

Talking Points for 3/8/10 BOE Meeting

As all of you know, there are several outstanding environmental matters that the Board has been discussing over the last couple of months and I'd like to update you on each of them.

On the athletic fields matter, our consultant, HDR, has received sampling data from the initial investigation work completed on both the Little League field and the Practice Field during the week of February 15. This data is not much different than previous data from LBG and Woodward and Curran—they confirm that non-exempt fill material underlies both fields. Surface soil on the fields, the top few inches, mostly meets residential fill standards. But these were only tests of the top few inches. We still don't know exactly what lies beneath, but further testing is planned.

We ask all of you to remember this is still only a snapshot from a few areas and does not represent the entire picture, which we'll know only after the full investigation. Our environmental attorneys have set up a meeting to discuss this data with DEC, which will take place this Wednesday.

At the same time, HDR has prepared a draft Practice Field and Little League field fill Investigation Work Plan. Our environmental attorneys have reviewed that work plan, which we plan to submit to DEC and discuss with them when we meet on Wednesday. At that meeting, we will also be discussing with DEC when reopening of the fields would be appropriate. We believe the draft Investigation Work Plan is comprehensive, and we are hopeful that DEC will approve it quickly. Once that happens, we will post the Plan on our website for the public, too. HDR should be able to begin its field investigation work within a week of DEC approving the Plan. The results of that Investigation will determine what measures DEC will require for it to close out the Consent Order.

Whitney Trucking caused this situation when it brought bad fill material to build the fields instead of the clean fill it was supposed to supply. As a result, the District has incurred significant costs to resolve this problem. Although it obtained a judgment against Whitney Trucking, the District has not sought to enforce that judgment to date. For this reason, the District has prepared an RFQ seeking an attorney to collect on the judgment against Whitney Trucking. Responses on that RFQ are due on March 18th. The District's attorneys have also

prepared notices to the insurance carrier for Whitney Trucking and the District's own Insurance Carrier preserving the District's rights to seek insurance coverage for these costs.

Moving on to the next environmental topic, an RFQ has been prepared and sent to potential service providers, in order to select a consultant to complete closure of the open Todd School oil spill number. RFQ responses are due on March 10th.

Finally, the District has also prepared and distributed an RFQ to perform the tasks needed to comply with the District's Stormwater Management Program. Responses to that RFQ are due on March 10th.

We post relevant information on these topics on the website to keep all of you informed in between these Board Meetings and you will, of course, have the opportunity to express your concerns, if any, on these topics during the public comment portion of our meeting.

Thank you.