

Ontario County
ENVIRONMENTAL QUALITY COMMITTEE MINUTES
June 11, 2014

APPROVED

Committee Members: *BAKER*, Angelo, Evangelista, Sheppard, Singer, and Venuti

Attendees:

Committee Members: All present.

Staff: Tom Harvey, John Garvey, Darlys McDonough, Kristen Thorsness, Andrea Schoeneman, Linda Frasca, Terry Saxby, Tim Jensen, and Nellie Puma.

Consultants/Guests: Supervisor Dominick Vedora, Dr. Bruce Gilman - FLCC, Jerry Leone - Casella Waste Management, Dave Shaw (Finger Lakes Times), Julie Sherwood (Canandaigua Daily Messenger), Steve - Healy, CSEA Union President, and Eileen Buckley – Zero Waste.

Chairman Baker called the meeting to order at 4:00 p.m.

Privilege of the Floor: Chairman Baker offered Privilege of Floor for those present. No one requested permission to speak.

Approval of Minutes: April 30, 2014 and May 21, 2014.

Motion to accept and approve the April 30, 2014 as presented, and the May 21, 2014 minutes with one correction made by Supervisor Venuti was offered by Supervisor Singer, seconded by Supervisor Angelo. Motion unanimously carried.

360 Expansion Permit:

Jerry Leone informed the committee that they have received a signed document from the town for the noise easement covering the Seneca Transfer Station. Casella has also been in contact with the last resident/neighbor regarding two (2) parcels Casella has proposed to acquire. Mr. Leone shared that the noise easements on the two parcels should be executed by tomorrow (Thursday, 6/12/14). Barton and Loguidice has filed all the other Part 360 documents (i.e. reports, plans, etc.). With the completion of the Solid Waste Management Plan (SWMP) and these easements, the DEC clock will start running concerning determining if the application is complete.

Solid Waste Management Plan: Tom Harvey shared that they have discussed previously that additional staff capacity needs to be created in the Planning Department to handle the implementation of the SWMP. He had originally intended to move forward with a request to increase staff once the SWMP was approved, but as we are entering the budget cycle the County Administrator asked him to begin the process now. In reviewing the department's workload and the responsibilities and capabilities of staff, he believes that sufficient senior staff exists in the Planning Department now to support the implementation of the SWMP, and what they need to create is a Planner position to support the senior staff efforts. He envisions the Planner to be responsible for much of the contract administration for specific projects, as well as organize landfill and recycling data collection and reporting, and to take direction from senior staff and the committee on specific programs. Mr. Harvey stated that the proposed position will need to be brought before all committees, (P&R, Management Com., and Personnel) but he wanted to bring it before the EQC today to obtain their thoughts on the matter.

Chair Baker opened the matter for discussion. Supervisor Venuti stated he is happy to see us moving forward to hire someone, and would like to see the new planner position dedicated 100% to the SWMP, and does not want them dealing with a lot of other “planning” matters. He further stated the new planner should have expertise in the SWMP area.

Mr. Garvey explained the administrative thought process on the matter. He stated that both Mr. Harvey and Mr. Jensen are very knowledgeable about solid waste matters but an individual is needed as well who can coordinate matters and get the information out to the committees. The entire planning department needs to work together, and he feels strongly that the department needs to be a team – not separated out. Chair Baker called for remaining committee members’ thoughts.

Supervisor Evangelista stated he agreed that the position is warranted, but is in favor of making it a 100% dedicated position to just the SWMP. Feels there is plenty to do to fill said planner’s time.

Supervisor Sheppard stated in the beginning he also wanted it to be a dedicated position but as reality set in he realizes that Mr. Harvey will be held accountable for the department’s performance on implementing the SWMP, and it is the committee’s job to provide Mr. Harvey with the tools to see that the job is done and done well.

Mr. Harvey stated he did not want the committee to be under the illusion that the new planner will be the only one working on the SWMP. That is not the case. Both, he and Mr. Jensen as well as other senior staff will be heavily involved with the SWMP also.

Chair Baker shared that he was comfortable with what was presented today, and that he is confident that the EQC will be overseeing the implementation of the SWMP. If the committee feels that the resources (new planner) provided are not being used to their best advantage Mr. Garvey and Mr. Harvey will be held accountable as they will be reporting to the committee on the plan periodically.

Status of SWMP for Other Planning Units in NYS: At the request of Supervisor Evangelista at the May 21st meeting, Mr. Harvey looked in to the issue and provided the committee with a spreadsheet showing the status of the SWMP in other planning units within NYS. Supervisor Sheppard noted that there are only 3 counties to date whose SWMP have been approved/adopted by the DEC, and wondered if anyone had reached out to see how implementing their plans was going. Mr. Harvey noted that if approved, Ontario County will be the first county with a SWMP approved after the new DEC regulations took effect in 2010.

Amendment of Resolution Implementing SWMP: Mr. Harvey reported that a question had been raised by Supervisor Venuti in regards to the verbiage in the “second Resolved” paragraph in the laid over resolution of adoption of the SWMP. Specifically, he has an email from Mr. David Vitale of DEC requesting that the phrase “as deemed appropriate by the County” be removed from the resolution so that the county is clearly committing to the implementation of the policies, practices, and programs identified in the SWMP. Mr. Harvey explained the original resolution included this wording as it was suggested by Barton & Longuidice who indicated that DEC had accepted it from other planning units.

Motion to accept the resolution as amended made by Supervisor Venuti, seconded by Supervisor Evangelista. Motion carried. The resolution will be amended on the floor of the 6/19/14 BOS meeting.

Victor Land Use/Land Cover Project: Mr. Harvey briefly shared what the project was about and introduced Terry Saxby, Sr. Planning Aide who does much of the GIS work with the Planning Department, and Dr. Bruce Gilman with FLCC. Using a PowerPoint Presentation, Dr. Gilman and Mr.

Saxby presented the Victor Land Use Land Cover – Map Project. A copy of the presentation is on file with the official copy of the minutes in the office of the Clerk of the Board of Supervisors.

Dr. Gilman shared with the committee that the Water Resources Council (which is supported by the P&R committee) has funded a lot of the land use/land cover studies that have been done across the County, such as the Canandaigua and Honeoye Lake Watersheds. The information that was accumulated in this mapping project is the most detailed land cover information in the state.

Mr. Saxby explained the technical aspects that went into the project, how Dr. Gilman and he worked together to compile the data and ensure its integrity and accuracy. They started working with orthographic aerial photography and created polygons of uniform land use with oblique aerial photography to verify the polygon classifications. Dr. Gilman then field verifies the classifications where there is any question or ambiguity. Changes were then incorporated by Mr. Saxby into the GIS system. A thorough process of quality control was completed to ensure that each land use polygon is accurate geographically and labeled with its correct land use type.

Dr. Gilman thanked Terry Saxby for all of the technical work that he has done on this project.

Mr. Harvey commended both Dr. Gilman and Mr. Saxby for their time and expertise on this project. EQC members agreed with Mr. Harvey on a job well done. He stated the data is of great use to local municipalities. For example, the land cover data was used by a consultant to provide a very accurate phosphorous loading model for Honeoye Lake that led to the implementation of a deep water alum application. In Victor, it will help the town identify important natural habitats and incorporate their protection in their comprehensive plan and development review projects. For example, they can tell where wetland habitats unique not only to the town but to the state of New York are located. This project is meant to provide municipalities with better tools to manage the quality of their environments.

Landfill Operational Update:

Jerry Leone stated that the landfill continues with daily operations and all is going well. Presently, they are upgrading all the roads that lead to the top of the facility – road widening/guard rails for safety. Mr. Leone stated that the gas project expansions are now completed and are connected to the active collection system that is connected to the power plant. Mr. Leone explained that they cannot all be turned on all at once, there is a process that needs to be followed, especially the horizontal gas wells, and over time they will all be turned on. Casella will withhold paying their contractor until they are satisfied that all the gas collection system expansions have been completed to their satisfaction. Mr. Leone has submitted a report to the county regarding the gas work, and noted the repairs and activities taking place at the landfill. Mr. Leone shared that today he was coming directly from a high level meeting with Mr. Casella, Senior Management and others and that the topic of conversation at the meeting was how to go forward and continue to work much closer together with the County. A monthly report is provided Casella and had been received by the Planning Department earlier today. It will be sent to the committee by the week-end. Supervisor Venuti raised the question that if the County starts to divert some of their waste, is it fair to say that Casella will want to maximize their daily intake? Mr. Leone stated “Yes.”

Landfill Odor: Mr. Harvey reported that he and Mr. Leone have continued to discuss the four outstanding issues. They are in agreement that a future surface scan due to be completed this summer can be done jointly with SCS doing it. They also discussed who will hold SCS’s contract when it comes up for renewal – the County or Casella. Chair Baker stated he prefers that the County continue to hold the contract with SCS. Discussion regarding the financial aspect of a contract with SCS took place. No

decisions have been made at this time. Mr. Harvey and Mr. Leone will keep the committee informed on the matter.

Opposition to Proposed EPA Rulemaking – Federal Wetlands: Mr. Harvey briefly reviewed the proposed resolution for the committee. *Motion to recommend approval of Resolution of Opposition to Proposed EPA Rulemaking made by Supervisor Singer, seconded by Supervisor Sheppard.*

Supervisor Venuti requested further information be provided and handed out direction to the EPA website. Supervisor Singer disagreed with Supervisor Venuti and stated that EPA rulemaking will have serious impact on local municipalities if it goes through. Supervisor Sheppard stated that he was not inclined to comment on the EPA website but is in support of the resolution opposing EPA rulemaking.

Chair Baker requested a vote be taken.

Chair Baker – Aye

Supervisor Venuti - Nay

Supervisor Singer – Aye

Supervisor Evangelista - Hay

Supervisor Angelo – Aye

Supervisor Sheppard – Aye

Motion carried.

Supervisor Vedora requested permission to speak. Chair Baker turned the floor over to him. Mr. Vedora shared his thoughts on the waste stream reduction effort and stated it was a great thing; he further stated that he wanted to see the amount of solid waste accepted at the landfill reduced not remain the same or increase. He shared his thoughts on Casella bringing in outside waste to the landfill in order to meet the intake goals – does not like it. Supervisor Vedora also stated that the County and Casella need to work out all the problems between them. Mr. Vedora thanked Chair Baker for allowing him to speak.

Executive Session: At 5:25 p.m. Supervisor Sheppard made a motion, seconded by Supervisor Venuti, to enter into executive session to confer with council on contractual matters, with County staff and Supervisor Vedora to participate. Motion carried unanimously.

At 5:58 p.m. Supervisor Sheppard made a motion, seconded by Supervisor Venuti, to exit from Executive Session. Motion unanimously carried.

Adjournment: There being no further business before the committee, a **motion made by Supervisor Evangelista, seconded Supervisor Sheppard, to adjourn. Motion carried.** The June 11, 2014 EQC meeting adjourned at 5:58 p.m.

Respectfully submitted,

Linda R. Frasca

Sr. Clerk