

LaFargeville Central School District
Board of Education
AGENDA
Friday, June 23, 2017

REPORTS:

1. Call to order
2. **RESOLUTION: Emergency Resolution and Declaration And Appropriation of Contingent Expense
LaFargeville Central School District**

Whereas, the LaFargeville Central School District (the School District) discovered on or after June 5, 2017 that an asbestos disturbance of asbestos pipe insulation and asbestos pipe fitting debris exists in the basement areas of the existing building creating contamination in the these areas as a result of deteriorating pipe and fitting insulation. The asbestos pipe insulation and fitting debris has resulted in asbestos contamination in several basement areas thereby rendering the basement area unusable; in addition deteriorated exterior caulking which contains PCBs (polychlorinated biphenyl) was also discovered on or after June 5, 2017. The PCB caulking is a known environmental toxic when it a deteriorated state as discovered on or after June 5, 2017. Both the asbestos and PCB contamination have a damaging impact to the property of the School District; and

Whereas, the School District requested its Architect, Bernier, Carr & Associates, Engineers, Architects, & Land Surveyors, P.C. to review the situation and the Architect has recommended the immediate clean-up of the asbestos pipe insulation and pipe fitting debris and remediation of the basement areas contaminated by asbestos debris which will involve the removal of asbestos debris and contamination, potentially, the removal of asbestos contaminated soils, removal of damaged existing pipe and fitting insulation and the appropriate encapsulation of the basement area, and perform the PCB abatement of the deteriorated exterior caulking in order to prevent any potential disturbance of the caulking and to perform any additional steps necessary to preserve the safety of students, staff and the public; and

Whereas, the Architect has advised the School District that this condition and current situation is an unforeseen occurrence which constitutes an emergency which requires immediate action to protect the public safety and requires remediation on an emergency basis for the protection of the public and the preservation of the School District property; and

Whereas, the health and safety of the students, staff and public and the integrity of the School District property is impacted by this situation; and,

Whereas, the affected areas requires immediate remediation in order to preserve the health, safety of the students, faculty, staff and the public as well as for the protection of the District's property.

Therefore be it resolved as follows:

1. The Board of Education finds the asbestos and Pcb contamination remediation represents maintenance or repair involving no substantial changes in an existing structure or facility within the meaning 6 NYCRR 617.5(c)(1); and/or alternatively the replacement, rehabilitation or reconstruction of a structure or facility in kind within the meaning of 6 NYCRR 617.5(c)(2); and/or alternatively a routine activity of an educational institution, including the expansion of an existing facility by less than 10,000 square feet of gross floor area, within the meaning of 6NYCRR 617.5(c)(8), and as such is a *Type II action not subject to review under SEQRA*.
2. The Board of Education hereby determines that the asbestos contamination of the basement and the PCB contamination of the deteriorated exterior caulking is an ordinary contingent expense to preserve property and to assure the health and safety of students, staff and the public. The Board of Education further determines that the current condition of the asbestos

contamination of the basement and the PCB contamination is a condition that could affect the health and safety of students, staff and the public and that this requires an emergency project and, immediate action to preserve the property.

3. As a result of the above, the Board of Education hereby finds pursuant to New York State Education Law, the immediate clean-up of the asbestos pipe insulation and pipe fitting debris and remediation of the basement areas contaminated by asbestos debris which will involve the removal of asbestos debris and contamination, potentially, the removal of asbestos contaminated soils, removal of damaged existing pipe and fitting insulation and the appropriate encapsulation of the basement area, and perform the PCB abatement of the deteriorated exterior caulking in order to prevent any potential disturbance of the caulking and to perform abatement of the asbestos containing flooring is necessary to preserve the health, safety and welfare of the students, faculty, staff and public and for the protection of the School District's property, and such work is authorized to be performed by the School District.
4. The School District is hereby authorized to undertake the necessary work as described above as required to remedy the situation and render it safe as may be further recommended by the District's Architect, all work shall be in full compliance with any federal, state or local laws relating to the removal and remediation of asbestos and relating to the removal and remediation of PCBs.
5. While the full extent of the costs of the remediation project are not fully known at this time, the Board authorizes the expenditure from the General Fund an amount not to exceed \$100,000 for such purpose. The Project will be financed by the District's General Fund to the maximum extent possible, and by State Building Aid.
6. The Superintendent of Schools and the District Architect are hereby authorized to file any necessary and proper paperwork with the State Education Department to proceed with the above emergency work.
7. The Superintendent of Schools and the District Architect are hereby authorized to immediately prepare plans and specifications to proceed for the emergency Project and proceed emergency exception to the bidding requirements of General Municipal Law Section 103.
8. The Superintendent of Schools and all officers and authorized employees of the District are hereby authorized and directed to take all steps reasonably necessary or appropriate to complete the Project and to carry out the intent of this Resolution and to apply for any eligible state building aid.
9. This Resolution shall take effect immediately.

The Board of Education vote on this Resolution was as follows:

Sherry Wilson, President	_____
Jada Walldroff, Vice President	_____
Matthew Duffany	_____
Mary Ford-Waterman	_____
Matthew Timmerman	_____

Motion for approval by _____, seconded by _____, with motion approved ____ - ____.

ADJOURNMENT:

30. Adjournment until Monday, July 10, 2017, Reorganizational Meeting at 6:30 p.m.