

In Board Briefs, we summarize key agenda items and discussion topics from previous Board of Education meetings. Full meeting minutes are usually not available until approved by the Board at a subsequent meeting. The community is encouraged to attend each meeting, and the Board welcomes questions and comments. Previous Board Briefs can be found on the district website [here](#).

August 29, 2018 Board of Education Special Meeting

After an executive session and the Pledge of Allegiance, a special public meeting was called to order.

The Superintendent's Report

- Dr. Rogers announced that after a request from the District, the Board of Elections visited the voting sites at the school buildings and evaluated a number of ideas to improve security for upcoming elections. After the evaluation, the voting sites at two schools have been moved to areas that have exterior entrances to better control public access to the buildings. The voting site at Village will now be in the cafeteria instead of the gym, which has a separate exterior entrance. The voting site at South Grove will now be in the gym instead of the cafeteria, which also has a separate exterior entrance. Dr. Rogers asked that the public please check their assigned polling centers indicated on the registration cards mailed to homes, as the shifts have resulted in some re-zoning. Dr. Rogers also reminded the community that the elementary schools will be closed for instruction on Election Day for parent teacher conferences.
- Dr. Rogers gave a high-level overview of the proposed Syosset Park development and the District's lengthy process in evaluating the potential impact of this development to the District. Based on the evaluation and information received from environmental and engineering consultants, the District has prepared comments to the Town of Oyster Bay in response to the Draft Environmental Impact Study (DEIS), for which the deadline was Friday, August 31, 2018.
- Dr. Rogers stated that the District has no approval authority over the project. He explained that as an impacted and interested entity, the District believes that it has an obligation to evaluate the project and its impact on the District and its school community and to provide comments to the Town, but the final decision will rest with the Town.
- The District has explored all the areas within its expertise, such as the impact on enrollment, facilities and finances. A workplan was prepared for those areas for which it lacks internal expertise, such as construction and environmental impacts, that included environmental testing of the South Grove Elementary School property and hiring an environmental expert to provide guidance to the District.
- A presentation was given by Brendan Broderick and Steven Muller from JC Broderick & Associates Inc. that outlined the results of the environmental testing conducted at the South Grove property. Mr. Broderick explained that a subsurface investigation was conducted at the site, which included volatile vapor intrusion, soil and groundwater testing.
 - The volatile vapor test results, which included both indoor and outdoor samples, indicated all detectable concentrations observed were reported well below published health guidelines and no hazardous condition or immediate health concern was identified associated with volatile vapor intrusion.

- The subsurface soil test results, which included both shallow and deep soil samples, did not indicate any detectable concentrations of volatile organic compounds (VOCs) or semi-volatile organic compounds (SVOCs) exceeding NYSDEC guidelines.
- The groundwater investigation required the drilling of three monitoring wells on the property as the local groundwater table is greater than 100 feet below the surface.
 - For a comprehensive groundwater investigation, the wells must reach equilibrium with the aquifer which will require additional time.
 - A grab sample was used to provide preliminary results to the community.
 - The preliminary test results showed that no volatile organic compounds (VOCs) were detected above the NYSDEC groundwater standards in the sample.
 - A small group of semi-volatile organic compounds (SVOCs) were detected above the NYSDEC groundwater standards in the sample. These SVOCs are not released as vapors, detected at a depth of over 100 feet below ground, and under a dense layer of clay which acts as a natural barrier within the aquifer. Therefore, they cannot reach the surface and do not present a health risk.
 - Once the monitoring wells are sufficiently developed, a comprehensive investigation will be completed, which is expected by the end of September.
- Following the presentation, Board members asked several questions related to the execution of the tests and the results.
 - Ms. Frankel asked if the groundwater that the public comes in contact with is the same as the sample in which the SVOCs were detected. Mr. Muller responded that it is not as the Jericho Water Authority pumps from a much deeper aquifer.
 - Ms. Frankel asked if in drilling wells for water collection, is it possible to puncture the layer of clay above the aquifer. Mr. Muller responded that the wells are installed in such a way as to prevent this from happening. Ms. Frankel also asked at what distance the drills were installed from the Landfill. Mr. Muller replied that they were installed as close to the fence-line as possible.
 - Mr. Feldman asked how often the NYSDEC standards are updated. Mr. Muller responded they are updated as the agency deems necessary.
 - Mr. Gershon asked if there is a chance the clay layer could be ever be compromised. Mr. Muller responded that the clay layer is extensive and very dense, and unless drilling was done without using the proper technique, there is no way it would degrade.
 - Ms. Parker asked if there is a concern that although the VOCs are within the limits at this time, that could change with construction. Mr. Muller responded that there is always a concern that when the soil is disturbed, the contaminants could be released. The work would have to be highly controlled by regulatory agencies and defined in the construction workplan.
 - Mr. Ulrich asked if the wells drilled could be used for future testing. Mr. Muller responded in the affirmative and explained the wells are sealed with a cap and locked in place.
 - Dr. Rogers asked Mr. Muller to provide additional explanation of a grab sample. Mr. Muller explained that protocol indicates the wells need to be rested after the disturbance of drilling in order to get an accurate and clear sample of the water. For the purpose of providing the community with some information at this time, the grab sample collected the same day as the well was installed for testing. The District will

proceed with the standard testing protocol on all three wells to get comprehensive test results.

- Dr. Cohen asked if the SVOCs migrated to the deep level of the aquifer and if so, could they have contaminated the ground above it. Mr. Muller responded that one explanation for the location of the SVOCs is that they could have leached from a Landfill and migrated with groundwater, though that may not be the only explanation. The SVOCs were not detected in the soil above the 100-foot-deep level at which they were found.
- Mr. Gershon asked about the locations of the wells and if they will provide results representative of the entire South Grove property. Mr. Muller explained that the wells were installed based on statistical significance and the size of the area and confirmed they will provide a complete picture of the property.
- Mr. Ulrich asked about the process of collecting soil samples and if testing occurred at different sub-surface levels. Mr. Muller responded that samples were collected at the surface and at the deepest level possible that is closest to groundwater, as contamination is most likely to be found near groundwater
- Dr. Rogers informed the community that the presentations and test results will be posted on the District website, and although the District does not have any reporting responsibilities with regard to the testing done, the results will be shared with the DEC.
- Dr. Rogers summarized that both consultants have determined the building is safe, though the groundwater is not perfect. There is no exposure pathway to the contaminants found at a depth of 100 feet, unless they are brought up to the surface. The District does not use groundwater for irrigation and the District was advised that the monitoring wells installed on District property were built so that nothing can travel up the sides, therefore there is no pathway. The District will report on the comprehensive groundwater results once there are available.
- A presentation was given by Joseph Heaney and Nora Brew from Walden Environmental Engineering regarding the Syosset Park DEIS.
 - A description of the SEQR (State Environmental Quality Review Act) process was given.
 - The engineers explained that their role in the process is to review the DEIS and comment on what could present an issue for the District and point out any omissions from the DEIS that they feel should have been addressed.
 - A brief site history and summary of the nature of the contamination at the Cerro Wire and Conduit Company site was presented.
 - The engineers determined the DEIS provided insufficient information to evaluate vital construction practices including the following:
 - Community Air Monitoring Plan
 - Stormwater Pollution Prevention Plan
 - Erosion and Sediment Control Plan
 - In addition to the omissions, the engineers identified concerns regarding the following issues:
 - Dust
 - Stormwater runoff
 - Landfill cap integrity
 - Excavation and soil handling

- Noise and vibration
 - Traffic
 - Monitoring and inspection
 - Soil vapor intrusion
 - Security
- The engineers pointed out general construction concerns they felt were not adequately addressed in the DEIS including:
 - Establishment of an adequate buffer between the construction area and South Grove Elementary School.
 - A construction schedule that would not interrupt outdoor recreation time.
 - How the existing Landfill monitoring wells and gas vent wells would be integrated into the new landscape while still remaining accessible for inspections and monitoring.
 - Sufficient parking at South Grove as facilities expand to accommodate the influx of students.
 - How rodents/vectors displaced during development would be dealt with.
 - The plan for the relocation of the operation on the current DPW site.
 - If the Town has resources for maintaining the proposed Great Park.
- Lastly, the engineers stated some general concerns and comments related to the Project including:
 - Setting a precedent for high density developments throughout the Town.
 - The development's net impact on energy consumption and fossil fuel combustion.
 - The scope of work for the independent environmental and health testing of the site has not been announced.
- Following the presentation, Board members posed several to the engineers.
 - Mr. Gershon asked how it would be possible for the Town to address all the concerns raised. The engineers responded that the process is a negotiation and the plan may change as input from the community is received. Mr. Gershon also asked if the stormwater runoff at the site is currently being dealt with properly. The engineers stated that drainage from the Landfill is channeled offsite to Nassau County recharge stations, but they have not evaluated the current situation. Their role is to evaluate the proposed plan.
 - Ms. Frankel asked about the management of stormwater on the proposed property. The engineers explained that the storm drainage system and maintenance system is funded from the general tax levy. The Project would result in a dis-proportionate amount of water from a private property going into a publicly maintained system.
 - Mr. Ulrich stated the acreage of the Project would generate significant water runoff. The engineers responded that the developers are proposing recharge galleries, or large sub-surface tanks, but the engineers felt the information provided in the DEIS on this topic was insufficient.
 - Mr. DiFilippo asked about the Landfill cap and how it is constructed. The engineers explained the cap is installed over the top of the Landfill and extends over the edge so that water is directed away from the Landfill materials. There is a perimeter swell

system so that runoff is directed into a recharge base. The cap requires regular inspections and maintenance.

- Mr. Feldman stated there were several omissions and concerns in the DEIS and asked if this is common practice. The engineers confirmed that it is typically the process for a DEIS to have omissions and concerns. A DEIS is typically a starting point by the developer and the public then has the opportunity to comment and provide feedback.
- Ms. Frankel inquired about the timing of cleanup work the developer is doing through the Brownfield Cleanup Program and the planned independent testing. The engineers stated that it may make sense to wait until the Brownfield Cleanup process is complete to conduct the independent testing if any remediation is done.
- Ms. Frankel also asked about deed restrictions related to the Landfill and what can be built on top of it, and how the Landfill could be monitored if there is a park built on top of it. The engineers replied that it would be difficult to monitor.
- Ms. Frankel and Mr. Gershon asked about noise and vibration levels from the construction, and if they are regulated by ANSI standards. The engineers replied that many standards are not codified by law. It would depend on the frequency of the sound, the distance from the source of the noise, if it could be mitigated, etc.
- Mr. Ulrich asked who creates the list of contaminants that developers must test for and if certain contaminants can become unsafe after being disturbed. The engineers replied that the EPA establishes the list. The original samples collected many years ago were run through the whole list of parameters of contaminants. If certain contaminants haven't shown up in the test results over the years, they are dropped from the testing. The contaminants at the site are widely known and well documented.
- In the interest of time, Dr. Rogers abridged the District presentation outlining its response to the DEIS, the full version of which will be available online. The Board had previously stated in May that it was unanimously opposed to the Project. Dr. Rogers stated the District Administration is prepared to provide comments to the Town expressing the Board's opposition and its concerns regarding the Project as identified in the DEIS.
- Dr. Rogers identified five key areas of impact for the District:
 - The enrollment from the proposed development. The enrollment projection provided by the developer does not align with the projection by the District, which is higher.
 - The impact to District facilities. The increased enrollment would require new construction, either in the form of a new building or extensions to existing school buildings.
 - Operating costs to the District of the new enrollment and new facilities required.
 - Revenue projections. The revenue recognized by the District from the proposed development will most likely be less than what is projected by the developer, due in part to PILOTs the developer will apply for and the tax cap regulations. In addition, the forthcoming County-wide reassessment makes estimating future tax revenue nearly impossible.
 - Environmental and construction impacts as summarized by the engineers from Walden.

Audience to the Public

A resident expressed that he was impressed with the work done by the District and the consultants. He asked if radio-active testing was discussed and stated the District should request the status of the planned independent testing by the Town. The resident also expressed opposition to the proposed development.

A resident asked if the comments to be submitted to the Town would be publicly available, which Dr. Rogers confirmed. He stated his concern that the environment will change as it goes through a development and residents will not have a guarantee there won't be a further risk when development begins. He stated his concerns about the park to be built above the Landfill interfering with future monitoring and the groundwater drainage monitoring. Lastly, he stated that an age restriction of 55+ or 65+ for the residences could eliminate a lot of the issues.

A resident asked if there will be another meeting for those who were unable to attend. Dr. Rogers replied the deadline for the comments to be provided to the Town was Friday, August 31st so there was not ample time for a second meeting. The District will post all the information from the meeting on the website and will also put together a fact sheet to summarize the information. The process will go on for some time and there will be additional opportunities for the District to weigh in, such as in response to the independent testing, and there will be additional public meetings prior to the submission of comments.

A resident inquired about the timing of the project and how long will it take to be built. He also asked what will happen to the land if the project is not approved.

A resident expressed concerns about chemicals previously used on the site and traffic and speeding on Robbins Lane. He expressed a concern about the Town of Oyster Bay not responding to inquiries about the proposed development. He asked if there is a legal opportunity to request the comment period for the DEIS be extended until independent testing has been completed.

A resident asked several questions about groundwater testing and contamination, and the testing protocol used at South Grove.

A resident stated the project should be evaluated simultaneously with a project being done in Hicksville due to the close proximity.

Dr. Rogers referred the community to Walden's report, which will be posed online, for answers to many of the environmental questions posed and stated residents should contact the Town directly for information regarding the length of the construction and the deadlines related to the process. The decision to extend deadlines is governed by regulations, and any questions should be addressed to the Town as the lead agency as the District does not have any jurisdiction over the process. Lastly, Dr. Rogers stated that the questions about the SVOCs will be addressed in the fact sheet the District will provide to the community and asked the environmental engineer to provide more information on SVOCs.

- The environmental engineer explained that VOCs tend to volatilize, or go from liquid phase to gas phase, where they can move around in the air and dissolve in groundwater. SVOCs are heavier and therefore do not dissolve as well and do not go from a water phase into gas phase, so there isn't a concern related to breathing them in. Also, they don't break down in the environment. The SVOCs detected at a depth of 100 feet at South Grove are polycyclic aromatic hydrocarbons, or PAHs, and are the result of combustion. The SVOCs will not volatilize and come up into the school as vapors.

Discussion items

Mr. Ulrich made a motion for a resolution to submit comments in opposition of the proposed Syosset Park project on behalf of the Board of Education to the Town of Oyster Bay which was adopted by the Board.

Dr. Cohen stated there was a litany of things poorly addressed by the developer within the DEIS. The Board's first commitment is to the children in the District and the staff in schools. The issues raised are too insurmountable and therefore the Board maintains its opposition originally stated in May 2018.

Dr. Cohen stated that based upon a review of the analysis, the Board of Education believes that it is in the best interest of the District as an interested and impacted entity to submit public comments to the Town of Oyster Bay opposing the proposed project as identified in the DEIS. The Board of Education of the Syosset Central School District affirms the Board of Education's opposition to the proposed project based upon the significant negative impact that the proposed project will have on the District. The Board directed the Superintendent to submit comments in opposition to the proposed project on behalf of the District and the Board of Education to the Town of Oyster Bay by August 31.

New Business

Various resolutions were approved relating to: appointments of staff and coaching positions and approval of leaves of absence.