

**ENVIRONMENTAL QUALITY COMMITTEE**  
**March 21, 2012, MEETING MINUTES**

**Committee Members**

David Baker  
Ralph Angelo – N/A  
Charles Evangelista  
John Sheppard  
Kristine Singer  
Dodie Huber

N/A = Necessarily Absent

**Attendees**

**County:** John Garvey, Darlys McDonough, Kris Hughes, Linda Frasca, Andrea Schoeneman, Supervisor Gallahan – Town of Manchester

**Others:** Katie Bennett-Roll, Cynthia Hsu, Mark Thorn, David Shaw – Finger Lakes Times, Carla Jordan – Casella Waste Management

Consultants:

**CALL TO ORDER:** Chair David Baker called the meeting to order at 4:02 p.m.

**Approval of Minutes:**

**Motion made by Supervisor Singer to approve the 2/29/12 minutes as presented, seconded by Supervisor Evangelista. Motion carried**

**OLD BUSINESS:**

**Solid Waste Activities and DEIS, Phase III, State VIII and IX Landfill Expansion Update:** Mr. Hughes reported that he, John Garvey, Darlys McDonough, and Barton and Loguidice representatives had met with the DEC Region 8 solid waste people the previous Wednesday (3/14/12); discussion centered around the County's SWMP implementation schedule with Mr. Garvey providing a very detailed description of the SWMP Project schedule, and why the County needed to have it approved as soon as possible. Mr. Hughes shared that most of the meeting centered on strategizing how to get the Albany office to provide their comments on the plan. A suggestion was made that Mr. Garvey go to Albany and meet with Albany DEC office personnel to convey the importance of the matter to Ontario County – preparations are now under way for Mr. Garvey to do so. No discussion took place on the 360 Permit except how it would fit in to the SWMP, how the SWMP schedule was related, and why it was important to the plan. The DEC shared their procedure and the "how to" of the technical review done by them in regards to the DEIS, and how it related to the SWMP. Further updates on the SWMP will be provided as needed.

Supervisor Sheppard questioned if we would meet the deadline date due to the large number of questions/comments submitted by the public. Mr. Hughes stated we would be pushing the timeline but that all public comments will be responded to. Supervisor Sheppard requested to participate in the working meetings on the plan.

Supervisor Baker requested that a copy of the latest version of the plan be provided to committee members for their review to update them as to where we are "to date."

**Update on actions to correct odor issues at landfill (Casella):** Carla Jordan (Casella Waste Management) shared that thirteen (13) more wells have been installed since the last meeting for a total of twenty-five (25) wells in all. Ms. Jordan reported that the fourth (4<sup>th</sup>) flare has been mobilized as DEC approval has been provided; and the landfill website is just about up and ready to receive comments or for the public to contact to the landfill operator to let them know of issues/odor updates – they are making substantial progress in the testing phase. There will be a press release in the next few weeks informing the public when the website is finally available and the public will be able to sign up at that time.

Supervisor Sheppard shared that the odor problem had significantly improved in the last three (3) weeks. Although comments regarding odor have subsided, three (3) issues regarding the landfill persist – why there is still an odor at all, why does Ontario County take outside trash from other NYS counties, and do we take others trash just for the revenue? Ms. Bennett-Roll shared that the previous week the odor was not noticeable but the previous weekend was

extremely strong-horrendous, especially on Sunday 3/18 – very strong and disgusting, and on Monday 3/19 around 6:00 p.m. it was horrendous again. Ms. Bennett-Roll also share that the noise level is unbelievable at times – extremely loud. Ms. Jordan responded that the thirteen new wells had been drilled and hooked up and the fourth flare mobilized– this should help reduce the odor problem even more significantly. Supervisor Huber questioned what the noise was. Ms. Jordan stated she was unsure – the landfill opens at 6:00 a.m. so it could be the trucks – Ms. Bennett-Roll confirmed this. Chairman Baker requested an update on the odor/noise issue at the next scheduled EQC meeting.

### **NEW BUSINESS:**

**2011 Annual Landfill Report:** At the request of Chairman Baker, Ms. Jordan reviewed the 2011 Annual Landfill Report for those present. A copy of the report is on file with the Clerk to the Board of Supervisors.

**Status of drafting an RFP for outside legal assistance to draft hydrofracking regulations for model town ordinance** (John Garvey): Supervisor Evangelista shared he had received an email from a constituent as to why the County was seeking outside legal assistance on hydrofracking regulations for model town ordinance and why couldn't it be done in-house; couldn't the County glean information from other counties that had already completed an ordinance to this effect. Per the email conversation, Supervisor Evangelista shared that there are a couple of reasons that are driving this initiative to be done with lawyers who have this type of expertise – the primary motive would be that the County is offering the information for the towns to use but in the event they use it, it then starts to get in to a legal situation with all sorts of appeal that the County would be at arms length from being brought in to the situation. Second reason/response to the constituent was that there will not be a lot of monies involved. Also there may be towns/cities that may not be interested/involved in participating in this so why should they have to pay to have it done. Committee members agreed with Supervisor Evangelista. Supervisor Sheppard shared that he also received an email from a constituent who stated he did not want County funds to be spent on this matter at all. Chairman Baker stated that at this time no final decision has been made. Additional updates on the matter will be provided as needed.

Further update: Andrea Schoeneman shared that the RFP was sent out approximately one week ago to ten to 12 (10-12) legal firms. Responses are due back to the County Attorney's office by March 30<sup>th</sup>. Ms. Schoeneman will review all RFP submitted and will provide a report to the committee at the scheduled 4/11/12 EQC meeting.

**Resolution transferring ownership of approximately eighty (80) acres of land from Ontario County to the Town of Seneca (Supervisor Sheppard):** Using a diagram, Supervisor Sheppard reviewed why and the steps that will take place in order for eighty (80) acres presently owned by Ontario County to be transferred to the Town of Seneca. Supervisor Sheppard presented a resolution to this effect requesting committee recommendation for the Board of Supervisors to go forward with the transfer. Discussion regarding the acreage and how it could possibly be developed in the future took place. Supervisor Evangelista stated he feels a restriction needs to be put on the transfer deed stating that forty (40) acres (proposed Barrowing area) will remain agricultural land forever and will never be a part of the landfill; and further stated that he would 100% fully support the transfer if the Town of Seneca agreed to this revision. The Environmental Quality Committee and Public Works Committee will meet next week (3/28/12 @ 5:00 p.m. in the Planning Department Conference Room) to discuss the matter further. No action taken at this time.

**Adjournment:** There being no further business to come before the committee, **motion was made by Supervisor Singer, seconded by Supervisor Huber to adjourn. The 3/21/12 EQC meeting adjourned at 5:203 p.m.**

Respectfully submitted,

Linda R. Frasca  
Sr. Clerk  
Ontario County Planning