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March 2, 2023

**Via Email:** [deborah.borman@gmail.com](mailto:deborah.borman@gmail.com)

Ms. Debbie Borman

**RE: Madison Street Demolition**

Dear Ms. Borman (Debbie),

This letter is directed to you as the main representative of the neighbor group, members of which spoke at the February 27, 2023, Village Board meeting to discuss the ongoing demolition process. I have worked with Village President Cathy Adduci and Interim Village Administrator Matt Walsh to try and answer questions and address the concerns raised by the group.

I think some background on the history of the subject property and its potential redevelopment may be of help. On November 28, 2016, the Village created the TIF District on Madison because of declining EAV of the commercial properties. The main commercial areas in the Village lie along North Avenue and Madison Street, which have proven difficult to redevelop under normal market conditions. As part of attempting to encourage redevelopment through assembly of parcels, the Village then started to acquire properties as they became available on the open market, including the subject property, which was acquired in November of 2017.

Once acquired, the structure on the subject property was subjected to environmental testing. This testing was done to allow for reuse of the building or possible demolition. A Phase I Environmental Site Assessment was done in October 2017, followed by a Phase II Assessment in November 2017, both performed by Tetra Tech. UAS performed an Asbestos Inspection in October 2017, with a report issued, dated November 3, 2017. The UAS report showed asbestos but was preliminary in nature with no partial demolition to find hidden asbestos.

The Village's attempts to encourage repurposing of building were ultimately unsuccessful and, in 2022, the Village decided to move forward with demolition to create a clean development site. The Village decided to go to bid with the known data. Bid documents provided all available asbestos reporting, with the information that there was clearly asbestos in the structure and that the testing was limited in scope. All bids received included line items for asbestos removal, using the existing report. The asbestos line items received ranged from \$46k to \$97k. The Village received no questions about the reports.

All bidders, including the ultimate asbestos removal subcontractor, were properly qualified and licensed by the State, as required. All bidders (and subcontractors) were required to pay prevailing wage under Illinois law. As has been stated, the ultimate contractor chosen was the lowest responsible bidder.

Monitoring was done. Village staff intended to perform monitoring of the raw demolition, but Village staff relied on Cook County asbestos inspectors for monitoring of the asbestos removal phase of the work, based on their expertise.

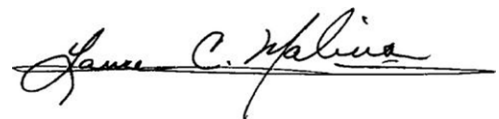
Initial asbestos removal occurred in November 2022, and Cook County inspectors were onsite from time to time. Cook County found the asbestos removal work acceptable and allowed structural demolition to proceed. Unbeknownst to the Village, the contractor and asbestos subcontractor, apparently made no provision for additional asbestos removal, notwithstanding the statements in the 2017 asbestos report.

When the structural demolition commenced in January 2023, after some delays due to utility cut-offs, additional previously hidden asbestos was quickly found. Due to the fact that (1) additional county permitting would be required, and (2) there appeared to be some confusion on how best to proceed, the Village immediately hired an additional asbestos consultant to conduct an independent inspection and review of the asbestos found at the site. Based on the results of that inspection, the Village is seeking proposals on an expedited basis to remove all remaining asbestos so that the demolition can be concluded as quickly as possible. The Village Board will be requested to award the contract at the March 13<sup>th</sup> meeting.

The Village has received advice from qualified experts is that no interim interaction with the remaining asbestos is needed, given the intention to remove it as soon as possible. This guidance was given by Husar Abatement, the asbestos subcontractor, and Northern Environmental Development, the outside consultant retained by the Village. This approach was also supported by personnel from the Illinois Department of Public Health. Notwithstanding this guidance, after discussing the additional asbestos abatement removal permitting process with the County Department of Environment & Sustainability, it was determined that a targeted removal of the visible drainage pipe could take place immediately without compromising safety and perhaps even enhancing it. The Village has hired Husar Abatement to perform the removal of approximately 30 feet of linear pipe at the opening of the building. Cook County has approved the abatement permit and the work will take place tomorrow, March 3<sup>rd</sup>.

The Village plans to retain a licensed asbestos project manager to monitor all additional asbestos removal to ensure that best practices are followed. In addition, the Village plans to retain a third party license project manager to monitor the structural demolition a whole.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lance C. Malina", written over a horizontal line.

Lance C. Malina, Village Attorney

Cc: Cathy Adduci, Village President,  
Matthew Walsh, Interim Village Administrator