



NYSDEC Neighborhood Remediation Update May 3, 2017

Staging Area

- Since last Council update, the City provided access to the State Contractors to establish a staging area for the neighborhood work on State Street
 - During set up, the State contractors discovered two underground storage tanks that had to be removed
- The contractors have worked to grade and fence this area, and to install a trailer with electric service for their operations

Work at the “Priority Sites”

- Properties have been identified as a priority site “based upon use (such as day care facilities), proximity to the former foundry site, and ability to secure access with the property owner.”
 - 28 signed consent forms returned out of 31 letters sent out (as of April 21st)
- Pre-Design sampling status
 - The contractors are completing the pre-design sampling in the Jackson / State / Center Street areas
 - Sampling is with being conducted with a geoprobe, as well as manual macro-core samples at pre-design parcels where there was no access for the geoprobe
 - Sampling was started in the back yards while a private locator was hired to mark sewer and water service line locations to houses
 - Initial soil core sampling was completed at 27 Phase 1 design parcels (including the staging area)
 - Two properties (81 State and 65 Genesee) are partially complete
 - Two more properties (234 Exchange and 25 State), where access was just recently received, are awaiting sampling pending utility clearance (expected to be ready today)
 - DEC anticipates completing soil core sampling at design parcels this week

- Analytical results are expected to start arriving by May 5th. The data will then be reviewed, validated, and tabulated prior to distribution to each property owner.
- Surveys
 - Property surveys for all design parcels are complete and files are being prepared by surveyor.
 - Field surveys of sampling locations and property features are complete at 14 of the design parcels and that surveying continues this week and next
- Structural Inspections / Landscaping
 - Landscape and tree inventories are scheduled to start next week
 - Building structural inspections will be scheduled and will begin

Work at the “Boundary Sampling” Sites

- Access Agreements
 - Permission has been received at 98 of 155 parcels.
 - Encourage owners to send in the access letters to NYSDEC
- Sampling
 - Sampling is complete at 37 parcels
 - Analytical results are expected to start arriving by May 5th. The data will then be reviewed, validated, and tabulated prior to distribution to each property owner.
 - DEC anticipates completing screening/boundary soil sampling the week of May 15th; receipt of additional access agreements will extend this schedule.
- Surveying
 - Surveying of sampling locations is pending completion of design parcel surveying.

Foundry Remediation

- Brownfield Cleanup Agreement was executed by NYSDEC in March
- The City is awaiting comments from NYSDEC to the Work Plan submitted in April
- We expect a public meeting on the remediation in June
- We expect the remediation will happen in August

Litigation Update

- Nearly 100 Notices of Claims were filed against the City in January

- The City was obligated to send Notices to the Claimants to schedule a 50-h hearing within 90 days, which it did
- The City must complete the 50-h hearings within 90 days after the Notices, so those are scheduled from April through June
- The day before the 50-h hearings were scheduled to start, the City was notified that the law firm for the Claimants, Smith Sovik, was withdrawing as counsel for the Claimants in this matter with the exception of two Claimants
- Smith Sovik has told the City to contact its clients directly to schedule the 50-h hearings, as they no longer represent the residents
- As a result, the City will be sending those notices directly to the Claimants next week to schedule the 50-h hearings