

Ontario County
ENVIRONMENTAL QUALITY COMMITTEE
MINUTES
APRIL 10, 2013

<p><u>Committee Members:</u> David Baker, Chair Ralph Angelo Dodie Huber Charlie Evangelista John Sheppard Kris Singer</p>	<p><u>Attendees:</u> John Garvey, County Administrator Darlys McDonough, Deputy County Administrator Andrea Schoeneman, Assistant County Attorney Linda Frasca, Sr. Clerk Supervisor Vedora (City of Geneva)</p> <p><u>Guests:</u> Carla Jordan, Larry Schilling (Casella Waste Management); John Brusa, Kevin Voorhees (Barton & Loguidice); Ken Camera, Geneva City Councilor</p> <p><u>Observers:</u> Dave Shaw (FLT); Rick Hoyt; Ed Calin; Katherine Bennett-Roll; Mitchell Rowe; Eileen Buckley</p>
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Call to Order: Chairman Baker called the meeting to order at 4:00 p.m. and declared all committee members present.

Approval of Minutes: ***Motion was made by Supervisor Sheppard, seconded by Supervisor Singer to approve the minutes of the March 20, 2013 meeting with minor typo revisions. Motion carried.***

Solid Waste Management Plan: Ms. McDonough introduced the two page working document in the committee members' agenda packets by noting that she had instructed Barton & Loguidice to prepare the information by concentrating on DEC's responses pertaining to key policy issues and potential expenses. Ms. McDonough called on Kevin Voorhees and John Brusa to discuss the document.

Mr. Voorhees explained that the two page working document lists initiatives that the DEC would like the County to consider doing; stated he would characterize it as "very strong encouragement" as it comes from the state. EQC will decide what to recommend to the Board of Supervisors to move forward. The County will continue to have the dialogue with the DEC, who will continue to push, and the County, who will respond with "Here's what we're willing to do." Barton & Loguidice made the assessment that much of what the DEC is asking the County to do is public education to encourage recycling and increase diversion of materials away from the landfill through increased recycling, composting or other means. This could be done by present staff if time allows, or the County could consider either hiring new staff or contracting out for professional services.

Chair Baker opened the floor to committee members. Supervisor Evangelista stated that after reviewing the letter received from the DEC, he felt that the DEC was stating that the County had not included some important information in the plan, and the DEC response was more of a criticism than a recommendation. Mr. Evangelista felt that the committee should take the time and review the entire twelve page response from the DEC in order to make sure that all areas are covered. Ms. McDonough responded that some of the

information requested by DEC could be provided in the plan while other information requested could be provided as part of implementing the plan. As a start, the County is looking at the bigger steps to be considered (i.e. expenditures to be incurred, local law change, etc.). Additional discussion took place with questions by committee members answered by Mr. Voorhees and Mr. Brusa.

Supervisor Sheppard asked about the Barton and Loguidice contract and payment for services rendered. Ms. McDonough reviewed that the last part of the initial contract is for the consultants to go through one round of DEC comments (response to 12 page letter received in late February). Due to how long it took the state to respond, the contract needs to be extended at no cost in order to complete the initial services agreed upon in the initial contract.

Chair Baker shared that he feels the county is on the right track. He indicated that the County needs to determine how to go forward with the follow up needed in getting the plan fully implemented, for example: does the County have staff to continue to work on the plan, or do we hire additional staff or hire outside consultants. Mr. Baker stated that it is County policy to not add staff to an existing program but feels that this is a new program and therefore would qualify for consideration.

Mr. Garvey responded that there are two different things being looked at. 1.) What will it take to provide the DEC with what they are looking for and 2.) What do you commit to in the plan? Mr. Garvey feels that the County does not have enough expertise to get through the plan approval process ourselves, and feels that we may want identify the assistance that would be needed from an outside consultant or additional staffing.

Landfill Summit – Chair Baker introduced guest Ken Camera, Geneva City Councilman and turned the floor over to him. Mr. Camera stated he was at the meeting to share information on the proposed landfill summit meeting scheduled on 4/24/13. Mr. Camera shared that an invitation had been sent to the EQC in March inviting John Garvey (Ontario County) to participate in a landfill summit on April 24, 2013. The summit is being held to discuss/propose a different process or a parallel process at the landfill so that it would not be as contentious, the parties (Seneca County, Finger Lakes Institute, and Hobart William Smith College) who have agreed to participate at the summit, and the contribution monies that have been promised, which are to go to the Finger Lakes Institute who is hosting the event.

Chair Baker opened the floor to committee members for their comments. Supervisor Huber questioned what “a better process” is, stating the landfill is very highly regulated, and requested further clarification of what he means by a “new process” as everything at the landfill is essentially mandated by the state. Supervisor Huber does not feel the county can change anything. Mr. Camera felt the County needs to come up with a constructive new process plan to better handle the entire landfill. Ms. Huber further explained that in her experience as a county supervisor, that county residents have, and are always, invited and welcome to share their thoughts and comments, and that more communication between county residents and the Board of Supervisors has taken place over the landfill issue than other county issue. She feels that the Board members are very caring about county matters stating “We do what is right.”

Additional discussion took place regarding the proposed summit. EQC members questioned use of the term “summit” as there is to be no decision making action to take place at the summit. Mr. Camera was asked if it is being held to offer information, input, ideas, etc. Discussion regarding the nasty allegations that have been directed toward the County also took place. EQC members suggested that either Mr. Garvey

or Ms. McDonough attend the summit on behalf the County, but, if at any time, feel as if they are being verbally attacked they are to leave the summit immediately.

Katie Bennett-Roll, Town of Seneca resident, commented that the County and residents should begin now to plan for the upcoming years; we definitely should not wait until the last minute.

Motion made by Supervisor Sheppard directing County Administrator or Deputy County Administrator to attend the summit for discussion purposes, seconded by Supervisor Huber.

Supervisor Sheppard stated the County Administrator could make a decision on whether to attend or not; he would not support his own motion.

EQC members felt the county has been disrespected in this matter, and that they would never send anyone to attend an event where they were to be set up.

Motion made by Supervisor Huber to amend Supervisor Sheppard's initial motion to direct staff to attend the event if only a "discussion" session, with any deviation from a discussion session, or negative behavior shown by other participants, they are to immediately leave the summit, motion seconded by Supervisor Evangelista. Motion carried with Supervisor Sheppard Opposed.

Supervisor Baker shared he is not comfortable directing staff what "to do", and felt staff gets the sense of the committee's/board's feelings. He asked Mr. Garvey if this was so, or whether staff needed verbal direction. Mr. Garvey stated staff understands and gets sense of the direction of the committee. Chair Baker recommended that Supervisor Huber's motion be withdrawn.

Supervisor Huber withdrew her motion, seconded by Supervisor Evangelista. Motion withdrawn.

360 Expansion Permit

Acceptance of Findings, SEQR, Ontario County Phase III, Stage VII and IX Landfill Expansion:

Ms. McDonough briefly reviewed the Findings statement noting that it has been revised to reflect the direction of the Committee, such as Town ownership of the borrow area. She referred to the proposed resolution that was included in the agenda packet which offers revised verbiage from the resolution tabled in November. When approved by the Committee, the resolution will be filed with the Clerk of the Board. *Motion made by Supervisor Sheppard, seconded by Supervisor Singer, to accept the Findings, SEQR, Ontario County Phase III, Stage VII and IX Landfill Expansion resolution and recommend approval of it.*

Supervisor Sheppard commented that for the record it has been the Town of Seneca's consistent position that the positive Statement of Findings has some text that is inconsistent with the Town's position and inconsistent within itself. He felt that the Statement of Findings does not indicate whether the County is exempt to take ownership and that portion needed clarification on an approval process of who should own the property. He said that the Town will support the resolution.

Supervisor Evangelista questioned whether the original resolution had been tabled due to performance issues at the landfill. Chair Baker responded that initially it was due to strong, far-reaching

odor issues, therefore, the EQC had tabled the resolution until the committee had seen that Casella has made improvements and is continuing to take steps to alleviate the odor problems. Chairman Baker turned the floor over to Carla Jordan for her responses. Discussion took place regarding the steps that have been taken and would be taken to continue to keep the odors to a minimum.

<u>VOTE:</u>	<u>Aye</u>	<u>Nay</u>
	Supervisor Baker	Supervisor Evangelista
	Supervisor Huber	
	Supervisor Angelo	
	Supervisor Singer	
	Supervisor Sheppard	

5 Ayes – 1 Opposed – Motion Carried.

Landfill Operational Update - Ms. Jordan reported a ten acre cell cap is now installed on the south slope of the landfill, all panels have been deployed and they are just finishing up detail work. Within the next year Casella will be expanding the cap around the next side of the landfill.

RFP for Odor Consultant - Ms. McDonough noted the Request for Proposal work scope outline that was included in the agenda packet. Supervisor Huber commented that Ms. McDonough had done a good job. Chairman Baker indicated Committee consensus to proceed.

Adjournment – Being no further business for discussion, ***Motion made by Supervisor Huber, seconded by Supervisor Angelo, to adjourn the 4/10/13 EQC meeting. Motion carried.***

The 4/10/13 EQC meeting adjourned at 5:31 p.m.

Respectfully submitted,

Linda R. Frasca
Senior Clerk