

NEWHALL ADVISORY COMMITTEE

Final Meeting Summary

January 19, 2006

6:35 pm – 8:50 pm

Members Attending: Herman Alexander, Henry Blue, Dr. Abdul Hamid, Elizabeth Hayes, Rhonda Hayward, Scott Jackson, Leonardo Melendez, Pamala Moore, Henry Platt, Willa Taylor, Rep. Peter Villano, LaNorma Webb

Alternates Attending: Willa Taylor

Absent: Pastor George Bulgin, Mike Colaiacovo, Luther Cooper, Donald Eaton, Sheila Epps, Loydon Henry-Phillip, Rev. Keith King, Deloris McNair, Roosevelt Young

Ex-Officio Members Attending: Eileen Barnes, Tom RisCassi, Edith Pestana, Department of Environmental Protection (DEP); Lynn Fox, QVHD; Meg Harvey, Department of Public Health (DPH); Jimmy Young (Olin); Tom Chaplik, Regional Water Authority (RWA), Arthur Bogan, Town of Hamden.

Others Attending: Sharon Bass, Hamden Daily News; Kathleen Schumaker, Council Person at Large; Ulia Pitts, 626 Newhall St; Kelly McCarthy, 83 Treadwell St.; Raymond Sims, Sr., 478 Newhall St; David Webb, 124 Bryden Terrace; Keith Darden, Prospect Hill.

Technical and Public Participation Assistance: Jill Barrett (FHI); Kevin Hood, ERI.

Facilitator: Kathleen Conway

Action Items for February 16, 2006 NAC Meeting

- **Town.** Provide sample protocol for utility and road construction in contaminated areas
- **Town.** Provide information on “comparable sales” from 2003 – 2006
- **DOH.** Provide cites for studies linking exposure to contaminants to disease
- **NAC.** Draft request to Responsible Parties (DEP, Town, Regional Water Authority, Olin) for total budget and actual costs for the Newhall Remediation Project since its inception.
- **NAC.** Draft letter to Commissioner McCarthy on community’s preferred remedial alternative, recommendations and any concerns the community has regarding the alternatives.
- **NAC.** Research CGS Sec. 12-18 (r)
- **Facilitator.** Addendum to Dec 15, 2005 Meeting Summary
- **NAC Information Requests to DEP**
 1. Estimated amount of waste fill outside the Consent Order: 1) under 4 feet; 2) over 4 feet.
 2. Written summary of the DEP review of the Supplemental Investigations to date

3. A written report on the properties sampled outside the Consent Order
4. Master list identifying all properties within and outside Consent Order: with waste fill less than 4 feet and deeper than 4 feet; that had structural assessments and that have structural damage.

Agenda

Introduction, Groundrules, Draft Meeting Summaries. A NAC member requested that a paragraph be added to the December 15, 2005 meeting summary. The NAC member said that he asked residents and others attending the meeting to raise their hand if they did not agree with the five proposals he made. Members agreed that the text should be added as an addendum to the summary although one member thought that the request was more of a challenge made as part of a statement to the public rather than a vote from the community; and that he had not thought it appropriate to respond then as part of that forum. See addendum to December 15th meeting summary.

Review Action Items.

- **NAC Request for Information on Tax Abatement and Revaluation.**

Tax Abatement. The Town NAC member stated that there is no town authority to give a blanket reduction of taxes. The authority of the town is set by state statute. A NAC member referenced a statute (CGS Sec 12-18) and said that it specifically allows for tax abatement. Members asked whether the Town can ask the state for the authority or whether there is authority for special legislation. A NAC member said the former Mayor had promised that the Town would give property owners with contaminated fill a 50% reduction in taxes. A NAC member said that the town always has a right to go to the state to set aside taxes on properties. NAC members asked whether the Town will take a stand. The NAC state representative said that he would research the state authority and possibility of special legislation. The Town representative said he would inquire of legal counsel.

Tax Assessment. NAC members stated that assessments had gone up 100 % – 125% on some properties. They questioned how assessments could go up on contaminated property. One member specifically asked the assessor about the assessment of the building and the land. If land is contaminated fill, how could it now be more valuable. NAC members asked if they could petition as a group. The Town representative said that there must be a separate petition for each property and each property owner must provide evidence that may affect their assessment. The Town looks at the budgetary needs and then creates the mill rate. He has no idea of the town needs at present. There were 1,110 informal hearings with the revaluation company in December. Two important criteria are: 1) evidence of physical deterioration of the structure; and 2) economic depreciation. A NAC member asked about reduction of the assessment on a property with structural damage. The property owners can petition to lower their taxes. They asked whether residents could appear as a group at the Board of Appeal hearing. The Town representative said that he did not want property owners with structural damages lost in a crowd of 350 – 400 coming as a group. They should petition the assessment of their own property. Copies of the Petition Form were provided. The Form must be submitted by February 20th.

The remedial alternative options are 100% removal of contaminated fill or an Environmental Land Use Restriction (ELUR). The ELUR tags your property as contaminated. If contaminated, why should you be taxed as if clean. The Town representative said that you have an opportunity to make your case. You add value if you put on a deck and you lose value by damage. You do not know what impact an ELUR will have. NAC members suggest that the land should be devalued. The Town NAC member said that the comparable sales survey suggest that the land is up in value. A NAC member requested a list of comparable sales in the Newhall area from 2003 to 2006. The Town NAC member said he will provide this information.

- **Town of Hamden Request for Proposal for a Master Plan for the HMS.** The Town NAC member said that the RFP submittal deadline had closed and he thought about 5 applications were received. The proposals are to conduct a community outreach process and develop a plan to re-use the current middle school. A NAC member questioned about community input in choosing the consultants. The Town NAC member said that a diverse panel of community residents, business owners, park and recreation and others were being asked to serve. Approximately 7 would be voting members and the rest ex-officio stakeholders. The plan is to move to the new school in September 2006. A NAC member said he was not asked and wanted to be on the panel. Who was being asked and how were they being selected. The Town NAC member said he had every confidence that the panel would be good, even great. The NAC will be represented and will be a resource to the panel. There would be significant public input. The plan is to develop the HMS to the highest and best use. Dale Kroop, the Director of Economic and Community Development, is the lead person and will be facilitating the process. The panel will select the contractor and make its recommendation to the Mayor. A NAC meeting will probably be the first community outreach of the contractor and the panel.
- **Letter dated Dec 9, 2005, to the Commissioner from a law firm representing a group of residents in the Newhall neighborhood proposing the initiation of a mediation process to resolve all the issues. DEP update on proposed decision.** DEP said that the Commissioner was open to a mediation process if it could take place within the next 4 or so weeks. She would support it if it did not delay the proposed decision and if all the parties to the Consent Order agreed to participate. The State of Connecticut offered to arrange with EPA for a mediator. The Commissioner was waiting for a letter from the law firm as to whether all the parties would participate. The RWA said that it had received a letter from the law firm in the last week. DEP said that if the mediation process did not take place, the proposed decision would be issued before or by February 28th. The Town NAC member said that he would not sign on to a remediation plan that did not include redevelopment if structures were destroyed.
- **Olin's Petition for Declaratory Judgment.** DEP said that the petition would not delay the proposed decision. There were 3 ways the petition could be handled: accepted; accepted and a hearing; or disregarded or not acted on.
- **Property Buyouts.** NAC members questioned whether DEP had purchasing plans to buy out residential properties. DEP replied that buyout plans were a component of the remedy design phase. The proposed decision would define the remedy broadly. NAC members asked what would happen if property owners refused remediation or refused to

place ELURs on their properties. DEP said that they would probably not do anything. Property owners would have to deal with impacts of those decisions.

- **Scope of Proposed Decision.** DEP stated that the proposed decision will only address properties within the Consent Order. A member of the public attending the meeting said that the residents on the east side were challenging the data and the conclusions of the DEP consultant.
- **Health Issues.** The DPH prepared a follow-up report requested by the NAC entitled “Would a Health Study Be Useful For The Hamden Newhall Street Neighborhood?” The conclusion was that DPH studies had not found links between site environmental exposures and health effects, such as cancer. Copies were provided to all attending the meeting. NAC members asked for precedents of studies finding that exposure led to disease. DPH said that there were very few and those studies showed links in a shaky way; exposure, environmental contamination and disease were suspicious but not conclusive. The more conclusive studies were linked to contaminants in drinking water. DPH mentioned the Love Canal and Tom River studies as examples of health studies. NAC members asked for copies or links to those studies. DPH will provide

NAC Discussion on Recommendations to the Commissioner of Environmental Protection Prior to the Proposed Decision. The NAC decided to have a members only meeting on February 2, 2006. Several members will prepare a draft letter on recommendations on remedial remedies to the Commissioner prior to the meeting. Members will also prepare draft letters to the Responsible Parties asking for budget and actual sums spent on the Newhall Project.

8:45. Meeting Adjourned.

Next Meeting. NAC Members Only. February 2, 2006, 6:30 – 8:30 pm. Keefe Center.