Rye Union Free School District desires to embark upon a capital improvement project at the Port Chester Middle School for the Planetarium equipment upgrade and related work.

**WHEREAS**, said capital improvement project at the Port Chester Middle School is subject to classification under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, routine activities such as renovations to, or expansions of existing public school facilities by less than 10,000 square feet are classified as Type II Actions under the current Department of Environmental Conservation SEQRA Regulations (Section 6 NYCRR 617.5(8)); and

**WHEREAS**, the SEQRA Regulations declare Type II Actions to be actions that have no significant impact on the Environment and require no further review under SEQRA; and

**WHEREAS**, the Board of Education, as the only involved agency, has examined all information related to the capital improvement projects and has determined that the capital improvement project for the Planetarium equipment upgrade and related work at the Port Chester Middle School is classified as a Type II Action pursuant to Section 617.5(8) of the SEQRA Regulations;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Education hereby declares that the Planetarium equipment upgrade and related work at the Port Chester Middle School is a Type II Action, which requires no further review under SEQRA; and

**BE IT FURTHER RESOLVED**, that the Board of Education hereby shall forward an official copy of this resolution to the New York State Education Department together with a copy of the correspondence from the New York Office of Parks, Recreation and Historic Preservation in connection with its request for approval of the Planetarium equipment upgrade and related work from the New York State Education Department.

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Upon motion by Mrs. Brakewood and seconded by Mr. Wolff, this resolution was passed by a 4-1 vote. Mrs. Capeci dissented.

There was a motion and a second, there was then continued discussion about what is in the bond and how the process has gone and how the process should have evolved. There were reasons given as to the date of the bond and having it before the new voting machines need to be used and the timeline of having the work done at the schools.

**b) RESOLUTION OF THE PORT CHESTER-RYE UNION FREE SCHOOL DISTRICT,  
NEW YORK, ADOPTED NOVEMBER 2, 2015, CALLING A SPECIAL DISTRICT  
MEETING TO AUTHORIZE THE EXPENDITURE OF MONEYS FOR SCHOOL  
PURPOSES AND THE LEVY OF A TAX THEREFOR.**

RESOLVED BY THE BOARD OF EDUCATION OF THE PORT CHESTER-RYE UNION FREE  
SCHOOL DISTRICT, IN THE COUNTY OF WESTCHESTER, NEW YORK, AS FOLLOWS:

Section 1. A Special District Meeting of the qualified voters of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the “District”), shall be held within the District, on Tuesday, December 22, 2015, at 7:00 o’clock A.M. (Prevailing Time) at the Main Gymnasium of the Port Chester Middle School as provided in the Notice calling said Special District Meeting hereinafter substantially prescribed. The voting at such Special District Meeting shall be by voting machine, as provided by the Education Law, and the polls shall remain open from 7:00 o’clock A.M. to 9:00 o’clock P.M. (Prevailing Time) on said day and as much longer as may be necessary to enable the voters, then present, to cast their votes.

Section 2. The business to be acted upon at said Special District Meeting shall be as stated in the Notice thereof, and the District Clerk is hereby authorized and directed to cause the Notice of said Special District Meeting to be published in “*The Journal News*,” and “*The Westmore News*,” two newspapers each having a general circulation within the District, such publications to be at least made four (4) times within the seven (7) weeks next preceding such Special District Meeting, the first publication to be at least forty-five (45) days prior to the date of said Special District Meeting.

Section 3. Said Notice of Special District Meeting shall be in substantially the following form:

**NOTICE OF SPECIAL DISTRICT MEETING  
PORT CHESTER-RYE UNION FREE SCHOOL DISTRICT,  
IN THE COUNTY OF WESTCHESTER, NEW YORK**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York, adopted on November 2, 2015, a Special District Meeting of the qualified voters of said School District will be held on

**Tuesday, December 22, 2015**

from 7:00 o'clock A.M. to 9:00 o'clock P.M. (Prevailing Time) at the Main Gymnasium of the Port Chester Middle School for the purpose of voting upon the following Bond Proposition:

**BOND PROPOSITION**

**RESOLVED:**

- (a) That the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the "District"), is hereby authorized to undertake a building and site improvement project (the "Project") as described in a plan prepared by the District with the assistance of Fuller and D'Angelo, P.C., Architects and Planners (the "Plan"), which report is on file and available for public inspection at the office of the District Clerk, consisting of the construction of improvements and alterations to all District school buildings and/or sites, including (as and where required): the construction of a building addition to provide for new classroom, gymnasium, library/media, music, science, art, and locker room space; interior reconstruction and space reconfiguration including support areas; site improvements, including parking, curb and sidewalk enhancements; planetarium enhancements; and athletic and recreation improvements, including the construction and/or installation of new playing fields; bleachers, concession stand and press box; all of the foregoing to include all original equipment, furnishings, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of \$41,500,000; provided that the estimated costs of the components of the Project as set forth in detail in the Plan may be reallocated among such components if the Board of Education shall determine that such reallocation is in the best interests of the District;
- (b) that a tax is hereby voted therefor in the amount of not to exceed \$41,500,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and
- (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed \$41,500,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

Such Bond Proposition shall appear on the ballot labels to be inserted in the voting machines used for voting at said Special District Meeting in substantially the following condensed form:

BOND PROPOSITION

YES

NO

RESOLVED:

(a) That the Board of Education of the Port Chester-Rye Union Free School District, in the County of Westchester, New York (the “District”), is hereby authorized to construct improvements and alterations to all District school buildings and/or sites and to expend therefor an amount not to exceed \$41,500,000; (b) that a tax is hereby voted in the amount of not to exceed \$41,500,000 to finance such cost, such tax to be levied and collected in installments in such years and in such amounts the Board of Education shall determine; and (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the amount of not to exceed \$41,500,000 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

The voting will be conducted by ballot on voting machines as provided in the Education Law and the polls will remain open from 7:00 o’clock A.M. to 9:00 o’clock P.M. (Prevailing Time) and as much longer as may be necessary to enable the voters then present to cast their ballots.

NOTICE IS FURTHER GIVEN, that pursuant to Education Law §2014, personal registration of voters is required, and no person shall be entitled to vote at the Special District Meeting whose name does not appear on the register of the District. The Board of Registration will meet at the Port Chester Middle School, 113 Bowman Avenue, Port Chester, New York, on Monday, December 14, 2015, from 3:00 o’clock P.M. to 7:00 o’clock P.M. (Prevailing Time) for the purpose of preparing a register of the qualified voters of the District for said Special District Meeting, at which time any person shall be entitled to have his/her name placed upon such register, provided that at such meeting of the Board of Registration he/she is known or proven to the satisfaction of such Board of Registration to be then or thereafter entitled to vote at said Special District Meeting.

The register of the qualified voters of said District prepared for the Annual Election held on May 19, 2015, shall be used by said Board of Registration as the basis for the preparation of the register for said Special District Meeting to be held on December 22, 2015. Any person whose name appears on such register or who shall have been previously registered for any annual or special District meeting or election and who shall have voted at any annual or special District meeting or election held or conducted at any time since January 1, 2011, will not be required to register personally for this Special District Meeting. In addition, any person otherwise qualified to vote who is registered with the Board of

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Elections of Westchester County under the provisions of the Election Law shall be entitled to vote at said Special District Meeting without further registration.

Immediately upon its completion, said register will be filed in the Office of the District Clerk and will thereafter be open for inspection by any qualified voter of the District between the hours of 8:30 o'clock A.M. and 1:00 o'clock P.M. (Prevailing Time) on each of the days prior to the day set for the Special District Meeting, except Saturday, December 19, 2015, by appointment only and Sunday, December 20, 2015.

NOTICE IS FURTHER GIVEN that applications for absentee ballots may be applied for at the office of the District Clerk, 113 Bowman Avenue, Port Chester, New York, during school business hours, Monday through Friday, except holidays. If the ballot is to be mailed to the voter, the completed application must be received by the District Clerk no later than December 15, 2015. If the ballot is to be delivered personally to the voter at the office of the District Clerk, the completed application must be received by the District Clerk no later December 21, 2015.

A list of all persons to whom absentee ballots shall have been issued will be available for inspection in the office of the District Clerk during regular office hours until the date of said Special District Meeting. Absentee ballots must be received by the District Clerk no later than 5:00 o'clock P.M. (Prevailing Time) on December 22, 2015.

Only qualified voters who are registered to vote will be permitted to vote.

Section 4. The vote upon the Bond Proposition to be submitted to the qualified voters shall be by ballot on voting machines, and the District Clerk is hereby authorized and directed to have the necessary ballot labels printed for the said voting machines, in form corresponding as nearly as may be with the requirements of the Education Law.

Section 5. The proceeds of the bonds authorized pursuant to the Bond Proposition set forth in Section 3 hereof, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the District for expenditures made for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. The resolution of the Board of Education adopted October 6, 2015 entitled "*Resolution of the Port Chester-Rye Union Free School District, New York, adopted October 6, 2015, calling a special district meeting to authorize the expenditure of moneys for school purposes and the levy of a tax therefor*" is hereby rescinded.

Section 7. This resolution shall take effect immediately.

**Board of Education Roundtable / Discussion**  
**There was no further discussion.**

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The next board of education meeting will be held on November 17, 2015 at 7 p.m. at Edison School.

There being no further business at 6:07 p.m., upon motion by Mr. Wolff, seconded by Mrs. Brakewood and carried, the Board adjourned the meeting.