

Response prepared by:

Joseph Michelangelo, PE

Director of Public Works

From: Kurt Soderlund

Sent: Friday, June 24, 4:43 PM

Subject: RE: Public Works Yard

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Joe,

We appreciate yesterday's meeting, particularly the acknowledgement that there are significant issues with the current use of the Public Works Yard by Julian Enterprises. We thought it would be useful to share the following priority action items we've identified from yesterday's meeting:

1. Provide specific plan for monitoring and remediation.

The monitoring plan required for the current operations is as per the storm water management permit. As the operator of the site, Julian is the holder of the stormwater permit. The results of the data from storm water runoffs will be posted on the PW Yard website by 8/13/16. Storm water quality is largely dependent on CT DEEP best management practice; these include sedimentation basin, siltation barriers, stabilization of slopes, check dams, and regular cleaning and maintenance of these.

The Phase I Environmental Assessment dated May 2016 did identify historical usage of the site associated with municipal solid waste. The Town will follow the guidance of our Environmental Consultant, Town Conservation Department, and the Connecticut DEEP for recommendations.

2. Explain financial aspects of the arrangement, with clarity on both incentives and disincentives for compliance with targets.

All financial terms are in the RFP. This is my overview on what it says:

The Operator accepts the material (spoils from our construction and maintenance functions that Fairfield Public Works brings to them at no cost.

The Operator sells material back to the Town at established prices.

The Operator can sell other processed material to other contractors

The Operator can accept other construction spoils from other companies for a fee. The RFP specified 6,000 cubic yards per year. This was allowed to be exceeded by the Public Works Department. There was a need to accept more material to be able to create usable material.

The Operator pays the Town \$3,000 per quarter (for 3 quarters per year).

As for financial incentives, there are no additional monetary bonuses or liquidated damages for not meeting the height and volume goals in the original RFP. The Town Purchasing Department can disqualify a vendor for future bids if they are determined to be in any violation or non-conformance of a previous bid.

3. Explain process and participants to (i) review contract extension with Julian and (ii) modify current agreement to address concerns.

Please submit all items of concerns that you feel should be incorporated into a contract extension. Any contract extension will conform to the procurement requirements of the Town of Fairfield Purchasing Department.

4. Specify parameters and protocol for testing of water, core (PWY) and sediment (Daniels Pond) to understand both (i) compliance with regulations and (ii) environmental health / sustainability of the area.

Stormwater discharge testing includes oil & grease, pH, COD, total suspended solids, phosphorus, total Kjeldahl nitrogen, nitrates, copper, zinc, lead, and aquatic toxicity. Surface water testing of the pond outlet during outgoing tides includes polynuclear aromatic hydrocarbons, arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver. These are all tested according to CT DEEP Stormwater regulations. We are putting together all of this information and will be posting on the PW Yard Website by 8/13/16.

There is no other testing performed of the waters and sediment of Daniels Pond.

5. Specific plan / targets for pile reduction.

At my most recent measurements of 7/15/16, the top of the pile had an area of 1.5 acres and a top elevation of 54'. The base of the pile had an area of 3.0 acres at elevation 24'

Please note the original RFP had a goal of lowering the pile to an elevation of 30'. We now feel we can reduce it to an elevation of 24'. Because of the shape of the pile, a reduction will not be linear; as the pile gets wider it requires much more tonnage be removed to achieve a 1' reduction in height. Please note that the elevation of 24' will be a "tabletop" for future activities. Although material will be stockpiled and recycled on site, it will not be allowed to rise above the height of a future landscaped berm screening.

The Specific plan and target for pile reduction:

The bottom base of the pile shall be limited to the current footprint of 3.0 Acres

Current surveyed elevation on 7/15/16	56'	(32' above scale elevation)
Elevation requirement on 9/31/16	45'	(21' above scale elevation)
Elevation requirement on 12/31/16	40'	(16' above scale elevation)
Elevation requirement on 6/31/17	32'	(8' above scale elevation)
Elevation requirement on 12/31/17	24'	(0' above scale elevation)

6. Close the second entrance.

There was never an entrance between the Harvest New England Operations to the Julian Operations. However, material has been moved so that a vehicle cannot drive between these two operations.