

Proposed Ontario County Landfill Expansion

FINAL Environmental Impact Statement

Volume 2 of 2

Appendix CC—DEIS Public Hearing Transcript
and Written Comments

August 2012



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STATE OF NEW YORK

COUNTY OF ONTARIO

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In re:

Proposed Ontario County Phase III
Stage VIII and IX Landfill Expansion

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Transcript of the proceedings held in the above
entitled matter at the Ontario County Courthouse
Board of Supervisors Chambers, 27 North Main Street,
3rd Floor Canandaigua, New York on Thursday, January
26, 2012, commencing at 6:30 p.m.

Reported by:

COMPUTER REPORTING SERVICE

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Rochester, New York 14614 (585) 325-3170

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2 APPEARANCES:

3 ONTARIO COUNTY BOARD OF SUPERVISORS

4 Bristol - Robert A. Green, Jr.

5 Canadice - Kristine A. Singer

6 Canandaigua Town - Samuel J. Casella

7 Canandaigua City

8 Wards 1 & 4 - David B. Baker

9 Canandaigua City

10 Wards 2 & 3 - Richard S. Russell

11 East Bloomfield - Dorothy N. Huber

12 Farmington - Theodor M. Fafinski

13 Geneva Town - Mary E. Luckern

14 Geneva City 1st District - Robert LaRocca

15 Geneva City 2nd District - Charles Evangelista

16 Gorham - Frederick S. Lightfoote

17 Hopewell - Margaret A. Hilton

18 Manchester - Jeffery L. Gallahan

19 Naples - John B. Cowley

20 Phelps - Norman L. Teed

21 Richmond - Ralph F. Angelo

22 Seneca - John T. Sheppard

23 South Bristol - Daniel Q. Marshall

24 Victor - John F. Marren

25 Also Present:

County Administrator John E. Garvey

County Attorney John Park

Clerk Karen R. DeMay

Deputy Clerk Lisa C. Phillips

1 Re: Ontario County Landfill

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2 CHAIRMAN FAFINSKI: Our first order of
3 business is a public hearing and I will ask the
4 clerk to read the notice.

5 MS. DeMAY: Notice is hereby given that a
6 public hearing pursuant to the New York State
7 Environmental Quality Review Act will be held before
8 this Board of Supervisors Ontario County Courthouse,
9 27 North Main Street, Canandaigua on the 26th day of
10 January 2012 at 6:30 p.m. to receive comments
11 concerning the Draft Environmental Impact Statement
12 prepared concerning the proposed Ontario County
13 landfill expansion.

14 All persons wishing to be heard -- wishing
15 to appear and be heard at such hearing may do so at
16 this time and to those speaking would you please
17 sign your name and address on the sheet there by the
18 podium.

19 CHAIRMAN FAFINSKI: Supervisor Baker.

20 SUPERVISOR BAKER: As the clerk just said
21 this is a public hearing for public comments on the
22 Draft Environmental Impact Statement itself.

23 This is not a debate on the merits of any
24 expansion plan. This has nothing to do with that.
25 It is not a Q and A session as has been reported in

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some of the local media.

It is an opportunity to hear from the public your thoughts, your comments on the Draft Environmental Impact Statement.

The other thing I would like to make the Board and the public aware of is that the Environment Quality Committee met earlier this evening.

On your desk tonight is a resolution endorsed by the committee. It will be -- the time period by fifteen days and we'll be receiving comments on the Draft Environmental Impact Statements.

Thank you, Mr. Chairman.

CHAIRMAN FAFINSKI: Is there anybody that would like to speak for or against this proposed environmental statement, come to the podium if you would, sign in, keep your comments to three minutes. We have a lot of people here.

MR. THOMAS: Thank you, Mr. Chairman for giving me the opportunity to speak.

CHAIRMAN FAFINSKI: Could you state your name?

MR. THOMAS: Jeremy Thomas, 4918 East Swamp

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Re: Ontario County Landfill

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Road, Stanley.

I know when you were elected you were charged to do your best to your ability for this county and by and large you have done a great job, but on the landfill I think you skipped a little bit.

Everybody is worried about the hydro-fracking. I believe the biggest worry we have in this county is our landfill. The county landfill was started for the people of Ontario County and now it's for New York City, all of New York State, Canada, Pennsylvania, where else?

We must be the laughing stock of the state. We have the most beautiful land in the world right here in our own county or we did have until the landfill came by. I hope -- you know, this landfill is about like cancer. The longer you leave it the bigger it gets and the more it grows and the worse it gets. Stop it now.

I don't care what the cost is. This is ridiculous. I don't care about money. Money isn't everything and this is what you are running it for, money and it's time it was stopped.

This is too beautiful an area to pollute

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and have such an eye sore as that spot is. It smells. It looks terrible and it's getting worse.

Thank you.

CHAIRMAN FAFINSKI: Thank you. Next speaker, if you would sign in please and state your name.

MR. KNIPPLE: Douglas Knipple representing Finger Lakes Zero Waste Coalition, resident of Geneva, New York, 109 Maxwell Avenue.

Our organization has already submitted a brief collection of points which we will expand upon in further written comment, but I just wanted to take the opportunity this evening to point out some of the more important issues that we think are involved here.

The first point we made before which is the county is contractually bound to fulfill the expansion requests of Casella Waste Systems as a consequence of their operations management and lease agreement which was signed in 2003.

I don't think that the county is in any position to objectively review this project under SEQR. Now, I understand that DEC nevertheless permits that, but I don't think the public views

1 this as an objective process or if you find
2 environmental fault in any way that it's going to
3 rise to the surface. The priority is to fulfill the
4 obligations under the contract.
5

6 The second point, there is no countywide
7 tenure solid waste plan and it's our view that
8 granting this expansion at this time prejudices that
9 plan. The countywide solid waste plan is in the
10 works, but my view and the view of many of these
11 citizens is that expansion is inconsistent with what
12 we know about the statewide plan which says
13 incineration and landfill should be the last resort
14 for solid waste management.

15 The other municipalities that we take
16 garbage from in all sort of other ways including
17 sewage, sludge, incinerator ash, etc should have a
18 solid waste plan before we take their garbage.
19 There are solid waste plans like ours that include
20 provisions for effectively dealing with household
21 hazardous waste, pharmaceuticals and electronics
22 which we don't currently -- which currently is not
23 well regulated.

24 The state plan also calls for diverting of
25 organic waste as a major provision of the waste plan

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2 and it's clear that we are not doing that here. Ask
3 anyone who lives downwind. We have concerns about
4 air emissions and concerns about leaching management
5 which we will expand upon in technical comments
6 during the remainder of the public comment period.

7 Finally I want to point out that the
8 plan -- the Draft Environmental Impact Statement
9 provides little or no consideration of the negative
10 economic impact that this dump operation has on our
11 region.

12 The most conspicuous aside from the
13 aesthetic effects of the stench that those of us who
14 live downwind experience is the continual rolling of
15 trucks through our neighborhoods, hundreds of
16 trucks. We haven't -- up here in this area of
17 trucks, but the city of Ithaca has done such a study
18 and they found overwhelmingly that the truck traffic
19 has a negative impact. Some people have even moved
20 away.

21 So in order to allow other people to
22 express their thoughts I'm going to close here, but
23 I will be submitting additional comments in written
24 form.

25 Thank you very much.

1 Re: Ontario County Landfill

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2 CHAIRMAN FAFINSKI: Thank you. Is there
3 anybody else that would like to speak for or against
4 this proposal?

5 MS. REISCH: Kim Reisch, President of
6 the League of Women Voters of Geneva, resident of
7 the City of Geneva, 57 High Street.

8 What I'm going to be reading tonight is the
9 written comments that we've collected. We have
10 submitted a response to the draft Ontario County
11 Solid Waste Management plan on November 30 of 2011.

12 We were critical of that plan because it's
13 in direct opposition to the current New York State
14 plan and -- for New York State which requires
15 landfill expansion be considered only once other
16 strategies are in place, namely the three R's -
17 reduce, reuse and recycle.

18 We also take issue with the timing of the
19 current plans for the major expansion of the Ontario
20 County landfill. The failure to have a solid waste
21 management plan in place should preclude a major
22 action such as expansion.

23 It prejudices the outcome of the planning
24 process unless of course the solid waste management
25 plan is merely a -- to state requirements, not a

1 thoughtful good faith effort to effectively --
2 without a commitment to the three R's - reduce,
3 reuse and recycle - prior to the expansion of the
4 landfill the county does not need any complications
5 and is not collaborating with its citizens to
6 curtail the growth of our landfill.
7

8 As our landfill approaches capacity we
9 citizens will be the ones faced with the long term
10 consequences. Our business partners will move on to
11 the next landfill leaving us with a mountain of
12 trash and resulting environmental economic
13 consequences.

14 The Geneva -- would like to strongly
15 encourage that the following conditions be met
16 before consideration of expansion:

17 1. Adoption of a state required Ontario
18 County solid waste management plan.

19 2. Put in a place a
20 countywide mandatory -- program with an active
21 enforcement component.

22 3. Reduce waste by our citizens by
23 providing incentives for residents to use smaller
24 totes at reduced rates.

25 Require other municipalities and counties

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that transport waste into Ontario County to our landfill have mandatory -- and waste reduction programs and increase the fees for out of county waste disposal preserving landfill space for Ontario County businesses and residents.

We urge our officials to make Ontario County a leader in innovative strategies in -- putting in place a plan to protect the environment, preserve landfill space for local needs far into the future and as a method of last resort.

Expanding the landfill continues the path of business as usual when this juncture is an opportunity to realign waste management strategies with methods that support sustainable economic development and environmental health.

Thank you.

CHAIRMAN FAFINSKI: Is there anyone else that would like to speak for our against this proposal?

MR. EATON: My name is Richard Eaton. I live three quarters of a mile east of the landfill. I don't consider Casella a very good neighbor. We're bombarded by their noise, their odors, insects their airborne pollutants and plastic bags that get

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2 blown to us by the prevailing west wind.

3 In fact had I known what an abomination
4 that the facility was to become I never would have
5 purchased a piece of property there. When we get
6 the west wind, we find airborne material from the
7 dump on the vehicles, lawn furniture and about
8 everything else. This is a violation of section K
9 DEC 360 which says dust will be effectively
10 controlled.

11 I'm sure the flies, bugs, mice, rats and
12 other fringe benefits -- for being a neighbor. Bags
13 that fly over and lodge in the trees behind my house
14 are a nice touch. Especially at Christmas time.
15 They make decorations. I can live without it.

16 The rotten smell -- garbage smell is
17 sickening to say the least and forcing us to keep
18 our doors and windows shut to avoid it. This is a
19 violation of 360-1.14 which says odors must be
20 effectively controlled so they do not constitute a
21 nuisance. It's a nuisance to me.

22 Most of that smell is hydrogen sulfide.
23 It's listed on OSHA as a hazardous gas. It settles
24 in low areas. I don't need to be a doctor to know
25 it's more dangerous to old, young, athletic and

1 Re: Ontario County Landfill

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2 people with breathing problems. If you have one of
3 these, that gas isn't helping you a bit.

4 There is no secret where it comes from. It
5 comes from deteriorating gypsum board or wall board.
6 It comes from construction debris dumped in there.

7 We also get noise, lots of noise - diesel
8 engines, tailgates slamming and until this year we
9 had gun fire going on over there all day long. I
10 thought I was back in the Army running platoon
11 exercises.

12 As Casella has already proven they are
13 willingly -- to ignore the parts of the 360-1.14
14 when it's convenient for them. I'm sure they will
15 continue.

16 Let's talk about the forty acre addition.
17 Casella wants to dig a big hole and use the soil to
18 cover the present landfill. I believe John Sheppard
19 has it right on the nose which says when they get
20 the hole dug, they'll fill it with trash.

21 Of course that will require more soil to
22 cover it. What to do? Find another piece of
23 property next door, buy it and dig the dirt out of
24 that. Good golly then we have another hole to fill.

25 The whole process -- who gets ignored, the

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2 neighbors or the landfill? We have yet to get a
3 letter explaining some of these problems. What
4 they're going to do about them? Will they realize
5 them? There is no hotline such as Massachusetts
6 requires.

7 It boils down to the fact that Casella
8 thinks of the neighbors as collateral damage. They
9 bought the Town of Seneca and they bought the County
10 of Ontario. Why should they worry about the people
11 who live there?

12 A couple of weeks ago I took a petition
13 door to door around the Town of Seneca to stop
14 Casella from exceeding the noise limit, but
15 basically it was to stop the landfill expansion. We
16 got about sixty signatures, all of the same
17 sentiment - don't let it get any bigger or any
18 higher. If we had more time to spend, we could have
19 gotten a hundred or two hundred signatures.

20 Those people may not come to your meetings
21 and they may not come to your one on ones, but
22 you -- and ask them and they'll tell what they think
23 about it. They don't like it a bit.

24 We need to stop this expansion now. If you
25 want a forty acre landfill in your township with

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2 expansion possibility or growth and expansion, I
3 hope you get it. We don't. You should
4 definitely --

5 CHAIRMAN FAFINSKI: Sir, would you keep
6 your --

7 MR. EATON: -- for those of us who have to
8 live next to Casella's trash dump.

9 Thank you.

10 CHAIRMAN FAFINSKI: Thank you. Is there
11 anybody else that would like to speak?

12 MR. MCGILL: I am Robert L. McGill Junior.
13 I am the son of the a World War II veteran who
14 served in the 101st Airborne. He disappeared when I
15 was six and died a homeless person.

16 My cousin is David A. McGill who was
17 friends with Jacques Cousteau and was considered the
18 world's leading authority on the Mediterranean Sea.
19 He was a professor in motion photography, marine
20 biology, zoology in the United States Coast Guard
21 Academy.

22 My credentials are I have a seventh grade
23 earth science degree. It's perfectly obvious to me
24 that what has been put in the newspapers is strictly
25 controlled by the Zero Waste and Concerned Citizens

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of Seneca County. I do not like the fact that I cannot express my opinion in the local news or at the board meeting. They totally eliminate anything that I have to say.

Now, I will quote Mr. -- they do not create the trash. They just deal with it. Now, I was born in Virginia. Right now New York City is sending most of their trash by rail to Virginia. If the environmentalists in Virginia say no more trash from New York City, we may have to deal with four to eight million tons of trash.

Right now New York State is trying to become self sufficient in disposing of its solid waste. It's next to an impossible task without building six more landfills and expanding the existing landfills.

Now, unless you want trash piling up all over your city streets and all over your back roads in every ditch and gully, then you better take into consideration that the only alternative is this landfill expansion and six more new landfills just like it.

Thank you.

CHAIRMAN FAFINSKI: Is there anybody else

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2 that would like to speak for or against? Please
3 come forward and try to keep your comments to three
4 minutes. We have a quite a few people that I
5 believe want to speak.

6 MR. HOYT: My name is Richard Hoyt. I live
7 in the City of Geneva along Castle Creek. In the
8 language of the environmental impact statement I
9 made up potential receptors of fugitive emissions.

10 Last fall I was an actual receptor. I was
11 woken up in the middle of the night by odors from
12 the landfill. I shut my windows. It was still
13 powerful enough to permeate the house.

14 Since then I've been trying to find
15 information about how often we can expect such odors
16 and at what intensity.

17 I've also been trying to find information
18 that can reassure me that there are not negative
19 health effects. I searched through the
20 environmental impact statement for that information.
21 Maybe it's there, but I have not been able to find
22 it.

23 That is I think my main criticism of the
24 environmental impact statement why I think it should
25 not be supported until it can provide information

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2 that does reassure us that our health is not
3 threatened by emissions from the landfill and give
4 us some reasonable explanation if there are going to
5 continue to be fugitive emissions which there is
6 going to be. They always talk about minimize. It
7 doesn't say eliminate. Realistically they probably
8 couldn't ever eliminate these emissions.

9 So for those us who live downwind of the
10 landfill I think we have a right to know what to
11 expect so we can make decisions about whether our
12 homes are going continue to be habitable.

13 Thank you very much.

14 CHAIRMAN FAFINSKI: Thank you.

15 MR. HOGAN: Hello. My name is Jim Hogan.
16 I live in the Town of Geneva and I have a business
17 in the City of Geneva.

18 My family and I bought the land in the town
19 and built a home. When I moved in thirteen years
20 ago it did not smell. It smells terrible now. It
21 smells nearly every day.

22 I'm about two miles downwind from it.
23 That's unacceptable. That is a health risk perhaps,
24 but beyond that it's a quality of life issue. So we
25 don't need to argue over the language of whether or

1 not we can mitigate the smell. We are not going to
2 mitigate the smell.
3

4 I have called Ontario County numerous times
5 and then directed to Casella and gotten nothing out
6 of it. What are they going to do, release more of
7 the chemical misting on 5 & 20? What's in that
8 stuff? What chemical spray are you putting in the
9 air that is going to capture and get rid of the
10 smell?

11 Most air fresheners are releasing stuff
12 that deadens your sense. Is that what they're
13 releasing? We don't really know.

14 I was directed to a website that was very,
15 very misleading or it said don't worry, everything
16 is fine, this chemical we put out in this mist is
17 good for you. It's crazy. This is resolution?
18 We'll turn on the misters? That's going to take
19 care of the smell.

20 My house value, my quality of life, my
21 kids' health, this is a no brainer. It seems like
22 Casella and the county have gotten too close and too
23 cozy in this relationship. You can't advocate your
24 responsibility to a corporate entity and then say
25 well the EPA says this and the company assures us

1 that and hide behind it.

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3 There are only three ways we could have
4 gotten here at this point - ignorance whether
5 willful or actual, greed or corruption. There is no
6 way to get this far without one of those three.

7 Ignorance - we don't really know what is
8 going on here or we know what is going on and we are
9 willing to turn a blind eye to it.

10 Greed - greed might come from a corporate
11 side and I don't begrudge a business trying to make
12 money, but I think the greed you might have to worry
13 about are the good elected members of this body who
14 feel the responsibility to us as citizens is to
15 generate income and view a pile of trash as a boom,
16 as a profit center, as a future, as a this or that.
17 It's a pile of trash.

18 We need to have a place to throw it out,
19 but we don't need one -- the number of people that
20 it doesn't have and it doesn't need to be in a spot
21 where it's blowing its wind over all of us.

22 If it's not one of those two, heaven help
23 us if its the third one. But it's everybody who
24 looks around at this, we all know it stinks in more
25 ways than one and the environmental impact statement

1 says we're going to mitigate -- do further
2 mitigation of the smell.
3

4 They haven't mitigated the smell they got
5 and there is going to more smell. They're not going
6 to mitigate that. Of the folks here --

7 CHAIRMAN FAFINSKI: May I ask to you wrap
8 up?

9 MR. HOGAN: Who lives downwind of the
10 stink, the people -- who lives downwind of it? Two,
11 three. If you live downwind of it you have to smell
12 that.

13 Now, some folks in the city depending on
14 where you live, you may not smell it very often, but
15 the other people do and -- Ontario County who smell
16 it who don't even have a right to come to these
17 meetings.

18 It smells terrible. If you don't live
19 there, believe us. It's going to get worse. Our
20 home value is going to go down.

21 My wife has actually talked to me about
22 moving. What is that going to do for property
23 values? This is terrible. It's an embarrassment
24 that we have gotten this far.

25 Thank you.

1 Re: Ontario County Landfill

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2 CHAIRMAN FAFINSKI: Is there anybody else
3 that would like to speak for or against?

4 MS. LeBRUN: I live in the Town of Geneva
5 and I'm going -- I'm a recent college graduate just
6 this May. I'm twenty-two years old. I'm at the
7 point in my life where I have to decide where I want
8 to live for the rest of my life.

9 I grew up here my entire life. I do love
10 it here. I spent the last few months out in
11 Colorado - clean air, clean water, beautiful.

12 I see this proposal to expand this trash
13 dump and it tells me and a lot of people in my
14 generation that that's what we are, we're going to
15 take other people's trash.

16 We're going to sit here and just take it
17 and whoever gets the money off of it is going to
18 benefit and everyone else is just going to have to
19 deal with it. Well, that makes me really angry.

20 I'm back here from Colorado because this is
21 my home and I don't have a reason to stay here. I
22 love this land and I'm sick of hearing this crap.

23 If you are going to send the message that
24 money is more important than creating value here and
25 people's health and the environment and quality of

1
2 life, things that we all stand for and send a
3 message to my generation and everyone below me, the
4 future, the hope, do you want to invest in this
5 area?

6 Send a message that you care about this
7 land and these people and what these people are
8 saying. Otherwise we're going to have to kiss a
9 whole lot of people in this generation goodbye and
10 there goes that value.

11 Thank you.

12 CHAIRMAN FAFINSKI: Is there someone else
13 that would like to speak for or against this
14 proposal?

15 MS. BENNETT ROLL: I'm Katie Bennett Roll.
16 I live at 3688 Number 9 Road in the Town of Stench
17 and I just want to say that I was driving up to
18 Eastview the other day and I started thinking on the
19 way back.

20 I was looking at this gorgeous mall and I
21 was thinking about all the things that we have here
22 in Ontario County.

23 We have a mall. We have at least three
24 finger lakes. We have four diamond hotels --
25 several of them according to the newspaper. We have

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Re: Ontario County Landfill

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beautiful places to walk.

We have all kinds of different things. We have two hundred seventy industries. We have over six thousand businesses, wonderful restaurants, things to do, places to go. Yet people in this county seem to think that we need a dump for economic reasons.

If it weren't for these economic reasons I don't think that we would have a dump here and I just want people to think about this. What do other counties that don't have dumps -- how do they survive? We don't need this.

It's nice to have that money rolling in, yeah, it makes your job a lot easier, doesn't it? But let me tell you something it's not worth it. It is not worth the air, the land and the water that is being corrupted.

In this region eight we have more than fifty percent of the garbage in New York State in our region. I know that I'm not a real very popular person, but I will tell you something. I'm not a quitter and I know that you probably don't want to see me up here as often as you do, but I'm sorry I'm going to be coming back.

1 Thank you.

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3 MR. CAMERA: Good evening. My name is
4 Robert Camera. I'm counselman for the City of
5 Geneva.

6 I just was recently elected. I just want
7 to say it was a pretty close vote, but I think that
8 the two hundred people who roughly voted for me know
9 my position on this and it's one of the reasons I
10 did win.

11 It's because they are in opposition to that
12 landfill and I will have to keep speaking against
13 the expansion for the next four years as a result of
14 the fact that I was elected partially to do that.

15 One of the things that I was very concerned
16 about -- you might think that you are in an airtight
17 contract that you can't get out and we're committed
18 for seventeen years. If we are committed for
19 seventeen years, you do not have to grease the skids
20 for these expansions.

21 One of the things that you did recently was
22 indemnify Suffolk County sewage or sludge yet you
23 didn't need to do that. There are other things you
24 can do as was mentioned.

25 In the solid waste plan for the county, the

1 ten year plan, we could ask everybody that
2 contributes solid waste to this landfill has to
3 stipulate and has to prove that they have done the
4 best they could at their homes, that they have
5 gotten the pharmaceuticals out, they've gotten all
6 the recyclables out and they've done a good job.
7 That needs to be done.
8

9 Those things are our rights to have done
10 and that will make possibly garbage more expensive
11 to bring to this county. That may mean before the
12 seventeen years is up Casella might look somewhere
13 else to do something about this and find a cheaper
14 place to landfill.

15 The other thing is that Ms. LeBrun really
16 makes a good point. We are right now fighting.
17 None of us are going to enjoy seeing this landfill.
18 We are not going to see the day possibly for a long
19 time when this is closed. We have to do this for
20 our kids now. This is really impacting them.

21 The other thing is it's a very simple
22 thing - the solution to pollution is -- you cannot
23 get the landfill go higher. It spreads it out more.
24 It makes the odors more -- a little less. It
25 disperses the dust more. It goes farther away, but

1 what you've done is you still spread it around. You
2 don't need to do that.

3
4 You need to keep the thing down and you
5 need to have it stipulated that if we are going to
6 make the bargain of capping the landfill with that
7 soil that that hole can never be filled with trash.
8 Now, I think those are reasonable things to expect
9 if we are stuck with this.

10 The last thing is that the supervisors that
11 are in the southern part of this county have to
12 think about us up here and you need to think about
13 the fact that you need to behave as if you were in
14 our shoes and the landfill was near you.

15 Right now you enjoy the money, but you
16 don't enjoy any of the impacts. That issue has come
17 up in this body before. I have been here before and
18 I have seen people ask for the courtesy if it was
19 happening in your area related to firearms and other
20 things.

21 So this body has got a lot of problems and
22 I really am very concerned about it and I am going
23 to have to keep speaking out because I was elected
24 to do that. My constituents expect me to get here
25 on occasion.

1 Re: Ontario County Landfill

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2 Thank you very much.

3 CHAIRMAN FAFINSKI: Is there anybody else
4 that would like to speak for or against?

5 MS. KENT: Hi. I'm Sue Kent. I live on
6 County Road 20 which is normally upwind of the dump,
7 but it wasn't this morning. I wish I could have
8 bottled it up and brought it so everybody could have
9 enjoyed it as much as I did this morning.

10 My sympathies to the people that live
11 downwind. I'm not even concerned so much with the
12 stink as what is attached to it. That odor --
13 that's coming out. It's carrying toxins. Casella
14 has said yes the DEC makes us measure the closed
15 portions of the dump. What's coming off the open
16 portions?

17 It's also been implied that we should be
18 concerned with whether Casella makes money or not.
19 They have financial investors, great, but we are an
20 investment as a community. The government had made
21 funding cuts to healthcare, schools. We are sucking
22 it up and dealing with it. We are not making money.
23 I don't know how whether they make money or not is
24 our concern.

25 Our concern is the mounds of garbage from

1
2 other places with all due respect to the gentleman
3 who says we need the landfills. We don't need them
4 to bring in Canada's garbage. They could find
5 another way to make money.

6 My household produces very little garbage.
7 We're worried that county -- money. Let's keep
8 giving cuts to the northwest corner. We all know
9 what retail space that is and how much garbage that
10 mall produces.

11 Let's think about other ways to keep our
12 county solvent and not be so concerned with Casella
13 making money.

14 MS. MASLANIK: I'm Samantha Maslanik. I'm
15 sorry I'm nervous, but I read the draft plan. I'm a
16 twenty-eight year old working mother. I live in the
17 City of Canandaigua.

18 I just wanted to say that I do agree that
19 the garbage has to go somewhere, but I think it's
20 important that we look into composting. Those
21 are the -- for various reasons and wanted to promote
22 doing it in your backyard. It's easier and people
23 would do it more if it was required of them.

24 So I think it's important to think of what
25 we are going to do in the future, what we are going

1
2 to do ten years down the road. How big is the
3 landfill going to get before we start looking for
4 other options for our waste?

5 Thank you.

6 CHAIRMAN FAFINSKI: Is there anybody else
7 that would like to speak for or against?

8 MR. FINGER: Good evening. My name is Bob
9 Finger. I'm a resident of Cheshire. It seems to me
10 that the value of the landfill comes down to money
11 and that's about it.

12 Is money reason enough to trash the Finger
13 Lakes? Look around you. We are all enjoying where
14 we live in a beautiful, beautiful area. Maybe we
15 are kind of immune to that because we see it every
16 day.

17 We hear stories of people that are affected
18 by the landfill. Landfills may be a necessity, but
19 maybe a better approach to managing this landfill
20 would be a better idea for our community and maybe a
21 model for other communities.

22 This is the Finger Lakes. Are we trashing
23 it? Is that the message that we want to send out --
24 the board of supervisors wants to send out to New
25 York State, that we are willing to take the trash

1
2 for everybody else? I don't really think so.

3 I think in a collective group you might
4 have a different idea. Individually you will agree
5 this is the place we want to live. We don't want to
6 live in a landfill. We don't want to hear the
7 stories. We sympathize with these people.

8 There has to be another way. There has to
9 be some inventive decisions made and it requires
10 work. We need time to focus on it. We don't need
11 to make the landfills bigger. We make it more
12 workable.

13 You go to Seattle, go out to the West
14 Coast, there has been some movies made about this
15 being a little bit of a joke thing, but they do.
16 There are other communities that are going green and
17 they demand that organic waste be brought to a
18 municipal facility. They sell it back to farmers.
19 Out west they sell to grape farmers. It's good
20 stuff. They don't let it go in the landfill for
21 good reason. So think about that.

22 This is a big issue and I'm glad these
23 people are here tonight. It needs to be a bigger
24 issue. When Casella leaves folks, we own that
25 trash. We own it. Whatever goes in there every day

1 from other places, we own that trash no matter how
2 much money comes in for it. I hope you are saving
3 some to do something with it in the future because
4 you are going to need it. Think about that.

5 Thank you for your time.

6 MS. MARTIN: Good evening. My name is Joy
7 Martin. I'm a resident at 3407 County Road 20 in
8 Stanley.

9 I moved there thirteen years ago. My
10 husband has been working at the BOCES in Flint since
11 1984. In 1999 we decided to build a home. The
12 BOCES students built it.

13 It is a lovely place. We knew there was a
14 landfill when we bought it. At that point in time
15 however for those of you don't know County Road
16 20 -- I have a lovely view of the landfill now. I
17 did not have it when we built.

18 We had no trucks going up and down County
19 Road 20. They had to reinforce County Road 20 for
20 all the trucks. As a few of these residents spoke
21 we are hugely upwind, but we were downwind today.

22 So I come with a question and I know it
23 will be rhetorical, but as you make your
24 considerations please think about this:
25

1
2 Would you live where I live now, with what
3 I see, with what I smell, with what I hear and what
4 I know is happening to all of my friends who live in
5 Geneva?

6 Would you live within a mile?

7 Would you do that, would you do that to
8 your children and your grandchildren?

9 You have already done that to them and you
10 are asking to make it worse.

11 Is that what you really want to do?

12 I'm going to continue to live there. I
13 really have no other choice. I could move, but I
14 don't want to. I want to be here with my children
15 from Geneva. I'm a teacher from Geneva, but what
16 we've done is trash the land and the air and the
17 looks.

18 So ask yourself would you live where I
19 live? I don't think you would.

20 Thank you.

21 CHAIRMAN FAFINSKI: Is there anybody else
22 that would like to speak for our against?

23 MS. HEY: My name is Sandy Hey. I live on
24 County Road 20 in the Town of Seneca and it
25 smells -- today, but it has been going on ever since

1
2 the fall.

3 A question I have is I know the landfill is
4 regulated, but are quality tests done and how often
5 are air quality tests done?

6 I'm worried about my kids. I have young
7 kids. Are they going to get cancer? What is going
8 on on an ongoing basis for air quality? Does anyone
9 know? Are there any tests done?

10 CHAIRMAN FAFINSKI: I will refer your
11 questions to the environmental committee for their
12 future meeting. They meet next month I think.

13 SUPERVISOR BAKER: I would suspect that
14 most of these questions will be answered as we move
15 through the DEIS. You're welcome to attend. Our
16 next meeting is February 8th.

17 MS. HEY: That's my concern. I don't know
18 how many on the board have kids, but I'm concerned
19 about the air quality and what the landfill is going
20 to do.

21 Thank you.

22 MS. HSU: My name is Cynthia Hsu and you
23 have seen me before and I'm pretty tired. So
24 hopefully I will be -- I have a couple of points.

25 They do air quality monitoring every

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2 quarter. They only take samples from the areas of
3 the landfill that -- so there is no required
4 monitoring -- of the area that is in active
5 operation.

6 They do that monitoring for methane. There
7 is no required monitoring for hydrogen sulfide. For
8 you to be able to detect hydrogen sulfide it has to
9 be at a certain concentration for your body to
10 respond and say I smell rotten eggs.

11 So that concentration level I don't know
12 off the top of my head, but that's the minimum
13 concentration. When you can smell it -- part of
14 DEIS says that as long as this county fulfills and
15 Casella fulfills all the required regulations of the
16 state and federal government there will be no
17 impacts on public health.

18 Now, a lot of us who have been working on
19 environmental regulations realize that for many
20 public health issues there are no regulations. How
21 many of you understand the issue of pharmaceuticals
22 in water streams, hormones and other drugs that get
23 in water streams, hard pack medicines?

24 Right now there are no regulations for
25 pharmaceuticals. There is no threshold. There is

1 nothing required in the waste water treatment plan
2 to remove that.

3
4 They go into the water. The EPA -- if you
5 go to the website, they are grappling with this
6 issue now. There are no regulations for phthalates.

7 Phthalates are a known cause of genital
8 disfunction and now there is data for men and young
9 boys that shows that phthalates can effect both
10 penis size and -- there are no regulations governing
11 phthalates. There are not exactly regulations for
12 all the air quality issues that some of us have
13 concerns about.

14 There are so many chemicals in our
15 environment. Some of them have no threshold set.
16 So while it is accurate that the county will strive
17 to meet all required regulations, it is insufficient
18 to assume that the regulations will protect the
19 public.

20 The second issue has to do with -- somebody
21 raised the issue of Casella being a good neighbor.
22 I was at the Town of Seneca meeting a few weeks ago
23 where Casella spent a considerable amount of time
24 explaining what they were doing to resolve the
25 current smell issues.

1
2 There is a whole program in place that has
3 been discussed, but one of the interesting aspects
4 that came out was from somebody from -- a consultant
5 who said that based on a mathematical model given
6 the spring where we had enormous amount of rain -- I
7 work in agriculture. I can tell you I follow the
8 rainfall very closely.

9 Given the amount of rain that we had it had
10 an impact on the landfill in terms of the odors that
11 would be produced and that was known by their
12 models, yet Casella did not start implementing
13 contingency plans until the fall.

14 To me there was no proactive use of the day
15 to day -- prevent these issues of smell occurring.
16 They are scrambling now to take care of a problem
17 that they were able to predict earlier this year.
18 That is not a good neighbor.

19 That's a corporate concern. That's the way
20 a corporation should run. You make a cost benefit
21 analysis -- that makes sense from a corporate
22 standpoint, but we are not here and hopefully you
23 are not here to take care of Casella's bottom line.

24 You are here to take care of the people in
25 this room and whether that requires hard decisions

1 or not, that's part of why you were elected to make
2 hard decisions.
3

4 The last point is that over time Casella
5 has made a number of financial -- for those of you
6 in this room Casella gives the county two million
7 dollars a year for that landfill. In addition they
8 got fifteen million dollars for the first two
9 expansions, fifteen million dollars.

10 One of the issues that came up is that this
11 county is responsible as a lead agency for doing an
12 objective assessment of the environmental impacts in
13 order to put a permit through for this expansion.

14 If they put through that permit, this
15 county will benefit at the rate of a dollar per
16 cubic foot -- and at the rate of two dollars per
17 cubic foot for the other expansion.

18 Because of that contract, you have a
19 financial gain in insuring that that permit goes
20 through regardless of the outcome of -- this is an
21 issue that I have raised with people at the DEC and
22 there is no real solution for it.

23 You have a contractual obligation to go
24 through with things on that lease, but at the same
25 time you have an obligation to do an objective

1 Re: Ontario County Landfill 39
2 assessment -- for the expansion and I don't have a
3 solution for you on how to meet these goals because
4 they are in conflict.

5 The last point I would like to make is of
6 the money that -- fifteen million dollars, I have
7 not yet seen any of that money go into a long term
8 plan for waste management in this county. The
9 pharmaceutical collection plan right now is run by
10 volunteers and the sheriff's department is awesome
11 at helping out, but -- that fifteen million dollars
12 by now could have developed programs that would
13 reduce the amount of waste generated by the
14 residents in this county already, but it has already
15 been spent.

16 So I would ask that as you look at the
17 money that's coming in that you actually use it for
18 us to no longer need a landfill in the future.

19 CHAIRMAN FAFINSKI: Thank you.

20 MR. ALIPERTI: I'm not as good as everyone
21 else. I have notes. My name is Vinny Aliperti.
22 I'm the owner with my wife of Billsboro Winery. I'm
23 downwind of Geneva on Route 14.

24 I speak for many wineries in the Finger
25 Lakes by urging the board to oppose this proposed

1 expansion. The wine industry has toiled and
2 struggled for decades to become a world class
3 internationally renowned region for wine lovers.
4

5 They flock to the Finger Lakes to taste
6 wine, to experience the bounty of the area, to spend
7 a lot of money here. A lot of money comes back as
8 tax dollars to the county and of course it also
9 helps local businesses survive and thrive.

10 The fumes, the leaching, the monster trucks
11 running down the wine trails are simply not
12 compatible and not tolerable in our communities in a
13 tourist economy. I would like to think that this
14 board has more imagination than to rely on imported
15 trash as its sacred cash cap.

16 I challenge this board to end its contract
17 with Casella and start to think about life without
18 the landfill and how you can supplant its revenue
19 with other forms of development that are more
20 sustainable and respectful of the symmetry of the
21 county and its tourist trade.

22 Thank you.

23 CHAIRMAN FAFINSKI: Is there anybody else
24 that would like to address the board?

25 MS. HENRY: My name is Mary Henry. I live

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at 499 Castle Street in Geneva, the city. I have a terrible sense of smell. So I'm surprised I can smell it.

We also have a lake house in the Town of Geneva and I can't vote for Mary Luckern. If I could she would be only supervisor that I would vote for.

She is the only one that stood up and said you may not put a pipeline through the Town of Geneva so that you can put piped leachate directly into our facility. Thank God because that's the only reason we don't have a direct line for leachate.

It has been diverted I think to Canandaigua temporarily, but I think long term we have to take it. It's somewhere in some contract, but at least Mary Luckern has kept it from happening. So I would like to say the only one I would nominate to be on the board is Mary Luckern.

CHAIRMAN FAFINSKI: Is there anybody that would like to speak?

This public hearing is on the environmental impact statement, not whether we should expand the landfill or not. So try and keep your comments

1
2 towards the subject.

3 MR. ROE: I'm a terrible speaker. So good
4 luck. What I would like to say -- it will be the
5 scariest three minutes of my life.

6 I represent people from -- I feel right now
7 by saying two little quick stories. I was on my way
8 to the Adirondacks with six other couples. We
9 stopped at a rest stop. There was eight motorcycles
10 coming down from the Adirondacks and it was husbands
11 and wives on these beautiful motorcycles. I noticed
12 all of them were from out of state.

13 So I told them, you know, how are you
14 liking this area? And they said this area is
15 beautiful. We just came from the Adirondacks. We
16 want to tell you we have come from across the
17 country and the nicest area in this country is the
18 Finger Lakes.

19 Another one, I talked to a lady at the corn
20 stand down on Seneca Lake and this lady was from out
21 of state. I said, how do you like the Finger Lakes?
22 She said I love the Finger Lakes, but I'm so sad. I
23 said why? She said my son graduates from Hobart
24 this year and my husband and I have come for four
25 years and we love every minute we spend in the

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Re: Ontario County Landfill

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Finger Lakes.

Thank you very much.

MR. BLACKWOOD: I'm Peter Blackwood. I live in the City of Canandaigua. So I gain to benefit from having the landfill there and I don't like having the landfill there.

I want to talk about numbers for a minute. I talked to my county representative who gave me some of those numbers. At current usage the landfill accepts approximately one million tons of refuse a year. I don't know what percentage of that is from our own county. I prefer to see all of it from our own county.

It's a really intangible number, a million tons. If you think of it as pounds, that's two billion pounds every year. You have to wonder what is two billion pounds? Two billion pounds is the same weight as three Empire State Buildings just being dumped on the ground or into the ground. It's also the same weight as approximately five hundred thousand cars every single year that we are putting into our county from elsewhere.

Another interesting number is the county budget which is about two hundred and ten million

1 dollars. A previous speaker said we get two million
2 dollars a year from the landfill. I was told three
3 million. That's approximately one point four
4 percent of the county budget. So if you think about
5 it for one point four of the budget we're importing
6 three Empire State Buildings here into the middle of
7 our county and burying it.

9 To sum up basically I just strongly
10 encourage the County Board of Supervisors to not
11 expand any part of that landfill ever. I would
12 encourage a violation of the contract if there is
13 any way to do that to turn this back to a landfill
14 that just collects from our own county. That's
15 basically it.

16 Thank you for letting me talk.

17 CHAIRMAN FAFINSKI: Is there anybody else
18 that would like to speak for or against?

19 MR. BONNEY: My name is Sam Bonney. I live
20 in the City of Geneva. I'm here speaking for
21 myself. I want to make that clear. Not for any
22 group or anybody else.

23 I have lived in Geneva basically my whole
24 life except for a small tour in Vietnam. I can
25 remember the place where the landfill is now. It

1 was a beautiful farm in the 1970's. I went over
2 there and hunted pheasants a few times. It's now a
3 huge stinking pile of garbage.
4

5 Casella likes the term sanitary landfill,
6 but we all know it's a huge stinking pile of
7 garbage. Two years ago you and Casella tried to
8 create a system to put leachate into the Geneva
9 waste water treatment plant on a permanent basis
10 even though Seneca Lake is a public water supply and
11 you all knew it. Thank God City of Geneva said no.

12 Now, you want to grow this huge stinking
13 pile of garbage larger so the stink and the
14 chemicals that come off it can come downwind to
15 where I live and where a lot of these other people
16 live and get stinkier and last longer.

17 So I'm going to make a suggestion to you
18 without regard to any of the technical arguments
19 that have been made or any legal arguments. Your
20 continued support of landfill expansion is contrary
21 to the public interest. It's contrary to public
22 policy and therefore it's immoral.

23 On that basis I suggest that every one of
24 you ought to try to get a transplant or a
25 transfusion for Mary Luckern so you can grow some

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2 courage like she has. She is a hero here and start
3 voting no on these landfill expansion issues.

4 Thank you very much.

5 MR. CAMPBELL: My name is Larry Campbell.

6 I live at 30 Geneva Street in the City of Geneva. I
7 moved here in 1968 to teach at -- and my wife and I
8 raised our three children here.

9 I am grateful to have found such a
10 beautiful and inviting area in which to live with
11 beautiful lakes and valleys and waterfalls, charming
12 cities and towns filled with stunning and -- public
13 buildings, vineyards and farms rich in music and
14 theater and educational institutions, the birth
15 place of women's rights and aviation. It's a small
16 wonder that we have become a magnet for tourists.

17 Now, we are here to address these warts.

18 So why would anyone dream of spoiling our
19 environment in this ghastly fashion? Of course we
20 all know the reason - capital M capital O capital N
21 capital E capital Y. We are selling our inheritance
22 for a pot of lead stew so we can spoil the land
23 while building into our budget programs that cannot
24 afford or are not willing to pay for ourselves and
25 which cannot be continued forever.

1
2 Sooner or later the goose that is laying
3 these golden eggs will die and then we will have
4 to -- it seems to me this right now is the best
5 possible time to step up to the plate, face reality
6 and stop this expansion. I will never vote to elect
7 a supervisor who in any way enables this expansion.

8 We hear politicians of all -- that we have
9 to stop increasing federal deficits because of the
10 burden it will impose on our children and
11 grandchildren. That is a popular myth. There are a
12 good many reasons to bring in -- but that is not one
13 of them.

14 Federal deficits have never been paid off.
15 The cost of the Civil War and World War II are
16 still -- the gross domestic product as the economy
17 grows and this reduces the negative effect.

18 However, these landfills -- which our
19 grandchildren and great grandchildren will have to
20 deal with -- these gigantic mountains of living,
21 breathing, rotting, decaying and urinating toxic
22 trash will be here forever.

23 Do you understand that? Forever.

24 CHAIRMAN FAFINSKI: Is there anybody else
25 that would like to speak for or against?

2 MR. BELLIVEAU: Hi. My name is Dan
3 Belliveau and I just wanted to say a couple words
4 against.

5 Some of the supervisors may think that they
6 are not affected by being downwind in the City of
7 Geneva, but I happen to be involved in tourism. Day
8 in and day out I take people from outside the area -
9 motor coaches as well as individuals - all around.

10 What I can tell you is we also visit places
11 like Arbor Hill, Cheshire, Bristol, some of the
12 smaller tourist destinations. Many of the hotels
13 the people are coming from happen to be in
14 Canandaigua, Geneva - Geneva particularly downwind.

15 So if you think that your small town or
16 village is not being affected by what tourists are
17 thinking and their thoughts about coming back a
18 second time, I think you are wrong.

19 Tourism is a growing business. Just ask
20 the hotels, the restaurants, wineries, all the
21 attractions we have. For the life of me I can't
22 quite figure out why this board can't pay our bills.

23 Somebody else mentioned earlier other
24 counties -- every county doesn't have a landfill.
25 Ours is one of the few counties in the State of New

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York that has a landfill. Other counties pay their bills through other means.

We have retail, Eastview Mall, very successful retail. We have industry, Farmington and other areas in the county. We have an ace in the hole. We have tourism which many counties don't have.

So I would ask you to look to those sources of revenue and to not expand the landfill and in fact limit it to taking eventually just what comes from Ontario County.

Thank you very much.

CHAIRMAN FAFINSKI: Is there anyone else that would like to speak for or against this proposal?

MS. VANDERMEULEN: My name is Ann Vandermeulen and I live at 132 Washington Street in Geneva. I came to this area as a student of William Smith in the seventies drawn by the beauty of the City of Geneva.

I have travelled around many, many places. I came back to live here because I love the beauty of the Finger Lakes.

To speak directly to the environmental

1
2 impact statement, to me there is a disturbing
3 misinterpretation in the statement as there was in
4 the draft Ontario County solid waste plan regarding
5 the New York State DEC goals recommended.

6 In fact both of these draft documents
7 turned the preferred hierarchy for solid waste
8 management upsidedown minimizing the first
9 priorities of waste reduction. As most of you know
10 there was significant criticism of the draft -- and
11 it failed considerably -- the New York State
12 hierarchy.

13 Using this -- draft swamp which has not yet
14 been approved or finalized in this environmental
15 impact statement to support landfill expansion is
16 both premature and -- it's also disturbing that this
17 environmental impact statement -- that were long
18 term to describe the expansion of -- to Ontario
19 County.

20 Long term this document amounts to about
21 fifteen, seventeen years. Seventeen years to
22 blatantly disregard -- based management resulting in
23 another mountain filled mostly of waste coming from
24 outside the county leaving us with truly long term
25 environmental consequences and -- to reduce, reuse,

1 repurpose and recycle that waste.

2
3 I encourage you all to embrace the public
4 voices you heard tonight coming from many citizens
5 who volunteer long hours to study details and become
6 very informed about sustainable waste management
7 practices so we all can make better decisions for
8 the wellbeing of Ontario County.

9 For your information I just happened to
10 find a study last month called best practices for
11 local governments solid waste -- diversion from
12 landfill and waste reduction. This report
13 identifies program elements from various governments
14 across the country that offer successful diversion
15 of solid waste from landfills and -- a better
16 alternative than the ones contained in this
17 environmental impact statement.

18 I can submit that to you online through the
19 government site and I thank you for listening.

20 CHAIRMAN FAFINSKI: Is there anyone else
21 that would like to speak for or against?

22 MR. NILES: Don Niles. I live on County
23 Road 23 in Phelps just outside of Oaks Corners and
24 it stinks there too. In the summertime with the
25 south breeze you can't have your windows open.

1
2 I guess what I wanted to say is everybody
3 is talking about how it is the money. It has to be.
4 This county here -- the employees in this county are
5 making more money than any other county surrounding
6 us.

7 We have deputies that are getting -- their
8 lowest paid deputies are almost as much as what
9 Sheriff Spike makes himself in Yates County. You
10 have highway employees -- anybody can go on the
11 internet and see. The pay rates in this county --
12 you have to keep the garbage rolling in just to pay
13 the employees.

14 Then down the roadways -- I guess they're
15 building that place up so they get a nice pension at
16 the end of this deal because it's ridiculous how
17 come they keep telling us if we lose the dump our
18 taxes are going to go up. They wouldn't go up if
19 the pay rates weren't up so high and the cost in
20 this county is so high.

21 Another thing, all the trucks drag all the
22 crap out in the road. They ought to have a tire
23 wash because every time cars go up and down that
24 road -- dust, it's probably polluted with crap.
25 There are rocks in the road as well as the stink.

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Thank you.

CHAIRMAN FAFINSKI: Is there anybody else that would like to speak for or against?

MR. DOKTOR: My name is David Doktor. I live in Phelps.

A few years ago we changed the way we did our transfer station. Anything that is recycled is free. Anything that goes to the landfill, there is a price for. We reduce the amount of waste dynamically by just having that system.

I understand that one of the visions here is the financial gain in the county. I challenge you to get the real financial gain. If there are so few landfills, you're not getting the money that you should be getting. It should be three, four times the amounts that you are getting if you are going to look at it in a financial way.

I personally bought a card to be able to recycle or to put in garbage into my transfer station. I bought the minimum amount and I believe it's five years. I haven't used it up yet. So I'm not creating this garbage in my town. Why would I have to put up with all the problems unless there is a financial gain?

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Re: Ontario County Landfill 54

I challenge you to get the money back. It will cover for all of these issues. Again if you need a model I live in a house that's a hundred and thirty years old in the village. I generate my electricity by the sun. I heat my house with waste - used vegetable oil from the village and this is what I do as a person.

With the resources and the things that this county has, I don't understand why you are doing what you are doing. So I'm against it. That's it.

Thank you.

MS. DRESHNER: Hi. My name is Deb Dreshner. I live in Seneca Castle two point five miles north of the landfill.

The reason I am here tonight was to just let you know that I'm very concerned about the report about the extra thirty percent gas emissions that they are predicting. I kind of think it's going to be a lot more considering what we have already. It's pretty bad.

My property, the way it's set up, I live right next to the -- creek. My property is set so that there is a big basin around the lower area of my property.

2 I have animals. We have sheep. We do
3 organic gardening. We do everything organic out
4 there as much as possible. I have chickens that --
5 garbage from my house and then we put it back on the
6 gardens.

7 The landfill emissions that I have been
8 subjected to land in my basin around my house and
9 they just sit there. This morning I was awakened to
10 the stench of it. I have been doctored for
11 headaches. I can't wear my contacts because my eyes
12 burn, nausea. The headaches are the worst part.

13 It's too much already and thirty percent
14 more is way too much. I think that the
15 responsibility of Ontario County and for our own
16 township is to make sure that because this mountain
17 is here it needs to be fixed so that we are not
18 having these emissions that our air is clean and
19 clear again.

20 When I bought our property back in the
21 early -- the late eighties, I'm sorry, we didn't
22 have this smell. We didn't have the problem with
23 the hydrogen sulfide gas coming in the dryer vent
24 into my house. That's how it comes in.

25 I go into my laundry room in the morning

1 and you open up the dryer and bam, you get blasted
2 with it. That's not appropriate. That's not right.

3 These gas emissions are dangerous to
4 people. If I'm feeling the headaches, I don't know
5 about anybody else, if anybody has had any issues
6 with their eyes burning. I do know that the gas is
7 too heavy and especially in my area where the
8 property is low and the gas drops. It's heavier
9 than air.
10

11 I really would appreciate that you will be
12 a little bit more diligent about investigating. Of
13 the people that do live around, go door to door if
14 you have to before you make any other decisions.

15 Thank you.

16 CHAIRMAN FAFINSKI: Is there anybody that
17 would like to speak for or against?

18 I would remind you Supervisor Baker had
19 mentioned there is a resolution that he is going to
20 propose for the environmental quality that will
21 extend the public comment period on this subject.

22 So you can submit up until -- if this
23 resolution passes tonight shall end on February 6
24 and you can actually submit written comments
25 concerning this.

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Re: Ontario County Landfill

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SUPERVISOR BAKER: 21st.

CHAIRMAN FAFINSKI: 21st. So that's another alternative for getting on the record.

I ask you again is there anybody else that would like to speak for or against?

I hereby close the public hearing and call the regular meeting.

SUPERVISOR LUCKERN: At their January 10th meeting the Geneva Town Board approved a motion -- the expansion and really the environmental impact statement of the Ontario County landfill.

This report states that the purpose of this expansion will provide long term environmentally sound disposal capacity for local residents. They feel that this would prevent our residents from having increased costs such as the tipping fee.

Yet this expansion increased waste being delivered to the landfill from different areas of the state as well as out of state and Canada resulting in increased truck traffic. I question how this will help the environment.

The report states that approximately twenty-five point zero acres of agricultural land in Ontario County -- will be used in soil -- areas

1 during this project. Realistically this soil will
2 in all probability be contaminated and not suitable
3 for agriculture.
4

5 The report states that the decomposition of
6 soil waste in the landfill produces landfill gas,
7 methane, carbon dioxide -- organic compound. The
8 report describes how these gases are captured and
9 used.

10 The report does not address the present
11 odor that we all experience or what is being done to
12 control it. Our county administrator is working
13 with Casella on this problem. At --
14 garbage initiative, not Casella.

15 The report states that the height of the
16 landfill could increase by twenty-eight feet. The
17 visual impacts are similar to the present landfill
18 and -- located adjacent to New York State Route 5 &
19 20.

20 The report further states that the
21 highway's primary use is transportation, that it is
22 not considered scenic highway. Does this mean that
23 those of us including myself using this highway
24 should be subjected to unsightly mounds of waste?

25 The report includes several modifications

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Re: Ontario County Landfill 59

including the leachate storage area -- to allow greater storage volume. This is a serious concern which many of us have -- the final disposal of the leachate, the method and location of such.

These are just a few of the topics of the report that I find violates our health and welfare.

SUPERVISOR SHEPPARD: Thank you, Mr. Chairman and fellow supervisors for the benefit of the floor. John Sheppard, Town of Seneca Supervisor and I welcome -- I'm also a resident of County Road 20.

The Town of Seneca has submitted written comments to the Draft Environmental Impact Study. They are on record at the clerk's office along with several other submissions from Ontario County as a whole. So I will be brief.

Three issues basically in those written comments are the concerns, some of which have been vocalized this evening and one important one which was not.

Over the past ten months late spring, summertime there has been an increased report of odors from the landfill. To myself and my fellow councilmen I suspect -- in the county level and even

1
2 an acknowledgement of such -- the concern I have
3 despite significant remediation recently to the tune
4 of three hundred thousand dollars and above.

5 My concern is as the DEC permit is issued
6 for -- of operation for the next seventeen years the
7 termination of the OML at 2028, what recourse does
8 the DEIS have in it as a mitigation effort that
9 would prohibit a like occurrence of what we have
10 experienced the last ten months.

11 The Town of Seneca has been approached in
12 the past for an extension of height -- an increase
13 in height for the landfill. Of course anyone near
14 operations would realize it's relatively inexpensive
15 air space to go up. The expensive part of the
16 landfill is to -- it's expensive to go lateral.
17 It's relatively inexpensive to go up.

18 The Town of Seneca has obviously -- it is
19 proved to be an impediment to that increase in
20 height and we continue to have it sent to me. The
21 Draft Environmental Impact Study, we feel mitigation
22 efforts to impede any prospective height increase
23 over what the obligation is in the OML-125 is
24 inadequate.

25 We would seek to increase at least in terms

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2 of the DEC permitting a restriction or some kind of
3 impediment to prohibit an ascension in height and
4 further degradation -- the third of which has not
5 been mentioned today from the floor and which is I
6 think significant to my fellow supervisors is land
7 use authority.

8 As you know we are members of a home rule
9 state. The land use authority is a privilege and a
10 responsibility of the local jurisdiction, the local
11 municipality. I suspect we all have ordinance --
12 zoning ordinance for our towns. The Town of Seneca
13 is fairly restrictive. It maybe be the most
14 restrictive in the county and for good reason.

15 The Draft Environmental Impact Study
16 mentions that there is no town ordinance issue with
17 an annexation of forty acres of agricultural land.
18 The current landfill boundary is county owned and
19 it's zoned M1 which is zoned for industrial use.
20 The town has been complacent in allowing the current
21 operations to occur in that three hundred eighty
22 acres. An annexation of forty additional acres
23 currently zoned ag would be a discretion of the Town
24 of Seneca.

25 We all have procedures in place to

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2 determine that -- namely the town board can amend an
3 existing law, town law, ordinance law or it could go
4 through the procedure of the planning board and make
5 a recommendation for site planning to the EPA which
6 would make the variance for the use in this case
7 mining an ag district for the -- the Town of
8 Seneca's mitigation efforts at the onset what I have
9 written in the comments is we retain or get title of
10 that land. We maintain -- we make an -- on our own
11 municipality to turn our own fate.

12 It is inappropriate to say that the county
13 is going to annex forty acres and thereby by that
14 annexation they are exempt from land use authority.
15 I will cite the precedent of City of Rochester
16 versus Monroe County which is fairly -- using the
17 nine point test that the local jurisdiction retains
18 that land use authority.

19 I can make a singular argument with what we
20 are experiencing with hydro-fracking. We all claim
21 that we have the use -- the discretion of land use
22 authority to deny the industrial use of
23 hydro-fracking. How then can you deny the Town of
24 Seneca to make their own determination for land use?

25 I will again refer to the comments -- and

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at the clerk's office and we'll likely make more as information is presented to the Town of Seneca and I will suspect fully thirty percent if not forty percent of the comments made this evening from my constituents.

Thank you.

CHAIRMAN FAFINSKI: Any other comments from any supervisors?

Hearing none I hereby close the public hearing and call the regular session of the Board of Supervisors to order and ask the clerk to call the roll.

* * *

REPORTER CERTIFICATE

I, Tammy A. Piccola, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated

At Rochester, New York

Tammy A. Piccola, RPR