

**ENVIRONMENTAL QUALITY COMMITTEE
MEETING MINUTES
December 12, 2012**

Committee Members

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

N/A = Necessarily Absent

Attendees

All committee members
Darlys McDonough, Interim Planning Director
John Garvey, County Administrator
Andrea Schoeneman, Assistant County Attorney
Linda Frasca, Sr. Clerk
Supervisor Russell
Supervisor Luckern
Supervisor Vedora
Carla Jordan and Larry Schilling, Casella Waste Management,
Observers: Katie Bennett Roll, Chris Costello, Dave Shaw (FLT), and Erin Cain (DM).

Call to Order: Chairman Baker called the meeting to order at 4:00 p.m., and welcomed Supervisors Russell, Luckern, and Vedora, and thanked them for coming to the December 12, 2012 Environmental Quality Committee meeting.

Approval of Minutes: *Minutes of the November 28, 2012, meeting were presented for approval; minutes held over till the next meeting as all committee members had not yet reviewed them.*

Old Business:

Solid Waste Activities Update: Solid Waste Management Plan

County Administrator Garvey reported, at the direction of the EQC, he had contacted the area legislators/representatives to obtain their assistance in getting the results from the DEC on the County's Solid Waste Management Plan. Mr. Garvey shared he spoken with Senator Nozzolio who stated he had spoken with the DEC and that we can expect the results within one to two weeks. Further updates will be provided as needed.

360 Expansion Permit Update: Chairman Baker stated that the FEIS is still on the table for discussion and requested an update from Deputy County Administrator McDonough on the matter. Ms. McDonough reported that she had sent EQC members updated information on a couple of the issues, and shared that she had spoken with Carla Jordan w/ Casella Waste Management who would address them as well as the odor issue at the landfill, and would provide a response to Supervisor Huber's questions submitted regarding the FEIS. Ms. Jordan provided a handout of the draft FEIS and reviewed the updated document page by page, which includes the revisions for committee member clarification. Supervisor Evangelista questioned the Project Purpose and Need section (pg. 3) on how it would "ensure that local residents and businesses will be provided with long-term, environmentally sound disposal capacity within Ontario County", and the "royalty payments received from Casella through the OMI" (pg. 23) and questioned whether the payments to be received was a secondary thing. Is the long-term, environmentally sound disposal the primary reason for the landfill expansion? Ms. Jordan responded that continued revenue from the landfill offsets the operational maintenance cost at the landfill; if the County were to decide to take it over it would inevitably be a cost that would be incurred by the County and its residents.

Supervisor Sheppard raised the matter of the \$10,000 annual audit being proposed and the question of why would the County join in the operational matters at the landfill taking on a share of the noise and odor issues,

etc. He does not feel we would want to join the culpability of this. If an audit is required and Casella doesn't want to pay, does the County become responsible to pay for it; does it become an audit for the County? If the County requests the performance audit to determine what can/will be done at the landfill and Casella will not comply, can we call in a performance bond? All questions/comments presented by committee members were addressed by Ms. Jordan and Larry Schilling (Casella Waste). Although no final decision has been made, the County could hire an independent performance auditor to see if the landfill is performing correctly and addressing all issues to date.

Odor Control Issue: Ms. Jordan provided a copy of Casella's draft Odor Management Plan (OMP) and landfill build out design documents and reviewed both the OMP and the landfill build out design documents for all present. EQC members feel that Casella Waste is on the right track in getting the odor issue under control and that the matter will continue to be handled accordingly. Supervisor Sheppard shared that Casella had done a good job but still feels the noise and odor issues need to be better addressed, that both matters need to be solved, especially the odor issue as it is very apparent to him and his constituents. All questions and concerns presented by committee members and area resident were addressed by Ms. Jordan and Larry Schilling.

County Administrator Garvey shared his thoughts on how to measure the performance of a performance bond. EQC requested Assistant County Andrea Schoeneman look in to the matter and report back at the next meeting.

Executive Session:

At 4:53 p.m., Supervisor Sheppard made the motion, seconded by Supervisor Singer, to move into executive session to confer with counsel as attorney/client privilege; said motion carried. The Committee asked the following to remain: Assistant County Attorney Andrea Schoeneman, County Administrator John Garvey, Deputy County Administrator Darlys McDonough, Sr. Clerk Linda Frasca as well as all committee members.

At 5:16 p.m., motion was made by Supervisor Huber, seconded by Supervisor Sheppard, to move out of executive session; said motion was carried.

Landfill Operations:

Area of Concern Review: Carla Jordon from Casella Waste provided handout on the Area of Concern and reviewed each area for the committee reporting on issues and concerns that have been looked in to. Question and comments presented by those presented were addressed by Ms. Jordan and Mr. Schilling. Casella Waste will provide additional updates to the committee on these issues and concerns at the upcoming meetings.

Seneca County Superstorm Sandy Storm Debris Resolution: Chairman Baker reported that Ontario County had received copy of the Seneca County Storm Debris resolution authorizing the Seneca County BOS to seek answers to questions raised regarding sending downstate debris through Seneca County by rail per the Emergency Declaration and Waiver. Larry Schilling shared that original request (through the Seneca County IDA) is for the debris to arrive by rail at the Seneca Army Depot and then be transported by truck to the Ontario County Landfill. Supervisor Evangelista raised the concern of the increased truck traffic that could be expected. Mr. Shilling reported that the Seneca County BOS met the previous evening and had informed the Seneca County IDA that they do not want this to happen. Some Supervisors have indicated that although Ontario County does desire to help the NYC and LI areas clean up as long as it is brought in by truck, not by rail. EQC members took no action on the Seneca County BOS resolution. Chairman Baker will report to the Ontario County Board of Supervisors at the 12/20/12 meeting.

NEW BUSINESS:

Supervisors Huber and Sheppard shared they had each received a new letter on the landfill matters.

ADJOURNMENT: There being no further business to come before the committee, **motion was made by Supervisor Huber, seconded by Supervisor Singer to adjourn.** The meeting adjourned at 5:55 p.m.

Respectfully submitted,

Linda R. Frasca, Sr. Clerk
Ontario County Planning