

Agenda Attachment 2
Croton Facility Monitoring Committee Meeting
Thursday, April 7, 2005 – 2PM
Croton Community Office

- I.** Call to Order & Introductions DEP – John Leonforte
- II.** Additional Comments on 3/3/05 Meeting Summary All
- III.** Follow Ups on Issues from 3/3/05 Meeting Bernard Daly & DEP
- Provide Storm Water, Golf Course Restoration & Rodent Control Plan – Pyle (Delivered to CB #7)
 - Report on Fuel Emissions/Air Quality - Pyle (Update later at this meeting)
 - Traffic Improvements – Pyle, Parr, Rosa (Update later at this meeting)
 - Sidewalk i/f/o Cemetery Mausoleum – Parr, Rosa (Update later at this meeting)
 - Truck Plan - Pyle (Not submitted by contractor)
- IV.** Status of Site Preparation – Construction Work DEP - Bernard Daly
- Traffic Improvements & Sidewalk i/f/o Mausoleum DEP- B.Daly +Alex Kimball, H+S
 - Report on Fuel Emissions/Air Quality CM – Tom Farrell
 - Storm Water Runoff Plan CM – Rich Franzetti
 - Quality of Life - Garbage Cans & - Rodent Control DEP – Richard Friedman
 - Wetlands Monitoring Program Update DOH – Joseph Franklin
M+E – Erin Guire

CFMC INPUT, QUESTIONS & COMMENTS

- V.** Three Month Look Ahead Schedule DEP - Bernard Daly
- Construction Work Planned
- Completion of Traffic Improvements
 - Soil Removal
 - Begin Blasting & Rock Excavation
 - Continue Installation of Sheeting Wall
 - Continue Installation of Ornamental Wall
 - Park & Playground Closure

CFMC INPUT, QUESTIONS & COMMENTS

- VI.** CFMC Recommendations for Next Meeting All
- Confirm Date & Time of May CFMC Meeting
 - Discuss Possible Site Tour at May Meeting
 - Discuss Potential Date/Topics for Upcoming Public Meeting
 - Topics for Presentation(s) at Next CFMC Meeting
 - Material/Information at or in Advance of Next CFMC Meeting
 - Discuss Items to Be Reported on Each Month

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENVIRONMENTAL ENGINEERING
CROTON FACILITY MONITORING COMMITTEE MEETING
THURSDAY, APRIL 7, 2005 – 2:00PM
SUMMARY

The second meeting in 2005 of the Croton Facility Monitoring Committee pursuant to City Council Resolution 933/1999 was held on April 7th at the Croton Community Office, 3660 Jerome Avenue, Bronx NY 10467. The names of the CFMC representatives and alternates, staff from DEP and its consultants, and a representative of the State Senator and Assembly Member are attached (*Attachment 1*).

The meeting commenced at approximately 2:10PM; an agenda (*Attachment 2*), which had previously been circulated, was distributed.

Welcome

John Leonforte, Director of Outreach for the Bureau of Environmental Engineering, introduced himself and began the discussion. He thanked the CFMC members and representatives for coming to the meeting. Then each person in attendance introduced him/herself.

Since there was no further comment about the meeting summary from March 3, 2005, Mr. Leonforte asked Bernard Daly to follow up on items from the March 3rd meeting, and to describe current construction activities.

Storm Water Management Plan

Mr. Daly asked Richard Franzetti of the Construction Management team to explain the NYS Department of Environmental Conservation's Storm Water Management regulations and the Storm Water Pollution Prevention Plan which has been developed specifically for the project. Mr. Franzetti presented highlights of the state regulations as well as the site specific plan that will control storm water discharges and prevent soil erosion at the site.

The project's state permit became effective on December 13, 2004. There is a copy of the Storm Water Pollution Prevention Plan available for review at DEP's community office. Mr. Franzetti said there are also NYSDEC pamphlets about storm water management, available at the community office, and on the NYSDEC web site. In response to a question, Mr. Daly said that the Croton Filter Project's Storm Water Management Plan is a living document that will be updated as the project enters new phases of construction.

Mr. Daly then briefly reported on current construction activities, including the upcoming asphalt paving at 233rd Street and the I-87 Ramp and also the concrete roadwork at the new site entrance/exit roads. The concrete retaining wall alongside 233rd Street has been completed but still has stone facing to be installed. The contractor has had to work

around a Con Ed oil-o-static line in the road which has slightly delayed the work. A second set of traffic control agents was added to direct traffic at 233rd Street on March 14, 2005. Mr. Daly said that the bus stop on Jerome Avenue hasn't been moved yet, although Jersey barriers have been placed under the Woodlawn Station. Due to the bus strike, the bus stop has not interfered with the construction project work. Ken Parr, Community Board 12, said that DEP's response to traffic issues has been good, and the TCAs have helped manage the traffic.

Prior Follow up Item: Mr. Daly said that he spoke to Moshe Strum of NYCDOT and with Woodlawn Cemetery officials about restoring the sidewalk in front of the Mausoleum. The sidewalk will be replaced as part of the Mausoleum construction project at the expense of the Woodlawn Cemetery. The cemetery is waiting for DEP's street construction work to be completed -- it will be finished in about a month -- thereafter sidewalk restoration can begin.

Prior Follow up Item: Mr. Daly and DEP's executive office discussed with DOT the installation of a left turn signal for southbound traffic exiting the Major Deegan Expressway onto 233rd Street. DOT has agreed to install the signal. Carmen Rosa, Community Board 12, said she was pleased with this information, and she said that CB 12 has been asking for the left turn signal for years.

Mr. Daly asked Tom Farrell, Construction Manager, to show photos of current construction. The photos were of the project site, sheeting wall, noise attenuation barriers, rock drilling, and of concrete placement at the entrance roadway, and construction activities at 233rd Street.

Mr. Daly next reported on the schedule for controlled blasting. DEP and the contractor met with the NYC Fire Dept. on March 10 and 23rd. The FDNY Explosives Unit has determined that an area within a 200' radius would have to be cleared before each controlled blast. The NYCTA elevated subway line will not be impacted as it is over 350' away from the location of the blasting. The 200' zone will have a minor impact on the park and the golf course areas for some of the blasts. A drawing depicting the areas was presented. At a meeting with NYC Dept. of Parks and Recreation on March 29th the blast protocol was discussed and a copy of the protocol was sent to DPR for its review.

In response to Saul Scheinbach's (Community Board 8) question, Mr. Daly said that the initial test blasts will begin in early May. The test blasts will begin along the south side of the site. For controlled blasts close to the property line, a small area of the park and golf course will have to be cleared just prior to the blasts. Mr. Scheinbach asked Mr. Daly to explain test blasts. Mr. Daly said that the test blasts will provide information on the correct amount of explosives to be used, depending on the quality of the bedrock on the site. Vibration monitoring will occur, including on MTA property. In response to Joe Gordon's (Council Member Koppell's representative) inquiry, Mr. Farrell said that there will be monitors on the NYCTA's columns and at other locations around the site as well. A telemetry proposal from the contractor is under review. NYFD Explosives Unit personnel will be present for all controlled blasts and will direct operations. A meeting

was held with representatives of utilities in the area to discuss the controlled blasting protocol.

Mr. Daly said controlled blasting will be between 7:30AM and 6:00PM on weekdays for approximately 24 months. Ms. Rosa questioned the number of controlled blasts each day and the period needed for the controlled blasting activities. Mr. Daly explained that between 2 and 6 controlled blasts are anticipated each day.

The signals in advance of blasting and all clear after blasting were described. Mr. Daly said that a public notice was in development and it would be issued before blast operations commenced. Mr. Parr asked whether homeowners in the area would be notified, and Mr. Daly said they would be. He also noted that surveys of adjacent buildings had been performed to allow later determination of the validity of claims by property owners of damage caused by the blasting.

Lyn Pyle, Community Board 7, asked how the notice would be distributed. Martha Holstein, Construction Management team, said that the English – Spanish notice will be distributed to apartment building managers and superintendents, homeowners, local businesses, community boards, and elected officials. Ms. Pyle said that other languages are spoken in the community, such as Pakistani, Urdu, and Bangladeshi, and she offered to find translators who could produce the notice in other languages. Nora Feury, Community Board, 7, suggested that residents who speak English and another language could be helpful in letting the community who speaks the second language know about the upcoming controlled blasting. It was agreed by Mr. Daly to see whom Ms. Pyle identifies and to consider other language translations. Ms. Pyle also recommended posting notices at the local mosques on Knox Place and Dekalb Ave., and posting them in lobbies of area apartment buildings. Ms. Holstein said that DEP would share the controlled blasting notice with CFMC members before it is made public.

Mr. Farrell presented a brief controlled blast video for Mr. Scheinbach's information. It had been shown at the 3/3/05 CFMC meeting.

Follow up Item: Ms. Pyle will seek translators in languages other than Spanish for the public notice on controlled blasts and refer them to the DEP Community Office.

Follow up Item: Ms. Holstein will forward a copy of the controlled blast notice to the CFMC prior to its being released.

Quality of Life – Rodent Control, Garbage Can Program

Richard Friedman, DEP, said that the Croton Filter Project has an active pest control program underway and, in coordination with the NYC Dept. of Health and Mental Hygiene (DOH), will be providing garbage cans to certain residential properties in the community. He introduced Joseph Franklin, DOH Borough Pest Control Manager for Bronx and Manhattan, who pointed out the sample garbage can that will be distributed.

Mr. Franklin said that a baseline survey was conducted by his staff last fall to determine where in the Croton area pest control problems exist. Exterminators have looked at properties and manholes in the area. Of the 246 properties surveyed, 82 failed. 68 failed because garbage was being improperly handled – in most cases, lids were missing from the garbage cans. A new baseline survey is underway to confirm DOH's database. Based on the need, about 500 garbage cans will be distributed to owners/managers of properties that require cans with lids and proper disposal. A supply of approximately 100 will be retained by DEP for replacement or future use. Buildings that use trash compactors typically do not get these garbage cans. After garbage can distribution, DOH will work with NYC Dept. of Sanitation (DSNY) to arrange improved garbage pick ups. Since rats are nocturnal, improved pick ups will result in earlier or later DSNY tours to pick up garbage in certain zones. DOH has installed monitoring stations, primarily along Jerome Avenue, and responds to problem areas as needed.

Mr. Scheinbach asked what happens to old garbage cans when an owner/manager receives new cans. Mr. Franklin said that if the old can is not suitable, it is removed by DSNY. If it is still serviceable, it will be left. Mr. Franklin also said he has given the DEP some educational posters about proper garbage disposal.

Lee Llambelis, Borough President's Office, asked whether recyclables are included in this DOH program. Mr. Franklin said the program is only for garbage, not recyclables.

Mr. Franklin said that, in his experience, rats do not proliferate during construction. He has found no substantial increase in rat population at the World Trade Center site and at other major construction projects in Manhattan and the Bronx.

Mr. Daly reviewed the rat prevention activity under DEP's Rodent Control Program. The program has been reviewed by Dr. Bruce Colvin, a well known pest control expert. Evins Pest Control has installed bait stations around the site and in some manholes along Jerome Ave. At present the rodent activity around the limits of the site is minimal and weekly monitoring will continue. The DEP is also removing debris from both sides of Jerome Ave. in the vicinity of the site. During the Preconstruction survey only one burrow was found around the perimeter of the construction site. This program will continue throughout construction. Mr. Friedman said rats are not prevalent in the area because bedrock isn't a hospitable environment for them.

Fuel Emissions/Air Quality

Deputy Commissioner Warren Kurtz said he met with DEP Commissioner Emily Lloyd about air quality issues at the Croton Filter Plant site. Commissioner Lloyd said a scientific air quality plan should be established, and she tasked Gerry Kelpin, Director of the Bureau of Air Resources, to develop the plan. This task is underway, although Mr. Kurtz does not know how long it will take Ms. Kelpin to complete her research and draft a plan. The CFMC will be kept informed about the status of the plan.

Mr. Kurtz asked Ms. Pyle, the author of the Knox-Gates Neighborhood Association's March 24, 2005 letter, to correct an error in the letter about Best Available Technology

and Ultra Low Sulfur Diesel for reducing pollutants as provided by Local Law 77/2003. Pyle said the details in the letter were taken from the Croton Filter Project Findings. Mr. Kurtz and Gary Heath, DEP, clarified the requirements of Local Law 77 as well as the FEIS requirements, and said that DEP is employing more rigorous standards for the Croton Filter Project's vehicles than other previously-contracted construction projects.

There was a discussion between Ms. Feury and Ms. Pyle concerning a statement regarding air quality that Ms. Pyle wrote. It was decided that, while the sentiment of the CFMC is to encourage effective air quality measures during construction, the CFMC will await Ms. Kelpin's recommendations before taking further action. Ms. Pyle asked to be kept informed regularly about the air quality program.

Mr. Scheinbach then asked about Best Available Technology. Mr. Daly said that off-road vehicles over 50 hp will use ULSD as well as BAT. Ms. Kelpin's Air Resources Bureau has a list of the contractor's equipment. That Bureau will contact equipment manufacturers and then determine the BAT for each piece of equipment. The requirement for the equipment may change as technology improves. For on-road trucks transporting excavated material, ULSD or catalytic converters will be used.

Mr. Farrell described the truck wash that is being installed on site, the dust minimization program that will reduce visible dust, and he said that all trucks exiting the site must be covered. Mr. Scheinbach asked where the excavated material will go. Messrs. Farrell and Daly said they anticipated that soil will be removed to New Jersey, and rock will be transported to Long Island. The contractor has not finalized his disposal locations as yet.

Wetlands Monitoring Program

Erin Guire, of Hazen & Sawyer, DEP's design consultant, presented the program to protect the wetlands near the Croton Filter Project site. Baseline data have been assembled and a plan to keep the water table from dropping has been developed. No wetlands are located in the construction site, but without adding city water below the site, the nearby wetlands could be impacted. Mr. Parr asked why more of the trees in the wetland areas are diseased or damaged than the trees on the Croton Filter Project site. Ms. Guire explained that the trees within the wetland are under stress due to the failure of man-made drainage channels installed over 30 years ago. The wetland area was once maintained as an upland tree community. Discontinued maintenance of the channels produced wetter conditions over time, resulting in the current wetland habitat. Responding to an inquiry from Mr. Scheinbach about taking pro-active steps to make the wetland trees healthier, Mr. Daly said the wetlands plan was one of DPR's requirements. Hector Aponte, Bronx DPR Commissioner, said wetlands must be protected and should not be altered.

Following the presentations, the CFMC met to discuss making CFMC meetings available to the public.

CFMC Discussion

After discussion the CFMC agreed that interested members of the public can attend future CFMC meetings. There was discussion about format, as well as the need for larger space to accommodate additional people. The consensus was to: (1) either let the public speak briefly at the meetings during an initial open session and then to allow the public to remain to see and hear presentations by DEP and its consultants, but not to allow the public to speak; or (2) allow the public to attend meetings without an initial public session. During CFMC meetings, questions from the public may be given to CFMC members who can ask them. The CFMC open meetings will obviate evening open houses at the Community Office and quarterly public meetings in the community. Anyone who disrupts a CFMC meeting will be removed. In addition, it was agreed that the CFMC would not meet every month, but would be scheduled as information becomes available.

As a CFMC member DEP agreed to open meetings; however, Mr. Friedman said he would need to get DEP Counsel's approval for this in light of pending litigation.

Follow up Item: Mr. Leonforte asked Ms. Holstein to circulate a proposal regarding how future CFMC meetings will be conducted.

Follow up Item: Mr. Friedman will contact DEP Counsel regarding open meetings of the CFMC.

Ms. Llambelis said that the next CFMC meeting should provide the public with the presentations that have been given to the CFMC to date. All agreed with this recommendation. Ms. Llambelis distributed a letter that Borough President Carrion sent to Commissioner Thomas Frieden, MD, DOH, requesting that DOH monitor area hospital emergency rooms for asthma among residents in the construction area.

Next Meeting

A majority of the CFMC requested a CFMC meeting in June. The CFMC members will make a site visit on Thursday, May 5, gathering at the Community Office at 2PM, but this will be limited to CFMC members, DEP staff and consultants, and is not a CFMC meeting per se. Mr. Leonforte said that site security dictates that persons taking the tour must provide certain information, including social security number and driver's license.

Follow up Item: James Soroush will follow up to request and collect the necessary information before May 5 for the site tour. **Note: Mr. Soroush has investigated the requirements for the site visit and was told on 4/19/05 that the representatives and designees of the CFMC, DEP staff and its consultants do not have to provide additional information beyond the contact information that DEP already has collected. No further security information will be requested, but the site visit is limited to CFMC members and DEP.**

The CFMC concluded its discussion at approximately 5:15PM.

NYC DEP - CROTON FCMC*4/7/05 - Attachment 1*

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Adam Joseph	State Senator Jeff Klein	931B Morris Park Ave. Bronx, NY 10462	(718) 792-8500	(718) 792-8501	adamljoseph@yahoo.com
Lee Llambelis	Bronx Borough President Adolfo Carrion, Jr.	851 Grand Concourse Bronx, NY 10451	(718) 590-8555	(718) 590-2668	lllambelis@bronxbp.nyc.gov
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