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SCRANTON, PENNSYLVANIA

The Scranton School Board of Directors held a Special Meeting via Zoom Conferencing, for the purpose of considering the following at NEIS: Removal of Debris, Storage Room Abatement and Additional Work to Gain Access to the Auditorium and for Personnel.

(Secretary's Note: Effective March 16, 2020 school districts in Northeastern PA closed due to the COVID-19 pandemic)

President Gilmartin called the meeting to order at 6:14PM with a Pledge of Allegiance to the Flag.

Roll Call: By the Secretary.

Present: Directors Cruz, Fox, Hume, Malloy, McAndrew, Schuster, Welby, Yanni and President Gilmartin.

Absent: All Present.

President Gilmartin announced the purpose of the meeting which has been duly advertised.

Public Comment

Mr. Matt Barrett, resident and parent, thanked the board for their service and referred to the reports that were prepared last year by PFM and incorporated in Dr. Finan's report, and there is reference to the roof at Northeast Intermediate needing repair. Mr. Barrett asked if there has been any effort to undertake the repairs and when can they expect work to begin. Dr. Finan said that it was part of the report in 2012 and they have not moved on doing anything with the roof as there are some other roof issues in the district, one being at West Intermediate and some at South Intermediate and the decision would be when they do roofing they would look at all those roofs as one project.

Mr. Barrett asked about the HVAC system at Northeast and if any work has started on that yet. Dr. Finan said no, we have not.

Mr. Barrett asked about the closing of elementary schools and if there is anything more with the plan to close elementary schools and why recovery meetings have not been held every month as indicated in the recovery plan.

Dr. Finan said yes, there is one scheduled for Monday and part of it is availability of the experts they bring in to those meetings and they will have a review of the buildings program and the reconfiguration this Monday, March 30th via Zoom; you will hear some of the options with building reconfiguration and one of the issues is financial because the district is limited or have very few dollars to work on this and they did have about \$5 million but because of the cost of asbestos and other items they are doing right now there is limited funds to do anything and they would have to go out for a bond issue and it would be very difficult under these current circumstances to do a bond issue right now and the building projects would have to fall under a bond issue which the board would have to walk

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through each step of that process. Dr. Finan added that an architect and engineering firm would need to be hired to help design what they need to do moving forward.

Mr. Barrett asked about the reports that need to be submitted monthly to PDE and if that has been occurring and are the reports available to the public. Dr. Finan said they're not available to the public, they go to PDE and yes they have been occurring.

Following public comment, Cocciardi & Associates gave the following presentation:

<..\..\Downloads\SSD NESIS Board Presentation March 23.pdf>

The three scenarios given to the board were:

Decisions

Scenario 1 No additional costs	Scenario 2 NTE \$30,000	Scenario 3 NTE \$95,000
<i>New Side:</i> All priority items abated (TSI remains in walls/chases/etc.) <i>Auditorium:</i> Restricted from entry by all (debris and ACM stay in place) <i>Old Side:</i> Closed with Firewall	<i>New Side:</i> All priority items abated (TSI remains in walls/chases/etc.) <i>Auditorium:</i> Debris cleaned by contractor and all asbestos abated by licensed contractor <i>Old Side:</i> Closed with Firewall	<i>New Side:</i> All priority items abated (TSI remains in walls/chases/etc.) <i>Auditorium:</i> Scenario 2 + direct ducted supply connections <i>Old Side:</i> Closed with Firewall

Mr. Paul Dougherty pointed out to board members that at the last meeting on March 2nd at CTC there were three different scenarios the board was asked to consider and it was decided to go with the new side, and what was unknown at that point was that the design of the duct work was going to be installed to complete the new side, was going to take away the ability to get at the material underneath the auditorium and that's why this is being brought forward now. Mr. Dougherty thinks if it was done after the duct work is installed, although he's not saying it's impossible, but it's going to be significantly difficult and probably more expensive to clean out that room and abate it at that point. Mr. Dougherty

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said that initially they thought scenario #2 was going to come in at around \$40,000; with the quotes received over the last week it looks like it going to be just under \$28,000 to get this work done, adding they received multiple quotes and he is selecting the cheapest ones.

Director Schuster, referring to scenario #2, it says debris cleaned and all asbestos abated by license contractor and does it include all asbestos.

Mr. Rocco DiPietro responded correct, in the current scenario #2, the debris would be cleaned by a third party, not a licensed abatement contractor and then once the room is rendered cleaned of debris, all of the asbestos would be abated and that includes somewhere in the neighborhood of about 2200 square feet of duct insulation as well as all of the pipe and elbow thermal systems insulation in the room so essentially the room is clean and there'd be no concern from an asbestos standpoint of pushing air into the plenum at that point.

Director Schuster asked with scenario #2, it would put this system to use as it was originally intended. Mr. DiPietro said correct.

Director Yanni asked, if they're going to get full use of the auditorium.

Mr. DiPietro said correct, they would have full use of the auditorium but he was referring to the original design was to use that room as an air handling system that would return this and they've been told from the engineers and Scranton Electric that it's a very inefficient system but we're not speaking about efficiency, we're talking about public health and safety so from a health and safety standpoint all of the asbestos would be out of the space and no potential to become airborne at that point in the auditorium.

Director Malloy asked Dr. Cocciardi about the tentative and/or verbal approval they received for this general idea with somebody from the EPA.

Dr. Cocciardi said correct, and that he spoke to the AHERA person from the region who was up in our location and he agreed that the very first thing to do would be to make the area as safe as possible and develop a new management plan for what remains based upon the decisions about what part of the buildings to use and if it was this scenario #2, what would remain would be basically the inaccessible asbestos behind walls or those sorts of areas; anything that would be accessible would be removed under this scenario.

Director Malloy asked who the person is he referred to and when did the conversation take place.

Dr. Cocciardi responded that the conversation took place about a week ago; he spoke to the AHERA Inspector, Rich Ponak.

Director Malloy asked Dr. Cocciardi to expand on if they chose to get EPA concurrence.

Dr. Cocciardi replied that under the current AHERA rules they are required to do certain things and if they do those things in compliance with the published rules, make the submittals at the appropriate times and have the inspections done at the appropriate times, they self certify that you're in compliance and what you are looking to do here is something

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that's not specifically spelled out in those rules so while they need not ask EPA for concurrence, while the law doesn't specifically say ask for concurrence with a process that is not specifically spelled out in our laws, it makes sense to him that you do it and Dr. Cocciardi believes you have the option to move forward without EPA's concurrence if you assume that it's either in compliance with the written law or that they would concur; his recommendation would be to get their written concurrence first because it's something that's a non typical process and it's not spelled out in the rules.

Director Malloy asked about the time for the EPA to get back to us about concurrence or lack thereof is sort of out of our control, correct? Dr. Cocciardi said correct.

Director Hume asked, if they were to go ahead and do the work, then be told that we were not able to achieve compliance, while she understands from Director Malloy of possible delay, but it would be awful if they put more money into abating and then be told no, it wasn't possible to get EPA approval for it.

Director Hume's second question is if they went with scenario #2, and then the duct work was installed in plenum 1 that would also rule out the possibility of later installing the direct duct and supply connections under the seats, correct?

Mr. DiPietro responded that absolutely it would complicate the installation of subsequent direct ducting and they didn't get pricing for what that would look like after the intake was connected but absolutely they would imagine it would increase the cost from what has been proposed and now it something just under \$65,000 to do the duct work, that's the difference between scenario #2 and #3 that number comes in at about \$65,000. If they were to install that intake and do it 6 months from now, he wouldn't want to wager as to how much that would go up, he would certainly supply a number he would get that but he has to imagine there's a multiplier to complicate that.

Director Hume, referring to scenario #2, would seem to be a reasonable thing but what about if we did go ahead and implement scenario #2 and then we did not get the EPA implied agreement.

At this time the zoom meeting was interrupted by inappropriate content by "zoom bombers" making remarks and drawing obscenities on the screen.

President Gilmartin asked for a pause to remove the persons interrupting the zoom meeting. Ms. Gilmartin asked Solicitor Audi if it would be okay to rejoin under another link, is it permissible to leave this meeting and send a new link.

Solicitor Audi said he is concerned with the rest of the community rejoining adding if at all possible it would be better to continue with this meeting if we could remove the people doing this.

Director Welby said it's going to be an issue if we continue to put the meeting address out to the public.

Virginia Orr, Secretary was able to remove the offenders and lock the meeting. Mr. Audi said we cannot lock the public from viewing.

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Director Hume now resumed with her question.

Director Hume said her nightmare is that what we're proposing is that no students be in the 1906 side; that it will be closed off completely.

Mr. DiPietro responded that is correct, yes.

Director Hume asked what happens if we continue with option #2 which will restore the status quo, not particularly expensive, but what if we do that and the EPA says no; how likely is that scenario.

Dr. Cocciardi responded that he does not think there's a good answer to that, his gut feeling is that you're not going to get an answer and the worst nightmare would be that they don't give you answer because there's no codified way for them to say yes or no to this, that they continue to just go on and say yes it's okay or no it's not okay or that it takes them a long time to give you this answer and he thinks that is your worst case scenario.

Director Hume said but essentially we can't reopen the building until we have their approval.

Dr. Cocciardi said you could move forward if you believe you're in compliance, EPA will not issue you a permit, they'll enforce the rule, asbestos regulations, the AHERA regulations, so if you believe you're in compliance with the AHERA regulations, which 99% of the places are, so they move forward. In this case, you're not following a straight line, you're asking for an approved equal process to move forward.

Superintendent Mrs. McTiernan spoke up and said we have a letter from Pedro Rivera, Secretary of Ed., that basically states we are to rely on the EPA. Mrs. McTiernan said it is not the superintendent's recommendation that we move back into that building until EPA says it is okay. Mrs. McTiernan said if the board chooses to make that decision then that's the board's decision but she would not feel comfortable putting students back in without the EPA saying it is okay and she needs to be on the record stating that.

Director McAndrew agreed.

Dr. Candis Finan concurred with Mrs. McTiernan, since we have the letter from Pedro Rivera she would not recommend that we put children in there until there is clearance from EPA.

Director Schuster said we're going to run these scenarios pass the EPA? We're looking to get their approval first before they move forward with any of the work, correct?

Mrs. McTiernan said that is not her understanding from tonight; her understanding was the board is going to chose an option and that option coincide with that and asked Dr. Cocciardi you would be preparing the paperwork for the EPA, that was her understanding but again this is the board's direction on how we're moving forward.

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Director Schuster said it is his understanding that we're going to choose a direction and then Dr. Cocciardi was going to approach the EPA about getting approval from them prior to the start of the work.

Mrs. McTiernan said that is clearly up to the board how they want to proceed.

President Gilmartin said that is her understanding has well.

Director Malloy said what he heard is Dr. Cocciardi saying that in asking the EPA to sign off on something, whether before or after the work is done, we'd be asking it to do something that is not normally one of its functions, is that correct?

Dr. Cocciardi, said correct.

Director Malloy, so we're actually asking the EPA to do something that they couldn't simply say we don't do that, so we'd be waiting for something that may never come because it's not one of their functions.

Director Hume, as indeed they've said on other occasions about things they don't do.

Director Schuster, in scenario #2 and #3, they're not one of their functions, not specifically spelled out.

Director Hume, thinks the entire thing of separating the two buildings and whether that is also not spelled out, they don't have any assurance yet that the EPA is going to accept them completely separating and in essence abandoning the old building would still be sufficient to make the new building acceptable, do we have that information yet?

Dr. Coccardi responded that they have had discussions, he's had with the enforcement person from EPA who has seen the building, who has listened to the three options or the commutations and permutations of those options as well too and believes that the intention of the rules, the AHERA rules, is to make things safe for children in the school setting and what you're proposing is to do a different way of making things safe for children in a school setting and again this isn't the standard prescribed method, however the steps to go in that direction make sense so he didn't get any pushback from that, what he got was okay, Joe, that makes sense, let's see this in print, send us a letter from the school district that has some flesh and bones to it and at that point, yes, we'll take a look at it but he didn't get the yes we'll reply within 30 days as described in some of their other regulations because it's just that the rules are just silent on that it's just a non typical situation.

Director Hume, if we were to go ahead and do this and then in that anticipation of not asking them the question because as you say virtually self certifying, wouldn't we all be liable if we put kids back in there and then they came back and said no?

Dr. Cocciardi, he cannot say what the EPA would do from an enforcement standpoint; the EPA can enforce their measures on the school district but he can tell you that at least the discussions he had at the 30,000 ft level, made sense to them and no this wasn't a typical discussion that they have 50, 60 days in a row; they just don't have these sorts of discussions.

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Dr. Cocciardi completely concur to flesh it out, make some sort of proposal and we'll see what happens, he can push at that stage of the game and maybe we'll get a rapid answer or maybe we'll get a no enforcement answer but it's just that we're into this territory where there hasn't been a lot of this, it is not a typical situation and the laws are not codified to handle this.

At this time, President Gilmartin announced that a board member messaged her that she is having technical difficulties and asked Mr. Audi that she believes our policy dictates that we can call a 10 minutes recess to allow that member to reconnect.

Solicitor Audi agreed that yes and suggested a hold on this call and let us know when the person is back.

At 7:22pm, a motion to recess for 10 minutes was made by Director McAndrew, seconded by Director Malloy. All were in favor. No objections.

The meeting was called back to order at 7:32pm, resumed after a roll call and all board members present.

Director Hume, reminded everyone the discussion was whether or not the EPA approval or assurance that we would be regarded as in compliance was essential before we started the work or not.

Solicitor Audi commented that the Scranton School District is no doubt on the map with regards to the EPA, this was statewide news and the EPA came of its own accord, it looked at the buildings and then at our request actually got on the phone with us and answered a lot of questions for us on how to proceed and he personally thinks as the solicitor it would be foolhardy for us to not attempt at the very least to get the EPA approval before we consider our options and before we put a student back in that building. If they don't want to respond and they don't want to give us the authority so be it, but he wants to be on record to say we tried and that's his advice and he thinks it would be foolhardy to assume compliance until we hear otherwise.

Director Schuster thinks the board would be in full agreement with that and thinks that what Dr. Cocciardi wanted out of this presentation is for the board to decide which way we were going to go and with that he would be allowed to put that in writing and submit that to the EPA.

Dr. Cocciardi agreed and he'd like to be able to give them as much information as possible so that the answer that you may get happen as easily and quickly as possible and we don't have to go back for a second or third revisit of it.

President Gilmartin, to Dr. Cocciardi, her understanding coming into this based not only on the conversation that took place with the Environmental Task Force but with some conversations that took place leading up to the discussion we're having right now, her understanding was we were putting these options on the table and that there would be language in the resolution that she sure is we can add a friendly amendment if necessary, that would be approving the steps that we were committing to take this evening pending

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the EPA approval whether there were one or two smaller steps we said yes, we definitely want to do A or B but we're not going to invest in C until we have the EPA approval but we are saying that given the EPA approval we are committing tonight to go forward with that step.

Director Schuster; would agree to that as well as Director Hume.

Director Malloy said he is thinking this needed to be said, and if he is wrong he apologizes but to whatever extent we were either elected or appointed to be on this board, it was to make decisions like this and to chose the best experts, the best contractors, and to try and get these kids back into Northeast and he thinks they said some things last meeting that might have led parents to think that we were full speed ahead and it's his opinion, not to contradict Director Schuster, it's his opinion as a school board director that based on what Dr. Cocciardi has told them tonight that we don't need EPA concurrence , as a matter of fact, he doesn't even know if that is a thing that EPA does, he would like EPA concurrence if it's a thing and he would like concurrence from the Department of Homeland Security too but he's not sure that we need it or that if we asked for it we'd ever get it and he's not sure that the EPA is any different; he just wanted to say that for the record.

President Gilmartin, leads her to a question that she hopes is helpful, in that scenario where we're all saying we are seeking the EPA approval letter of concurrence, realizing that may not be a quick turn-around time, could they conceivably make our decisions tonight, we share the information with the EPA, we have whatever time on our side right now for unfortunate reasons, but 6 weeks, 8 weeks, 3 months, down the road, we haven't heard anything, would we then have the opportunity to say we're no longer waiting, we'd like to move ahead, we would like to say we're going to do this work without that letter of concurrence.

Director Malloy responded yes, he is favor of that.

Director McAndrew said he agrees we send something requesting but we put a timeline on it that if we don't hear back in a certain amount of time we go forward.

Solicitor Audi suggested they need to put it in writing and need to stress the urgency; he doubts they can put a timeline on the Federal Government but thinks we can be completely consistent in following up.

President Gilmartin asked if we can put a timeline on ourselves that we revisit this issue in 60 days, or whatever it is, but that wouldn't be their timeline it would be putting an alert on our calendar to say don't forget we reached out for this advice and if we haven't had it we're going to have this conversation again.

Mr. Audi said that makes more sense.

Director Hume totally agreed but does Dr. Finan's understanding that we need, the PDE has essentially deferred their approval for re-occupancy to the EPA, make that a little moot because if that's what PDE is saying that we need final approval from the EPA before we re-occupy doesn't that make that moot?

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Dr. Finan, said she believes the letter was fairly clear from Pedro Rivera, she doesn't have it in front of her, perhaps Mrs. McTiernan can recall, she thinks we do have to get something from them that would allow us to put children back in, she's not saying concurrence, but she believes that we would have to involve the EPA prior to us being allowed to put children back in; asked Mrs. McTiernan if that is her understanding as well.

Mrs. McTiernan apologized that she does not have the letter, it is in her office; she doesn't think they specifically say the EPA in the letter, but her concern is that the EPA is involved now, and she knows that when Dr. Finan reached out to PDE asking what is it that we need to have in place, we need the proper channels, whatever they are, to say that the building is safe, and again, maybe she is being extra cautious and she will always be extra cautious, but she is not comfortable knowing that the EPA is involved and has come and questioned herself and Mr. Dougherty, people have looked at our buildings and it sounds to her that the board is considering to let Dr. Cocciardi to do what he needs to do to submit the letter to the EPA; as the Superintendent of the district she would feel much more comfortable with the EPA saying yes the building is safe for children and if it is not the EPA then who is it; that is her question for Dr. Cocciardi, who is it that needs to say all of the work is complete and we're ready to put kids back in.

Dr. Cocciardi responded that from his standpoint and he would strongly recommend to keep the EPA involved in this process, adding his concerns and the hesitation he has in some of the comments, are not due to the process that can be laid out and keeping people safe, they're related to this being a new process or a different process for EPA to go through and at this point Cocciardi and Associates has had an open discussion on the things that are occurring. There is nothing adversarial at all about the EPA and the discussions they're having about forward movement but when they ask for some sort of concurrence because it's not a typical thing, so again he would strongly recommend asking for concurrence. He would also expect that on a technical level things will make sense to them but he doesn't know is what happens to the letters that may go into the ozone, it may take more time than they have from the fire department or some of the other resources so he likes the pathway and the decision of keeping the dialog open with the EPA. Mr. Cocciardi also said that making a decision that you think is best he suggest they at least start the process, get the letter in there, continue discussions as it moves along and if you have to make any sort of draconian decisions, right now might not be the time to do it because they may be able to get the answer relatively quickly.

President Gilmartin now said she has the letter and it does state at the end of the 1st page that "the PDE does not recommend, will not support any effort to prematurely send school children or staff back into a school building before testing and remediation efforts are completed consistent with the recommendations of EPA or DEP officials". Ms. Gilmartin said she certainly thinks that doesn't say you must have a letter signed, sealed and delivered from them, but it absolutely says keep them in the loop, keep them in this conversation, so she thinks moving forward seeking this letter of concurrence is smart and responsible but if we do determine 60 days out that we want to have this conversation again because to Director Malloy's point, we don't want to just wait for something that's never going to come. Ms. Gilmartin thinks we owe it to everyone to revisit this.

Dr. Cocciardi thinks as you move forward that whatever decision the board chooses to make from the three options, there is a need for a new management plan and that it identifies

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how to safely, with the EPA concurrence, how to safely move forward so you have that game plan and that goes into their files; you're throwing the ball back in their court to tell you if there's something that's not appropriate, approved, safe, those sorts of things.

Mrs. McTiernan asked Ms. Gilmartin who the letter is directed to; the Superintendent or the School Board. Ms. Gilmartin answered it is to Superintendent McTiernan.

Director Welby, understands we have parents that want their children back into Northeast but we also have an equal number of parents that are concerned about the environmental issues so to rush the project along and sacrifice some safety in the meantime, she doesn't feel that is appropriate and they should always err on the side of caution even if it's an over abundance of caution, as we hear that daily now, she thinks we have to listen to what the experts say and from that very first public meeting, the cry was to get the experts involved, we got the experts involved, the EPA said it was not an appropriate place to have children, we needed to do X, Y and Z and to not have their approval again she thinks we'd be foolish just to rush things along, she doesn't think that's a wise move.

Director Schuster, thinks if we're going to look at this he thinks the safest move would be scenario #2 and thinks it follows what Dr. Cocciardi's statement with scenario #2, we get the room back to where it was originally intended, we get the asbestos remediated and removed so it's not in the area and then we're working for that EPA clearance and then revisit it as needed going forward but it doesn't slow us with work and also gives us some time to get that clearance from them if we get it.

Director Hume, to Director Schuster, she would be happy to gamble on scenario #2, its \$27,000-\$28,000 to go ahead and get the work done on the theory that one way or the other we're unlikely to be told that because of that work we can't work out a system to get the school reopened. She would be extremely hesitant to commit to \$95,000 if there was a risk at that point that we might do it, thinks it a little bit like \$27,000 of do the work and then we can work out how we get through it is one thing but \$95,000 is a different bet.

Director Schuster, also thinks it gives us some wiggle room that if it comes back that it isn't up to par for them, we may move into the \$95,000 range but, looking at both scenarios, #2 and #3, both are not specifically spelled out by the EPA, so both are a gamble at this point so he thinks it would be a safe bet to move for scenario #2 and if we get that clearance then we're in good shape and if we don't maybe we look to put #3 in writing and wait for the EPA on that before we start work.

Director Hume asked if they should gamble and go ahead and do the work while we're waiting for the EPA to come back with a response.

Director Schuster, thinks Dr. Cocciardi stepping in on that would willing to see if he would like to go ahead with the work of scenario #2 if he felt safe with that.

Dr. Cocciardi thinks the difference between scenario #2 and #3 doesn't affect the potential of asbestos exposure, it affects what happens in the ventilation of the building, that you're then going to reoccupy in the fall or whenever, they really have no difference in the 1931 side of the school; the difference is that the air that would go into the auditorium goes through a common plenum which would be clear of clutter, it's a non typical ventilation

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system explaining that it's like pushing air through your basement to get it up into your bedroom.

Director Hume, asked Dr. Cocciardi if that is the status quo ante, that's what used to be done. Dr. Cocciardi said yes.

Solicitor Audi, said that he is just asking, not offering an opinion, scenario #1 restricts the use of the auditorium completely and that has already been done? Dr. Cocciardi said correct.

President Gilmartin, asked if scenario #2 allows access to the auditorium but scenario #3 and the individual duct work is preferable? Is that what she understands?

Mr. Rocco DiPietro said that's correct, adding that if at some point there's a decision to just leave it, you saw the pictures of what it looks like, and if the EPA inspector or enforcer is to come up and look at the building and we're going to show him how we're going to separate the two, at some point he's going to go down into the basement and take a look and Mr. DiPietro is fearful if there's no action that's what his takeaway is going to be, is that they want to let kids into this building given this situation so from a practical standpoint, not a public health practitioner, he can't imagine anybody would want that situation to continue in the basement area.

Solicitor Audi asked, as their expert they're not recommending scenario #1?

Mr. DiPietro responded that scenario #1 is what's occurring now; it's the default position, just don't let kids into that area and again he thinks to Dr. Cocciardi's point, that's an atypical solution and what we're saying is we're closing the door to the auditorium, which is in the new building, and that is not an approved method, to close the door which is essentially what we're doing.

Solicitor Audi asked if they are not recommending that they stick with option #1. Mr. DiPietro deferred to Dr. Cocciardi.

Dr. Cocciardi said while he has to say all three options can be done, option #1 would require that there be fire separations between the auditorium and the new building and you would lose the use of the auditorium because of those permanent fire separations, inter connections with the ventilation and while it could be done, it makes sense to him to go to option #2 or #3 if you are not looking for an immediate remedy, being very short term, because options 2 and 3 then give you more space and more options and what happens to the kids in the building and that sort of thing; he thinks you get more for your money with #2 and #3.

Mrs. McTiernan said she believes the intention of everyone is to get the kids back into Northeast safely as soon as we can and having said that, does he feel that option #2 will get us there with the EPA?

Dr. Cocciardi said he thinks all the options could get you there and thinks option #2 gets you there with more space, option #3 gets you there with more space and a more pristine

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air distribution system because you're using new duct as opposed to the area that has the plenum there.

President Gilmartin asked is there the possibility that we could approve scenario #2 this evening, to move forward with the removal of the debris and the abatement work and then pending the EPA approval, move to scenario #3 and asked if scenario #3 is optimal?

Mr. DiPietro said as long as they do not install the intake duct then there's no prohibiting to waiting. Mr. DiPietro added that he would certainly recommend the cleaning and abatement occur in the shorter term, but they can always reinstall the duct work underneath the seats as long as they don't install the intake; and they know from Scranton Electric that it's a few days work that remains, so it doesn't abnormally hinder the length of the project, adding that he doesn't know the length of the design and construction and fabrication for the individual ducts, that's \$65,000.

President Gilmartin thinks Mr. DiPietro identified what she was forgetting was that part of the discussions leading up to this evening was that piece about putting the installation of the duct work on hold because if we move forward with scenario #2, to remove, clean, and abate and then do that duct work, we have for all intents and purposes eliminated our ability to do option 3 at this price point?

Mr. DiPietro responded correct, at this price point.

Ms. Gilmartin said that they will be making a decision to move forward with the first two pieces; the removal of the debris and the abatement work and put a hold on the installation of the duct work pending the EPA approval at which point they could consider to do the whole nine yards or simply move forward with the installation of the duct work, but asked Dr. Cocciardi, is he hoping that the board would make the decision to take on scenario #3 pending EPA approval?

Dr. Cocciardi replied that he thinks the EPA approval that you're looking for is an asbestos safety concern specific to that toxic material and he thinks he would personally prefer, because it's more environmentally pristine that option #3 is implemented and that may be something the environmental committee can talk about because then they would have a more pristine air flow into the auditorium. Dr. Cocciardi does not believe that there would be a difference in EPA approvals between scenarios 2 and 3 but again to over simplify, scenario 1 gets you a segregated building, scenario 2 gets you a segregated building and an auditorium for space plus the older ventilation system which does meet codes for now, and scenario 3 gets you the auditorium and the school building and the asbestos approvals and a more pristine ventilation system because they're going to be ducting it versus using the brick floors and walls as the plenum.

Director Yanni asked if she is correct that if they decide to do option #2 now, it's going to cost us a lot more if we then want to do option #3?

Mr. DiPietro said no, if you decided on option 2 now, to clean and abate, and then went into a holding pattern, it would completely depend on when they you install the intake duct, the part that you already paid for, that we just haven't put in place yet, that's the thing that clogs up the duct room, so you could absolutely execute option 2, move forward to do the

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clean and abate and then hold for EPA approval of the plan and when you're ready to bring kids back in you either move forward and install the intake duct at that point, 4 or 5 days, theoretically, and you could start to occupy the building or you move forward with the direct vent auditorium piece; you have some time as long as you don't install the intake duct.

Director Yanni asked if in order to get the kids back in do they need that intake duct.

Mr. DiPietro said yes, that is the first piece that was approved last meeting and they need that in order to get the kids in the 1931 side.

Director Yanni asked if they did option 2 now and eventually we get the kids back in there, then if they wanted to move on with the more pristine air, as Dr. Cocciardi is saying, at that point is it going to cost more than \$65,000.

Mr. DiPietro said yes, absolutely because you have to walk through the duct or take it all apart; everything you just spent \$32,000 to build and take it all out again.

Director McAndrew asked if they were to start right away with the clean and abatement, how soon can they start and how long will it take.

Mr. DiPietro said Paul Dougherty would have more specific information but he believes the cleaning is about four days and the abatement is probably less than a week so he would say in the two week range, both of those vendors are deemed essential are continuing to operate.

Mr. Dougherty said the cleaning is four to five days and the abatement could be upwards of two weeks.

Director Hume asked Dr. Finan, the difference in option 2 puts us back to where the building has been for nearly 90 years, or option 3 is \$65,000, given that we spoke earlier about the roof work for Northeast and a lot of other things that need work, what is your feeling about whether that \$65,000 for the improvement in the air quality in the Northeast Intermediate auditorium, is that the best place to spend that \$65,000 or are there other places she feels may be better spent given our current financial state.

Dr. Finan said she thinks she uttered this comment a long time ago when she first arrived in the district; many of the district buildings are in deplorable condition and many need a lot of work in the form of roofs, carpeting, etc., and those that took a tour of the buildings understand that, and when they speak about Northeast Intermediate School, whether or not, and thinks they all agreed that they need to put children back in that school, to what extent were going to put money into that school for the long term, she thinks it's a decision that the board has to make, though not tonight, she thinks what you're asked to do tonight is to make a choice between scenario 2 and scenario 3 and she is a little concerned if she were going before the EPA to present scenario 2 or 3, she would feel much more comfortable with scenario 3 adding that when she hears the work pristine air, that makes her feel a lot better for all those children who may have lung issues or asthma. Dr. Finan added that she has a concern about that building as it exists; we know it needs a roof, we know the portico is falling apart and we have work to do with that, there's a lot of work beyond what we're

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talking about; we're just talking about simply abating the asbestos, cleaning and cleaning the air. There is more that has to happen to that building if they want to make it into what she believes the children in that part of the community deserve. Dr. Finan said what we're talking about here is the difference of \$65,000, and as she said earlier tonight, the district does not have any money, however, if they wish to put children in that building and you're a board member and if they want her advice, she doesn't know why they wouldn't go with the more pristine option. Dr. Finan said she is not saying that's a lot of money or not a lot of money; it is \$65,000, but if she were going before the EPA she would like to say here is the best scenario that we have. This is our option because you're trying to retrofit a 1934 building and of course they don't have code for a 1906 building for children so if they really want to make a good choice they should make the one that's optimum children.

Dr. Finan said she heard what Dr. Cocciardi said and she thinks if she were asked to go before the EPA she would want to give the optimal and again, where do we get that money from, we talked earlier about some option you have for savings at this point, we could find that money there, you still have a few dollars left in that Capital Reserve account that you could use for it which is where they were taking the abatement money and the air testing money from so they do have that money and again this is not going to fix that building for the children for 21st century learning and she thinks that's a bigger decision at this point.

Director McAndrew asked for an estimate on how much they have to spend on that building to get it up to 21st century.

Dr. Finan said she has an estimate, a clear estimate from the architect she works with and its \$22 million; and the district cannot afford that now.

President Gilmartin asked Dr. Finan to address the needs in the medium term for Northeast.

Dr. Finan said the roof and the portico needs to be fixed; she does not have an estimate for the portico. Dr. Finan added that when she talks about 21st century learning she is talking about being able to communicate and have technology that runs seamlessly and she knows it doesn't at this point. Dr. Finan said it also needs modernization, and a great job was done making the auditorium look pretty but nothing was ever done to fix things like an HVAC systems and she would think there needs to be money that has to go into that and she believes there are some other issues with the boilers, though she is unsure what they are but when she asked the architect who looked at this and all of the building about 5 years ago, and she asked him to do an estimate, he did come around and look and said \$22 million would just bring you up to today's standards. Dr. Finan said in the medium grade she is going to say \$10 to \$12 million might get you some of your systems in place and again the district does not have that kind of money.

President Gilmartin asked Dr. Finan to please address if we do need this space for students. Dr. Finan said yes.

President Gilmartin said it is important to note that when we look at a potential \$95,000 investment, we're not making that for 6 months; we are expecting, despite all of the things you just described, to utilize this business for the short term future.

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Director McAndrew asked if Dr. Finan sees keeping this building open in the next five years.

Dr. Finan said there is capacity in the other two intermediate schools and as it's been proven there is capacity, although not perfect, there would need to be a lot of work done in both buildings if they wanted to continue with only two buildings. Dr. Finan said initially when they looked at the whole district and looked at offering only two intermediate schools, and she's talking about architects prior to her coming to the district, when she looks at the district, she also sees a need for an intermediate school where it's located in the Northeast area; is that building the right one? She's not sure about that but she will say, because she has done 28 building projects in her career, if you wish tonight to decide to build a new intermediate school, pretending that you have the money, you would have to have the land available, and if you put a shovel in the ground tomorrow, under the best of conditions, the building wouldn't be occupied for 3 ½ to 5 years; so you need a place for the children who are in that Northeast area and with that being said, sure, are we housing them, are they learning, yes. Is it optimal, no.

Dr. Finan continued to say, could we make some other decisions and move some more children into West Scranton High School where there is more room, not talking 6th grade students, but perhaps maybe a special program, pulling out some of the students and send them to West High; all of those things have been looked at by our committee and talked about. But, if today, you want to house the children that come from Northeast Intermediate School, you need to utilize the building that there because you really don't have optimal spaces in those other two places without putting money there, so when we're looking at, and again, it's not all you're going to need to spend but you don't have a place to put 833 kids tomorrow, so if you wish to remain and have three intermediate schools that serves kind of a triangular section of the district you need a school there. Maybe you don't need a school for 833, maybe we can and we have looked at this scenario, of having it a bit smaller and pulling off some of those students to go to West Intermediate or South Intermediate, we can look at that. But from her point of view, you're going to need to use that building and she knows people want to tie her down to the two buildings that she said we should have that were in the recovery plan, but as she looked at it, you need so much work at all your schools; now we put money into this one, if it means just a few more dollars to keep the kids there until you make a better and longer term decision, that's what you need to do.

Director McAndrew asked if Dr. Finan's recommendation would be going with option #3.

Dr. Finan said yes, only because she is a little sensitive about the word pristine.

Director Yanni asked Mr. Pat Laffey if he would address the Capital Improvement funds and if we have the \$95,000 to do that.

Mr. Laffey said yes, we do and as for an estimate of what funds are available in the capital project fund, we're still performing some of the February reconciliations, but as of the end of January there is approximately \$5 million available in that fund; obviously there has been some expenditures through the month of February related to some of the environmental issues, he would estimate roughly \$4.75-\$5 million available in those funds.

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President Gilmartin asked Mr. Laffey to clarify for the viewers at home; that he did shut down his computer out of an abundance of caution, and that is why he is sharing a screen now from a safe distance.

Mr. Laffey responded that they are maintaining their 6 feet distance and yes he had technical difficulties and shut down his computer to be cautious.

Director Hume asked if there is a running total of how much the abatement work at Northeast has cost.

Mr. Laffey said what he has tracked so far, and obviously the district has been closed down for a week so if there is anything that has been invoiced from vendors in the past week and a half, they've not been recorded, he can only give what he received in his office to process, and so far for Northeast it's \$132,290.00.

Dr. Finan added that this is the kind of expenditure that does come out of the Capital Reserve funds, not the General Funds.

Director McAndrew thinks if we have the money we should do it right and he is leaning in favor of option #3.

President Gilmartin asked if they want to consider option #3 with that friendly amendment that the work to actually install the individual ducts would be done pending the EPA concurrence, that we are committing to take it on this evening but we're not going to start work tomorrow and incur that cost, we're going to give it some time to see if we hear from the EPA.

Director Schuster thinks that's a decent middle ground.

Director Malloy commented that we don't want to say pending concurrence only, correct; we also want to say pending concurrence, not to be too colloquial, unless we don't hear from the EPA.

Ms. Gilmartin said perhaps Mr. Malloy would make the friendly amendment to include that.

Ms. Gilmartin responded that if we are going with option #3 with the friendly amendment, we do need to ask Director Hume to read this.

Mr. Paul Dougherty asked for direction because if we do go with option #3, obviously there's some design components and manufacturing components that Scranton Electric would be doing so does he not have them do the design piece? Because he is sure there is a cost associated with just the design piece of the \$65,000, until we hear back potentially from the EPA.

Director Hume said she is concerned that if we do all of this and we wait on this and her personal feeling is we're not going to reopen for the rest of this school year, but suppose we were to go with scenario #3 and we're still waiting to hear from EPA and the schools reopen, still even then, postponing the return of the children. Her feeling is we're either, if

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we're going to be waiting 5 years if we were to consider moving out of this school, her feeling is we should just bite the bullet and go ahead with it and then when the school is ready to reopen we can move back into it adding that worst case scenario would be if we delayed this, then got the permission to reopen the school but we still weren't in a position to put the children back; she is conflicted about this and she personally thinks if we are going to go ahead, we should move ahead and do it because otherwise it could well be the awful situation that we're allowed to reopen in April but we've still got the kids out, whereas if we went ahead with it we could've put the kids back.

Director Malloy thought Director Hume made a good point and he is confident with Dr. Cocciardi, that he wouldn't recommended something he did not think was safe and would be approved by the EPA if that is even a thing, he would not have made that recommendation, is that correct Dr. Cocciardi.

Dr. Cocciardi asked Mr. Malloy to repeat the question.

Director Malloy said that Dr. Cocciardi would not have made option 3 a recommendation if he did not think it addressed the problem and made it safe for the children's return and would likely to be approved by the EPA, if approved by the EPA is required or even a thing.

Dr. Cocciardi said that is correct, definitely.

Director Hume said her belief is they should move ahead with the work because whether we do it now or whether we do it later on, it's going to have to be done before the kids go back whether they go back in April or in August and really they are gambling, it's a no-brainer that we do option 2 because it's got to be done anyway and if they're going to decide that option 3 is the pristine and optimum thing she thinks they should just go ahead and do it because we're going to have the school for that long anyway so we have to do it and thinks at any point they're running the risk of not having the school ready and now having said that she is also grateful we're not going to get back into the school this year.

Director McAndrew thinks they should go ahead, see if they get the approval and if not, they're going to have this building for a while we need to do this right and if it's the pristine air he thinks that the right way for the health of everybody.

Director Schuster said what he thinks Mr. Dougherty is attempting to do is; if we're going to move ahead with scenario #3, with a friendly amendment but Mr. Dougherty wanted to move ahead with the design phase, maybe put another little check in there before we moved ahead with the full project.

Mr. Dougherty said yes, obviously because it's going to take some significant design he would think to run it because he thinks there is about 170 ducts that have to be run individually and obviously there's some significant design to go into that so he doesn't want to engage Scranton Electric if then we don't get EPA approval so if we just move ahead with the project, nothing would make him happier than to green light everybody involved with it but if there is a stipulation involving EPA approval, he doesn't see how he can engage Scranton Electric to start the design phase of that.

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Director Hume asked about the bell work, scenario 3 or scenario 2, as Dr. Cocciardi said, it does matter to the EPA whichever one they choose, so they might as well go big or go home and get it done because somehow or other we're going to have to get that building open and if it needs to be done let's do it. She doesn't see the point in holding off, we have to do scenario 2 anyway to get that work abated and get the rubbish out of there, that's obvious to her, but as it makes no difference to the EPA approval whether we're doing scenario 2 or scenario 3, but it does make a difference to the timeline of the possibility of getting the kids back in there, and it does make a difference of the fact that we want to do the best or we may vote to do scenario 3 and do the best with the pristine air, she doesn't see what half way hedging of it does.

Director Malloy and Director Yanni agreed.

Director Hume said her original feeling was in favor of scenario 2, yet again Dr. Finan has persuaded her and in this case, we can't run the risk of delaying getting back in there and even if we are shut for the rest of the school year at least we'll be ready to go at the next school year.

Director Schuster thinks what Mr. Dougherty is saying is to approve the design work, get that work done, get this process started; scenario 2 is going to take some time, and then the design work is going to take some time and within that we're going to be two weeks until our next meeting.

Director Hume said absolutely but if they approve scenario 3 he can go ahead and get the design work and spend that money and then if it turns out we don't need to spend any more money, we just don't spend any more money. She thinks they learned at the last meeting where we went ahead with the option of abating the 1931 building, but not the auditorium, that we cost ourselves time, but as it turns out due to the unfortunate virus, didn't cost us time of getting the kids back in but what she's learned is that if we approve this we can then go ahead and get the design work done, because we're not losing more time and she feels we really need to bite the bullet and plow ahead.

Director Malloy agreed.

President Gilmartin said it seems as though she is hearing consensus that we would like to move to reading E-1 Option 3 that is outlined here, and would we like to make the friendly amendment drafted by Mr. Malloy and vote that up or down, do we want to hear that or simply want to move forward with option #3 as is.

Director Cruz would like to hear Director Malloy's friendly amendment.

Dr. Cocciardi said there are things they can commit to very easily while Mr. Malloy is formulating the amendment, is that he will continue the discussions with EPA who they have a very collegial relationship with and if there is anything negative that comes out of those discussion from a technical, safety, hygiene, or design standpoint he certainly would let you know about that in the short term, being weeks not months, so that you know you're moving in the right direction or at least have enough information as they do, again there's not an offensive or defensive relationship with the EPA here, with you or with us, so he

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thinks we can track this as it moves forward and give you any information we find out and as he said in the short term versus the official letter which is the longer term.

Solicitor Audi said that makes a lot of sense so he thinks if Dr. Cocciardi could just report back to them as he has these communications with the EPA and let us know if we're on track, he thinks that's perfect.

Dr. Cocciardi said if the board makes a decision one way or the other, he'll put that in an email tonight and make sure it's on the email for the EPA guys so they're aware and if awareness generates any discussion technically he'll certainly let everybody know right away.

Director Hume asked Solicitor Audi if they should vote on the first option and also the second option as well, or should they just vote on one of them because the first one gives us a specific protocol to do scenario #2, but it isn't contradicted by option #3, or do we just ignore #2 and go to #3.

Mr. Audi thinks it is and it is his understanding that if they were going to do option 3 they need to know now so they don't put that vent in and then close off that airway so they need to choose between #2 and #3 tonight because otherwise it would cost a lot more money to undo #2 to get to #3.

Director Yanni asked Dr. Cocciardi if they are going to be able to fit all of the students back into that one building.

Dr. Cocciardi responded the short story is yes, based on whether they make classrooms out of the library or some of the workshop spaces, that number is going to go up or down by about 20-30 people but total occupancy will be around 1000.

After reviewing the options, Solicitor Audi suggested to put a motion up for option 3 and doesn't think they need to read into the record option 2.

President Gilmartin said the resolution will be read, and Mr. Malloy can offer his friendly amendment; if it gets a second they can vote yea or nay on the friendly amendment and if it's a yea, then they can go forward passing the resolution approving or not with the friendly amendment if it's nay we would simply go forward with the resolution as written.

Director Hume submitted the following:

E-1 Option 3

It is the recommendation of the Superintendent and the Operations Committee that the following resolution is approved:

WHEREAS, after recommendations and options presented by Cocciardi & Associates, the Scranton School Board hereby approves the following project at Northeast Intermediate School:

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Removal of debris under the auditorium and the abatement of all asbestos containing material from the area under the auditorium and install individual ducts to run to each vent of the auditorium at a cost not to exceed \$95,000.

Director McAndrew seconded.

Director Malloy made a motion for a friendly amendment to insert after the number \$95,000, and at the end of the proposal, “pending approval and/or concurrence by the Environmental Protection Agency reserving the right to proceed without said approval and/or concurrence as of June 15, 2020.

Director Schuster seconded.

ON THE QUESTION:

Director Hume asked if the friendly amendment precludes the first stage of the work taking place.

Ms. Gilmartin said it is inserted at the end; perhaps it should be inserted between the word install and individual; does that make it more clear. Director Hume said yes.

Director Malloy now amended the friendly amendment to insert the same language after the word install.

Solicitor Audi asked that the resolution be read again so everyone understands because an easier way would be, with all due respect, to put a second sentence to say that the installation of the individual ducts will be contingent upon; but if it reads smoothly that they could all understand it that's fine but he is not sure how it reads.

Director Malloy agreed that it should be separate and he felt constrained about how much he could mess with the language, whether or not he could add another sentence and it works better as a second sentence.

Mr. Audi suggested the last sentence would read: the installation of individual ducts to run to each vent of the auditorium and not exceed the cost of \$95,000 will be contingent upon what Mr. Malloy's language was.

Director Malloy read: the approval and/or concurrence of the EPA while at the same time reserving the right to proceed without said approval or concurrence as of June 15, 2020.

Director Hume asked to email that to the board secretary and to please repeat it.

Director Schuster seconded the friendly amendment.

ON THE QUESTION of the friendly amendment:

Director Schuster asked if they have any guidance from the state in regards to Governor Wolf's reimbursement on the remediation work; just to make sure they're not getting all the correct documentation of everything that we're doing to submit to the state later on.

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Superintendent McTiernan asked if he is referring to what they will have to apply for. Director Schuster said yes.

Mrs. McTiernan said no, they haven't gotten any direction on that at all.

Director Schuster asked if they have everything compiled to submit that when it's time.

Mrs. McTiernan said she believes that's the running document that Pat Laffey has, that he shared with the board.

Director Schuster asked if they need to get any direction on that just so they make sure as they're going through this that they have everything in order.

Mrs. McTiernan said yes, but she believes that is going to be in the Governor's budget which isn't out yet.

Dr. Finan referring to the RCAP; that's competitive money so she is not sure they can, they have to apply but she's not sure they will receive it, it's not going to be guarantee, it's for businesses as well and given the current situation there may be businesses that are needier than schools at this point.

Director Schuster said he is not clear if we have clarification of what types of documentation we need for that.

Mrs. McTiernan said she has not received any documentation as far as what that is; she was at that presentation and they said they would be forwarding things out but they have not received any of that yet but she doesn't think they can send it out yet because they don't even know if it's going to get approved the Governor's budget.

President Gilmartin thinks that what Mr. Schuster is saying, just based on general RCAP experience here, are we keeping track of the documentation that we may need even if we're not getting guidance, just in general, do we feel as though we aren't going to look back and say we should have had a breakdown of X, Y or Z.

Director Hume said given what's likely to happen to state budgets after this last month, she would be very surprised if that fund ever saw the light of day.

Director Schuster asked to just keep it in mind.

Mrs. McTiernan, understood and she believes that the record keeping is much better than it has been and everybody knows how she feels that everything should be online and electronic, so that's what they're moving towards and she believes Mr. Laffey is keeping documentation and a spreadsheet along with all of the bills, Mr. Dougherty has all of the bids and from her standpoint, yes, she thinks they're doing a good job of tracking that and what exactly the RCAP has to have they will look into that because she doesn't think anybody knows and they don't have any experience with it but will definitely look into that.

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The motion for the friendly amendment now passed with eight (8) affirmative and one (1) negative. Director Malloy voted in the negative.

The motion for E-1, Scenario #3 now passed unanimously on roll call.

The following was submitted by Director Schuster.

F-1

It is the recommendation of the Personnel Committee that the attached list of Appointments, Assignments, Resignations, Leaves of Absences and Professional Contracts is approved.

Appointments are effective upon receipt of proper criminal records, immigration, and medical and child abuse reports.

Salaries are in accordance with the Collective Bargaining Agreements.

Non-Professional Appointment

NAME	POSITION	LOCATION	EFFECTIVE	REPLACED	SALARY
William Orr	Temporary Night Maintenance Supervisor	Administration Bldg	03/24/2020	Joe Slack	\$49,737.60

The resolution was seconded by Director Yanni and passed unanimously on roll call.

President Gilmartin now thanked everyone for bearing with us during the technical difficulties and in light of the current circumstances it was a pleasure to be with everyone, she misses everyone a great deal, hopes everyone is staying well, staying calm, staying home and 6 feet apart.

Ms. Gilmartin appreciates everyone for bearing with us tonight and sticking with us through this long discussion and she thinks we're doing the best we can to make sure all of the important day to day business is being managed while we are dealing with unbelievable circumstances and hopes any of you who have children in our district or in the communication with our students please let them know they are in our thoughts as well and everyday her heart breaks for the experiences that the kids are missing out on and as we're all dealing with the business of all of this and trying to make good decisions and be patient and responsible as we move through this difficult process she hopes not one of them thinks that the loss they are all suffering is lost on any of us and urged everyone to stay well.

There being no further business a motion to adjourn was made by Director Schuster, seconded by Director Cruz and the meeting adjourned at 8:47pm.

By: _____