

**NAUGATUCK VALLEY BROWNFIELDS PILOT COMMITTEE**  
**c/o VCOG, Main St., Derby RR Stn.**  
**Derby, CT 06418**

## **MEETING NOTICE**

**Naugatuck Valley Brownfields Pilot Committee**  
**(Quarterly Meeting of the Full Committee)**  
**Thursday, March 9, 2006**  
**4:00 p.m.**  
**At**  
**Naugatuck Valley Project**  
**26 Ludlow St., Waterbury**  
**(directions attached)**

## **Amended** **AGENDA**

- 1. Acceptance of Minutes of 12/8/05 NVBPC Meeting (Enc.)**
- 2. Review of Financial Statement (note new format) (Enc.)**
- 3. Presentation of Project Report – Arthur Bogen (Enc.)**
- 4. Ed McCreery and Lee Hoffman of Pullman, Comley Law Firm –  
Discussion on Municipal Access to Brownfields Sites**
- 5. James Ryan – Status Report – Coordination with NV CEDS**
- 6. Discussion re: Vacancy in Chairman Position**
- 7. Appointment of Nominating Work Group**
- 8. Discussion re: Potential Name Change of Pilot Committee**
- 9. Reauthorization of Assessment Grant for 46 Commerce Street, Derby  
For \$25,000 – Hazardous Waste**

**MINUTES OF MEETING**  
**NAUGATUCK VALLEY BROWNFIELDS PILOT COMMITTEE**  
**Thursday, March 9, 2006**  
**at Naugatuck Valley Project**

**Pilot Representatives Present:** Beth Lynch, Ansonia; Richard Minnick, Proxy for Ed Jurzynski, Beacon Falls; Robyn Bugbee, Bristol; Bill Kuehn, Plymouth; Ron Skurat, Seymour; James Ryan, Shelton; Roy Cavanaugh, Watertown; Sam Gold, COGCNV Rep.; Margus Laan, CCRPA; Karen Spargo, VCOG; Carol Burkhart-Lyons, NVP; Paul Pimentel, Rep. Chris Shays' office; William Heinrichs, Rep. Rosa DeLauro's Office

**Others Present:** Rick Dunne, Arthur Bogen, Jan Jadach, VCOG Staff; Kathy McNamara, Waterbury; Edward McCreery and Lee Hoffman from Pullman & Comley

Rick Dunne suggested to the group that since it was 4:10 p.m. and Vice-Chairman Adam Rinko was not here yet, we have Jim Ryan present his status report on the CEDS project.

Jim Ryan, Director of the Shelton Economic Development Corp., then addressed the group and gave some background on how the Comprehensive Economic Development Strategy (CEDS) project began. He had a hand-out which gave some information on the Naugatuck Valley Corridor CEDS. Jim noted that last year, that group focused on transportation. This year, they are looking at Brownfields, short and long term, as this is a major economic development opportunity. What he is looking for is to obtain short and long-term priorities from the Brownfields Pilot. He noted that Rick and Arthur will be speaking at the CEDS quarterly meeting in April regarding Pilot activities. That information will be incorporated into the CEDS annual report to EDA in June. There were then a few questions for Jim and a brief discussion regarding CEDS programs in adjoining regions. Robyn noted that Margus Laan of CCRPA works with CEDS in the Bristol region.

The meeting was then called to order by Secretary/Treasurer Robyn Bugbee at 4:20 p.m. Rick Dunne indicated that there was a quorum present. There were proxy letters from the following: Ed Jurzynski, Beacon Falls Rep. appointed Richard Minnick as his proxy; Tim Carr, At-large member appointed Rick Dunne as his proxy. Robyn Bugbee then asked that all present introduce themselves.

**Minutes:** Robyn Bugbee asked if there were any corrections to the December 8, 2005 minutes. There were no corrections.

**Motion:** by Sam Gold - To accept the minutes of 12/8/05 as presented. **Second:** Carol Burkhart-Lyons; **Vote:** Unanimous

**Review of Financial Statement:** Rick Dunne commented that this statement is the new format he has been talking about. It shows a lot of detail but should be easier to follow. It shows the sources of funds, balance of funds, billings, and unencumbered funds. He said, in short, it shows we have no problem with our receivables. There are two outstanding projects that are being taken care of. Rick continued that on page two, there is a breakdown of the Hazardous Materials and Petroleum Grants and also the unencumbered funds. He urged towns with a project to contact him. Arthur added there is another project pending in Watertown so the real HazMat number is just shy of \$100,000. Bill Heinrichs had a question which Arthur answered concerning Housatonic River borings. Rich Minnick complimented the staff on the improved financial report, noting it is much easier to understand. Robyn Bugbee agreed and thanked the staff once again.

**Motion:** by Jim Ryan - To accept the financial statement as presented. **Second:** Rich Minnick; **Vote:** Unanimous

Arthur then asked if we could go out of order and have the two attorneys from Pullman & Comley make their presentation next. Ron Skurat made a motion to change the order of the agenda, seconded by Rick Dunne. Unanimous.

Ed McCreery began by giving the members a handout of information he and Atty. Hoffman put together entitled "Gaining Access to Property for Environmental and Other Surveys". Their law firm has a lot of experience across the State dealing with sites and access. He indicated that he works principally in municipal law and Atty. Hoffman works primarily in environmental, a lot of which is brownfields-related. They represent both property owners and developers. Atty. McCreery then outlined some of the methods of gaining access to property to investigate its feasibility for a project where the owner will not give their consent. Those methods include: pre-condemnation inspection and testing; public works surveys; Licensed Environmental Professional inspections; and obtaining inspections by way of bills of discovery. Lee Hoffman then discussed the liability issues, noting that obtaining the property owner's consent makes the process go much easier. He talked about the potential liability that goes on when there is testing involved on a piece of property. The group then had several questions for Attorneys McCreery and Hoffman, following which Arthur Bogen recapped the discussion and thanked them for taking the time from their busy schedules to make this presentation to the Pilot Committee.

Rick Dunne then mentioned to the group that Arthur will be speaking at an international Brownfields Conference in Estonia. All present congratulated him.

**Presentation of Quarterly Project Report:** Arthur thanked everyone for attending today, and he briefly went over each item in the report.

Ansonia, Cook Industrial Park: Sampling is underway at this site and there is the possibility of making a DECD loan on this.

Ansonia, 74 Grove Street: The contractor has been notified that their final report will be accepted, so the sale of this property can now proceed.

Bristol, 316 Park Street: Robyn Bugbee and the Bristol staff have been struggling with how to approach this. Arthur will be assisting them on this.

Bristol, 43 East Main Street: The access agreement on this site is not in place as yet.

Derby, 160 Elizabeth Street: Drilling has been scheduled to start this week. Arthur indicated he has some very good on-site photos that he will present to the members.

Derby, O'Sullivan's Island: Arthur said Rick Dunne sent a letter to Senator Lieberman asking for assistance in providing federal support for the cleanup costs at this site. Rep. DeLauro was copied on that letter also. Sen. Lieberman replied that he will do what he can to help move this along. The Pilot has been working on this site since 1996. We are now at the point where the site is being used. The Derby Riverwalk skirts the edge of the property. The ultimate goal is to create a public park.

Derby, 46 Commerce Street: This item is on the agenda for reauthorization so Arthur will discuss this later in the meeting.

Derby, Downtown Redevelopment Zone: Staff has met with the Mayor and the developer to review environmental matters on this site.

Naugatuck, Church Street: EPA has approved this site as eligible for a Phase I assessment.

Naugatuck, DOT Parcel: Staff has worked with Dave Prendergast in preparing the info to submit to DOT.

Plainville, 319 New Britain Ave.: All EPA approvals have been received and the drilling should start next week on this site.

Watertown, Steele Brook Project: Arthur indicated that Roy Cavanaugh has made this project happen by his relationship with the owner and by building trust. Steps are being reviewed to resolve the various issues associated with developing the greenway.

Rick then indicated that we will be getting EPA's decision on the new round of grants in April.

**Reauthorization of Assessment Grant for 46 Commerce Street, Derby for \$25,000:** Arthur noted that the Executive Committee met on this in November of '05 and approved it. (Search of records and minutes indicates that the Pilot acknowledged project approval but never formally allocated funds.) This was put in front of the group. This is a site purchased by an innocent party. They want to build a factory and already have zoning approval. The City wants the project and it has been cleared by EPA. A full Phase I has been done and a plan filed with the state. We now have a proposal from the LEP and we received permission from EPA to use this LEP. We are asking for a \$25,000 authorization. There may be additional sampling that needs to take place.

Motion: by Rich Minnick – To reauthorize this assessment grant for \$25,000. Second: Ron Skurat;  
Discussion: Funds are from the EPA HazMat Grant. Bill Heinrichs wondered if we should authorize a higher amount. Arthur said he is comfortable with this figure. If additional funding is needed, it could go back to the Executive Committee.  
Vote: Unanimous.

**Discussion regarding Vacancy in Chairman Position, Potential Name Change of Pilot Committee and Appointment of Nominating Work Group:** Rick asked to take these three agenda items together. Regarding the vacancy in the Chairman's position, he noted we have been operating without a Chair since December. His suggestion was that we should allow the Vice-Chairman to continue acting as Chairman. A Nominating Work Group will be named, and we will vote on officers at the next Pilot Committee meeting in June.

Regarding the name change, both he and Arthur feel that the name no longer reflects the mission or geographic area of the group. The EPA no longer has the "pilot" so it is really not appropriate any more. He would welcome any suggestions from members. He asked that they be emailed to him before the June meeting. It should be something that looks at the mission of the group.

Rick then indicated that the Nominating Work Group will consist of all the members appointed by a municipality, as follows: Beth Lynch, Ed Jurzynski, James Mahoney, Robyn Bugbee, Wayne McAllister, Dick Eigen, William Kuehn, Ron Skurat, James Ryan, Adam Rinko, Roy Cavanaugh. He will ask Adam Rinko to convene a meeting of the Nominating Work Group prior to the June meeting.

Lastly, Paul Pimentel from Congressman Shays' Office handed out a notice of an oversight hearing that will be held in Bridgeport next Monday, March 13<sup>th</sup> at 1:00 p.m. at Bridgeport City Hall. This hearing will focus on Brownfields redevelopment and will highlight various success stories. He noted that Mayor Lauretti of Shelton will be testifying, and it is open to the public. Anyone who wants to attend is welcome. The record is open for written testimony for two weeks following the hearing.

There being no further business, the meeting was adjourned at 5:35 p.m.