

**ENVIRONMENTAL QUALITY COMMITTEE  
MEETING MINUTES  
AUGUST 15, 2012**

**Committee Members**

David Baker  
Ralph Angelo  
Dodie Huber  
Charles Evangelista  
John Sheppard  
Kristine Singer

N/A = Necessarily Absent

**County Staff**

Kris Hughes, Planning Director  
John Garvey, County Administrator  
Darlys McDonough, Deputy County Administrator  
Andrea Schoeneman, Assistant County Attorney  
Linda Frasca, Sr. Administrative Assistant – Planning

**Guests**

Carla Jordan, Casella Waste Management; Cory McDowell-Barton & Loguidice; Dave Shaw-FLT; Katie Bennett-Roll

**Call to Order:** Chairman Baker called the meeting to order at 4:14 p.m.

**Approval of Minutes:** *Motion made by Supervisor Huber to approve the July 9, 2012 with the two corrections, seconded by Supervisor Angelo. Motion carried.*

**OUT OF ORDER AGENDA DISCUSSION:**

**New Business:** Chairman Baker shared that Nellie Puma, DPW Fiscal Manager, was in attendance with the final draft Solid Waste budget for committee members' approval to submit. Ms. Puma reported there had been no changes since first presented at the 7/25/12 EQC meeting. Chairman Baker requested a motion to approve as present. *Motion to approve the 2013/14 Solid Waste Preliminary Budget as presented made by Supervisor Sheppard, seconded by Supervisor Angelo. Motion unanimously carried.*

**Old Business**

**Solid Waste Activities Update:**

1a.) **Solid Waste Plan** - Mr. Hughes reported that they continue to wait for DEC to submit comments to the plan. Additional updates will be provided as soon as the DEC responds.

1b.) **360 Expansion Permit/FEIS Draft Response** – Kris Hughes briefly reviewed the previous steps taken by committee in regards to review of the Draft 360 Expansion Permit FEIS. Mr. Hughes reported on the responses received with a question/discussion period taking place. A resolution to accept the FEIS and establish a public comment period required under SEQR presented for committee approval. *Motion made to recommend approval of the resolution to accept the FEIS and establish a public comment period made by Supervisor Huber, seconded by Supervisor Sheppard.* Motion carried with Supervisor Singer stating her approval with an extended public committee period included through October 25. Supervisor Sheppard stated he felt the committee should not make a final decision until the Borrow issue is resolved. Supervisor Evangelista stated he was not in agreement to go forward as he was concerned about the borrow area issue and the sequence of events to take place – does not want to go forward until the entire matter is resolved.

Supervisor Huber responded stating that there are still many questions/issues that need to be resolved relative to the entire matter; stated she is concerned that one more board cycle will not make a difference in the final decision. Feels that questions that have been raised in everyone's minds relative to the process require serious due-diligence completed at the County level – so far it has only been done in bits and pieces. The entire matter has been confusing and needs to be very clear before going forward; feels very strongly that the original resolution regarding the 80 acre transfer needs to be rescinded, then go forward with approval to accept the FEIS and establish the extended public comment period from there.

Chairman Baker polled committee members to obtain where they stand on whether to go forward as discussed above or to hold off until the entire soil borrow issues have been resolved.

Supervisor Evangelista shared that Supervisor Sheppard had presented the rescinding resolution to the Public Works Committee – no support from PWC was given to pass the resolution. A concern of the PWC is whether we had something definitive in writing from Casella – to date nothing has been forthcoming.

Supervisor Sheppard stated that a special Town of Seneca board meeting was held on 8/14/12 to discuss Casella's involvement. A resolution giving Supervisor Sheppard the authority to act in the interests of Seneca had previously been approved. A resolution authorizing Supervisor Sheppard to sign a Casella requested Noise Easement was approved. Supervisor Sheppard suggested that a MOA may possibly be the solution – signed by all involved parties (Casella, County, and Town of Seneca).

Supervisor Huber questioned whether or not the EQC could go forward with the initial recommendation. Darlys McDonough, Deputy County Administrator, clarified that all interested-involved parties do not need to agree in order for the matter to proceed.

Carla Jordan, Casella Waste Management, requested permission to share Casella's thoughts on the matter and stated that any delay will hurt Casella as space availability is unknown as of the end of 2012.

**Soil Borrow Issues** – As discussed above.

**Executive Session:**

*Motion to enter in to Executive Session to further discuss litigation matters made by Supervisor Singer, seconded by Supervisor Huber. Motion unanimously carried. The 8/15/12 EQC entered in to Executive Session at 4:54 p.m.*

*Motion to exit Executive Session made by Supervisor Sheppard, seconded by Supervisor Singer. Motion unanimously carried. The 8/15/12 EQC exited Executive Session at 5:03 p.m.*

*Motion to accept the FEIS and establish a public comment time period with extended time to be included made by Supervisor Sheppard, seconded by Supervisor Singer. Vote: 4 Ayes (Huber, Singer, Angelo, and Baker) – 2 Opposed (Sheppard and Evangelista)*

**Landfill Operations Update:** Carla Jordan stated there were no updates at this time.

**Retention of Counsel for Hydrofracking:** Discussion of retention of legal counsel for hydrofracking matter took place. County Attorney's office will assist with the drafting of a contract for all involved parties. Additional updates on the matter will be provided at the next meeting.

**Additional Information:** Supervisor Baker reported that the State had removed the landfill from the hazardous site list. Katie Bennett-Roll questioned how this could happen.

**Adjournment:** Being no further business for discussion, **motion to adjourn the 8/15/12 EQC meeting made by Supervisor Angelo, seconded by Supervisor Singer. Motion carried. The 8/15/12 EQC meeting adjourned at 5:08 p.m.**

Respectfully submitted,

*Linda R. Frasca*

Sr. Clerk

Planning Department