

SPECIAL COMMON COUNCIL MEETING

FEBRUARY 24, 1997

Meeting to be called to order at 8:15 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Scalzo, Abrantes, McAllister, Arconti, Coladarci, Boynton,
Buzaid, Valeri, Machado, Shuler, Setaro, Esposito, Levy, Charles,
Gomez, Basso, Butera, Fox, Gallagher, Mead, Nolan

18 Present 3 Absent

NOTICE OF THE SPECIAL MEETING - To be held on the 24th day of February, 1997 at 8:15 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the item listed below.

PUBLIC SPEAKING

1 COMMUNICATION - Appropriation for Landfill Closure

There being no further business to come before the Common Council a motion was made by _____ at _____ P.M. for the meeting to be adjourned.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>		<u>TIME</u>
1.	Christopher Sotero	P.O. Citelli	4:29 pm
2.	MATTHEW GALLAGHER	P.O. Citelli	4:33 pm
3.	MARCIA FOX	P.O. Citelli	4:37 pm
4.	Al Mead		4:42 PM
5.	Thomas Valeri	P.O. Citelli	4:48 pm
6.	Joseph J. [unclear]		4:50 pm
7.	Haldemiro Machado	P.O. Citelli	4:57 pm
8.	Charles [unclear]		5:00
9.	Louis T. Charles		5:05
10.	Janet Butera	P.O. Citelli	5:18 pm
11.	Pauline R. Brown		5:20 PM
12.	Roberto Gomez	P.O. Citelli	5:30 pm
13.	Harry Scalzo	P.O. Citelli	5:55 pm
14.	Charles [unclear]		6:00
15.	W. [unclear]		6:15
16.	Paul [unclear]		6:20 pm
17.	Thomas Arcouto	P.O. Citelli	6:40
18.	Francis P. [unclear]		6:50
19.	Eusebio Colardai	P.O. Citelli	7:10
20.	Ann Brighton		7:19
21.	John Esposito	P.O. Citelli	7:44

Each Notice so served upon each member, all having been done by me on this date 02/21/97.

Attest: P.O. Citelli
Policemen of the City of
Danbury



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

February 21, 1997

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby respectfully request your approval of the appropriation of \$4 million from the City's fund balance to further expedite the landfill closure process.

It is necessary to immediately commit resources for the purchase of materials and fabrication of the permanent flare for the gas collection and recovery system component of the closure plan. This action will ensure that the timetable for eliminating odors associated with the historical operation of the landfill occurs as now scheduled.

Once final closure costs have been determined by the value engineering process underway, I will present a detailed and comprehensive strategy to fund the completion of the landfill closure with the budget presentation for Fiscal Year 1997-98.

This approach is in both the City's short term and long term environmental and economic interest.

I thank you in advance for your cooperation in this regard.

Sincerely,



Gene F. Eriquez
Mayor

GFE:kgg



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

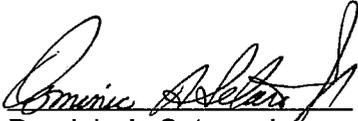
DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

M E M O R A N D U M

DATE: February 21, 1997
TO: Hon. Gene F. Eriquez via the Common Council
FROM: Dominic A. Setaro, Jr., Director of Finance
RE: Landfill Closure **CERTIFICATION #24**

I hereby certify the availability of \$4,000,000 to be transferred from Fund Balance to a new capital account entitled "Landfill Closure".



Dominic A. Setaro, Jr.

DAS/jg

CITY OF DANBURY

To: Common Council Members

A special meeting of the Common Council _____ of the City of Danbury will be held on the 24th day of February 19 97 at 8:15 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

- 1. COMMUNICATION - Appropriation for Landfill Closure

Dated at Danbury, this 21st day of February 19 97.

[Signature] Mayor
[Signature] Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member _____ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

[Signature] Mayor



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

February 25, 1997

The Honorable Mayor Gene F. Eriquez and Members of the Danbury Common Council
155 Deer Hill Avenue
Danbury, Connecticut

Dear Mayor Eriquez and Members of the Common Council :

I respectfully request your authorization to make application to an Environmental Protection Agency funding program entitled "*Brownfield Site Assessment Pilot Program* ." Our application is for an environmental assessment and pilot studies for the remediation of 13 Barnum Court, a property that was acquired by the City under a foreclosure proceeding in 1994.

Following the foreclosure, the City conducted a Phase III Environmental Site Assessment which is necessary for the resale of this property. The investigation discovered several additional areas of contamination on the property by volatile organic hydrocarbons and metals. A final round of testing is required in order to ascertain whether the VOCs are from an off-site source, to conduct a soil gas survey and to conduct an ecological risk assessment on sediments and surface waters of Kohanza Brook that is immediately adjacent to the site.

The "*Brownfield Site Assessment*" program provides funding for conducting these studies and the EPA is calling for proposals from municipalities to fund a single demonstration project in New England. Therefore, I have prepared a proposal entitled, "**Restoration and Redevelopment of a Contaminated Brownfield Site in Danbury, Connecticut**". This proposal includes all of the final assessment work that would provide the City with a detailed remediation plan and cost estimates for correcting the soil and groundwater contamination problems. I have also included funds for a pilot study that would evaluate a non-intrusive ("in-situ") process for decontaminating the most highly contaminated soils on the site. If these studies prove the in-situ process to be effective, the clean-up costs would be substantially reduced.

I therefore request your authorization to make application for \$40,170 to the Environmental Protection Agency for a Brownfield Environmental Assessment of 13 Barnum Court. There are no matching costs or in-kind contributions required for this grant program.

I will appreciate your prompt consideration of this request.

Respectfully Yours,

Jack S. Kozuchowski

Coordinator of Environmental and
Occupational Health Services

cc : Dominic Setaro
Eric L. Gottshalk



Financial Impact Statement

"Restoration and Redevelopment of a Central Urban Brownfield Site in Danbury, Connecticut"

Funding Sought from the Environmental Protection Agency's "Brownfield Site Assessment Program"

This grant is being submitted to the Environmental Protection Agency for a Pilot Program "Brownfield Site Assessment" funding, in accordance with the grant application guidelines issued by EPA's Region 1 Office. This financial impact statement addresses the information requirements specified in the City's "Policies and Procedures for Grants", dated 10/25/94.

1) **Financial Impact.** The Brownfield Program normally provides direct services through EPA's subcontracted consultants to conduct investigations aimed at determining the nature and extent of contamination and to estimate the costs of clean-up of these sites for redevelopment. However, in the case of the City's proposal, EPA has indicated that they may consider providing the funding directly to the City to hire its own consultant, due to the extensive background work (i.e., the Phase I - Phase III Assessments) that have already taken place. In either case, funding will be exclusively for a subcontracted service. Specifically excluded from this grant application are the following budget categories :

- ⇒ Personnel - full time or temporary employees are not being requested. All services for this grant project will be performed by consultants hired either by EPA or by the City.
- ⇒ Capital Costs - There are no requests for Equipment, Supplies or construction remediation services for this proposal.
- ⇒ Land Acquisition - There are no costs for land acquisition, as the City owns the property.
- ⇒ On-going contracts or Maintenance - There are no direct requirements for an on-going contract or maintenance. However, as discussed below, there is an implicit commitment that the City will follow through to facilitate the subsurface remediation of this property.

The major financial commitment from the City that will occur as a result of this project is the follow through on remediating the contamination problems that will be specifically identified (with cost estimates) as a result of this assessment work. However, the following perspectives should be considered :

- ⇒ The City has already initiated the clean-up process for this property, with expenditures and encumbrances of \$44,000 for waste removal and environmental site assessments.
- ⇒ In order to sell this property (and recover some of the costs incurred), the Site needs to be certified as "Clean" to satisfy any lending institution who would provide a mortgage for a potential buyer.
- ⇒ As indicated in Section IV of this proposal, the Assessment and Pilot Studies initiated as part of this grant project will not be completed until 1999. Therefore the costs for clean-up may be postponed and possibly spread over a 2 -3 year period through the Capital Budget process.

(OVER ----->)

- ⇒ There exists the possibility of future funding for the capital costs of Remediation through the emerging EPA Brownfield program. Also, as a result of this final stage of investigation, it is possible that the City may identify a third party (off site) contributor to some of these contaminants, in which case the project report can be used as a negotiating leverage to induce a settlement for sharing the costs of remediation.
- 2) Financial Reporting . There are no financial reporting requirements for this grant program.
- 3) Audit Fee - The Environmental Protection Agency normally provides the site assessment services directly to the City, as opposed to a direct disbursement of funds. As such, they do not allow internal administrative or audit fees. However, since EPA may choose to disburse the funds directly to the City, we will include these fees with a cover letter explanation that they can be deleted from the budget if they send a letter indicating that the funding program does not allow these budget items.
- 4) Administrative Fee - Same as (3), above.
- 5) Project Benefit - Section VI of the proposal summarizes the overall benefits of the Assessment work that would result from this project. The primary benefit to the City are as follows :
 - ⇒ The investigations will determine if there are off site sources of the contamination that has been documented. If this is proven, the City's liability for clean-up is reduced.
 - ⇒ The Pilot Studies provides a possibility for developing less costly "in-situ" techniques for remediating the most contaminated band of soils near the Brook.
 - ⇒ The overall end result of following the overall process of "*Restoration and Redevelopment* " (Section III of the proposal) to completion is a property that will be certified clean and which will then have a redevelopment and resale value for the City.
- 6) Common Council Resolution - A sample resolution for the Common Council to authorize the application for this grant is attached.