

**TIMELINE:
THE AGGREGATE FILL PILE – 2013-2019**

Updated August 29, 2019

This timeline will be updated on a periodic basis.

2013

- DPW issues a request for proposal (RFP) from private contractors to take over management of the aggregate fill pile with the intention of reducing the size of the pile.
- Under the terms of the RFP, it is explicitly stated that the operator is prohibited from accepting any hazardous materials at the site.
- May: Julian Development's proposal is accepted and the terms of the RFP effectively serve as the legal contract for the job.
- July: Julian Development begins operation and management of the site.

2014/2015

- In January, 2014 the DPW is contacted by a resident concerned about finding pieces of glass and siding shingle along the sidewalk area on Holland Hill Road, adjacent to Gould Manor Park. (The DPW oversaw a 2013 sidewalk improvement project on that site.) DPW responds directly with the resident subsequently assures the resident and the First Selectman's office that the matter is satisfactorily resolved.
- Spring 2015: The Parks & Recreation (P&R) Department notifies DPW that pieces of glass being found on several soccer fields. DPW removes the material and replaces it with new topsoil and grass. The First Selectman's Office was not notified of this matter during this period.

2016

- January/February – The Office of the First Selection receives complaints about the size of the pile, which appears to be increasing. First Selectman Mike Tetreau asks DPW to respond to these complaints. In addition, First Selectman Mike Tetreau instructs DPW to set up a means of tracking the size of the pile.
- March – First Selectman Mike Tetreau asks DPW to provide weekly updates about the size of the pile and the progress being made to reduce its size; and begins a series of regular meetings with area residents, along with sending biweekly e-mail updates.
- March – Town sets up webpage to provide residents with information and updates about the pile: <https://www.fairfieldct.org/pwyard>
- Summer – complaints about truck traffic increase, and the size of the pile is not visibly smaller.
- September – First Selectman Mike Tetreau advises Julian Development that the contract will not be renewed.
- September – As part of appropriate due diligence at the expiration of such a contract, First Selectman Mike Tetreau instructs DPW to retain Logical Environmental Solutions, a Licensed



Environmental Professional (LEP) to test the aggregate fill pile for possible contaminants. The testing results during this period did not indicate any excessive levels of regulated materials.

- October – The Town learns that the performance bond posted by Julian Development (as a condition of the bid) was fraudulent. First Selectman Mike Tetreau orders a review of all other town bonds with similar provisions to ensure no other problems, and instructs that the Town’s bidding and verification procedures be revised to avoid such issues going forward.
- November 29 – The Licensed Environmental Professional, who is at the DPW site, witnesses a Julian Development truck enter the yard and proceed to the back section of the pile and dump material. The LEP samples the material that was unloaded from the truck.
- December 13 – Test results show that the material from the load tested contained levels of PCBs and lead. First Selectman Mike Tetreau immediately shuts down the site, orders Julian Development off the site. The State Department of Energy and Environmental Protection (DEEP) is notified.

2017

- The Town and Logical Environmental Solutions develop a remediation plan – in consultation with DEEP -- to remove the illegally dumped PCB and lead contaminated building materials from the northeast corner of the aggregate fill pile.
- Meetings with residents continue.
- Town hires University of Connecticut’s Community Research & Design Collaborative (CRDC) and Osprey Environmental Consulting to design a berm as part of the final solid waste landfill project at the site. Material intended to be used in the berm was tested and shown to be acceptable for the closure of a solid waste landfill.
- Spring: First Selectman Mike Tetreau notifies the Fairfield Police Department to initiate a criminal investigation out of concern the transporting and disposal of hazardous materials could be a violation of state and federal laws.
- Spring: First Selectman Mike Tetreau instructs the Town to sue Julian Development to recover costs and damages associated with the mismanagement of the site and the remediation. Julian Development subsequently countersues the town claiming defamation.

2018

- Containment berm is completed.
- Cohen and Wolf, the law firm representing the Town in the litigation with Julian Development, recommends that the Town and Julian Development enter into arbitration to more expeditiously resolve the dispute.

2019

- The Town seeks to renew its litigation after Julian Development fails to follow the arbitration guidelines. Superior Court Judge Barbara Bellis orders the Town and Julian Development to continue the arbitration, and orders Julian Development to follow the guidelines.
- July: The State’s Attorney’s search warrant for Julian Development’s property is made public.



- July: First Selectman Mike Tetreau places DPW Superintendent Scott Bartlett on Administrative Leave.
- August:
 - The State’s Attorney’s office (which has been working with the Fairfield Police) issues arrest warrants for Jason Julian of Julian Development, Scott Bartlett and Joe Michelangelo, Director of the Department of Public Works.
 - Mike Tetreau places Joe Michelangelo on administrative leave.
 - Fairfield Police receive a complaint about material in the soil alongside the sidewalk on the Holland Hill Road side of Gould Manor Park. The State DEEP is notified. (Fill for the 2013 sidewalk improvement project for that area came from the aggregate fill pile managed by Julian Development.)
 - DEEP finds debris at this site that appear to be pieces of siding shingles, and conducts testing of the site.
 - Upon learning this, First Selectman Mike Tetreau asks for a listing of all town properties (parks, ballfields, school grounds, etc.) where fill from the fill pile was used during the period the pile was managed by Julian Development (July 2013 – Dec. 2016).
 - The Town hires Tighe & Bond, a Licensed Environmental Professional (LEP) to work with the Fairfield Department of Health in determining whether there are any town sites with contaminated soils from the pile, and to develop a remediation plan if necessary.
 - First Selectman Mike Tetreau orders an expedited testing of 20 town sites identified as having received fill from the pile between July 2013 and December 2016. Those sites that are on school property or used by the Parks and Recreation Department are closed pending the outcome of testing and remediation (if needed).
 - First Selectman Mike Tetreau assigns the Fairfield Health Department with responsibility for working with the LEP on site sampling and remediation.
 - Initial testing results of the Gould Manor Park sidewalk area from DEEP indicate levels of arsenic and lead in exceedance of standards for residential areas, as well as “non-friable” asbestos in the shingle pieces.
 - First Selectman Mike Tetreau orders a remediation action plan for the Gould Manor Park sidewalk area and for the area in question to be cordoned off pending the completion of the remediation.
 - Tighe & Bond begins testing all other sites identified by the Town.

