

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF SPECIAL CONSERVATION MEETING
January 3, 2013**

The Conservation Commission of the Town of Fairfield held a special meeting on January 3, 2013 in the All Purpose Room at Holland Hill School, 200 Meadowcroft Road, Fairfield, CT.

MEMBERS PRESENT: Kevin Gumper, Chairman; Kate Maxham, Vice-Chairman, Catherine O'Donnell, Secretary; Frank Rice, Elizabeth Jones, and Richard Santalesa. **ALTERNATES:** Felicia B. Watson, Sam Boyarsky. **Absent:** Lititia Ferguson. **Also Present:** Thomas Steinke, Conservation Director, Annette Jacobson, Conservation Administrator, Edward Jones, Wetlands Compliance Officer/Open Space Manager, and members of the public and press.

MEMBERS ABSENT:

CALL TO ORDER: The meeting was called to order at 7:30 p.m. by Kevin Gumper.

APPOINTMENT OF ALTERNATES: Sam Boyarsky was appointed to sit as a full member.

II. OLD BUSINESS

- A. Proposed Mill River Remediation at the former Exide Battery Site, 2190 Post Road, Fairfield**
- 1. Railroad Stormwater Drainage System Concerns.**
 - 2. John F. Fallon, Esq letter re: Memorandum of Conservation Director dated December 14, 2012:**

John Fallon, Esq., representing Exide/INCO, reiterated the points raised in his August 9, 2012 letter to the Conservation Commission. These points were concerned with the investigations into the possibility of a cross connection from the Exide site to a storm drain along the northerly boundary with the railroad tracks. He cited two site investigations in 2001 and 2005-2006 that found no evidence of a cross connection. Reference was also made to DEP (DEEP) correspondence from Doug Zimmermen November 3, 2004; Robert Bell May 20, 2009; and Patrick Bowe October 12, 2012.

John Fallon recognized Mr. Steinke's historic knowledge and diligence over the years on this site, but felt that the railroad drain issue had been addressed and should not be a concern that might slow the restoration efforts that are proposed to finally bring the site back into productive use.

Frank Rice raised the point that the pipe has been clogged for years resulting in flooding of the railroad underpass on North Pine Creek Road; this flooding has been alleviated by DPW rerouting storm drainage to the north side of the tracks and down to the Mill River.

In response Tom Steinke suggested that the commission may want to wait until January 10 and include comments with those on the bigger picture for the entire Exide/Mill River

SedRAP. The Town DPW did pipe the drain from the underpass north to Lindwood Avenue and down to the river. On high tides water does backup into the pipe and cause flooding.

Kevin Gumpper asked Tom Steinke, “What would an investigation entail.”

Tom Steinke stated as referenced in his Dec 12, 2012 memo that, in review of all the correspondence what has resulted is an Apples and Oranges situation where responses to his concerns and evidence presented to the Commission, Exide and the state DEEP, were not addressed by the responses from Exide and the DEEP.

A proper drain inspection would entail the cleaning of the drain pipe and sending a camera up the full length of the pipe, the 30 feet previously investigated by camera was inadequate. He didn’t know how the discharge got into the railroad drain pipe, by cross connection or whatever, but there is direct evidence of contaminated discharge in the past.

3. January 10, 2013 Public Forum for the Proposed Mill River Remediation at the former Exide Battery Site, 2190 Post Road, Fairfield, CT--Proposed Exide SedRAP for Mill River and Southport Harbor (see attached public notice and staff report).

III. ADJOURNMENT: There being no further business to come before the Commission, Kate Maxham moved, and Richard Santalesa seconded to adjourn at 7:55 p.m. Motion passed unanimously

Respectfully submitted,
Edward H. Jones