

## **NEWHALL ADVISORY COMMITTEE**

### **Final Meeting Summary**

**October 20, 2005**

**6:30 pm – 8:15 pm**

**Members Attending:** Herman Alexander, Henry Blue, Pastor George Bulgin, Mike Colaiacovo, Sheila Epps, Donald Eaton, Dr. Abdul Hamid, Elizabeth Hayes, Rhonda Hayward, Scott Jackson, Leonardo Melendez, Pamala Moore, Henry Platt, Roosevelt Young, Rep. Peter Villano

**Alternates Attending:** Willa Taylor

**Absent:** Luther Cooper, Loydon Henry-Phillip, Rev. Keith King, Deloris McNair, Carolyn Smith (A), LaNorma Webb

**Ex-Officio Members Attending:** Elsie Patton, Eileen Barnes, Edith Pestana, Tom RisCassi (DEP); Kenny Foster, Department of Public Health (DPH); Jimmy Young (Olin); Tom Chaplik (RWA), Richard Eigen (for Arthur Bogan), Town of Hamden.

**Others Attending:**

**Technical and Public Participation Assistance:** Kevin Hood, ERI; Brian Cutler, Loureiro Engineering Associates (“LEA”); Jill Barrett (FHI)

**Facilitator:** Kathleen Conway

### **Action Items for the October 20, 2005 Meeting**

- Town to provide sample protocol for utility and road construction in contaminated areas
- Outstanding NAC requests to DEP
  - Calculations from Olin regarding estimated number of truck trips: 1) removal of fill from residential area; 2) replacement with clean fill; and. 3) other construction related activities.
  - Description of specific cleanup and restoration activities being proposed on a property-by-property basis.
  - Written summary of the DEP review of the Supplemental Investigations to date
  - A written report on the properties sampled outside the Consent Order

### **Agenda**

**Introduction and Meeting Summaries.** The NAC approved the draft meeting summary for the September 15, 2005 NAC meeting.

**DEP Discussion.** DEP attended the NAC meeting prepared to respond to the NAC requests for additional information, specifically on the proposed alternatives and their impacts on the community. Additionally, the NAC had requested, through the Community Outreach Subcommittee, fact sheets in “plain language” on the alternatives for dissemination to the public. The written summary of DEP’s review of the alternatives and basic fact sheets will not be ready until the November meeting.

Further, in response to Representative Villano’s request that technical consultants be available to the NAC, Brian Cutler (Loureiro Engineering) and Kevin Hood (ERI) attended the meeting,

At the September 15, 2005 meeting, several members of the NAC had stated that the community's views had not changed over the years: the community wanted all the fill removed and disposed of outside of the neighborhood. DEP planned to talk about the impact and cost of removing all the fill, the issues it was struggling with in reviewing the data; the proposed cleanup alternatives, their impacts and activities involved.

**1. Remove 100% of the Fill and Off-Site Disposal**

- *Areas*

- Residential – properties within and outside the Consent Order (over 323 properties)
- Hamden Middle School
- Mill Rock Park and Rochford Field

- *Impacts (see Map showing areas of demolition)*

- Demolish Hamden Middle School, Rochford Field, Mill Rock Park and the Mill Rock Pump Station
- Demolish over 160 homes
- Disposal off-site – 900,000 cubic yards
- Health and safety issues associated with demolition
- Costs – over \$200 million

**2. Remove all fill on properties that have less than 4 feet (130+ homes within Consent Order and 103 + homes outside Consent Order) and Off-Site Disposal**

- Properties clean
- No restrictions

**Remove up to 4 feet of fill on properties that have more than 4 feet (90 + homes)**

*Homeowner Option: Sell homes*

- Buy homes at fair market value (FMV) as if clean
- Management company (DEP not in business of managing properties)
- Put Environmental Land Use Restrictions (ELURs) on properties and then sell homes
- State and Olin bear risk of selling homes below FMV

*Homeowner Option: Keep homes*

- Homeowner places ELUR on property
- Compensation for ELUR (no amount has been discussed)

**3. Same as #2 but Disposal On-Site**

DEP was unable to complete discussion of the 3<sup>rd</sup> proposed alternative except to mention that this alternative involved some fill going to the Hamden Middle School site.

The chair of the NAC DEP Subcommittee interrupted DEP's discussion asking that the subcommittee be allowed to give its report and recommendations without any further DEP discussion. He said that the subcommittee had met on 3 occasions to review and evaluate the proposed alternatives and bring back a report

to the full NAC membership. He said that he felt the DEP discussion on impacts of the proposed alternatives took away from the subcommittee work and recommendations. Discussion of issues should come later after the Commissioner has responded to our recommendations.

The facilitator noted that it was important that the NAC members understand the proposed alternatives and the potential impacts and issues so that the NAC could communicate this information to the community. The NAC mission was to provide accurate information to the community so that property owners could make their decisions knowing what the potential impacts of those decisions would be.

Several subcommittee members said that it was not necessary to understand the impacts now; they could be discussed later. A NAC member noted that the community had already made its decision years ago and nothing has changed. After polling NAC members, the DEP discussion was tabled. The chair read the subcommittee recommendations to be mailed to the community:

1. All contaminated areas, public and private, to be excavated to the depth required to assure removal of all toxic substances and replaced with clean fill;
2. All contaminated soil to be moved off-site and disposed of at an approved area.
3. Individual property owners to have the option to remain in their homes during site cleanup or, alternatively, to sell to the state for demolition and to be reimbursed for moving expenses.

Several NAC members said they could easily get signatures approving the recommendations since people in the community would not change their minds even if over 150 homes had to be demolished. They want the fill out. The responsible parties put it there; they should take it out. They want no restrictions, no fill at the HMS. Cost should not be considered where health is a factor. We need to give our recommendation to the Commissioner as soon as possible. NAC members were polled as to whether they wanted to read the report and discuss the recommendations in more detail. NAC members determined they wanted to vote. The vote approving the recommendations was unanimous.

Discussion ensued regarding how a draft letter would be prepared and sent to property owners within the impacted area. The chair of the subcommittee will draft a letter for review and input by the subcommittee. Some NAC members said there was no need for the full NAC to review the letter since it was simple and clear what the recommendations were. They asked DEP if the department would pay for postage both for the mailing and return responses. DEP will consider and call the facilitator on Friday. They discussed the best way to get responses from the residents – by postcard or signature lines on the letter. Fitzgerald & Halliday said it would provide the mailing list to include properties within and outside the consent order that are in the impacted areas. The NAC will be responsible for the printing and mailing. The letter should state that post cards must be returned on a date certain, 2 weeks from mailing.

Some NAC members asked about the timing of the community response and the proposed DEP decision. A member inquired if an extension was possible. DEP indicated that it would consider an extension. A NAC member said the community does not want an extension. The facilitator asked for objections or discussion. There being none, there was no further discussion of an extension.

The NAC discussed a telephone tree among its members and within the community. The facilitator will help plan a NAC telephone tree.

**Map prepared by Loureiro Engineering Associates, Inc.** The map showing the locations of homes and streets that would have to be demolished was displayed.

**Olin Renderings of Hamden Middle School.** In response to the NAC and DEP request, Olin prepared 2 renderings of the Hamden Middle School, showing its current elevation and proposed elevation with fill from the residential properties. The proposed elevation was at the same elevation as Morse Street.

**New Business.**

**NAC Town Subcommittee** (Herman Alexander, Mike Colaiacovo, Sheila Epps, Dr. Hamid, Scott Jackson, Reverend Keith King, Leonardo Melandez, LaNorma Webb). Chair, Scott Jackson submitted a memo update on Town Issues identified in an earlier memo from the subcommittee. Legal counsel believes that until a draft remediation plan is released, there are too many variables to determine exactly how the Town would respond to a number of the issues (permits, traffic, police patrols, etc.) Counsel is unable to discuss tax abatements because it is the subject of pending legal action. ELURs are an agreement between DEP and the property owner. The Town is not responsible where a property owner refuses to record an ELUR. Counsel does recommend that private security details be included in the remediation order to ensure security of property while homes are vacated. Also, counsel suggests that a remediation order include a demand that a list of ELURS be provided to the Building Department so that staff will be aware of any restrictions before issuing any permits.

**NAC Community Outreach Subcommittee** (Sheila Epps, Elizabeth Hayes, Pamala Moore, Willa Taylor, La Norma Webb). The subcommittee met on several occasions and attempted to plan an outreach event for November 12<sup>th</sup>. If the Town Police and Fire Departments were involved, funding was possible through funds from the Office of Housing & Neighborhood Development. DEP said it would support the event with staff but would not have the fact sheets for the community prepared by November 12<sup>th</sup>. The subcommittee decided to hold the event in January 2006 given the difficulty in planning the event in such a short time and the holiday season.

The meeting adjourned at 8:15 pm.

**NEXT MEETING: October 20, 2005**