Balf Town Committee Meeting
Minutes
October 21, 2019

1. Call to Order: Meeting was called to order by Councilor Gail Budrejko at 6:02 p.m.

2. Roll Call:
   Committee Members Present:
   Gail Budrejko – Town Council Representative
   James Colby – Tilcon Connecticut Representative
   Bernadette Conway- Neighborhood Representative
   Chris Costello – Tilcon Connecticut Representative
   Chris Miner – Town Council Representative
   Mary Udice - Alternate, Neighborhood Representative
   Jay Slater – Environmental Quality Commission Representative

   Staff Present:
   Barbara Gigliotti, Central Connecticut Health District
   Meghan Manke, Fire Marshal’s Office
   Chris R. Schroeder, Fire Marshal

3. Approval of Minutes of regular meeting October 15, 2018 – Udice / Conway

4. Correspondence - none

5. Public Participation
   a. Michael Fox, 1901 Main Street: Noted that he is speaking on behalf of himself/his own beliefs, not serving in any other capacity. Read a letter he had written, detailing his communication with the Capalbo’s regarding their concerns, as well as Chris Costello’s (Tilcon) response to these concerns about during an August meeting of the TPZ. Mr. Fox went on to express his own concerns, and inquired as to whether or not DEEP has been on site or visited these businesses, or if they had only observed from the quarry itself. Mr. Fox’s letter and aforementioned excerpt from TPZ minutes were presented for inclusion in the minutes, see attached.

   b. John Capalbo, 416 Hartford Avenue: Inquired about the 3-minute time limit for public participation. Presented photos of the roof of his building as well as a dust sample; cited both structural and dust concerns. Stated that his business gets interrupted and that dust presents a nuisance and is a health hazard; dust needs to be contained and controlled within property lines. Stated that he reached out to someone in DEEP regarding storage of sand; present solution they have in place is only temporary. Also stated that he had previously requested that the town attorney get involved, but never heard anything back. Expressed concern over not knowing about the TPZ agreement with Tilcon, never got notified of this meeting. Expressed concerns about the function of this Committee, stated it is worthless because nothing changes and we don’t get anywhere on these issues, closed by saying regulations don’t equate to no damage.

   c. Frank Capalbo, 416 Hartford Avenue: Stated that everyone on the Committee plays a role in this issue, but nobody does anything. Explained that Barbara from CCHD came out to their property; quoted a brochure from CCHD that read “health of people in member towns and work to improve public health...safe food, air, and water”; does not feel that this is being done in this case. Stated Fire Marshal had provided information about blasts and complaints when requested. Expressed concern about neighbors not being notified of these meetings, asked that it be posted in Town Crier, offered to pay out of his own pocket if needed. Read a letter he wrote to the Committee expressing concern over the purpose of committee; if they can’t keep dust from stopping at property line, Council needs to rescind permit and issue cease and desist order. Requested courtesy of a response on this from town officials.
d. Alex Kosovsky, 426 Hartford Avenue: Indicated he has been trying to prevent this issue from becoming a bigger issue or civil matter; echoed concerns from others that the Committee doesn’t get anywhere on these issues. Stated that dust is a major issue for his business and on his property; stated that Tilcon’s dust trucks often produce even more dust. Stated that truck noise is also a big problem; indicated he is unable to have conversations with customers because of the truck noise. Stated he has called the Town Manager, police, Fire Marshal, and that nobody has done anything about these concerns.

6. Unfinished Business
a. Councilor Budrejko inquired as to whether or not the complaint sharing process we had discussed during the October 2018 meeting was effective; FMO keeps record of all complaints received, Tilcon and CCHD will forward any complaints to FMO so accurate records can be kept.
b. Barbara Gigliotti (CCHD) inquired as to whether or not Tilcon has an updated dust plan; James Colby expressed that they had reviewed it and no changes were necessary; will provide copy to the Committee.

7. New Business
a. Follow up - Public Participation:
i. Jay Slater – would like to see an action plan developed and put into place by this Committee and Tilcon to address these concerns; indicated that nothing seems to have been done since the last time he served on the committee (aprx 6 years ago); even if they are operating within regulations, Committee can’t keep going back and forth with no progress or change.
ii. James Colby – indicated that they are totally compliant with all regulations (DEEP, FMO, etc.), and that they have spent between $300,000 and $400,000 on equipment for dust control over the last 3 years. Also stated that they have shut plant operations down and sent employees home numerous times when the wind picks up.
iii. Councilor Budrejko – something needs to be done; she will look into ordinance violations again, but there aren’t any that are being violated presently; makes this very difficult to enforce or change.
iv. Fire Marshal Schroeder – state that the State Police Fire & Explosion Investigation Unit (FEIU) had been called and are performing an ongoing investigation into blasting activity; stated that no violations or concerns were identified by them in the last year. Without a violation, there would be no justification for pulling their permit. Also expressed that blasting regulations are dictated by the State; he has no authority over these standards.
v. Barbara Gigliotti – asked for an update on testing the dust coming from the quarry.
vi. Councilor Budrejko – asked about noise monitoring; Barbara indicated that CCHD currently has Newington PD’s decibel meter, however it is very old and has not been calibrated. Discussion about getting updated equipment and requesting use from PD; Schroeder clarified that the action on this needs to come from the Committee; Fire Marshal has no jurisdiction over dust or noise complaints.
vii. James Colby – stated that every complaint they have received has been immediately addressed. Also indicated that business this season has been slower than it has the last few years. Slater asked how many trucks go in/out per day; average of 150 loads done for both asphalt and stone on a busy day, normally have less traffic than that.
viii. Bernadette Conway – asked about the sprinkler system that had been discussed during previous meetings; Colby indicated this is one of the many things installed to mitigate the dust issue over the last few years. Echoed concerns about the process; committee sits here each year but are unable to resolve these issues.
ix. Jay Slater – asked how many years are left for blasting at this location; Colby indicated that at the rate they are currently operating, they could be there for another 30 years.
x. Councilor Budrejko – asked about whether or not there are similar issues at other plants; Colby stated that they receive similar complaints, but fewer because they are in less residential areas. Also asked CCHD how we can improve in regards to the dust concerns; Gigliotti explained the different kinds of dust they should be monitoring for; Costello responded that they already monitor for these. Conway asked if we should start doing additional testing; Gigliotti recommended testing air over an 8 hour period; this type of request would have to come from the Town Manager. Costello and Gigliotti will
meet to discuss these tests and will present suggestions to the Committee, who can the request that TM order the tests through CCHD.

xi. Mary Udice – asked Tilcon representatives if they would be willing to do a site visit for the Committee members; Slater asked if Environmental Quality Commission could also be included on this tour; Colby stated that is definitely possible.

b. Report of 2019 Blasting Activity – Manke provided brief report on blasting activity at the quarry during the last year;
   i. 21 blasts have been conducted so far and no problems have occurred.
   ii. Seismographs are set up in various places in order to get adequate and accurate measurements; FMO sets up one machine, usually based on where complaints are originating from, and Balf/Tilcon hires a private consultant, who sets up 3 separate machines. All 2019 blasts have been under the regulated levels.

c. Review of 2019 Complaints – Manke reported that the Fire Marshal’s Office has received and logged 20 complaints during the 2019 blasting season:
   1. May 10, 2019 – Frank Capalbo, 416 Hartford Avenue – reported that blast was very loud; no follow up required.
   2. May 10, 2019 – Merilyn Knapp, 226 Williamstown Court – stated she has lived in town for 24 years and today’s blast was strongest she’s ever felt; indicated she did not need any follow up, just wanted it to be recorded.
   3. May 28, 2019 – Alex Kosovsky, 426 Hartford Avenue – stated that today’s blast was very loud, also expressed concerns over truck noise, and the trucks kicking up more dust as they pass by. Requested a call back; Schroeder followed up and reviewed blasting reports with complainant. Same complaint was also filed with Town Manager’s Office.
   4. May 28, 2019 - Frank Capalbo, 416 Hartford Avenue – reported that blast was very strong; requested follow up. Schroeder called and reviewed blasting reports with complainant. Same complaint was also filed with Town Manager’s Office.
   5. May 28, 2019 – Paul Tine, 62 Francis Avenue – stated he did not hear the warning whistle before today’s blast, also stated that the blast felt like a “double charge” and that it was very strong. Requested a call back. Schroeder reviewed blasting reports and regulations with the complainant.
   6. May 28, 2019 – Jacklyn, 138 Forest Drive – reported a new crack in her driveway; Schroeder called back and left a message, did not hear back from her after that.
   7. June 14, 2019 – Alex Kosovsky, 426 Hartford Avenue – reported that the blast this afternoon was very strong; just wanted to have complaint on file.
   8. June 14, 2019 – Frank Capalbo, 416 Hartford Avenue – reported that the whole building shook during blast today; just wanted to have complaint on file.
   9. June 19, 2019 – Wayne Michaud, 809 Nott Street (Wethersfield) – reported that Friday’s blast was very bad, requested call back. Schroeder spoke to complainant and reviewed blasting information and regulations.
   10. June 26, 2019 - Alex Kosovsky, 426 Hartford Avenue – reported to TMO that the blast was extremely loud and left dust everywhere
   11. June 26, 2019 – Bill Pollock, 28 Kirkham Street – Reported feeling the vibration from the blast and reported possible structural damage to home as a result. Schroeder reviewed blasting reports and regulations with the homeowner.
   13. July 25, 2019 – Frank Capalbo, 416 Hartford Avenue – Wanted to record complaint regarding strength of today’s blast; no follow up required.
   14. August 1, 2019 – Bill Pollock, 28 Kirkham Street – Reported feeling the vibration from the blast and reported possible structural damage to home as a result. Schroeder reviewed blasting reports and regulations with the homeowner; also provided him with contact information for Balf/Tilcon.
15. August 14, 2019 — Jacklyn, 138 Forest Drive — Reported structural damage; Schroeder called and provided her with Balf/Tilcon contact information.
16. September 18, 2019 — Cynthia Berk, 75 Piper Brook Drive — Reported cracks in walls and ceilings of her home; Schroeder called back and reviewed blasting information and regulations, also provided Balf/Tilcon contact information.
17. September 27, 2019 — Alex Kosovsky, 426 Hartford Avenue — Complaint forwarded from TMO; reported dust concerns after today’s blast.
18. September 27, 2019 — Frank Capalbo, 416 Hartford Avenue — Wanted to record complaint regarding strength of today’s blast; no follow up required.
19. October 10, 2019 - Frank Capalbo, 416 Hartford Avenue — Wanted to record complaint regarding strength of today’s blast; no follow up required.
20. October 18, 2019 - Alex Kosovsky, 426 Hartford Avenue — Complaint forwarded from TMO; reported concern over noise from trucks, stated it is impossible for him to conduct business.

8. Public Participation
a. John Capalbo, 416 Hartford Avenue: Reiterated concerns about dust crossing property lines and impacting his ability to conduct business. Asked about the pile of sand at Tilcon; why is it still there if they told DEEP if was only there temporarily? Also stated that he had asked Fire Marshal to set up the seismograph on the roof of his building, and that he had refused to do so. Schroeder clarified that he set it up along the foundation, explained how seismograph works and explained that he is not obligated to monitor these blasts, but does it anyways.
b. Alex Kosovsky, 426 Hartford Avenue: showed photo (on his cell phone) of customer’s cars in his lot covered in dust, expressed potential health concerns related to the dust. Gigliotti clarified that there is no way to prove exactly where the dust is coming from, but testing will tell us whether or not it is hazardous. Kosovsky reiterated concerns over truck noise, also stated that Committee needs to meet more often and that meetings need to be advertised to the neighborhoods around the quarry. Manke will contact Town Clerk to add Special Meeting for June 2020.
c. Frank Capalbo, 416 Hartford Avenue: Reiterated concerns about blasting activity and its impact on surrounding homes and businesses; stated that the goal is not to have the quarry shut down; only objective is for the dust to stay within their property lines. Stated this should be taken into account when permits are given, also expressed a concern that the Town Manager has not helped in this situation because her husband works there.

9. Action Items
a. Schroeder will look into the request that Committee meetings to be posted in the Town Crier.
b. Costello will forward 2018 dust plan to Manke for distribution to Committee members.
c. Costello and Gigliotti will meet to discuss dust testing and will present their recommendations to Committee during the next meeting; Committee will review and will consider making recommendation to Town Manager to order the testing through CCHD.
d. Manke will contact Town Clerk to add Special Meeting to the calendar for a date in June.
e. Committee members will work with Tilcon representatives to plan a tour of the facility sometime in the Spring. Environmental Quality Commission to also be involved and included in this tour.
f. Gigliotti and Colby will forward any complaints that come in to their respective offices to Manke for accurate recording for the purposes of this committee; Manke will forward any complaints that come in to FMO to Colby.

10. Motion to Adjourn: (Udice/Conway) at 7:37pm.
August 14, Christopher Costello, representing Tilcon, for the biennial review of the Balf ry. I was asked to read a letter written by Frank and John Capalbo complaining about the ive dust, and the problems it creates. Unfortunately, I never did read the letter, or submit it o Town Planner for inclusion in the minutes, and now, naturally, I can’t find the letter. My und apologies to my friends, the Capalbo Brothers.

I make a short statement stating that for many years have been complaints from business rs, including Frank and John Capalbo. Mr. Costello’s answer to that statement is attached. atest to the fact that, in spite of whatever equipment or facilities they have built to solve problem, they have failed. Additionally, I cannot imagine that air quality in the area is ucive to good health.

Costello stated that when DEEP comes out to inspect they drive around for a couple of e didn’t ask then, but, as a Newington resident, I am asking, if DEEP has ever stopped at C Automotive, Lada Motors or any other business in the area? If they had, they would have an earful from the business owners, and would have seen the that there is a big problem whatever they are doing to keep the dust and particulates down.

that the business owners in the area deserve a lot better treatment than they are getting from n, and I am asking that the principals meet in the near future, and come to some kind of on.

ey you,

nel J. Fox
Main Street
Christopher Costello, 231 Garden Street, Wethersfield: I'm here to represent Tilcon on the biennial review. I have copies here that I can pass around.

Craig Minor: The Commission has the full size, but the smaller ones are good.

Christopher Costello: As you can see, the changes are not very remarkable for the past couple of years. We're still in the internal progression of the quarry. The outside frame has not changed at all. The only other major change is that Capitol Pipe six, which is in the southeast corner, we mentioned it was going to be demoed, last time I was here, and actually it was demoed, and other than that, nothing really has changed.

Chairman Aieta: Any questions from the Commissioners on this?

Christopher Costello: The only other thing is that we did come to an agreement with the Police Department on the tower, the radio tower, so....

Chairman Aieta: They will be coming to us at some point.

Christopher Costello: Yes.

Commissioner Fox: For many years there have been complaints from a certain shop, and I just want assurance that you are controlling the dust.

Christopher Costello: We have done a couple of hundreds thousands of dollars worth (inaudible). DEEP just doesn't come out, they actually drive around the neighborhood for a couple of hours. They have witnessed blasts, and they have had no issues from what they have seen, and actually have a letter here from the DEEP closing out the violations that were issued two years ago.

Craig Minor: Can I have a copy of that for the folder?

Christopher Costello: Yes. We will continue to do the best that we can, we have done improvements, water sprays out of (inaudible) and we continue to use sweepers.

Commissioner Fox: Thank you.

Chairman Aieta: Any other questions?

Craig Minor: Just for the record, I have an e-mail from the Town Engineer that he is satisfied that the conditions have been satisfied. There is a draft motion in the folder.

Commissioner Camillo moved to move Petition 27-19 to Old Business for action tonight. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Aieta: We will be voting on this later tonight.